



Telecom Decision CRTC 2008-17

Ottawa, 3 March 2008

Regulatory policy

Revised regulatory framework for wholesale services and definition of essential service

Reference: 8663-C12-200614439

In this Decision, the Commission revises the definition of an essential service, replacing the definition set out in Telecom Decision 97-8.

The Commission also sets out a restructured regulatory framework for wholesale services and provides rationale for the assignment of key services within each of six new service categories. It then determines, among other things, the pricing principles for each of these categories and the phase-out periods for non-essential services subject to phase-out.

Finally, the Commission determines that it will review the assignment of all remaining mandated wholesale services six years from the date of this Decision.

Introduction

1. In Telecom Public Notice 2006-14, the Commission initiated a proceeding to review its regulatory framework for wholesale services, including, in particular, a review of the definition of an essential service and the associated pricing principles for all mandated wholesale services. The Commission noted that it intended to apply its determinations to wholesale services provided by competitive local exchange carriers (CLECs), as well as to those provided by the major incumbent local exchange carriers (ILECs), Télébec, Limited Partnership (Télébec), and the cable carriers.¹
2. The Commission received written comments in response to the Public Notice, and numerous parties made oral presentations at an 11-day public hearing that began on 9 October 2007. Participating parties included the ILECs and some of their national and/or regional competitors in the residential and business markets, as well as representatives of consumer organizations. The public record of this proceeding is available on the Commission's website at www.crtc.gc.ca, under "Public Proceedings."
3. The Commission has identified the following four main issues to be addressed in its determinations:
 - I. What is the appropriate definition of an essential service and how should it be applied?

¹ In this Decision, the term "cable carrier" refers to Cogeco Cable Inc. (Cogeco), Rogers Communications Inc. (RCI), Shaw Cablesystems G. P. (Shaw), and Videotron Ltd. (Videotron).

II. What should be the regulatory framework for wholesale services going forward?

III. When should future reviews of essential services and the wholesale framework be conducted?

IV. Are the determinations in this Decision consistent with the Policy Direction?

4. In reaching its determinations in this proceeding, the Commission has been guided by the policy objectives set out in section 7 of the *Telecommunications Act* (the Act) and by the Governor in Council's *Order Issuing a Direction to the CRTC on Implementing the Canadian Telecommunications Policy Objectives*, P.C. 2006-1534, 14 December 2006 (the Policy Direction).

I. What is the appropriate definition of an essential service and how should it be applied?

5. In Telecom Decision 97-8, which established the framework for local exchange competition, the Commission concluded that to be essential, a facility, function, or service must be monopoly controlled, a CLEC must require it as an input to provide services, and a CLEC cannot duplicate it economically or technically.
6. In Telecom Public Notice 2006-14, the Commission invited comments on whether it should adopt the definition of essential facility proposed by the Commissioner of Competition (the Bureau) in its 26 September 2006 draft *Information Bulletin on the Abuse of Dominance Provisions as Applied to the Telecommunications Industry* (the draft Bulletin). In that document, the Bureau discussed the conditions under which the denial of access to an essential upstream (wholesale) facility would constitute an abuse of dominance under section 79 of the *Competition Act*. The draft Bulletin defined an essential facility as "...an input that provides the firm controlling it with the power to lessen or prevent competition in a relevant downstream market."
7. The Commission asked parties, if they did not agree with that definition, to suggest what definition of an essential service would be appropriate and how it should be applied to best contribute to the achievement of the policy objectives set out in the Act.

Positions of parties

The Competition Bureau

8. In all phases of this proceeding, the Bureau consistently stated its view that it is fundamental to assess competitive effects in the downstream (retail) market when considering a facility's essentiality.
9. In its initial evidence, the Bureau expanded on its definition of an essential facility and detailed a number of conditions that must be satisfied for a facility to be defined as essential.
10. During the oral hearing, the Bureau undertook to revise its proposed definition so that it could be applied in a retrospective fashion to identify the conditions under which the Commission should or should not withdraw mandated access to existing facilities.

11. Under the Bureau's retrospective definition, the Commission would find a facility, function, or service to be essential if all of the following conditions were satisfied:
- (i) The firm controlling the facility in question is vertically integrated and dominant in two markets. The first relevant market is the upstream market for the facility. The second relevant market is the downstream market in which the facility is an input. A necessary condition for concluding that there is dominance in the upstream market is that it is not practical or feasible for competitors to duplicate the facility in question;
 - (ii) Withdrawing mandated access to the facility is likely to result in competitors exiting from, or contracting in, the downstream market; and
 - (iii) Such exit or contraction is likely to result in a substantial lessening of competition in the downstream market.

Other parties

12. Bell Aliant Regional Communications, Limited Partnership, Bell Canada, Saskatchewan Telecommunications, and Télébec (Bell Canada et al.) supported the competition law approach put forward by the Bureau. In particular, they agreed that, among other factors, the essentiality of an upstream facility depends on whether or not there is a need to remedy a dominance issue in the downstream market.
13. Most other parties proposed their own definitions. Despite variations in wording and interpretation, these definitions generally addressed three common conditions:
- (i) The facility is required as an input to provide downstream services;
 - (ii) Upstream supply conditions and the ability of the controlling firm to affect competition in the downstream market; and
 - (iii) The extent to which the facility can be duplicated.
14. The majority of the other parties' proposed definitions included a condition that the facility must be required as an input to provide downstream services, but there were differences about how this condition should be worded. In particular, parties' views differed regarding whether the condition should refer to "a competitor" or, more generally, to "competitors." Some parties, including the Bureau, questioned the usefulness of this condition, arguing that it would be implicitly captured in any market power or duplicability analysis, that is, an ILEC facility is only required as an input if it cannot be duplicated.
15. There was general agreement that the degree to which supply conditions in the upstream market for the facility could be leveraged to affect competition in a downstream market should form part of any definition of essentiality.

16. In contrast to other parties, TELUS Communications Company (TCC) submitted that the controlling carrier must possess monopoly control over the facility's supply, beyond the existence of a *de minimus* amount of alternative supply. TCC argued that the Commission's definition in Telecom Decision 97-8 correctly reflected the essential facilities doctrine in that it was concerned with a prevention of competition due to a carrier's monopoly control over a facility. In TCC's view, under this doctrine, market power and lessening of competition are irrelevant considerations.
17. Almost unanimously, parties agreed that duplicability is a necessary component of essentiality and that an analysis of duplicability should assess the degree to which competitors can self-supply their own facilities or make use of alternative suppliers in a given market.
18. Parties concurred that duplicability relates primarily to the barriers to entry and impediments faced by competitors in supplying their own facilities or using those of an alternative supplier. Commonly cited examples included economic barriers – such as the ability to recover costs, payback periods and timeliness of cost recovery, sunk costs, economies of scale and scope, and incumbent cost advantages; technical barriers – such as compatibility with other networks and technologies, and access to support structures; and legal barriers – such as access to buildings and municipal rights-of-way. Most parties submitted that economic ability relates to the relative costs of obtaining the functionality as compared to the revenue potentials related to that functionality.
19. TCC proposed that the Commission measure duplicability on the basis of a "reasonably efficient competitor," a concept used in the United States by the Federal Communications Commission (FCC) in its wholesale unbundling framework.² Such a standard would examine whether it would be feasible for a reasonably efficient competitor to duplicate a facility, not whether a particular competitor could or could not do so.

Commission's analysis and determinations

The Bureau

i) Migration to a market power standard

20. The Commission considers that a key departure from the definition set out in Telecom Decision 97-8 is that the Bureau's definition discussed above contemplates a dominance, or market power,³ standard, versus one based on monopoly control. The Commission concurs with this revision. The Commission considers that requiring evidence of monopoly control for essentiality would be unduly strict, would not reflect current market conditions, and would risk the substantial lessening or prevention of competition in many markets.

² See *Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers*, Order on Remand, FCC 04-290.

³ Market power commonly refers to the ability of a firm to act independently of competitive discipline to a material degree, that is, it is the ability of a firm to profitably cause price – or non-price components of competition, such as quality, variety, service, etc. – to significantly deviate from competitive levels for a sustainable period of time. See, for example, TheBureau(CRTC)12Apr07-103.

ii) Dominance in the downstream market

21. In its retrospective definition, the Bureau included dominance in the downstream market as a condition. While the Commission agrees that the effects on competition in the downstream market are pertinent to a finding of essentiality, imposing a downstream dominance condition would be problematic given that in *Order Varying Telecom Decision CRTC 2006-15*, P.C. 2007-532, 4 April 2007 (Order in Council P.C. 2007-532), the Governor in Council defined a facilities-based telecommunications service provider (TSP) as one that "provides services in the relevant market either by using its own facilities and services or by using a combination of its own facilities and services together with those leased from other service providers." As a result, the Commission has granted local forbearance in both residential and business markets based on the mandated availability of certain ILEC wholesale facilities at prescribed rates.⁴
22. The Commission acknowledges the Bureau's concerns regarding the risks involved in substituting wholesale regulation for retail regulation to remedy a downstream problem. However, the Commission considers that withdrawing mandated access to facilities when forbearance is based on access to those very facilities could pose a serious threat to retail competition in many forborne markets. Given this risk, the Commission considers that dominance in the downstream market should not form part of the definition of an essential service.

iii) Effects on competition in the downstream market

23. The Commission notes that the Bureau dealt with the issue of the effects on competition in the downstream market in two steps. The first step was that withdrawing mandated access to the facility would likely result in competitors exiting from, or contracting in, the downstream market. The second step was that such exit or contraction would likely result in a substantial lessening of competition in the downstream market.
24. As mentioned, the Commission agrees with the need to link the essentiality of upstream facilities to the effects that such mandating will have on competition in the downstream market. In short, if there are minimal competitive benefits to be had from continued mandated access, the facility is unlikely to be essential for competition.
25. The Commission considers that the original definition proposed by the Bureau in its draft Bulletin, which refers simply to a firm having the power to lessen or prevent competition in a relevant downstream market, would account for the competitive effects in the downstream market. The third condition of the Bureau's retrospective definition touches on this point as well, but focuses on lessening competition, while excluding prevention of competition.
26. Thus, regarding the Bureau's two-step approach, the Commission considers it appropriate to amalgamate both steps into one condition since they are effectively dealing with the same issue: the competitive effects on a downstream market.

⁴ The Bureau has also recognized this complication by qualifying its downstream dominance test with a "but for" test, that is, the state of competition should be assessed by considering what the competitive forces downstream would be "but for" mandated wholesale access to ILEC facilities.

iv) Duplicability

27. Both the Bureau's definition and the definition in Telecom Decision 97-8 include a condition related to the ability of competitors to duplicate the facility in question. The Commission agrees that this remains a key ingredient of the definition of an essential service.

Other parties

i) The facility is required as an input

28. Regarding the question of whether such a condition would be useful, the Commission considers that, while it may be captured implicitly in the other conditions, this condition would nonetheless provide important contextual information to the essentiality analysis by identifying the relevant downstream markets for which the input is needed.
29. The Commission also considers that a facility must be required by "competitors" in a general sense and not simply by an individual competitor in a particular circumstance whose business strategy may favour reliance on unbundled components.

ii) Upstream supply conditions and the effects on competition in a downstream market

30. In terms of the debate between market power and monopoly control, as previously discussed, the Commission considers that market power in the upstream market is the correct measure.
31. The Commission considers, however, that simply possessing market power over a facility in an upstream market is not, in itself, a sufficient condition for essentiality. To this end, the Commission considers that the potential for negative competitive effects – that is, a lessening or prevention of competition – in the downstream market resulting from any market power in an upstream market is crucial to an analysis of a facility's essentiality.
32. Furthermore, the Commission considers that any expected lessening or prevention of competition must be of a substantial nature. Without "substantial" as a modifier to characterize a lessening or prevention of competition, there would be a risk that a facility could erroneously be deemed essential when the effects of mandated access on a downstream market are likely to be immaterial.

iii) Duplicability

33. The Commission considers that the ability of competitors to duplicate the functionality of a facility through self-supply or third-party supply is a key factor in determining essentiality. As well, the Commission notes that duplicability is a main consideration when performing a market power assessment for an upstream market; in this regard, these two elements are inextricably linked.
34. In terms of suitable phrasing for this condition, the Commission considers the Bureau's wording to be appropriate: "it is not practical or feasible for competitors to duplicate the facility in question." This phrasing is technologically and competitively neutral and is sufficient to properly consider all impediments faced by competitors.

35. Furthermore, the Commission considers that this condition must also refer to the functionality of the facility since duplication of the functionality, not merely the facility itself, is a critical consideration.

Commission's revised definition

36. In light of the above, the Commission replaces the definition set out in Telecom Decision 97-8. The Commission determines that to be essential, a facility, function, or service⁵ must satisfy all of the following conditions:
- (i) The facility is required as an input by competitors to provide telecommunications services in a relevant downstream market;
 - (ii) The facility is controlled by a firm⁶ that possesses upstream market power such that withdrawing mandated access to the facility would likely result in a substantial lessening or prevention of competition in the relevant downstream market; and
 - (iii) It is not practical or feasible for competitors to duplicate the functionality of the facility.

37. With regard to future applications to consider the essentiality of a non-mandated service, the definition will read as follows:

To be essential, a facility, function, or service must satisfy all of the following conditions:

- (i) The facility is required as an input by competitors to provide telecommunications services in a relevant downstream market;
- (ii) The facility is controlled by a firm⁶ that possesses upstream market power such that *denying* access to the facility would likely result in a substantial lessening or prevention of competition in the relevant downstream market; and
- (iii) It is not practical or feasible for competitors to duplicate the functionality of the facility.

Application of the definition

38. In applying the definition of an essential service, the Commission is concerned about whether a carrier can use market power over a facility's supply in the upstream market to substantially lessen or prevent downstream competition. In order to undertake its analysis, the Commission considers that upstream market power and duplicability should be assessed together. That is, if a facility can be duplicated practically and feasibly by competitors, it is unlikely that the

⁵ In this Decision, a reference to a facility is to be taken as a reference to a facility, function, or service (or all three), as appropriate in context.

⁶ In the context of these definitions, the term "firm" includes a group of firms exercising joint dominance.

carrier could use upstream market power to substantially lessen or prevent downstream competition. In the Commission's view, a facility must be duplicable on a sufficient scale to limit an ILEC's ability to use any upstream market power it may possess to influence downstream competition.

