



## Telecom Order CRTC 2025-228

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Gatineau, 5 September 2025

*Public record: Tariff Notice 674*

### **TELUS Communications Inc. – Withdrawal of Internet Voice Access Service**

#### **Summary**

The Commission received an application from TELUS Communications Inc. (TELUS) proposing to withdraw its Internet Voice Access Service (IVAS) under Item 4.02 of its Access Services Tariff.

IVAS is a legacy interconnection service that no longer aligns with industry practices or current technology. There have been no active customers for at least three years, and no future demand is expected. Accordingly, the Commission approves TELUS's application.

A concurring opinion by Commissioner Bram Abramson is attached to this order.

#### **Application**

1. On 20 June 2025, the Commission received an application from TELUS Communications Inc. (TELUS) proposing to withdraw its Internet Voice Access Service (IVAS) under Item 4.02 of its Access Services Tariff.
2. IVAS is offered in TELUS's incumbent operating territory in Quebec and provides Internet service providers with line-side or trunk-side access to TELUS's public switched telephone network (PSTN).
3. TELUS submitted that IVAS has had no active customers for at least three years and that no future demand is expected. TELUS emphasized that alternative interconnection solutions are now available in the market and that IVAS has become redundant from both a technical and commercial standpoint.
4. TELUS requested an effective date of 19 August 2025.
5. The Commission did not receive any interventions with regard to the application.

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

6. The Commission is of the view that IVAS is a legacy interconnection service that no longer aligns with industry practices or current technology. The absence of active customers for at least three years is a strong indicator that the demand for the service

has ceased. TELUS submitted that all current interconnection needs are now met through alternative arrangements, such as Internet Protocol-based or wholesale voice over Internet Protocol solutions, which do not require line-side or trunk-side PSTN access.

7. Furthermore, TELUS argued that IVAS no longer satisfies the input component of the Essentiality Test set out in Telecom Regulatory Policy 2015-326. A service cannot be considered essential if it is not required by competitors to provide downstream retail services, which is a criterion that IVAS no longer meets given the availability of modern alternatives. Accordingly, the Commission considers TELUS's assessment to be reasonable.
8. Similarly, in Telecom Order 2023-13, the Commission approved Bell Canada's application to withdraw IVAS on the basis of there being an absence of active customers and no foreseeable demand for the service. TELUS's application mirrors those conditions, therefore the Commission considers that approving its withdrawal of IVAS would be appropriate.
9. The Commission is of the view that a customer transition plan or targeted communications to advise customers of the service withdrawal are not required in this situation given the absence of active customers.
10. The Commission considers that TELUS's request is reasonable and that it serves the public interest.

## **Conclusion**

11. In light of all of the above, the Commission approves, by majority decision, TELUS's application.
12. Revised tariff pages are to be issued 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**

- *Northwestel Inc. – Introduction of Winback Discount for Residential Unlimited Internet Packages*, Telecom Order CRTC 2025-74, 10 March 2025
- *Determination of costs award with respect to the participation of the Public Interest Advocacy Centre in the proceeding initiated by TekSavvy Solutions Inc.*, Telecom Order CRTC 2024-289, 15 November 2024
- *Bell Canada – Tariff Notice 7697 – Withdrawal of PhoneCare service*, Telecom Order CRTC 2024-269, 4 November 2024

- *Bell Canada – Tariff Notice 7692 – Introduction of Service Provided in Out-of-Footprint Territory*, Telecom Order CRTC 2024-214, 20 September 2024
- *Quebecor Media Inc. – Establishment of wholesale mobile virtual network operator service with Bell Mobility Inc.*, Telecom Decision CRTC 2024-197, 29 August 2024
- *Competition in Canada’s Internet service markets*, Telecom Regulatory Policy CRTC 2024-180, 13 August 2024
- *Northwestel Inc. – Interim approval of a tariff application*, Telecom Order CRTC 2024-82, 23 April 2024
- *Various companies – Approval of tariff applications*, Telecom Order CRTC 2023-13, 18 January 2023
- *Wholesale mobile wireless roaming service tariffs – Final terms and conditions*, Telecom Decision CRTC 2017-56, 1 March 2017
- *Modern telecommunications services – The path forward for Canada’s digital economy*, Telecom Regulatory Policy CRTC 2016-496, 21 December 2016
- *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
- *Updated action plan for reviewing regulatory measures*, Telecom Decision CRTC 2011-69, 4 February 2011
- *Action plan for reviewing social and other non-economic regulatory measures in light of Order in Council P.C. 2006-1534*, Telecom Decision CRTC 2008-34, 17 April 2008
- *Revised regulatory framework for wholesale services and definition of essential service*, Telecom Decision CRTC 2008-17, 3 March 2008
- Telecom Order CRTC 2008-22, 24 January 2008
- *Action plan for the review of Commission regulatory measures in light of Order in Council P.C. 2006-1534*, Telecom Decision CRTC 2007-51, 11 July 2007
- *Review of regulatory framework for wholesale services and definition of essential service*, Telecom Public Notice CRTC 2006-14, 9 November 2006
- *New procedures for disposition of applications dealing with the destandardization and/or withdrawal of tariffed services*, Telecom Circular CRTC 2005-7, 30 May 2005

