



## Telecom Order CRTC 2007-202

Ottawa, 5 June 2007

### TELUS Communications Company

Reference: Tariff Notices 439 and 439A

#### Withdrawal of Mini Voice Messaging service

*In this Order, the Commission approves TELUS Communications Company's (TCC) application to withdraw Mini Voice Messaging service in its incumbent territory in Quebec. The Commission also directs TCC to send a reminder to customers who will be automatically migrated to its Voice Messaging service.*

1. The Commission received an application by TELUS Communications Company (TCC), dated 15 December 2006, in which the company proposed a revision to former TELUS Communications (Québec) Inc. (TCQ) General Tariff item 2.20.03 in order to destandardize and withdraw its Mini Voice Messaging service. TCC filed a revised application dated 23 February 2007 in which it requested that the schedule it had originally proposed for destandardizing and withdrawing the service be delayed.
2. In *TELUS Communications Company – Destandardization of Mini Voice Messaging service*, Telecom Order CRTC 2007-134, 20 April 2007, the Commission approved TCC's application to destandardize the Mini Voice Messaging service effective 23 April 2007 but indicated that it would render a subsequent determination on TCC's request to withdraw the service between 9 October and 26 October 2007.
3. The Commission received comments from five Mini Voice Messaging subscribers, and TCC submitted reply comments. The record of this proceeding closed on 23 February 2007 with the submission of TCC's replies to the Commission's interrogatory.

#### TCC's application

4. In its application, TCC indicated that Mini Voice Messaging is a discretionary local service available to residential and business customers and that the service had limited functionalities compared with other messaging services available on the market.
5. TCC submitted that its application met the criteria set out in *New procedures for disposition of applications dealing with the destandardization and/or withdrawal of tariffed services*, Telecom Circular CRTC 2005-7, 30 May 2005 (Circular 2005-7), and TCC provided the following information in support of its application:
  - a) service proposed to be destandardized and/or withdrawn:

TCC proposed to withdraw its Mini Voice Messaging service.

b) proposed date for destandardization:

N/A.

c) proposed date for ultimate withdrawal of service:

TCC proposed to withdraw the Mini Voice Messaging service between 9 October and 26 October 2007. The company indicated that it had to withdraw the service in phases because the customer migration process was not automated and the customers had to be migrated one by one.

d) type of destandardization:

N/A

e) rationale for the application:

TCC submitted that the platform on which its Mini Voice Messaging service was based was no longer supported by the supplier and that it should therefore withdraw the service. TCC also indicated that it would soon move its other voice messaging services to an Internet Protocol technology platform.

f) availability of a substitute, with rationale as to why it is reasonable in terms of equivalent functionality, availability in the same geographical area, and cost (including the initial outlay and ongoing costs to the customer):

TCC indicated that it would continue to offer its other voice messaging services, such as Voice Messaging, Voice Messaging with Voicemail, Multi-User Voice Messaging, and Voice Messaging without Access Line. TCC noted that despite their slightly higher cost, these voice messaging services offered greater functionality and more options than the Mini Voice Messaging service.

TCC also indicated that its competitors offered several similar services and that customers could also purchase voice messaging devices (answering machines).

g) the transition plan:

TCC sent a notice to the affected customers, asking them to contact TCC before 9 October 2007 to request a replacement of Mini Voice Messaging with another voice messaging service or to confirm that they were cancelling the service.

In its application, TCC proposed that all customers who were still subscribing to Mini Voice Messaging on 9 October 2007 be automatically migrated to the company's Voice Messaging service at the rates indicated in item 2.20.03 of TCQ's General Tariff. To address the possibility of customers refusing automatic migration, TCC proposed an amendment to item 2.20.03 to give customers 90 days following migration to notify the company that they did not want to migrate to Voice Messaging and to cancel the service. TCC indicated that the customers would be reimbursed for the additional amount paid during the 90-day period for the Voice Messaging service.

h) relevant information concerning existing customers:

TCC provided the number of subscribers as confidential information.

i) a copy of the notice to affected customers:

TCC indicated that it had sent a notice to the affected customers on the day that it filed its application, informing them that an application to withdraw the Mini Voice Messaging service had been filed with the Commission and that they had 45 calendar days to file comments.

j) any other information the applicant believes is relevant:

No information was filed.