39. The Commission considers that applying the standard of a reasonably efficient competitor to its definition of essentiality would properly emphasize that the revised wholesale framework has been developed to safeguard competition and the competitive process, not individual competitors.
40. In applying the reasonably efficient competitor standard as it relates to duplicability, the Commission will take into account the market conditions under which other firms have entered the market, as well as the current market conditions facing new or expanding firms. For example, the Commission considers that an in-territory ILEC or cable company would not necessarily represent an appropriate benchmark for a reasonably efficient competitor in a residential market, given the monopoly conditions under which its network was constructed. In this case, the Commission would instead consider whether another competing firm, acting in a reasonably efficient manner, could enter under prevailing market conditions using self-supplied or third-party facilities.
41. In the Commission's view, practicality of duplication relates predominantly to the economic ability of competitors to self-supply or use third-party supply for upstream facilities. The Commission considers that a facility can be practically duplicated if a reasonably efficient competitor could expect to earn sufficient revenue to justify investing in the construction of a given facility. As such, the Commission considers that all potential revenue and costs must be factored into the duplicability analysis.
42. In the Commission's view, feasibility of duplication relates mainly to any significant legal, technical, or other non-economic impediments that would prevent a reasonably efficient competitor from self-supplying or using alternative supply sources for an upstream facility within a reasonable period of time.
43. The Commission considers that determining duplicability is comparable to defining the relevant market for a wholesale facility in the sense that both exercises require the identification of potential substitutes, either through existing or potential alternatives.
44. The Commission notes that there are effectively three possible approaches to applying the duplicability test: market-by-market, by proxy, or service-by-service.
45. The Commission notes that the record of this proceeding does not contain the necessary information required to make determinations on a market-by-market basis for every facility and service being contemplated. The Commission also notes that a market-by-market approach would require an examination of each relevant geographic market for each wholesale service at issue in this proceeding; thus, a series of follow-up proceedings and processes would be required to conduct these assessments. The Commission considers that this approach would be an inefficient and unnecessarily intrusive form of regulation.

46. The Commission is concerned that any proxy model would require significant administrative effort on behalf of industry participants, including information gathering, reporting requirements, and additional processes to set accurate proxy thresholds, which would result in further regulatory delays and uncertainty. Thus, the net gains in terms of administrative efficiencies would be minimal.
47. To minimize the regulatory requirements, the Commission has made its essentiality findings on a service-by-service basis and applied these findings on a national basis. The Commission considers that this approach is minimally intrusive and administratively simple, and provides the greatest degree of regulatory certainty when compared with the other approaches.

II. What should be the regulatory framework for wholesale services going forward?

48. In applying its revised definition of an essential service, the Commission has classified existing wholesale services into six categories: essential, conditional essential, conditional mandated non-essential, public good, interconnection, and non-essential subject to phase-out.⁷ Descriptions of each of these categories are included in the relevant sections below.
49. During this proceeding, parties commented on the appropriateness of this classification of services and identified their views as to which of the above categories each existing wholesale service should be assigned. For those services that would be assigned as non-essential subject to phase-out, parties also identified their views regarding the appropriate phase-out period for each such service.
50. In this part of the Decision, the Commission provides rationale for the assignment of key services within each of the six service categories. It then considers the implementation of a restriction on use, service category pricing principles, the phase-out period for non-essential services subject to phase-out, and prospective forbearance regarding such services at the end of the phase-out period.
51. A complete list of wholesale services by category, as determined by the Commission, is provided in the Appendix to this Decision. The Commission notes that this list is current as of 15 January 2008 and includes competitor services approved by the Commission after it issued Telecom Public Notice 2006-14. The key services are specifically discussed in the sections that follow. The Commission notes that for many of the other services, there was general consensus among parties regarding whether they should continue to be mandated.

Service categories

a) Essential

52. Services in the essential services category are those the Commission has determined meet its revised definition of an essential service.

⁷ For an explanation of the term "phase-out," see paragraph 111 below.

Subscriber listing information

53. There are two services through which subscriber listing information is made available:
- Basic listing interchange file (BLIF) service provides a complete set of non-confidential basic subscriber listing information for a given local exchange carrier (LEC) in machine-readable form; and
 - Directory file service (DFS) provides the same information as BLIF service, plus information regarding complex listings, such as business sub-listing information or additional listing information for a residential main line.
54. All parties agreed that BLIF service constitutes an essential service. Most parties were of the view that DFS also constitutes an essential service.
55. The Commission notes that non-confidential subscriber listing information is required for publishing directories and provisioning operator directory assistance services. The Commission also notes that this information is only available from the LEC that provides local exchange services to its customers and, thus, cannot be practically or feasibly duplicated by competitors.
56. Accordingly, the Commission determines that the existing BLIF service and DFS are to be classified as essential services.

b) Conditional essential

57. Services in the conditional essential services category are those the Commission has determined conditionally meet the essential service criteria. The Commission considers that changes in market conditions at a point in the future could result in any or all of these services no longer being considered essential. The classification of these services will continue until it is demonstrated in an application that functionally equivalent wholesale alternatives are sufficiently present such that withdrawing mandated access would not likely result in a substantial lessening or prevention of competition in the relevant downstream market.

Unbundled local loop facilities and related services

58. Bell Canada submitted that 99 percent of the unbundled local loops (ULLs) used in its operating territory are Type A ULLs. Bell Canada's tariffs indicate that a ULL provides the transmission path between an end-user's premises and the ILEC's central office (serving central office). It supports the transmission of a voice-grade signal of approximately 3 kHz usable bandwidth (voice band) and data messaging using available bandwidth above the voice band (high-frequency band), the latter of which allows for the provision of high-speed Internet access service. The Commission considers that Bell Canada's deployment and use of ULLs to provide voice and high-speed Internet access services are representative of those of all the major ILECs.

59. Bell Canada et al. and TCC submitted that the downstream market for ULLs is intensely competitive and that ULL functionality has been duplicated by cable companies. Bell Canada et al., TCC, and certain other parties submitted that ULLs are not essential for competitors since ILECs do not possess market power in the downstream market. Bell Canada et al. also submitted that demand for ULLs is decreasing in Ontario and Quebec, and that such decreases are greatest where cable telephony service has been launched in the downstream market.
60. Certain parties disagreed strongly about whether a wireline duopoly at the retail service level and, in particular, at the local retail service level, constitutes competition sufficient to satisfy the policy objectives set out in section 7 of the Act.
61. The Commission notes that, pursuant to Telecom Decision 2006-15, as amended by Order in Council P.C. 2007-532 (modified Telecom Decision 2006-15), it has made and is continuing to make forbearance determinations regarding local exchange services based on the presence of independent facilities-based telecommunications service providers that are capable of serving at least 75 percent of the number of local exchange service lines that the ILEC is capable of serving. The Commission also notes that, as provided in modified Telecom Decision 2006-15, a facilities-based telecommunications service provider is one that provides services in the relevant market either by using its own facilities and services or by using a combination of its own facilities and services together with those leased from other service providers.
62. The Commission notes that the Policy Direction states that this proceeding should be completed with a view to increasing incentives for innovation and investment in and construction of competing telecommunications network facilities. It also states that in conducting this review, the Commission should take into account the principles of technological and competitive neutrality, the potential for incumbents to exercise market power in both wholesale and retail markets in the absence of mandated access to wholesale services, and the impediments faced by new and existing TSPs seeking to develop competing network facilities. The Commission notes that no expert witness or party submitted evidence or argument that facilities-based competition on a complete end-to-end basis is an achievable goal.
63. The Commission recognizes that the cable companies' duplication of the functionality of ULLs may be viewed as exercising a level of constraint on the ILECs' upstream market power. The Commission notes, however, that while cable companies are competitors to the ILECs in the retail voice telephony market, there are no wholesale alternatives to the ILECs' ULLs. The Commission considers that the evidence in this proceeding has not established that a reasonably efficient competitor has any viable alternative to the ILECs' ULLs for offering wireline residential local exchange services to its customers.
64. The Commission considers that new and existing competitors, other than cable companies, face significant impediments in developing network facilities equivalent to the ILECs' ULLs. The Commission also considers that as a result of these impediments, which include construction costs relative to potential revenue and the need to negotiate municipal and other agreements, it would not be practical or feasible for such competitors to duplicate the functionality of ULLs.

65. The Commission considers that because of the impediments faced by competitors other than the cable carriers, withdrawing mandated access to the ILECs' ULLs would likely result in a substantial lessening or prevention of competition in the retail voice telephony market. The Commission recognizes that, at a point in the future, technological advances and industry evolution may provide a wholesale alternative to the ILECs' ULLs.
66. Accordingly, the Commission determines that the ILECs' ULLs are to be classified as conditional essential services. This classification will continue until it is demonstrated that wholesale alternatives functionally equivalent to the ILECs' ULLs are sufficiently present such that withdrawing mandated access would not likely result in a substantial lessening or prevention of competition in the local exchange services market.

Competitor digital network DS-0 and DS-1 access facilities

67. Bell Canada et al. submitted that competitor digital network (CDN) DS-0 and DS-1 access facilities (low-speed CDN access facilities) provide competitors with a digital access facility and link from an end-user's premises or competitor point-of-presence (POP) to an ILEC's serving central office. The Commission considers Bell Canada's description of these facilities to be representative of those of all major ILECs.
68. Bell Canada et al. and TCC submitted that the downstream market for low-speed CDN facilities is competitive and that there are numerous options available to competitors, including fibre-optic facilities, cable facilities, wireless facilities, and ILEC retail services. Rogers Communications Inc. (RCI) submitted that the development and rollout of DS-0 or DS-1 access functionality over coaxial cable is about two years away.
69. Given that the ILECs' copper facilities are virtually ubiquitous, the Commission does not consider the fibre-optic facilities currently deployed by competitors to be a sufficient alternative to the ILECs' copper facilities used to provision low-speed digital access services to their retail customers.
70. The Commission considers that cable facilities do not currently offer a wholesale alternative to the ILECs' low-speed CDN access facilities. Furthermore, the Commission notes that there is no evidence on the record of this proceeding that wireless facilities provide a wholesale alternative to low-speed CDN access facilities. Moreover, the Commission does not consider the ILECs' retail services to constitute an economic alternative to wholesale low-speed CDN access facilities for use by competitors. As a result, the Commission considers that withdrawing mandated access to the ILECs' low-speed CDN access facilities would likely result in a substantial lessening or prevention of competition in the relevant retail services market.
71. The Commission considers that new and existing TSPs face significant impediments in developing competing network access facilities on a scale equivalent to the ILECs' low-speed CDN access facilities. The Commission also considers that it would not be practical or feasible for competitors to duplicate the functionality of such facilities. The Commission recognizes that, at a point in the future, technological advances and industry evolution may provide a wholesale alternative to the ILECs' low-speed CDN access facilities.

72. Accordingly, and for reasons similar to those provided regarding ULLs, the Commission determines that low-speed CDN access facilities, including associated links, are to be classified as conditional essential. This classification will continue until it is demonstrated that wholesale alternatives functionally equivalent to the ILECs' low-speed CDN access facilities are sufficiently present such that withdrawing mandated access would not likely result in a substantial lessening or prevention of competition in the local exchange services market.

ADSL access service

73. As described in the ILECs' tariffs, asymmetric digital subscriber line (ADSL) access service is available at ILEC central offices and provides a connection to customer premises using the high-frequency bandwidth above the voice band on copper loops. ADSL access service supports the provision of high-speed Internet access service. With ADSL access service, competitors can either provision their own digital subscriber line (DSL) equipment in conjunction with ULLs or use DSL equipment provisioned by the ILECs.
74. The Commission notes that in many cases, however, the ILECs' distribution networks involve the provisioning of fibre optic facilities from their central offices to remote locations and copper facilities from the remote locations to the end-users' premises. To provide high-speed Internet access service to customers in such cases, the ILECs install DSL equipment at each remote location to access the high-frequency band of the copper portion of the ULL. The Commission notes that ADSL access service does not provide competitors with access to the copper portion of the ULL for customers served from remotes.
75. The Commission considers that the aspect of ADSL access service related to competitors' use of the ILEC DSL equipment must provide competitors with the ability to offer retail high-speed Internet access services to all end-users served from a central office, including those served from remotes.
76. The Commission considers that, similar to the situation with respect to ULLs, there are not sufficient wholesale alternatives to the ILECs' ADSL access services. The Commission also considers that in the absence of wholesale alternatives, withdrawing mandated access to the ILECs' ADSL access services would likely result in a substantial lessening or prevention of competition in the retail high-speed Internet access services market, and that this would be inconsistent with the policy objectives and the Policy Direction. The Commission further considers that, at a point in the future, technological advances and industry evolution may provide a wholesale alternative to the ILECs' ADSL access services.
77. Accordingly, and for reasons similar to those provided regarding ULLs, the Commission determines that ADSL access service is to be classified as a conditional essential service. This classification will continue until it is demonstrated that wholesale alternatives functionally equivalent to the ILECs' ADSL access services are sufficiently present such that withdrawing mandated access would not likely result in a substantial lessening or prevention of competition in the retail high-speed Internet access services market.

c) Conditional mandated non-essential

78. Services in the conditional mandated non-essential services category are those the Commission has determined do not meet the criteria for essential services but must continue to be mandated for reasons as discussed below. The Commission considers that changes in market conditions at a point in the future could result in it no longer being necessary to mandate any or all of these services. The classification of these services will continue until it is demonstrated in an application that the reasons for mandating these services are no longer present.

Co-location and related link services

79. Bell Canada et al. submitted that co-location services are ancillary services and that their classification should follow the relevant competitor service they support. Bell Canada et al. proposed that the Commission adopt a limited use principle, so that the use of co-location services for any purpose other than to access mandated wholesale services would be permissible only under terms negotiated between the ILEC and the competitor.
80. The Commission considers that implementation of a limited use principle for the ILECs' co-location and related services as proposed by Bell Canada et al. would be inappropriate, both because such services are required for various other mandated services as defined by the Commission in this Decision, and for the reasons discussed in the restriction on use section below.
81. The Commission notes that co-location and related link services are required by competitors that use ULLs and/or establish network interconnection arrangements using self-supplied transmission facilities.
82. Accordingly, the Commission determines that co-location and related link services are to be classified as conditional mandated non-essential services. The mandated status of co-location and related link services is conditional on there being mandated wholesale services requiring the co-location service or there being a mandated wholesale service to which competitors can gain access only by co-location.

