Canadian Radio-television and Telecommunications Commission
Conseil de la radiodiffusion et des télécommunications canadiennes

Telecom Decision CRTC 2025-63

PDF version

References: Part 1 applications posted on 4 March 2021 and 25 April 2022

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The Independent Telecommunications Providers Association and TELUS Communications Inc. – Small incumbent local exchange carriers' responsibilities and funding considerations in the Next-Generation 9-1-1 framework

Summary

9-1-1 is a bridge that connects Canadians to emergency services in times of need. Federal, provincial, territorial, and municipal governments, as well as telecommunications service providers (TSPs), all play a role in ensuring that Canadians can access 9-1-1 services. The Commission's role is to regulate the TSPs that connect 9-1-1 calls to first responders.

Next-Generation 9-1-1 (NG9-1-1) is a new and improved 9-1-1 service. Once launched, NG9-1-1 will give Canadians and first responders tools that will provide quicker and more accessible communication during emergencies. The Commission acknowledges the importance of NG9-1-1 and will continue to support the transition within its mandate.

The Commission has directed TSPs to make the upgrades necessary to enable NG9-1-1. This includes both originating network providers (ONPs) that provide the wireline, wireless, and voice over Internet Protocol services through which Canadians make 9-1-1 calls, as well as NG9-1-1 network providers that connect 9-1-1 calls made on ONP networks to the 9-1-1 call centres that dispatch first responders.

The Commission received two separate, interrelated filings about the role of incumbent local exchange carriers (ILECs) in the transition to NG9-1-1. In the original NG9-1-1 framework, the Commission designated all ILECs – including small ILECS (SILECs[1]) – to act as NG9-1-1 network providers. However, the public record of this proceeding shows that SILECs have outsourced their NG9-1-1 responsibilities to large ILECs. Because of this, SILECs act more like ONPs than true NG9-1-1 network providers.

[1] SILECs, or small incumbent local exchange carriers, are the incumbent and sometimes sole providers of telecommunications services in several rural communities in Ontario, Quebec, and British Columbia. In such areas, where options for telephone services can be limited, SILECs have an obligation to provide voice telephone service to customers residing in their respective territories.

Accordingly, the Commission is reclassifying SILECs as ONPs. This means that SILECs will keep providing NG9-1-1 services to their own retail customers, while large ILECs will act as NG9-1-1 network providers in SILEC territories. This change does not impact how ONPs connect to the NG9-1-1 networks. More importantly, this decision does not change Canadians' access to 9-1-1 services.

Introduction

1. When a person makes a 9-1-1 call, their telecommunications service provider (TSP), also known as an originating network provider (ONP),[2] delivers the call to the 9-1-1 network. The 9-1-1 network provider then delivers that call to the appropriate 9-1-1 call centre operated by provincial, territorial, and municipal governments. The 9-1-1 call centre, known as a public safety answering point (PSAP), dispatches first responders to the emergency.

2. In the Next-Generation 9-1-1 (NG9-1-1) framework,[3] the Commission instructed all incumbent local exchange carriers (ILECs) and ONPs to implement NG9-1-1 to give Canadians access to new, enhanced, and innovative 9-1-1 services using Internet protocol (IP) technology.

3. In doing so, the Commission designated all large and small ILECs (SILECs) as NG9-1-1 network providers. They are responsible for building and maintaining the NG9-1-1 networks, receiving NG9-1-1 calls made on ONP networks, and delivering those calls to the appropriate PSAP serving the caller's location. ILECs must connect their networks to both the ONP and PSAP networks. ILECs can fulfill their NG9-1-1 responsibilities by either building their own NG9-1-1 networks or by outsourcing the work to another ILEC.

4. ONPs, which include competitive local exchange carriers (CLECs), wireless service providers (WSPs), and voice over Internet protocol (VoIP) providers, must also make changes to provide NG9-1-1 service to their customers. However, unlike ILECs, ONPs are not directly connected to the PSAPs. Instead, they enter into a contractual agreement with the ILECs to make sure that they are properly connected to the ILECs' points of interconnection (POIs).[4] Once connected, they deliver 9-1-1 calls to these POIs, and the ILECs deliver those calls to the appropriate PSAP.

5. The Commission directed all ILECs to submit proposed tariffs that reflect the additional costs of establishing new NG9-1-1 networks, services, or features. These

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[2] For this decision, TSPs refer to telephone service providers that offer wireline and/or wireless local exchange telephone services, including local voice over Internet protocol (VoIP) services. In the future, this definition may expand to include other TSPs as new NG9-1-1 services are introduced. If a TSP owns or operates its own network for local exchange telephone service, it is also called an ONP.

