



## Telecom Notice of Consultation CRTC 2013-338

PDF version

Ottawa, 16 July 2013

### Call for comments

### Removal of the last payphone in a community

File number: 8650-C12-201310078

*With this notice, the Commission initiates a proceeding in which it calls for comments on whether it is appropriate to prohibit incumbent local exchange carriers from removing the last payphone in a community, pending the outcome of the process initiated today by Telecom Notice of Consultation 2013-337, and, if required, any related follow-up process.*

### Background

1. In Telecom Decision 2004-47, the Commission determined that payphone service is an important public service, especially for Canadians who earn low income and those that live in rural and remote communities. In this decision, the Commission noted concerns about the impact that the removal of the last payphone in a community may have on these Canadians.
2. Accordingly, the Commission requires certain incumbent local exchange carriers (ILECs) to inform the public in instances where the last payphone in a community<sup>1</sup> is scheduled for removal. The notification process requires (i) a 60-day written notification to the location provider and to the local government, (ii) a notice posted on the payphone scheduled for removal at least 60 days prior to removal, and (iii) a notice placed in the local newspaper at least 60 days prior to removal. The notification process currently applies to Bell Aliant Regional Communications, Limited Partnership; Bell Canada; MTS Inc.; Saskatchewan Telecommunications; Télébec, Limited Partnership; and TELUS Communications Company.
3. In Telecom Decision 2013-336, issued today, the Commission denied an application by Bell Aliant Regional Communications, Limited Partnership; Bell Canada; and Télébec, Limited Partnership (collectively, Bell Canada et al.) to increase the price ceiling for local payphone rates. The Commission also announced today that it is initiating a fact-finding process to collect information on the current role that payphones play in Canada, including the extent to which Canadians rely on payphones, and the effects, if any, that further payphone removals and possible rate increases may have on Canadians.<sup>2</sup>

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<sup>1</sup> In Telecom Decision 2004-47, the Commission noted that ILECs have established geographic administrative areas within their territories used to define local exchanges, referred to as wire centres. The Commission therefore considered that a community should be defined, at a minimum, as a wire centre.

<sup>2</sup> See Telecom Notice of Consultation 2013-337.

4. In Telecom Decision 2013-336, the Commission also decided that that it would initiate a proceeding to consider prohibiting all ILECs from removing the last payphone in a community until it has concluded its fact-finding process and, if required, any related follow-up process.

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5. In light of the above, the Commission invites parties to file comments, including supporting rationale and all evidence on which they rely, on whether the Commission should prohibit all ILECs listed in Appendix A of this notice from removing the last payphone in a community as an interim measure pending the conclusion of the Commission's fact-finding process and, if required, any related follow-up process.
6. The Commission will review this matter in this proceeding in light of the policy objectives set out in section 7 of the *Telecommunications Act* and the Policy Direction.<sup>3</sup>

### Procedure

7. The *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* (the Rules of Procedure) apply to this proceeding.<sup>4</sup> For help understanding the Rules of Procedure, see the *Guidelines on the CRTC Rules of Practice and Procedure*.
8. The ILECs listed in Appendix A of this notice are made parties to this proceeding.
9. Parties to this proceeding and interested persons who wish to become parties to this proceeding must file an intervention with the Commission regarding the above-noted issue by **13 August 2013**. The intervention must be filed in accordance with section 26 of the Rules of Procedure.
10. The Commission will post the interventions on its website shortly after they are filed. 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. Parties may file reply comments with the Commission, serving copies on all other parties, by **23 August 2013**.
12. The Commission expects to publish a decision on the issues raised in this notice within four months of the close of record.

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<sup>3</sup> *Order Issuing a Direction to the CRTC on Implementing the Canadian Telecommunications Policy Objectives*, P.C. 2006-1534, 14 December 2006

<sup>4</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, where applicable. 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."

13. The Commission will not formally acknowledge submissions. 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. Late submissions, including those due to postal delays, will not be considered by the Commission and will not be made part of the public record. Parties are responsible for ensuring the timely delivery of their submissions and will not be notified if their submissions are received after the deadline.
15. Submissions longer than five pages should include a summary, and 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.
16. 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.
17. Submissions must be filed by sending them to the Secretary General of the Commission using **only one** of the following means:

**by completing the**  
(Intervention/comment/answer form)

or

**by mail to**  
CRTC, Ottawa, Ontario K1A 0N2

or

**by fax to**  
819-994-0218

### **Important notice**

18. 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.
19. 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.

20. 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.
21. 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.

### **Availability of documents**

22. Electronic versions of the documents referred to in this notice are available on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) by using the file number provided at the beginning of this notice or by visiting the "Public Proceedings" section of the Commission's website. The documents can be accessed by selecting "View all proceedings open for comment," then clicking on the "View entire record" link associated with this particular notice. All interventions are also available on the Commission's website, at the same location, by clicking on the "Interventions" link associated with this particular notice.
23. Documents are also available and may be examined during normal business hours at the Commission offices directly involved with these applications or, upon request, within two business days at all other Commission offices.

### **Location of Commission offices**

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

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

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Secretary General

**Related documents**

- *Fact-finding process on the role of payphones in the Canadian communications system*, Telecom Notice of Consultation CRTC 2013-337, 16 July 2013

- *Bell Aliant Regional Communications, Limited Partnership; Bell Canada; and Télébec, Limited Partnership – Application to increase the price ceiling for local payphone calls, Telecom Decision CRTC 2013-336, 16 July 2013*
- *Access to pay telephone service, Telecom Decision CRTC 2004-47, 15 July 2004*

**ILECs made party to the proceeding**

Amtelecom Limited Partnership  
Bell Aliant Regional Communications, Limited Partnership  
Bell Canada  
Brooke Telecom Co-operative Ltd.  
Bruce Telecom  
CityWest Telephone Corporation  
Cochrane Telecom Services  
CoopTel  
Dryden Municipal Telephone System  
Execulink Telecom Inc.  
Gosfield North Communications Co-operative Limited  
Hay Communications Co-operative Limited  
Huron Telecommunications Co-operative Limited  
KMTS  
La Cie de Téléphone de Courcelles Inc.  
La Compagnie de Téléphone de Lambton Inc.  
La Compagnie de Téléphone de St-Victor  
La Compagnie de Téléphone Upton Inc.  
Lansdowne Rural Telephone Co. Ltd.  
Le Téléphone de St-Éphrem inc.  
Mornington Communications Co-operative Limited  
MTS Inc.  
Nexicom Telecommunications Inc.  
Nexicom Telephones Inc.  
North Frontenac Telephone Corporation Ltd.  
NorthernTel, Limited Partnership  
Northwestel Inc.  
NRTC Communications  
Ontera  
People's Tel Limited Partnership

Quadro Communications Co-operative Inc.

Roxborough Telephone Company Limited

Saskatchewan Telecommunications

Sogetel inc.

TBayTel

Télébec, Limited Partnership

Téléphone Guèvremont inc.

Téléphone Milot inc.

TELUS Communications Company

Tuckersmith Communications Co-operative Limited

Wightman Telecom Ltd.

WTC Communications