



## Telecom Order CRTC 2006-231

Ottawa, 1 September 2006

### **TELUS Communications Company – Extension of an existing customer-specific Directory Assistance service**

Reference: Tariff Notice 230

*In this Order, the Commission **approves on an interim basis** TELUS Communications Company's proposed revisions to its Special Facilities Tariff item 201, effective the date of this Order, and ratifies the charging of the expired rates from 1 January 2006 to the date of this Order.*

#### **The application**

1. The Commission received an application by TELUS Communications Company (TCC), dated 9 August 2006, proposing revisions to Special Facilities Tariff item 201, Customer-specific Directory Assistance Service [DAS] (SFT item 201). In its application, TCC proposed to extend the contract period of this customer-specific service at the customer's request, and to revise certain rates for the service. TCC noted that the SFT item 201 five-year contract term had expired on 31 December 2005.
2. TCC submitted that it had inadvertently missed filing for an extension of SFT item 201, but had continued to provide service at the rates approved under SFT item 201 for the contract that had expired on 31 December 2005 (expired rates). TCC indicated that the delay in filing the required tariff application beyond 15 March 2006 was due to an inadvertent delay in the company's internal contract approval process.
3. The company proposed to revise SFT item 201, effective 23 August 2006, to reflect the following:
  - an extension of the contract initial term end-date to 14 March 2009, and inclusion of the service term as an explicit condition of service in the tariff;
  - a reduction and restructuring of the Canadian Directory Assistance (DA) rates for the contract extension period;
  - a reduction of the U.S. DA rate for the contract extension period;
  - a reduction of the DAS Call Completion rate;
  - the introduction of a Call Completion rate for short message directory assistance service (SMS-DAS) calls; and
  - a clarification of the charges for Call Branding, Customized Call Completion Phrasing and Call Detail Record Files in item 201.3.2.

4. TCC requested that the Commission ratify, pursuant to subsection 25(4) of the *Telecommunications Act* (the Act), the rates that it had charged for the service from 1 January to 14 March 2006. TCC also requested that the Commission ratify the charging of the revised rates proposed in the application from 15 March to 23 August 2006 to reflect the savings that the customer would have realized if the application had been filed on a more timely basis.
5. TCC filed an imputation test in support of the revisions proposed in its application.
6. The Commission received no comments with respect to this application.

### **Commission's analysis and determinations**

7. The Commission is satisfied that the imputation test filed by the company meets the requirements set out by the Commission in *Review of price floor safeguards for retail tariffed services and related issues*, Telecom Decision CRTC 2005-27, 29 April 2005.
8. The Commission notes that subsection 25(4) of the Act states that the Commission may ratify the charging of a rate by a Canadian carrier otherwise than in accordance with a tariff approved by the Commission if the Commission is satisfied that the rate was charged because of an error or other circumstances that warrants ratification. Accordingly, the Commission may ratify the charging of the expired rates that were charged in error after 31 December 2005. The Commission notes that subsection 25(4) of the Act does not provide the authority to approve the proposed new rates, which were not charged to the customer, on a retroactive basis.
9. In light of the above, the Commission **approves on an interim basis** TCC's proposed revisions to SFT item 201, effective the date of this Order, and ratifies the charging of the expired rates from 1 January 2006 to the date of this Order.

Secretary General

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