



Telecom Decision CRTC 2010-129

Ottawa, 4 March 2010

Globalive Wireless Management Corp. – Application for CCS7 transiting arrangements

File number: 8622-G44-200913162

The Commission directs TCC to permit transiting via third parties of wireless service providers' common channel signalling 7 traffic for Wireless Service Provider Enhanced Provincial 9-1-1 Network Access Service.

Introduction

1. The Commission received a Part VII application from Globalive Wireless Management Corp. (Globalive), dated 28 September 2009, requesting that the Commission direct TELUS Communications Company (TCC) to permit the transiting of Globalive's common channel signalling 7 (CCS7) traffic for the purposes of accessing TCC's Wireless Service Provider Enhanced Provincial 9-1-1 Network Access Service (WSP E9-1-1 service). Globalive requested that the Commission deal with this matter on an expedited basis.
2. The Commission received comments from TCC and reply comments from Globalive. The public record of this proceeding, which closed on 16 October 2009, is available on the Commission's website at www.crtc.gc.ca under "Public Proceedings" or by using the file number provided above.
3. The Commission has identified the following issues to be addressed in this decision:
 - I. Is the application still relevant in light of developments in the negotiations between Globalive and TCC?
 - II. Does TCC's tariff allow CCS7 via transiting arrangements?
 - III. Who should bear the costs of any CCS7 transiting arrangement?

Background

4. Globalive noted that, prior to its service launch, it must conclude a number of arrangements with third-party vendors in order to finalize the design and interconnection arrangements of its network with TCC and other carriers. One of these items concerns the manner in which Globalive will access TCC's WSP E9-1-1 service. Globalive indicated that TCC was refusing to accept transited CCS7 traffic related to the WSP E9-1-1 service and that its negotiations with TCC were at an impasse.

5. TCC argued that, in accordance with its wireless service provider (WSP) interconnection tariffs,¹ WSPs do not have the option of using CCS7 transiting. TCC noted that under the heading "Conditions of Service – Wireless Service Provider and Company Responsibilities" in those tariffs, a series of responsibilities are imposed on both TCC and a WSP. In TCC's view, one of these is that a WSP is responsible for directly providing CCS7 on trunk-side interconnection for the exchange of Integrated Services Digital Network User Part signalling information.

I. Is the application still relevant in light of developments in the negotiations between Globalive and TCC?

6. TCC noted that Globalive had ordered direct CCS7 interconnection with TCC and that the corresponding signalling links are now complete and operational. TCC submitted that, given this situation, the relief sought by Globalive is no longer necessary.
7. Globalive agreed that it now has direct CCS7 interconnection with TCC, but noted that it was only provided after months of negotiation and was made available the day of TCC's response to its Part VII application. Globalive submitted that, for a number of reasons, a Commission determination is still required on its Part VII application.
8. Globalive noted that it wants the option to connect to the public switched telephone network through a third-party carrier. Such an arrangement would require CCS7 capability, which would make the direct CCS7 interconnection with TCC redundant. Globalive stated that it would like to be able to terminate that interconnection arrangement when, or if, it migrates its interconnection arrangement to a third-party carrier. Globalive argued that other new entrants may require CCS7 transiting arrangements, and that the Commission should not allow incumbent local exchange carriers (ILECs) to impose network design limitations simply because they have the ability to do so. Globalive submitted that such limitations permit TCC to create a monopoly for itself in the provision of CCS7 interconnection, which can then be extended into other transiting arrangements.

Commission's analysis and determination

9. The Commission notes Globalive's request for a determination on its Part VII application, even though it has now obtained direct CCS7 interconnection with TCC. The Commission agrees that it would be beneficial to issue a ruling on arrangements for CCS7 transiting between carriers.
10. The Commission considers that there are benefits to permitting transiting arrangements by third parties, especially for new entrants, as such arrangements can provide carriers with flexibility in their network designs and can decrease time to market. At the same time, the Commission considers that transiting arrangements place little to no additional burden on the ILECs, as the interconnecting parties can use existing CCS7 interconnection arrangements.

¹ TELUS General Tariff CRTC 21461, Item 201

11. The Commission therefore concludes that Globalive's application should be dealt with, as a determination on this issue will be helpful to Globalive and/or other carriers as they make or modify their interconnection arrangements with TCC.

