



Telecom Decision CRTC 2006-28

Ottawa, 18 May 2006

Regulatory issues related to the implementation of wireless number portability – Follow-up to Public Notice 2006-3

Reference: 8620-C12-200601288

In this Decision, the Commission makes its determinations on issues related to wireless number portability between wireless carriers, and between those carriers and wireline local exchange carriers.

Background

1. In *Implementation of wireless number portability*, Telecom Decision CRTC 2005-72, 20 December 2005, the Commission modified the local number portability (LNP) regime to permit wireless carriers to directly access Canadian number portability systems and set a launch date of 14 March 2007 for the introduction of wireless number portability (WNP). The Commission determined the customer transfer timeframes for porting telephone numbers involving wireless service providers (WSPs) and wireline service carriers. The Commission also determined the scenarios for eligible porting activities between Canadian carriers. The Commission noted that a number of other issues related to WNP would be considered in a future proceeding.
2. This next phase was initiated in *Regulatory issues related to the implementation of wireless number portability*, Telecom Public Notice CRTC 2006-3, 6 February 2006 (Public Notice 2006-3). The Commission invited comments on the following issues:
 - (a) trunking arrangements for the interchange of traffic between wireless carriers and local exchange carriers (LECs) in a portability environment;
 - (b) the need for wireless carriers to have a central office (CO) code in every wireline exchange area where wireless service is available;
 - (c) shared CO codes where the carrier of record is an incumbent local exchange carrier (ILEC);
 - (d) wireless services subject to number porting;
 - (e) the criteria for denying a wireless porting request;
 - (f) applicability of the ILEC winback rule to wireless carriers;
 - (g) wireless carrier access to ILEC operation support systems (OSS);
 - (h) directory listing information for numbers ported between wireless carriers and LECs;

- (i) enhanced 9-1-1 (E9-1-1) customer information for numbers ported between wireless carriers and LECs; and
- (j) any other regulatory issues related to the implementation of WNP.

Process

- 3. The Commission received comments dated 24 February 2006 from the City of Calgary, and dated 27 February 2006 from Aliant Mobility, Aliant Telecom Inc., Bell Canada, Bell Mobility, Société en commandite Télébec, Télébec Mobilité (the Companies); the Canadian Wireless Telecommunications Association (CWTA); MTS Allstream Inc. (MTS Allstream); Primus Telecommunications Canada Inc. (Primus); Rogers Wireless Partnership (Rogers Wireless); Saskatchewan Telecommunications (SaskTel); TELUS Communications Inc. and TELUS Mobility (TCC)¹; Virgin Mobile Canada (Virgin Mobile); and Xit télécom inc. on behalf of itself, Télécommunications Xittel inc. and 9141-9077 Québec inc. (Xit telecom).
- 4. The Commission received reply comments dated 6 March 2006 from the Companies, CWTA, Cogeco Cable Canada Inc. (Cogeco), MTS Allstream, Primus, Rogers Wireless, SaskTel, and TCC.

A. Trunking arrangements for the interchange of traffic between wireless carriers and LECs in a portability environment

- 5. In Public Notice 2006-3, the Commission invited comments on the appropriate grouping of rate centres/exchanges and trunking arrangements to be used for the interchange of traffic with wireless carriers in a portability environment.
- 6. The Commission notes that there are many different options to aggregate exchanges and points of interconnection (POIs). Two possible examples are (1) by local interconnection regions (LIRs) as established in *Trunking arrangements for the interchange of traffic and the point of interconnection between local exchange carriers*, Telecom Decision CRTC 2004-46, 14 July 2004 (Decision 2004-46), and (2) by local calling areas (LCAs) as suggested in the proceeding initiated by *Implementation of wireless number portability*, Telecom Public Notice CRTC 2005-14, 16 September 2005 (Public Notice 2005-14).

Positions of parties

- 7. The Companies, MTS Allstream and Xit telecom supported the interchange of traffic on an LIR basis, as established in Decision 2004-46. The Companies submitted that parties should, however, retain the ability to enter into bilateral arrangements for the interchange of traffic.

¹ Effective 1 March 2006, TELUS Communications Inc. assigned and transferred all of its assets and liabilities, including all of its service contracts, to TELUS Communications Company (TCC).

8. The Companies submitted that the exchange of traffic on an LIR basis would be consistent with the porting areas already in place for the exchange of wireline traffic. The use of LIRs would be competitively neutral, as an LIR would be the same for all wireless and wireline carriers in a given area. The Companies considered that LIRs are easy to understand, simple to implement, would permit a standardized industry approach and would minimize disruption.
9. The Companies submitted that by comparison, LCAs could be different for each telecommunications service provider. LCAs could overlap, resulting in exchanges being in multiple LCAs. This would cause ambiguity on how calls should be routed for some exchanges and in determining the boundaries within which numbers could be ported.
10. Rogers Wireless and TCC supported the use of LCAs to aggregate exchanges and POIs.
11. Rogers Wireless submitted that wireless carriers should be required to have at least one POI, one trunk group, one CO code, and one location routing number (LRN) in each LCA where numbers are to be ported. Rogers Wireless noted that in *Transiting and points of interconnection*, Telecom Order CRTC 98-486, 19 May 1998, the Commission mandated that existing wireless POI arrangements and facilities should be used for ILEC-to-wireless competitive local exchange carrier (CLEC) interconnection. In Rogers Wireless' view, using existing POIs and trunk groups within the ILEC LCAs would maintain established interconnection principles and avoid incurring unnecessary costs of removing and redeploying POIs.
12. In TCC's view, there was no reason to alter the WSP interconnection arrangements already in place between WSPs and ILECs. TCC noted that the LCA routing arrangements defined in ILEC tariffs were based on the routing of traffic within the ILEC extended area service (EAS) areas or LCAs, and could support WNP with relatively minor modifications. TCC submitted that maintaining the existing interconnection arrangements would avoid the requirement for new ones for routing purposes and WSPs could continue to purchase WSP access service from ILECs. TCC stated that the existing interconnection arrangements supported the routing tenet in Decision 2005-72 for intermodal porting.²
13. TCC submitted that having exchanges in more than one LCA would not create confusion. In its view, if the porting-in carrier had a POI and CO code (i.e.: LRN) within an LCA of the exchange associated with the ported number, traffic could be routed to that carrier.
14. TCC noted that number portability was available in only 22 exchanges in British Columbia and in 13 exchanges in Alberta, leaving a majority of exchanges to be converted. Where LNP capability did not exist, ILECs would be required to:
 - (i) purchase LNP rights to use software for switches serving the non LNP-capable exchanges;
 - (ii) increase the LNP call routing query load; and
 - (iii) incur implementation and increased start-up and operations costs.

