



Telecom Order CRTC 2011-80

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Ottawa, 9 February 2011

KMTS – Call Number Display

File numbers: Tariff Notices 61 and 61A

1. The Commission received an application by KMTS, dated 16 December 2010 and amended 21 December 2010, in which the company proposed revisions to its General Tariff item 490 – Custom Calling Features, in order to correct an error in the rate charged to its residential customers for the Call Number Display feature. Specifically, the company proposed to reduce the rate for this feature from \$10 to \$8.95 per month.
2. KMTS noted that, in a previous application filed on 29 September 2010, it had proposed a rate increase from \$7.95 per month to \$10 per month for this feature, effective 1 October 2010.¹ However, KMTS submitted that the new rate should instead have been \$8.95 per month.
3. KMTS submitted that once it had noticed the error, it had issued a credit in December 2010 to each of its affected residential customers for the entire amount paid above \$8.95, that is, \$1.05, for the November 2010 billing cycle. KMTS also submitted that it had applied the \$8.95 charge in its December 2010 billing cycle.
4. In addition, KMTS submitted that, as it was not able to implement the approved rate of \$10 for October 2010, customers were charged the previously approved rate of \$7.95 for that month.
5. KMTS requested that the Commission ratify the \$8.95 rate that it had billed its residential customers for the feature.
6. 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 under "Public Proceedings" or by using the file numbers provided above.
7. In Telecom Order 2011-33, the Commission approved KMTS's proposed Call Number Display feature rate for residential customers on an interim basis, effective 19 January 2011. The Commission indicated that it would address the company's ratification request and any related issues in a subsequent order.

¹ This previous application was filed as a Group A filing and, pursuant to Telecom Decision 2008-74, was approved on the date it was filed.

8. With respect to KMTS'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 circumstance that warrants the ratification.
9. The Commission notes that KMTS provided a credit of \$1.05 to its residential Call Number Display feature customers for the month of November 2010 and charged the rate of \$8.95 per month for the feature from 1 December 2010 to 18 January 2011, in order to correct the error it made in its application filed on 29 September 2010. The Commission is satisfied that KMTS charged the rates without an approved tariff due to an error. Therefore, the Commission finds it appropriate to ratify the charging of the rate of \$8.95 for the residential Call Number Display feature from 1 November 2010 to 18 January 2011, as requested by the company.
10. In addition, the Commission notes that KMTS was not able to implement the approved rate of \$10 for October 2010. The Commission considers that, under the circumstances, it is also appropriate to ratify KMTS charging \$7.95 to its residential customers for its Call Number Display feature in October 2010.
11. Accordingly, the Commission **approves on a final basis** KMTS's application and ratifies the residential Call Number Display feature rate of a) \$7.95 charged by the company from 1 October to 31 October 2010 and b) \$8.95 charged by the company from 1 November 2010 to 18 January 2011.

Secretary General

Related documents

- *KMTS – Call Number Display*, Telecom Order CRTC 2011-33, 19 January 2011
- *Approval mechanisms for retail and CLEC tariffs*, Telecom Decision CRTC 2008-74, 21 August 2008