



Telecom Order CRTC 2012-536

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Ottawa, 3 October 2012

Rogers Communications Partnership – Destandardization of 3 Mbps Third Party Internet Access service

File number: Tariff Notice 24

1. The Commission received an application from Rogers Communications Partnership (RCP), dated 18 July 2012, in which the company proposed revisions to item 703 – Rates and Charges of its Access Services Tariff. Specifically, RCP proposed to destandardize its wholesale 3 megabits per second (Mbps) Third Party Internet Access (TPIA) service.
2. RCP submitted that it no longer offers the above-mentioned service to its new retail customers and that, as a result, it is no longer obligated to offer the 3 Mbps service speed to new end-users served by its wholesale customers. RCP proposed to grandfather the service for existing end-users served by its wholesale customers.
3. The Commission received comments regarding RCP's application from the Canadian Network Operators Consortium Inc., which did not oppose the destandardization proposal. The public record of this proceeding, which closed on 30 August 2012, is available on the Commission's website at www.crtc.gc.ca under "Public Proceedings" or by using the file number provided above.
4. The Commission notes that RCP notified its wholesale customers of its proposal to destandardize its 3 Mbps TPIA service. The Commission considers that RCP has complied with the requirements set out in Telecom Decision 2008-22, in which the Commission revised its procedures for dealing with applications to destandardize and/or withdraw tariffed services.
5. The Commission also notes that in Telecom Regulatory Policy 2010-632, it determined that cable carriers are required to provide wholesale high-speed access services to competitors at speeds that match all speed options the cable carriers offer to their own retail Internet service customers. The Commission considers that, since RCP no longer offers the 3 Mbps service speed to its new retail customers, it is not required to offer this service speed to new end-users served by its wholesale customers.
6. The Commission further notes that in Telecom Order 2011-377, it determined that all TPIA rates for the cable companies' disaggregated points of interconnection (POIs) would continue to be provided at the existing rates during the interim period.¹ The

¹ The interim period permits wholesale customers to migrate their TPIA service from disaggregated POIs to aggregated POIs over a period of two years, until 14 November 2013.

Commission considers that RCP's proposal is in accordance with this requirement given that the company's wholesale 6 Mbps TPIA disaggregated POI service, approved in Telecom Order 2012-435, is offered at the same rate as the 3 Mbps TPIA disaggregated POI service that the company has proposed to destandardize.

7. In light of the above, the Commission considers that RCP's proposal to destandardize its wholesale 3 Mbps TPIA service is acceptable. Accordingly, the Commission **approves** RCP's application, effective the date of this order.

Secretary General

Related documents

- Telecom Order CRTC 2012-435, 8 August 2012
- *Interim rates for wholesale residential and business high-speed access services*, Telecom Order CRTC 2011-377, 15 June 2011
- *Wholesale high-speed access services proceeding*, Telecom Regulatory Policy CRTC 2010-632, 30 August 2010
- *Mandatory customer contract renewal notification and requirements for service destandardization/withdrawal*, Telecom Decision CRTC 2008-22, 6 March 2008