



## Telecom Notice of Consultation CRTC 2011-161

PDF version

Route reference: Telecom Decision 2011-69, as amended

Ottawa, 7 March 2011

### Call for comments

### Review of the regulatory measure associated with the provision of detailed monthly billing statements to customers

File number: 8663-C12-201104281

#### Introduction

1. In Telecom Decision 2011-69, the Commission issued an updated action plan to review certain regulatory measures in light of 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).
2. The Policy Direction requires, among other things, that the Commission rely on market forces to the maximum extent feasible and regulate where there is still a need to do so, in a manner that interferes with market forces to the minimum extent necessary to meet the policy objectives of the *Telecommunications Act* (the Act). The Policy Direction also requires that the Commission, when relying on regulatory measures, specify the telecommunications policy objective that is advanced by those measures. With respect to regulatory measures that are of a social or non-economic nature, the Policy Direction requires that the Commission should, to the greatest extent possible, implement measures in a symmetrical and competitively neutral manner.
3. As part of the updated action plan, the Commission identified the provision of itemized billing statements to customers (detailed monthly billing statements) as a matter to be reviewed.<sup>1</sup>

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<sup>1</sup> This regulatory measure was referenced in the Appendix of Telecom Decision 2011-69 as "Detailed monthly billing."

4. Itemized billing statement provisions were first set out in Telecom Decision 86-7,<sup>2</sup> and amended by Telecom Order 86-593 and subsequent decisions. This was done to, among other things, assist consumers in understanding and managing their accounts. Today, all the incumbent local exchange carriers (ILECs)<sup>3</sup> are required to provide their customers in non-forborne markets<sup>4</sup> with a detailed monthly billing statement listing the local and optional services to which they subscribe, and how much they are paying for each service.

### **Call for comments**

5. The Commission invites parties to comment, in light of the Policy Direction, on the continued appropriateness of the regulatory measure associated with the provision of detailed monthly billing statements to customers.
6. Parties should address the following issues in their initial comments, providing supporting rationale and all evidence on which they rely, and structure their submissions according to the issues identified below:

(1) Can the purpose underlying the regulatory measure be achieved through reliance on market forces or is the regulatory measure still necessary?

(a) Identify the purpose of the regulatory measure and the policy objectives<sup>5</sup> that are relevant to this purpose.

(b) Can market forces be relied on to achieve the policy objectives? Why or why not? Identify the relevant market forces.

(c) Identify and weigh the positive and negative consequences of (i) eliminating, and (ii) retaining, the regulatory measure.

(2) Is the regulatory measure efficient and proportionate to its purpose?

(a) Identify any benefits or harmful effects of the regulatory measure. Explain whether the benefits of the regulatory measure outweigh the harmful effects.

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<sup>2</sup> In Telecom Decision 86-7 and subsequent rulings, incumbent local exchange carriers (ILECs) were required to provide their single-line customers with a detailed itemization of service and equipment charges at service commencement, after any rate or service and equipment changes and, at a minimum, once a year.

<sup>3</sup> In Telecom Decision 2006-52, as amended by Telecom Decision 2006-78, the Commission established a statement of consumer rights for customers of the large ILECs applicable to non-forborne markets, setting out existing consumer rights, including the “right to receive a detailed billing statement every month.” In Telecom Decision 2007-28, Northwestel Inc. and the small ILECs were directed to adopt a similar statement of consumer rights, in their respective territories.

<sup>4</sup> In Telecom Decision 2006-15 and Telecom Regulatory Policy 2009-379, the Commission did not retain the requirement for ILECs to issue detailed monthly billing statements in forborne local services markets.

<sup>5</sup> The policy objectives are set out in section 7 of the Act.

