



Telecom Order CRTC 2012-318

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Ottawa, 31 May 2012

Globalive Wireless Management Corp. – Application to introduce an Access Services Tariff

File number: Tariff Notice 1

1. The Commission received an application from Globalive Wireless Management Corp., operating as WIND Mobile (WIND Mobile), dated 14 February 2012, proposing the introduction of an Access Services Tariff. WIND Mobile indicated that the proposed tariff is based on the Commission's Competitive Local Exchange Carrier (CLEC) Model Tariff, version 34-1, with modifications meant to reflect the determinations reached in Telecom Regulatory Policy 2012-24 and the enhanced 9-1-1 requirements for wireless carriers.
2. WIND Mobile's proposed tariff reflects changes to the model tariff which included
 - removing certain items and modifying others related to equal access¹ and the supply of directory listings based on the Commission's determinations in Telecom Regulatory Policy 2012-24; and
 - modifying wording related to 9-1-1 service to reflect requirements specific to wireless carriers and the provision of 9-1-1 service to end-users roaming on WIND Mobile's network.
3. The Commission received comments from Rogers Communications Partnership (RCP) and TELUS Communications Company (TCC). The public record of this proceeding, which closed on 27 March 2012, is available on the Commission's website at www.crtc.gc.ca under "Public Proceedings" or by using the file number provided above.

Should the Commission approve WIND Mobile's proposed tariff?

4. RCP and TCC generally agreed with WIND Mobile's proposed tariff. In relation to WIND Mobile's inclusion of billing and collection services (BCS)² in its proposed

¹ Equal access allows competitive long distance service providers to interconnect their networks to local exchange carrier (LEC) networks, and subscribers can access the long distance competitors' services as easily as they currently access long distance service provided by their LEC (i.e. by dialing either 0 or 1 plus a 10-digit telephone number).

² BCS allows LECs to bill and collect charges from customers on behalf of other service providers.

tariff, RCP submitted that wireless CLECs³ should not be obligated to offer BCS. It indicated that there is no demand for wireless CLECs to offer such services and the risk of fraud related to collect and bill-to-third-party calls is high in the wireless world. TCC submitted that wireless CLECs should be exempt from the obligation to offer BCS as long as they do not allow customers to accept charges for collect or bill-to-third-party calls and include their customers' telephone numbers in a Billed Number Screening (BNS) database.

5. WIND Mobile replied that if it were not required to provide BCS, it would prefer to remove the item from its proposed tariff. The company agreed that customers should not be able to accept charges for collect and bill-to-third-party calls if BCS is not offered. However, it submitted that placing telephone numbers in a BNS database is not necessary to the extent that a carrier does not offer BCS because companies can query a telephone number in a database to retrieve the Operating Carrier Number (OCN).⁴

Commission's analysis and determinations

Items related to equal access and directory listings

6. In Telecom Regulatory Policy 2012-24, the Commission decided that in order to become a wireless CLEC and offer local services in an incumbent local exchange carrier's exchange, a wireless carrier was no longer required to meet the CLEC obligations related to equal access and the supply of directory listings to other local exchange carriers (LECs), among other things.
7. As a result, the Commission considers it appropriate for WIND Mobile to not include the following items in its proposed tariff:
 - item 202, Basic Listing Interchange File, which relates to the supply of directory listings to other LECs; and
 - item 302.4, PIC/CARE⁵ processing; item 303, Network Announcements for Customers of Disconnected Interexchange Service Providers (IXSPs) with Trunk-side Access; and item 304, Bulk Transfer of End-Customer Base Between IXSPs, all of which are services that specifically support the provision of equal access to IXSPs.
8. The Commission also considers that item 302.5, Carrier Network Profile Change, which relates to identification of the IXSP for the provision of equal access, should be deleted since WIND Mobile will not support equal access.

³ Wireless CLECs are also known as Type II CLECs.

⁴ WIND Mobile stated that the OCN can be used to identify whether the carrier supports collect and bill-to-third-party calls.

