



## Telecom Order CRTC 2010-674

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Route reference: Telecom Order 2009-798

Ottawa, 8 September 2010

### **Bell Aliant Regional Communications, Limited Partnership and Bell Canada – Follow-up to Telecom Order 2009-798 regarding the Voice Dialing feature**

File number: 8638-C12-200917487

*In this order, the Commission*

- *allows Bell Aliant Regional Communications, Limited Partnership and Bell Canada (collectively, the Bell companies) to recover the costs to implement equal access for residential customers using the redesigned Voice Dialing feature by way of a drawdown from the portion of Bell Canada's deferral account set aside for accessibility initiatives;*
- *directs the Bell companies to provide their redesigned Voice Dialing feature to business customers and to draw down the costs to provide this feature from the portion of Bell Canada's deferral account set aside for accessibility initiatives; and*
- *approves the Bell companies' request to withdraw the existing Voice Dialing feature for business customers coincident with the introduction of the redesigned Voice Dialing feature in the business market.*

#### **Introduction**

1. In Telecom Decision 2008-1, the Commission approved the use of deferral account funds by incumbent local exchange carriers (ILECs) for, among other things, certain initiatives to improve access to telecommunications services for persons with disabilities. Specifically, the Commission approved a proposal by Bell Canada, filed on behalf of itself and Bell Aliant Regional Communications, Limited Partnership (collectively, the Bell companies), to use a portion of Bell Canada's deferral account funds to redesign the existing Voice Dialing feature as one of their accessibility initiatives.

2. In Telecom Order 2009-798, the Commission approved, with changes, applications filed by the Bell companies to introduce their redesigned Voice Dialing feature for the residential market. In that order, the Commission directed the Bell companies to implement equal access<sup>1</sup> for long distance calls made by residential customers using the Voice Dialing feature and to file updated costs for its implementation. The Commission also directed the Bell companies to file a study of the costs and potential demand for the redesigned Voice Dialing feature for the business market.
3. In their submission, dated 12 February and revised on 30 April 2010, the Bell companies filed their costs to implement equal access in the residential market. Additionally, in a submission dated 22 March 2010, they filed estimated costs and potential demand for the redesigned Voice Dialing feature for the business market.<sup>2</sup>
4. The Commission received no comments regarding these submissions. The public records of these proceedings, which closed on 22 March and 30 April 2010, can be found on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) under "Public Proceedings" or by using the file number provided above.
5. The Commission has identified the following issues to be addressed in its determinations:
  - I. Are the Bell companies' costs to implement equal access for long distance calls made by residential customers using the redesigned Voice Dialing feature reasonable?
  - II. Should the redesigned Voice Dialing feature be made available to business customers?
  - III. Should the Bell companies be allowed to withdraw the existing Voice Dialing feature offered to business customers?
- 1. Are the Bell companies' costs to implement equal access for long distance calls made by residential customers using the redesigned Voice Dialing feature reasonable?**
6. In the proceeding leading to Telecom Order 2009-798, the Bell companies provided a preliminary estimate of the costs to develop and implement the systems and process modifications required to allow residential customers using the redesigned Voice Dialing feature to use the services of the long distance carrier of their choice by dialing directly.

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<sup>1</sup> Equal access allows customers to use the services of the long distance service provider of their choice by dialing directly (e.g. 1+514+xxx-xxxx), without having to dial additional digits.

<sup>2</sup> The Bell companies provided all cost information to the Commission in confidence.

7. The Commission notes that the Bell companies' revised costs to implement equal access are higher than those filed in the proceeding that led to Telecom Order 2009-798, and higher than those in their submission dated 12 February 2010. The Bell companies explained that this increase was due to the fact that they would need to use a more labour- and time-intensive development approach than originally contemplated.
8. The Commission considers that the Bell companies' development approach and the costs outlined in their April submission are reasonable and will ensure that a redesigned Voice Dialing customer's request to change his or her long distance service provider is carried out successfully.
9. The Commission reminds the Bell companies that in Telecom Order 2009-798, it directed them to implement equal access for residential customers as soon as possible, and requests that they notify the Commission when this capability is implemented on the redesigned Voice Dialing feature.
10. Given that the redesigned Voice Dialing feature is an initiative designed to improve the accessibility of telecommunications services for persons with disabilities, the Commission finds that it would be appropriate to allow the Bell companies to draw down the costs to implement equal access for residential customers from the portion of Bell Canada's deferral account set aside for accessibility initiatives.

