



## Telecom Order CRTC 2008-181

Ottawa, 26 June 2008

### Ontario Telecommunications Association

Reference: Tariff Notice 95

#### Toll Interconnection Services

1. The Commission received an application by the Ontario Telecommunications Association (OTA), dated 8 May 2008, proposing revisions to Ontario Independent Services Tariff item 235, Toll Interconnection Service.
2. In its application, the OTA submitted that changes to the tables showing the categories for annual conversation minutes and toll trunks were needed to reflect changes in the annual volume of toll traffic and/or to the number of toll trunks for some of its member companies.
3. In a subsequent letter to the Commission, the OTA requested ratification of the rates it had charged between 1 January 2008 and the effective date of this Order because its member companies had been charging the rates associated with the proposed tariff changes during that period.
4. The Commission received no comments regarding this application.

#### Commission's analysis and determinations

5. The Commission notes that it granted the OTA's application interim approval on 23 May 2008 in Telecom Order 2008-151, effective the date that Order was issued.
6. The Commission notes that in Telecom Decision 2005-3 it established a rate structure for direct connection (DC) and trunking rates that would replace the small incumbent local exchange carriers' direct toll rates. The Commission also notes that in Telecom Decision 2006-14 it maintained the rate structure for both DC and trunking that had been established in Telecom Decision 2005-3 but determined that, going forward, the applicable DC and trunking rates were to be established and applied on the basis of actual annual toll conversation minutes and actual toll interconnection trunks.
7. The Commission notes that, in regard to its request for ratification, the OTA submitted that the delay in filing its application was due to the necessity of compiling the actual minutes for each member company. The OTA therefore asked the Commission to ratify, in accordance with subsection 25(4) of the *Telecommunications Act* (the Act), the rates charged for the period from 1 January 2008 to the effective date of this Order.
8. Pursuant to subsection 25(4) of the Act, the Commission may ratify the charging of a rate by a Canadian carrier otherwise than in accordance with a tariff approved by the Commission if the Commission is satisfied that the rate was charged because of an error or other circumstance that warrants the ratification.

9. The Commission finds that, under the circumstances, it is appropriate to ratify the charging of the DC and toll trunk rates by the OTA member companies during the time the services were provided at rates otherwise than in accordance with a tariff approved by the Commission.
10. Accordingly, the Commission **approves on a final basis** the OTA's application. In addition, the Commission ratifies the rates charged by member companies for DC and toll trunks for the period from 1 January 2008 to 23 May 2008. The Commission directs the OTA to issue revised tariff pages with an effective date of 23 May 2008 within 10 days of the date of this Order.

Secretary General

### **Related documents**

- Telecom Order CRTC 2008-151, 23 May 2008
- *Revised regulatory framework for the small incumbent local exchange carriers*, Telecom Decision CRTC 2006-14, 29 March 2006
- *Direct toll and network access costing methodology for small incumbent local exchange carriers – Follow-up to Decision 2001-756*, Telecom Decision CRTC 2005-3, 31 January 2005

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