⁵ PIC/CARE stands for Primary Interchange Carrier/Customer Account Record Exchange.

9. The Commission considers the proposed modifications to item 301, Terms and Conditions Applicable to Interconnection with IXSPs, to be appropriate because the revised wording identifies that equal access is not available but allows for interconnection with IXSPs for the termination of calls on WIND Mobile's network.
10. Regarding the proposed modifications to item 302.1, Feature Group D Interconnecting Circuits,⁶ and item 302.2, Switching and Aggregation, the Commission has identified additional wording changes that would further clarify that equal access call origination is not supported. These additional changes are set out in the Appendix to this order.

Items related to BCS

11. The Commission considers that WIND Mobile would only have to offer BCS if it offers a service that requires the collection of revenues on behalf of another service provider. While BCS is required when LECs offer equal access, it is also required when they offer their end-customers certain services incidental to the provision of retail services, such as the ability to accept charges for collect and bill-to-third-party calls.
12. The Commission notes that it has forborne from the regulation of retail services offered by CLECs and wireless carriers. As a result, wireless CLECs can choose not to support collect and bill-to-third-party calls to their customers.
13. Consequently, the Commission considers that if WIND Mobile is not providing equal access or other services that would require BCS, its revised proposal to remove item 305, Billing and Collection Service, from the proposed tariff is acceptable.
14. The Commission notes that concerns about the possibility of toll fraud related to collect and bill-to-third-party calls were raised. The Commission notes that Order 2000-858 specifies that fraud prevention is the telephone number holder's responsibility. In that order, the Commission considered that toll service providers' ability to offer collect or bill-to-third-party calling in Canada requires local carriers to assume the responsibility of specifying in a database which of their customers can assume collect or bill-to-third-party charges, which should reduce exposure to fraud. Consequently, WIND Mobile must comply with this requirement in a manner consistent with standard industry practice.

Items related to 9-1-1 Emergency Response Service

15. Regarding the proposed modifications to item 503, 9-1-1 Emergency Response Service (ERS), the Commission notes that WIND Mobile has proposed modifications to item 503 of the CLEC Model Tariff by adopting certain elements of Bell Canada's Enhanced WSP [wireless service provider] 9-1-1 service tariff. Bell Canada provides Enhanced WSP 9-1-1 service to WSPs – such as WIND Mobile –

⁶ Feature Group D is a signalling protocol associated with equal access.

and its tariff describes the information that Bell Canada conveys to public safety answering points (PSAPs) on behalf of the WSP.

16. The Commission considers that WIND Mobile's tariff must clearly specify the conditions of its service and identify elements that WIND Mobile is obliged to transmit to the 9-1-1 service provider – for example, the 9-1-1 caller's location information and call-back number. Consequently, revisions are required to the proposed tariff wording to accurately reflect WIND Mobile's obligations.
17. In addition, the Commission considers that other changes must be made to the tariff primarily to reflect the fact that WIND Mobile's 9-1-1 service will be provided over a wireless infrastructure.
18. The above-noted changes are set out in the Appendix to this order.

Conclusion

19. In light of the above, the Commission **approves** WIND Mobile's application, with the modifications described above and as set out in the Appendix to this order.
20. The Commission directs WIND Mobile to issue revised tariff pages within 10 days of the date of this order.⁷

Secretary General

Related documents

- *Network interconnection for voice services*, Telecom Regulatory Policy CRTC 2012-24, 19 January 2012
- *CRTC sets final rates for payphone access lines*, Order CRTC 2000-858, 15 September 2000

⁷ Revised tariff pages can be submitted to the Commission without a description page or a request for approval; a tariff application is not required.