[3] For the purpose of this decision, the NG9-1-1 framework means Telecom Regulatory Policies 2017-182 and 2019-66 and Telecom Decision 2021-199.

[4] NG9-1-1 POIs are the infrastructure where originating networks connect to ILEC NG9-1-1 networks.

tariffs are “wholesale” when they are charged to ONPs connected to the NG9-1-1 network and “retail” when they are charged to the ILECs’ own subscribers.

6. Within this context, the Independent Telecommunications Providers Association (ITPA)[5] filed an application requesting, among other things, that the Commission:

    - confirm SILECs’ status as NG9-1-1 network providers; and
    - direct WSPs to provide the number of wireless customers with billing addresses in ITPA SILEC territories. ITPA SILECs would use this information to calculate wireless wholesale 9-1-1 tariffs.

7. TELUS Communications Inc. (TCI) then filed an application requesting that the Commission reclassify SILECs as ONPs within the NG9-1-1 environment given the similar technical role ONPs and SILECs play in the NG9-1-1 environment.

The ITPA’s application

8. In its application, the ITPA submitted that it is working with its member SILECs to develop cost studies that will support their proposed NG9-1-1 rates in accordance with the NG9-1-1 framework. To estimate demand for their cost studies, the ITPA identified the following sources of 9-1-1 interactions within SILEC territories:

    - SILEC wireline customers; wireline competitors’ customers (e.g., cable companies); and WSPs with interconnection arrangements for Wireless Local Number Portability;
    - resellers using non-native/nomadic VoIP technologies to originate 9-1-1 interactions over broadband connections; and
    - WSPs without interconnection arrangements, whose customers live in the geographic areas that make up SILEC exchanges but use local numbers from non-SILEC exchanges.

9. The ITPA specified that it only has visibility into the first set of sources of 9-1-1 interaction and decided not to consider VoIP resellers because the number of VoIP customers is too small to impact its cost estimate. Instead, the ITPA indicated that it is focusing on the WSPs without interconnection arrangements and sought to confirm

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[5] The ITPA is a non-profit organization that represents 21 independent, incumbent telecommunications companies in Ontario, Quebec, and British Columbia to governments, their various departments and agencies and to other industry players. Members of the ITPA include Brooke Telecom Co-operative Ltd.; Bruce Telecom Ontario Inc.; CityWest Telephone and Cable Corp; Cochrane Telecom Services; CoopTel, coop de télécommunication; Execulink Telecom Inc.; Gosfield North Communications Co-operative Limited; Hay Communications Co-operative Limited; Huron Telecommunications Co-operative Limited; The Lansdowne Rural Telephone Company Limited; Mornington Communications Co-operative Limited; Nexicom Telecommunications Inc.; North Frontenac Telephone Corporation Ltd.; NRTC Communications; Quadro Communications Co-operative Inc.; Roxborough Telephone Company Limited; Sogetel inc.; Tuckersmith Communications Co-operative Limited; La Cie de Téléphone de Courcelles Inc. (9315-1884 Québec inc.); Wightman Telecom Ltd; and WTC Communications.

through its application that all customers with a registered 9-1-1 service address in SILEC operating territories (or with a billing address for mobile users) should pay the SILEC NG9-1-1 monthly rate. This monthly charge would either come directly from the SILEC or through their service provider with a wholesale tariff.

10. To that end, the ITPA requested that the Commission:

    - confirm that SILECs are responsible for providing NG9-1-1 to all customers in their traditional operating territories, regardless of the TSP to which the customer subscribes;

    - confirm that all customers with a registered 9-1-1 service address (or a billing address for mobile users) in SILEC operating territories must pay the SILEC's wholesale NG9-1-1 monthly rate, either directly to the SILEC or indirectly through their TSP via a wholesale tariff;

    - direct WSPs[6] to provide the number of working wireless telephone numbers with billing addresses in SILEC exchanges as of 28 February 2021 and monthly after that date; and

    - suspend the requirement for SILECs to file proposed retail and wholesale NG9-1-1 tariffs until a reasonable period of time after the WSPs provide the wireless access service numbers, giving SILECs time to include this data in their NG9-1-1 cost studies.

11. Interveners to the ITPA's application included Bell Canada, Bragg Communications Incorporated on behalf of itself and its SILEC, Persona Communications Inc.[7] and carrying-on business as Eastlink (Eastlink), Quebecor Media Inc. (Quebecor), Rogers Communications Canada Inc. (RCCI), Shaw Communications Inc. (Shaw), and TCI.