- (b) Identify any alternative regulatory measure that could be more efficient and proportionate. Explain why the alternative measure would be more efficient and proportionate and how it would meet the policy objectives.
- (3) Does the regulatory measure interfere with the operation of competitive market forces to the minimum extent necessary to meet the policy objectives? If not, how and to what extent does the current regulatory measure interfere with the operation of competitive market forces, including the associated impacts on telecommunications service providers (TSPs) and customers?
- (4) Is the regulatory measure implemented in a symmetrical and competitively neutral manner? If not,
- (a) identify aspects of the regulatory measure that are not symmetrical and/or competitively neutral;
  - (b) specify the disadvantages faced by TSPs impacted by the regulatory measure and quantify the disadvantages to the extent possible;
  - (c) discuss the implications and feasibility of applying the regulatory measure in a symmetrical and competitively neutral manner to all TSPs as appropriate; and
  - (d) identify any possible alternative regulatory or non-regulatory measure and explain how that measure would meet the policy objectives and comply with the Policy Direction.
7. The Commission notes that the outcome of this proceeding may result in changes to the obligations of all TSPs regarding detailed monthly billing statements.

## **Procedure**

8. Parties interested in participating in this proceeding and 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 (by mail: CRTC, Ottawa, Ontario, K1A 0N2; by fax: 819-994-0218) by **21 March 2011** (the registration date). Parties are to provide their email addresses, where available. If parties do not have access to the Internet, they are to indicate when they notify the Commission whether they wish to receive disk versions of hard-copy filings.
9. As soon as possible after the registration date, the Commission will post on its website a complete list of interested parties, their mailing addresses, and, if available, their email addresses, identifying those parties who wish to receive disk versions.
10. Any person 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 **18 April 2011** at the address or fax number noted above, or by using the following comments link.

11. All parties may file comments with the Commission regarding the above-noted issues, serving copies on all other parties, by **18 April 2011**.
12. All parties may file reply comments with the Commission, serving copies on all other parties, by **6 May 2011**.
13. The Commission expects to publish a decision on the issues raised in this notice within 120 days of the close of record.
14. The Commission will not formally acknowledge comments. It will, however, fully consider all comments, which will form part of the public record of the proceeding.
15. If a document is to be filed or served by a specific date, the document must be actually received, not merely sent, by that date.
16. Parties may file their submissions electronically or on paper. Submissions longer than five pages should include a summary.
17. Electronic submissions should be in HTML format. Alternatively, Microsoft Word may be used for text and Microsoft Excel for spreadsheets.
18. Each paragraph of all submissions should be numbered. In addition, the line **\*\*\*End of document\*\*\*** should follow the last paragraph. This will help the Commission verify that the document has not been damaged during electronic transmission.
19. 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**

20. Note that all information that parties 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 includes personal information, such as full names, email addresses, postal/street addresses, telephone and facsimile numbers, and any other personal information parties provide.
21. The personal information that parties 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.
22. Documents received electronically or otherwise will be posted on the Commission's website in their entirety exactly as received, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be made available in PDF format.

23. Please note that the information that parties 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 web page of this particular public process. As a result, a general search of the Commission's website with the help of either its search engine or a third-party search engine will not link directly to the information that was provided as part of this public process.

### **Location of CRTC offices**

24. 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  
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55 St. Clair Avenue East, Suite 624  
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Tel: 416-952-9096

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2220 – 12<sup>th</sup> Avenue, Suite 620  
Regina, Saskatchewan S4P 0M8  
Tel: 306-780-3422

Secretary General

### **Related documents**

- *Updated action plan for reviewing regulatory measures*, Telecom Decision CRTC 2011-69, 4 February 2011, as amended by Telecom Decision CRTC 2011-69-1, 21 February 2011
- *Framework for forbearance from regulation of retail local exchange services in the serving territories of the small incumbent local exchange carriers*, Telecom Regulatory Policy CRTC 2009-379, 23 June 2009
- *Statement of consumer rights for Northwestel Inc. and the small incumbent local exchange carriers*, Telecom Decision CRTC 2007-28, 2 May 2007
- *Amendment to the statement of consumer rights*, Telecom Decision CRTC 2006-78, 21 December 2006
- *Statement of consumer rights*, Telecom Decision CRTC 2006-52, 29 August 2006
- *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
- Telecom Order CRTC 86-593, 22 September 1986
- *Review of the general regulations of the federally regulated terrestrial telecommunications common carriers*, Telecom Decision CRTC 86-7, 26 March 1986