## **II. Should the redesigned Voice Dialing feature be made available to business customers?**

11. The Bell companies submitted a breakdown of the development costs associated with providing the redesigned Voice Dialing feature in the business market, along with a demand estimate. They indicated that the projected demand was expected to be low because stakeholders had expressed only limited interest in this option. They submitted that although the availability of the redesigned Voice Dialing feature in the business market would enhance social integration and employment opportunities for persons with disabilities, the magnitude of the actual benefit would be limited. The Bell companies therefore questioned whether developing a redesigned Voice Dialing offering for the business market would add enough value in proportion to the substantial cost and effort required to do so.
12. The Bell companies further submitted that they did not believe that a requirement to provide the redesigned Voice Dialing feature in the business market could be considered proportionate to its intended purpose as required by the Governor in Council's *Order Issuing a Direction to the CRTC on Implementing the Canadian Telecommunications Policy Objectives*, P.C. 2006-1534, 14 December 2006 (the Policy Direction).<sup>3</sup>

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<sup>3</sup> The Policy Direction requires that when the Commission relies on regulation, it use measures that are efficient and proportionate to their purpose and that interfere with the operation of competitive market forces to the minimum extent necessary to meet the policy objectives set out in section 7 of the *Telecommunications Act*.

13. As noted in Telecom Order 2009-798, the Commission considers it important that services developed specifically for persons with disabilities be equally available at both their place of residence and their place of business.
14. The Commission considers that making the redesigned Voice Dialing feature available in the business market would enhance social integration and employment opportunities for persons with disabilities and that these benefits would be invaluable to persons with disabilities. Accordingly, the Commission considers that requiring the Bell companies to provide the redesigned Voice Dialing feature in the business market would be appropriate as an initiative to improve accessibility to telecommunications services to persons with disabilities.
15. The Commission has reviewed the Bell companies' estimated cost and demand information associated with extending the redesigned Voice Dialing feature to the business market. The Commission considers that the costs associated with extending the feature to the business market are reasonable relative to the cost of redesigning the service and the benefit provided.
16. The Commission further considers that requiring the Bell companies to provide the redesigned Voice Dialing feature to business customers is consistent with the Policy Direction in that the measure in question will be efficient and proportionate to its purpose, and that it will interfere with competitive market forces to the minimum extent necessary to meet the policy objectives set out in section 7 of the *Telecommunications Act*.
17. Accordingly, the Commission directs the Bell companies to provide the redesigned Voice Dialing feature to business customers. The Bell companies are to file for approval with the Commission, within 30 days of the date of this order, tariff revisions to reflect this determination.
18. The Commission finds that it would be appropriate to allow the Bell companies to draw down the costs to provide the Voice Dialing feature in the business market from the portion of Bell Canada's deferral account set aside for accessibility initiatives.

### **III. Should the Bell companies be allowed to withdraw the existing Voice Dialing feature offered to business customers?**

19. As part of the proceeding leading to Telecom Order 2009-798, the Bell companies proposed to withdraw the existing Voice Dialing feature for business customers.
20. The Bell companies noted that the existing Voice Dialing feature was grandfathered in 1999, that there are no remaining business customers subscribing in regulated exchanges, and that only some of the existing business subscribers in forborne exchanges appear to be actively using this feature.
21. The Commission determined in Telecom Order 2009-798 that it would address this request once the Bell companies filed a study of the costs and potential demand for the redesigned Voice Dialing service.

22. The Commission notes that the procedures regarding service destandardization and withdrawal are set out in Telecom Decision 2008-22, and that these procedures are only applicable to tariffed services that are offered in the non-forborne areas of the ILECs' territories.
23. The Commission notes the Bell companies' submission that few business customers appear to still be using the existing Voice Dialing service, that they are all located in forborne exchanges, and that the underlying technology is obsolete. The Commission further notes that it did not receive any comments regarding the proposed withdrawal.
24. In light of the above, and given that the Commission is requiring the Bell companies to provide the redesigned Voice Dialing feature to business customers, the Commission considers that it would be appropriate for the Bell companies to cease offering the existing Voice Dialing feature to business customers.
25. Accordingly, the Commission **approves** the Bell companies' request to withdraw the existing Voice Dialing feature for business customers, coincident with the introduction of the redesigned Voice Dialing feature in the business market.

#### **Other matter**

26. The Commission notes that in Telecom Order 2009-798, it approved a tariff for the provision of the redesigned Voice Dialing feature that would apply to regulated exchanges in the Bell companies' operating territories in Ontario and Quebec. However, the Commission considers that the accessibility initiatives were intended to improve access by persons with disabilities to telecommunications service throughout the territories in which the ILECs operate, whether an exchange is regulated or forborne.
27. Accordingly, the Commission expects that the Bell companies will comply with all of its determinations regarding the redesigned Voice Dialing feature in both regulated and forborne exchanges. If they opt not to do so, the Commission will take action to ensure that they comply with its determinations.

Secretary General

#### **Related documents**

- *Bell Canada and Bell Aliant Regional Communications, Limited Partnership – Voice Dialing feature*, Telecom Order CRTC 2009-798, 22 December 2009
- *Mandatory customer contract renewal notification and requirements for service destandardization/withdrawal*, Telecom Decision CRTC 2008-22, 6 March 2008
- *Use of deferral account funds to improve access to telecommunications services for persons with disabilities and to expand broadband services to rural and remote communities*, Telecom Decision CRTC 2008-1, 17 January 2008