Aggregated ADSL and third-party Internet access services

83. Aggregated ADSL access service establishes a single point of interface that provides competitors with high-speed access paths to ILEC end-user premises throughout an ILEC's operating territory. The cable carriers' third-party Internet access (TPIA) service establishes a point or points of interface that provide competitors with high-speed access paths to cable carrier end-user premises within authorized service areas. Both aggregated ADSL access and TPIA services include two elements: network access and transport.
84. The Commission notes that competitors use aggregated ADSL access and TPIA services to offer retail high-speed Internet access services. They can also use ADSL access service, which has been classified as a conditional essential service above in conjunction with self-supplied transport facilities to offer retail high-speed Internet access service. However, the Commission also notes that the use of self-supplied transport facilities requires that competitors co-locate, typically in multiple central offices.

85. The Commission considers that in many situations, co-location is not a cost-effective alternative for reasonably efficient competitors at this time. In order for competitors to offer retail high-speed Internet access service, in most instances they have no option other than to buy the wholesale aggregated ADSL access or TPIA services. To withdraw mandated access to aggregated ADSL access service – that is, access and transport – at this time would likely result in a substantial lessening or prevention of competition in retail high-speed Internet access services. The Commission therefore finds that aggregated ADSL access service must be mandated, given that it is the only cost-effective means to provide transport to, and access from, an ILEC's central office to the competitor's customer. In order to apply the principle of technological neutrality, the Commission considers that under these circumstances TPIA services should also continue to be mandated.
86. Accordingly, because both services include network transport functionality, the Commission determines that the ILECs' aggregated ADSL access and cable carriers' TPIA services are to be classified as conditional mandated non-essential services. This classification will continue until it is demonstrated that a functionally equivalent, practical, and feasible wholesale alternative exists.

Other services

87. The Commission considers that the following four services should also be classified as conditional mandated non-essential services:
- CLEC access to operational support system (OSS) service, which provides CLECs with real-time electronic access to ILEC OSSs;
 - CLEC manual equipment record (CLEC manual ER) service, which provides information related to complex services that is not available through the CLEC access to OSS service;
 - Dedicated access line (DAL) service, which provides local loops and associated connecting links to TSPs for use as dedicated access arrangements; and
 - Pay telephone basic access line (PAL) service, which provides competitive pay telephone service providers with access to the public switched telephone network (PSTN) for the provision of pay telephone service.
88. The Commission considers that each of these services is incidental to the ILECs' ULL services, which the Commission has determined to be conditional essential, as discussed above.
89. Accordingly, the Commission determines that CLEC access to OSS, CLEC manual ER, DAL, and PAL services are to be classified as conditional mandated non-essential services. The mandated status of these services is conditional on ULL services continuing to be classified as conditional essential services.

d) Public good

90. Services in the public good category are those that the Commission has determined provide an important social benefit and are, therefore, mandated.

Emergency services and message relay services

91. The Commission notes that there was consensus among the ILECs that existing emergency services, either 9-1-1 or operator-coordinated, and existing message relay services should be classified in the public good category. The Commission agrees and, accordingly, determines that these services are to be classified as public good services.

Support structure services

92. Bell Canada et al. identified the provision of support structure facilities as a service that would be in the public interest for the foreseeable future. While TCC submitted that support structure facilities are not essential services, it acknowledged that regulatory oversight is required for environmental and public convenience reasons. MTS Allstream Inc. (MTS Allstream) submitted that support structure facilities are essential services for competitors.
93. The Commission considers that engaging in the construction of duplicate support structure facilities would result in an inefficient use of public and private resources and would be an inconvenience to the public. Accordingly, the Commission determines that support structure services are to be classified as public good services.

e) Interconnection

94. Services in the interconnection category are those that the Commission has determined are required to permit the interchange of traffic with PSTN customers and are, therefore, mandated.
95. The Commission notes that in Telecom Public Notice 2006-14, it expressed its preliminary view that interconnection services required to permit the interchange of traffic with PSTN customers would fall within any revised definition of an essential service. The Commission also notes that parties generally suggested that interconnection services should be treated as being distinct from essential services, but should be mandated.
96. The Commission notes that pursuant to the Policy Direction, to the extent that it is regulating network interconnection arrangements, the Commission must ensure the technological and competitive neutrality of those arrangements, to the greatest extent possible, to enable competition from new technologies and not to artificially favour either Canadian carriers or resellers.
97. The Commission notes that Quebecor Media Inc. (QMI) raised the issue of rationalizing the existing regulatory regimes for local, toll, and wireless interconnection, as well as traffic termination based on mutual compensation. The Commission considers that these matters are beyond the scope of this proceeding. The Commission also notes that in Telecom Decision 2007-51, which set out the action plan for its review of existing regulatory measures, the

Commission indicated that it would address a number of matters related to network interconnection. Consequently, the Commission considers that it would be more appropriate to address these matters in the follow-up proceedings to Telecom Decision 2007-51.

Interconnection between LEC networks

98. There was consensus among the parties that facilities and services that allow a LEC to exchange local calls with another LEC within the same exchange or local interconnection region (LIR) should be classified as interconnection services.
99. Bell Canada et al., TCC, and QMI submitted that extended area service (EAS) transport and transiting services should be found to be non-essential and subject to phase-out. Most other parties identified EAS transport and transiting services as required for the efficient exchange of traffic between TSPs.
100. The Commission notes that with EAS transport service, CLEC traffic originating in an exchange or LIR can be delivered to ILEC subscribers in other exchanges that have EAS with the originating exchange, or to ILEC subscribers located outside the LIR in exchanges that have EAS with at least one exchange inside the LIR. Transiting services provide for the interchange of local and toll traffic and CCS7⁸ messages between two service providers via the ILECs' networks.
101. The Commission considers that it would be unreasonable to expect CLECs to establish a presence in an ILEC exchange or LIR if they do not intend to offer local exchange services to end-customers in that exchange or LIR. The Commission also considers that it is unlikely that all the LECs in a given exchange or LIR would have enough end-customers to justify interconnecting with each other. The Commission further considers that the ILECs' EAS transport and transiting services provide efficient interconnection solutions for competitors.
102. Accordingly, the Commission determines that services that allow for the interchange of local traffic between LECs within the same exchange or LIR, and to exchanges within the EAS area of the originating exchange or an exchange within a LIR, are to be classified as interconnection services. The Commission also determines that local, toll, and CCS7 transiting services are to be classified as interconnection services.

Interconnection between LECs and long distance networks

103. There was general consensus among the parties that interconnection services and administrative services related to consumers selecting their long distance provider should be mandated.
104. Bell Canada et al. submitted that access tandem (AT) interconnection service should be declared to be non-essential since there are alternatives to AT connections, including the use of direct connection (DC) interconnection or negotiation with the ILEC. Other parties, such as MTS Allstream, RCI, and Primus Telecommunications Canada Inc. (Primus) and Globility Communications Corp. (Globility), submitted that it would not be cost effective to connect to every end-office.

⁸ CCS7 stands for Common Channel Signalling System 7.

105. Bell Canada et al. and TCC proposed that billing and collection service (BCS) be found to be non-essential since there were numerous alternatives available, such as credit card calling, pre-paid calling cards, and pre-registration with a long distance service provider.
106. The Commission considers that it would be unreasonable to require long distance service providers to interconnect at each ILEC end-office in order to offer their long distance services to end-users. In the Commission's view, having the option of AT interconnection would allow long distance service providers to interconnect efficiently to the ILEC.
107. In Telecom Decision 92-12, the Commission determined that equal access and related services, including BCS, were required for long distance competition. The Commission continues to consider that, in the absence of BCS, the ILECs would be conferring an undue preference on themselves and, therefore, they must make these services available to competitors. The Commission considers that billed number screening (BNS) database access service, which is ancillary to BCS, should be afforded the same regulatory treatment as BCS.
108. Accordingly, the Commission determines that all administrative services related to long distance TSP selection, AT and DC interconnection services, and BCS and BNS database access service are to be classified as interconnection services.

Interconnection between wireless and wireline networks

109. The Commission notes that wireless interconnection services include wireless service provider (WSP) access service, radio and private mobile services, mobile satellite access service, and radio paging services. The Commission agrees with those parties, including the ILECs, that were of the view that wireless interconnection services should be classified as interconnection services.
110. Accordingly, the Commission determines that services related to the interchange of traffic between LECs and WSPs are to be classified as interconnection services.

f) Non-essential subject to phase-out

111. Services in the non-essential subject to phase-out category are those that the Commission has determined do not meet the definition of an essential service and that have not been classified as conditional mandated non-essential, public good, or interconnection services. The term "phase-out" means phasing out mandated access at the end of the transition period.

Low-speed CDN transport facilities

112. Low-speed CDN transport facilities refer to DS-0 and DS-1 facilities that provide dedicated digital transport paths between ILEC central offices.
113. Bell Canada et al. and TCC submitted that the downstream market using low-speed CDN facilities is competitive and that there are numerous options available to competitors, including fibre-optic facilities, cable facilities, wireless facilities, and ILEC retail services.

114. The Commission notes that the record indicates a high incidence of competitor self-supply or alternative supply of low-speed CDN transport facilities by third parties.
115. The Commission considers that fibre optic facilities provide competitors with an alternative to low-speed CDN transport facilities because bandwidth requirements at each serving central office may be aggregated. The Commission also considers that where a competitor is co-located at an ILEC's central office, the competitor could provide other competitors with a wholesale alternative to the ILEC's low-speed CDN transport facilities.
116. Accordingly, the Commission determines that the ILECs' low-speed CDN transport facilities are to be classified as non-essential subject to phase-out.

Fibre-based access and transport, and related services

117. The Commission notes that fibre-based access and transport services include CDN DS-3, OC-3, OC-12, and Ethernet services.
118. The Commission notes that the record indicates a high incidence of competitor self-supply or alternative supply of fibre-based access and transport facilities. The Commission considers that the reported level of alternative supply demonstrates the existence of competition in the upstream market for such facilities.
119. Accordingly, the Commission determines that high-speed fibre-based access and transport facilities and related services are to be classified as non-essential subject to phase-out.

Other services classified as non-essential subject to phase-out

120. The Commission has identified various other wholesale services that it considers, based on the record of this proceeding, are duplicable by competitors, either directly by themselves or through the use of alternative services offered by third-party service providers. Examples of these other wholesale services include local number portability database services, BNS database storage, and operator services. On the other hand, certain other wholesale services may not have been duplicated by competitors – for example, card swipe and Advanced Intelligent Network interconnection. However, the Commission does not consider that withdrawing mandated access to any of these services would likely result in a substantial lessening or prevention of competition. Accordingly, the Commission determines that these services, for which a complete list can be found in the Appendix, are to be classified as non-essential subject to phase-out.

Restriction on use

121. Bell Canada et al. submitted that where the Commission mandates wholesale access to a given facility, a restriction must also be placed on the use of the facility. They also submitted that examples of restrictions on use include i) restricting unbundled loops for voice services from being used for video services and ii) restricting business unbundled loops from being used for residential purposes in markets where business unbundled loops are regulated. Bell Canada et al. submitted further that without a restriction on use, retail market distortions would occur and competition would be undermined.

122. Parties that commented on this matter generally disagreed with the need for a restriction on use. Their reasons for disagreeing included lack of relevancy in the downstream market – that is, dominance in the downstream market is not a necessary condition in determining whether an upstream input is essential; negative effects on competition – that is, dampened competitive investment, lessened service expansion, and fewer benefits to consumers; and lack of effective enforcement mechanisms. Some parties also disagreed with Bell Canada et al.'s premise that, absent a restriction on use for mandated services, market distortions would occur.
123. Consistent with its mandate under the Act, the Commission is to ensure that regulation, where required, is efficient and effective. The Commission notes that parties did not provide compelling evidence or argument to justify a restriction on use and, therefore, concludes that such a measure should not be applied.

Service category pricing principles

124. Parties to this proceeding have put forward two different approaches regarding the pricing of essential services. Some parties proposed a market-based rating approach that would rely on negotiation to establish prices. Other parties proposed retaining the current pricing approach used to set prices for wholesale services, which is based on the associated prospective incremental costs (Phase II costs) plus a mark-up.

Market-based approach

125. Bell Canada et al. proposed that parties should be permitted to negotiate their own commercial arrangements "off-tariff" for services in all six service categories. QMI submitted that prices for wholesale services classified as essential, conditional essential, non-essential subject to phase-out, and conditional mandated non-essential should be based on negotiation between parties.
126. The Commission considers that if the ILECs were given permission to negotiate commercial arrangements on a selective basis for essential and other mandated wholesale services, it could well result in unduly preferential or unjustly discriminatory arrangements and undermine the regulatory regime for wholesale services established by the Commission in this proceeding.
127. Accordingly, the Commission determines that with the exception of non-essential services subject to phase-out, which are discussed below, the nature of essential and other mandated services is such that it would not be appropriate to implement a market-based approach based on negotiated agreements.

Cost-based approach

a) Essential (including conditional essential)

128. Parties generally proposed that both essential and conditional essential services be priced based on Phase II costs plus a 15 percent mark-up. Bell Canada et al. submitted that they would support setting tariffed prices at Phase II costs plus an appropriate mark-up and that they were not proposing any change in the existing mark-up in this proceeding.

129. TCC proposed a number of pricing principles, such as "adequate compensation" and "efficient entry," to guide the setting of prices for essential services. TCC also submitted that
- this proceeding was about pricing principles and not the setting of actual prices, and that setting prices based on Phase II costs plus a mark-up of 15 percent, as various parties suggested, was merely a formula and not a pricing principle;
 - it would be premature to set prices for essential services, or non-essential services during any transition period, using Phase II costs plus a mark-up; and
 - the Commission had never provided any justification for the 15 percent mark-up in terms of a principle for determining the proportion of the embedded cost differential to be included in the mark-up.
130. TCC argued that because the revised Phase II methodology had not yet been established and because this methodology affected the costs to be recovered from the mark-up, it would be impossible at that time to determine the mark-up to be used in conjunction with Phase II costs in order to set fully compensatory prices.
131. TCC requested that the Commission establish a follow-up proceeding to set prices for specified wholesale services during any transition period, using TCC's proposed pricing principles, based on the revised Phase II methodology established in Telecom Decision 2008-14. TCC also requested that the Commission make a determination on the appropriate share of fixed common costs and embedded cost differential to be recovered through prices for these services in the proposed follow-up proceeding.
132. The Commission notes that it has addressed many of TCC's concerns regarding the Phase II methodology and its application in Telecom Decision 2008-14.
133. Most parties to this proceeding, including all ILECs except TCC, submitted that the current mark-up of 15 percent applied to Phase II costs for determining prices for essential services continues to be appropriate at this time. The Commission notes that parties did not provide compelling evidence or argument to justify a change to the current mark-up. As a result, the Commission considers it appropriate to retain the current pricing principles for setting prices for essential, including conditional essential services, based on Phase II costs plus a mark-up.
134. Accordingly, the Commission determines that for each of the ILECs, except for Télébec and TCC in its operating territory of Quebec, the essential and conditional essential services as defined in this Decision will, at this time, be priced at company-specific Phase II costs plus a mark-up of 15 percent. In the case of Télébec and TCC in its operating territory of Quebec, essential and conditional essential services will continue to be priced at company-specific Phase II costs plus a mark-up of 25 percent, as determined in Telecom Decision 2005-4.

