



Telecom Order CRTC 2014-579

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Ottawa, 7 November 2014

File number: Tariff Notice 38

Rogers Communications Partnership – Introduction of two third-party Internet access service speeds

1. The Commission received an application from Rogers Communications Partnership (RCP), dated 1 October 2014, in which the company proposed revisions to its Access Services Tariff. Specifically, the company proposed two service speeds under Part G – Tariff for Third Party Internet Access (TPIA). RCP proposed to
 - offer a 150 Mbps¹ downstream/10 Mbps upstream TPIA service speed (the 150/10 Mbps service) to customers in locations where the currently approved 150 Mbps downstream/15 Mbps upstream TPIA service speed (the 150/15 Mbps service) cannot be provisioned due to technical limitations, and
 - introduce a new 250 Mbps downstream/10 Mbps upstream TPIA service speed (the 250/10 Mbps service) to customers in locations where its current 250 Mbps downstream/20 Mbps upstream TPIA service speed (the 250/20 Mbps service) is not available due to technical limitations.
2. RCP proposed that the 150/10 Mbps service being offered in its application should have a monthly end-user access interim rate of \$23.32, i.e., the same rate that is currently approved for the grandfathered 150/10 Mbps service.²
3. RCP proposed a monthly end-user access interim rate of \$49.06 for the new 250/10 Mbps service, noting that this is the same rate currently approved by the Commission for the 250/20 Mbps service on an interim basis in Telecom Order 2013-702.³
4. RCP submitted that it was not filing a supporting cost study for its proposed 250/10 Mbps service rate at this time but would do so once the Commission approved its application associated with the 250/20 Mbps service on a final basis.

¹ Mbps stands for megabits per second.

² In Telecom Order 2014-234, RCP obtained interim approval, effective 16 June 2014, to grandfather its tariffed 150/10 Mbps service at \$23.32 per month per end-user.

³ The Commission gave interim approval to RCP Tariff Notice 34 in Telecom Order 2013-702. In that application, RCP proposed a new 250/20 Mbps speed tier for its Aggregated Point of Interconnection (POI) TPIA service.

5. The Commission received an intervention regarding RCP's application from the Canadian Network Operators Consortium Inc. (CNOc). CNOc requested that the Commission direct RCP to submit a cost study for the 250/10 Mbps service to ensure that the proposed rate for this service is cost-based.
6. The public record of this proceeding is available on the Commission's website at www.crtc.gc.ca or by using the file number provided above.

Commission's analysis and determinations

7. The 150/10 Mbps and 250/10 Mbps services set out in the company's application are restricted in availability to only those end-users where the 150/15 Mbps and 250/20 Mbps services, respectively, are not available due to technical limitations.
8. The Commission considers that RCP's proposed rate for the 150/10 Mbps service, i.e., the same rate approved, on an interim basis, for its now grandfathered service for the same downstream and upstream speeds on an interim basis, would be reasonable.
9. In Telecom Order 2012-706, the Commission indicated that, in the absence of supporting cost studies for a new service, the new service speed's rate would be set at the nearest lower-speed service rate currently approved in an applicant's tariff. The Commission considers that, in the absence of a supporting cost study, RCP's proposed rate for its new 250/10 Mbps service is not in the spirit of that order. Accordingly, the Commission has adjusted the rate for the new 250/10 Mbps service to the rate currently in effect for the nearest lower speed.
10. In light of the above, the Commission **approves on an interim basis** the following per month per end-user rates for the TPIA service speeds set out in the company's application, effective the date of this order: \$23.32 for the 150/10 Mbps service, and \$34.57 for the new 250/10 Mbps service.
11. The Commission will consider final TPIA service rates for RCP's 150/10 Mbps service and 250/10 Mbps service once RCP files its supporting cost studies.

Secretary General

Related documents

- *Rogers Communications Partnership – Interim approval of tariff applications*, Telecom Order CRTC 2014-234, 14 May 2014
- Telecom Order CRTC 2013-702, 16 December 2013
- *Rogers Communications Partnership – Introduction of four new wholesale Third Party Internet Access service speeds*, Telecom Order CRTC 2012-706, 21 December 2012