



## Telecom Decision CRTC 2011-69

PDF version

Route reference: Telecom Notice of Consultation 2010-149

Ottawa, 4 February 2011

### Updated action plan for reviewing regulatory measures

File number: 8663-C12-201004473

*In this decision, the Commission issues an updated action plan to review certain regulatory measures in light of the Policy Direction.*

#### Introduction

1. In *Order Issuing a Direction to the CRTC on Implementing the Canadian Telecommunications Policy Objectives*, P.C. 2006-1534, 14 December 2006 (the Policy Direction), the Governor in Council required the Commission to, among other things, rely on market forces to the maximum extent feasible to achieve the objectives set out in section 7 of the *Telecommunications Act*.
2. Subsequently, the Commission established action plans<sup>1</sup> to review certain existing regulatory measures in light of the Policy Direction. The Commission has issued decisions related to the review of many of the regulatory measures identified in those action plans.
3. In Telecom Notice of Consultation 2010-149, the Commission invited parties to comment on whether the regulatory measures in the above-noted action plans that had not yet been reviewed (the outstanding regulatory measures) should form part of an updated action plan.
4. The Commission received submissions from Bell Aliant Regional Communications, Limited Partnership and Bell Canada; Bragg Communications Inc., operating as EastLink; the Canadian Cable Systems Alliance Inc.; Data & Audio-Visual Enterprises Wireless Inc.; Globalive Wireless Management Corp., operating as WIND Mobile; MTS Allstream Inc. (MTS Allstream); Rogers Communications Inc.; Saskatchewan Telecommunications; Shaw Communications Inc.; TekSavvy Solutions Inc.; TELUS Communications Company; and Yak Communications (Canada) Corp.
5. The public record of this proceeding, which closed on 6 May 2010, 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.

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<sup>1</sup> The Commission issued two action plans: Telecom Decisions 2007-51 (economic measures) and 2008-34 (non-economic and social measures).

## **Which outstanding regulatory measures should form part of the Commission's updated action plan?**

6. In determining which outstanding regulatory measures should be included in its updated action plan, the Commission considered several factors, such as whether an outstanding regulatory measure was identified for a review by any party in this proceeding, and whether adequate rationale, in light of the Policy Direction, was provided to support the review.
7. The Commission notes that there was no support for the review of several of the outstanding regulatory measures. In particular, the Commission did not receive any comments regarding the review of the outstanding regulatory measures pertaining to (i) various obligations relating to 900 service, and (ii) building access and municipal rights-of-way. Further, a number of parties to the proceeding submitted, with supporting rationale, that the following outstanding regulatory measures did not need to be reviewed at this time:
  - Different time limits for recovering unbilled and overbilled accounts;
  - Discount on Touch-Tone for persons with disabilities;
  - Free directory assistance and automated directory assistance call completion for persons with disabilities and senior citizens; and
  - Free routing of calls based on exchange boundaries for N-1-1 services.
8. The Commission concludes that the review of these outstanding regulatory measures will not be included in its updated action plan.
9. With respect to the remaining outstanding regulatory measures, the Commission considers that parties to this proceeding provided adequate rationale to support their review, with the exception of the three regulatory measures addressed below.

### ***Obligations to competitors not within the scope of Telecom Public Notice 2006-14***

10. MTS Allstream suggested that this outstanding regulatory measure should be included in the Commission's updated action plan. However, the Commission notes that MTS Allstream did not identify specific obligations that it thought should be reviewed at this time. Further, the Commission considers that MTS Allstream's comments did not sufficiently address the need to review these obligations in light of the Policy Direction. The Commission therefore concludes that this item will not be included in the updated action plan.

### ***Geographic portability: porting of numbers outside home exchange***

11. The review of this regulatory measure was identified by several parties as one that should be included in the updated action plan. The Commission is not convinced that it would be appropriate to review the issue of geographic portability given the

potentially large cost impacts on North American wide numbering systems and the technically challenging network changes that would be required. In addition, the Commission notes that there are also non-geographic numbers available that could provide the mobility suggested by a number of parties. Therefore, the Commission concludes that this item will not be included in the updated action plan.

### ***Pricing of shared-cost interconnection facilities***

12. The review of this regulatory measure was identified by several parties as one that should be included in the updated action plan. The Commission notes, however, that it determined, in Telecom Decision 2008-17, that these types of facilities were classified as non-essential subject to phase-out, and that they will be forborne in 2013. The Commission considers that introducing a regulatory measure related to the pricing of shared-cost interconnection facilities would be inconsistent with this determination in Telecom Decision 2008-17. The Commission therefore concludes that this item will not be included in the updated action plan.

### **Conclusion**

13. The Commission's updated action plan to review certain regulatory measures in light of the Policy Direction is set out in Appendix 1. The Commission intends to initiate its reviews of these regulatory measures by the end of the current fiscal year, i.e., 31 March 2011. In this regard, the Commission notes that the regulatory measures relating to interconnection issues in Appendix 1 will be dealt with in one proceeding.

Secretary General

### **Related documents**

- *Follow-up to action plans for reviewing regulatory measures*, Telecom Notice of Consultation CRTC 2010-149, 12 March 2010
- *Action plan for reviewing social and other non-economic regulatory measures in light of Order in Council P.C. 2006-1534*, Telecom Decision CRTC 2008-34, 17 April 2008
- *Revised regulatory framework for wholesale services and definition of essential service*, Telecom Decision CRTC 2008-17, 3 March 2008
- *Action plan for the review of Commission regulatory measures in light of Order in Council P.C. 2006-1534*, Telecom Decision CRTC 2007-51, 11 July 2007
- *Review of regulatory framework for wholesale services and definition of essential service*, Telecom Public Notice CRTC 2006-14, 9 November 2006, as amended by Telecom Public Notices CRTC 2006-14-1, 15 December 2006; 2006-14-2, 15 February 2007; 2006-14-3, 16 March 2007; and 2006-14-4, 20 March 2007

**Revised action plan**

**Regulatory measures relating to interconnection issues**

Wireless Interconnection: Bill & Keep

Review interexchange carrier interconnection

Review and streamline competitive local exchange carrier (CLEC) interconnection obligations as they apply to small CLECs

Creation of CLEC-voice over Internet Protocol (VoIP) category

Administration of CLEC interconnection by incumbent local exchange carrier (ILEC)

**Other regulatory measures**

ILECs' provision of digital maps of exchanges for CLECs

CLEC requirement to file serving area maps

Detailed monthly billing

Free inside wire repair for customers with no network interface device