



Telecom Order CRTC 2010-514

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Ottawa, 26 July 2010

Kenora Municipal Telephone System – Temporary Suspension Service

File number: Tariff Notice 57

1. The Commission received an application by Kenora Municipal Telephone System (KMTS), dated 19 May 2010, in which the company proposed revisions to its General Tariff, Section 100, item 4 – Rate Schedule for Primary Exchange (Local) Service, to reflect that the monthly rates for its Temporary Suspension Service (TSS) for both residential and business customers are one half of the applicable Access Single Line service rates.
2. KMTS submitted that upon reviewing some of its tariffs, it had discovered an inconsistency between the monthly rates billed for TSS and those approved in its General Tariff. The company noted that although its existing General Tariff identifies specific rates for both residential and business TSS, it had been billing its TSS customers at exactly one half of the applicable monthly Access Single Line service rates. KMTS submitted that, due to an administrative oversight, the rates in the General Tariff have been incorrect since 1 February 2002 for residential TSS, and since 4 July 2002 for business TSS.
3. KMTS therefore requested that the Commission ratify the rates it had charged for TSS for the period between 1 February 2002 and 4 June 2010 for residential service, and between 4 July 2002 and 4 June 2010 for business service.
4. In *Kenora Municipal Telephone System – Temporary Suspension Service*, Telecom Order CRTC 2010-417, 29 June 2010, the Commission approved KMTS's proposed TSS rate changes on an interim basis, effective that date. The Commission indicated that it would address the ratification request in a subsequent order.
5. The Commission received no comments regarding this application. The public record of this proceeding can be found on the Commission's website at www.crtc.gc.ca under "Public Proceedings" or by using the file number provided above.
6. With respect to KMTS's ratification request, the Commission notes that, pursuant to subsection 25(4) of the *Telecommunications Act*, it may ratify the charging of a rate by a Canadian carrier otherwise than in accordance with a tariff approved by the Commission if it is satisfied that the rate was charged because of an error or other circumstance that warrants the ratification.

7. The Commission is satisfied that KMTS charged the rates without an approved tariff due to an administrative error. Therefore, the Commission finds it appropriate to ratify the charging of the rates as requested by the company.
8. Accordingly, the Commission **approves on a final basis** KMTS's application and ratifies the TSS rates charged by the company from 1 February 2002 to 28 June 2010 for residential service, and from 4 July 2002 to 28 June 2010 for business service.

Secretary General