



Telecom Order CRTC 2013-534

Ottawa, 2 October 2013

Bell Aliant Regional Communications, Limited Partnership and Bell Canada – Gateway Access Service and Gateway Access Service – Fibre to the Node Implementation

File numbers: Bell Aliant Tariff Notice 459 and Bell Canada Tariff Notice 7406

Application

1. The Commission received applications from Bell Aliant Regional Communications, Limited Partnership (Bell Aliant) and Bell Canada (collectively, the Bell companies), dated 23 September 2013, in which they proposed revisions to General Tariff item 5410 – Gateway Access Service (GAS) and General Tariff item 5440 – Gateway Access Service – Fibre to the Node (GAS-FTTN).
2. The Bell companies stated that as a result of the Commission's determinations made in *Review of rate principles for legacy business wholesale high-speed access services*, Telecom Decision CRTC 2013-480, 11 September 2013 (Telecom Decision 2013-480), they will implement capacity-based billing (CBB)¹ for legacy² and non-legacy residential and business wholesale high-speed access (HSA) services that have yet to migrate to CBB on 28 October 2013.
3. The Bell companies proposed to require affected³ wholesale customers to notify the Bell companies of their capacity requirements by 5 p.m. (Eastern time) on 7 October 2013, indicating that the existing GAS and GAS-FTTN tariffs state that changes of capacity are provisioned three weeks after a customer's request is received. Failing the receipt of such notification, the Bell companies proposed to provide the wholesale customer with the total capacity of each Aggregated High-Speed Service Provider Interface that the wholesale customer is subscribed to, and to charge for that total capacity.

¹ The CBB model requires each customer to pay a monthly capacity rate for network capacity, in increments of 100 megabits per second (Mbps), to recover network transport costs, and a separate monthly access rate on a per end-user basis to recover access costs.

² Legacy business wholesale HSA services are those services that were on the market prior to July 2011. Non-legacy business wholesale HSA services are those services offered using fibre-to-the-node technology, which upgrades the access network by extending fibre closer to the customer premises in order to provide increasingly higher-speed access services.

³ Affected wholesale customers were identified as (1) independent service providers that have business subscribers only and/or do not subscribe to any CBB today, and (2) independent service providers that have residential and business end-users today with traffic splitting (i.e. those that are applying CBB on residential traffic but not on business traffic).

Commission's analysis and determinations

4. The Commission considers that the tariff revisions proposed by the Bell companies are consistent with the determinations set out in Telecom Decision 2013-480, but considers that the proposed deadlines should be modified as follows. In view of the need for the affected wholesale customers to contact the Bell companies to notify them of their capacity requirements, and to ensure that affected wholesale customers will have had sufficient notice of that need, the Commission determines that the deadline for the affected wholesale customers to notify the Bell companies of their capacity requirements is changed from 5 p.m. (Eastern time) on 7 October 2013 to 5 p.m. (Eastern time) on 9 October 2013. Consequently, the Commission extends the date of the implementation of the capacity orders by the Bell companies from 28 October 2013 to 30 October 2013. In addition, the Commission expects the Bell companies to notify all of their affected wholesale customers of the deadline for the notification of capacity requirements prior to 4 October 2013.
5. Accordingly, the Commission **approves** the tariff applications as modified above, effective the date of this order.

Secretary General