² Porting between wireless carriers and wireline ILECs is referred to as intermodal porting.

15. TCC proposed that for the initial implementation stage of WNP, a roll-out schedule be established for all the ILEC exchanges that were already served by at least one WSP, but did not support number portability. In TCC's view, a roll-out schedule would give WSPs and other stakeholders the opportunity to assign priorities for those exchanges in question, that they could submit to the ILECs within 30 days of the Commission's determination in this proceeding. Each ILEC could then review the lists and file them for the Commission's approval within 90 days following the date of this Decision.

Reply comments

16. Cogeco submitted that the Commission should implement WNP on an LIR basis and modify the Canadian Central Office Code (NXX) Assignment Guidelines (the Guidelines) accordingly, in order to permit the assignment of one or more CO codes to each WSP, and consequently one LRN per LIR for each WSP.
17. SaskTel submitted that there was no need to change the existing WSP interconnection regime in order to implement WNP. In its view, only a refinement of the rules for number resource assignment and eligible porting scenarios relative to LRNs was required.
18. SaskTel indicated that it should not be a common occurrence for a wireless carrier to have to assign an LRN to a porting-in telephone number which was not associated with the same ILEC exchange as the telephone number. In its view, where this would occur, the wireless carrier should be able to assign an LRN from the LCA associated with the ported telephone number.
19. SaskTel submitted that the use of ILEC LCAs (based on the Rogers Wireless proposal) might be valid as the appropriate exchange grouping used to evaluate porting eligibility and to assign LRNs. SaskTel noted, however, that the ILEC LCA definition used in other areas of the country may invalidate this proposal.
20. Rogers Wireless submitted that LIRs were typically smaller than ILEC LCAs. In its view, contrary to an LCA regime, an LIR regime would be less efficient and more onerous to WSPs because of the need to implement additional POIs, trunk groups and CO codes.
21. TCC submitted that WSP interconnection was done under different terms and conditions than CLEC interconnection. If the Commission adopted an LIR regime, ILECs would have to concurrently maintain two WSP interconnection regimes, resulting in more cost, effort and time to implement WNP.

Commission's analysis and determination

22. The Commission notes that exchange grouping proposals were divided between LIRs, as established in Decision 2004-46, and ILEC LCAs, as used in the ILEC WSP interconnection tariffs.
23. The Commission notes that the LIRs as used by LECs for wireline number portability traffic routing would have several advantages if also used for WNP. The use of LIRs by both LECs and wireless carriers would move the industry closer to one interconnection regime for all carriers. In addition, LIRs are essentially competitively neutral since they are not based on a specific network architecture or service offerings of a particular type of carrier.

24. However, in the context of WNP, the Commission considers that the use of LIRs for WNP has some disadvantages. The Commission notes that for some time, WNP will not be deployed in all exchanges where wireless services are provided. This situation will require wireless carriers to use, and for LECs to support, two wireless interconnection regimes; one based on LIR traffic aggregation where there is WNP and the other based on the existing ILEC WSP interconnection tariffs.
25. The Commission notes that the interconnection trunks used in conjunction with LIRs are based on carrier to carrier relationships with mutual compensation principles, while the trunks under the WSP interconnection tariffs are based on carrier to customer relationships, with wireless carriers compensating LECs for all traffic exchanged between their networks. In the Commission's view, maintaining both regimes on an on-going basis could result in inefficiencies and confusion.
26. The Commission notes that in some instances LIRs are smaller than LCAs which could result in a need for additional POIs. Further, wireless carriers have deployed their network interconnections on the basis of ILEC LCAs. The Commission notes that if LIRs were adopted for WNP call routing, wireless carriers would likely have to reconfigure their interconnection facilities because the area in which porting could occur, and hence traffic could be exchanged, may be smaller than the current arrangements with LCAs. While grandfathering the existing facilities could minimize such an impact, the Commission expects that WSPs would need additional POIs or have to re-locate some existing POIs. The Commission considers that such a requirement would add complexity and cost to WNP implementation.
27. In regard to LCAs resulting in confusion as an exchange can be associated with more than one LCA, the Commission notes that Rogers Wireless, TCC and SaskTel indicated that the ILEC LCAs could be used to define the grouping of exchanges for WNP traffic routing. The Commission notes that the WSP interconnection tariffs are based on traffic aggregation within an ILEC LCA and that the wireless carriers' POIs have been deployed on this basis. The Commission further notes that the assignment of LRNs to wireless POIs will be done by wireless carriers. Therefore, as long as the LRN for a POI is within the LCA of the originating exchange, there would be no confusion, and traffic would be routed in accordance with the existing WSP interconnection tariffs.
28. The Commission notes that in Decision 2005-72, it set an aggressive implementation schedule for the introduction of WNP in Canada. The Commission is concerned that the network changes that would be required with the use of LIRs could jeopardize the implementation date of 14 March 2007. On the other hand, because the interconnection arrangements already in place would not change with the use of LCAs, the Commission expects that this would not delay the implementation of WNP, and would minimize costs.
29. In light of the above, the Commission determines that ILEC LCAs will define the groups of exchanges to route WNP traffic between wireless carriers and LECs.

30. As regards the suggestion to implement an initial roll-out schedule for WNP, the Commission considers that ILEC capacity could potentially be overloaded if WSPs required WNP in all the exchanges covered by their wireless networks. The Commission is of the view that a roll-out schedule for those exchanges that do not support number portability would be helpful to the ILECs (and CLECs) to plan their work activities.
31. The Commission considers that the most efficient way to proceed to develop a roll-out schedule for non-portable exchanges is for the CRTC Interconnection Steering Committee (CISC) Network Working Group (NTWG) to address this issue. The Commission requests CISC to file its roll-out schedule with the Commission within 90 days from the date of this Decision.

B. Need for wireless carriers to have a CO code in every wireline exchange area where wireless service is available

32. The Commission notes that wireless carriers do not have CO codes and POIs in each exchange covered by their wireless service networks. If wireless carriers were required to obtain CO codes for each exchange covered by their networks, there could be, among other things, a significant increase in the demand for CO codes that could potentially cause premature number exhaust in some numbering plan areas (NPAs).
33. In Public Notice 2006-3, the Commission invited comments on the requirement for wireless carriers to obtain a CO code in each exchange covered by their wireless service networks in order to support WNP.

