



Telecom Notice of Consultation CRTC 2019-326

PDF version

Ottawa, 20 September 2019

Public record: 1011-NOC2019-0326

Show cause proceeding and call for comments – Forbearance from the regulation of Canadian telecommunications common carriers' international telecommunications service agreements or arrangements for the carriage of traffic into or out of Canada

Deadline for submission of interventions: 20 October 2019

[\[Submit an intervention or view related documents\]](#)

The Commission initiates a proceeding and invites interested parties to show cause why its determinations in Telecom Decision 2019-325 should not also apply to all Canadian telecommunications common carriers that enter into international telecommunications service agreements or arrangements for the carriage of traffic into or out of Canada that are not currently subject to forbearance from regulation.

Introduction

1. In Telecom Decision 2019-325, in response to an application from Bell Canada, the Commission forbore from regulating
 - (a) agreements or arrangements between foreign telecommunications common carriers and seven companies affiliated with Bell Canada (collectively, the Bell affiliates);¹ and
 - (b) agreements or arrangements that the Bell affiliates enter into with another Canadian carrier that provide exclusively for the carriage of traffic into or out of Canada by one of the parties to the agreement or arrangement.
2. During the proceeding that led to Telecom Decision 2019-325, the Independent Telecommunications Providers Association (ITPA) and TBayTel filed interventions, in which they expressed support for Bell Canada's application and requested that the same forbearance, if granted, apply to all small incumbent local exchange carriers (small ILECs).

¹ The Bell affiliates included in Bell Canada's application are DMTS, a division of Bell Canada; Groupe Maskatel L.P.; KMTS, a division of Bell Canada; NorthernTel Limited Partnership; Northwestel Inc.; Ontera; and Télébec, Société en commandite.

3. The Commission noted that these interventions did not represent all small ILECs and, consequently, considered that it would not be appropriate to make a determination in that proceeding that would affect all small ILECs without providing them with an opportunity to be heard and to comment on whether the same determinations should apply to them.
4. Given that there may be other carriers also not covered by previous forbearance determinations regarding the above-noted agreements and arrangements, the Commission determined that it would be appropriate to issue a notice of consultation to consider whether to expand the determinations set out in Telecom Decision 2019-325 to cover all other applicable Canadian telecommunications common carriers that enter into international telecommunications service agreements or arrangements for the carriage of traffic into or out of Canada that are not currently subject to forbearance from regulation.

Call for comments

5. In light of the above, the Commission initiates a proceeding and invites interested parties to show cause why the Commission's determinations in Telecom Decision 2019-325 should not also apply to all other Canadian telecommunications common carriers that enter into international telecommunications service agreements or arrangements for the carriage of traffic into or out of Canada that are not currently subject to forbearance from regulation.

Procedure

6. The *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* (the Rules of Procedure) apply to this proceeding. The Rules of Procedure set out, among other things, the rules for the content, format, filing, and service of interventions, answers, replies, and requests for information; the procedure for filing confidential information and requesting its disclosure; and the conduct of public hearings. Accordingly, the procedure set out below must be read in conjunction with the Rules of Procedure and related documents, which can be found on the Commission's website at www.crtc.gc.ca, under "[Statutes and regulations](#)." The guidelines set out in Broadcasting and Telecom Information Bulletin 2010-959 provide information to help interested persons and parties understand the Rules of Procedure so that they can more effectively participate in Commission proceedings.
7. Interested persons who wish to become parties to this proceeding must file an intervention with the Commission regarding the above-noted issue by **20 October 2019**. The intervention must be filed in accordance with section 26 of the Rules of Procedure.
8. Parties are permitted to coordinate, organize, and file, in a single submission, interventions by other interested persons who share their position. Information on how to file this type of submission, known as a joint supporting intervention, as well

as a [template](#) for the accompanying cover letter to be filed by parties, can be found in Telecom Information Bulletin 2011-693.

