



Telecom Public Notice CRTC 2007-17

Ottawa, 3 October 2007

Review of rules pertaining to mandatory customer notice on contract renewal and requirements for service destandardization/withdrawal in light of Telecom Decision 2007-51

Reference: 8663-C12-200713819

Introduction

1. In *Order Issuing a Direction to the CRTC on Implementing the Canadian Telecommunications Policy Objectives*, P.C. 2006-1534, 14 December 2006 (the Policy Direction), the Governor in Council required the Commission to, among other things, rely on market forces to the maximum extent feasible to achieve the telecommunications policy objectives (the policy objectives) set out in section 7 of the *Telecommunications Act*.
2. In Telecom Decision 2007-51, the Commission issued an action plan in which it indicated its intention to review existing regulatory measures in light of the Policy Direction. The action plan identified the rules pertaining to mandatory customer notice on contract renewal and the requirements for service destandardization/withdrawal as matters to be reviewed in 2007-2008. The rules pertaining to mandatory customer notice on contract renewal are set out in Telecom Decision 2003-85, while the requirements for service destandardization/withdrawal are set out in Telecom Circular 2005-7.

Call for comments

3. The Commission therefore invites parties to comment, in light of the Policy Direction, on the continued appropriateness of the rules pertaining to mandatory customer notice on contract renewal and the requirements for service destandardization/withdrawal (the regulatory measures).
4. For each of the regulatory measures, parties should address the following issues in their initial comments, providing full supporting rationale and all evidence on which they rely:
 - a) Is the purpose underlying the regulatory measure able to be achieved through the reliance on market forces or is the regulatory measure still necessary?
 - Identify the purpose of the regulatory measure and the policy objectives that are relevant to this purpose.
 - Identify the relevant market forces.
 - Can market forces be relied on to achieve the policy objectives? Why or why not?

- Identify and weigh the positive and negative consequences of (1) eliminating, and (2) retaining, the regulatory measure.

b) (i) *Efficient and proportionate regulation*

- Is the regulatory measure efficient and proportionate to its purpose?
 - Identify the benefits and the harmful effects of the regulatory measure. Explain whether the benefits of the regulatory measure outweigh the harmful effects.
 - Identify any alternative regulatory measure that would be more efficient and proportionate. Explain why that measure would be more efficient and proportionate and how it would achieve the policy objectives.

(ii) *Minimal interference*

- Does the regulatory measure interfere with the operation of competitive market forces to the minimum extent necessary to meet the policy objectives?
 - Identify how, and to what extent, the regulatory measure interferes with the operation of competitive market forces, including the associated impacts on service providers and customers.
 - Identify any possible alternative regulatory or non-regulatory measure that would be less intrusive and explain how it would achieve the policy objectives.

(iii) *Efficient and competitive entry*

- To the extent that it is of an economic nature, explain whether the regulatory measure deters economically efficient competitive entry into the market or promotes economically inefficient entry.

(iv) *Symmetrical and competitively neutral*

- To the extent that it is not of an economic nature, explain whether the regulatory measure is implemented in a symmetrical and competitively neutral manner.

(v) *Approval mechanism*

- With respect to the requirements for service destandardization/withdrawal, is the current approval mechanism as minimally intrusive and as minimally onerous as possible?
 - If not, identify possible alternative requirements that would result in a less intrusive and onerous approval mechanism.

5. For each regulatory measure, parties are encouraged to structure their submissions according to the issues identified in paragraph 4 above.
6. Persons interested in participating in this proceeding (including receiving copies of all submissions) must notify the Commission of their intention to do so by filling out the online form, or by writing to the Secretary General, CRTC, Ottawa, Ontario, K1A 0N2, or by faxing at: 819-994-0218 by **24 October 2007** (the registration date). Parties are to provide their email address, where available. If parties do not have access to the Internet, they are to indicate in their notice whether they wish to receive disk versions of hard-copy filings.
7. The Commission will post on its website, as soon as possible after the registration date, a complete list of interested parties and their mailing addresses (including their email addresses, if available), identifying those parties who wish to receive disk versions.
8. Any person who wishes merely to file written comments in this proceeding, without receiving copies of the various submissions, may do so by writing to the Commission by **31 October 2007** at the address or fax number noted above, or by filling out the online form.
9. All parties may file with the Commission, serving a copy on all other parties, comments with regard to the above-noted issues by **31 October 2007**.
10. All parties may file with the Commission, serving a copy on all other parties, reply comments by **14 November 2007**.
11. The Commission expects to issue a decision on the issues raised in this Public Notice within 120 days after the record closes.
12. The Commission will not formally acknowledge comments. It will, however, fully consider all comments and they will form part of the public record of the proceeding.
13. Where a document is to be filed or served by a specific date, the document must be actually received, not merely sent, by that date.
14. Parties may file their submissions electronically or on paper. Submissions longer than five pages should include a summary.
15. Electronic submissions should be in HTML format. As an alternative, those making submissions may use "Microsoft Word" for text and "Microsoft Excel" for spreadsheets.
16. Each paragraph of all submissions should be numbered. In addition, the line *****End of document***** should be entered following the last paragraph. This will help the Commission verify that the document has not been damaged during electronic transmission.
17. The Commission also encourages parties to monitor the record of this proceeding (and/or the Commission's website) for additional information that they may find useful when preparing their submissions.

Important notice

18. Note that all information that you provide as part of this public process, except information granted confidentiality, whether sent by postal mail, facsimile, email or through the Commission's website at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's website. This information includes your personal information, such as your full name, email address, postal/street address, telephone and facsimile number(s), and any other personal information you provide.
19. The personal information you provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.
20. Documents received electronically or otherwise will be posted on the Commission's website in their entirety exactly as you send them, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.
21. Please note that the information you provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the webpage of this particular public process. As a result, a general search of our website with the help of either our own search engine or a third-party search engine will not provide access to the information which was provided as part of this public process.

Location of CRTC offices

22. Submissions may be examined or will be made available promptly upon request at the Commission offices during normal business hours:

Toll-free telephone: 1-877-249-2782
Toll-free TDD: 1-877-909-2782

Central Building
Les Terrasses de la Chaudière
1 Promenade du Portage, Room 206
Gatineau, Quebec J8X 4B1
Tel.: 819-997-2429
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99 Wyse Road, Suite 1410
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Kensington Building
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Secretary General

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