



Telecom Order CRTC 2009-116

Ottawa, 4 March 2009

EastLink – Revisions to its General Tariff for competitive local exchange carrier interconnection services

Reference: Tariff Notice 23

1. The Commission received an application by EastLink, dated 1 December 2008, for approval of revisions to its General Tariff for competitive local exchange carrier (CLEC) interconnection services. In its application, EastLink proposed to incorporate cross-references to the rates set out in the applicable incumbent local exchange carrier (ILEC) tariffs for all instances in which EastLink uses ILEC rates, pursuant to Telecom Decision 2008-74. For all other interconnection services, EastLink's proposed tariff pages would continue to list its existing rates without cross-references. EastLink submitted that its proposed revisions are consistent with version 31 of the CLEC Model Tariff.
2. The Commission received no comments regarding EastLink's application. The Commission approved the application on an interim basis on 16 December 2008, pursuant to the process established in Telecom Decision 2008-74 for Group B filings.
3. The Commission notes that EastLink proposed to continue to use its own rates for certain interconnection services rather than incorporating cross-references to the corresponding ILEC's rates. The Commission also notes that EastLink's rates in these cases are lower than the applicable ILEC's rates. The Commission further notes that it approved these rates on an interim basis in Telecom Order 2004-117. The Commission considers that EastLink's proposal to continue to charge its approved rates is appropriate as long as the rates do not exceed those of any of the ILECs in whose territory EastLink operates.
4. The Commission notes that the current regulatory framework set out in Telecom Decision 2007-27 states that rates for interconnection services provided by the ILECs are to be adjusted annually. The Commission considers that this annual adjustment should apply to CLEC rates for interconnection services, unless the rates are the same as or lower than those of the applicable ILEC. If the annual adjustment brings an ILEC's rates to a level lower than those of a CLEC offering services in its operating territory, then, consistent with Telecom Decision 97-8, the CLEC must either adopt the rates of that ILEC or justify any departure from these rates.
5. The Commission, therefore, considers that EastLink's rates for which there are no cross-references should remain approved on an interim basis to allow for possible future adjustments.

6. In light of the above, the Commission

- **approves on a final basis** those rates which are set out as cross-references to the applicable ILEC tariffs; and
- maintains the interim approval of the company's remaining interconnection service rates for which cross-references are not provided.

Secretary General

Related documents

- *Approval mechanisms for retail and CLEC tariffs*, Telecom Decision CRTC 2008-74, 21 August 2008
- *Price cap framework for large incumbent local exchange carriers*, Telecom Decision CRTC 2007-27, 30 April 2007
- *EastLink – General Tariff – Interconnection rates*, Telecom Order CRTC 2004-117, 13 April 2004
- *Local competition*, Telecom Decision CRTC 97-8, 1 May 1997

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