



Telecom Order CRTC 2014-660

PDF version

Ottawa, 18 December 2014

File number: Tariff Notice 56

La Compagnie de Téléphone de Lambton Inc. – Introduction of Access Services Tariff

Application

1. The Commission received an application from la Compagnie de Téléphone de Lambton Inc. (Lambton), dated 7 July 2014, in which the company proposed to create a new Access Services Tariff (AST). Specifically, Lambton proposed to withdraw items 2.4.10, 2.7.4.1, 5.2, 8.1, 8.2, 9.2, 9.2.2.1, 9.2.2.2, 9.2.2.4, and 9.2.2.5 from its General Tariff and transfer them, without any changes, to its AST, except in cases where it wished to align the text with that of Sogetel inc. (Sogetel) and Téléphone Milot inc. (Milot). Lambton also proposed to add items 1.1, 2.3, 2.4, 2.6, and 3.3 to its new AST.
2. Lambton indicated that its proposed items 1.1 – Definitions, and 2.3 – Billing and Collection Service Tariff, are identical to tariff items that have already been approved for Milot and the Société d'administration des tarifs d'accès des télécommunicateurs (SATAT), respectively. Lambton added that it did not include item 2.3 in its General Tariff upon leaving SATAT due to an error.
3. Lambton noted that its proposed item 2.4 – Billing and Collection by the Rebiller to the Eligible Service Provider is identical to item 9.1 of its General Tariff, which the Commission approved in Order 2001-890, except for the section on the processing charge per account receivable billed. Lambton submitted that, according to its research, the processing charge of \$0.1163 per account receivable billed, which the Commission ratified in that order, increased to \$0.2413 on 14 January 2005. The company noted that the latter rate is still in effect, but that it was never approved by the Commission due to an error. Lambton therefore requested that the Commission approve this rate, and ratify the company's charging of the rate for the period from 14 January 2005 to the date of its approval by the Commission.
4. Lambton submitted that the monthly reports that Bell Canada had sent it between February 2005 and December 2013 showed that Lambton had billed Bell Canada a rate of \$0.2413. Lambton added that the Commission had approved this rate for Sogetel and Milot in Telecom Order 2012-403, for La Compagnie de téléphone Upton inc. (Upton) in Telecom Order 2010-610, and for SATAT in Telecom Order 2005-22.

5. Lambton submitted that for item 2.6 – Carrier Access Tariff [previously item 5.4 - Direct Connection and Trunking Rates], it copied the text from item 2.6 of Sogetel's AST, except that its direct connection rate of \$0.0178 per conversation minute is not the same as Sogetel's. Lambton submitted that the Commission had approved its direct connection rate in Telecom Order 2011-433, and that the Commission had approved the trunking rates that Lambton has proposed under this item in Telecom Order 2005-165. The company stated that these rates have not changed since their respective dates of Commission approval.
6. Lambton submitted that it proposed to add item 3.3 – Services for Incumbent Long Distance Carriers because, due to an error, it had not published in its General Tariff an item related to certain new services geared towards these service providers after Telecom Decision 99-18 was published. Nonetheless, Lambton submitted that it still provided Bell Canada (its only incumbent long distance service provider) with all of its subscriber data statements and information on the toll profile linked to these services, pursuant to Telecom Decision 99-18. Lambton added that the proposed item is identical to that of Sogetel, which the Commission approved in Telecom Order 2012-403.
7. The Commission did not receive any interventions regarding Lambton's application. The public record of this proceeding, which closed on 6 August 2014, is available on the Commission's website at www.crtc.gc.ca or by using the file number provided above.

Commission's analysis and determinations

8. The Commission notes that Lambton has already received Commission approval for its proposed items 1.2, 2.1, 2.2, 2.5, 2.7, 2.8, 3.1, 3.2, 3.4, and 3.5 of its AST (the items transferred from its General Tariff mentioned in paragraph 1).
9. The Commission considers that the changes that Lambton has proposed to align its tariff with those of Sogetel and Milot are appropriate. The Commission also considers that new item 1.1, which is based on Milot's tariff and which includes the definitions that appear in the "Equal Access" section of Lambton's General Tariff, is appropriate.
10. With regard to Lambton's proposed item 2.3, the Commission considers that although Lambton did not include this item in its General Tariff when it left SATAT, the company had already received Commission approval for the item when it was a member of SATAT. Accordingly, the Commission considers that it is not necessary to ratify the charging of the rates under this item.
11. Regarding Lambton's proposed item 2.4, the Commission notes that the reports that Lambton submitted indicate that the company billed Bell Canada \$0.2415 for its processing charge per account receivable billed for February 2005 and \$0.2413 for December 2013, and that Bell Canada accepted the amounts billed. The Commission also notes that in Telecom Order 2005-22, it directed SATAT to set its rates

applicable to the same tariff item at \$0.2413. The revisions took effect on the date of the order, 14 January 2005. The Commission also approved this rate for Upton in Telecom Order 2010-610, and for Sogetel and Milot in Telecom Order 2012-403. Accordingly, the Commission approves the rate of \$0.2413 for the processing charge per account receivable billed for Lambton.

