



## Telecom Order CRTC 2008-133

Ottawa, 9 May 2008

### **Bell Aliant Regional Communications, Limited Partnership and Bell Canada**

Reference: Bell Aliant Tariff Notices 95 and 165  
Bell Canada Tariff Notices 7039 and 7111

#### **Port-Out Cancellation Charge**

##### **A. Bell Aliant Tariff Notice 95 and Bell Canada Tariff Notice 7039**

1. The Commission received applications by Bell Aliant Regional Communications, Limited Partnership (Bell Aliant) and Bell Canada (collectively, Bell Canada et al.) pertaining to service provided by Bell Canada, and by Bell Aliant in Ontario and Quebec. The applications, filed under Bell Aliant Tariff Notice 95 and Bell Canada Tariff Notice 7039, were dated 6 June 2007. In their applications, Bell Canada et al. proposed to revise their Access Services Tariffs to add a new rate element to item 115, Local Number Portability (LNP) and Wireless Number Portability (WNP) – 10 Digit Global Title Translation (10D GTT) – Access to Service Control Point (SCP). The new rate element would apply to a local exchange carrier or wireless service provider in the event that the service provider generates a volume of port-out request<sup>1</sup> cancellations that exceeds a threshold established in the tariff.
2. The Commission received comments from Quebecor Media Inc. (QMI) and Rogers Communications Inc., as well as reply comments from Bell Canada et al. The record of the proceeding closed on 27 August 2007.
3. In Telecom Order 2007-478, the Commission granted interim approval, with changes, to the above-mentioned tariff notices. In that Order, the Commission reduced the proposed charge from \$100 to \$50 per eligible cancellation to reflect changes in the Phase II costs of the service and added a stipulation that cancellations attributable to winback or other direct marketing activity or other causes under the control of Bell Canada et al. would not be subject to the cancellation charge. The Commission further indicated that final approval would be dependent on the outcome of the proceeding initiated by Telecom Public Notice 2006-14 (the Essential Services proceeding).<sup>2</sup>

##### **B. Bell Aliant Tariff Notice 165 and Bell Canada Tariff Notice 7111**

4. Subsequent to the issuance of Telecom Order 2007-478, the Commission received applications by Bell Canada et al. under Bell Aliant Tariff Notice 165 and Bell Canada Tariff Notice 7111, both dated 3 March 2008. In their applications, Bell Canada et al. proposed to revise the criteria under which a port-out request would be included in the calculation of the cancellations subject to the cancellation charge. Specifically, Bell Canada et al. proposed that any cancellation of a port-out request that is supported by a customer request to change its local

<sup>1</sup> A port-out request is a request to change the assignment of a telephone number from one local exchange carrier to another.

<sup>2</sup> The Essential Services proceeding culminated with the release of Telecom Decision 2008-17.

service provider or is otherwise caused by factors under the control of Bell Canada et al. would be excluded from the cancellations that are subject to the port-out cancellation charge. Bell Canada et al. submitted that the proposed criteria excluded a greater number of cancellations from the charge than the criteria originally approved by the Commission and would enable Bell Canada et al. to implement the charge more efficiently.

5. In Telecom Order 2008-72, the Commission granted interim approval to these applications.
6. The Commission received comments from QMI with respect to these applications, and Bell Canada et al. responded to QMI's comments. The record of the proceeding closed on 14 April 2008.
7. In its comments, QMI requested that Bell Canada et al. provide clarification to the potential application of the port-out cancellation charge when (1) the customer reversed its decision to rely on a service provider other than Bell Canada et al., and (2) when the customer moved its service from one competitive local exchange carrier (CLEC) to another CLEC.
8. Bell Canada et al. provided further explanations of their proposed treatment of port-out cancellations under the circumstances described by QMI. In the first case, Bell Canada et al. clarified that where the customer has reversed a decision to rely on a service provider other than Bell Canada et al. within seven days of the port-out request, the cancellation would not be included in the calculation of cancellations subject to the charge. If the cancellation occurs after seven days, the cancellation would be included in the calculation of cancellations subject to the charge. In the case where the customer moved its service from one CLEC to another CLEC, Bell Canada et al. clarified that the cancellation of a port-out request would not be included in the calculation of cancellations subject to the port-out charge irrespective of the time that has elapsed between moves.
9. The Commission considers that QMI's concerns have been fully addressed by Bell Canada et al. and notes that the new criteria will benefit CLECs by reducing the number of port-out request cancellations that are subject to the charge. The Commission also notes that QMI has since proposed to offer the same service using the same criteria.

## **Conclusion**

10. Subject to the clarifications noted above by Bell Canada et al., and the modification to the proposed charge set out in Telecom Order 2007-478, the Commission **approves on a final basis** Bell Canada et al.'s applications.<sup>3</sup> Bell Canada et al. are directed to file tariff pages reflecting this determination within 10 days of the date of this Order. These tariff pages should also reflect Bell Canada et al.'s clarifications set out in paragraph 8 above.

Secretary General

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<sup>3</sup> The public records of these applications are available on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) under "Public Proceedings."

## Related documents

- Telecom Order CRTC 2008-72, 12 March 2008
- *Revised regulatory framework for wholesale services and definition of essential service*, Telecom Decision CRTC 2008-17, 3 March 2008
- *Bell Aliant Regional Communications, Limited Partnership and Bell Canada – Local Number Portability and Wireless Number Portability Port-Out Request Cancellation service*, Telecom Order CRTC 2007-478, 12 December 2007
- *Review of regulatory framework for wholesale services and definition of essential service*, Telecom Public Notice CRTC 2006-14, 9 November 2006, as amended by Telecom Public Notices CRTC 2006-14-1, 15 December 2006; 2006-14-2, 15 February 2007; 2006-14-3, 16 March 2007; and 2006-14-4, 20 March 2007

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