Positions of parties

34. The City of Calgary, Rogers Wireless, SaskTel and TCC submitted that WSPs did not need to have a CO code in each exchange in order to implement WNP. Rogers Wireless indicated that assigning a CO code in each exchange would lead to premature code exhaust in certain NPAs. In its view, a CO code/LRN was only required in the LCA for the exchange associated with a ported number, and should be located in the exchange where LEC-WSP access was provisioned.
35. Rogers Wireless requested the Commission to order that the Guidelines be modified to permit a single LRN or CO code per LCA which would bring the LRN guidelines in line with those in the United States (U.S.).
36. The Companies, MTS Allstream, and Xit telecom submitted that the current requirement for CLECs to have a CO code in each served exchange should apply to WSPs.
37. The Companies noted that Decision 2004-46 and the selection criteria contained in the Guidelines set out minimum required interconnection facilities (i.e. one POI per LIR and one CO code per exchange) to exchange traffic within an industry-defined geographic area (the LIR). In their view, there was no relationship between interconnection arrangements and the existing LRN selection criteria.
38. The Companies submitted that to support WNP, WSPs could either obtain CO codes for each served exchange and use a separate LRN for each exchange in accordance with the requirement noted above, or use one or more CO codes assigned in a major ILEC exchange to create an LRN for each WSP switch in each LIR.

39. The Companies indicated that although both options were technically feasible, they preferred the first one. If the Commission selected the second option, the LRN selection criteria would require modification.

Reply comments

40. MTS Allstream submitted that if the LRN assignment guidelines were to be changed, this matter should be referred to CISC immediately, before the Commission issued its determination.
41. Cogeco noted that, like wireless networks, the cable network architecture was different from the ILEC network architecture. In its view, it was unfair to have different rules for WSPs and cable CLECs porting with ILECs. Cogeco requested that the Commission:
- (i) remove the requirement that CLECs have separate trunk groups per exchange where a POI has been established in an LIR;
 - (ii) give CLECs the discretion to deploy high-usage intra-LIR trunks groups; and
 - (iii) remove the requirement that CLECs have a CO code in each exchange.

Commission's analysis and determination

42. The Commission recognizes that if the three major wireless carriers were required to obtain CO codes in each exchange covered by their wireless networks, several NPAs could be placed into number exhaust situations.
43. The Commission notes the Companies' comment that routing across exchange boundaries is technically feasible. The Commission recognizes that the main reason for having a CO code in each exchange is to create an LRN so that calls can be routed to a POI/switch within each exchange. The Commission considers that with the establishment of routing across exchange boundaries on an LIR basis (a single POI for aggregated exchanges), it is no longer necessary to have a CO code in each exchange.
44. The Commission notes that wireless carriers in the U.S. implemented WNP without having a CO code in each exchange. The U.S. LRN selection criteria require a single LRN per local access and transport area (LATA) and specifically disallow the assignment of LRNs per ILEC exchange.
45. Accordingly, the Commission determines that it is not necessary for WSPs to obtain a CO code per ILEC exchange covered by their wireless networks. Rather, WSPs must have a CO code/LRN per POI per LCA where numbers will be ported.
46. In light of this determination, the Canadian LRN selection criteria will need to be updated. The Commission requests the CISC Canadian Steering Committee on Numbering (CSCN) to update the LRN selection criteria to incorporate this determination within 90 days from the date of this Decision.

47. In regard to Cogeco's request that the Commission modify the porting rules that apply to cable CLECs porting with ILECs, the Commission considers that the interconnection regimes are different for CLECs and WSPs and are therefore not relevant to the implementation of WNP. The Commission concludes that this issue is beyond the scope of this proceeding.

C. Shared CO codes where the carrier of record is an ILEC

48. The Commission notes that under the ILEC wireless access tariffs, WSPs obtain telephone numbers in blocks of 1, 10, 100, or 1,000 numbers, and these number blocks are within CO codes that are homed to an ILEC switch. Under the WNP regime, when a request is made to port one of these numbers, the customer transfer request will be sent to the ILEC holding the CO code, rather than the WSP utilizing the number. In such instances, additional time and effort will be required by the receiving ILEC to either act as a conduit for the porting information or to forward the porting request to the correct wireless carrier. As a consequence, WSPs may have difficulty completing wireless-to-wireless porting in the required 2.5 hour customer transfer period.
49. In Public Notice 2006-3, the Commission invited comments as to how this problem should be addressed.

Positions of parties

50. The CWTA noted that approximately 5 million wireless numbers in Canada are leased from the ILECs or other wireless carriers. The CWTA submitted that changing the carrier of record for the leased number blocks was not a viable solution for WNP. Under the Canadian numbering administration processes, numbers are only assigned at the CO code level. According to the CWTA, moving to a more granular approach to number administration would jeopardize the 14 March 2007 launch date for WNP.
51. The CWTA noted that the CWTA WNP Implementation Task Force's preferred solution was to associate the lessee's SPID³ with the leased telephone numbers in those areas where WNP must be implemented by the launch dates set out in Decision 2005-72. The CWTA also noted that a process, a schedule and pricing for bulk number porting had yet to be negotiated with the Number Portability Administration Centre (NPAC) via the Canadian Local Number Portability Consortium (CLNPC). The CWTA indicated that there might be a need for an ongoing process for the bulk porting of leased numbers that, for technical or operational reasons, will not have been ported by 14 March 2007.
52. The Companies and SaskTel stated that they supported the CWTA's position. Both parties indicated that while they preferred the CWTA's solution, if this solution proved to be more expensive than the reseller intermodal porting process currently in place, they would support retaining the reseller intermodal porting process.

³ The Service Provider Identification or SPID is an identifier used by the Number Portability Administration Centre (NPAC) system to identify carriers. The SPID is typically a carrier's operating company number.

53. The Companies noted that the bulk porting of leased numbers to the wireless carriers would facilitate the achievement of the wireless-to-wireless simple porting target of 2.5 hours. Bulk number porting would also eliminate the need for WSPs to pay the ILECs for leasing these telephone numbers, and in the future, if additional numbers were required, the WSPs could obtain their own CO code from the Canadian Numbering Administrator.
54. The Companies recommended that the Commission direct the CISC Business Process Working Group (BPWG) and the Network Working Group (NTWG), with advice from the CLNPC and the NPAC vendor, to develop an industry process for bulk number porting that should also include any special measures required by the NPAC system to accommodate a bulk number porting process.
55. TCC noted that where bulk number porting was technically or economically feasible, the leasing carriers would need to develop a porting process to support the porting of leased telephone numbers that would need to be incorporated into the wireless porting guidelines.
56. MTS Allstream submitted that where an ILEC had assigned numbers to a WSP, these assigned number blocks should be bulk ported to the WSP prior to the commencement of WNP. Further, this requirement should apply to the entire block of numbers and not those that were currently activated. MTS Allstream added that to facilitate routing, a new LRN should be assigned to each number block that was ported. It submitted that where there might be shared CO codes in smaller rural areas where LNP did not exist, these numbers should not be bulk ported until WNP was introduced in these areas. MTS Allstream noted that to effect bulk number porting, wireless carriers would need to make arrangements and settle on NPAC SMS⁴ pricing through discussions with the CLNPC.
57. MTS Allstream noted that over the long term, bulk number porting would minimize the costs associated with porting failures, as well as ensure that wireline and wireless carriers were involved in porting on a technologically and competitively neutral basis.
58. Rogers Wireless submitted that all leased telephone numbers should be bulk ported to wireless carriers by the end of 2006 (i.e.: before WNP is launched) to allow adequate time for intra-carrier and inter-carrier testing. Rogers Wireless noted that bulk porting of leased numbers would permit inactive numbers to be returned to the CO code holder via the LNP snap-back⁵ process. Rogers Wireless indicated that this approach would avoid the level of customer dissatisfaction experienced during the launch of WNP in the U.S., where the quantity of telephone numbers in this category was one-fifth of those in Canada.
59. Xit telecom suggested that bulk number porting could be done more efficiently and cost effectively by setting Canadian ENUM⁶ registries for the leased number blocks and pointing the NPAC SMS to those registries.

