



Telecom Decision CRTC 2018-393

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Ottawa, 5 October 2018

Public record: 8663-A2-201802067

Amtelecom Limited Partnership – Implementation of local competition for Iristel Inc. in the exchange of Aylmer, Ontario

*The Commission **approves** Amtelecom's implementation plan for local competition, including local number portability, for Iristel Inc. in the exchange of Aylmer, Ontario. The Commission's decision enables customers in this exchange to have a greater choice of telecommunications services.*

Background

1. The regulatory framework for local competition in the serving territories of the small incumbent local exchange carriers (ILECs) was established in Telecom Decision 2006-14. That decision includes directives that the small ILECs must follow when submitting their implementation plans. The implementation of local number portability is one of the key requirements of that framework.
2. The Commission reviewed the framework and determined, in Telecom Regulatory Policy 2011-291, that local competition should continue to be introduced in the serving territories of the small ILECs based on the existing framework, subject to the modifications set out in that decision. For example, although the Commission considered that the small ILECs' customers should have the opportunity to benefit from local competition, it determined that the small ILECs should be subject to special considerations regarding the recovery of costs.

Telecom Decision 2018-82

3. The Commission received an application from Iristel Inc. (Iristel), dated 17 November 2016, in which the company requested that the Commission order Bragg Communications Incorporated, carrying on business as Eastlink (Eastlink), to (i) implement local competition in the exchange of Aylmer, Ontario; and (ii) interconnect with Iristel via a shared-cost facility and carry out all other activities necessary to enable Iristel to compete in that exchange.
4. In Telecom Decision 2018-82, the Commission found that Iristel had made a bona fide request for the implementation of local competition in the exchange of Aylmer, Ontario. Given the time that had passed since Iristel's request, the Commission directed Iristel to confirm that it still intended to compete in the Aylmer exchange as a

Type I competitive local exchange carrier (CLEC).¹ The Commission also requested Eastlink to file a local competition implementation plan with the Commission within 30 days following such confirmation from Iristel.

5. By letter dated 5 March 2018, Iristel confirmed that it intends to compete in the Aylmer exchange as a Type I CLEC.

Application

6. In response to the Commission's direction to Eastlink, Amtelecom Limited Partnership (Amtelecom) filed a local competition implementation plan dated 5 April 2018. In this plan, Amtelecom identified the services and network components that it planned to make available to Iristel, and proposed that Iristel could start competing 120 days after the Commission's approval of the implementation plan. Further, Amtelecom submitted that it would not seek to recover implementation costs and/or ongoing operational costs related to Iristel's competitive entry into the Aylmer exchange. Therefore, it did not include its costs and a recovery proposal in the implementation plan.
7. The Commission received an intervention from Iristel dated 9 May 2018. Iristel generally agreed with the proposed implementation plan, but argued that local competition should be implemented within 90 days of the Commission's decision as opposed to the 120-day timeline proposed by Amtelecom.
8. By letter dated 24 May 2018, Amtelecom reiterated that local competition should be implemented 120 days after the Commission's approval of its proposed implementation plan.

What would be a reasonable time frame to implement local competition for Iristel in the exchange of Aylmer, Ontario?

9. As noted above, Amtelecom proposed that Iristel could start competing 120 days after the Commission's approval of the implementation plan. In suggesting different milestones in support of a 90-day timeline, Iristel submitted that Amtelecom has had enough time to prepare following Iristel's sending of the initial intention to compete letter to Amtelecom in 2015. Further, Iristel submitted that there is no rationale for an excessively long implementation plan in light of Amtelecom's proposal to use established rates from ILEC and small ILEC tariffs in other regions. Iristel also submitted that it had received several unsolicited letters from members of the Aylmer community in support of its intention to compete, arguing that it was in the public interest to implement competition quickly, especially given the delays that have already occurred.
10. Amtelecom, noting that the Commission has approved an implementation timeline of 180 days for at least seven different small ILECs with which it competes in several

¹ A Type I CLEC, also known as a full CLEC, is a Canadian carrier that provides local exchange services and fulfills all the local competition entry obligations and requirements defined in Telecom Decision 97-8 and subsequent decisions that modified those requirements.

exchanges, submitted that its proposed schedule is shorter than any small ILEC local competition implementation schedule it is aware of. Amtelecom also submitted that certain of Iristel's proposed alternative milestones are inconsistent with Commission processes. As an example, it noted that tariff updates for competitor services cannot be approved in fewer than 30 days, whereas Iristel proposed just 15 days. Amtelecom argued that the time that may have already passed on this file does not change the fact that there is a fair bit of work to complete before local competition can be fully implemented, noting that it may not be able to commit to meeting a shorter schedule.

Commission's analysis and determinations

11. The framework governing local competition applicable to the small ILECs² does not set out a specific time frame for each element of an implementation plan. However, historically the Commission has generally determined that local competition implementation should be completed within 180 days of a Commission decision, that is, 60 days longer than the proposed schedule. In those cases, the small ILEC was also proposing to use established rates from ILEC and small ILEC tariffs. Further, the Commission considers that, in this case, the delays that occurred in the past do not influence the amount of work that is required to implement local competition following the Commission's decision on the proposed implementation plan. On balance, the Commission considers that the 120-day time frame proposed by Amtelecom is reasonable in this case.

Conclusion

12. In light of all the above, the Commission **approves** the implementation of local competition for Iristel in the exchange of Aylmer, Ontario, within **120 days** of the date of this decision. Further, Amtelecom is **directed** to provide information and assistance to Iristel, as required, to implement local competition in accordance with the implementation plan.

Secretary General

Related documents

- *Iristel Inc. – Application regarding the implementation of local competition in the exchange of Aylmer, Ontario*, Telecom Decision CRTC 2018-82, 5 March 2018
- *Obligation to serve and other matters*, Telecom Regulatory Policy CRTC 2011-291, 3 May 2011; as amended by Telecom Regulatory Policy CRTC 2011-291-1, 12 May 2011
- *Revised regulatory framework for the small incumbent local exchange carriers*, Telecom Decision CRTC 2006-14, 29 March 2006
- *Local competition*, Telecom Decision CRTC 97-8, 1 May 1997

² The framework governing local competition in the operating territories of the small ILECs is set out in Telecom Decision 2006-14, as modified in Telecom Regulatory Policy 2011-291.