



Telecom Order CRTC 2010-46

Ottawa, 29 January 2010

**Bell Aliant Regional Communications, Limited Partnership; Bell Canada;
MTS Allstream Inc.; Saskatchewan Telecommunications; TELUS
Communications Company; and Télébec, Limited Partnership –
Wireless service provider enhanced 9-1-1 service agreements**

File numbers: 8340-A53-20093253, 8340-B2-200913245, 8340-B54-200913237,
8340-T78-200912875, 8340-M59-200912693, 8340-S22-200912453, and
8340-T66-2009085100

Introduction

1. In Telecom Regulatory Policy 2009-40, the Commission directed the incumbent local exchange carriers (ILECs) that provide wireless service provider (WSP) enhanced 9-1-1 (E9-1-1) service to file tariff revisions to reflect the introduction of wireless Phase II Stage 1 E9-1-1 service (Phase II service).
2. Phase II service provides public safety answering points (PSAPs) with more accurate longitudinal and latitudinal (X,Y) information regarding the location of wireless E9-1-1 callers, in addition to the information provided under Phase I of the service. Phase I provides the telephone number and cellsite/sector information of wireless E9-1-1 callers to the PSAP.
3. Between 1 May and 5 June 2009, Bell Canada; Bell Aliant Regional Communications, Limited Partnership (Bell Aliant); MTS Allstream Inc. (MTS Allstream); Saskatchewan Telecommunications (SaskTel); TELUS Communications Company (TCC); and Télébec, Limited Partnership (Télébec) filed proposed tariff pages with the Commission, which granted them interim approval in Telecom Order 2009-375.
4. Bell Canada and Bell Aliant filed proposed revisions to their template WSP E9-1-1 service agreements along with the above-noted tariff pages. The Commission received proposed WSP E9-1-1 agreements, dated 9 September 2009, from TCC, Télébec, and SaskTel. SaskTel filed revisions to its agreement on 8 January 2010.
5. The Commission subsequently received comments from Rogers Wireless Partnership (Rogers Wireless), Bell Aliant and Bell Canada (the Bell companies), and SaskTel. The public records of these proceedings are available on the Commission's website at www.crtc.gc.ca under "Public Proceedings" or by using the file numbers provided above.

Positions of parties

6. In its comments, Rogers Wireless requested that the confidentiality provisions in the ILECs' WSP E9-1-1 agreements be modified.
7. Rogers Wireless noted that the ILECs have agreements with the governmental authorities – for example, municipal or provincial governments, or regional districts – that are responsible

for operating the PSAPs (the ILEC/government agreements). Rogers Wireless submitted that the confidentiality provisions in TCC's ILEC/government agreement adequately govern the use of 9-1-1 location information but stated that it did not have access to the other ILEC/government agreements.

8. Rogers Wireless further noted that all of the WSP E9-1-1 agreements, except for MTS Allstream's, include a paragraph at the end of their non-disclosure provisions indicating that the ILEC may disclose confidential information to governmental authorities, PSAPs, providers of emergency services, or any of their respective agents or representatives "for the purpose intended herein." Rogers Wireless requested that the Commission direct each ILEC to modify the above-noted paragraph in their respective agreements in order to impose non-disclosure obligations on the individuals that could receive such confidential information. Rogers Wireless also requested that the Commission direct MTS Allstream to add wording equivalent to that referenced in the above-noted paragraph with its suggested revisions.
9. SaskTel stated that it would be willing to make the changes proposed by Rogers Wireless.
10. The Bell companies requested that the relief sought by Rogers Wireless be denied, submitting that
 - there is nothing unique about Phase II service that would necessitate unique confidentiality provisions that extend beyond what is already in place for wireline or wireless Phase I E9-1-1 service;
 - they hold the municipality or province, their employees, servants, agents, and/or co-contractors accountable for maintaining the confidentiality of 9-1-1 caller location information through the existing ILEC/government agreements;
 - wireless 9-1-1 caller location information will receive the same level of confidentiality treatment as location information for wireline 9-1-1 callers; and
 - suggesting needless insertions into existing agreements is unnecessary and a waste of time and resources.

Commission's analysis and determinations

11. The Commission notes that each of the applicants' ILEC/government agreements contains detailed provisions regarding, among other things, the treatment of confidential information by governmental authorities, their agents, and their employees, including non-disclosure obligations on PSAP employees. The Commission considers that additional information sent to the PSAPs under Phase II service would also be protected by the provisions contained in these agreements.
12. Accordingly, the Commission considers that the amendments to the WSP E9-1-1 agreements proposed by Rogers Wireless are not required.
13. The Commission also considers that it is not necessary for MTS Allstream to add the paragraph clarifying that the confidential information can be provided to the municipality "for the purposes intended herein" because its WSP E9-1-1 agreement already indicates that confidential information may only be used for the purposes of the agreement.

14. In light of the above, the Commission approves the above-noted applications with the following modifications:
- SaskTel's proposed agreement should be modified to add new subsections to sections 5.3 and 5.4, with each stating that the respective parties shall "provide the services in connection with WSP Enhanced 9-1-1 Service specified in Schedule B";
 - Télébec's proposed agreement at subsection 1.3 should refer to both Schedules A and B, instead of just Schedule A.
15. The Commission directs SaskTel and Télébec to file revised agreements reflecting the modifications for information purposes.

Secretary General

Related documents

- Telecom Order CRTC 2009-375, 19 June 2009
- *Implementation of wireless Phase II E9-1-1 service*, Telecom Regulatory Policy CRTC 2009-40, 2 February 2009

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