⁴ NPAC Service Management System (NPAC SMS).

⁵ Snap-back is the process used within the NPAC to return a telephone number to the code holder of record when that telephone number is ported to another service provider and the customer subsequently cancels his/her service with that service provider.

⁶ Electronic Numbering (ENUM), or telephone number mapping, converts and maps an E.164 number into an Internet domain name format, thereby permitting the integration of packet-routed Internet network with the public switched telephone network.

Reply comments

60. MTS Allstream noted that while there was general agreement in support of bulk porting leased numbers, there was no general agreement on where and when bulk number porting should be done. MTS Allstream submitted that bulk number porting should only be done for existing portability areas and only when WNP was introduced to an area. MTS Allstream noted that the only CO codes in NPAC SMS were those for LNP-capable exchanges. MTS Allstream suggested there was no requirement or reason for CO codes in areas where LNP does not exist to be loaded into the NPAC SMS databases. In MTS Allstream's view, to do so would be potentially costly and would create administrative and technical inefficiencies with no discernable benefit.
61. SaskTel stated that bulk number porting prior to WNP being implemented in a given exchange would be more efficient. SaskTel noted that an ongoing bulk number porting procedure would be needed in the event that wireless carriers, who did not already lease telephone number blocks, subsequently found the need to do so. In this regard, SaskTel disagreed with Rogers Wireless and the Companies that the practice of leasing telephone number blocks should be discontinued. SaskTel submitted that discontinuing this practice would lead to an inefficient use of numbers and, in the case of NPA 306, could move it closer to exhaust when there should be ample numbering resources available.
62. TCC submitted that the cost of performing bulk number porting would be substantially less than the current charge for single porting requests. TCC further submitted that if a satisfactory rate could not be negotiated with the NPAC vendor, the industry must consider an alternative solution.

Commission's analysis and determination

63. The Commission notes the general agreement that leased telephone number blocks should be bulk ported to wireless carriers. However, there was no agreement as to the extent to which leased numbers should be bulk ported and when bulk number porting should occur. While some parties suggested that all leased numbers should be bulk ported to wireless carriers, other parties suggested that only those numbers in LNP-capable exchanges should be. Further, while some parties suggested that bulk number porting should be completed prior to the commencement of WNP testing, other parties suggested that it should be completed by the launch of WNP.
64. The Commission considers that bulk number porting would solve the dilemma of customer transfer requests being sent to the wrong party, but notes the concerns of several parties regarding the efficiency and cost effectiveness of this solution given that this matter has not yet been discussed with the CLNPC or the NPAC vendor. The Commission is of the view that this matter can be resolved through industry discussions and negotiations with the CLNPC and the NPAC vendor.
65. The Commission notes that if leased numbers are ported in exchanges that are not yet LNP-capable, the ILECs would be required to implement LNP in these exchanges in order to support the bulk number porting process and ongoing calls to the ported numbers. The

Commission considers that such a requirement could result in a large number of exchanges having to be made LNP-capable in a short period of time, prior to the launch of WNP, and would prematurely impose costs on the affected ILECs. The Commission concludes that bulk number porting of leased numbers is only required to be done in those exchanges that are LNP-capable.

66. The Commission considers that the nature of the leased numbers with a recurring charge under the ILECs' tariffs results in wireless carriers ensuring that a high percentage of these numbers are assigned to customers or end-users. As such, the Commission is of the view that it would be unlikely that these customer-assigned numbers would be used for testing WNP functionality or inter-carrier processes since any testing problems could result in disruption of a customer's service. Accordingly, the Commission concludes there is no compelling reason for these numbers to be ported prior to the commencement of WNP.
67. The Commission determines that leased wireless telephone numbers in LNP-capable exchanges are to be bulk ported to the wireless carrier leasing these numbers once WNP is implemented in those exchanges associated with the leased telephone numbers. The Commission considers it appropriate that wireless carriers and LECs may, by mutual agreement, bulk port these leased telephone numbers at any time prior to the commencement of WNP in the exchanges associated with the leased telephone numbers.
68. The Commission notes that the industry will need to develop bulk number porting processes in order for these numbers to be transferred in an orderly and efficient manner. The Commission considers that it would be helpful if these processes were developed with assistance from the CLNPC and the Canadian NPAC vendor. The Commission, therefore, requests the CISC BPWG to develop a bulk number porting process and to file with the Commission a report on the process to be used within 120 days after the date of this Decision.

D. Wireless services subject to number porting

69. In Public Notice 2006-3, the Commission invited comments on which wireless services should be subject to WNP.

Positions of parties

70. The CWTA submitted that WNP would apply to wireless services characterized by two-way, real-time voice communication services via a 10-digit telephone number. This would mean that WNP would be supported by the wireless carriers' standard service offerings, often referred to as cellular, personal communications service and enhanced specialized mobile radio service, that operate using a variety of technologies. The CWTA noted that these service offerings would also include pre-paid and post-paid services. The CWTA clarified that it was the telephone numbers associated with these services that were to be considered portable and not the service offerings themselves.
71. The CWTA noted that a number of enhanced services associated with dialable services, such as push-to-talk, short message service (SMS) and multi-media service (MMS), use non-dialable telephone numbers for addressing purposes. The CWTA submitted that these telephone numbers should not be considered portable since they were not dialable numbers.

72. The Companies, MTS Allstream, Rogers Wireless, SaskTel and TCC indicated their support of the CWTA's submission.
73. Xit telecom submitted that all wireless services that make use of E.164⁷ North American Numbering Plan (NANP) telephone numbers which are interconnected to the public switched telephone network (PSTN) should be subject to number porting requirements.

