



Telecom Order CRTC 2012-505

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Ottawa, 20 September 2012

KMTS – *Ex parte* applications

File numbers: Tariff Notices 69 and 70

1. The Commission **approves on an interim basis**, effective 24 September 2012, the *ex parte* applications¹ by KMTS dated 7 September 2012.
2. In order that the applications may be available for public examination, consistent with the *Canadian Radio-television and Telecommunications Rules of Practice and Procedure* (the Rules of Procedure), the company is directed to file with the Commission, on or before 24 September 2012, an electronic version of the applications for the Commission website. Among other things, section 59 of the Rules of Procedure incorporates by reference the procedural requirements established in Telecom Information Bulletin 2010-455,² which allow interveners to file interventions within 25 calendar days of the filing of the Group B tariff application that has 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 *Approval processes for tariff applications and intercarrier agreements*, Telecom Information Bulletin CRTC 2010-455, 5 July 2010