



## Telecom Public Notice CRTC 2008-18

Ottawa, 6 November 2008

### Notice of consultation

#### **Call for comments on whether the regulatory framework for forbearance from the regulation of local exchange services for the large incumbent local exchange carriers should also be applicable to small incumbent local exchange carriers**

Reference: 8640-C12-200814980 and 8640-T8-200810962

### Introduction

1. On 15 August 2008 the Commission received an application from TBayTel, a small incumbent local exchange carrier (SILEC) offering local exchange services in Thunder Bay, Ontario, and the surrounding region. TBayTel requested forbearance from the regulation of residential local exchange services (local forbearance) for the exchange of Thunder Bay, Ontario, pursuant to the local forbearance framework established in Telecom Decision 2006-15, as amended by the Governor in Council's *Order Varying Telecom Decision CRTC 2006-15*, P.C. 2007-532, 4 April 2007 (modified Telecom Decision 2006-15).

### Background

2. Modified Telecom Decision 2006-15 established a local forbearance framework which sets out criteria that enable the Commission to make determinations on local forbearance applications from incumbent local exchange carriers (ILECs).
3. The Commission indicated in paragraph 23 of modified Telecom Decision 2006-15 that the local forbearance framework would apply only to applications filed by ILECs party to the proceeding that led to modified Telecom Decision 2006-15.<sup>1</sup> SILECs, such as TBayTel, were not part of the proceeding that led to Telecom Decision 2006-15, and accordingly, the local forbearance framework does not apply to them.

### Call for comments

4. The Commission invites parties to provide their views, with supporting rationales, with respect to the following issues:

(1) Should the Commission apply the local forbearance framework established in modified Telecom Decision 2006-15 to SILECs? If not, what would be an appropriate forbearance framework for SILECs?

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<sup>1</sup> These ILECs were Aliant Telecom Inc; Bell Canada; MTS Allstream Inc.; Saskatchewan Telecommunications; Télébec, Limited Partnership; and TELUS Communications Inc., including the former TELUS Communications (Québec) Inc.

(2) The ILEC forbearance framework, as set out in modified Telecom Decision 2006-15, includes competitor quality of service (Q of S) criteria. Given that, pursuant to Telecom Decision 2007-109, competitor Q of S requirements do not apply to SILECs, should the Commission, as part of the forbearance framework, address the issue of competitor Q of S in the SILECs' territories and, if so, how?

## **Procedure**

5. All SILECs listed in the appendix to this Public Notice are made parties to this proceeding.
6. Other parties interested in participating in this proceeding (including receiving copies of all submissions) must notify the Commission of their intention to do so by filling out the [online form](#); or by writing to the Secretary General, CRTC, Ottawa, Ontario, K1A 0N2; or by faxing to: 819-994-0218 by **21 November 2008** (the registration date). Parties are to provide their email address, where available. If parties do not have access to the Internet, they are to indicate in their notice whether they wish to receive disk versions of hard-copy filings.
7. The Commission will post on its website, as soon as possible after the registration date, a complete list of interested parties and their mailing addresses (including their email addresses, if available), identifying those parties who wish to receive disk versions.
8. Any party who wishes merely to file written comments in this proceeding, without receiving copies of the various submissions, may do so by writing to the Commission by **5 January 2009** at the address or fax number noted above, or by filling out the [online form](#).
9. All parties may file with the Commission, serving copies on all other parties, comments with regard to the above-noted issues by **5 January 2009**.
10. All parties may file with the Commission, serving copies on all other parties, reply comments by **20 January 2009**.
11. The Commission expects to issue a decision on the issues raised in this Public Notice within 120 days after the record closes.
12. The Commission will not formally acknowledge receipt of comments. It will, however, fully consider all comments and they will form part of the public record of the proceeding.
13. Where a document is to be filed or served by a specific date, the document must be actually received, not merely sent, by that date.
14. Parties may file their submissions electronically or on paper. Submissions longer than five pages should include a summary.
15. Electronic submissions should be in HTML format. As an alternative, those making submissions may use "Microsoft Word" for text and "Microsoft Excel" for spreadsheets.

16. Each paragraph of all submissions should be numbered. In addition, the line \*\*\*End of document\*\*\* should be entered following the last paragraph. This will help the Commission verify that the document has not been damaged during electronic transmission.
17. The Commission also encourages parties to monitor the record of this proceeding (and/or the Commission's website) for additional information that they may find useful when preparing their submissions.

### **Important notice**

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

### **Location of CRTC offices**

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

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

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

Central Building  
Les Terrasses de la Chaudière  
1 Promenade du Portage, Room 206  
Gatineau, Quebec J8X 4B1  
Tel.: 819-997-2429  
Fax: 819-994-0218

Metropolitan Place  
99 Wyse Road, Suite 1410  
Dartmouth, Nova Scotia B3A 4S5  
Tel.: 902-426-7997  
Fax: 902-426-2721

205 Viger Avenue West, Suite 504  
Montréal, Quebec H2Z 1G2  
Tel.: 514-283-6607

55 St. Clair Avenue East, Suite 624  
Toronto, Ontario M4T 1M2  
Tel.: 416-952-9096

Kensington Building  
275 Portage Avenue, Suite 1810  
Winnipeg, Manitoba R3B 2B3  
Tel.: 204-983-6306 – TDD: 204-983-8274  
Fax: 204-983-6317

Cornwall Professional Building  
2125 – 11<sup>th</sup> Avenue, Suite 103  
Regina, Saskatchewan S4P 3X3  
Tel.: 306-780-3422

10405 Jasper Avenue, Suite 520  
Edmonton, Alberta T5J 3N4  
Tel.: 780-495-3224

580 Hornby Street, Suite 530  
Vancouver, British Columbia V6C 3B6  
Tel.: 604-666-2111 – TDD: 604-666-0778  
Fax: 604-666-8322

Secretary General

### **Related documents**

- *Small incumbent local exchange carriers' show cause – Follow-up to Telecom Decision 2006-14*, Telecom Decision CRTC 2007-109, 21 November 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

*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>*

**List of SILECs**

**British Columbia**

CityWest Telephone Corporation

**Ontario**

Amtelecom Limited Partnership  
Brooke Telecom Co-operative Ltd.  
Bruce Telecom  
Cochrane Telecom Services  
Dryden Municipal Telephone System  
Execulink Telecom Inc.  
Gosfield North Communications Co-operative Limited  
Hay Communications Co-operative Limited  
Huron Telecommunications Co-operative Limited  
Kenora Municipal Telephone System  
Lansdowne Rural Telephone Co. Ltd.  
Mornington Communications Co-operative Limited  
Nexicom Telecommunications Inc.  
Nexicom Telephones Inc.  
North Frontenac Telephone Corporation Ltd.  
NorthernTel, Limited Partnership  
NRTC Communications  
Ontera  
People's Tel Limited Partnership  
Quadro Communications Co-operative Inc.  
Roxborough Telephone Company Limited  
TBayTel  
Tuckersmith Communications Co-operative Limited  
Wightman Telecom Ltd.  
WTC Communications

**Quebec**

CoopTel  
La Cie de Téléphone de Courcelles Inc.  
La Compagnie de Téléphone Lambton Inc.  
La Compagnie de Téléphone St-Victor  
La Compagnie de Téléphone Upton Inc.  
La Compagnie de Téléphone de Warwick  
La Corporation de Téléphone de La Baie – 1993  
Le Téléphone de St-Éphrem inc.  
Sogetel inc.  
Téléphone Guèvremont inc.  
Téléphone Milot inc.