135. Regarding ADSL access service, which has been classified as a conditional essential service, the Commission directs the ILECs to file proposed tariff pages and cost studies to implement the determinations in this Decision, within 30 days from the date of the Commission's determinations in the follow-up process initiated by Telecom Decision 2008-14.

b) Conditional mandated non-essential

136. Parties generally proposed that conditional mandated non-essential services be priced based on Phase II costs plus a 15 percent mark-up. Bell Canada et al. proposed that there be flexibility for periodic price increases for non-essential services of up to 25 percent, six months after the beginning of the phase-out period and every twelve months thereafter, to a maximum of 75 percent overall.

137. With regard to Bell Canada et al.'s price flexibility proposal, given the importance of these services and the fact that they will continue to be mandated, the Commission considers that the current pricing principles should continue to apply. Accordingly, the Commission determines that the conditional mandated non-essential services as defined in this Decision will be priced on the same basis as is currently required.

c) Public good

138. Many parties proposed that public good services continue to be priced as they are now, while certain other parties proposed that they be priced based on Phase II costs plus a mark-up of 15 percent. In the specific case of support structures, Bell Canada et al. proposed that rates be established based on market conditions, taking into account the rates charged by other support structure providers, such as electrical utilities.

139. The Commission notes that the current rates for public good services were determined by the Commission in various earlier decisions and confirmed in Telecom Decisions 2007-27 and 2007-60. The Commission considers that the current pricing approach remains appropriate for public good services, including support structures. Accordingly, the Commission determines that public good services as defined in this Decision will be priced on the same basis as is currently required.

d) Interconnection

140. Parties generally proposed that interconnection services continue to be priced based on Phase II costs plus a 15 percent mark-up. QMI proposed that traffic termination services be priced based on incremental costs without a mark-up.

141. The Commission considers that revenue from a LEC's interconnection services should contribute to that LEC's fixed common expenses and the embedded cost differential; otherwise, that cost burden would be transferred to the LEC's other services.

142. Accordingly, the Commission determines that interconnection services will be priced on the same basis as is currently required.

Scheduled rate increases for non-essential services subject to phase-out

143. Bell Canada et al. submitted that it would be appropriate to provide ILECs with the flexibility to periodically increase rates for non-essential services by up to 25 percent six months after the beginning of the service's phase-out period, and by up to 25 percent every twelve months thereafter (scheduled rate increases). Bell Canada et al. also submitted that such scheduled rate increases would provide a further incentive for competitors to negotiate alternative provisioning arrangements. TCC submitted that rate increases should be permitted for non-essential services and that rates for non-essential services that were formerly Category I competitor services should be increased to what it characterized as fully compensatory levels.
144. Competitors other than QMI, Shaw Communications Inc. (Shaw), and Execulink Telecom Inc. generally disagreed with these proposals. Certain competitors submitted that the fact that mandated rates would be phased out was sufficient incentive with respect to alternative provisioning arrangements.
145. In light of the significant changes made in this Decision to the framework for wholesale services and having regard to the purpose of the phase-out period for non-essential services as discussed below, the Commission considers that, whenever possible, rate stability for these services should be maximized during this phase-out period. Furthermore, in view of these regulatory changes and given that non-essential services will be forborne from regulation at the end of their phase-out period as discussed below, the Commission considers that competitors do not require an added incentive, in the form of scheduled rate increases for these services, to review their provisioning arrangements.
146. Accordingly, the Commission determines that scheduled rate increases are not appropriate for non-essential services subject to phase-out.

Application of the price cap productivity offset

147. Certain parties made submissions regarding the application of a pricing constraint of inflation less a productivity offset (I-X).
148. Consistent with its findings in Telecom Decision 2007-27, the Commission considers that the wholesale services classified in this Decision as essential, conditional essential, conditional mandated non-essential, and interconnection services are not subject to competitive market forces sufficient to ensure the sharing of productivity gains with service users. Accordingly, the Commission determines that an annual I-X adjustment should continue to apply to service rates that were not exempted from the application of this factor in Telecom Decisions 2002-34 and 2002-43.
149. With respect to services classified in this Decision as non-essential subject to phase-out, the Commission, having regard to their supply conditions, considers that these services are subject to competitive market forces sufficient to ensure the sharing of productivity gains with service users. Accordingly, the Commission considers that it would not be appropriate to apply an annual I-X adjustment to the rates for these services, provided I is less than or equal to X. However, if I is greater than X, the Commission considers that the ILECs may file applications as appropriate.

150. Regarding services classified in this Decision as public good services, the Commission notes that they were subject to varied pricing treatment in Telecom Decisions 2007-27 and 2007-60, depending on their service classification at that time. For example, the Commission determined that rates for message relay service and 9-1-1⁹ services were to remain frozen at existing levels.
151. Accordingly, consistent with the treatment of these public safety and social services in Telecom Decisions 2007-27 and 2007-60, the Commission determines that, with the exception of rates for support structure services, rates for public good services will be frozen at existing levels. In the case of support structures, rates will continue to be capped at existing levels and an I-X pricing constraint will not apply.

Phase-out period for non-essential services subject to phase-out

Purpose and structure of the phase-out period

152. Parties considered that a phase-out period for mandated pricing for non-essential services would be required to allow competitors to reconsider current provisioning arrangements and to make alternative arrangements as necessary.
153. The Commission considers that a phase-out period is required for those services determined to be non-essential subject to phase-out. In the Commission's view, a phase-out period will provide competitors with a reasonable period and incentives to review their provisioning arrangements and to restructure them as required, taking into account the significant changes made in this Decision to the regulatory framework for wholesale services.
154. Certain parties submitted that all services should have the same phase-out period. Others submitted that the period should vary among services based on time required to transition to market-based supply arrangements through facilities construction or negotiation, and that a longer phase-out period would be appropriate for certain services, including access services. Bell Canada et al. submitted that a five-year phase-out period would not provide incentives to negotiate agreements and construct facilities, and that the phase-out period should be considerably shorter. TCC submitted that a five-year phase-out period would be appropriate for access facilities.
155. In reaching its determinations on the length and structure of the phase-out period for each non-essential service subject to phase-out, the Commission has taken into account the nature of the service, the time required to negotiate alternative arrangements for the service, impediments to its replacement through self-provisioning, and the relatively large number of services that are subject to phase-out. The Commission concludes that structuring the phase-out of non-essential services such that there are two phase-out periods appropriately balances the above considerations with the efficiencies associated with a minimal number of phase-out periods.
156. The Commission considers that a phase-out period of three years from the date of this Decision is sufficient for most non-essential services subject to phase-out. However, the Commission also considers that factors related to the replacement of access facilities and associated channelization and interface services, and low-speed intra-exchange transport

⁹ In Telecom Decision 99-17, the Commission changed the method for rating 9-1-1 service such that these rates are now modified on an annual basis.

facilities are such that a phase-out period of five years from the date of this Decision is appropriate for these services. These factors include the costs of construction relative to service revenue and the need to negotiate municipal approvals and other agreements.

157. The Commission's determinations regarding the phase-out period for each non-essential service subject to phase-out are identified in the Appendix to this Decision.

Negotiated agreements

158. Bell Canada et al. and TCC submitted that ILECs and competitors should be permitted to negotiate off-tariff agreements for the provision of non-essential services. In their view, the continued tariffing of non-essential services during the phase-out period would protect competitors. They also submitted that the Commission should forbear from regulating negotiated agreements under subsection 34(1) of the Act. Bell Canada et al. also proposed that the Commission could forbear with respect to these agreements under subsection 34(2) of the Act.
159. Other parties were opposed to negotiated agreements for non-essential services during the phase-out period. They generally submitted that the bargaining power of non-ILEC competitors and ILECs was unequal.
160. The Commission notes that tariffs for all non-essential services subject to phase-out will remain in place during the phase-out period. The Commission therefore notes that the negotiated agreements under consideration in this section may involve the provision of a single non-essential service at rates and terms that differ from that service's tariffed rates and terms. The agreements may also be in the nature of omnibus agreements that include more than one non-essential service at rates and terms that differ from the tariffs, and possibly other tariffed or forborne services. Under the Commission's current regulatory framework, such omnibus agreements would generally be tariffed and subject to the requirement that they satisfy the imputation test.
161. However, in the case of single service and omnibus agreements negotiated between a TSP and its competitor for the provision of a non-essential service at rates or terms that differ from the service's tariffed rates and terms (competitor agreements), the Commission considers that below-cost pricing by the TSP is not a significant concern because the customer in question is the TSP's competitor. With respect to parties' submissions regarding the inequality of bargaining power between TSPs and competitors, the Commission notes that a tariff will remain in place as a default price for each non-essential service during the phase-out period.
162. In these circumstances, the Commission determines that competitor agreements involving non-essential services subject to phase-out as defined in this Decision should be permitted. The Commission also determines that carriers will not require Commission approval for such agreements when they are entered into during the service's phase-out period. The Commission notes that the option of negotiated agreements gives competitors greater opportunity to rearrange their current provisioning arrangements during this period and is in keeping with reliance on market forces to the maximum extent feasible as the means of achieving the policy objectives set out in the Act. The Commission further determines that such competitor agreements may also include any service that is forborne from regulation.

163. Pursuant to subsection 34(1) of the Act, the Commission may forbear where it finds that to do so would be consistent with the policy objectives of the Act. Given that each non-essential service subject to phase-out as defined in this Decision will remain tariffed during its phase-out period and in light of the purpose of the phase-out period, the Commission finds, as a question of fact, that to forbear to the extent set out below with respect to the regulation of such a service to the extent that it is included in a competitor agreement entered into during that service's phase-out period would be consistent with the Canadian telecommunications policy objectives set out in paragraphs 7(c), (f), and (h) of the Act, and with the Policy Direction.
164. Pursuant to subsection 34(3) of the Act, the Commission finds that forbearance, to the extent specified, with respect to the regulation of such a service to the extent that it is included in a competitor agreement entered into during that service's phase-out period, will not likely impair unduly the establishment or continuance of a competitive market for the provision of the non-essential service in question.
165. Pursuant to subsection 34(4) of the Act, the Commission declares that, effective the date of this Decision, sections 25, 29, and 31, and subsections 27(1), 27(5), and 27(6) of the Act do not apply with respect to a non-essential service subject to phase-out, as defined in this Decision, that is provided pursuant to a competitor agreement entered into during that service's phase-out period.
166. The Commission notes that its purpose in forbearing from regulating these services that are provided pursuant to competitor agreements is to permit TSPs to enter into different agreements with different competitors. The Commission expects that TSPs will negotiate agreements without Commission intervention. However, the Commission considers that during the phase-out period, subsections 27(2) and 27(4) of the Act should be retained as a last possible option to deal with any cases of unjust discrimination or undue preference, should they arise.
167. The Commission also considers that it is appropriate to retain its powers, pursuant to section 24 of the Act, to ensure that the confidentiality of customer information continues to be protected. Accordingly, the Commission directs carriers to incorporate, where appropriate, the existing conditions regarding the disclosure of confidential customer information to third parties into all contracts and any other arrangements for the provision of the services forborne from regulation in this Decision. The Commission considers that it is also appropriate to retain sufficient powers under section 24 of the Act to impose future conditions upon the forborne services, as warranted. As a necessary consequence of its retention of section 24 and subsection 27(2), the Commission also considers it necessary to retain subsection 27(3) as it pertains to the exercise of its powers under those sections. Furthermore, the Commission considers it necessary to retain its powers under subsection 27(3) of the Act with respect to compliance with powers and duties not forborne from in this Decision.
168. To implement these determinations, the Commission directs each ILEC and cable carrier to issue, within 30 days of the date of this Decision, revised tariff pages for each non-essential service subject to phase-out as defined in this Decision, in order to include the following provision:

The company may also provide the service in this tariff at rates and on terms different from the tariffed rates and terms if the service is provided pursuant to an agreement entered into between the company and a competitor because the Commission has forborne, in Telecom Decision CRTC 2008-17, with respect to the regulation of this service.

Early termination charges

169. Certain competitor service tariffs and approved agreements contain provisions for charges to be paid by a competitor that terminates its contract before the end of the commitment period (early termination charges or ETCs).
170. Competitors generally submitted that applying ETCs associated with non-essential services during the phase-out period would not be consistent with the purpose of the phase-out period.
171. Bell Canada et al. and TCC submitted that ETCs associated with non-essential services should not be waived. Bell Canada et al. also submitted that they expected that many competitors would make alternative provisioning arrangements with the ILEC from which they currently receive service on a tariffed basis and that negotiated agreements with respect to these services would make the application of ETCs moot. Bell Canada et al. and TCC further submitted that requiring an ILEC to waive ETCs was inconsistent with the policy objective of relying on market forces. Bell Canada et al. noted its concern that, if the Commission were to require an ILEC to waive ETCs for non-essential services during the phase-out period, it might also require an ILEC to waive ETCs included in negotiated agreements during this period.
172. The Commission considers that ETCs are a disincentive to early termination of the relevant service agreements. The Commission notes that the agreements in question involve services that are subject to regulatory approval and that this Decision makes significant changes to the regulatory framework under which these agreements were entered into. The purpose of the phase-out period is to provide competitors with the flexibility to make new provisioning arrangements or agreements appropriate to their circumstances. The Commission considers that, given the regulatory changes to the framework for non-essential services, ETCs should not be a bargaining item when negotiating with respect to competitor agreements.
173. Accordingly, the Commission determines that, effective 30 days from the date of this Decision and for the balance of the phase-out periods, the ILECs and cable carriers are to waive ETCs associated with non-essential services subject to phase-out as defined in this Decision when the competitor terminates a non-essential service contract entered into prior to this Decision early for any reason.
174. With respect to Bell Canada et al.'s concern that the Commission might require ILECs to waive ETCs that may be included in competitor agreements in the future, the Commission considers that the reasons for requiring the ILECs to waive ETCs associated with non-essential services during the phase-out period will not apply with respect to competitor agreements entered into during that period.

