



Telecom Order CRTC 2010-352

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Ottawa, 8 June 2010

Bell Canada – Managed Utility Service – Customer Specific Arrangement

File Number: Tariff Notices 904 and 904A (NST)

1. The Commission received an application by Bell Canada, dated 18 November 2009 and amended on 9 December 2009, proposing revisions to its National Services Tariff Item 722, Managed Utility Service – Customer Specific Arrangement to reflect, among other things, the extension of the applicable service arrangement, which expired on 31 July 2009.
2. Bell Canada also requested that the Commission ratify the charging of the rates from 1 August 2009 to the effective date of the proposed tariff changes.
3. The Commission approved Bell Canada's application on an interim basis in Telecom Order CRTC 2009-808, 23 December 2009, and indicated that it would address the company's ratification request, and any other issues related to the application, if necessary, in a subsequent order.
4. The Commission received no comments regarding this application. The public record of this proceeding can be found on the Commission's website at www.crtc.gc.ca under "Public Proceedings" or by using the file number provided above.
5. The Commission notes that subsection 25(4) of the *Telecommunications Act* stipulates that 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 the Commission is satisfied that the rate was charged because of an error or other circumstance that warrants the ratification.
6. The Commission notes that following the expiry of the previous service arrangement and while negotiations were under way for the new arrangement, the customer continued to receive services according to the rates, terms, and conditions of the previous service arrangement so as to prevent service disruption. The Commission determines that in these circumstances, ratification of the rates is appropriate.
7. In light of the above, the Commission **approves on a final basis** Tariff Notice 904, as amended by Tariff Notice 904A, and ratifies the charging of the rates for the above-noted service otherwise than in accordance with a Commission-approved tariff for the period of 1 August to 22 December 2009.

Secretary General