



## Telecom Order CRTC 2006-335

Ottawa, 7 December 2006

### TELUS Communications Company

Reference: Tariff Notice 235

#### Extension of an existing customer-specific operator services agreement

1. The Commission received an application by TELUS Communications Company (TCC), dated 2 October 2006, proposing revisions to its Special Facilities Tariff item 206 – Customer Specific Business Service – (Alberta Only) (SFT item 206). In its application, TCC proposed to revise certain rates for this service and to extend the contract to 30 June 2010.
2. TCC noted that it had inadvertently failed to file for Commission approval an Amendment No. 2 to the Definitive Agreement for Operator Services (the Amendment No. 2 Agreement) to provide, among other things, a new E911 Emergency Service<sup>1</sup> option that has been available since 16 August 2005. TCC submitted that it had become aware of this oversight when preparing the tariff application to extend the original contract for SFT item 206 to June 2010 in an Amendment No. 3 to the Definitive Agreement for Operator Services. TCC further submitted that this oversight was a result of the signing of the Amendment No. 2 Agreement in July 2005, when its work stoppage and emergency staff redeployment had just started.
3. TCC proposed to revise SFT item 206, effective 18 October 2006, to reflect the following changes:
  - a reduction in the existing operator work-time charge for its National Manual Operator Assistance Service (MOAS);
  - a reduction in its Access to the Company's Automatic Billing System rates for its National Automatic Operator Assistance Service;
  - the addition of its Overseas Directory Assistance Service;
  - the addition of its voice over Internet Protocol E911 Emergency Service at the rates and charges proposed in item 206.3.3; and
  - the addition of its 0- Emergency Service at the same per-second rate as the existing approved operator work-time rate for MOAS in item 206.3.1.a.

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<sup>1</sup> TCC describes this service as follows: "E911 Emergency Service directs a voice-over-Internet-protocol (VoIP) Emergency Call, by the Company, from a VoIP Caller to a particular Public Safety Answering Point (PSAP) depending on the 9-1-1 Serving Area from which the call originates. Such calls are routed by the Customer to the applicable Company point of presence (POP) in Calgary, Alberta, via a mutually-agreed designated trunk."

4. TCC requested, pursuant to subsection 25(4) of the *Telecommunications Act* (the Act), Commission ratification for the charging of its existing E911 Emergency Service rates, as specified in the Amendment No. 2 Agreement, for the period from 16 August 2005 to the date of the Commission's approval of this application.
5. TCC filed an imputation test in support of the revisions proposed in its application.
6. The Commission approved the application on an interim basis in Telecom Order CRTC 2006-277, 17 October 2006, with an effective date of 18 October 2006.
7. The Commission did not receive any comments with respect to this application.

**Commission's analysis and determinations**

8. The Commission is satisfied that the imputation test filed by TCC 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.
9. 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 circumstance that warrants ratification.
10. The Commission finds that TCC's explanation regarding its failure to file its Amendment No. 2 Agreement for Commission approval is reasonable and, accordingly, considers that it is appropriate to ratify the charging of its existing E911 Emergency Service rates, as specified in the Amendment No. 2 Agreement, for the period during which the service was provided, otherwise than in accordance with an approved tariff.
11. In light of the above, the Commission **approves on a final basis** TCC's proposed revisions to SFT item 206, effective the date of this Order, and ratifies the charging of the rates for its E911 Emergency Service.

Secretary General

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