



## Telecom Notice of Consultation CRTC 2011-302-1

PDF version

Additional reference: 2011-302

Ottawa, 22 June 2011

### Notice of hearing

**4 October 2011**

**Yellowknife, Northwest Territories**

### Review of price cap regulatory framework for Northwestel Inc. and related matters

File number: 8678-C12-201107714

#### Change to procedure

1. Pursuant to the procedure outlined in *Review of price cap regulatory framework for Northwestel Inc. and related matters*, Telecom Notice of Consultation CRTC 2011-302, 6 May 2011 (Telecom Notice of Consultation 2011-302), Northwestel Inc. (Northwestel) filed its submission regarding the issues outlined in the notice on 13 June 2011. As part of its submission, the company is proposing the following:
  - An increase of \$2 to the monthly rate for residential primary exchange service effective 1 January 2012; and
  - An increase of \$2 to the monthly rate for business individual-line and multi-line primary exchange service effective 1 January 2012.
2. The Commission notes that the procedure set out in Telecom Notice of Consultation 2011-302 does not provide for specific subscriber notification of the proposed rate increases. As a result, the current dates in the procedure do not provide sufficient time for subscribers to inform the Commission as to whether they wish to appear at the hearing.
3. In light of the above, the Commission revises the procedure established in Telecom Notice of Consultation 2011-302 to (a) include a requirement for Northwestel to notify its subscribers of the proposed rate increases and (b) extend the deadline for subscribers to indicate whether they wish to appear at the public hearing.
4. Specifically, the Commission revises the procedure for this proceeding as set out in new paragraphs 51 and 52, and renumbers all subsequent paragraphs of the notice to reflect the revised procedure. In addition, paragraphs 28 and 32 of the French version and paragraphs 38, 39, 40, 46, and 47 below have been amended from the original notice. The relevant portions of the notice dealing with procedure follow for ease of reference.

## Procedure

26. The new *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* SOR/2010-277 (the Rules of Procedure) came into force on 1 April 2011 and apply to this proceeding.
27. Northwestel is made a party to this proceeding. Northwestel is to file with the Commission its submission regarding the issues in this proceeding by **13 June 2011**. Northwestel is also directed to file with the Commission responses to the requests for information that were addressed to the company in conjunction with this notice by **13 June 2011**.
28. Any interested person who wishes merely to file written comments in this proceeding, but does not wish to become a party to the proceeding, may do so by using the following comments link or by writing to the Secretary General (by mail: CRTC, Ottawa, Ontario, K1A 0N2; by fax: 819-994-0218) by **2 September 2011**. Such persons will not receive copies of the various submissions, will not be permitted to ask or answer interrogatories, and will not have the right to appear at the public hearing.
29. Interested persons who wish to become parties to this proceeding must file an intervention with the Commission by **7 July 2011**. In accordance with section 26 of the Rules of Procedure, this intervention must explicitly state that the person wishes to be considered an intervener, and **must indicate whether the person wishes to appear at the public hearing**. Shortly before the public hearing, parties will be provided an opportunity to confirm whether they still wish to appear.
30. In addition, each person who files an intervention must register as a party using the Commission's online form on or before **7 July 2011**. The Commission will post on its website a complete list of parties containing the contact information provided in this registration shortly thereafter. All documents required to be served on a party or parties to the proceeding must be served using the contact information on this list.
31. The Commission and parties may request information from Northwestel in the form of interrogatories. In accordance with sections 73 and following of the Rules of Procedure, the requesting party must file its request for information with the Commission on or before **7 July 2011**, and must serve the request on Northwestel.
32. Responses to requests for information from other parties or the Commission are to be filed by Northwestel with the Commission and served on all parties by **2 August 2011**.
33. Requests by parties for further responses to interrogatories posed in their request for information, specifying in each case why a further response is both relevant and necessary, and requests for public disclosure of

information that has been designated confidential, setting out in each case the reasons for disclosure, must be filed with the Commission and served on Northwestel by **8 August 2011**.