12. With regard to Lambton's related ratification request, 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 circumstance that warrants the ratification.
13. The Commission is satisfied that Lambton did not update its processing charge per account receivable billed because of an error. Accordingly, the Commission considers that the company's ratification request is reasonable.
14. Regarding the direct connection rate that Lambton proposed under item 2.6, the Commission determined in Telecom Regulatory Policy 2013-160 that, effective the date of that decision (i.e. 28 March 2013), the existing rates for each small incumbent local exchange carrier's (ILEC) direct connection service were to be made interim. The Commission also directed each small ILEC to file with the Commission, within 90 days of the date of that decision, either
 - revised tariff pages for direct connection rates reflecting those of TELUS Quebec, or
 - notice that within 180 days of the date of the decision, the small ILEC would file for Commission approval tariff pages for the direct connection service in which the proposed rates would be supported by a cost study.¹
15. The Commission notes that Lambton did not file revised tariff pages for its direct connection service rates to reflect TELUS Quebec's rates, nor has it filed proposed tariff pages for its direct connection service supported by a cost study. Accordingly, the Commission determines that Lambton's direct connection rate of \$0.0178 per conversation minute is to remain interim.
16. With regard to Lambton's proposed item 3.3, the Commission notes that although Lambton did not request that the Commission approve this item, the company indicated that it had always complied with the determinations set out in

¹ As the Commission indicated in a letter it sent to certain small ILECs and other parties, dated 4 November 2014, the deadline to file revised tariff pages for the small ILECs' direct connection service rates, supported by a cost study, was extended to 30 days following the date of the Commission's decision on Execulink Telecom Inc.'s application to review and vary Telecom Order 2014-499.

Telecom Decision 99-18,² and that Bell Canada did not submit any complaints. The Commission also notes that this tariff item is identical to that of Sogetel, and that it contains only terms and not rates. Accordingly, the Commission considers it appropriate to add this item to Lambton's new AST.

Conclusions

17. In light of all the above, the Commission considers the addition of all of Lambton's proposed items to its new AST to be appropriate. However, the Commission considers that the company should add the names and numbers of items 2.3.4, 3.1.3, 3.2.3, and 3.4.2 to the Index.
18. Accordingly, the Commission **approves** Lambton's application and new AST, subject to the following modifications:
 - The direct connection rate of \$0.0178 per conversation minute mentioned in item 2.6 remains interim.
 - Lambton is to add the names and numbers of items 2.3.4, 3.1.3, 3.2.3, and 3.4.2 to the Index of its new AST.
19. The Commission approves the rate of \$0.2413 for the processing charge per account receivable billed mentioned in item 2.4 of the new AST, and ratifies Lambton's charging of the rates charged for the period from 14 January 2005 to the date of this order.
20. Lambton is to issue revised tariff pages³ within **10 days** of the date of this order.

Secretary General

Related documents

- *Execulink Telecommunications Inc. – Revision to Direct Connect service rate*, Telecom Order CRTC 2014-499, 26 September 2014
- *Regulatory framework for the small incumbent local exchange carriers and related matters*, Telecom Regulatory Policy CRTC 2013-160, 28 March 2013
- Telecom Order CRTC 2012-403, 25 July 2012

² In that decision, the Commission considered that, consistent with the competitive environment it created in Decision 92-12, the incumbent toll provider should have exclusive rights of ownership to the information contained in its customer's toll profile information, including long distance calling patterns. The Commission also directed independent telephone companies to provide updated subscriber information to the incumbent toll provider no later than 30 days from the date of the request.

³ Revised tariff pages can be submitted to the Commission without a description page or a request for approval; a tariff application is not required.

- *La Compagnie de Téléphone de Lambton Inc. – Modifications to direct connection service*, Telecom Order CRTC 2011-433, 20 July 2011
- Telecom Order CRTC 2010-610, 23 August 2010
- Telecom Order CRTC 2005-165, 4 May 2005
- *Société d'administration des tarifs d'accès des télécommunicateurs – Billing and collection service*, Telecom Order CRTC 2005-22, 14 January 2005
- *La Compagnie de Téléphone de Lambton Inc. – Billing and collection services*, Order CRTC 2001-890, 19 December 2001
- *Customer definition and ownership of subscriber information in independent telephone companies' territories*, Telecom Decision CRTC 99-18, 1 December 1999
- *Competition in the provision of public long distance voice telephone services and related resale and sharing issues*, Telecom Decision CRTC 92-12, 12 June 1992