



Telecom Order CRTC 2020-229

PDF version

Ottawa, 16 July 2020

Public record: Tariff Notices 7607 and 7607A

Bell Canada – Withdrawal of Internet Dial Minutes Service

*The Commission **approves** Bell Canada's application to withdraw its Internet Dial Minutes Service, effective **30 September 2020**.*

Introduction

1. The Commission received an application from Bell Canada, dated 31 January 2020 and amended on 13 March 2020, in which the company proposed revisions to its General Tariff to withdraw item 7001 – Internet Dial Minutes Service.
2. Bell Canada described the service as a pay-as-you-go network-access-based service that delivers Internet Dial access¹ to wholesale customers for the purpose of resale to their end-users, with up to 8 kilobits per second of network bandwidth available per end-user.
3. Since there are still customers subscribing to the service, Bell Canada included with its application copies of the letters it sent to notify them of the proposed service withdrawal.
4. Bell Canada originally proposed an effective date of 31 March 2020, but after a discussion with a customer (Radiant Communications Solutions Corp. [Radiant]), revised this date to 31 May 2020 in the amendment to its application.
5. The Commission received interventions regarding Bell Canada's application from Daniel Guilbert (an end-user of the service) and from Radiant.

Should the Commission approve Bell Canada's application to withdraw Internet Dial Minutes Service?

Positions of parties

6. Bell Canada submitted that the Commission should approve its application to withdraw Internet Dial Minutes Service because Internet Dial access is an obsolete

¹ Internet Dial access is a form of Internet access that uses the facilities of the public switched telephone network to establish a connection to an Internet service provider by dialing a telephone number on a conventional telephone line. Dial-up connections use modems to decode audio signals into data to send to a router or computer, and to encode signals from the latter two devices to send to another modem.

technology, equipment to support it is no longer available, and personnel with the expertise to maintain the service are becoming increasingly scarce.

7. Bell Canada noted that the Commission approved the destandardization of Internet Dial Minutes Service in Telecom Order 2015-468, and that since that order was issued, the number of customers using the service has continued to decline, as has overall use of the service.
8. Bell Canada submitted that alternative services for end-users include terrestrial high-speed digital subscriber line (DSL), cable broadband, wireless broadband, and satellite Internet services. In addition, tariffed wholesale services exist, such as DSL and cable broadband Internet services.
9. Finally, the company submitted that in Telecom Decision 2008-17, the Commission forbore from regulating a TELUS Communications Inc. (TCI) wholesale service (Dial Virtual Point of Presence [VPOP] Usage Service) that provided the same functionality as Bell Canada's Internet Dial Minutes Service, with a phase-out period of three years. However, Bell Canada's service is classified as a retail service and, therefore, was not within the scope of Telecom Decision 2008-17, or that of Telecom Regulatory Policy 2015-326, in which the Commission reviewed wholesale services. Bell Canada indicated that, to the best of its knowledge, no other incumbent local exchange carrier (ILEC) currently provides a service similar to Internet Dial Minutes Service.
10. Mr. Guilbert, a customer of the reseller RadioActif, expressed concern that if the Commission approved Bell Canada's application, he would no longer have Internet service at affordable rates.
11. Bell Canada replied that Mr. Guilbert may have mistakenly understood that the company was proposing to withdraw retail dial-up Internet service, which is not the case. It was proposing to withdraw only an underlying service that provides service typically to resellers. Bell Canada indicated that it appears that Mr. Guilbert's Internet service provider (ISP), RadioActif, has elected to no longer offer dial-up Internet services and has offered Mr. Guilbert alternatives such as cable or DSL Internet service. RadioActif's choice to discontinue dial-up Internet service only reflects RadioActif's business decision and does not, in fact, reflect a general withdrawal of dial-up Internet service offered by other ISPs. Bell Canada submitted that Mr. Guilbert could elect to subscribe to alternative Internet services, including cable, DSL, fibre, or dial-up, from other ISPs in the Montréal area, including Bell Canada.
12. Radiant submitted that it did not object to the withdrawal of the service, but indicated that it would require additional time to move its customers to another platform. Accordingly, it suggested an effective date of 31 October 2020.
13. Bell Canada replied that Radiant has chosen to self-supply an underlying dial-up modem service to replace Internet Dial Minutes Service, and that the company

appeared to be on track to complete the installation by, or shortly after, the proposed effective date of 31 May 2020. However, due to uncertainties resulting from the COVID-19 pandemic, Radiant requested an additional extension.