TCI's application

12. In its application, TCI submitted that SILECs should not have been made NG9-1-1 network providers, and that SILECs should be reclassified as ONPs in the NG9-1-1 framework. TCI indicated that:

    - SILECs are not 9-1-1 service providers within the Enhanced 9-1-1 (E9-1-1) framework; they act as ONPs that send 9-1-1 calls from their customers to the large ILEC E9-1-1 network, which then delivers the calls to the PSAPs.

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[6] The ITPA specifically named Bell Mobility, Eastlink, Freedom Mobile Inc., Rogers Communications Canada Inc., TCI, and Videotron Ltd. in its application.

[7] Previously Amtelcom and People's Tel.

- SILECs lack the size and expertise needed to provide NG9-1-1 services on their own and have negotiated with large ILECs in the adjacent areas to deliver these services to their customers.

- SILECs do not offer wholesale NG9-1-1 services nor do they deliver NG9-1-1 calls to PSAPs. Instead, calls made by ONP customers in SILEC territory are delivered directly to the large ILECs' POI and it is the large ILEC's NG9-1-1 network which will then deliver the calls to the proper PSAP. SILECs only deliver their own customers' NG9-1-1 calls to the large ILECs' POIs, the same way that every other ONP does.

- Classifying SILECs as ONPs would allow SILECs access to the NG9-1-1 wholesale tariffed rates of the large ILECs. This would reduce costs for SILECs when delivering NG9-1-1 services to their wireline customers compared to what they are currently being charged under commercial terms by the large ILECs.

13. Therefore, TCI requested that the Commission pause the requirement for SILECs to provide wholesale NG9-1-1 services while the Commission decided on its application. TCI noted that any technical work done by SILECs to deliver NG9-1-1 is valuable because it aligns with what they would need to do to connect to ILEC NG9-1-1 networks as ONPs. TCI also submitted that the Commission should:

    - suspend the SILEC NG9-1-1 tariff application and any decision on how SILECs bill WSPs and their own retail customers for NG9-1-1 services; and

    - order WSPs to pay large ILECs directly for NG9-1-1 services according to their tariff terms.

14. Interveners to TCI's application included Bell Canada on behalf of Bell Aliant, a division of Bell Canada; Bell MTS, a division of Bell Canada; Eastlink; Cogeco Communications Inc. (Cogeco); le Comité 9-1-1 du SCFP-Québec (Comité 9-1-1);[8] DMTS, a division of Bell Canada; Groupe Maskatel LP, which includes Téléphone de Saint-Victor; the ITPA; KMTS, a division of Bell Canada; NorthernTel, Limited Partnership; Ontera, a division of NorthernTel; Quebecor; RCCI; Saskatchewan Telecommunications (SaskTel); Shaw; Télébec, Société en commandite; and Téléphone Upton and Téléphone de Saint-Éphrem.

15. In its final reply, TCI indicated that its position had evolved. TCI specified that SILECs with no PSAPs within their operating territory should be treated like all other ONPs, meaning they should deliver NG9-1-1 traffic to two NG9-1-1 POIs. However,

[8] Le Comité 9-1-1 represents approximately 700 emergency call takers employed at municipal PSAPs within the province of Quebec.

for SILECs with PSAPs within their territory,[9] TCI proposed that they should connect those PSAPs directly to the large ILECs' NG9-1-1 network.

Commission's analysis

16. Most parties opposed the ITPA's application on the following basis:

    - Costs for wireless 9-1-1 service have traditionally been based on the number of wireless subscribers in each area and central office code (NPA-NXX), not on billing addresses.[10] These costs are currently recovered by ILECs, not SILECs. This methodology has been in place for many years and is often automated. Interveners submitted that changing the reporting process to match the ITPA's proposal would be costly, complicated, ineffective, and inaccurate, and would impact the current ILEC 9-1-1 reporting regime.

    - Wireless calls originating within SILEC territories do not pass through the SILEC networks. Instead, WSP networks are directly interconnected to the ILEC POIs. Interveners submitted that because SILECs do not route wireless 9-1-1 calls, they should not charge WSPs for services they do not provide.

17. While the NPA-NXX method works for dividing wireless subscribers between large ILECs, it does not provide enough detail for SILEC territories. Furthermore, because wireless services are mobile by nature, they cannot easily be tied to specific geographic locations.

18. The ITPA filed its application partly because its member SILECs lack visibility into WSPs that do not have interconnection arrangements with them, even though these WSPs serve customers in SILEC territories using non-SILEC local numbers. In fact, WSPs only need to interconnect with SILECs if SILECs offer wireless number portability, but few do so.

19. Unless the NPA-NXX method changes or the Commission creates an interconnection framework that gives SILECs visibility into competitors in their territory, it is unclear how to separate wireless subscribers between ILEC and SILEC territories. As a result, SILECs would need an alternative method to effectively recover their wholesale service costs.