175. To implement these determinations, the Commission directs each ILEC and cable carrier to issue, within 30 days of the date of this Decision, revised tariff pages and revised approved agreements for each non-essential service subject to phase-out as defined in this Decision that contain provisions related to ETCs, in order to include the following provision:

For any tariffed service subscribed to or approved contract entered into prior to 2 April 2008, early termination charges, as defined in Telecom Decision CRTC 2008-17, will be waived if the customer terminates the contract early for any reason.

New demand

176. Bell Canada et al. proposed that ILECs should not be required to accept new customers or new demand for tariffed non-essential services during the phase-out period. Shaw considered that Bell Canada et al.'s approach would provide an incentive for competitors to implement alternative arrangements. RCI and the Public Interest Advocacy Centre opposed such restrictions. RCI submitted that competitors should be allowed to augment existing demand for tariffed non-essential services.
177. The Commission determines that during the phase-out period, the ILECs must accept new customers and new or changed demand from existing customers with respect to tariffed non-essential services subject to phase-out. The Commission considers that this approach is consistent with the purpose of the phase-out period because it provides competitors with the flexibility to make new provisioning arrangements appropriate to their circumstances.

Prospective forbearance regarding services categorized as non-essential subject to phase-out

178. Bell Canada et al. submitted that the Commission should make a conditional forbearance determination, which would come into effect at the end of the phase-out period, for services categorized as non-essential subject to phase-out. In their view, doing so would eliminate any need for an end-of-transition forbearance process. This approach, described as the "hard stop" approach, was also supported by TCC and Cogeco.
179. Bell Canada et al. submitted that the term non-essential implied an alternative supply today and duplicability in the near future. They also submitted that, therefore, the Commission should forbear completely and unconditionally from its powers under sections 25, 27, 29, and 31 of the Act, retaining only its powers to impose conditions under section 24 for non-economic regulation. TCC submitted that forbearance would further the objectives of the Act and would be more effective than regulation in preventing undue impairment of the establishment or continuance of a market because regulation would discourage competitive entry.
180. Cybersurf Corp., Primus, and Globility submitted that considering the risks associated with the uncertainty of competitive market conditions and regulation in the future, a hard stop to all remnants of wholesale regulation would dampen investment in competitive networks. MTS Allstream submitted that granting forbearance on the basis of a prediction or expectation of an alternative source of supply, without actually verifying that such an alternative source had in fact emerged, would violate the provisions of section 34 of the Act.

181. In response to MTS Allstream's comments, Bell Canada et al. submitted that once the Commission designates services as non-essential, it will have satisfied itself that such services were subject to sufficient competition to protect the interests of users and that they should be forborne from regulation at the conclusion of the phase-out period, without the need for forbearance or withdrawal applications.
182. Regarding parties' comments that a hard stop to wholesale regulation would dampen investment in competitive networks, the Commission notes that some parties took the position that mandated access is a disincentive to investment, while others considered it to be an incentive. In this regard, the Commission considers that the framework put in place in this Decision is one that will increase incentives for innovation and investment in, and construction of, competing telecommunications network facilities.
183. The Commission expects that prior to the end of the phase-out period, many competitors will enter into negotiated agreements with the ILECs regarding the provision of services such as fibre-based access and transport facilities. In cases where negotiated agreements are not put in place, however, the Commission notes that the functionality provided by such services will continue to be available to competitors through the ILECs' retail service offerings.
184. Regarding subsection 34(1) of the Act, the Commission considers that prospective forbearance would send a strong signal to the industry as to when mandatory access ends and reliance on market forces begins. The Commission considers that this would have the effect of providing regulatory certainty for all concerned. This would include certainty in relation to network planning, investment, and innovation. In addition, the Commission notes that prospective forbearance would avoid the need for an end-of-transition forbearance proceeding.
185. In contrast, the Commission considers that an end-of-transition process, such as a forbearance proceeding, would imply that any transition period could be extended, resulting in uncertainty that would affect the efficiency and effectiveness of network investment decisions and potentially delay the transition to reliance on market forces.
186. Therefore, the Commission considers that the regulatory certainty associated with prospective forbearance would be consistent with the policy objectives set out in paragraphs 7(c), (f), and (g) of the Act, as well as with the Policy Direction, as discussed below.
187. Regarding subsection 34(3) of the Act, the Commission notes that in making its determinations that certain services are non-essential subject to phase-out, it has found evidence that such functionalities have been duplicated. The Commission also notes that there are some other services for which parties did not provide any comment to indicate to the Commission that those services are required by competitors.
188. Consequently, the Commission finds that prospective forbearance, for the services it has determined to be non-essential subject to phase-out, will not be likely to impair unduly the establishment or continuance of a competitive market for those services.
189. Pursuant to subsection 34(4) of the Act, the Commission declares that, effective the date that the relevant phase-out period expires, sections 25, 29, and 31, and subsections 27(1), 27(5), and 27(6) of the Act do not apply with respect to non-essential services subject to phase-out as

defined in this Decision. However, the Commission considers that subsections 27(2) and 27(4) of the Act should be retained to address any issues of unjust discrimination or undue preference.

190. In addition, the Commission considers that it is appropriate to retain its powers, pursuant to section 24 of the Act, to ensure that the confidentiality of customer information continues to be protected. Accordingly, the Commission directs carriers to incorporate, where appropriate, the existing conditions regarding the disclosure of confidential customer information to third parties into all contracts and any other arrangements for the provision of the services forborne from regulation in this Decision. The Commission considers that it is also appropriate to retain sufficient powers under section 24 of the Act to impose future conditions upon the forborne services, as warranted. As a necessary consequence of its retention of section 24 and subsection 27(2), the Commission also considers it necessary to retain subsection 27(3) as it pertains to the exercise of its powers under those sections. Furthermore, the Commission considers it necessary to retain its powers under subsection 27(3) of the Act with respect to compliance with powers and duties not forborne from in this Decision.

End of transition direction

191. With respect to each non-essential service subject to phase-out, the Commission directs the affected carrier to provide written notice, to the Commission and all customers of that service, to permit customers to review and rearrange their provisioning arrangements as appropriate. The written notice must be made at least six months before the end of the phase-out period for that service, identify the tariff pages that will be withdrawn, and describe the carrier's intentions with respect to the continued provision of that service in each geographic market in which it is offered at that time. The Commission notes that it may, at any time, request further information about these forborne services from affected carriers for data collection or other purposes.

III. When should future reviews of essential services and the wholesale framework be conducted?

192. A number of parties submitted that the Commission could schedule future reviews at regular intervals, ranging between three and five years, to consider whether each existing competitor service continues to be essential or otherwise continues to be appropriately mandated. Other parties proposed that such a review be considered no sooner than five years after this Decision is issued in order to provide regulatory certainty.
193. Others submitted that, as an alternative to regularly scheduled reviews, the Commission could assess, every two, three, or five years, the need to undertake a review. Finally, several parties suggested that, at any time, a party could make a service-specific application proposing to change the classification of a service, which the Commission could consider on a case-by-case basis.
194. The Commission notes that future industry developments, including technological change, may affect the appropriateness of a service's classification over time. In view of this, the Commission considers that it would be appropriate at a future date to review whether the

remaining mandated wholesale services continue to be classified appropriately (an omnibus review).

195. In assessing the basis on which to conduct such an omnibus review, the Commission has balanced considerations of regulatory certainty and efficiency. The Commission has also taken into account that an ILEC may also make an application at any time to establish that the condition associated with a service's assignment to the conditional essential or conditional mandated non-essential category has been satisfied.
196. The Commission considers that conducting omnibus reviews every two to three years or holding a proceeding to determine whether a review is needed would be unduly burdensome and create undue regulatory uncertainty, contrary to paragraph 1(a) of the Policy Direction. The Commission also considers that conducting an omnibus review after the conclusion of the five-year phase-out period would, consistent with the overall thrust of the Policy Direction, appropriately balance considerations of regulatory certainty and efficiency with the need to ensure that these services remain appropriately classified over time.
197. Accordingly, the Commission will review the assignment of all remaining mandated wholesale services six years from the date of this Decision.

IV. Are the determinations in this Decision consistent with the Policy Direction?

198. The Policy Direction states that the Commission, in exercising its powers and performing its duties under the Act shall implement the policy objectives set out at section 7 of the Act in accordance with paragraphs 1(a), (b), and (c) of the Policy Direction.
199. Regarding paragraph 1(a) of the Policy Direction, the Commission is relying on market forces to the maximum extent feasible as the means of achieving the policy objectives. For example, the Commission is permitting forbore negotiated agreements during the phase-out period with respect to non-essential services subject to phase-out and forbearing with respect to those services at the end of the phase-out period.
200. The Commission considers that the continued tariffing of non-essential services during their phase-out period and the continued tariffing of other wholesale services are necessary in light of the insufficiency of market forces as a means of achieving the policy objectives. The Commission also considers that these measures are efficient and proportionate to their purpose and interfere with the operation of competitive market forces to the minimum extent necessary to meet the policy objectives.
201. Regarding paragraph 1(b) of the Policy Direction, because the services under consideration in this proceeding are carrier services that competitors use as inputs for their retail services, the Commission considers that the determinations in this Decision that rely on regulation advance the policy objectives set out at paragraphs 7(a), (c), (f), and (h) of the Act.
202. The Commission considers that, for the reasons set out in this Decision, its determinations related to economic regulation neither deter economically efficient competitive entry into retail or wholesale markets, nor promote economically inefficient entry. Where the Commission has continued to rely on regulation that is not economic in nature, it has done so in a symmetrical

and competitively neutral manner to the greatest extent possible. Regarding network interconnection services, customer access facilities, and support structure services, the Commission considers that these arrangements are technologically and competitively neutral to the greatest extent possible, enable competition from new technologies, and do not artificially favour Canadian carriers or resellers.

203. The Commission considers that its determinations in this Decision also comply with paragraph 1(c)(ii) of the Policy Direction.
204. In this regard, the Commission notes that the definition of an essential service adopted in this Decision, which is the keystone of its revised regulatory framework, is based on economic principles associated with competition policy, adapted to the telecommunications regulatory environment. As a result, the Commission considers that the revised framework for wholesale services sends the correct regulatory signals to all TSPs, thereby increasing incentives for investment in, and construction of, competitive telecommunications network facilities. The Commission expects that incentives for innovation with respect to services and facilities will also increase.
205. Furthermore, the Commission notes that in the development and application of its revised definition of an essential service, it took into account the principles of technological and competitive neutrality and the potential for ILECs to exercise market power in both the wholesale and retail markets.
206. Finally, in conducting this review, the Commission took into account the impediments faced by new and existing TSPs seeking to develop competing network facilities, both in applying the essential service definition and in determining the length and structure of the phase-out period for non-essential services.

Secretary General

Related documents

- *Review of certain Phase II costing issues*, Telecom Decision CRTC 2008-14, 21 February 2008
- *Follow-up to Decision 2007-27 – Show cause submission related to the application of the price cap regime to Télébec, Limited Partnership*, Telecom Decision CRTC 2007-60, 30 July 2007, as amended by Telecom Decision CRTC 2007-60-1, 10 August 2007
- *Action plan for the review of Commission regulatory measures in light of Order in Council P.C. 2006-1534*, Telecom Decision CRTC 2007-51, 11 July 2007
- *Price cap framework for large incumbent local exchange carriers*, Telecom Decision CRTC 2007-27, 30 April 2007

- *Review of regulatory framework for wholesale services and definition of essential service*, Telecom Public Notice CRTC 2006-14, 9 November 2006, as amended by Telecom Public Notices CRTC 2006-14-1, 15 December 2006; 2006-14-2, 15 February 2007; 2006-14-3, 16 March 2007; and 2006-14-4, 20 March 2007
- *Forbearance from the regulation of retail local exchange services*, Telecom Decision CRTC 2006-15, 6 April 2006, as amended by Order in Council P.C. 2007-532, 4 April 2007
- *Implementation of competition in the local exchange and local payphone markets in the territories of Société en commandite Télébec and the former TELUS Communications (Québec) Inc.*, Telecom Decision CRTC 2005-4, 31 January 2005
- *Implementation of price regulation for Télébec and TELUS Québec*, Telecom Decision CRTC 2002-43, 31 July 2002
- *Regulatory framework for second price cap period*, Telecom Decision CRTC 2002-34, 30 May 2002, as amended by Telecom Decision CRTC 2002-34-1, 15 July 2002
- *9-1-1 Service – Rates for Wireless Service Providers, Centrex Customers and Multi-Line Customers/Manual Access to the Automatic Location Identification Database*, Telecom Decision CRTC 99-17, 29 October 1999
- *Local competition*, Telecom Decision CRTC 97-8, 1 May 1997
- *Competition in the provision of public long distance voice telephone services and related resale and sharing issues*, Telecom Decision CRTC 92-12, 12 June 1992.

