



## Telecom Order CRTC 2023-326

PDF version

Ottawa, 26 September 2023

*Public record: Tariff Notice 14*

### **Câblevision du nord de Québec, inc. – Tariff Notice 14 – Update to third-party Internet access service**

#### **Application**

1. The Commission received an application, Tariff Notice (TN) 14, from Câblevision du nord de Québec inc. (Câblevision), dated 5 June 2023, in which the company proposed a change to its General Tariff for third-party Internet access (TPIA). Câblevision proposed the introduction of a new high-speed TPIA speed tier with a service speed of up to 500 megabits per second (Mbps) downstream and 30 Mbps upstream at a monthly access rate of \$51.25. The company proposed an effective date of 5 July 2023.
2. Câblevision submitted that the proposed speed tier represents an improved service offered at the same price as its best speed profile currently available.
3. The company indicated that the proposed speed tier is equivalent to what it offers to its retail customers.
4. Câblevision noted that the monthly rate proposed is the same as the rate the Commission approved for the aggregated TPIA service of Cogeco Communications Inc. (Cogeco), for a speed band of 361 to 1000 Mbps.

#### **Commission's analysis**

5. In Telecom Regulatory Policy 2010-632, the Commission determined that incumbent local exchange carriers (ILECs) and cable carriers should be required to provide their existing wholesale high-speed access services to competitors at speeds that match all speed options offered to their own retail Internet service customers. Câblevision currently offers the proposed service speed to its retail customers and is therefore in compliance with that requirement.
6. The Commission considers that the proposed service would be beneficial to Câblevision's TPIA customers, because it provides a much higher speed service at the same monthly price as the next lower speed service that the company currently offers.
7. The Commission notes that Câblevision used a proxy rate instead of a cost study to set a monthly rate for the new service, based on Cogeco's approved monthly rate for a TPIA service that is in the same speed range and is offered in a similar geographic

region. This approach is consistent with Telecom Order 2000-317, in which the Commission determined that smaller cable carriers are generally permitted to propose proxy rates using other companies' rates. The Commission thus considers the proposed monthly rate of \$51.25 for the new speed tier to be appropriate.

8. In Telecom Notice of Consultation 2023-56, the Commission observed that existing wholesale rates may be limiting the competitiveness of competitors, and determined that rates for aggregated wholesale high-speed access services for large ILECs and cable carriers are to be made interim until revised final rates are established in an associated proceeding. Accordingly, the Commission considers that Câblevision's proposed monthly rate of \$51.25 for the new speed tier should be approved on an interim basis only.

### **Tariff page correction**

9. The Commission notes an error in the proposed tariff page that Câblevision provided with its application. The tariff page includes Câblevision's proposed speed tier in a table that lists speed tiers that were available as of 28 October 2020. However, the effective date for the new speed tier cannot precede Commission approval of the application. The date of 28 October 2020 is therefore incorrect.
10. The heading for the table currently reads: "As of October 28, 2020, the following speeds will be provided for new installations and upgrades to existing installations." The Commission considers that the error could be corrected by removing the date, since the speeds listed were approved on different dates. The sentence would then read: "The following speeds will be provided for new installations and upgrades to existing installations."

### **Conclusion**

11. In light of the above, the Commission
  - **approves on an interim basis** Câblevision's proposal to introduce a new TPIA speed tier service with a service speed of up to 500 Mbps downstream and 30 Mbps upstream, with a monthly rate of \$51.25, effective on **26 September 2023**; and
  - **directs** Câblevision to make the following change to its TPIA General Tariff (CRTC 25142):
    - under article 200.4.g), page 7, Partie B, change the heading of the table that shows the monthly rates of various TPIA services from "À compter du 28 octobre 2020, les vitesses suivantes seront fournies pour les nouvelles installations et les mises à niveau d'installations"

existantes”.<sup>1</sup> to “Les vitesses suivantes seront fournies pour les nouvelles installations et les mises à niveau d’installations existantes”.<sup>2</sup>

12. Revised tariff pages are to be issued on an interim basis within 10 calendar days of the date of this order. Revised tariff pages can be submitted to the Commission without a description page or a request for approval; a tariff application is not required.

Secretary General

### **Related documents**

- *Notice of hearing – Review of the wholesale high-speed access service framework*, Telecom Notice of Consultation CRTC 2023-56, 8 March 2023; as amended by Telecom Notice of Consultation CRTC 2023-56-1, 11 May 2023; and Telecom Notice of Consultation CRTC 2023-56-2, 4 July 2023
- *Wholesale high-speed access services proceeding*, Telecom Regulatory Policy CRTC 2010-632, 30 August 2010
- *Definitions of larger cable carrier and the creation of confidentiality agreements*, Telecom Order CRTC 2000-317, 18 April 2000

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<sup>1</sup> Translation: “As of October 28, 2020, the following speeds will be provided for new installations and upgrades to existing installations”.

<sup>2</sup> Translation: “The following speeds will be provided for new installations and upgrades to existing installations”.