Reply comments

74. The CWTA and MTS Allstream noted that Xit telecom's proposal would include all the wireless services identified by the CWTA, as well as paging services. The CWTA noted that in the period since WNP was mentioned in the federal government's Budget speech of 23 February 2005, no mention has been made that paging services should be included. As such, paging systems and paging operators were not included in the WNP implementation plan.

Commission's analysis and determination

75. The Commission notes that there is general agreement on which wireless service telephone numbers should be portable. The Commission notes that the portability of wireless services independent of the numbers has not been considered separately. The Commission agrees that it is the telephone numbers that are portable, and not the services themselves.
76. The Commission agrees that to date paging services have not been mentioned or included in any of the WNP implementation plans. Furthermore, not all paging operators were made party to this proceeding. The Commission, therefore, considers that there is insufficient record in this proceeding to make a determination on the inclusion of paging numbers in the WNP implementation plan. Therefore, WNP will not include telephone numbers associated with paging services.
77. The Commission considers that the definition of which wireless telephone numbers are subject to number portability should be broad in order to permit dialable telephone numbers of, in as yet, unknown wireless services to be subject to number portability.
78. The Commission, therefore, determines that WNP is to apply to 10-digit telephone numbers that are, for the most part, associated with dialable real-time voice communications services.

E. Criteria for denying a wireless porting request

79. In Public Notice 2006-3, the Commission invited comments on the circumstances under which a WSP should be permitted to deny a request to port a customer's telephone number to another service provider, and what process should apply.

⁷ E.164 is an International Telecommunication Union – Telecommunication Standardization Sector (ITU-T) recommendation which defines the international public telecommunication numbering plan used in the PSTN and some other data networks. It also defines the format of telephone numbers.

Positions of parties

80. The CWTA noted the following criteria documented in the Canadian Local Ordering Guidelines (C-LOG) under which a wireline customer's porting request can be denied:
- (a) the number is not working due to a company-initiated suspension; or
 - (b) the number is not working due to a company or customer-initiated termination.
81. The CWTA submitted that wireless carriers should be permitted to deny porting requests for the same reasons, as well as for the following additional reasons:
- (a) there is an outstanding early termination charge and no arrangement for the payment of this charge is in place; or
 - (b) there is an outstanding balance for which no payment arrangements are in place.
82. The CWTA noted that one of the practices of the wireless carriers is to reduce the initial purchase price of terminal equipment and recover the associated cost over the life of a contract. The extent of these price reductions is typically tied to the extent of the customer's financial commitment and, in particular, the length of the contract. The CWTA noted that contracts may specify minimum contract terms, early termination fees, or deposits in order to ensure recovery of the initial investments. The CWTA argued that wireless carriers should be able to recover these costs as well as any outstanding charges before customers can be ported to another service provider.
83. The Companies and SaskTel indicated their agreement with the CWTA's position. Rogers Wireless submitted the same criteria in its submission, but added that there should be a threshold equal to or greater than \$150 on an outstanding balance before a customer's porting request could be denied. In addition to the CWTA criteria, TCC added as another criterion that a customer's porting request could be denied if the first invoice was not paid.
84. MTS Allstream supported the criteria set out in the C-LOG. MTS Allstream noted, however, that given the nature of the wireless industry, there might be other instances where wireless carriers could be permitted to deny a customer's porting request.
85. Primus suggested that the instances in which wireless carriers should be permitted to deny a customer's porting request should be very limited and should mirror the wireline situation. Primus submitted that if customers failed to pay outstanding amounts, wireless carriers had sufficient tools under the terms and conditions of contracts, and legitimate legal recourse to obtain payment.

Commission's analysis and determination

86. The Commission notes that the criteria for denying a customer-initiated porting request were developed by consensus in the CISC BPWG. The Commission notes that the participants in the BPWG did not find it appropriate to include any criteria for denying a customer-initiated porting request based on any outstanding monies owed to a customer's current service provider.

87. The Commission notes that the wireline industry offers service to customers under term contracts that provide economic benefits to customers that companies recover over the term of a contract. In cases where a customer wishes to terminate a contract prior to the termination date, companies have recourse under the legal terms and conditions of the contract. The Commission is of the view that customer arrangements with a previous service provider should not determine whether another service provider can provide service under the same telephone number.
88. The Commission, therefore, determines that wireless carriers may only deny a customer-initiated porting request in accordance with the criteria documented in the C-LOG, specifically:
- (a) the telephone number is not working due to a company-initiated suspension; or
 - (b) the telephone number is not working due to a customer or company-initiated termination.

F. Applicability of the ILEC winback rule to wireless carriers

89. In a Letter Decision dated 16 April 1998, the Commission put in place a rule prohibiting the ILECs from communicating with former customers for the purpose of winning them back once they transferred to another LEC. In subsequent decisions,⁸ the Commission has clarified or changed the ILEC winback rule.
90. In Public Notice 2006-3, the Commission invited comments as to whether or not the winback rule should be extended to wireless carriers.

Positions of parties

91. Rogers Wireless submitted that the ILEC winback rule should apply to wireline-to-wireless porting requests. Rogers Wireless argued that the ILECs would use their control of, and access to, customer-specific information to win back customers, and that this ability would curtail the extent to which ILEC wireline customers would port their numbers to wireless carriers. Rogers Wireless stated that such an outcome would be counter productive to the federal government's directive⁹ and to Decision 2005-72, which stated that porting between wireline and wireless carriers was included in the implementation of WNP.

⁸ See *Application of the winback rules with respect to primary exchange service*, Telecom Decision CRTC 2002-1, 10 January 2002, *Call-Net Enterprises Inc. v. Bell Canada - Compliance with winback rules*, Telecom Decision CRTC 2002-73, 4 December 2002, *Call-Net Part VII Application - Promotion of local residential competition*, Telecom Decision CRTC 2004-4, 27 January 2004, and *Regulatory framework for voice communication services using Internet Protocol*, Telecom Decision CRTC 2005-28, 12 May 2005, as amended by Telecom Decision CRTC 2005-28-1, 30 June 2005.

⁹ In a letter dated 18 March 2005, the Minister of Industry informed the Commission that the Budget Plan tabled in Parliament on 23 February 2005 made reference, among other things, to the Government of Canada's intention to request the Commission to move expeditiously to implement WNP. The Minister noted that consideration of WNP was included in the Commission's three-year work plan, and was therefore confident that the Commission would deal with this matter in an expeditious manner. The Minister indicated that the Government of Canada understood that WNP included wireless-to-wireless, wireline-to-wireless and wireless-to-wireline number portability.