20. The ITPA's proposal for counting wholesale wireless users would also be difficult to implement given that:

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[9] This would apply to Tbaytel in Ontario and CityWest Telephone and Cable Corp (CityWest) in British Columbia.

[10] WSPs divide their network access service (NAS) by province using the NPA-NXX codes associated with each NAS and pay the ILEC's 9-1-1 wholesale tariff for the NAS they report. WSPs do not consider the billing address or the location of their end-users when reporting their NAS.

- mandating SILECs to adopt the traditional ILEC wireless network access service (NAS) count methodology, based on NPA, would give inaccurate results because numbering plan areas often cover multiple SILEC territories;

- if SILECs switched to counting wireless NAS based on billing address, all ILECs and WSPs would have to do so to avoid issues like double counting.[11] This would be a costly and complex change from current practices; and

- a billing address does not always reflect where the service is actually provided. For example, large businesses may use their headquarters' address as their billing address, even though their employees are located in different places.

21. No party to the ITPA proceeding suggested an alternative to the current system. Consequently, the Commission considers that the best way to resolve the issues raised by the ITPA and TCI is to consider whether SILECs should continue as NG9-1-1 network providers or be reclassified as ONPs, as submitted by TCI.

Reclassifying SILECs as ONPs is technically possible and would set the conditions for lower rates

22. TCI submitted that there is little difference between SILECs and ONPs in terms of NG9-1-1 service because SILECs have outsourced NG9-1-1 services to Bell Canada in Ontario and Quebec. As such, SILECs have performed the same NG9-1-1 onboarding and interconnection activities as the ONPs and should not have been designated as NG9-1-1 network providers in the original NG9-1-1 framework.

23. This view was supported by the majority of parties on the basis that there is no technical reason to consider SILECs as NG9-1-1 network providers because:

    - ONPs are generally not connected to SILEC networks, except in rare cases for wireless number portability reasons,[12] and do not route their NG9-1-1 traffic through SILEC networks. SILECs will only handle NG9-1-1 traffic from their own retail customers, sending it to the local large ILEC, which then routes the calls to the PSAP through its NG9-1-1 network; and

    - only CityWest and Tbaytel have PSAPs in their territory to which NG9-1-1 calls can be routed, meaning most SILECs will not route NG9-1-1 traffic to PSAPs.

24. Eastlink and SaskTel submitted that changing SILECs' role in the NG9-1-1 environment would have minimal impact on the work SILECs have already done to

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[11] For example, if a wireless subscriber has a phone number assigned to an exchange within the ILEC's territory but their billing address is in a SILEC territory, that customer may be counted in both the ILEC's and SILEC's NAS.

[12] According to Telecom Regulatory Policy 2012-24, WSPs can implement wireless number portability only if they directly interconnect with a SILEC, unless other arrangements are made.

implement NG9-1-1. Eastlink added as an example that any technical work done for its SILEC Persona to implement NG9-1-1 would have been necessary regardless of whether it was classified as an ONP from the start.

25. The Commission recognizes that the outsourcing arrangements between SILECs and their large ILEC counterparts make them technically similar to ONPs. The Commission also recognizes that in the absence of a full IP interconnection framework, SILECs have limited visibility into which competitors operate in their territory and how to recover wholesale costs. This results in a service level closer to that of ONPs.

26. In light of the above, the Commission considers that the technical elements are already in place for SILECs to be reclassified as ONPs, because SILECs are onboarded and interconnected with the NG9-1-1 networks and deliver their retail customers calls to the large ILEC POIs in the same manner as ONPs. Reclassifying SILECs as ONPs would not affect ONPs' interconnection with NG9-1-1 networks or Canadians' access to 9-1-1 services.

27. The ITPA submitted that if the Commission reclassified SILECs as ONPs, SILECs would demand full compensation for the costs they incurred based on previous Commission policies, decisions, and orders.

28. Parties such as Cogeco, Eastlink, Quebecor, RCCI, and SaskTel were of the view that reclassifying SILECs as ONPs would lower costs for SILECs and their retail customers as SILECs would be relieved from costs associated with i) providing access to NG9-1-1 networks in their operating territories, ii) providing wholesale access to these networks were PSAPs have been established, and iii) connecting their NG9-1-1 networks to the PSAPs in their operating territories.

29. Reclassifying SILECs as ONPs in the NG9-1-1 framework would lower 9-1-1 access costs for Canadians residing in SILEC territory. Being reclassified as ONPs would make SILECs customers of Bell Canada's wholesale NG9-1-1 service at a cost of $0.10/NAS, instead of outsourcing customers subject to a higher commercial outsourcing rate.