This document is available in alternative format upon request, and may also be examined in PDF format or in HTML at the following Internet site: <http://www.crtc.gc.ca>

Wholesale services by category

This list is current as of 15 January 2008 and includes competitor services approved by the Commission after it issued Telecom Public Notice 2006-14.

a) Essential

Basic listing interchange file

Bell Aliant	CRTC 21491 Item 636 – Basic Listing Interexchange Files CRTC 21562 Item 310 – Basic Listing Interchange File
Bell Canada	CRTC 7516 Item 310 – Basic Listing Interchange File
MTS Allstream	CRTC 24006 Item 310 – Basic Listing Interchange File
SaskTel	CRTC 21414 Item 650.02 – Basic Listing Interchange File (BLIF)
TCC	CRTC 21462 Item 212 – Basic Listing Interchange File Service CRTC 25082 Item 2.01 – Basic Listing Interchange File (BLIF)
Télébec	CRTC 25140 Item 1.5 – Basic Listing Interchange File (BLIF)
Cogeco	CRTC 26450 Part B – Interconnection with Local Exchange Carriers (LECs)
Rogers	CRTC 21530 Part B – Interconnection with Local Exchange Carriers (LECs)
Shaw	CRTC 21520 Part B – Interconnection with Local Exchange Carriers (LECs)
Videotron	CRTC 21250 Part B – Interconnection with Local Exchange Carriers (LECs)

Directory file service

Bell Aliant	CRTC 21491 Item 620 – Directory File Service CRTC 21560 Item 26.2 – Directory Files
Bell Canada	CRTC 6716 Item 26.2 – Directory Files
MTS Allstream	CRTC 24001 Item 360 – Directory File Service
SaskTel	CRTC 21414 Item 650.04 – Directory File Service
TCC	CRTC 21461 Item 407 – Directory File Service CRTC 25080 Item 1.05 – Directory File Service
Télébec	CRTC 25140 Item 1.6 – Directory File Service

b) Conditional essential

Unbundled loops

Bell Aliant	CRTC 21491 Item 646 – Local Network Interconnection and Component Unbundling
	CRTC 21562 Item 105 – Local Network Interconnection and Component Unbundling
Bell Canada	CRTC 7516 Item 105 – Local Network Interconnection and Component Unbundling
MTS Allstream	CRTC 24006 Item 105 – Local Network Interconnection and Component Unbundling
SaskTel	CRTC 21414 Item 610.18 – Local Network Interconnection and Component Unbundling
TCC	CRTC 1017 Item 105 – Local Network Interconnection and Component Unbundling
	CRTC 18008 Item 215 – Local Network Interconnection and Component Unbundling
	CRTC 25082 Item 1.05 – Local Network Interconnection and Component Unbundling
Télébec	CRTC 25140 Item 7.8 – Local Network Interconnection and Component Unbundling

CDN DS-0 and DS-1 access

Bell Aliant	CRTC 21491 Item 612 – Competitor Digital Network Service
	CRTC 21562 Item 130 – Competitor Digital Network (CDN) Services
Bell Canada	CRTC 7516 Item 130 – Competitor Digital Network (CDN) Services
MTS Allstream	CRTC 24006 Item 125 – Competitor Digital Network (CDN) Services
SaskTel	CRTC 21414 Item 650.28 – Competitor Digital Network (CDN) Services
TCC	CRTC 21462 Item 224 – Competitor Digital Network (CDN) Services
	CRTC 21462 Item 225 – Competitor Digital Network Access (CDN Access)

DSL access services

Bell Aliant	CRTC 21491 Item 622 – Asymmetrical Digital Subscriber Line (ADSL) Access Service
	CRTC 21560 Item 5400 – Asymmetric Digital Subscriber Line (ADSL) Access Service
Bell Canada	CRTC 6716 Item 5400 – Asymmetric Digital Subscriber Line (ADSL) Access Service
MTS Allstream	CRTC 24002 Item 5800 – Asymmetric Digital Subscriber Line (ADSL) Line Enhancement
	CRTC 24002 Item 5810 – ADSL Access to Individual Line Service
SaskTel	CRTC 21414 Item 610.26 – Interconnection Arrangements for DSL Service Providers
	CRTC 21414 Item 650.14 – Digital Subscriber Line (DSL) Access Capability
TCC	CRTC 21462 Item 210 – ADSL Access to Individual Line Service
	CRTC 21462 Item 214 – Asymmetric Digital Subscriber Line (ADSL) Access Service
	CRTC 25082 Item 4.05 – Asymmetric Digital Subscriber Line (ADSL) Access Service
Télébec	CRTC 25140 Item 7.9 – High-Speed Access Service

Remote switching, DSLAM information, and ADSL coverage information

Bell Aliant	CRTC 21491 Item 604 – Competitor Information Services
	CRTC 21562 Item 105 – Local Network Interconnection and Component Unbundling
Bell Canada	CRTC 7516 Item 105 – Local Network Interconnection and Component Unbundling
MTS Allstream	CRTC 24006 Item 105 – Local Network Interconnection and Component Unbundling
SaskTel	CRTC 21414 Item 610.28 – Network Planning Information Regarding the Location of Wire Centres

TCC CRTC 25082 Item 1.05 – Local Network Interconnection and Component Unbundling

Télébec CRTC 25140 Item 7.8 – Local Network Interconnection and Component Unbundling

c) Conditional mandated non-essential

Co-location (includes CO riser space, IC-to-IC cross connection)

Bell Aliant CRTC 21491 Item 628 – Co-Location Arrangements for Interconnecting Canadian Carriers and DSL Service Providers

CRTC 21562 Item 110 – Co-Location Arrangements for Interconnecting Canadian Carriers

Bell Canada CRTC 7516 Item 110 – Co-Location Arrangements For Interconnecting Canadian Carriers and Digital Subscriber Line Service Providers (DSLSP)

MTS Allstream CRTC 24006 Item 110 – Co-Location Arrangements for Interconnecting Canadian Carriers and Digital Subscriber Line Service Providers

SaskTel CRTC 21414 Item 610.16 – Co-location Arrangements for Interconnecting Canadian Carriers

TCC CRTC 1017 Item 110 – Co-location Arrangements for Interconnecting Canadian Carriers

CRTC 18008 Item 250 – Virtual Co-location

CRTC 18008 Item 255 – Physical Co-location

CRTC 25082 Item 1.04 – Co-location Arrangements for Interconnecting Canadian Carriers and High-Speed Service Providers

Télébec CRTC 25140 Item 7.4 – Co-Location Arrangements for Interconnecting Canadian Carriers and DSL Service Providers (DSLSP)

CO connecting links (includes riser space as appropriate)

Includes connecting links A & B (for unbundled loops), copper CO connecting links, optical CO connecting links, and Ethernet CO connecting links.

Bell Aliant CRTC 21491 Item 612 – Competitor Digital Network Service

CRTC 21491 Item 632 – Link Arrangements for Interconnecting Canadian Carriers and DSL Service Providers

CRTC 21491 Item 646 – Local Network Interconnection and Component Unbundling

CRTC 21491 Item 654 – Wholesale Ethernet Service

CRTC 21562 Item 105 – Local Network Interconnection and Component Unbundling

CRTC 21562 Item 120 – Link Arrangements for Interconnecting Canadian Carriers and Digital Subscriber Line Service Providers (DSLSP)

CRTC 21562 Item 122 – Ethernet CO Connecting Link Arrangements

CRTC 21562 Item 130 – Competitor Digital Network (CDN) Services

Bell Canada

CRTC 7516 Item 105 – Local Network Interconnection and Component Unbundling

CRTC 7516 Item 120 – Link Arrangements for Interconnecting Canadian Carriers And Digital Subscriber Line Service Provider

CRTC 7516 Item 122 – Ethernet CO Connecting Link Arrangements

CRTC 7516 Item 130 – Competitor Digital Network (CDN) Services

MTS Allstream

CRTC 24006 Item 105 – Local Network Interconnection and Component Unbundling

CRTC 24006 Item 120 – Link Arrangements for Interconnecting Canadian Carriers and Digital Subscriber Line Service Providers

CRTC 24006 Item 122 – Ethernet Central Office (CO) Connecting Link Service

CRTC 24006 Item 125 – Competitor Digital Network (CDN) Services

SaskTel

CRTC 21414 Item 610.18 – Local Network Interconnection and Component Unbundling

CRTC 21414 Item 610.20 – Link Arrangements for Interconnecting Canadian Carriers

CRTC 21414 Item 610.29 – Ethernet CO Connecting Link

CRTC 21414 Item 650.28 – Competitor Digital Network (CDN) Services

TCC

CRTC 1017 Item 105 – Local Network Interconnection and Component Unbundling

CRTC 18008 Item 215 – Local Network Interconnection and Component Unbundling

CRTC 21462 Item 211 – Central Office Link Arrangements for Interconnecting Canadian Carriers

CRTC 21462 Item 221 – Ethernet CO Connecting Link Arrangements

CRTC 21462 Item 224 – Competitor Digital Network (CDN) Services

CRTC 25081 Item 5.10 – Central Office Link Arrangements for Interconnecting Canadian Carriers

CRTC 25082 Item 1.05 – Local Network Interconnection and Component Unbundling

CRTC 25082 Item 4.03 – Ethernet CO Connecting Link Arrangements

Télébec CRTC 25140 Item 7.7 – Ethernet CO Connecting Link

CRTC 25140 Item 7.8 – Local Network Interconnection and Component Unbundling

Aggregated ADSL access services

Bell Aliant CRTC 21491 Item 624 – ADSL WAN Service

CRTC 21491 Item 626 – ADSL Access Service

CRTC 21560 Item 5410 – Gateway Access Service

CRTC 21560 Item 5420 – High Speed Access Service

Bell Canada CRTC 6716 Item 5410 – Gateway Access Service

CRTC 6716 Item 5420 – High Speed Access Service

MTS Allstream CRTC 24002 Item 5820 – Asymmetric Digital Subscriber Line (ADSL) Data Access Service

SaskTel CRTC 21414 Item 650.32 – Aggregated Asymmetric Digital Subscriber Line (ADSL) Service

TCC CRTC 21462 Item 226 – Wholesale Internet ADSL Service

CRTC 21462 Item 227 – Wide Area Network ADSL Service

CRTC 25082 Item 4.06 – Wholesale Internet ADSL

CRTC 25082 Item 4.07 – ADSL Wide Area Network (WAN) Service

TPIA

Cogeco	CRTC 26400 – Tariff for Third Party Internet Access Service
Rogers	CRTC 21530 Part G – Tariff for Third Party Internet Access
Shaw	CRTC 26300 – Tariff for Third Party Internet Access Service
Videotron	CRTC 26950 Part B – Access Service Tariff for Interconnection with Internet Service Providers

CLEC access to OSS service

Bell Aliant	CRTC 21562 Item 106 – CLEC Access to Operational Support Systems (OSS) Service
Bell Canada	CRTC 7516 Item 106 – CLEC Access to Operational Support Systems (OSS) Service

CLEC manual equipment record service

Bell Aliant	CRTC 21562 Item 107 – CLEC Manual Equipment Record Service
Bell Canada	CRTC 7516 Item 107 – CLEC Manual Equipment Record Service

Dedicated access lines

Bell Aliant	CRTC 21491 Item 608.14 – Facilities for Dedicated Access Lines
	CRTC 21562 Item 90 – Facilities for Dedicated Access Lines
Bell Canada	CRTC 7516 Item 90 – Facilities for Dedicated Access Lines
MTS Allstream	CRTC 24006 Item 90 – Facilities for Dedicated Access Lines
SaskTel	CRTC 21414 Item 610.24 – Facilities for Dedicated Access Lines
TCC	CRTC 21462 Item 203 – Dedicated Access Line Facilities

Payphone basic access line service

Bell Aliant	CRTC 21491 Item 245 – Pay Telephone Basic Access Line Service
	CRTC 21560 Item 315 – Pay Telephone Basic Access Line Service
Bell Canada	CRTC 6716 Item 315 – Pay Telephone Basic Access Line Service
MTS Allstream	CRTC 24001 Item 1705 – Pay Telephone Basic Access Line Service

SaskTel	CRTC 21414 Item 650.06 – Pay Telephone Basic Access Line Service
	CRTC 21414 Item 650.26 – Competitive Payphone Toll-free Tracking Report Service
TCC	CRTC 21462 Item 206 – Competitive Payphone Toll-free Tracking Report Service
	CRTC 21462 Item 216 – Pay Telephone Access Line Service
	CRTC 25080 Item 2.10 – Pay Telephone Basic Access Line Service
Télébec	CRTC 25140 Item 2.13 – Pay Telephone Basic Access Line Service

d) Public good

CLEC access to 9-1-1

Bell Aliant	CRTC 21491 Item 646 – Local Network Interconnection and Component Unbundling
	CRTC 21562 Item 105 – Local Network Interconnection and Component Unbundling
Bell Canada	CRTC 7516 Item 105 – Local Network Interconnection and Component Unbundling
MTS Allstream	CRTC 24006 Item 105 – Local Network Interconnection and Component Unbundling
SaskTel	CRTC 21414 Item 610.18 – Local Network Interconnection and Component Unbundling
TCC	CRTC 1017 Item 105 – Local Network Interconnection and Component Unbundling
	CRTC 18008 Item 215 – Local Network Interconnection and Component Unbundling
	CRTC 25082 Item 1.05 – Local Network Interconnection and Component Unbundling
Télébec	CRTC 25140 Item 7.8 – Local Network Interconnection and Component Unbundling

Zero-dialed emergency call routing

Bell Aliant	CRTC 21491 Item 644 – Zero-Dialed Emergency Call Routing Service
	CRTC 21562 Item 315 – Zero-Dialed Emergency Call Routing Service

Bell Canada CRTC 7516 Item 315 – Zero-Dialed Emergency Call Routing Service
MTS Allstream CRTC 24006 Item 320 – Zero-Dialed Emergency Call Routing Service
SaskTel CRTC 21414 Item 650.22 – Zero-Dialed Emergency Call Routing Service

Emergency services – Operator access coordination

TCC CRTC 21461 Item 309 – Emergency Services – Operator Access Coordination Service

Wireless service provider E9-1-1

Bell Aliant CRTC 21491 Item 648 – Wireless Service Provider Enhanced 911 (WSP E911) Service
CRTC 21563 Item G21 – Wireless Service Provider Enhanced 9-1-1 Service
Bell Canada CRTC 7396 Item G21 – Wireless Service Provider Enhanced 9-1-1 Service
MTS Allstream CRTC 24001 Item 3050 – Wireless Service Provider Enhanced 9-1-1 Service (WSP E9-1-1)
SaskTel CRTC 21414 Item 610.05 – Wireless Service Provider Enhanced Provincial 9-1-1 – Network Access Service
TCC CRTC 21461 Item 201 – Wireless Service Provider Enhanced Provincial 9-1-1 Network Access Service
Télébec CRTC 25140 Item 3.6 – Wireless Service Provider (WSP) Enhanced 9-1-1 Service

VoIP 9-1-1 call routing

Bell Aliant CRTC 21491 Item 652 – Voice over IP 9-1-1 Call Routing Service
CRTC 21562 Item 320 – Voice over IP 9-1-1 Call Routing Service
Bell Canada CRTC 7516 Item 320 – Voice over IP 9-1-1 Call Routing Service
SaskTel CRTC 21414 Item 650.05 – Voice Over Internet Protocol 9-1-1 Call Routing Service

Message relay service

Bell Aliant CRTC 21491 Item 646 – Local Network Interconnection and Component Unbundling
CRTC 21562 Item 105 – Local Network Interconnection and Component Unbundling

Bell Canada	CRTC 7516 Item 105 – Local Network Interconnection and Component Unbundling
MTS Allstream	CRTC 24006 Item 105 – Local Network Interconnection and Component Unbundling
SaskTel	CRTC 21414 Item 610.18 – Local Network Interconnection and Component Unbundling
TCC	CRTC 1017 Item 105 – Local Network Interconnection and Component Unbundling
	CRTC 18008 Item 215 – Local Network Interconnection and Component Unbundling
	CRTC 25082 Item 1.05 – Local Network Interconnection and Component Unbundling
Télébec	CRTC 25140 Item 7.8 – Local Network Interconnection and Component Unbundling

Support structures

Bell Aliant and Bell Canada	CRTC 7400 Item 901 – Support Structure Service
MTS Allstream	CRTC 24002 Item 9600 – Support Structure Service
SaskTel	CRTC 21414 Item 650.16 – Support Structure Service
TCC	CRTC 21461 Item 404 – Support Structure Service
	CRTC 25080 Item 4.12 – Support Structure Service
Télébec	CRTC 25140 Item 10.3 – Support Structure Service

Busy line verification

Bell Aliant	CRTC 21491 Item 608.7 – Operator Services
	CRTC 21562 Item 41 – Operator Services
Bell Canada	CRTC 7516 Item 41 – Operator Services
MTS Allstream	CRTC 24006 Item 41 – Operator Services
SaskTel	CRTC 21414 Item 610.12 – Operator Services

TCC	CRTC 1017 Item 71 – Operator Services
	CRTC 18008 Item 200 – Operator Services
	CRTC 25082 Item 1.01.08 – Operator Services
Télébec	CRTC 25140 Item 7.3.1 – Operator Services

e) Interconnection

Toll

Includes direct connection, access tandem connection, CCS7 network interconnection as applicable, toll free carrier identification charge, primary interexchange carrier processing charges, billed number screening database access, and carrier network profile change.