II. Does TCC's tariff allow CCS7 via transiting arrangements?

12. TCC argued that, in its view, its WSP E9-1-1 service tariff states clearly that WSPs are not permitted to access this service via transiting arrangements with other carriers. The wording in question in TCC's WSP E9-1-1 service tariff² is as follows:
 1. The WSP shall provide the interconnecting CCS7 Trunking required between the WSP's switch(es) that form part of the WSP's Network and the Company's Selective Router(s) that form part of the Company's Provincial 9-1-1 Network...
 2. The WSP shall provide CCS7 signalling on trunk-side, as defined in former TCI General Tariff (CRTC 18001) Item 555 for Alberta and TCBC General Tariff (CRTC 1005) Item 197-A for British Columbia to enable the exchange of Integrated Services Digital Network User Part ("ISUP") signalling information necessary to support the signalling requirements for Wireless Service Provider Enhanced Provincial 9-1-1 Network Access Service. The Company's CCS7 signalling on trunk side is available at the rates and charges and under the terms and conditions specified in former TCI General Tariff (CRTC 18001) Item 555 and TCBC General Tariff (CRTC 1005) Item 197-A.
13. TCC argued that this wording requires a WSP to provide CCS7 without any allowance for the WSP to merely arrange for such signalling via transit.

Commission's analysis and determination

14. The Commission notes that it has previously approved tariff provisions for Northwestel Inc.³ and MTS Communications Inc.⁴ (which subsequently became MTS Allstream Inc. (MTS Allstream)) that permit CCS7 transiting arrangements by WSPs for WSP E9-1-1 service. The Commission further notes that Bell Canada also permits such CCS7 transiting arrangements. The Commission considers that, given that CCS7 transiting arrangements are permitted by other ILECs, there are no network impediments that would justify disallowing WSPs to use these arrangements to deliver signalling traffic to TCC's network.
15. The Commission notes that the TCC tariff wording is very similar to the equivalent wording in MTS Allstream's tariff,⁵ which is as follows:

The WSP is required to provide CCS7 signalling on trunk side to enable the exchange of Integrated Services Digital Network User Part (ISUP) signalling information necessary to support the signalling requirements for this service.

² TELUS General Tariff CRTC 21461, Item 201.2B, 1 and 2

³ Approved in Telecom Order 2004-330

⁴ Approved in Telecom Decision 2004-70

⁵ MTS Allstream Inc. General Tariff CRTC 24001, Item 3050, 3E

16. The Commission notes that pursuant to this wording, WSPs can provide the trunk-side CCS7 requirements to MTS Allstream via a third-party carrier. Given the similarity in wording between the different ILEC tariffs, the Commission considers that the TCC tariff wording does not clearly prohibit WSPs from providing the CCS7 requirements via another carrier.
17. The Commission further notes that the TCC tariff item noted above makes reference to former TCBC and TCI General Tariffs for additional terms and conditions as well as rates and charges. The Commission notes that TCBC's General Tariff⁶ states the following:

A WSP transiting CCS7 messages from a third party carrier will be charged for each carrier as appropriate.

18. The Commission concludes that TCC's tariff wording does not clearly prohibit WSPs from providing CCS7 via third parties and, in fact, actually contemplates that WSPs could do so. Accordingly, the Commission concludes that TCC's tariff does allow WSPs to provide CCS7 via third-party carriers.

III. Who should bear the costs of any CCS7 transiting arrangement?

19. TCC requested that, if the Commission were to find that TCC must make CCS7 available to WSPs via transiting arrangements under its WSP E9-1-1 service tariff, it should ensure that TCC is not responsible for any charges from the CCS7 transit provider and does not otherwise incur any additional costs, as this arrangement would be for the sole benefit of the WSP. TCC also requested that it be permitted to amend its tariff in the future if such arrangements cause it to incur additional internal costs.

Commission's analysis and determination

20. The Commission notes TCC's concerns regarding additional costs associated with the provision of CCS7 via third-party transiting arrangements. The Commission considers that the use of CCS7 transiting carriers by WSPs should not result in any additional costs for TCC.

Conclusion

21. In light of all the above, the Commission directs TCC to permit the transiting of WSP CCS7 traffic via third-party arrangements.
22. To the extent that TCC finds, in the future, that any such transiting arrangements result in higher internal costs, it may file a tariff notice and supporting cost studies with the Commission for consideration.

Secretary General

⁶ Item 197-A, E.3(e)

Related documents

- *MTS Allstream Inc. – Introduction of Wireless Service Provider Enhanced 9-1-1 Service*, Telecom Decision CRTC 2004-70, 4 November 2004
- *Northwestel Inc. – Interconnection services for wireless service providers*, Telecom Order CRTC 2004-330, 30 September 2004

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