The Commission mandates large ILECs to provide wholesale 9-1-1 access in SILEC territories

30. The ITPA opposed TCI's application submitting that treating SILECs as ONP customers of the large ILEC NG9-1-1 network providers would disrupt the NG9-1-1 governance model and would leave no party responsible for key functions in SILEC territories.

31. Reclassifying SILECs and ONPs means that another entity must provide wholesale 9-1-1 access in SILEC territories. Because SILECs (and other ONPs that serve SILEC territories) are already interconnected with ILEC NG9-1-1 network provider POIs, ILECs are already in a position to assume the responsibility of providing wholesale 9-1-1 access in SILEC territories. The Commission is therefore of the view

that mandating ILECs to provide 9-1-1 wholesale service in SILEC territory would prevent service gaps arising from SILECs being reclassified as ONPs.

32. This approach would help ensure continued customer access to 9-1-1 services. SILECs would still be responsible for providing 9-1-1 access to their own retail customers but would no longer need to provide wholesale 9-1-1 services. SILECs would retain all other SILEC responsibilities and privileges not associated with those related to being NG9-1-1 network providers.

Bell Canada is already providing wholesale 9-1-1 service to WSPs operating in SILEC territory

33. Bell Canada opposed being required to provide NG9-1-1 wholesale service in SILEC territory, indicating that 9-1-1 services are already part of ILECs' basic obligations as a result of CLECs being mandated to provide 9-1-1 access to their customers, and ILECs being directed to provide wholesale access to their 9-1-1 networks for CLECs in Telecom Decision 97-8. ILECs are already required to provide wholesale access to their 9-1-1 networks. Reclassifying SILECs would force one ILEC to fulfill another ILEC's basic service obligations within that other ILEC's territory. Bell Canada submitted that the Commission lacks the authority to impose any such obligations.

34. The basic service objective referenced by Bell Canada was established by the Commission in Telecom Decision 99-16[13] and subsequently abolished in Telecom Regulatory Policy 2016-496 because it had achieved its purpose.

35. Regardless, the Commission notes that the record of the ITPA proceeding indicates that some ILECs may already be providing a degree of wholesale 9-1-1 service outside their territories. Many interveners, including Bell Canada, submitted that large ILECs, not SILECs, provide wholesale wireless 9-1-1 service and recover related costs. Therefore, because Bell Canada already provides wireless 9-1-1 access and recovers costs, it is effectively offering a service in territories beyond its own.

36. Furthermore, the Commission notes that Bell Canada has also taken on NG9-1-1 functionalities for most SILECs through outsourcing agreements. This means that Bell Canada is already technically providing NG9-1-1 services in SILEC territory, which include the provision of technical functions, as well as functions related to contracts with SILEC wholesale customers.

37. In the Commission's view, it is necessary for it to make rules that reflect the unique circumstances of how the NG9-1-1 service is provided. This change would have no impact on the technical physical infrastructure of the NG9-1-1 network. In most cases, this change solely requires large ILECs to count all NG9-1-1 calls already

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[13] The Basic Service Objective consisted of: individual line local touchtone service; the capability to connect to the Internet via low-speed data transmission at local rates; and access to the long-distance network, operator/directory assistance services, enhanced calling features and privacy protection features, emergency services, as well as voice message relay service.

passing over their POIs as their own, and to be responsible for the services they are already providing. More importantly, this transfer of wholesale obligations would not negatively impact Canadians' ability to access 9-1-1 in these territories and, over time, may lead to lower retail rates.

This approach will apply to all SILECs, including those with PSAPs within their territories

38. Most parties were in agreement that the vast majority of SILECs will not deliver NG9-1-1 traffic to PSAPs. While TCI originally submitted that all SILECs should be considered ONPs with no additional responsibilities, it submitted in its reply that SILECs with PSAPs in their territories must connect those PSAPs to the large ILECs.

39. The record shows that this would at present only apply to CityWest and Tbaytel. TCI noted that Bell Canada already has facilities in place that currently deliver – and can continue to deliver – 9-1-1 calls to the PSAPs in Tbaytel's territory.

40. In Telecom Regulatory Policy 2017-182 and Telecom Decision 2018-188, the Commission defined the NG9-1-1 network boundaries as starting at the POIs between the originating networks and the NG9-1-1 networks, and ending at the demarcation points between the NG9-1-1 networks and the primary and secondary PSAPs.

41. By alleviating SILECs of their NG9-1-1 wholesale responsibilities and reclassifying SILECs, and by requiring large ILECs to provide NG9-1-1 service in SILEC territory, the Commission also makes large ILECs responsible for interconnecting the NG9-1-1 network to all PSAPs in accordance with the defined NG9-1-1 boundaries, including those outside their own territories. It would therefore be reasonable to expect the large ILECs to make arrangements with SILECs in whose territories PSAPs have been established, to ensure these PSAPs are connected to the NG9-1-1 network. For certainty, the Commission directs that such arrangements be reflected in the ILEC NG9-1-1 tariffs where applicable.