- *Colins Inc. et al. v. Bell Canada*, Telecom Decision CRTC 79-12, 7 June 1979

## Concurring opinion of Commissioner Bram Abramson

1. In 2023 Bell Canada applied to withdraw its Internet Voice Access Service (IVAS). It included the brief submission, though not directly responsive to the withdrawal test, that IVAS “would not satisfy any of the prongs of the essentiality test”, as alternatives likely existed.<sup>1</sup>
2. TELUS Communications Canada Inc.’s (TELUS) submissions likewise throw in the idea that its IVAS “no longer satisfies the input component of the Essentiality Test set out in Telecom Regulatory Policy 2015-326”. The Telecommunications Committee’s majority<sup>2</sup> accepts that framing, “consider[ing] TELUS’s assessment [as to the Essentiality Test] to be reasonable”.<sup>3</sup>
3. But forbearance and withdrawal are different regimes:
  - The Essentiality Test is part of the forbearance framework. It asks whether there is a substantial lessening of competition that warrants tariffing, whether continued or anew.<sup>4</sup>
  - The withdrawal framework is more cursory. It formalizes a carrier’s ceasing to offer a tariffed service. It does not address the status of competition.
4. This concurring opinion discusses what the muddle means, why it matters, and what to do about it.<sup>5</sup>

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<sup>1</sup> See Bell Canada, Letter, in *Tariff Notice 7649*, CRTC File 8740-B2-202203967, Bell Canada, 13 July 2022; decided in Telecom Order 2023-13.

<sup>2</sup> On behalf of the Commission: *Telecommunications Committee*, By-Law No. 10, paragraph (e) (“Any act or thing done by the Telecommunications Committee shall be deemed to be an act or thing done by the members”), adopted pursuant to *Canadian Radio-television and Telecommunications Commission Act*, R.S.C. 1985, c. C-22 (CRTC Act), subsection 12(3)—as distinguished from a panel struck under subsection 6(2) of the CRTC Act: *Shoan v. Canada (Attorney General)*, 2016 FCA 261, para 6.

<sup>3</sup> See paragraph 7 of the majority opinion, above.

<sup>4</sup> Telecom Regulatory Policy 2015-326, paragraphs 27–30 and 37–38; see also Telecom Regulatory Policy 2024-180, Appendix, paragraphs 1–6.

<sup>5</sup> See also Telecom Order 2024-269, dissenting opinion of Commissioner Bram Abramson, which further discusses this distinction.

## If *ad hoc*, then mindfully

5. Telecommunications tariffs are standing offers. They must set out all of the essential terms and conditions of service.<sup>6</sup>
6. Most services are no longer tariffed: the Commission found either sufficient competition, or policy reasons, to de-tariff them.<sup>7</sup> Some big-ticket items, like broadband and mobile, are hybrids: the Commission may de-tariff retail services but require wholesale supply, or de-tariff only partially by limiting tariffed terms to those needed to foster competition.<sup>8</sup>
7. But the remainder still numbers in the hundreds, especially for the historic phone monopolies known as incumbent local exchange carriers (ILECs). Wholesale tariffs were last reviewed comprehensively in 2006–2008;<sup>9</sup> retail tariffs, in more piecemeal plans, between 2007 and 2011.<sup>10</sup> Meanwhile, markets have shifted from a public switched telephone network (PSTN) to an Internet-Protocol-centric environment. Without systematic review of the tariff system, we have found ourselves managing PSTN turn-down and copper de-commissioning by *ad hoc* apply-and-respond cycles. This contrasts sharply with the more mindful approach of many of Canada’s trading partners.<sup>11</sup> It does not, in my respectful view, honour our commitment to recentre regulation on broadband.<sup>12</sup>
8. Conceptual clarity is crucial in navigating *ad-hoc*-ery. To wit: withdrawal retires a service that is obsolete or unnecessary. Forbearance, on the other hand, means

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<sup>6</sup> Telecom Decision 79-12, page 21, defined the term “tariff” as referring “to the publication by the company of the terms and conditions relating to its offering of services and facilities”. Telecom Order 2024-82, paragraph 3, confirmed that “tariff pages are to include the essential terms and conditions of the tariffed services.”

