



Telecom Notice of Consultation CRTC 2020-187-1

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Call for comments – Appropriate network configuration for disaggregated wholesale high-speed access services – Changes to procedure

Revised deadline for submission of interventions: 5 October 2020

Revised deadline for submission of replies: 7 December 2020

[\[Submit an intervention or view related documents\]](#)

Introduction

1. In Telecom Notice of Consultation 2020-187, the Commission issued a call for comments to address the appropriate network and service configurations for the disaggregated wholesale high-speed access (HSA) service regime for all wholesale HSA service providers across the country. In the Appendix to Telecom Notice of Consultation 2020-187, the Commission set out requests for information (RFIs) addressed to the wholesale HSA service providers.
2. The Commission received a letter from Bell Canada, dated 9 July 2020, in which it requested that the Commission extend the deadline for submitting RFI responses from 13 July 2020 to 28 August 2020. Bell Canada submitted that it was requesting the extension due to the time required to gather and analyze raw data from several different systems that are managed by different business units. In particular, it indicated that the level of data that the Commission requested has not been previously assembled for Bell Aliant, a division of Bell Canada (Bell Aliant), or Bell MTS Inc. (Bell MTS), both of whom rely, to some degree, on information systems and processes separate from those of Bell Canada.
3. Bell Canada requested that the deadlines for filing interventions and replies to interventions stay the same, because industry participants are already broadly aware of Bell Canada's RFI responses, which are quite similar to the responses that Bell Canada provided in the [follow-up](#) to Telecom Regulatory Policy 2015-326 and that are available publicly on the Commission's website.
4. The Commission received comments regarding Bell Canada's request from Competitive Network Operators of Canada (CNOC), Distributel Communications Limited (Distributel), and TELUS Communications Inc. (TCI).

5. On 13 July 2020, Bragg Communications Incorporated, carrying on business as Eastlink; Cogeco Communications Inc.; Quebecor Media Inc., on behalf of Videotron Ltd.; Rogers Communications Canada Inc.; Saskatchewan Telecommunications; and Shaw Cablesystems G.P. filed their RFI responses. Additionally, TCI filed responses to questions 1 and 3 of the RFI addressed to the company.

Should the Commission approve Bell Canada's extension request?

Positions of parties

6. Distributel submitted that Bell Canada has known since 11 June 2020 that it would have to file the requested information by 13 July 2020, but waited until the close of business two business days before the deadline to request an extension. Distributel submitted that Bell Canada's last-minute filing of the extension request and its proposal to reduce the amount of time that parties have to reply to its RFI responses is designed to provide an advantage to Bell Canada at the expense of other parties.
7. Distributel argued that the amount of time that Bell Canada requested is excessive; however, it submitted that if the Commission considers it appropriate to grant the extension, no more than two weeks should be given. Distributel further submitted that to ensure that parties have sufficient time to review the RFI responses and prepare their replies, the original number of days between the receipt of the information and the filing of interventions should be maintained by extending the deadlines for interventions and replies by the same amount of time as granted to Bell Canada.
8. TCI submitted that it does not oppose Bell Canada's request and highlighted some of the difficulties it is experiencing in preparing its RFI responses. TCI submitted that out of three RFI questions, it is having difficulty with question 2, which requires a high level of detail at the central office level, which TCI has not previously provided. TCI submitted that it will provide the response to this question by 31 July 2020, and the responses to the other two questions on 13 July 2020.
9. CNOC opposed Bell Canada's request due to both its timing and the length of extension requested. CNOC submitted that the problems described in Bell Canada's letter ought to have been foreseeable as of the moment that Telecom Notice of Consultation 2020-187 came to Bell Canada's attention.
10. CNOC added that, if the Commission determines that an extension is warranted, it should be for no more than three weeks and, as a matter of fairness, the Commission should adjust subsequent procedural deadlines to allow for a fulsome disclosure process.

Commission's analysis and determinations

11. The Commission considers that, under the circumstances, an extension would not prejudice any parties to the proceeding. The information requested is specific to each company's network, and RFI responses are not affected by what other wholesale HSA service providers might submit. Further, an extension would give Bell Canada and TCI sufficient time to gather the information requested.
12. However, the Commission does not consider it reasonable to grant the full extension sought by Bell Canada. The Commission notes that TCI submitted its responses to questions 1 and 3 on 13 July 2020 and stated that it would provide its response to question 2 by 31 July 2020. Further, all other wholesale HSA service providers were able to provide their RFI responses by the 13 July 2020 deadline.
13. The Commission is of the view that an extension of three weeks for both Bell Canada and TCI would be reasonable, since Bell Canada needs to provide RFI responses for Bell Aliant and Bell MTS as well.
14. With respect to the deadlines for interventions and replies, the Commission considers that the original number of days between the receipt of the RFI responses and the filing of interventions should be maintained by extending the deadlines for the filing of interventions and replies by the same amount of time. This will give interveners sufficient time to review the RFI responses.
15. Accordingly, the Commission revises the deadlines for the filing of RFI responses, interventions, and replies as follows:
 - Bell Canada's RFI responses and TCI's response to question 2 must be filed with the Commission and served on all other parties by **4 August 2020**.
 - The wholesale HSA service providers and interested persons who wish to become parties to the proceeding must file interventions with the Commission by **5 October 2020**.
 - All parties may file replies to interventions with the Commission by **7 December 2020**.

16. The Commission reminds all parties of the importance of ensuring that procedural dates and deadlines are met in order to minimize regulatory delays. As such, any further requests for extension should be filed two weeks in advance to allow for the necessary Commission consideration, and should be limited to exceptional circumstances that could not be reasonably foreseen.

Secretary General

Related documents

- *Appropriate network configuration for disaggregated wholesale high-speed access services*, Telecom Notice of Consultation CRTC 2020-187, 11 June 2020
- *Review of wholesale wireline services and associated policies*, Telecom Regulatory Policy CRTC 2015-326, 22 July 2015; as amended by Telecom Regulatory Policy CRTC 2015-326-1, 9 October 2015