



## Telecom Order CRTC 2010-552

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Ottawa, 4 August 2010

### **Tuckersmith Communications Co-operative Limited – Bundled services**

File number: Tariff Notice 27

1. The Commission received an application by Tuckersmith Communications Co-operative Limited (Tuckersmith), dated 10 June 2010, in which the company proposed revisions to its General Tariff, Section 100, Item 4, in order to offer the service bundles described below:
  - Bundle 1 – High Speed Regular Package, which includes Primary Exchange Service (PES), Visual Call Waiting, and High Speed Regular Internet;
  - Bundle 2 – High Speed Lite Package, which includes PES, Visual Call Waiting, and High Speed Lite Internet;
  - Bundle 3 – All Services Residence Package, which includes PES, Visual Call Waiting, High Speed Regular Internet, and Basic and Enhanced Television;
  - Bundle 4 – High Speed Business Package, which includes PES, Name and Number Display, and High Speed Regular Internet; and
  - Bundle 5 – All Services Business Package, which includes PES, Name and Number Display, High Speed Regular Internet, and Basic and Enhanced Television.
2. Tuckersmith noted that it has been offering bundles 1 through 4 since 1 January 2009 without an approved tariff.<sup>1</sup> The company submitted that it was previously not aware that it was required to file tariffs for bundles that include one tariffed service. Tuckersmith requested ratification of the rates it has charged for these four bundles between 1 January 2009 and the effective date of this order, pursuant to subsection 25(4)<sup>2</sup> of the *Telecommunications Act*.
3. Tuckersmith did not submit an economic study in support of its application, noting that the rates for the bundles are consistent with rates that were approved by the Commission for residential service bundles offered by People's Tel Limited Partnership (People's) and with rates for similar bundles offered by numerous other service providers in various markets.

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<sup>1</sup> Bundle 5 is a new bundle that Tuckersmith will offer upon approval of its application.

<sup>2</sup> Subsection 25(4) states that the Commission may ratify the charging of a rate by a Canadian carrier otherwise than in accordance with a tariff approved by the Commission if it is satisfied that the rate was charged because of an error or other circumstance that warrants the ratification.

4. The Commission notes that, pursuant to the regulatory framework set out for small incumbent local exchange carriers (small ILECs) in Decision 2001-756 and Telecom Decision 2006-14, the proposed bundles are assigned to the fourth service basket and that the rates for services in this basket are allowed to increase up to any rate approved by the Commission for the same service. The Commission considers that the company's proposal is consistent with the regulatory framework set out for small ILECs in those decisions since the proposed rates are comparable with those charged by People's for similar bundles.
5. Accordingly, the Commission **approves on an interim basis** Tuckersmith's proposal to offer the service bundles described above, effective the date of this order. The Commission will address the ratification request, and any other issues related to the application, if necessary, in a subsequent order.

Secretary General

### **Related documents**

- *Revised regulatory framework for the small incumbent local exchange carriers*, Telecom Decision CRTC 2006-14, 29 March 2006
- *Regulatory framework for the small incumbent telephone companies*, Decision CRTC 2001-756, 14 December 2001