



Telecom Order CRTC 2011-565

PDF version

Ottawa, 1 September 2011

People's Tel Limited Partnership – Call Trace feature

File number: Tariff Notice 69

1. The Commission received an application by People's Tel Limited Partnership (People's Tel), dated 8 July 2011, in which the company proposed revisions to its General Tariff item 490 – Miscellaneous Equipment, in order to change the rate for its Call Trace feature from \$5 to \$0.
2. People's Tel submitted that it had made changes to its billing and provisioning systems on 1 June 2010 and that, due to these changes, it has been unable to bill its customers for the Call Trace feature since that date. It also submitted that it did not become aware of this billing issue until after these changes were implemented. The company further submitted that the costs to upgrade its systems to allow it to charge for the Call Trace feature are far in excess of the revenues that could be generated by charging for this feature.
3. To address this situation, and to continue to meet its regulatory obligations with regard to this feature,¹ People's Tel proposed to continue to offer the Call Trace feature on a per-use basis, but at no charge.
4. In addition, People's Tel requested that the Commission ratify the rate of \$0 for the Call Trace feature from 1 June 2010 to the date its application is approved.
5. The Commission received no comments regarding People's Tel's application. The public record of this proceeding, which closed on 2 August 2011, is available on the Commission's website at www.crtc.gc.ca under "Public Proceedings" or by using the file number provided above.
6. In Telecom Order 2011-510, the Commission approved on an interim basis People's Tel's proposal to revise its Call Trace feature rate to \$0, effective 1 September 2011. The Commission indicated that it would address the company's ratification request and any other issues related to the application in a subsequent order.

¹ Pursuant to Telecom Decision 97-8, local exchange carriers are required to provide universal Call Trace, among other features, to help protect customer privacy.

Commission's analysis and determinations

7. As indicated in Telecom Order 2011-510, the Commission considers that the costs associated with upgrading People's Tel's billing and provisioning systems to allow the company to charge for its Call Trace feature are significant, and that requiring People's Tel to incur such costs without sufficient revenue to recover them would not represent efficient and proportionate regulation. Under the circumstances, the Commission considers that People's Tel's proposal to provide its Call Trace feature at no charge is acceptable.
8. With respect to People's Tel'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.
9. The Commission is satisfied that People's Tel has provided Call Trace at no charge since 1 June 2010 because of an unanticipated issue with its new provisioning and billing systems. The Commission therefore finds that, under the circumstances, it is appropriate to ratify the rate of \$0 for the Call Trace feature during the time the feature was provided at rates otherwise than in accordance with a tariff approved by the Commission.
10. Accordingly, the Commission **approves on a final basis** People's Tel's application, effective the date of this order, and ratifies the rate of \$0 for its Call Trace feature for the period from 1 June 2010 to 31 August 2011.

Secretary General

Related documents

- *People's Tel Limited Partnership – Call Trace feature*, Telecom Order CRTC 2011-510, 18 August 2011
- *Local competition*, Telecom Decision CRTC 97-8, 1 May 1997