34. Written responses to requests for further responses to interrogatories and for public disclosure must be filed by Northwestel with the Commission and served on the party or parties making the request by **15 August 2011**.
35. Determinations will be issued regarding requests for further information and public disclosure as soon as possible. Any information to be provided pursuant to such determinations must be filed with the Commission and served on all parties by **26 August 2011**.
36. Parties other than Northwestel may file written comments on Northwestel's submissions. These comments must be filed with the Commission and served on all other parties by **2 September 2011**.
37. The Commission will hold a public hearing, beginning on **4 October 2011** at 9 a.m. in the Copper Room of The Yellowknife Inn, 5010 49th Street, Yellowknife, Northwest Territories. The public hearing is expected to last approximately three days.
38. The public hearing will consist of two phases: (i) Phase I for opening presentations; and (ii) Phase II for oral rebuttal argument. The Commission expects all participants that appear at Phase I of the public hearing to also appear at Phase II. Participants are expected to remain available until the end of Phase II to respond to any questions which the Commission may have arising out of other participants' rebuttal submissions. There will be no cross-examination by parties.
39. Although the public hearing will be held in Yellowknife, Northwest Territories, the Commission will consider providing teleconference and/or videoconference links in the other territories should it receive such a request.
40. The Commission will issue, as soon as possible, the list of those persons who will be appearing at the public hearing and their order of appearance.
41. Persons requiring communications support such as assistive listening devices and sign language interpretation are requested to inform the Commission at least twenty (20) days before the commencement of the public hearing so that the necessary arrangements can be made.
42. An organization and conduct letter, providing directions on procedure with respect to the public hearing, including the scope of the issues to be examined during the public hearing, will be issued prior to the commencement of the public hearing.

43. All parties may file final written arguments with the Commission on any matter within the scope of this proceeding, serving copies on all other parties, by **17 October 2011**. Final arguments, including an executive summary, are not to exceed 15 pages.
44. The Commission expects to publish a decision on the issues raised in this notice within four months of the close of record.
45. The Commission will not formally acknowledge interventions or comments. It will, however, fully consider all submissions, which will form part of the public record of the proceeding.
46. In accordance with the Rules of Procedure, 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. A document must be filed with the Commission by 5 p.m. Vancouver time (8 p.m. Ottawa time) on the date it is due.
47. Submissions may be filed electronically or on paper. Submissions longer than five pages should include a summary.
48. Electronic submissions should be in HTML format. Alternatively, Microsoft Word may be used for text and Microsoft Excel for spreadsheets.
49. 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.
50. The Commission 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.

#### **Notification of subscribers**

51. Northwestel is to send a notice to its subscribers by way of letter, which should be received by all subscribers no later than **29 July 2011**, indicating that
  - a) Northwestel has filed its proposal to review the regulatory framework in its operating territory and as part of this proposal is requesting approval of increases of \$2 to the monthly rates for residential and business primary exchange services (a brief summary of its proposal should be included);
  - b) Northwestel's proposal will be available for public inspection during normal business hours at the business offices of the company, on the company's website, and on the Commission's website;

- c) subscribers who wish to appear at the public hearing must submit their comments and their request to appear with the Commission, indicating whether they wish to appear in person, by teleconference, or by videoconference; and
  - d) subscribers who do not wish to appear at the hearing but would like to submit comments in writing may do so by **2 September 2011**.
52. Northwestel subscribers who wish to appear at the public hearing, but have not submitted an intervention in accordance with paragraph 29 of this notice, must submit a request to appear, along with their comments, with the Commission by **22 August 2011** by using the following comments link or by writing to the Secretary General (by mail: CRTC, Ottawa, Ontario, K1A 0N2; by fax: 819-994-0218), indicating whether they wish to appear in person, by teleconference or by videoconference. Shortly before the public hearing, subscribers will be provided an opportunity to confirm whether they still wish to appear.

### **Important notice**

53. Note that all information that persons 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 persons provide.
54. The personal information provided 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.
55. 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.
56. Please note that the information persons 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 own 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**

57. Submissions may be examined or will be made available promptly upon request at 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

***Regional offices***

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  
Fax: 204-983-6317

2220 – 12th Avenue, Suite 620  
Regina, Saskatchewan S4P 0M8  
Tel.: 306-780-3422

10405 Jasper Avenue, Suite 520  
Edmonton, Alberta T5J 3N4  
Tel.: 780-495-3224  
858 Beatty Street, Suite 290  
Vancouver, British Columbia V6B 1C1  
Tel.: 604-666-2111  
Fax: 604-666-8322

Secretary General