



Telecom Order CRTC 2010-529

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Route reference: Telecom Regulatory Policy 2009-40

Ottawa, 29 July 2010

TBayTel – Wireless service provider enhanced 9-1-1 service agreement

File number: 8340-T8-200912338

Introduction

1. In Telecom Regulatory Policy 2009-40, the Commission directed the incumbent local exchange carriers (ILECs) that provide wireless service provider enhanced 9-1-1 service (WSP E9-1-1) to file tariff revisions to reflect the introduction of wireless Phase II Stage 1 E9-1-1 service (Phase II service). The introduction of Phase II service also required revisions to the ILECs' template WSP E9-1-1 agreements.
2. In addition to the information provided under Phase I of the service, Phase II service provides public safety answering points (PSAPs) with more accurate longitudinal and latitudinal (X,Y) information regarding the location of wireless E9-1-1 callers.
3. TBayTel filed proposed tariff pages, dated 24 July 2009, which were approved on an interim basis in Telecom Order 2010-8. TBayTel also filed a proposed WSP E9-1-1 agreement, dated 3 September 2009, to be considered in conjunction with its tariff application.
4. At the request of Commission staff, TBayTel filed a non-disclosure agreement, dated 13 May 2010, between itself and the Corporation of the City of Thunder Bay – Thunder Bay Police Services (Thunder Bay Police Services). Thunder Bay Police Services acts as the PSAP in TBayTel's operating territory.
5. The Commission received comments from Rogers Wireless Partnership (Rogers Wireless), dated 24 September 2009, regarding the proposed WSP E9-1-1 agreements filed by TBayTel and other ILECs.¹ The public record of this proceeding is available on the Commission's website at www.crtc.gc.ca under "Public Proceedings" or by using the file number provided above.

Should the Commission approve TBayTel's proposed WSP E9-1-1 agreement?

6. Rogers Wireless noted that most of the ILECs' WSP E9-1-1 agreements include a paragraph at the end of their non-disclosure provisions indicating that the ILEC may disclose confidential information to governmental authorities, PSAPs, providers of

¹ The other ILECs were Bell Canada; Bell Aliant Regional Communications, Limited Partnership; MTS Allstream Inc.; Saskatchewan Telecommunications; TELUS Communications Company; and Télébec, Limited Partnership. Their agreements were approved in Telecom Order 2010-46.

emergency services, or any of their respective agents or representatives “for the purposes intended herein.” It requested that the Commission direct each ILEC to modify this paragraph in order to impose non-disclosure obligations on the individuals that could receive such confidential information. In Telecom Order 2010-46, the Commission determined that the amendments proposed by Rogers Wireless were not required for the ILECs covered by that order.

7. The Commission notes that TBayTel does not have a standard ILEC/government agreement. However, the Commission also notes that the non-disclosure agreement between TBayTel and Thunder Bay Police Services sets out the parties’ confidentiality obligations with respect to information associated with the development, implementation, operation, and maintenance of the 9-1-1 system that is disclosed by either party to the other party.
8. The Commission considers that all information provided to the PSAP for the operation of the 9-1-1 system, including the additional information provided under the Phase II service, is protected under this agreement and that the agreement contains non-disclosure obligations on PSAP employees.
9. Accordingly, consistent with its determination in Telecom Order 2010-46, the Commission considers that the amendments proposed by Rogers Wireless to TBayTel’s WSP E9-1-1 agreement are not required.
10. In light of the above, the Commission **approves** TBayTel’s proposed WSP E9-1-1 agreement.

Secretary General

Related documents

- *Bell Aliant Regional Communications, Limited Partnership; Bell Canada; MTS Allstream Inc.; Saskatchewan Telecommunications; TELUS Communications Company; and Télébec, Limited Partnership – Wireless service provider enhanced 9-1-1 service agreements*, Telecom Order CRTC 2010-46, 29 January 2010
- Telecom Order CRTC 2010-8, 11 January 2010
- *Implementation of wireless Phase II E9-1-1 service*, Telecom Regulatory Policy CRTC 2009-40, 2 February 2009