



## Telecom Decision CRTC 2005-28-1

Ottawa, 30 June 2005

### Regulatory framework for voice communication services using Internet Protocol

Reference: 8663-C12-200402892

#### Background

1. In *Application of the winback rules with respect to primary exchange service*, Telecom Decision CRTC 2002-1, 10 January 2002 (Decision 2002-1), the Commission set out the following winback rule:

...an [incumbent local exchange carrier] ILEC is not to attempt to win back a business customer with respect to primary exchange service, and in the case of a residential customer, with respect to primary exchange or any other service, for a period of three months after that customer's primary local exchange service has been completely transferred to another local service provider, with one exception: ILECs should be allowed to win back customers who call to advise them that they intend to change local service provider.

2. In *Call-Net Part VII Application - Promotion of local residential competition*, Telecom Decision CRTC 2004-4, 27 January 2004 (Decision 2004-4), the Commission extended the winback no-contact period for residential customers from three months to 12 months. Both the Part VII application that led to Decision 2004-4 and the Commission's determinations, with respect to the winback rule, in that Decision referred only to residential services.
3. In *Regulatory framework for voice communication services using Internet Protocol*, Telecom Decision CRTC 2005-28, 12 May 2005 (Decision 2005-28), the Commission determined that the reasons for which the winback rule for primary exchange service (PES) was established apply equally in relation to the provision by ILECs of local VoIP services<sup>1</sup>. The Commission therefore extended the winback rule to apply to local VoIP services as follows:

...an ILEC is not to attempt to win back a business customer with respect to primary exchange service or local VoIP service, and in the case of a residential customer of local exchange service (i.e. PES or local VoIP service), with respect to any service, for a period commencing at the time

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<sup>1</sup> In Decision 2005-28, the Commission defined VoIP services as voice communication services using Internet Protocol that use telephone numbers that conform to the North American Numbering Plan and that provide universal access to and/or from the Public Switched Telephone Network (PSTN). To the extent that such services provide subscribers with access to and/or from the PSTN along with the ability to make and/or receive calls that originate and terminate within an exchange or local calling area as defined in the ILECs' tariffs, the Commission referred to them as local VoIP services.

of the local service request and terminating 12 months after that customer's primary local exchange service or local VoIP service has been completely transferred to another local service provider, with one exception: ILECs should be allowed to win back customers who call to advise them that they intend to change local service provider.

4. In extending the winback rule to local VoIP service, the Commission inadvertently indicated that the local winback no-contact period for business customers is 12 months, rather than three months, as established in Decision 2002-1.

### **Erratum**

5. The Commission is hereby correcting the winback rule set out in paragraph 260 of Decision 2005-28 to read as follows:

...an ILEC is not to attempt to win back a business customer with respect to primary exchange service or local VoIP service, and in the case of a residential customer of local exchange service (i.e. PES or local VoIP service), with respect to any service, for a period commencing at the time of the local service request and terminating three months, in the case of a business customer, and 12 months, in the case of a residential customer, after that customer's primary local exchange service or local VoIP service has been completely transferred to another local service provider, with one exception: ILECs should be allowed to win back customers who call to advise them that they intend to change local service provider.

Secretary General

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