42. This will apply to CityWest and Tbaytel, which currently have PSAPs within their territory, as well as any other SILEC in whose territory a PSAP is established in the future.

43. By adopting this approach, the Commission will streamline the NG9-1-1 framework for all SILECs, while ensuring that all 9-1-1 calls are delivered to the appropriate PSAP, regardless of the SILEC territory that calls originate from or the SILEC territory where PSAPs are located.

New SILEC obligations will mirror those established for ONPs in the original NG9-1-1 framework

44. The ITPA submitted that changing the role of SILECs in NG9-1-1 would create confusion because they would be classified as non-incumbent for NG9-1-1 purposes but would still have all the obligations of ILECs for other purposes.

45. For clarity, the Commission notes that its reclassification of SILECs as ONPs only applies to SILEC responsibilities within the context of 9-1-1. SILECs are to retain all the obligations of ILECs for other non-9-1-1 purposes.

46. With respect to defining the new obligations of SILECs reclassified as ONPs within the NG9-1-1 environment, in Telecom Decision 2021-199, the Commission directed TSPs to:

    - make the necessary changes to support NG9-1-1 Voice in their originating networks that are technically capable of supporting NG9-1-1 Voice, including completing all NG9-1-1 production onboarding activities; and

    - provide NG9-1-1 Voice to their customers served by networks that are technically capable of supporting NG9-1-1 Voice, wherever PSAPs have been established in a particular region by directing their NG9-1-1 Voice traffic to the appropriate NG9-1-1 POIs.

47. The Commission finds it appropriate for SILECs to be subject to these same obligations when being reclassified as ONPs in the NG9-1-1 framework.

48. In applying the ONP NG9-1-1 obligations to SILECs, the Commission would need to apply new obligations to the large ILECs to ensure continued provision of wholesale 9-1-1 access to Canadians in SILEC territories as well as delivery of all calls to the appropriate PSAP, regardless of the PSAP's location.

Conclusion

49. The Commission approves with modifications TCI's application calling for the Commission to reclassify SILECs as ONPs in the NG9-1-1 framework. In doing so, the Commission relieves SILECs of their obligations to provide wholesale 9-1-1 access in their territories and directs them to:

    - make the necessary changes to support NG9-1-1 Voice in their originating networks that are technically capable of supporting NG9-1-1 Voice, including completing all NG9-1-1 production onboarding activities; and

    - provide NG9-1-1 Voice to their customers served by networks that are technically capable of supporting NG9-1-1 Voice, wherever PSAPs have been established in a given region, by directing their NG9-1-1 Voice traffic to the appropriate NG9-1-1 POIs.

50. As a result of the above, to ensure 9-1-1 access is maintained within SILEC territory, the Commission directs the large ILECs to provide wholesale 9-1-1 access within the territories of SILECs located in the provinces and territories in which the large ILECs are NG9-1-1 network providers.

51. To ensure PSAPs in SILEC territory remain connected to the NG9-1-1 network, the Commission directs large ILECs and SILECs to take the necessary steps to

interconnect these PSAPs with the large ILEC's NG9-1-1 network and that the large ILECs reflect these arrangements in their NG9-1-1 tariffs.

52. The Commission denies the ITPA's application. The Commission determines that ITPA SILECs are only responsible for serving their own retail customers, and not for offering wholesale 9-1-1 services to other TSPs. As a result, all other requests in the ITPA's application related to NAS count methodology for wholesale rate calculations no longer apply.

53. The dissenting opinion of Commissioner Bram Abramson is attached to this decision.

Policy Direction

54. In exercising its authorities and performing its duties under the *Telecommunications Act* (the Act), the Commission must implement the Canadian telecommunications policy objectives set out in section 7 of the Act in accordance with the 2023 Policy Direction.[14]

55. Through its determinations, the Commission is taking steps to help make NG9-1-1 services affordable for all Canadians including those residing in SILEC territories, thereby ensuring that affordable access to high-quality, reliable, and resilient telecommunications services is available in all regions of Canada, including rural areas, remote areas, and Indigenous communities in accordance with paragraphs 2(c) and 8(e) of the 2023 Policy Direction.

56. Furthermore, because the Commission is streamlining the role of SILECs within the NG9-1-1 framework consistent with their capabilities and current service delivery model, these measures are efficient and proportionate to their purpose in accordance with section 4 of the 2023 Policy Direction.

