



Telecom Decision CRTC 2011-809

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Ottawa, 22 December 2011

Review of the regulatory measures associated with the provision of maps by incumbent and competitive local exchange carriers

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In this decision, the Commission maintains the existing obligation for the large incumbent local exchange carriers to make serving area maps available to competitive local exchange carriers (CLECs) upon demand, as well as the current terms and provisions related to the provision of these maps, and eliminates the requirement for CLECs to file serving area maps with the Commission.

Introduction

1. In Telecom Decision 2011-69, the Commission issued an updated action plan to review certain regulatory measures in light of the Policy Direction.¹ As part of the updated action plan, the Commission identified the regulatory measures associated with the provision of service area maps by incumbent local exchange carriers (ILECs) and competitive local exchange carriers (CLECs) as matters to be reviewed.
2. In Telecom Notice of Consultation 2011-220, the Commission invited parties to comment on the continued appropriateness of the existing requirements linked to the provision of serving area maps.
3. The Commission received submissions from Bell Aliant Regional Communications, Limited Partnership, Bell Canada, and Télébec, Limited Partnership (collectively, Bell Canada et al.); Bragg Communications Inc., operating as EastLink; Canadian Network Operators Consortium Inc. (CNO); MTS Allstream Inc. (MTS Allstream); the Public Interest Advocacy Centre, Canada Without Poverty, and Rural Dignity of Canada (collectively, the Consumer Groups); Quebecor Media inc., on behalf of Videotron Ltd. (Videotron); Rogers Communications Partnership (RCP); Saskatchewan Telecommunications (SaskTel); Shaw Telcom G.P. (Shaw), and TELUS Communications Company (TCC).
4. The public record of this proceeding, which closed on 20 June 2011, is available on the Commission's website at www.crtc.gc.ca under "Public Proceedings" or by using the file number provided above.

¹ *Order Issuing a Direction to the CRTC on Implementing the Canadian Telecommunications Policy Objectives*, P.C. 2006-1534, 14 December 2006.

Background

5. Currently, the ILECs are required to provide serving area maps to CLECs upon demand under terms and conditions provided in the ILECs' tariffs or agreed to by the parties. The ILECs are not required to file serving area maps with the Commission. As part of their registration requirements, CLECs are required to file serving area maps with the Commission, showing the exchanges in which local service is to be provided, and to make such serving area maps available upon request at their business offices. CLECs are also required to file serving area maps with the Commission when expanding their serving territory or entering new areas of service.
6. The Commission has identified the following issues with respect to the provision of serving area maps by local exchange carriers:
 - a. Should the requirement that ILECs provide serving area maps to CLECs upon demand be maintained?
 - b. Should the CLECs' requirements with respect to serving area maps be maintained?
 - c. Under what terms and conditions should the ILECs' maps be provided?

I. Should the requirement that ILECs provide serving area maps to CLECs upon demand be maintained?

7. All parties, with the exception of Eastlink, submitted that the requirement for the ILECs to provide maps of their serving territories should be maintained. These parties generally argued that this information is necessary for, among other things, network planning purposes and the correct assignment of phone numbers.
8. EastLink argued that the requirement for ILECs to provide maps should be eliminated, noting that the maps generally lack details and are not provided in a timely fashion, and that CLECs have developed alternative methods to obtain the information. EastLink further argued that the maps are not useful for interconnection, call routing, number portability, or forbearance applications.
9. The Commission is of the view that CLECs require ILECs' serving area maps in order to correctly allocate central office codes and to determine local calling areas. Furthermore, the Commission considers that if CLECs are not provided ILEC serving area maps, this could create problems with respect to telephone number allocation.
10. Given the above, the Commission is of the view that the requirement to provide serving area maps of the ILEC exchanges is necessary to meet the objectives set out

in paragraphs 7(c) and (f)² of the *Telecommunications Act*, and that market forces alone cannot be relied upon to ensure the integrity of the network.

11. Consequently, the Commission maintains the existing obligation for ILECs to make serving area maps available to CLECs upon demand.

II. Should the CLECs' requirements with respect to serving area maps be maintained?

12. EastLink, RCP, TCC, and Videotron submitted that the CLECs' obligation to file their maps with the Commission and to make them available to the ILECs upon demand should be eliminated. These parties argued that CLEC maps were too broad to provide any meaningful information or often simply replicated the ILECs' serving area maps. They were also of the view that the maps submitted by the CLECs were of no use to the Commission. These parties generally agreed that an attestation that the CLEC territory matches the ILEC's territory would be sufficient.
13. SaskTel argued that the CLECs should continue to have to submit maps of their serving territories as these maps are necessary for local forbearance applications. Bell Canada et al. submitted that they were seeking no changes to the current rules with respect to maps, and as such, this CLEC obligation should be maintained.
14. CNOC and the Consumer Groups were of the view that the customers need to know whether their specific location falls within a competitor's "unserved" area and that, consequently, CLECs should have to submit detailed maps of their serving territory. CNOC and MTS Allstream submitted that CLEC maps are necessary only when the CLEC's serving territory differs from that of the ILEC.
15. The Commission notes that it does not require CLEC serving area maps for any regulatory process that is currently in place. For instance, CLEC maps are not required for local forbearance proceedings, as the competitor presence test used by the Commission relies on the number of local access lines that competitors are capable of serving in a given exchange, and not on the geographical boundaries of the CLEC's serving area. In addition, CLEC maps are not required for the CLEC registration process as the Commission only needs to know which exchanges a CLEC is considering serving, as entry into a specific market is approved on an exchange basis.