<sup>7</sup> See *Telecommunications Act*, subsections 34(1) and (2).

<sup>8</sup> See Telecom Decision 2017-56, paragraph 17, and Telecom Decision 2024-197, paragraph 40.

<sup>9</sup> See Telecom Public Notice 2006-14, leading to Telecom Decision 2008-17.

<sup>10</sup> See Telecom Decisions 2007-51, 2008-34, and 2011-69.

<sup>11</sup> See, on this point, my dissenting opinions in Telecom Orders 2024-214 (“the larger task of identifying and updating the ways in which current regulatory frameworks remain planted firmly in PSTN assumptions, and how to update these on a basis that is more than *ad hoc*, abides”), 2024-289 (“[w]e are engaged in shifting the focus of our telecommunications regulatory frameworks from wireline voice services to a broadband, data-centric, Internet-Protocol-dominated world. The task of systematically identifying and updating the major components of these frameworks in ways that are more than *ad hoc* continues to abide”), and 2025-74 (“we have the authority to take a step back, follow where many of our peer jurisdictions have already led, and work collaboratively on an orderly copper-to-fibre and PSTN-to-broadband transition, as we implied we would do in 2016”).

<sup>12</sup> Telecom Regulatory Policy 2016-496, paragraph 51.

competition has eroded market power, so that tariffing is likely no longer needed. Using withdrawal as a shortcut to skip market assessment undermines regulatory coherence and accountability, and leaves competition in limbo.

### Applying today's framework

9. Until 2005, destandardization<sup>13</sup> and withdrawal<sup>14</sup> were just tariff amendments. Telecom Circular 2005-7 responded to technological change with a dedicated framework, requiring a substitute, a transition plan, and notice to customers.<sup>15</sup>
10. That framework fit the early Internet Protocol transition: clearing out legacy services no one used, without requiring a competition test. Importantly, withdrawal obliges a carrier to stop selling the service. It does not let it sell the service outside a tariff. Only forbearance allows that.
11. Destandardization and withdrawal are right where services are obsolete. Forbearance is right where services are still relevant but competitive, or need not be fully tariffed for other public-interest reasons. The two should not be conflated. The *Telecommunications Act* (the Act) makes forbearance in competitive markets mandatory: we cannot use a broader power to fashion a shortcut to the same end.<sup>16</sup>

### From two prongs to three

12. Carriers understandably find destandardization and withdrawal easier than forbearance. But the Act requires that, when competition warrants, we forbear.

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<sup>13</sup> Destandardizing a tariff means making the service it describes a legacy service. Existing customers may continue to subscribe to it at their existing location. But it is no longer available to new customers, or at new locations.

<sup>14</sup> Withdrawing a tariff means making the service it describes unavailable altogether. That has implications for any remaining buyers of it, who must find an alternative. But it also has implications for the withdrawing carrier, who must now no longer offer the service: the Commission has not forbore it from tariffing, but the withdrawing carrier no longer has an approved tariff for selling it.

<sup>15</sup> The framework was revised a few years later to focus on the information to be provided to customers (service, proposed date, rationale, and how to participate in the proceeding) and to the Commission (customer notice and number of customers affected), though companies were encouraged to continue to identify any substitute services, where available. See Telecom Circular 2005-7 and Telecom Decision 2008-22.

<sup>16</sup> This, as I have elsewhere indicated, seems to me an application of the broader *expressio unius est exclusio alterius* principle of statutory interpretation, as helpfully reviewed in *Reference re: Section 101 of the Public Utilities Act*, 2017 NLCA 34 (CanLII), paragraph 17. See Telecom Order 2024-269, dissenting opinion of Commissioner Bram Abramson, footnote 4 and accompanying text.

13. Fortunately, the dilemma is of our own making. We invented, in 2005, a streamlined destandardization and withdrawal process. We could also create a parallel streamlined forbearance process, adding a third prong to what are now two:

- Give notice to customers, with a chance to participate.
- Require evidence of competition, in place of evidencing substitutes.
- Permit carriers to consolidate similar services into the same proceeding before opening things up to interventions.

14. Without evidence of competition, withdrawal should remain a tool for retiring obsolete services. Where there is competition, forbearance is both the better policy, and a statutory obligation. If we muddle withdrawal and forbearance, we erode our own accountability and leave regulated what need not be. If we refine them, making forbearance as procedurally accessible as withdrawal, then carriers gain clarity, consumers keep safeguards, and our work aligns more clearly with the law.