



Telecom Order CRTC 2018-13

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Ottawa, 15 January 2018

Public record: Tariff Notice 790

Bell MTS – Revision to Analogue Private Line

Application

1. The Commission received an application from Bell MTS,¹ dated 22 November 2017, in which the company proposed to revise its Supplementary Tariff – Special Services and Facilities, item 5650 – Analogue Private Line.
2. Specifically, Bell MTS submitted that over the course of several years, the rates in the company's Interexchange Schedule, Monthly Charge per Mile were increased, consistent with the basket and rate element constraints applicable to this service, which is classified as an Other Capped Service pursuant to Telecom Decision 2007-27. However, Bell MTS recently discovered that due to an administrative oversight, the Over 200 Miles rate element was not correctly reflected in the company's tariff pages, although it was correctly reflected in the company's price cap models as part of the Other Capped Services basket for each affected year, and implemented in the company's billing systems.
3. Bell MTS confirmed that customers were appropriately advised of the correct rate at the time of each increase, and that the Over 200 Miles rate element was correctly reflected until 1 June 2015. Bell MTS therefore submitted a corrected rate and requested that the Commission ratify the charging of the rate for the period from 1 June 2015 to its proposed effective date of 7 December 2017, pursuant to subsection 25(4) of the *Telecommunications Act* (the Act).
4. The Commission approved Bell MTS's proposed tariff page in Tariff Notice 790 on an interim basis in Telecom Order 2017-430, effective 7 December 2017.
5. The Commission received no interventions regarding Bell MTS's application.

Commission's analysis and determinations

6. In Telecom Decision 2007-27, the Commission determined that services in the Other Capped Services basket would be subject to a constraint of inflation less a productivity offset, and that such services would be subject to a rate element

¹ In March 2017, BCE Inc. completed its acquisition of MTS Inc., which is now operating as Bell MTS, a division of Bell Canada.

constraint limiting rate increases to 10% per year. Bell MTS's proposed increase meets these constraints.

7. With respect to Bell MTS's rate ratification request, pursuant to subsection 25(4) of the Act, the Commission 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.
8. Bell MTS indicated that the error was due to an administrative oversight, that the rate was correctly identified in the company's price cap model, and that customers were charged the correct rate as of 1 June 2015.
9. Accordingly, the Commission finds Bell MTS's proposed rate revision to be appropriate, and is satisfied that Bell MTS charged the rate in question without an approved tariff due to an administrative error. The Commission therefore finds it appropriate to ratify the charging of the rate as requested by the company.
10. In light of the above, the Commission **approves on a final basis** Bell MTS's application. The Commission also ratifies the charging of the Over 200 Miles rate element by the company for the period from 1 June 2015 to 7 December 2017.

Secretary General

Related documents

- Telecom Order CRTC 2017-430, 5 December 2017
- *Price cap framework for large incumbent local exchange carriers*, Telecom Decision CRTC 2007-27, 30 April 2007