



Telecom Order CRTC 2013-332

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Ottawa, 10 July 2013

Videotron G.P. – Tariff modifications to reflect determinations made in Telecom Decision 2013-166

File number: Tariff Notice 43

1. The Commission received an application from Quebecor Media Inc., on behalf of its affiliate Videotron G.P. (Videotron), dated 25 April 2013, in which the company proposed to reintroduce tariff pages related to its port-out cancellation charges¹ (cancellation charges) in order to correct an error it had made.
2. Further, citing subsection 25(4) of the *Telecommunications Act* (the Act), the company requested that the Commission ratify the rates which Videotron had charged for this item since 22 June 2011, i.e., the date on which this item had been removed from its Access Services Tariff (AST). In this regard, the company indicated that it has continued to charge the same rates for this item as were previously set out in its AST.
3. Videotron also proposed to remove tariff pages related to call routing – location routing number (LRN)² absent service from its AST.
4. The Commission received no comments with respect to this application. The public record of this proceeding, which closed on 19 May 2013, is available on the Commission’s website at www.crtc.gc.ca under “Public Proceedings” or by using the file number provided above.
5. The Commission notes that, in Telecom Decision 2008-17 (the Essential Services decision), it determined that services classified as non-essential subject to phase-out would be forborne from rate regulation following a phase-out period of three or five years, depending on the service.³
6. The question of whether cancellation charges were forborne from rate regulation by the Commission in the Essential Services decision was raised in the proceeding initiated by Telecom Notice of Consultation 2012-317. In that proceeding, Videotron requested that the Commission clarify the status of cancellation charges.

¹ A port-out cancellation charge is a fee imposed when a request to change the assignment of a telephone number from one local exchange carrier to another is cancelled.

² The LRN identifies the serving switch associated with a telephone number. Broadly speaking, these LRN absent charges apply when one carrier transfers a call to another carrier for termination but without all of the necessary call routing information (i.e. the LRN is not transmitted to the terminating carrier).

³ In the Appendix to Telecom Decision 2008-17, the Commission provided a complete list of services that were classified as non-essential subject to phase-out.

7. In Telecom Decision 2013-166, the Commission noted that the list of services set out in the Appendix of the Essential Services decision as being non-essential subject to phase-out did not include cancellation charges, and that there was no mention of such charges in the Essential Services decision. In Telecom Decision 2013-166, the Commission, among other things, (a) confirmed that it had not forbore from the rate regulation of cancellation charges pursuant to the Essential Services decision, (b) considered that Videotron's cancellation charges had been mistakenly withdrawn by the company from its tariff in 2011, and (c) found that cancellation charges were classified as an interconnection service. The Commission directed any carrier wishing to apply cancellation charges to file, for Commission approval, a proposed tariff, if it did not already have one in place, noting that the proposed tariff should be consistent with those previously approved by the Commission.
8. The Commission has reviewed Videotron's proposed tariff pages pertaining to cancellation charges and considers them to be consistent with those previously approved by the Commission.
9. With respect to the ratification of the rates it has been charging for cancellation charges since 22 June 2011, the Commission notes that Videotron indicated that it continued to charge its customers the exact rates which were previously set out in its AST. The Commission also notes that paragraph 25(4)(a) of the Act allows it to 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.
10. As set out above, the Commission considers that Videotron mistakenly withdrew its cancellation charges from its tariff in 2011, and is thus satisfied that ratification of the cancellation charges being applied by the company as of 22 June 2011 is warranted.
11. Regarding Videotron's proposal to remove call routing - LRN absent service, the Commission notes that it forbore from the rate regulation of this service for all competitive local exchange carriers in Telecom Decision 2013-166. As such, the Commission finds that the company's proposal to remove this service from its tariff is appropriate.
12. Based on the above, the Commission **approves** Videotron's requests to (a) reintroduce tariff pages to its AST related to port-out cancellation charges, (b) ratify the charging of the rates associated with such charges as of 22 June 2011, and (c) remove tariff pages related to call routing – LRN absent service from its tariff.
13. The Commission directs Videotron to issue revised tariff pages related to port-out cancellation charges⁴ within 10 days of the date of this order.

Secretary General

⁴ Revised tariff pages can be submitted to the Commission without a description page or a request for approval; a tariff application is not required.

Related documents

- *Forbearance from the regulation of certain wholesale local number portability services and associated matters*, Telecom Decision CRTC 2013-166, 28 March 2013
- *Forbearance from the regulation of certain wholesale local number portability services*, Telecom Notice of Consultation CRTC 2012-317, 31 May 2012
- *Revised regulatory framework for wholesale services and definition of essential service*, Telecom Decision CRTC 2008-17, 3 March 2008