



Telecom Order CRTC 2014-650

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Ottawa, 16 December 2014

*File numbers: TCBC Tariff Notice 4374, TCC Tariff Notice 482, and
TCI Tariff Notice 657*

TELUS Communications Company – Destandardization of certain video broadcast services and introduction of a replacement service in Alberta and British Columbia

Applications

1. The Commission received applications from TELUS Communications Company (TCC), dated 10 September 2014, in which TCC proposed to introduce to its consolidated tariff item 528 – Local Broadcast Transmission Local Loop Service, a new video broadcast service, and to destandardize the following video broadcast services under its various General Tariffs:
 - TCBC item 416 – Television Transmission Service
 - TCBC item 416B – Occasional Use Broadcast Quality Video Service – Sporting Venues General Motors Place (GM Place) and BC Place
 - TCBC item 416C – Occasional Use Broadcast Quality Video Service – Satellite Downlink
 - TCBC item 421 – Full-Time Local Broadcast Quality Video Transmission Channel Service
 - TCC item 502 – Local Broadcast Video Transmission – Digital Service
 - TCC item 525 – Broadcast and Image Full-time Inter-exchange Broadcast-quality Video Transmission Channel Service
 - TCC item 526 – Local Broadcast Video Transmission Service – BC Only
 - TCC item 527 – Local Broadcast Video Transmission – High Definition Serial Digital Service
 - TCI item 415 – Interexchange Television Transmission Service
 - TCI item 660 – Local Broadcast Video Transmission Service

2. TCC submitted that the proposed new service would enable it to (i) regroup various broadcast services and features in its Alberta and British Columbia operating territories, and (ii) provide a new autosensing feature, which allows the transmission of video in different formats over local facilities.
3. TCC proposed rate ranges for certain rate elements under the new service, and proposed that only the maximum rates be publicly specified in its consolidated tariff. The company requested that the new service be assigned to the Other Capped Services basket under the Commission's price cap framework, and provided a price floor test in support of its application.
4. TCC submitted that it had sent a destandardization notification letter to the seven customers that use the existing services, and included a copy of this letter with its application. TCC indicated that it expected its customers to migrate to the proposed consolidated service so that they could take advantage of the service's updated features.
5. The Commission received no interventions regarding TCC's applications. The public record of this proceeding, which closed on 23 October 2014, is available on the Commission's website at www.crtc.gc.ca or by using the file numbers provided above.

Commission's analysis and determinations

6. In Telecom Decision 2003-11, the Commission assigned the incumbent local exchange carriers' (ILECs) existing broadcast video services to the Other Capped Services basket. The Commission therefore considers TCC's request to assign the proposed service to this same service basket to be appropriate.
7. In Telecom Decision 2007-36, the Commission determined that an ILEC may request the Commission's approval for a rate range where either the maximum rate or the minimum rate, or both, are publicly specified in the tariff. The Commission therefore considers TCC's proposal to publicly specify in its consolidated tariff only the maximum applicable rates under its proposed service to be appropriate.
8. The Commission notes that the proposed new service passes the price floor test, which is required for the introduction of new retail services and certain rate reductions to existing services, as noted in Telecom Regulatory Policy 2009-80.
9. Regarding TCC's request to destandardize the existing services, the Commission notes that TCC's application meets the requirements in Telecom Information Bulletin 2010-455, in which the Commission set out its procedures for dealing with applications to destandardize and/or withdraw tariffed services.¹ In particular, TCC has (i) informed affected customers of the proposed destandardization, including

¹ This bulletin summarizes the Commission's related determinations set out in Telecom Decision 2008-22 and is incorporated by reference in section 59 of the *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure*.

how they may file comments with the Commission, (ii) enabled existing customers to use the existing service or migrate to the new service, and (iii) offered a reasonable service alternative.

10. The Commission notes that no comments were received regarding TCC's applications. Further, TCC's proposed new video broadcast service incorporates the terms and conditions applicable to the existing services, such as terms and conditions regarding discounts and cancellation charges. In addition, the proposed new service reflects the same rating structure as the existing services.
11. In light of all the above, the Commission **approves** TCC's applications. TCC is to issue revised tariff pages² within **10 days** of the date of this order.

Secretary General

Related documents

- *Approval processes for tariff applications and intercarrier agreements*, Telecom Information Bulletin CRTC 2010-455, 5 July 2010
- *Review of the price floor test and certain wholesale costing methodologies*, Telecom Regulatory Policy CRTC 2009-80, 19 February 2009
- *Mandatory customer contract renewal notification and requirements for service destandardization/withdrawal*, Telecom Decision CRTC 2008-22, 6 March 2008
- *Follow-up to Decision 2006-75 – Range-within-a-range proposal*, Telecom Decision CRTC 2007-36, 25 May 2007
- *Follow-up to Regulatory framework for second price cap period, Telecom Decision CRTC 2002-34 – Service basket assignment*, Telecom Decision CRTC 2003-11, 18 March 2003, as amended by Telecom Decision CRTC 2003-11-1, 23 May 2003

² Revised tariff pages can be submitted to the Commission without a description page or a request for approval; a tariff application is not required.