14. Bell Canada submitted that it understands that Radiant may require some more time in addition to the original extension, in light of the current circumstances. However, Bell Canada argued that a further extension, when Radiant acknowledged that it was already on track to meet the target date of 31 May 2020, is excessive and places an untenable risk on Bell Canada. Bell Canada submitted that it is prepared to extend the availability of Internet Dial Minutes Service to the end of September 2020, since its contract with the vendor that supports the service will be subject to renewal after that date.

Commission's analysis and determinations

15. Bell Canada's application meets the requirements set out in Telecom Information Bulletin 2010-455-1, in which the Commission set out its procedures for dealing with applications to destandardize and/or withdraw tariffed services.² In particular, Bell Canada provided a description of the service that it proposed to withdraw, the proposed date and rationale for the withdrawal, and the number of customers affected. In addition, the company provided a notice to each customer affected by its application to withdraw the service.
16. The Commission considers Bell Canada's application to be acceptable for the following reasons:
 - there is a decreasing customer base for the service;
 - the Commission forbore from regulating a similar wholesale service offered by TCI and approved a three-year phase-out period for that service;
 - there do not appear to be any other ILECs that currently provide a service similar to Internet Dial Minutes Service; and
 - alternative services for end-users exist.
17. With respect to Mr. Guilbert's intervention, the Commission considers that the concern was based on a misunderstanding of the service that Bell Canada was proposing to withdraw. It is in fact Mr. Guilbert's ISP that is discontinuing the offering of dial-up Internet service. The Commission considers that acceptable alternative services and ISPs are available, as noted by Bell Canada.

² These procedures, which have been approved in various decisions and summarized in Telecom Information Bulletin 2010-455-1, were developed to comply with the directives set out in *Order Issuing a Direction to the CRTC on Implementing the Canadian Telecommunications Policy Objectives*, SOR/2006-355, 14 December 2006 (the 2006 Policy Direction). In particular, in relation to destandardization/withdrawal, the bulletin summarizes the Commission's 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*.

18. Regarding Radiant's intervention, the Commission notes the following:
- Bell Canada has already extended the service withdrawal date once for this customer;
 - Bell Canada indicated that Radiant is already on track to implement its solution much earlier than 31 October 2020; and
 - Bell Canada's reply to Radiant's intervention stated that Radiant had not used the service during the previous two billing cycles.
19. In light of the above, and given that Bell Canada's contract with the vendor that supports this service would be subject to renewal after 30 September 2020, the Commission considers that Bell Canada's proposed withdrawal date of 30 September 2020 is reasonable and fair for both Radiant and Bell Canada.
20. Accordingly, the Commission **approves** Bell Canada's application, effective **30 September 2020**.

Policy Directions

21. The 2019 Policy Direction³ states that the Commission should consider how its decisions can promote competition, affordability, consumer interests, and innovation.
22. The Commission has reviewed Bell Canada's application in light of the 2019 Policy Direction and has considered its aspects to the extent necessary, using measures that are efficient and proportionate to their purpose. The Commission considers that its approval of the application is compliant with the 2019 Policy Direction, since it (i) promotes consumer interests, by allowing for the withdrawal of an outdated and obsolete service while ensuring that customers have an opportunity to have their views heard before the withdrawal; and (ii) innovation, by ensuring that consumers have access to innovative high-quality telecommunications services as a substitute for the withdrawn service.
23. Further, in compliance with subparagraph 1(b)(i) of the 2006 Policy Direction, approval of Bell Canada's application advances the policy objective set out in paragraph 7(f) of the *Telecommunications Act*.⁴

Secretary General

³ *Order Issuing a Direction to the CRTC on Implementing the Canadian Telecommunications Policy Objectives to Promote Competition, Affordability, Consumer Interests and Innovation*, SOR/2019-227, 17 June 2019

⁴ The cited policy objective is: 7(f) to foster increased reliance on market forces for the provision of telecommunications services and to ensure that regulation, where required, is efficient and effective.

Related documents

- *Approval processes for tariff applications and intercarrier agreements*, Telecom Information Bulletin CRTC 2010-455-1, 19 February 2016
- Telecom Order CRTC 2015-468, 20 October 2015
- *Review of wholesale wireline services and associated policies*, Telecom Regulatory Policy CRTC 2015-326, 22 July 2015; as amended by Telecom Regulatory Policy CRTC 2015-326-1, 9 October 2015
- *Mandatory customer contract renewal notification and requirements for service destandardization/withdrawal*, Telecom Decision CRTC 2008-22, 6 March 2008
- *Revised regulatory framework for wholesale services and definition of essential service*, Telecom Decision CRTC 2008-17, 3 March 2008