



## Telecom Notice of Consultation CRTC 2015-67

PDF version

Ottawa, 26 February 2015

*File number: 8650-C12-201501825*

### Call for comments

**Deadline for submission of interventions: 30 March 2015**

[\[Submit an intervention or view related documents\]](#)

### Consumer safeguards for payphones – Notification of rates for non-cash payphone calls

*The Commission initiates a proceeding to determine if the current consumer safeguards for notification of rates for non-cash payphone calls are sufficient and appropriate.*

#### Introduction

1. In Telecom Decision [2013-327](#),<sup>1</sup> the Commission determined that it would be appropriate to initiate a proceeding to review whether the existing consumer safeguards are sufficient to ensure that consumers are in a position to make informed decisions regarding the use of payphones for non-cash calls.<sup>2</sup>
2. To make an informed choice regarding the cost of making non-cash payphone calls, consumers need to understand the total cost of placing a payphone call. This requires access to information about rates and any surcharges not included in the price of the call, such as the cost of the operator services used to complete the call.
3. The Commission considers it important for Canadians to be properly informed concerning the costs associated with payphone calls before making these calls. As such, the Commission has put notification requirements in place to ensure that consumers can obtain information about rates and surcharges for non-cash payphone calls, particularly those associated with operator-assisted calls, prior to making such calls.

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<sup>1</sup> Telecom Decision [2013-327](#) was issued as a result of the Commission's consideration of an application filed by the Public Interest Advocacy Centre, on behalf of itself and Canada Without Poverty, in November 2012.

<sup>2</sup> Non-cash payphone calls include calls paid for using third-party billing, credit cards, and telephone cards (including calling cards, collect cards, prepaid long-distance cards, and other telephone cards).

4. The current consumer safeguards with respect to notification of rates for non-cash payphone calls, which were established in Telecom Order [95-316](#) and Telecom Decision [98-8](#), are as follows:
  - At each payphone they operate, competitive payphone service providers must prominently display rates for local calls and any surcharge, markup, or location charges not included in the price of the call.
  - For operator-handled payphone calls, telephone companies<sup>3</sup> and competitive payphone service providers are to provide, when requested by the customer, the rates and charges for a call and alternative billing methods available to customers.
5. Today, the Commission released a fact-finding report concerning the current role of payphones in the Canadian communications system.<sup>4</sup> Concurrent with the release of the above-noted report, the Commission has decided to initiate the review referenced in paragraph 1 above to ensure that the existing consumer safeguards are meeting the needs of Canadians.

### **Call for comments**

6. With this notice, the Commission invites parties to file comments, with supporting rationale, on the following questions:
  - Are the current notification requirements in relation to non-cash calls from payphones imposed on incumbent local exchange carriers and competitive payphone service providers sufficient and appropriate?
  - If not, what should these requirements be?
7. The Commission notes that, as a result of this proceeding, it could modify existing notification requirements for incumbent local exchange carriers and competitive payphone service providers.

### **Procedure**

8. The *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* (the Rules of Procedure) apply to this proceeding. The Rules of Procedure set out, among other things, the rules for the content, format, filing, and service of interventions, replies, and requests for information; the procedure for filing confidential information and requesting its disclosure; and the conduct of

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<sup>3</sup> In this case, “telephone companies” refers to the incumbent local exchange carriers.

<sup>4</sup> The Commission’s report, entitled *Results of the fact-finding process on the role of payphones in the Canadian communications system* (the [Report](#)), was placed on its website today. The Report was prepared based on the results of the fact-finding process initiated by Telecom Notice of Consultation [2013-337](#).

public hearings, where applicable. Accordingly, the procedure set out below must be read in conjunction with the Rules of Procedure and their accompanying documents, which can be found on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca), under "Statutes and Regulations." The *Guidelines on the CRTC Rules of Practice and Procedure*, as set out in Broadcasting and Telecom Information Bulletin 2010-959, provide information to help interested persons and parties understand the Rules of Procedure so that they can more effectively participate in Commission proceedings.