92. Primus and Virgin Mobile submitted that winback restrictions should apply to wireline-to-wireless porting and wireless-to-Mobile Virtual Network Operator (MVNO) porting. Virgin Mobile argued that the rationale used to apply the winback rule in the ILEC/CLEC situation could be extended to the MVNO/WSP situation. Primus noted that while the three largest wireless carriers in Canada had a combined market share of 95 percent, there were very few competitive alternatives to these carriers in the form of MVNOs. Primus submitted that the current situation with regard to suppliers in the wholesale market for wireless services was very challenging. Primus argued that for the same reasons the Commission imposed the winback rule on the ILECs, new entrant WSPs required the same kind of protection from the large wireless carriers in order to establish a loyal customer base. Primus submitted that it would be even more desirable if the Commission created a wholesale regime in the wireless market in order to enable competition.
93. The Companies submitted that the ILEC winback rule should not be extended to customers moving to wireless carriers. The Companies noted that since *Regulation of wireless service*, Telecom Decision CRTC 94-15, 12 August 1994 (Decision 94-15), the Commission had consistently determined that the wireless sector was competitive and strong and, as a result, the Commission had largely forborne from regulating the wireless sector. The Companies stated that the implementation of WNP promised to bring even more intense competition to the wireless sector by permitting wireline customers to port their telephone numbers to wireless carriers. The Companies argued that none of the market considerations identified by the Commission underlying the ILEC winback rule applied or were required in the wireless market segment.
94. MTS Allstream submitted that the winback rule should not be a feature of any framework associated with the implementation of WNP. It stated that the wireless market was distinct and very different from the wireline market, as there was no single dominant carrier within an operating territory. MTS Allstream, SaskTel and TCC submitted that the wireless market was already very competitive and there was no need to impose the winback rule on the ILECs.

Reply comments

95. Primus submitted that while no one wireless carrier was able to dominate the Canadian wireless market, as a group,¹⁰ they did. Primus argued that along with their combined market share, inter-company arrangements that enabled them to buttress their retail dominance and the lack of a comprehensive wireless wholesale regime had created a significant challenge for MVNOs. Primus stated that the extension of the winback rule to wireless carriers would help MVNOs establish themselves in the wireless marketplace.
96. Rogers Wireless argued that the wireless market was highly competitive and there was no evidence to support Primus and Virgin Mobile's claims that the state of competition in the wireless market was impeded by the lack of a winback rule for wireless carriers. In TCC's view, there was no justification to artificially protect new entrants simply because they were new - their success must depend on the merits of their service offerings.

¹⁰ The companies included in this group by Primus were Rogers Wireless, TELUS, the Bell group, and the wireless operations of SaskTel and MTS Allstream.

97. Rogers Wireless and the CWTA submitted that Primus' comments on the creation of a wireless wholesale market were beyond the scope of the proceeding.
98. The Companies noted that the wireless market segment was one of the first markets to be forborne from regulation. In their view, it has remained highly competitive ever since with no evidence that market forces at play in the wireless segment are insufficient and that WSPs require the protection of a winback rule. The Companies stated that Rogers Wireless' arguments were groundless in that today, wireless carriers have as much customer-specific information to win back customers who migrate to a competitor as the ILECs when their customers migrate to a WSP. The Companies also questioned why, in a market that is as vibrantly competitive as the wireless market, the Commission should impose winback restrictions on all competitors except for MVNOs and CLECs. The Companies argued that such restrictions would be harmful to the interests of customers and even more so to competition.
99. With respect to Rogers Wireless' comments on an ILEC's ability to use its knowledge of customer information to win back a customer, SaskTel noted that if customers ported their telephone number to a wireless carrier, it was obvious that the calling patterns for those customers would have likely also changed. As such, it was unlikely that an ILEC's knowledge of wireline calling patterns would be helpful in designing plans which were perfectly suited to customers' use of wireless services. SaskTel also commented that it was not surprising that the impact of MVNOs' entry into the wireless market had not yet been seen, given how recently they had entered the wireless market in Canada.

Commission's analysis and determination

100. The Commission notes that winback restrictions were placed on the ILECs in the wireline market in order to avoid depriving CLECs of the opportunity to build their customer bases in the face of a single dominant carrier. The Commission considers that the wireless market is not the same as the wireline market, in that there is not a single dominant service provider in each operating territory. The Commission notes that in Decision 94-15, the Commission forbore from regulating the wireless market as it was found to be competitive, and has remained so. The Commission further notes that the wireless carriers have similar market share, are well established with large customer bases and are not in need of protection in order to establish a sustainable customer base.
101. The Commission notes the request to extend winback restrictions to wireless carriers when porting to MVNOs/resellers. In the Commission's view, stating that the largest wireless carriers, as a group, have a 95 percent market share does not reflect the actual competitive wireless market, where there is no single dominant carrier as portrayed by Primus. The Commission considers that in a competitive marketplace, each service provider must succeed based on the merits of its service offerings. Therefore, the Commission **denies** the request by Primus and Virgin Mobile to extend winback restrictions to wireless carriers when porting to MVNOs/resellers.
102. The Commission notes Primus' comment on the creation of a wireless wholesale regime. The Commission considers that this issue is outside the scope of this proceeding, which deals with implementing WNP.

103. The Commission therefore determines that extending the winback restrictions to ILECs when porting from wireline-to-wireless carriers is not required to implement WNP.

G. Wireless carrier access to ILEC OSS

104. The PwC Report¹¹ suggested that wireless carriers should have access to the ILECs' OSS in order to minimize any customer information errors on requests to port telephone numbers from ILECs.
105. In Public Notice 2006-3, the Commission invited comments as to whether ILECs should permit wireless carriers to access their OSS and, if so, to what extent and under what terms and conditions.

Positions of parties

106. Rogers Wireless submitted that wireless carriers should have access to ILEC OSS under the same terms and conditions as such access is provided to CLECs. Rogers Wireless submitted that the potential for customer information errors would be as significant for wireless carriers as it has been for CLECs. Rogers Wireless noted that such errors would result in customer dissatisfaction and increased costs to all carriers involved. Rogers Wireless further noted that wireless carriers should have access to ILEC trouble ticket systems to report, track and address porting-related errors in a timely manner.
107. The Companies, MTS Allstream and SaskTel submitted that wireless carrier access to ILEC OSS was not required at this time. The Companies noted that WSPs would not be ordering local loops and would only be submitting local service requests to the ILECs for intermodal porting from wireline carriers. MTS Allstream noted that the vast majority of porting would be between wireless carriers with much lower demand for wireline-to-wireless porting and vice versa. The Companies noted that the extent to which porting occurred between wireless carriers without access to each other's OSS, should show that wireless carriers did not require access to the ILECs' OSS. The Companies argued that should the Commission consider access by wireless carriers to any ILEC's OSS, the Commission must also consider similar access to the wireless carriers' OSS. The Companies submitted that in the final analysis, the considerations that led the Commission to provide access to the ILECs' OSS did not exist for wireless carriers, and such access was neither necessary nor cost effective for either the wireless carriers or the ILECs.
108. SaskTel noted that wireless carriers should gain access to ILEC OSS only if it could be demonstrated that such access would significantly reduce the number of failed or delayed intermodal porting requests, taking into account the anticipated porting volumes and the related costs that would be incurred by the ILECs to support the anticipated porting volumes.

