



## Telecom Order CRTC 2010-658

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Ottawa, 2 September 2010

### Videotron Ltd. – Third-party Internet access services

File numbers: Tariff Notices 28 and 28A

1. The Commission received an application by Quebecor Media Inc., on behalf of its affiliate Videotron Ltd. (Videotron), dated 27 November 2009, in which the company proposed to add item 200.3 v) -- Third Party Internet Access (TPIA), Terms and Conditions to its General Tariff. Under Videotron's proposal, its General Tariff would be amended to include a listing of Internet service provider (ISP) regulatory obligations.<sup>1</sup> Videotron also proposed to add a detailed listing of these ISP regulatory obligations in its TPIA Service Agreement (Schedule 7), and to incorporate various housekeeping amendments in that same agreement.
2. TekSavvy Solutions Inc. (TekSavvy) filed comments dated 29 November 2009, in which it objected to a number of the proposed amendments. In particular, TekSavvy submitted that ISP regulatory obligations should only be included in the TPIA Service Agreement and should be limited to those that the Commission required to be included in service contracts. TekSavvy also requested that the Commission reject General Tariff item 200.3 v) as proposed by Videotron and submitted specific revisions to the company's proposed TPIA Service Agreement.
3. Videotron filed reply comments on 6 January 2010. Subsequently, as a further response to TekSavvy's concerns, Videotron filed an amended application on 5 July 2010.
4. In its amended application, Videotron noted that the only regulatory obligation now addressed in the proposed changes to its General Tariff related to the confidentiality of customer information in items 200.3 v) and 200.3 w). As part of its amended application, Videotron also revised the ISP regulatory obligations listed in the new Schedule 7 of its TPIA Service Agreement. The company did not propose any changes with respect to the housekeeping items identified in its original application.
5. The Commission approved Videotron's amended application, on an interim basis, in Telecom Order 2010-482.

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<sup>1</sup> Videotron indicated that the Commission had directed Canadian carriers, as a condition of providing telecommunications services to resellers, to include a listing of ISP regulatory obligations in their service contracts and other arrangements with such resellers.

6. No additional comments were received from TekSavvy. The public record of this proceeding, which closed on 5 July 2010, is available on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) under "Public Proceedings" or by using the file numbers provided above.
7. The Commission has reviewed Videotron's proposed tariff pages, as amended, and notes that the tariff revisions relate solely to provisions concerning customer confidentiality. The Commission finds that the proposed tariff revisions are consistent with its requirements with respect to customer confidentiality provisions and that they address the concerns raised by TekSavvy.
8. With regard to the proposed amendments to Videotron's TPIA Service Agreement, the Commission notes that the proposed new Schedule 7 contains references to accessible customer information; service and support; membership in the Commissioner for Complaints for Telecommunications Services Inc. (CCTS); and Internet traffic management practices (ITMPs). The Commission finds that the new Schedule 7, as amended by Videotron in July 2010, accurately reflects the directives set out in various Commission decisions<sup>2</sup> regarding the obligations of primary carriers. The Commission also finds that the proposed revisions to the company's TPIA Service Agreement address the concerns raised by TekSavvy.
9. Accordingly, the Commission **approves on a final basis** Videotron's amended application, effective the date of this order.

Secretary General

### **Related documents**

- Telecom Order CRTC 2010-482, 15 July 2010
- *Review of the Internet traffic management practices of Internet service providers*, Telecom Regulatory Policy CRTC 2009-657, 21 October 2009
- *Accessibility of telecommunications and broadcasting services*, Broadcasting and Telecom Regulatory Policy CRTC 2009-430, 21 July 2009, as amended by Broadcasting and Telecom Regulatory Policy CRTC 2009-430-1, 17 December 2009
- *Applications to review and vary certain determinations in Telecom Decision 2007-130 regarding the establishment of an independent telecommunications consumer agency*, Telecom Decision CRTC 2008-46, 30 May 2008

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<sup>2</sup> See Telecom Decision 2002-13 and Broadcasting and Telecom Regulatory Policy 2009-430 (accessible customer information, service and support), Telecom Decisions 2007-130 and 2008-46 (CCTS), and Telecom Regulatory Policy 2009-657 (ITMPs).

- *Establishment of an independent telecommunications consumer agency,*  
Telecom Decision CRTC 2007-130, 20 December 2007
- *Extending the availability of alternative formats to consumers who are blind,*  
Telecom Decision CRTC 2002-13, 8 March 2002