



## Telecom Order CRTC 2010-673

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Ottawa, 8 September 2010

### **Bell Aliant Regional Communications, Limited Partnership and Bell Canada – Application to review and vary Telecom Decision 2010-323 regarding Wholesale Local Service and Features**

File number: 8662-B54-20101113

#### **Introduction**

1. The Commission received an application by Bell Aliant Regional Communications, Limited Partnership and Bell Canada (collectively, the Bell companies), dated 8 July 2010, in which the Bell companies requested that the Commission review and vary *TekSavvy Solutions Inc. and Yak Home Phone Corp. – Application for relief regarding Wholesale Local Service and Features*, Telecom Decision CRTC 2010-323, 28 May 2010 (Telecom Decision 2010-323).
2. In that application, the Bell companies proposed, among other things, that the Commission make a \$50 credit, which is referred to in each company's Access Services Tariff item 317.4(d) – Wholesale Local Service and Features (WLSF), interim immediately.
3. When a WLSF customer adds a new end-user, the origin of that end-user falls into one of three categories: transfers from the Bell companies' residential primary exchange services (PES), transfers from a competitive local exchange carrier's residential PES, or transfers from an unknown origin. In Telecom Decision 2010-323, the Commission directed the Bell companies to provide a \$50 credit to WLSF customers for each end-user whose origin was unknown. In their application, the Bell companies proposed making the \$50 credit interim so that the Commission could approve changing the tariff retroactive to the date of its interim order if it approved the review and vary request.
4. The Commission received comments from TekSavvy Solutions Inc., Yak Home Phone Corp., and Primus Telecommunications Canada Inc. (collectively, the WLSF customers). The public record of this proceeding, which closed on 23 July 2010, is available on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) under "Public Proceedings" or by using the file number provided above.

**Should the Commission approve the Bell companies' request to make the WLSF \$50 credit interim?**

5. The WLSF customers requested that the Commission deny the Bell companies' request to make the \$50 credit interim. They argued that the existing tariff should apply on a going-forward basis unless and until the Commission decides otherwise, and that it would be very disruptive to WLSF customers if the rate structure for WLSF was changed partway through the service term of their contracts. The WLSF customers also argued that the Bell companies' WLSF credit continues to be just and reasonable, and therefore a retroactive adjustment to the credit is not necessary.
6. In reply, the Bell companies stated that neither they nor the WLSF customers would be harmed by the Commission making the \$50 credit interim pending the outcome of the Bell companies' application. The Bell companies considered that making the \$50 credit interim would provide all parties with the understanding that the conditions under which the credit is being granted is subject to the Commission's determinations.
7. The Commission notes that making the \$50 credit interim would give the Commission an option to retroactively change the conditions under which the credit is granted, but would not commit the Commission to taking such an action.
8. Regarding the WLSF customers' concerns over a retroactive change of the WLSF tariff item, the Commission notes that those concerns will be taken into account as it considers the Bell companies' application and whether to implement such a change. The Commission considers, however, that the mere possibility of implementing a retroactive change would not negatively affect the WLSF customers.
9. In light of the above, the Commission **approves** the Bell companies' request to make the \$50 credit referred to in item 317.4(d) of each company's Access Services Tariff interim, effective the date of this order. The Commission will address the remainder of the Bell companies' application in a subsequent decision.

Secretary General