¹¹ *Implementation of Wireless Number Portability: Setting a New World-Class Standard*, PricewaterhouseCoopers LLP, 12 September 2005.

109. MTS Allstream stated that if circumstances eventually warranted a request for OSS access, the request should be made in the same format as required of CLECs in the CISC OSS working group report¹² and section 12 of the C-LOG, Version 5.
110. TCC stated that while it did not object to expanding its access to its OSS through its gateway interface, the Commission should establish a level playing field for access to information on a reciprocal basis.

Reply comments

111. Rogers Wireless noted that porting from wireline carriers would require more complex customer information and be more subject to errors than for wireless-to-wireless porting. Rogers Wireless indicated that wireless carriers had simplified their customer information requirements to include the wireless telephone number and one of the following data elements: the wireless account number, the password/personal identification number, or the electronic serial number/mobile equipment identifier. On the other hand, porting from wireline carriers required that validation focus on all of the following elements: the telephone number, the customer name and customer address.
112. The Companies, MTS Allstream and TCC noted that the volume of intermodal porting was expected to be small with over 90 percent of the volume to be between wireless carriers. The Companies also noted the present work in the CISC BPWG to streamline the porting processes to minimize incidents of porting failures.

Commission's analysis and determination

113. The Commission mandated CLEC access to ILEC OSS in order to eliminate barriers to effective competition in the local market. CLEC access to ILEC OSS was a means to provide CLECs with an equal opportunity to provide local exchange service to customers in a timely manner. As noted above, wireless carriers already operate in a competitive market that is very different from the wireline market in which CLECs operate. The Commission is of the view that the market conditions in the wireline market that led the Commission to mandate CLEC access to ILEC OSS does not apply to the wireless market. Accordingly, the Commission determines that mandated access to ILEC OSS is not warranted for the implementation of WNP or for intermodal porting to be successfully completed.
114. However, after the launch of WNP, if porting failures due to incorrect customer information are found to be significant, a request for access to ILEC OSS can be made. Such a request should be made in the same format as required of CLECs as set out in the procedures approved by the Commission, and should clearly demonstrate that access to ILEC OSS would significantly reduce the number of porting failures.
115. Further, the Commission considers that wireless carriers and ILECs should be permitted to negotiate bi-lateral arrangements for OSS access, if they so desire.

¹² The Commission approved *CLEC Access to ILECs' Operational Support Systems*, CISC OSWG Consensus Report OSRE002a, dated 16 May 2005, in *Approval of CISC operational support systems working group report on CLEC access to ILEC OSS*, Telecom Decision CRTC 2005-31, 27 May 2005.

H. Directory listing information for numbers ported between wireless carriers and LECs

116. In Public Notice 2006-3, the Commission invited comments on how telephone directory listings should be handled for intermodal porting situations, as a directory listing is included with wireline service, while the default listing for wireless service is an unlisted number.

Positions of parties

117. The CWTA submitted that there was no compelling reason to change the current rules. The CWTA stated that for intermodal porting, the rules applying to the receiving carrier should apply for the treatment of directory listings. The Companies, MTS Allstream, Rogers Wireless, SaskTel and TCC agreed with the CWTA's submission.
118. Xit telecom submitted that transition to an LIR-based interconnection regime and implementation of LNP, WSPs will become functionally equivalent to CLECs and should thus be granted CLEC status. Consequently, once bulk number porting was completed, wireless carriers should be required to participate in telephone directories and be compensated for providing telephone numbers.

Commission's analysis and determination

119. The Commission notes there was near agreement by all parties who commented on this issue that there is no reason to change the current rules for telephone directory listings for wireless and LEC telephone numbers.
120. With respect to Xit telecom's submission that WSPs should be granted CLEC status and be required to participate in telephone directories, the Commission notes that a change in the overall regulatory status of WSPs is beyond the scope of this proceeding.
121. The Commission, therefore, determines that the current rules for wireless and LEC number directory listings can be maintained for intermodal porting once WNP is implemented.

I. E9-1-1 customer information for numbers ported between wireless carriers and LECs

122. The customer information associated with telephone numbers in the E9-1-1 Automatic Location Identifier (ALI) database can be different for wireline and wireless telephone numbers. In *Conditions of service for wireless competitive local exchange carriers and for emergency services offered by wireless service providers*, Telecom Decision CRTC 2003-53, 12 August 2003 (Decision 2003-53), the Commission determined that wireless CLECs should continue to be obligated to implement wireless E9-1-1 where it is available. The Commission found that it would not be appropriate to continue to require wireless CLECs to enter subscriber records in ALI databases. The Commission also determined that WSPs are to provide wireless E9-1-1 service to their customers in those communities where it is available from an ILEC.

123. In Public Notice 2006-3, the Commission invited comments as to what customer information should be included in the E9-1-1 databases for intermodal porting situations, and any related changes to the database update procedures.

Positions of parties

124. The CWTA submitted that it saw no compelling reason to change the current rules related to the provision of 9-1-1 services. For intermodal porting situations, the CWTA submitted that the rules applying to the receiving service provider should apply, and when a LEC customer is ported to a wireless carrier, the customer's information should be removed from the ALI database. The CWTA noted this practice would be consistent with Decision 2003-53. The Companies, MTS Allstream, Rogers Wireless, SaskTel and TCC agreed with the CWTA's submission.
125. The City of Calgary submitted that customers must be fully aware of E9-1-1 limitations with wireless services, as this was an important consideration in choosing whether to purchase wireless service, particularly where that service may be a customer's primary telephone service. The City of Calgary further submitted that wireless carriers must be required to advise customers of the characteristics and limitations of their 9-1-1/E9-1-1 service before they are allowed to port their telephone numbers to a WSP.
126. Xit telecom submitted that once the industry had implemented the final solution for the provision of nomadic VoIP¹³ E9-1-1, wireless carriers should be mandated to implement this solution in the same manner as required by VoIP service providers. Xit telecom submitted that such a requirement would provide additional funds to public safety answering points (PSAPs) to assist in their equipment upgrades for Internet protocol (IP) functionality.

