



## Telecom Order CRTC 2010-682

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Ottawa, 13 September 2010

### **Tuckersmith Communications Co-operative Limited – Bundled services**

File number: Tariff Notice 27

1. The Commission received an application by Tuckersmith Communications Co-operative Limited (Tuckersmith), dated 10 June 2010, in which the company proposed revisions to its General Tariff, Section 100, Item 4, in order to introduce five service bundles.
2. Tuckersmith noted that it began offering four of the five service bundles on 1 January 2009 without an approved tariff, even though all five bundles contained a tariffed service, namely primary exchange service.<sup>1</sup> Tuckersmith therefore requested that the Commission ratify the rates it has charged for four of the five service bundles starting on 1 January 2009.
3. In *Tuckersmith Communications Co-operative Limited – Bundled services*, Telecom Order CRTC 2010-552, 4 August 2010, the Commission approved on an interim basis Tuckersmith's proposal, effective 4 August 2010. In that order, the Commission noted that it would address the ratification request and any related issues in a subsequent order.
4. The Commission received no comments regarding this application. The public record of this proceeding is available 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. With respect to Tuckersmith's ratification request, the Commission notes that, pursuant to subsection 25(4) of the *Telecommunications Act*, it may ratify the charging of a rate by a Canadian carrier otherwise than in accordance with a tariff approved by the Commission if it is satisfied that the rate was charged because of an error or other circumstances that warrant the ratification.
6. The Commission notes that Tuckersmith acknowledged that offering the service bundles without an approved tariff was an oversight on its part. The Commission reminds the company that all small incumbent local exchange carriers wishing to offer such bundles require prior Commission approval.

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<sup>1</sup> Bundle 5 is a new bundle that Tuckersmith was to offer upon interim approval of its application.

7. The Commission is satisfied that Tuckersmith charged the rates for these bundles without an approved tariff due to an oversight. Therefore, the Commission finds it appropriate to ratify the charging of the rates as requested by the company.
8. Accordingly, the Commission **approves on a final basis** Tuckersmith's application, and ratifies the bundled service rates charged by the company from 1 January 2009 to 3 August 2010.

Secretary General