



## Telecom Notice of Consultation CRTC 2012-72

PDF version

Ottawa, 6 February 2012

### Call for comments

### Review of conditions for approval of a local service request rejection charge

File numbers: 8661-C12-201201384  
8633-E17-201108978  
Bluewater Tariff Notice 5  
EastLink Tariff Notice 30  
Iristel Tariff Notice 6  
Videotron Tariff Notice 39

*The Commission calls for comments on whether approval of a local service request rejection charge should be conditional upon a telecommunications carrier providing access to its operational support systems.*

### Background

1. In Telecom Order 2009-805, the Commission determined that it would be appropriate to allow Bell Aliant Regional Communications, Limited Partnership (Bell Aliant) and Bell Canada (collectively, the Bell companies) to introduce a local service request (LSR) rejection charge. In making that determination, the Commission noted, among other things, that
  - it had directed Bell Canada and TELUS Communications Inc. (now TELUS Communications Company or TCC), in Telecom Decision 2005-14, to develop and implement competitive local exchange carrier (CLEC) access to their operational support systems (OSS) in order to reduce LSR rejections to acceptable levels;<sup>1</sup>
  - despite the availability of the Bell companies' Access to OSS Service,<sup>2</sup> the LSR rejection rates in the Bell companies' incumbent operating territories were still high, and competitors had made limited use of the service; and

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<sup>1</sup> In Telecom Decision 2005-14, the Commission also determined that Aliant Telecom (now Bell Aliant), MTS Allstream Inc., and Saskatchewan Telecommunications would be required to develop and implement CLEC access to their OSS once a CLEC indicated a willingness, by signing an agreement of intent, to access their respective OSS.

<sup>2</sup> In Telecom Order 2008-90 the Commission approved on a final basis Bell Canada's and Bell Aliant's Access to OSS Service tariffs.

- it considered that an LSR rejection charge would provide incentive for competitors to increase their use of the Bell companies' Access to OSS Service and to otherwise reduce the overall LSR rejection rate in the Bell companies' operating territories.
2. After Telecom Order 2009-805 was issued, the Commission approved three tariff applications proposing to introduce LSR rejection charges: two applications by Bragg Communications Inc., operating as EastLink (EastLink), which submitted applications on behalf of itself and Bluewater TV Cable Ltd. (Bluewater, now EastLink Bluewater);<sup>3</sup> and one application by Iristel Inc. (Iristel).<sup>4</sup> The Commission also received a tariff application by Quebecor Media Inc. (QMI), on behalf of its affiliate Videotron Ltd. (Videotron), proposing to introduce an LSR rejection charge. The Commission has not yet disposed of this application.<sup>5</sup> None of the above-noted companies has, to the Commission's knowledge, developed and implemented access to its OSS services.
  3. In Telecom Decision 2012-73, the Commission noted among other things that no carriers other than the Bell companies and TCC currently provide access to their OSS services and that this raised concerns about the appropriateness of the LSR rejection charge tariffs of other carriers. Consequently, the Commission has determined that it will examine this matter.

### **Call for comments**

4. The Commission calls for comments, including supporting rationale, on whether approval of a telecommunications carriers' LSR rejection charge should be conditional upon the telecommunication carrier developing and implementing access to its OSS by local exchange carriers, wireless carriers, and Internet service providers. As noted above, the Commission considered, among other things, the availability of access to OSS when making its determination to approve the Bell companies' LSR rejection charge tariff.
5. The Commission also requests
  - i. Bluewater, EastLink, and Iristel to show cause why, in the event that the Commission finds that approval of an LSR rejection charge should be conditional upon providing access to OSS, the Commission should not disallow their LSR rejection charge tariffs and require a refund of all charges back to 6 February 2012; and

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<sup>3</sup> These applications were submitted as EastLink Tariff Notice 30 and Bluewater Tariff Notice 5. They received final approval on 21 June 2011.

<sup>4</sup> This application was submitted as Iristel Tariff Notice 6/6A. It received final approval in Telecom Order 2011-460.

<sup>5</sup> This application was submitted as Videotron Tariff Notice 39.