Secretary General

Related documents

- *Establishment of new deadlines for Canada's transition to next-generation 9-1-1*, Telecom Decision CRTC 2021-199, 14 June 2021
- *Next-generation 9-1-1 network design efficiencies*, Telecom Regulatory Policy CRTC 2019-66, 7 March 2019
- *New Brunswick 9-1-1 Bureau, on behalf of public safety answering point organizations – Application to review and vary Telecom Regulatory Policy*

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[14] *Order Issuing a Direction to the CRTC on a Renewed Approach to Telecommunications Policy*, SOR/2023-23, 10 February 2023

2017-182 regarding next-generation 9-1-1 services, Telecom Decision CRTC 2018-188, 28 May 2018

- *Next-generation 9-1-1 – Modernizing 9-1-1 networks to meet the public safety needs of Canadians*, Telecom Regulatory Policy CRTC 2017-182, 1 June 2017; as amended by the Telecom Regulatory Policy CRTC 2017-182-1, 28 January 2019

- *Modern telecommunications services – The path forward for Canada's digital economy*, Telecom Regulatory Policy CRTC 2016-496, 21 December 2016

- *Network interconnection for voice services*, Telecom Regulatory Policy CRTC 2012-24, 19 January 2012

- *Telephone service to high-cost serving areas*, Telecom Decision CRTC 99-16, 19 October 1999

- *Local Competition*, Telecom Decision CRTC 97-8, 1 May 1997

Dissenting opinion of Commissioner Bram Abramson

1. Pull a single thread in an elaborate tapestry, and it rarely unravels in isolation. It may distort the weave, shift patterns, and sometimes fray edges in ways fully understood only in hindsight.

2. The majority's decision to relegate small incumbent local exchange carriers' (SILEC) Next-Generation 9-1-1 (NG9-1-1) role takes the path of least resistance. It seizes an opportunity created by the convergence of multiple operational dilemmas that mark the Canadian telecommunications system's current phase in an ongoing transition.

3. But in pulling that thread, the decision risks unravelling more than today's operational dilemmas, some of which—like Internet protocol (IP)-to-IP interconnection—are in any case better solved by facing them frontally. At a time when the Commission is directed to lower barriers for regional and smaller providers, this decision does the opposite. It further embeds large incumbent local exchange carriers (ILECs) as central actors at the expense of alternative models. It undermines a long-standing regulatory framework that, however imperfect, aimed to maintain room for dynamic competition across providers of all sizes.

Recalling the telecom tapestry

4. Canada's telephone system began much like its cable television and Internet access systems did. A disruptive technology was brought to market. A wave of start-ups launched to commercialize it in cities, towns, and villages across the country. Then industry consolidation took place—first regionally, then nationally. In the case of telephony, that consolidation was driven by natural monopoly theories given life by legislative and regulatory frameworks. They saw the rise of what came to be known as ILECs.

5. Full regional consolidation was never entirely realized. The remaining SILECs—once start-ups, now multi-general incumbents busy reworking themselves for a multi-network era—stand as its enduring remnants.

6. Enduring, however, for how long, and in what form?

7. If telecommunications have transformed, they are also in perpetual transition. Some elements' transitions are virtually complete. All communications have converged onto the IP. Wireline networks are largely broadband links for conveying the Internet to local area networks, in-home and on-site. Mobile networks have become defaults, shifting our paradigm for communications endpoints from places to people, before they shift again to sensors, device components, and all manner of things. Yet much remains at the waystations—like the persistence of E.164 telephone numbers,[1] sluggish

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[1] *The international public telecommunication numbering plan*, International Telecommunications Union (ITU) Recommendation E.164 (11/10), 18 November 2010

adoption of IP-to-IP interconnection[2] or, in this case, NG9-1-1 breathing new life into post-public switched telephone network (PSTN) ILEC incumbency.

8. SILECs—predominantly rural, benefitting from very limited economies of scale, and labouring under a regulatory-burden-to-business ratio that is surely the highest of any grouping within the Canadian telecommunications system—are having a bumpy ride through these transitions and across these waystations. The fibre transition's cost structure is challenging in rural regions. Large mobile providers have bypassed SILECs, backhauling traffic outside their territories instead of interconnecting locally. The path of least resistance, outsourcing to the large adjacent ILECs who historically, in the simpler days of PSTN systems were SILECs' counterparts, has remained both inviting and, as this majority Telecommunications Committee decision on behalf of the Commission[3] demonstrates, perilous.