² The objectives are, in paragraph 7(c), to enhance the efficiency and competitiveness, at the national and international levels, of Canadian telecommunications, and in paragraph 7(f), to foster increased reliance on market forces for the provision of telecommunications services and to ensure that regulation, where required, is efficient and effective.

16. In light of the above, the Commission eliminates the CLEC obligation to file serving area maps with the Commission. Instead, the Commission determines that CLECs must identify the name of each exchange along with the associated province, when submitting a request to the Commission to provide local exchange services in an ILEC serving area.
17. With respect to the obligation for CLECs to make their serving area maps available upon request at their business offices, the Commission considers that this information could be useful for ILECs in order to compile the information required to file local forbearance applications, as some parties submitted on the record of this proceeding. Consequently, the Commission maintains the obligation for CLECs to make their serving area maps available upon request at their business offices.
18. With respect to the concerns raised by CNOC and the Consumer Groups that customers should be able to determine whether CLECs can serve their premises, the Commission notes that several CLECs provide this information on their websites. The Commission is of the view that such tools are efficient and do not represent an undue burden to the companies. Consequently, the Commission encourages CLECs, if not already doing so, to provide such information to customers.

III. Under what terms and conditions should the ILECs' maps be provided?

19. Parties had different points of view with respect to certain terms and conditions in the provision of serving area maps. Parties' comments on (1) the provision of digital maps, (2) the provision of local interconnection region (LIR) maps in addition to serving area maps, and (3) standard time frame and charges are addressed below.
20. First, with respect to the format of the maps, CNOC, MTS Allstream, the Consumer Groups, RCP, Shaw and Videotron all shared the view that the ILECs should provide serving area maps in digital format to the CLECs. RCP, Shaw and Videotron indicated that in their experience, paper maps were not accurate enough to determine the ILECs' exchange boundaries with precision. RCP argued that the Commission should reiterate the requirement to submit maps in a digital format that was set out in Decision 2001-238. TCC argued that such a requirement would be against the Policy Direction.
21. Second, CNOC, RCP, and Shaw requested that the Commission mandate the ILECs to provide LIR maps upon request. CNOC argued that LIR maps are necessary for interconnection purposes and that it would be more efficient if they were provided by the ILECs directly. Bell Canada et al., MTS Allstream, and TCC were against such a measure, arguing that LIRs are simply a collection of exchanges for which maps are already available. Bell Canada et al. argued that mandating the provision of LIR maps would be against the Policy Direction as there are no practical or policy reasons to do so.
22. Finally, positions with respect to standard time frame and charges applicable to the provision of maps differed largely among the parties. Some parties indicated that they were generally satisfied with the current terms and conditions under which the ILECs

provide their maps, while others indicated that maps should be available with a reasonable time frame, without providing any specific recommendations. CNOC and RCP were of the view that the Commission should review the charges, the former arguing that maps should be provided free of charge, the latter that charges were excessive in some instances. Both CNOC and RCP argued that maps should be made available within ten days of a request being made. In contrast, SaskTel requested the Commission withdraw the time frame from the company's tariff.

23. In Telecom Regulatory Policy 2009-19, the Commission permitted, on a forborne basis, negotiated agreements for conditional essential services, including the provision of maps. Accordingly, parties can either refer to existing approved tariffs or negotiate agreements that set out terms and conditions for the provision of serving area maps.
24. The Commission notes that there was no evidence in this proceeding that the current rules have resulted in unresolved issues or disputes for those parties relying on the ILECs' tariffs. Furthermore, the Commission notes that up to this point, no parties have requested its intervention in disputes related to the provision of serving area maps, and considers that no changes to the existing tariffs are required at this time.
25. Given the above, the Commission is maintaining the current terms and conditions with respect to the provision of ILEC serving area maps.

Secretary General

Related documents

- *Review of the regulatory measures associated with the provision of maps by incumbent and competitive local exchange carriers*, Telecom Notice of Consultation CRTC 2011-220, 29 March 2011
- *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
- *Bell Canada et al.'s application to review and vary Telecom Decision 2008-17 with respect to negotiated agreements*, Telecom Regulatory Policy CRTC 2009-19, 19 January 2009
- *Restructured bands, revised loop rates and related issues*, Decision CRTC 2001-238, 27 April 2001, as amended by Decision CRTC 2001-238-1, 28 May 2001, and Decision CRTC 2001-238-2, 7 August 2001