



Telecom Order CRTC 2005-388

Ottawa, 29 November 2005

Bell Canada

Reference: Tariff Notice 859C (NST)

Ex parte application

1. The Commission **approves on an interim basis** the *ex parte* application¹ by Bell Canada, dated 16 November 2005, subject to the following condition.
2. Bell Canada is to advise the Commission of the outcome of the selection process as soon as possible and notify the Commission that the customer has awarded the contract to Bell Canada. If Bell Canada is awarded the contract, the company is directed to file with the Commission at procedure@crtc.gc.ca, within two business days of the date of the above notification, an electronic version of the application² for the Commission web site. Among other things, the *CRTC Telecommunications Rules of Procedure* and Telecom Circular CRTC 2005-9 allow interveners to comment, within 25 days, on 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 *Finalization of a streamlined process for retail tariff filings*, Telecom Circular CRTC 2005-9, 1 November 2005.

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