### **Positions of parties**

6. The comments expressed by the affected customers and TCC's reply are summarized below.
7. Some customers opposed a rate increase. TCC replied that the alternatives to the Mini Voice Messaging service were reasonably priced and constituted reliable and affordable options.
8. Some customers indicated that the Mini Voice Messaging service, at its current rate, suited their needs very well. TCC submitted that the customers not interested in changing were the exception and that this retail service was not deemed to be an essential service.
9. One customer opposed the withdrawal of the Mini Voice Messaging service because, in the customer's opinion, he had been receiving the service free of charge for five years as part of a package. TCC indicated that this statement was incorrect and that the rate for the Mini Voice Messaging service included a component allowing subscribers to one of the residential packages to access Mini Voice Messaging at a lower rate.
10. One customer opposed TCC's proposal but supported destandardization with no withdrawal and would accept a reasonable rate increase. TCC noted that an increase in the Mini Voice Messaging rates would bring them almost in line with the rates in effect for Voice Messaging and make the Mini Voice Messaging service even less competitive than comparable services available on the market.
11. Finally, TCC indicated that the small percentage (less than 0.5 percent) of comments from affected customers demonstrated that the proposed withdrawal of the Mini Voice Messaging service would have a minimal negative impact on the vast majority of customers.

### **Additional information**

12. In response to an interrogatory from the Commission concerning the possibility of simply destandardizing the Mini Voice Messaging service rather than withdrawing it completely, TCC submitted that this option would mean keeping the platform on which the service was based, and which was no longer supported by the supplier, making this solution unacceptable because the quality and reliability of the service would be compromised.

13. TCC explained that the number of subscribers to the Mini Voice Messaging service represented only a small percentage of all customers subscribing to TCC's voice messaging services. The company also indicated that since its application was filed, it had noted a reduction in the number of customers subscribing to the Mini Voice Messaging service.
14. TCC also noted that item 2.14.01 b. of TCQ's General Tariff stated that when the company initiated a change, it would not bill the usual file handling charges.

#### **Commission's analysis and determinations**

15. The Commission notes that TCC addressed all the criteria set out in Circular 2005-7 and considers that TCC has adequately satisfied the evidentiary requirements set out in Circular 2005-7.
16. The Commission also notes that the platform on which the Mini Voice Messaging service is based is no longer supported by the supplier and, as a result, simply destandardizing the service would not be an acceptable solution because the service's reliability and quality would be seriously compromised. Accordingly, the Commission considers that TCC's application to withdraw the service is appropriate.
17. Furthermore, the Mini Voice Messaging service is not a basic local service; it is a discretionary retail service with limited functionalities compared with other voice messaging services. The Commission notes that Mini Voice Messaging subscribers who will be migrated to TCC's Voice Messaging Service will have their monthly rate increased by \$1.50 but will receive better service than they were receiving with Mini Voice Messaging.
18. The Commission notes that according to item 2.14.01 b. of TCQ's General Tariff, no service charges will be applied to Mini Voice Messaging customers who migrate to another TCC voice messaging service because the change is initiated by TCC.
19. Finally, the Commission considers it appropriate to add a provision to item 2.20.03 of TCQ's General Tariff that will provide clients affected by the Mini Voice Messaging service withdrawal an additional 90 days to refuse migration to another TCC voice messaging service and to cancel their subscription to the service.
20. However, the Commission finds that TCC should send a reminder by 9 October 2007 to customers who will be automatically migrated to the Voice Messaging service that will advise them that they can refuse migration without incurring a penalty.

#### **Conclusions**

21. In light of the above, the Commission **approves** the application by TCC to withdraw the Mini Voice Messaging service between 9 October and 26 October 2007 in its incumbent territory in Quebec.
22. The Commission **approves** TCC's proposal to add a provision to item 2.20.03 of TCQ's General Tariff giving customers 90 days to notify TCC of their refusal to be migrated to TCC's Voice Messaging service.

23. The Commission directs TCC to send a reminder by 9 October 2007 to customers who will be automatically migrated to the Voice Messaging service that they can refuse migration without incurring a penalty.

Secretary General

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