Path of least resistance

9. If the 9-1-1 system is a bridge, as the summary prepared to describe the majority's decision has it, it is a uniquely decentralized one. Physical bridges are complex civil works, planned and engineered centrally. The 9-1-1 system is, by contrast, a federated system. Each player has, and retains, a unique active and operational role. 9-1-1 works only if multiple independent entities—each with its own responsibilities, pressures, and contingencies—both cooperate and coordinate. Part of 9-1-1's magic is to present a single unified interface that hides this complexity: the caller, beset with an emergency, should need neither to know nor care that a federated system lurks beneath its hood. The magicians' success hinges on relationships, agreements, and shared protocols.

10. The Commission's role is to steward these relationships, agreements, and shared protocols, intervening where necessary, though not necessarily intervening. Loose institutions we have built in cooperation with stakeholders, like the Emergency Services Working Group, have proven to be important nodal points in that stewardship. In many ways, all this mirrors the larger federated system in which the 9-1-1 system is nested: the Canadian telecommunications system itself.

11. Like any complex system, federated systems are fraught both with deceptive opportunities and paralyzing risks. Deceptive, because they can appear straightforward when viewed in isolation but, without systemic awareness, can lead to pulling on a thread that unravels more than intended. Paralyzing, because as systemic awareness sets in, fear of unintended consequences and an inability to corral unknown unknowns make inaction feel like a safe space.

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[2] Telecom Regulatory Policy 2012-24; Commission Letter, 21 October 2021

[3] Telecommunications Committee, By-Law No. 10, paragraph (e) ("[a]ny act or thing done by the Telecommunications Committee shall be deemed to be an act or thing done by the members")

12. Here, the Independent Telecommunications Providers Association's 2021 and TELUS Communications Inc.'s (TELUS) 2022 applications combined for an opportunity to cut through a thicket of entanglements within one complex, federated system. SILECs already outsource most 9-1-1 operations to ILECs: why keep a placeholder for them when they've ceded their role? Outsourced commercial rates for ILECs' accretion of SILEC NG9-1-1 functions are far higher than ILECs' regulated rates: why reflect on whether to dig into the former are, or ought to be, just and reasonable, when the latter are in reach?

13. IP-to-IP interconnection remains sparse, keeping reliance on an outdated way of counting Network Access Services (NAS): but why change it now if IP-to-IP interconnection will eventually take over? Won't most NG9-1-1 calls originate on mobile devices, whose networks have largely bypassed SILECs anyway?

14. The majority's decision resolves questions like these in a manner readily at hand. Rather than preserve a notional role for telecommunications companies of varying sizes—some merely represented by others' delegates—easier to eliminate this complexity. Easier to downgrade SILECs, who have outsourced to the ILECs anyway, to the category of simple originating network providers among many. Easier not to bend over backwards to preserve a seat for SILECs should they wish to insource or, more likely, change outsourcers for, these functions in the future.

15. It is hard to believe that any of these challenges were insurmountable, had parties other than SILECs had any incentive to solve them. To take one example: in an era when devices and, presumably, the users clutching them are localized, tracked, surveilled, repackaged, and resold to the highest bidders in tranches that flicker from second to second, or in bundles that their Internet service provider has first anonymized, are we really debating whether ILECs have the ability to know how many subscribers are located within SILEC polygons?

Decentring regional players

16. The ILEC stewardship model adopted in Telecom Regulatory Policy 2017-182, as modified by the outsourcing flexibility added in Telecom Regulatory Policy 2019-66, has the effect of reinforcing ILECs' position as a key vertex in Canada's telecommunications system. The majority's historic downgrade of SILECs' role cuts them out of that effect. It weakens their influence as a notional hub, tilting our regulatory framework's orientation even more firmly towards the few remaining ILECs—Bell Canada, Saskatchewan Telecommunications, and TELUS. (Among these, Saskatchewan Telecommunications' NAS count, and roles reserved for third parties, may not compare unfavourably to those of, together, the SILECs.)

17. In other words, the majority has seized an opportunity to cut through complexity within one system, emergency communications, by pulling on a thread cross-stitched tightly within the larger telecommunications system in which emergency communications are nested. At a time when Canadians distrust market over-concentration, the Commission is directed to reduce barriers for providers that are

regional or smaller than incumbents[4] and our own strategic plan prioritizes competition—it is hard not to be wary of how pulling on that thread could erase SILECs' role.

18. I therefore dissent. By continuing to outsource to the very ILECs who, wearing a variety of hats, may also be seen to be usurping SILECs' functions, SILECs are, no doubt, partly authors of their own misfortunes. But their situation is also a precarious one and their choices limited given all of the transitional challenges currently before them. Given our policy obligations, and our broader concern with preserving the competitive process, we should have ensured SILECs could still steward these changes—outsourced or not—rather than replace them altogether.

[4] *Order Issuing a Direction to the CRTC on a Renewed Approach to Telecommunications Policy*, SOR/2023-23, 10 February 2023, paragraph 2(e)