



Telecom Order CRTC 2011-144

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Ottawa, 2 March 2011

KMTS – *Ex parte* application

File number: Tariff Notice 64

1. The Commission **approves on an interim basis**, effective 4 March 2011, the *ex parte* application¹ by KMTS dated 17 February 2011.
2. In order that the application may be available for public examination, consistent with the *CRTC Telecommunications Rules of Procedure*, the company is directed to file with the Commission, on or before 4 March 2011, an electronic version of the application for the Commission website. Among other things, Telecom Information Bulletin 2010-455² allows interveners to comment, within 25 days, on Group B tariff applications that have been placed on the public record.

Secretary General

¹ An *ex parte* application is an application that has been filed with the Commission without notice to the public and, as such, is not placed on the public record when initially filed. An *ex parte* decision is one in which the Commission disposes of an application solely on the basis of the applicant's submissions. Subsection 61(3) of the *Telecommunications Act* allows the Commission to make an *ex parte* decision where it considers that the circumstances of the case justify it. In *Review of regulatory framework*, Telecom Decision CRTC 94-19, 16 September 1994, the Commission set out several considerations to be balanced in any determination to permit *ex parte* tariff filings, including the public interest in the effective operation of the competitive marketplace and the public interest in an open regulatory process.

² *Approval processes for tariff applications and intercarrier agreements*, Telecom Information Bulletin CRTC 2010-455, 5 July 2010