- ii. QMI to show cause why, in the event that the Commission finds that approval of an LSR rejection charge should be conditional upon providing access to its OSS, the Commission should not deny its LSR rejection charge tariff application.
6. In light of the fact that the Commission's determinations in this proceeding may affect Bluewater's, EastLink's, and Iristel's LSR rejection charge tariffs, the Commission hereby makes these tariffs interim as of the date of this notice.

## Procedure

7. The *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* (the Rules of Procedure), which came into force on 1 April 2011, apply to this proceeding.<sup>6</sup>
8. Bluewater, EastLink, Iristel, and QMI are made parties to this proceeding and may file an intervention with the Commission by **8 March 2012**.
9. Interested persons who wish to become parties to this proceeding must file an intervention with the Commission regarding the above-noted issues, by **8 March 2012**. In accordance with section 26 of the Rules of Procedure, this intervention must explicitly state that the person wishes to be considered an intervener.
10. Shortly thereafter, the Commission will post the interventions on its website. All documents required to be served on a party or parties to the proceeding must be served using the contact information contained in the interventions.
11. All parties may file reply comments with the Commission, serving copies on all other parties, by **19 March 2012**.
12. The Commission expects to publish a decision on the issues raised in this notice within four months of the close of record.
13. The Commission will not formally acknowledge interventions or comments. It will, however, fully consider all submissions, which will form part of the public record of the proceeding.
14. Parties are reminded that, in accordance with the Rules of Procedure, if a document is to be filed or served by a specific date, the document must be actually received, not merely sent, by that date. A document must be filed with the Commission by 5 p.m. Vancouver time (8 p.m. Ottawa time) on the date it is due.

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<sup>6</sup> The Rules of Procedure set out, among other things, the rules for the filing, content, format, and service of interventions and interrogatories; the procedure for filing confidential information and requesting its disclosure; and the conduct of the public hearing. Accordingly, the procedure set out in this notice must be read in conjunction with the Rules of Procedure and their accompanying documents, which can be found on the Commission's website under "CRTC Rules of Practice and Procedure."

15. Parties may file their submissions electronically or on paper. Submissions longer than five pages should include a summary.
16. Electronic submissions should be in HTML format. Alternatively, Microsoft Word may be used for text and Microsoft Excel for spreadsheets.
17. Each paragraph of all submissions should be numbered. In addition, the line \*\*\*End of document\*\*\* should follow the last paragraph. This will help the Commission verify that the document has not been damaged during electronic transmission.
18. The Commission encourages interested persons and parties to monitor the record of this proceeding and/or the Commission's website for additional information that they may find useful when preparing their submissions.

### **Important notice**

19. All information provided as part of this public process, except information granted confidentiality, whether sent by postal mail, facsimile, email, or through the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca), becomes part of a publicly accessible file and will be posted on the Commission's website. This includes personal information, such as full names, email addresses, postal/street addresses, telephone and facsimile numbers, and any other personal information provided.
20. The personal information provided will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.
21. Documents received electronically or otherwise will be posted on the Commission's website in their entirety exactly as received, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.
22. The information provided to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the web page of this particular public process. As a result, a general search of the Commission's website with the help of either its search engine or a third-party search engine will not link directly to the information provided as part of this public process.

### **Location of CRTC offices**

23. Submissions may be examined or will be made available promptly upon request at Commission offices during normal business hours.

Toll-free telephone: 1-877-249-2782

Toll-free TDD: 1-877-909-2782

Central Building  
Les Terrasses de la Chaudière  
1 Promenade du Portage, Room 206  
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Secretary General

## Related documents

- *EastLink – Application with respect to Telecom Decision 2010-680 regarding local service request rejections*, Telecom Decision 2012-73 , 6 February 2012
- Telecom Order CRTC 2011-460, 1 August 2011
- *Bell Aliant Regional Communications, Limited Partnership and Bell Canada – Introduction of Local Service Request Rejection Charge*, Telecom Order CRTC 2009-805, 23 December 2009
- Telecom Order CRTC 2008-90, 2 April 2008
- *Competitive local exchange carrier access to incumbent local exchange carrier operational support systems*, Telecom Decision CRTC 2005-14, 16 March 2005