



Telecom Order CRTC 2009-708

Ottawa, 19 November 2009

NorthernTel, Limited Partnership – *Ex parte* application

File number: Tariff Notices 283 and 283A

1. The Commission **approves on an interim basis**, effective 30 November 2009, the *ex parte* application¹ by NorthernTel, Limited Partnership dated 2 November 2009 and amended on 11 November 2009.
2. In order that the application may be available for public examination, consistent with the *CRTC Telecommunications Rules of Procedure*, the company is directed to file with the Commission, on or before 30 November 2009, an electronic version of the application for the Commission website. Among other things, Telecom Decision 2008-74² allows interveners to comment, within 25 days, on Group B tariff applications that have been placed on the public record.

Secretary General

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¹ An *ex parte* application is an application that has been filed with the Commission without notice to the public and, as such, is not placed on the public record when initially filed. An *ex parte* decision is one in which the Commission disposes of an application solely on the basis of the applicant's submissions. Subsection 61(3) of the *Telecommunications Act* allows the Commission to make an *ex parte* decision where it considers that the circumstances of the case justify it. In *Review of regulatory framework*, Telecom Decision CRTC 94-19, 16 September 1994, the Commission set out several considerations to be balanced in any determination to permit *ex parte* tariff filings, including the public interest in the effective operation of the competitive marketplace and the public interest in an open regulatory process.

² *Regulatory policy – Approval mechanisms for retail and CLEC tariffs*, Telecom Decision CRTC 2008-74, 21 August 2008