Appendix

Additional changes required in WIND Mobile's proposed Access Services Tariff

- i) In item 302.1, Feature Group D Interconnecting Circuits,
 - a. replace the heading "Feature Group D Interconnecting Circuits" with "Interconnecting Circuits";
 - b. paragraph 1, delete "and can be configured for Feature Group D (FGD)";
 - c. replace paragraph 2 with "WIND Mobile does not support equal access.";
 - d. paragraph 3, delete "FGD"; and
 - e. paragraph 5, delete both references to "FGD", and in the table heading replace "Feature Group D Interconnecting Circuits" with "Interconnecting Circuits".
- ii) In item 302.2, Switching and Aggregation,
 - a. paragraph 1, replace "at the originating or terminating end of a call" with "at the terminating end of a call"; and
 - b. paragraph 2, replace "minute of originating or terminating traffic exchanged" with "minute of terminating traffic exchanged".
- iii) Delete item 302.5, Carrier Network Profile Change.
- iv) In item 503.1, 9-1-1 Emergency Response Service (ERS) Definitions,
 - a. replace "**9-1-1 database**" is the database operated by the 9-1-1 service provider that provides selective routing information based on ANI, ALI, and SAG information." with "**9-1-1 database**" is the database operated by the 9-1-1 service provider that provides selective routing information.";
 - b. replace "**ALI**" or "**automatic location identification**" is a database feature that displays to call answer centres and ERAs address/location data with respect to the telephone line from which the 9-1-1 call originates." with "**ALI**" or "**automatic location identification**" is a database feature that displays to call answer centres and ERAs address/location data with respect to the cell site/sector from which the 9-1-1 call originates.";
 - c. delete "**ANI**" or "**automatic number identification**" is a database feature that displays the telephone number from which the 9-1-1 call originates."; and

- d. expand the quotation marks to encompass the entire term "**Wireless Service Provider (WSP) Enhanced 9-1-1 Service**".
- v) In item 503.2, Service Description,
- a. paragraph 2, replace “The service provides WIND Mobile’s end-users with 9-1-1 three-digit-dial access to call answer centres serving their communities” with “The service provides WIND Mobile’s end-users with 9-1-1 three-digit-dial access to call answer centres serving the area the end-user is calling from”; and
 - b. paragraph 3.1, replace “Selective routing and transfer: The 9-1-1 service provider maintains a central database in its network that will automatically route the 9-1-1 call to a pre-assigned call answer centre based upon the ESRD/ALI of the cell site/sector which captures the 9-1-1 call.” with “Selective routing and transfer: The 9-1-1 service provider maintains a central database in its network that will automatically route the 9-1-1 call to a pre-assigned call answer centre based upon the ESRD of the cell site/sector which captures the 9-1-1 call.”
- vi) In item 503.4, Conditions of Service,
- a. paragraph 1.3, replace “Provide ANI and/or ALI data” with “Provide ESRD and ALI data”;
 - b. renumber paragraph 1.6 as paragraph 1.9; and
 - c. insert the following under paragraph 1.5:
 - 6. Provide, where the 9-1-1 Service Provider offers WSP Enhanced 9-1-1 service, all necessary information in order for the 9-1-1 Service Provider to support call display information that includes, but is not limited to:
 - identification that WIND Mobile is the originating carrier;
 - location information associated with the call’s receiving cell site/sector;
 - the 9-1-1 routable number associated with the cell site/sector; and
 - the 9-1-1 caller’s call-back number.
 - 7. Provide, in response to a location query from the 9-1-1 Service Provider’s network, all necessary wireless location information for each 9-1-1 call in order for the 9-1-1 Service Provider to support call display information that includes, but is not limited to:

- the information referenced in (6);
- the 9-1-1 caller's longitude;
- the 9-1-1 caller's latitude;
- the 9-1-1 caller's area of uncertainty (radius in metres); and
- the confidence factor (in percentage).

8. Where WSP Enhanced 9-1-1 service is not available, call display information is limited to identification of WIND Mobile as the originating carrier.

vii) In item 503.5, Characteristics of Service,

- a. paragraph 1, replace "ANI and/or ALI" with "ALI"; and
- b. delete paragraphs 1.5 and 1.6.

viii) In item 503.6, Confidentiality, paragraph 2, delete "ANI and".