



Telecom Order CRTC 2010-727

PDF version

Ottawa, 30 September 2010

Persona Communications Corp. – Third-party Internet access service

File numbers: Tariff Notices 3 and 3A

Introduction

1. The Commission received an application from Persona Communications Corp. (Persona), dated 4 July 2006, in which the company proposed to introduce new service levels and corresponding rates for its third-party Internet access (TPIA) service. The application was approved, with changes, on an interim basis in Telecom Order 2006-286.
2. In that order, the Commission addressed comments filed jointly by Vianet Internet Solutions (Vianet) and Unitz Online (Unitz), and, among other things, directed Persona to specify in its TPIA tariff the maximum upstream and downstream transmission speeds associated with each of its service levels.
3. Persona issued tariff pages reflecting the Commission's determinations on 6 February 2007. Vianet and Unitz, collectively, and Ontera filed comments on these tariff pages.
4. Persona responded to these comments and subsequently filed an amendment to its application, dated 29 March 2007, proposing reductions to the rates previously approved by the Commission. The amendment was approved on an interim basis in Telecom Order 2007-106. No further comments were received.
5. The public record of this proceeding, which closed on 29 March 2007, is available on the Commission's website at www.crtc.gc.ca under "Public Proceedings" or by using the file numbers provided above.

Should the Commission approve Persona's application on a final basis?

6. Vianet and Unitz submitted that, based on the transmission speeds specified in Persona's issued tariff pages, they would experience significant rate increases over the non-tariff contract arrangements previously offered by Persona. They also submitted that Persona's proposed Regular service was equivalent in speed to what was previously its Lite service and that the company's proposed Extreme service was equivalent to what was previously its Regular service, and, therefore, these proposed services should be priced accordingly.
7. Persona responded that based on current speeds advertised by the large cable companies, Persona Lite is equivalent to Shaw Cablesystems G.P.'s (Shaw) Lite, and Persona Extreme is equivalent to Rogers Communications Inc.'s (RCI) Extreme.

8. Ontera submitted that if Persona were to adopt the currently approved tariffed TPIA service rates of Shaw or RCI, this would be consistent with the objectives the Commission set out in Telecom Order 2006-286.
9. Vianet and Unitz also noted that Persona had disclosed, in its comments, that it offers two additional retail Internet service levels in a limited number of areas where its TPIA service is not available. Vianet and Unitz submitted that Persona should be required to amend its TPIA tariff to include these additional service levels.
10. Persona submitted that the two additional service levels in question were between the Regular and Extreme service levels, and that, consistent with its regulatory obligations, it would supply, on request, its retail Internet services for resale at a 25 percent discount.
11. In the amendment to its application, Persona proposed to adopt RCI's approved TPIA rates in place at that time.

Commission analysis and determinations

12. In Telecom Decision 99-8, the Commission determined that smaller cable carriers could base their TPIA tariffs on the rates approved for larger cable carriers.
13. In Telecom Decision 99-11, the Commission determined that smaller cable carriers would have the option to provide TPIA service upon request, or to resell their higher speed Internet services at a discount of 25 percent.
14. The Commission considers that Persona's proposals to base its TPIA rates on those of RCI and to offer the additional service levels for resale at a 25 percent discount are consistent with the Commission's determinations in Telecom Decisions 99-8 and 99-11.
15. In light of the above, the Commission **approves** Persona's application on a final basis.

Secretary General

Related documents

- Telecom Order CRTC 2007-106, 4 April 2007
- *Third-party Internet access – Introduction of Lite Speed and Extreme Speed service levels*, Telecom Order CRTC 2006-286, 27 October 2006
- *Application concerning access by Internet service providers to incumbent cable carriers' telecommunications facilities*, Telecom Decision CRTC 99-11, 14 September 1999
- *Regulation under the Telecommunications Act of cable carriers' access services*, Telecom Decision CRTC 99-8, 6 July 1999