Bell Aliant	CRTC 21491 Item 608.6 – Interconnecting Circuits with Trunk-Side Access
	CRTC 21562 Item 40 – Interconnecting Circuits with Trunk-Side Access
Bell Canada	CRTC 7516 Item 40 – Interconnecting Circuits with Trunk-Side Access
MTS Allstream	CRTC 24006 Item 40 – Interconnecting Circuits with Trunk Side Access
SaskTel	CRTC 21414 Item 610.06 – Interconnecting Circuits with Trunk Side Access
TCC	CRTC 1017 Item 70 – Interconnecting Circuits with Trunk-Side Access
	CRTC 18008 Item 270 – Interconnecting Circuits with Trunk Side Access
	CRTC 25082 Item 1.01.07 – Interconnecting Circuits with Trunk Side Access
Télébec	CRTC 21540 Item 7.2.2 – Interconnecting Circuits with Trunk Side Access
Cogeco	CRTC 26450 Part C – Interconnection with Interexchange Service Providers (IXSPs)
Rogers	CRTC 21530 Part C – Interconnection with Interexchange Service Providers (IXSPs)
Shaw	CRTC 21520 Part C – Interconnection with Interexchange Service Providers (IXSPs)
Videotron	CRTC 21250 Part C – Interconnection with Interexchange Service Providers (IXSPs)

Local

Includes local traffic imbalance charges, delivery of traffic within EAS areas, routing of CLEC-originated toll-free calls, and CCS7 network interconnection, as applicable.

Bell Aliant	CRTC 21491 Item 646 – Local Network Interconnection and Component Unbundling
	CRTC 21562 Item 105 – Local Network Interconnection and Component Unbundling
Bell Canada	CRTC 7516 Item 105 – Local Network Interconnection and Component Unbundling
MTS Allstream	CRTC 24006 Item 105 – Local Network Interconnection and Component Unbundling
SaskTel	CRTC 21414 Item 610.18 – Local Network Interconnection and Component Unbundling
TCC	CRTC 1017 Item 105 – Local Network Interconnection and Component Unbundling
	CRTC 18008 Item 215 – Local Network Interconnection and Component Unbundling
	CRTC 25082 Item 1.05 – Local Network Interconnection and Component Unbundling
Télébec	CRTC 25140 Item 7.8. – Local Network Interconnection and Component Unbundling
Cogeco	CRTC 26450 Part B – Interconnection with Local Exchange Carriers (LECs)
Rogers	CRTC 21530 Part B – Interconnection with Local Exchange Carriers (LECs)
Shaw	CRTC 21520 Part B – Interconnection with Local Exchange Carriers (LECs)
Videotron	CRTC 21250 Part B – Interconnection with Local Exchange Carriers (LECs)

Wireless

Includes radio, paging, satellite, and CCS7 network interconnection, as applicable.

Bell Aliant and Bell Canada	CRTC 7400 Item 704 – Mobile Satellite Access Service
Bell Aliant	CRTC 10001 Items 1250, 1260, and 1270 – Wireless Access Service
	CRTC 10001 Items 1350, 1355, 1360, and 1365 – Network Paging Access Service

CRTC 10001 Items 1395 through 1398 inclusive – Mobile Radio Network Access Service

CRTC 11001 Items 920, 921, and 922 – Wireless Access Service

CRTC 11001 Items 925 through 928 inclusive – Network Paging Access Service

CRTC 12001 Items 805.1 and 805.2 – Wireless Access Service

CRTC 12001 Items 840 – Mobile Radio Network Access Service

CRTC 12001 Items 820 – Radio Paging Access Service

CRTC 13001 Item 290 – Dial Access to Radio Paging Service

CRTC 13001 Item 295 – Wireless Access Service

CRTC 13001 Item 298 – Switched Network Access for Conventional Radio System Operators and Private Mobile System Operators

CRTC 21560 Item 1990 – Telephone Number Access Service

CRTC 21560 Item 4190 – Switched Network Access for Radio Paging System Operators

CRTC 21560 Item 4195 – Switched Network Access for Conventional Radio System Operators and Private Mobile System Operators

CRTC 21563 Item G15 – Wireless Access Service

CRTC 21563 Item G16 – Cellular Voice Channels

CRTC 21563 Item G17 – Cellular Access Service Types II & III

Bell Canada

CRTC 6716 Item 1990 – Telephone Number Access Service

CRTC 6716 Item 4190 – Switched Network Access for Radio Paging System Operators

CRTC 6716 Item 4195 – Switched Network Access for Conventional Radio System Operators and Private Mobile System Operators

CRTC 7396 Item G15 – Wireless Access Service

CRTC 7396 Item G16 – Cellular Voice Channels

CRTC 7396 Item G17 – Cellular Access Service Types II & III

MTS Allstream	CRTC 24001 Item 2950 – Dial Access for Radio Paging Service CRTC 24001 Item 3000 – Wireless Mobile Radio Network Access Service
SaskTel	CRTC 21414 Item 650.18 – Radio Paging Access Service CRTC 21414 Item 650.20 – Wireless Service Provider – Network Access Service
TCC	CRTC 1005 Item 196 – Terminal Network Access (TNA) for Local Service CRTC 1005 Item 197 – Switch Access Types for Conventional Public Mobile Radio Systems CRTC 1005 Item 197-A – Wireless Access Service CRTC 18001 Item 255 – Interconnection with Private Mobile Telephone Systems – Network Access CRTC 18001 Part II Item 330 – Messaging Services – Network Access CRTC 18001 Item 555 – Wireless Service Providers (WSP) – Network Access Service CRTC 25080 Item 4.04 – Radio Paging Access Service CRTC 25080 Item 4.05 – Wireless Access Service CRTC 25721 Item 2220 – Radio Paging System Access
Télébec	CRTC 25140 Item 10.1 – Wireless Access Service CRTC 25140 Item 10.2 – Radio Paging Access Service
Cogeco	CRTC 26450 Part D – Interconnection with Wireless Service Providers (WSPs)
Rogers	CRTC 21530 Part D – Interconnection with Wireless Service Providers (WSPs)
Shaw	CRTC 21520 Part D – Interconnection with Wireless Service Providers (WSPs)
Videotron	CRTC 21250 Part D – Interconnection with Wireless Service Providers (WSPs)

Transiting services

Includes local, toll, and CCS7 services, as applicable.

Bell Aliant	CRTC 21491 Item 646 – Local Network Interconnection and Component Unbundling
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CRTC 21562 Item 40 – Interconnecting Circuits with Trunk-Side Access

CRTC 21562 Item 105 – Local Network Interconnection and Component Unbundling

Bell Canada CRTC 7516 Item 40 – Interconnecting Circuits with Trunk-Side Access

CRTC 7516 Item 105 – Local Network Interconnection and Component Unbundling

CRTC 7396 Item G15 – Wireless Access Service

MTS Allstream CRTC 24006 Item 105 – Local Network Interconnection and Component Unbundling

SaskTel CRTC 21414 Item 610.18 – Local Network Interconnection and Component Unbundling

TCC CRTC 1005 Item 197-A – Wireless Access Service

CRTC 1005 Item 209 – Local Network Interconnection and Component Unbundling – Transit Services

CRTC 1017 Item 70 – Interconnecting Circuits with Trunk-Side Access

CRTC 18008 Item 215 – Local Network Interconnection and Component Unbundling

CRTC 25082 Item 1.05 – Local Network Interconnection and Component Unbundling

Télébec CRTC 25140 Item 7.8 – Local Network Interconnection and Component Unbundling

Billing and collection

Bell Aliant CRTC 21491 Item 608.8 – Billing and Collection Service

CRTC 21562 Item 42 – Billing and Collection Service

Bell Canada CRTC 7516 Item 42 – Billing and Collection Service

MTS Allstream CRTC 24006 Item 42 – Billing and Collection Service

SaskTel CRTC 21414 Item 610.04 – Billing and Collection Service

TCC CRTC 21462 Item 207 – Billing and Collection Service

CRTC 25082 Item 1.03 – Billing and Collection Service

Cogeco	CRTC 26450 Part C – Interconnection with Interexchange Service Providers (IXSPs)
Rogers	CRTC 21530 Part C – Interconnection with Interexchange Service Providers (IXSPs)
Shaw	CRTC 21520 Part C – Interconnection with Interexchange Service Providers (IXSPs)
Videotron	CRTC 21250 Part C – Interconnection with Interexchange Service Providers (IXSPs)

Dialed number transport capability

Bell Aliant	CRTC 21491 Item 608.13 – Dialed Number Transport Capability CRTC 21562 Item 75 – Dialed Number Transport Capability
Bell Canada	CRTC 7516 Item 75 – Dialed Number Transport Capability
MTS Allstream	CRTC 24006 Item 75 – Dialed Number Transport Capability
TCC	CRTC 21462 Item 219 – Dialed Number Transport Capability

Network announcements for customers of disconnected interexchange carriers with Feature Group D service

Bell Aliant	CRTC 21491 Item 608.10 – Network Announcements for Customers of Disconnected IXSPs with Feature Group D Service CRTC 21562 Item 80 – Network Announcements for Customers of Disconnected IXSPs with Feature Group D Service
Bell Canada	CRTC 7516 Item 80 – Network Announcements for Customers of Disconnected IXC's with Feature Group D Service
MTS Allstream	CRTC 24006 Item 80 – Network Announcements for Customers of Disconnected IXC's with Feature Group D Service
SaskTel	CRTC 21414 Item 610.08 – Network Announcements for Customers of Disconnected IXC's with Feature Group D Service
TCC	CRTC 21462 Item 201 – Network Recorded Announcements for Customers of Disconnected Interexchange Carriers With Trunk Side Access CRTC 25082 Item 1.01.11 – Network Announcements for Customers of Disconnected IXSPs with Feature Group D Service
Télébec	CRTC 25140 Item 7.2.5 – Network Announcements for Customers of Disconnected IXSPs with Feature Group D Service

Cogeco	CRTC 26450 Part C – Interconnection with Interexchange Service Providers (IXSPs)
Rogers	CRTC 21530 Part C – Interconnection with Interexchange Service Providers (IXSPs)
Shaw	CRTC 21520 Part C – Interconnection with Interexchange Service Providers (IXSPs)
Videotron	CRTC 21250 Part C – Interconnection with Interexchange Service Providers (IXSPs)

Bulk transfer of customer base between IXCs having Feature Group D service

Bell Aliant	CRTC 21491 Item 608.11 – Bulk Transfer of a Customer Base between IXCs having Feature Group D Service CRTC 21562 Item 85 – Bulk Transfer of a Customer Base between IXCs having Feature Group D Service
Bell Canada	CRTC 7516 Item 85 – Bulk Transfer of a Customer Base between IXCs having Feature Group D Service
MTS Allstream	CRTC 24006 Item 85 – Bulk Transfer of a Customer Base between IXCs having Feature Group D Service
SaskTel	CRTC 21414 Item 610.10 – Bulk Transfer of a Customer Base between IXCs having Feature Group D Service
TCC	CRTC 21462 Item 200 – Bulk Transfer of a Customer Base between Interexchange Carriers (IXCs) with Trunk Side Access CRTC 25082 Item 1.01.12 – Bulk Transfer of a Customer Base between interexchange service providers having Feature Group D Service
Télébec	CRTC 25140 Item 7.2.6 – Bulk Transfer of a Customer Base between interexchange service providers having Feature Group D Service
Cogeco	CRTC 26450 Part C – Interconnection with Interexchange Service Providers (IXSPs)
Rogers	CRTC 21530 Part C – Interconnection with Interexchange Service Providers (IXSPs)
Shaw	CRTC 21520 Part C – Interconnection with Interexchange Service Providers (IXSPs)
Videotron	CRTC 21250 Part C – Interconnection with Interexchange Service Providers (IXSPs)

Internet voice access service

Bell Aliant CRTC 21562 Item 140 – Internet Voice Access Service
Bell Canada CRTC 7516 Item 140 – Internet Voice Access Service
TCC CRTC 25082 Item 4.02 – Internet Voice Access Service

Toll-free – Compensation per call

Bell Aliant CRTC 21491 Item 638 – Compensation Per Call
 CRTC 21562 Item 43 – Compensation Per Call
Bell Canada CRTC 7516 Item 43 – Compensation Per Call
MTS Allstream CRTC 24006 Item 43 – Compensation Per Call
SaskTel CRTC 21414 Item 650.24 – Payphone Compensation Per Call
TCC CRTC 21462 Item 205 – Payphone Per Call Compensation
 CRTC 25082 Item 1.02 – Access Arrangements