9. Interested persons who wish to become parties to this proceeding must file an intervention with the Commission regarding the above-noted issues, by **30 March 2015**. The intervention must be filed in accordance with section 26 of the Rules of Procedure.
10. Parties are permitted to coordinate, organize, and file, in a single submission, interventions by other interested persons who share their position. Information on how to file this type of submission, known as a joint supporting intervention, as well as a [template](#) for the accompanying cover letter to be filed by parties, can be found in Telecom Information Bulletin [2011-693](#).
11. All parties may file final submissions with the Commission on any matter within the scope of this proceeding by **9 April 2015**. Final submissions are not to exceed five pages.
12. The Commission encourages interested persons and parties to monitor the record of this proceeding, available on the Commission's website, for additional information that they may find useful when preparing their submissions.
13. Submissions longer than five pages should include a summary. Each paragraph of all submissions should be numbered, and the line **\*\*\*End of document\*\*\*** should follow the last paragraph. This will help the Commission verify that the document has not been damaged during electronic transmission.
14. Submissions must be filed by sending them to the Secretary General of the Commission using **only one** of the following means:

**by completing the**  
[\[Intervention/comment/answer form\]](#)

or

**by mail to**  
CRTC, Ottawa, Ontario K1A 0N2

or

**by fax to**  
819-994-0218

15. Parties who send documents electronically must ensure that they will be able to prove, upon Commission request, that service/filing of a particular document was completed. Accordingly, parties must keep proof of the sending and receipt of each document for 180 days after the date on which the document is filed. The Commission advises parties who file and serve documents by electronic means to exercise caution when using email for the service of documents, as it may be difficult to establish that service has occurred.
16. In accordance with the Rules of Procedure, a document must be received by the Commission and all relevant parties by 5 p.m. Vancouver time (8 p.m. Ottawa time) on the date it is due. Parties are responsible for ensuring the timely delivery of their submissions and will not be notified if their submissions are received after the deadline. Late submissions, including those due to postal delays, will not be considered by the Commission and will not be made part of the public record.
17. The Commission will not formally acknowledge submissions. It will, however, fully consider all submissions, which will form part of the public record of the proceeding, provided that the procedure for filing set out above has been followed.
18. The Commission expects to publish a decision on the issues raised in this notice within four months of the close of record.

### **Important notice**

19. All information that parties provide as part of this public process, except information designated confidential, whether sent by postal mail, facsimile, email, or through the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca), becomes part of a publicly accessible file and will be posted on the Commission's website. This includes all personal information, such as full names, email addresses, postal/street addresses, telephone and facsimile numbers, etc.
20. The personal information that parties provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.
21. Documents received electronically or otherwise will be posted on the Commission's website in their entirety exactly as received, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.
22. The information that parties provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the web page of this particular public process. As a result, a general search of the Commission's website with the help of either its search engine or a third-party search engine will not provide access to the information that was provided as part of this public process.

## **Availability of documents**

23. Electronic versions of the interventions and other documents referred to in this notice are available on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) by using the file number provided at the beginning of this notice or by visiting the "Participate" section of the Commission's website, selecting "Submit Ideas and Comments," then selecting "our open processes." Documents can then be accessed by clicking on the links in the "Subject" and "Related Documents" columns associated with this particular notice.
24. Documents are also available from Commission offices, upon request, during normal business hours.

## **Commission offices**

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Secretary General

## **Related documents**

- *Fact-finding process on the role of payphones in the Canadian communications system*, Telecom Notice of Consultation CRTC [2013-337](#), 16 July 2013, as amended by Telecom Notice of Consultation CRTC [2013-337-1](#), 11 September 2013
- *Public Interest Advocacy Centre and Canada Without Poverty – Billing of calls placed from Bell Canada payphones*, Telecom Decision CRTC [2013-327](#), 5 July 2013, as amended by Telecom Decision CRTC [2013-327-1](#), 10 July 2013
- *Filing of joint supporting interventions*, Telecom Information Bulletin CRTC [2011-693](#), 8 November 2011
- *Guidelines on the CRTC Rules of Practice and Procedure*, Broadcasting and Telecom Information Bulletin CRTC [2010-959](#), 23 December 2010
- *Local pay telephone competition*, Telecom Decision CRTC [98-8](#), 30 June 1998
- Telecom Order CRTC [95-316](#), 15 March 1995