Reply comments

127. In regard to the City of Calgary's concern that wireless customers must be informed of wireless 9-1-1/E9-1-1 limitations, TCC noted there was already a clear process to deal with this concern as part of the porting process with CLECs, including wireless CLECs.
128. In regard to Xit telecom's comments concerning wireless carriers funding PSAPs for their IP functionality upgrades, MTS Allstream stated that it was not the responsibility of telecommunications carriers to provide funding to PSAPs.

Commission's analysis and determination

129. The Commission notes there was near agreement by all parties who commented on this issue that there is no reason to change the current rules concerning customer information in E9-1-1 databases.

¹³ VoIP is defined as voice communication services using Internet protocol.

130. With respect to the City of Calgary's concern that customers must be fully informed of wireless 9-1-1/E9-1-1 limitations before they port their telephone numbers to a wireless carrier, the Commission notes the process established in Decision 2003-53 and the follow-up Commission staff letter¹⁴ for wireless carriers to inform their customers of wireless 9-1-1/E9-1-1 limitations. The Commission considers that these measures are sufficient to ensure that customers are aware of the limitations associated with wireless 9-1-1/E9-1-1 services.
131. The Commission notes Xit telecom's submission that wireless carriers be mandated to implement the final solution for nomadic VoIP E9-1-1 once it becomes available. The Commission also notes Xit telecom's rationale that it would assist with the funding of PSAPs' equipment upgrades to IP functionality. The Commission considers that it is not the responsibility of telecommunications carriers to fund PSAP operations.
132. The Commission therefore determines that the current rules associated with the wireless provision of 9-1-1/E9-1-1 can be maintained for intermodal porting once WNP is implemented.

J. Other regulatory issues related to the implementation of WNP

133. In Public Notice 2006-3, the Commission invited comments on any other issues related to the implementation of WNP that parties wanted to bring to the Commission's attention.

Positions of parties

134. Rogers Wireless requested that the Commission order all ILECs to provide wireless carriers with "calling name" information. Rogers Wireless noted that wireless carriers now receive calling line identification information from wireline carriers as part of their Common Channel Signalling 7 (CCS7) interconnection arrangements. However, while some wireline carriers provided calling name information, others did not, as they claimed it was a service only available to LECs. Rogers Wireless submitted that with the implementation of WNP, making this parameter available to wireless carriers would provide customers with choice and convenience, and permit wireless carriers to compete more effectively.
135. Virgin Mobile requested that a consumer education program concerning WNP be undertaken by wireless carriers that offer long-term contracts. It suggested that wireless carriers should be required to inform customers of the impending introduction of WNP before they enter into or renew a contract that extends beyond March 2007.
136. The City of Calgary suggested that number block assignments should be done at the thousand number block level, rather than at the 10,000 block (NXX) level in order to improve number utilization and extend the expected lifespan of all existing NPAs across Canada.
137. Xit telecom submitted that the Commission must deal with the follow-up proceeding to Decision 2004-46 before concluding that the existing regime for LIRs was appropriate.

¹⁴ Commission staff letter dated 21 February 2005, file 8638-C12-200314641.

138. Xit telecom further submitted that ENUM registries should be used in order to accomplish porting of shared numbers.
139. Xit telecom argued that WSPs should be given CLEC status, as they will become functionally equivalent to CLECs once WNP is implemented.
140. Xit telecom submitted that all telecommunications service providers should be required to clearly identify the amount of early termination charges, and to obtain customer consent for these charges.
141. The Companies submitted that they should be permitted to recover foregone revenue related to the implementation of WNP, as well as one-time and start-up costs. The Companies noted that the adoption of WSP interconnection and a WNP regime based on LIRs were expected to have a significant impact on many of the ILEC platforms, systems and processes. The Companies noted that while the impacts on WSP interconnection tariffs were in the process of being assessed, they expected to file tariff applications where appropriate.
142. The Companies also submitted that they should be able to recover their wireline network costs associated with the implementation of WNP as these costs qualify for exogenous treatment under the price cap framework set out in *Regulatory framework for second price cap period*, Telecom Decision CRTC 2002-34, 30 May 2002.

Reply comments

143. The CWTA and TCC submitted that issues such as the use of ENUM for WNP changes to the block size of assigned numbering resources, or changing the regulatory status of wireless carriers, were outside of the scope of this proceeding and should be rejected by the Commission.
144. The Companies and SaskTel submitted that the issue of calling name information was outside the scope of this proceeding and should be disregarded by the Commission. SaskTel indicated that it was open to having bi-lateral discussions with Rogers Wireless on this issue.
145. With respect to a consumer education program, the CWTA noted that the CWTA WNP Implementation Task Force had developed an industry-neutral web portal to provide basic WNP information to interested parties. Rogers Wireless stated that customer education requirements requested by Virgin Mobile were unnecessary and unwarranted.
146. The Companies submitted that a number of the comments raised by Xit telecom were outside the scope of this proceeding. These issues included the follow-up to Decision 2004-46, the implementation of a national ENUM registry, and CLEC status for wireless carriers. With respect to mandating the content of long term contracts, the Companies argued there was no evidence before the Commission in this proceeding for the Commission to do so. The Companies also noted that it was inappropriate to single out service providers who offer long-term contracts. The Companies stated that such a requirement was unfounded, unnecessary and inappropriate in highly competitive markets such as the wireless market.

147. With respect to the Companies' comments that the WSP interconnection tariffs may not adequately compensate them under a WNP regime, Rogers Wireless submitted that ILECs' wireless interconnection tariffs and arrangements already provide for routing of wireless carrier traffic within the ILEC LCAs and EAS areas. Rogers Wireless further noted these tariffs provide for transiting and tandeming functionality, and that wireless carriers compensate the ILECs for wireless traffic that originates or terminates on the ILECs' networks.

Commission's analysis and determination

148. The Commission considers that the issues related to the provision of the calling name parameter to wireless carriers, a mandated consumer education program for long term contracts, customer consent to early termination charges in long term contracts, numbering resource assignment at the thousand block level, the follow-up to Decision 2004-46, the use of a national ENUM registry for bulk number porting, the mandated use of the industry solution for the provision of nomadic VoIP E9-1-1 service, and a change in wireless carriers' regulatory status are not related to, do not have an impact on, or are not impacted by the implementation of WNP. The Commission concludes that as such, these issues are beyond the scope of this proceeding.
149. The Commission does consider, however, the issue raised by the Companies concerning the ILEC WSP interconnection tariff issues and ILEC network-related start-up costs for WNP to be relevant to WNP implementation. However, the Commission concludes that there is insufficient evidence on the record of this proceeding to deal with these issues at this time. The Commission notes that these matters can be more appropriately dealt with when any tariff applications are filed by the Companies for Commission approval.

Secretary General

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