



Telecom Order CRTC 2010-767

PDF version

Ottawa, 15 October 2010

Bell Aliant Regional Communications, Limited Partnership and Bell Canada – Asymmetric Digital Subscriber Line (ADSL) Access Service

File numbers: Bell Aliant Tariff Notice 192 and Bell Canada Tariff Notice 7133

Introduction

1. The Commission received applications by Bell Aliant Regional Communications, Limited Partnership and Bell Canada (collectively the Bell companies), dated 15 May 2008, in which the Bell companies proposed to make changes to item 5400 – Asymmetric Digital Subscriber Line (ADSL) Access Service of their respective General Tariffs. Specifically, the Bell companies proposed to withdraw the ADSL High-Speed Service Provider Interface and ADSL Access rate elements.
2. The Bell companies submitted that no customers subscribed to these rate elements and, as such, the Bell companies would not be required to meet the customer notification requirements set out in Telecom Decision 2008-22.
3. The Commission received comments from the Coalition of Internet Service Providers (CISP), Execulink Telecom Inc. (Execulink), Managed Network Systems Inc. (MNSi), and MTS Allstream Inc. (MTS Allstream). The public record of this proceeding, which closed on 16 June 2008, is available on the Commission's website at www.crtc.gc.ca under "Public Proceedings" or by using the file numbers provided above.

Should the Commission approve the Bell companies' applications?

4. CISP, Execulink, and MNSi submitted that there were no customers for the service because the Bell companies had refused requests from telecommunications service providers for the service. These parties and MTS Allstream further submitted that the Commission should postpone consideration of the applications until outstanding applications related to the provision of ADSL access services from a central office (CO) were resolved in public proceedings.
5. By letter dated 9 June 2008, the Commission notified the Bell companies that it would defer consideration of these applications until it had disposed of an application related to the Commission's classification of ADSL access services in Telecom Decision 2008-17. The Commission's consideration of the applications was further postponed when it issued Telecom Notice of Consultation 2009-261, in which the Commission considered the need for new ADSL access services, among other matters.

6. The Commission notes that the Bell companies currently have no customers for ADSL Access Service under the rate elements that the Bell companies have proposed to withdraw. The Commission also notes that in Telecom Regulatory Policy 2010-632, it determined that the incumbent local exchange carriers would not be required to provide wholesale CO-based ADSL access services. The Commission expressed the view that there was no convincing evidence to indicate that there would be a substantial lessening of competition in the absence of such a service. As a result, the Commission considers that there is no prospect that customers requiring these rate elements will emerge.
7. The Commission considers that the Bell companies' proposal is consistent with its determinations in Telecom Regulatory Policy 2010-632 and that the Bell companies have met the information requirements for the withdrawal of services as set out in Telecom Decision 2008-22.
8. In light of the above, the Commission **approves** the Bell companies' applications, effective the date of this order.

Secretary General

Related documents

- *Wholesale high-speed access services proceeding*, Telecom Regulatory Policy CRTC 2010-632, 30 August 2010
- *Proceeding to consider the appropriateness of mandating certain wholesale high-speed access services*, Telecom Notice of Consultation CRTC 2009-261, 8 May 2009, as amended by Telecom Notices of Consultation CRTC 2009-261-1, 4 August 2009; 2009-261-2, 11 August 2009; 2009-261-3, 12 August 2009; 2009-261-4, 2 September 2009; 2009-261-5, 2 October 2009; 2009-261-6, 27 October 2009; 2009-261-7, 23 December 2009; and 2009-261-8, 12 March 2010
- *Mandatory customer contract renewal notification and requirements for service destandardization/withdrawal*, Telecom Decision CRTC 2008-22, 6 March 2008
- *Revised regulatory framework for wholesale services and definition of essential service*, Telecom Decision CRTC 2008-17, 3 March 2008