



## Telecom Order CRTC 2013-28

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Ottawa, 29 January 2013

### Télébec, Limited Partnership – *Ex parte* application

File number: Tariff Notice 453

1. The Commission **denies** the *ex parte* application<sup>1</sup> from Télébec, Limited Partnership dated 13 November 2012.
2. The Commission notes that, pursuant to subsection 27(2) of the *Telecommunications Act*, no Canadian carrier shall, in relation to the provision of a telecommunications service or the charging of a rate for it, unjustly discriminate or give an undue or unreasonable preference toward any person, including itself, or subject any person to an undue or unreasonable disadvantage.
3. The Commission notes that in non-forborne territories, there is no guarantee that competitive alternatives exist.
4. The Commission considers that the tariff introduction proposed in the application raises the potential of unjust discrimination.

Secretary General

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<sup>1</sup> 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.