



Telecom Order CRTC 2010-187

Ottawa, 26 March 2010

MTS Allstream Inc. – Primary Exchange Service

File number: Tariff Notice 686

1. In Telecom Order 2009-466, the Commission approved MTS Allstream Inc.'s (MTS Allstream) request to adjust the increase to the price ceilings on the monthly rates for stand-alone residential primary exchange service (PES) in forborne markets to \$0.21 per network access service (NAS) per month.
2. It came to the Commission's attention that following the issuing of Telecom Order 2009-466, MTS Allstream had implemented the rate increases without submitting a tariff for Commission approval, as is normally required when the Commission approves an exogenous adjustment. The Commission therefore requested that the company submit a tariff filing, which it did on 22 December 2009.
3. In its 22 December 2009 filing, MTS Allstream proposed, pursuant to Telecom Decision 2009-199, to implement a \$0.21 per NAS per month rate adjustment (surcharge) to the rates for (1) individual line residential PES in high-cost serving area rate bands and (2) business PES in all rate bands. MTS Allstream also requested that the Commission ratify the rates proposed in its application, from 1 November 2009 to the effective date of the proposed tariff pages.
4. The Commission approved MTS Allstream's proposed rate adjustments on an interim basis in Telecom Order 2010-39.
5. The Commission received no comments regarding this application. The public record of this proceeding can be found on the Commission's website at www.crtc.gc.ca under "Public Proceedings" or by using the file number provided above.
6. The Commission notes that, in Telecom Order 2010-39, it stated that the proposed revisions were consistent with the determinations set out in Telecom Decision 2009-199, as well as the rate element constraints for the affected service baskets set out in Telecom Decision 2007-27.
7. With respect to MTS Allstream's request for ratification of the rates charged between 1 November and the date of this order, the Commission notes that, pursuant to subsection 25(4) of the *Telecommunications Act*, it may ratify the charging of a rate by a Canadian carrier otherwise than in accordance with a tariff approved by the Commission if it is satisfied that the rate was charged because of an error or other circumstances that warrant the ratification.
8. The Commission is satisfied that MTS Allstream charged the rates without an approved tariff because the company believed that the Commission approved its request in Telecom Order 2009-466. Accordingly, the Commission finds it appropriate to ratify the charging of the rate as requested by the company.

9. Accordingly, the Commission **approves on a final basis** MTS Allstream's application, and ratifies the rates charged by the company for residential individual line PES and business PES from 1 November 2009 to the date of this order.

Secretary General

Related documents

- *MTS Allstream Inc. – Primary Exchange Service*, Telecom Order CRTC 2010-39, 26 January 2010
- *MTS Allstream Inc. – Allocation of exogenous adjustment and updated service basket limits*, Telecom Order CRTC 2009-466, 31 July 2009
- *MTS Allstream Inc. – Application seeking exogenous treatment of wireline-related costs for the implementation of wireless number portability*, Telecom Decision CRTC 2009-199, 17 April 2009
- *Price cap framework for large incumbent local exchange carriers*, Telecom Decision CRTC 2007-27, 30 April 2007

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