9. All documents required to be served on parties to the proceeding must be served using the contact information contained in the interventions.
10. All parties may file replies to interventions with the Commission by **4 November 2019**.
11. The Commission encourages interested persons and parties to monitor the record of this proceeding, available on the Commission's website at www.crtc.gc.ca, for additional information that they may find useful when preparing their submissions.
12. Submissions longer than five pages should include a summary. Each paragraph of all submissions should be numbered, and the line *****End of document***** should follow the last paragraph. This will help the Commission verify that the document has not been damaged during electronic transmission.
13. Pursuant to Broadcasting and Telecom Information Bulletin 2015-242, the Commission expects incorporated entities and associations, and encourages all Canadians, to file submissions for Commission proceedings in accessible formats (for example, text-based file formats that enable text to be enlarged or modified, or read by screen readers). To provide assistance in this regard, the Commission has posted on its website [guidelines](#) for preparing documents in accessible formats.
14. Submissions must be filed by sending them to the Secretary General of the Commission using **only one** of the following means:

by completing the
[\[Intervention form\]](#)

or

by mail to
CRTC, Ottawa, Ontario K1A 0N2

or

by fax to
819-994-0218

15. Parties who send documents electronically must ensure that they will be able to prove, upon Commission request, that filing, or where required, service of a particular document was completed. Accordingly, parties must keep proof of the sending and receipt of each document for 180 days after the date on which the document is filed or served. The Commission advises parties who file or serve documents by electronic means to exercise caution when using email for the service of documents, as it may be difficult to establish that service has occurred.

16. In accordance with the Rules of Procedure, a document must be received by the Commission and all relevant parties by 5 p.m. Vancouver time (8 p.m. Ottawa time) on the date it is due. Parties are responsible for ensuring the timely delivery of their submissions and will not be notified if their submissions are received after the deadline. Late submissions, including those due to postal delays, will not be considered by the Commission and will not be made part of the public record.
17. The Commission will not formally acknowledge submissions. It will, however, fully consider all submissions, which will form part of the public record of the proceeding, provided that the procedure for filing set out above has been followed.

Important notice

18. All information that parties provide as part of this public process, except information designated confidential, whether sent by postal mail, fax, email, or through the Commission's website at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's website. This includes all personal information, such as full names, email addresses, postal/street addresses, and telephone and fax numbers.
19. The personal information that parties provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.
20. Documents received electronically or otherwise will be posted on the Commission's website in their entirety exactly as received, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.
21. The information that parties provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the web page of this particular public process. As a result, a general search of the Commission's website with the help of either its search engine or a third-party search engine will not provide access to the information that was provided as part of this public process.

Availability of documents

22. Electronic versions of the interventions and other documents referred to in this notice are available on the Commission's website at www.crtc.gc.ca by using the public record number provided at the beginning of this notice or by visiting the "Consultations and hearings – Have your say!" section, then selecting "our applications and processes that are open for comment." Documents can then be accessed by clicking on the links in the "Subject" and "Related Documents" columns associated with this particular notice.

23. Documents are also available at the following address, upon request, during normal business hours.

Les Terrasses de la Chaudière
Central Building
1 Promenade du Portage
Gatineau, Quebec
J8X 4B1
Tel.: 819-997-2429
Fax: 819-994-0218

Toll-free telephone: 1-877-249-2782
Toll-free TTY: 1-877-909-2782

Secretary General

Related documents

- *Bell Canada – Application for forbearance from the regulation of agreements and arrangements related to international telecommunications services*, Telecom Decision CRTC 2019-325, 20 September 2019
- *Filing submissions for Commission proceedings in accessible formats*, Broadcasting and Telecom Information Bulletin CRTC 2015-242, 8 June 2015
- *Filing of joint supporting interventions*, Telecom Information Bulletin CRTC 2011-693, 8 November 2011
- *Guidelines on the CRTC Rules of Practice and Procedure*, Broadcasting and Telecom Information Bulletin CRTC 2010-959, 23 December 2010