Network portability access service

Bell Aliant CRTC 21560 Item 1985 – Network Portability Access Service
Bell Canada CRTC 6716 Item 1985 – Network Portability Access Service
TCC CRTC 1005 Item 207 – Network Portability Access Service
 CRTC 18001 Item 245 – Network Portability Access Service

Type 1 and Type 2 connections

Bell Aliant CRTC 21563 Item G14 – Type 1 and Type 2 Connections
 CRTC 21491 Item 606 – Interconnection with the Equipment and Facilities
 of Telesat
Bell Canada CRTC 7396 Item G14 – Type 1 and Type 2 Connections

Answer supervision

SaskTel CRTC 21414 Item 650.10 – Answer Supervision
MTS Allstream CRTC 24001 Item 2115 – Answer Supervision

TCC CRTC 18001 Item 340 – Answer Supervision Service

Test facilities

Bell Aliant CRTC 21491 Item 608.5 – Test Facilities

CRTC 21562 Item 30 – Test Facilities

Bell Canada CRTC 7516 Item 30 – Test Facilities

MTS Allstream CRTC 24006 Item 30 – Test Facilities

SaskTel CRTC 21414 Item 610.02 – Test Facilities

TCC CRTC 21462 Item 204 – Test Facilities

CRTC 25082 Item 1.01.06 – Test Facilities

Télébec CRTC 25140 Item 7.2.1 – Test Facilities

Standby circuits

Bell Aliant CRTC 21491 Item 608.9 – Standby Circuits

CRTC 21562 Item 60 – Standby Circuits

Bell Canada CRTC 7516 Item 60 – Standby Circuits

MTS Allstream CRTC 24006 Item 60 – Standby Circuits

SaskTel CRTC 21414 Item 610.22 – Standby Circuits

TCC CRTC 21462 Item 202 – Standby Circuits

CRTC 25082 Item 1.01.10 – Standby Circuits

Télébec CRTC 25140 Item 7.2.4 – Standby Circuits

f) Non-essential subject to phase-out

CDN services

Includes DS-3, OC-3, and OC-12 access; intra-exchange and metro interexchange transport (all speeds); and CO channelization.

Phase-out periods: five years for DS-0 and DS-1 intra-exchange transport; DS-3, OC-3, and OC-12 access; and associated channelization; three years for all other CDN services

Bell Aliant CRTC 21491 Item 612 – Competitor Digital Network Service

CRTC 21562 Item 130 – Competitor Digital Network (CDN) Services

Bell Canada	CRTC 7516 Item 130 – Competitor Digital Network (CDN) Services
MTS Allstream	CRTC 24006 Item 125 – Competitor Digital Network (CDN) Services
SaskTel	CRTC 21414 Item 650.28 – Competitor Digital Network (CDN) Services
TCC	CRTC 21462 Item 224 – Competitor Digital Network (CDN) Services CRTC 21462 Item 225 – Competitor Digital Network Access (CDN Access)

Ethernet access

Phase-out period: five years

Bell Aliant	CRTC 21491 Item 654 – Wholesale Ethernet Service CRTC 21562 Item 124 – Ethernet T1 Access
Bell Canada	CRTC 7516 Item 124 – Ethernet T1 Access
Télébec	CRTC 25140 Item 7.6 – Ethernet Access

Ethernet transport service

Phase-out period: three years

Bell Aliant	CRTC 21491 Item 654 – Wholesale Ethernet Service CRTC 21562 Item 123 – Ethernet Transport Service
Bell Canada	CRTC 7516 Item 123 – Ethernet Transport Service
MTS Allstream	CRTC 24006 Item 123 – Ethernet Transport Service
SaskTel	CRTC 21414 Item 610.30 – Ethernet Transport Service
TCC	CRTC 21462 Item 223 – Ethernet Transport Service CRTC 25082 Item 4.04 – Ethernet Transport Service

Co-located customer provided equipment

Phase-out period: three years

Bell Aliant	CRTC 7400 Item 700 – Co-located Customer Provided Equipment in a Telephone Company (Telco) Central-Office CRTC 21563 Item G12 – Central-Office Located Customer Provided Equipment
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Bell Canada CRTC 7396 Item G12 – Central-Office Located Customer
Provided Equipment

CRTC 7400 Item 700 – Co-located Customer Provided Equipment in a
Telephone Company (Telco) Central-Office

Toll-free carrier access: Multi-carrier selection capability

Phase-out period: three years

Bell Aliant CRTC 21491 Item 608.12 – 800 Carrier Access Multi-Carrier
Selection Capability

CRTC 21562 Item 70 – 800/888 Carrier Access: Multi-Carrier
Selection Capability

Bell Canada CRTC 7516 Item 70 – 800/888 Carrier Access: Multi-Carrier
Selection Capability

MTS Allstream CRTC 24006 Item 70 – 800 Carrier Access Multi-Carrier Selection Capability

TCC CRTC 21462 Item 220 – Toll-free Carrier Access Multi-Carrier
Selection Capability

LNP query, 10D global title translation, and call routing – LRN absent

Phase-out period: three years

Bell Aliant CRTC 21491 Item 630 – Local Number Portability (LNP) and Wireless
Number Portability (WNP) – 10 Digit Global Title Translation (10D GTT) –
Access to Service Control Point (SCP)

CRTC 21562 Item 115 – Local Number Portability (LNP) and Wireless
Number Portability (WNP) – 10 Digit Global Title Translation (10D GTT) –
Access to Service Control Point (SCP)

Bell Canada CRTC 7516 Item 115 – Local Number Portability (LNP) and Wireless Number
Portability (WNP) – 10 Digit Global Title Translation (10D GTT) – Access to
Service Control Point (SCP)

MTS Allstream CRTC 24006 Item 115 – Local Number Portability (LNP) and Wireless
Number Portability (WNP) – 10 Digit Global Title Translation (10D GTT) –
Access to Service Control Point (SCP)

SaskTel CRTC 21414 Item 610.13 – Local Number Portability (LNP) and Wireless
Number Portability (WNP) – 10 Digit Global Title Translation (10D GTT) –
Access to Service Control Point (SCP)

TCC	CRTC 21462 Item 208 – Number Portability – Access to Service Control Point
	CRTC 21462 Item 209 – Call Routing – Location Routing Number (LRN) Absent
	CRTC 25082 Item 1.06 – Local Number Portability (LNP) – Access to Service Control Point (SCP)
	CRTC 25082 Item 1.07 – Call Routing – Location Routing Number (LRN) Absent
Cogeco	CRTC 26450 Part E – Other Interconnection Services
Rogers	CRTC 21530 Part E – Other Interconnection Services
Shaw	CRTC 21520 Part E – Other Interconnection Services
Videotron	CRTC 21250 Part E – Other Interconnection Services

Billed number screening database storage

Phase-out period: three years

Bell Aliant	CRTC 21491 Item 634 – Billed Number Screening (BNS) Database Service
	CRTC 21562 Item 305 – Billed Number Screening (BNS) Database Service
Bell Canada	CRTC 7516 Item 305 – Billed Number Screening (BNS) Database Service
MTS Allstream	CRTC 24006 Item 305 – Billed Number Screening (BNS) Database Service
SaskTel	CRTC 21414 Item 650.08 – Billed Number Screening
TCC	CRTC 21462 Item 218 – Billed Number Screening (BNS) Database Service
	CRTC 25082 Item 3.01 – Billed Number Screening (BNS) Database Service
Télébec	CRTC 25140 Item 7.2.2.5 – Access to Billed Number Screening (BNS) Database

Customer information reports

Phase-out period: three years

Bell Aliant	CRTC 21562 Item 200 – Customer Information Reports
Bell Canada	CRTC 7516 Item 200 – Customer Information Reports

Integrated voice messaging service and call forward busy/no answer

Phase-out period: three years

Bell Aliant	CRTC 21491 Item 310 – Voice Messaging Service
	CRTC 21491 Item 650 – Voice Messaging Integration
	CRTC 21560 Item 2025 – Integrated Voice Messaging Service (IVMS)
Bell Canada	CRTC 6716 Item 2025 – Integrated Voice Messaging Service (IVMS)
MTS Allstream	CRTC 24001 Item 2143 – Voice Messaging Integration
SaskTel	CRTC 21412 Item 550.08 – SaskTel Voice Mail Service
TCC	CRTC 1005 Item 206 – Integrated Voice Messaging Service (IVMS) Access
	CRTC 18001 Item 300 – Integrated Voice Messaging – Underlying Network Components
	CRTC 21461 Item 300 – Call Management Services
	CRTC 25080 Item 2.16.07 – Call Forward Busy/No Answer
	CRTC 25080 Item 2.24 – Universal Voice Messaging Service – Underlying Network Components
Télébec	CRTC 25140 Item 3.3.20 – Integrated Voice Messaging Service (IVM service)

Card swipe access (basic and enhanced)

Phase-out period: three years

Bell Aliant and Bell Canada	CRTC 7400 Item 790 – Enhanced Card Swipe Access
	CRTC 7400 Item 909 – Card Swipe Access
MTS Allstream	CRTC 24002 Item 7300 – Card Swipe Access
	CRTC 24002 Item 7310 – Enhanced Card Swipe Access
SaskTel	CRTC 21412 Item 575.02 – Card Swipe Access
	CRTC 21412 Item 575.04 – Enhanced Card Swipe Access
TCC	CRTC 21462 Item 228 – Card Swipe Access Service

Operator and related services (other than busy line verification/busy line interrupt)

Includes operator assistance, directory assistance, call connection, etc.

Phase-out period: three years

Bell Aliant	CRTC 21491 Item 608.7 – Operator Services
	CRTC 21560 Item 84 – Wholesale Automated Alternate Billing Service
	CRTC 25160 Item 87 – Directory Information Service
	CRTC 21560 Item 88 – Local Operator Assistance Service
	CRTC 21560 Item 89 – Connection Service
	CRTC 21562 Item 41 – Operator Services
	CRTC 25163 Item G18 – Directory Information Service for Wireless Service Providers
Bell Canada	CRTC 6716 Item 84 – Wholesale Automated Alternate Billing Service
	CRTC 6716 Item 87 – Directory Information Service
	CRTC 6716 Item 88 – Local Operator Assistance Service
	CRTC 6716 Item 89 – Connection Service
	CRTC 7396 Item G18 – Directory Information Service for Wireless Service Providers
	CRTC 7516 Item 41 – Operator Services
MTS Allstream	CRTC 24006 Item 41 – Operator Services
SaskTel	CRTC 21414 Item 610.12 – Operator Services
TCC	CRTC 1005 Item 179 – Directory Information for Wireless Service Providers and Certified Local Exchange Carriers
	CRTC 1005 Item 180 – Local Operator Assistance Service for Carriers and Non-Carriers
	CRTC 1017 Item 71 – Operator Services
	CRTC 18008 Item 200 – Operator Services
	CRTC 18008 Item 205 – Directory Information Service
	CRTC 18008 Item 210 – Local Operator Assistance Service

Télébec CRTC 25140 Item 7.3.1 – Operator Service

Electronic directory database access service

Phase-out period: three years

Bell Aliant CRTC 21491 Item 640 – Electronic Directory Database Access Service

CRTC 21562 Item 100 – Electronic Directory Database Access Service

Bell Canada CRTC 7516 Item 100 – Electronic Directory Database Access Service

CRTC 7396 Item G18 – Directory Information Service for Wireless Service Providers

MTS Allstream CRTC 24006 Item 100 – Electronic Directory Database Access Service

Use of towers and buildings for mounting antennas

Phase-out period: three years

Bell Aliant CRTC 10001 Item 1225 – Public Cellular System Operators – Use of Tower & Associated Building Space

CRTC 21563 Item G19 – Mini Cell Site for Wireless Service Operators (WSOs)

Bell Canada CRTC 7396 Item G19 – Mini Cell Site for Wireless Service Operators (WSOs)

TCC CRTC 21462 Item 215 – Radio Tower Access Service

CRTC 25080 Item 4.14 – Radio Tower Access Service

Dial virtual point of presence services

Phase-out period: three years

TCC CRTC 21461 Item 523 – Dial Virtual Point of Presence (VPOP) Port Service

CRTC 21461 Item 524 – Dial Virtual Point of Presence (VPOP) Usage Service

Network-to-network interface

Phase-out period: five years for use with access; otherwise, three years

TCC CRTC 21462 Item 217 – Network-to-Network Interface Service

CRTC 25082 Item 4.08 – Network-to-Network Interface Service

Data connectivity

Phase-out period: three years

Bell Aliant	CRTC 21491 Item 504 – Megalink Service
	CRTC 21560 Item 4695 – Internet Service Provider (ISP) Link Service
Bell Canada	CRTC 6716 Item 4695 – Internet Service Provider (ISP) Link Service
TCC	CRTC 1005 Item 471 – Internet Service Provider (ISP) Connection Service
	CRTC 18001 Item 295 – Inbound Data Access (IDA) Service
Télébec	CRTC 25140 Item 8.8 – Integrated Services Digital (ISDN) 23B+D Télébec – Basic Option

Managed Internet Protocol service

Phase-out period: three years

Bell Aliant	CRTC 21560 Item 4698 – Managed Internet Protocol Service (MIPS)
Bell Canada	CRTC 6716 Item 4698 – Managed Internet Protocol Service (MIPS)

Advanced Intelligent Network interconnection services

Phase-out period: three years

Bell Aliant	CRTC 21491 Item 655 – Local Advanced Intelligent Network (AIN) Interconnection
	CRTC 21562 Item 300 – Advanced Intelligent Network (AIN) Interconnection
Bell Canada	CRTC 7516 Item 300 – Advanced Intelligent Network (AIN) Interconnection
TCC	CRTC 18008 Item 230 – Intelligent Network Interconnection

Combined delivery of local exchange transit traffic and CLEC traffic within EAS areas

Phase-out period: three years

TCC	CRTC 1017 Item 105.D.6 – Combined Delivery of Local Exchange Transit Traffic and CLEC Traffic within EAS Areas
	CRTC 18008 Item 215.4.2.c – Combined Delivery of Local Exchange Transit Traffic and CLEC Traffic within EAS

Wholesale local service

Phase-out period: three years

Bell Aliant CRTC 21562 Item 317 – Wholesale Local Service and Features

Bell Canada CRTC 7516 Item 317 – Wholesale Local Service and Features