



## **Telecom Order CRTC 2005-277**

Ottawa, 26 July 2005

### **TELUS Communications Inc.**

Reference: Tariff Notice 540

#### **Integrated Services Digital Network-Primary Rate Interface**

1. The Commission received an application by TELUS Communications Inc. (TCI), dated 9 November 2004, proposing revisions to its General Tariff, item 495, Integrated Services Digital Network-Primary Rate Interface (ISDN-PRI) Service to establish terms and conditions for customers who wish to have their terminal equipment deliver the Calling Line Identification (CLID) of a location other than that defined under its currently approved tariff. TCI also proposed to introduce new conditions for ISDN-PRI related to E-9-1-1.

#### **Process**

2. On 15 December 2004, Xit telecom inc. on behalf of itself and Xittel telecommunications inc. (collectively, Xit telecom), filed comments. On 21 December 2004, TCI filed reply comments.

#### **The application**

3. TCI indicated that in its currently approved tariff item 495.2, CLID is defined as identifying a calling station to the called station in one of the following ways:
  - a) the billing telephone number of the customer's ISDN-PRI Service;
  - b) Alternate Number Delivery, Call Management Services (General Tariff, item 300); or
  - c) a valid Direct In Dial (DID) telephone number (General Tariff, item 170).
4. TCI stated that the above definitions, or CLID standard, were established to ensure that CLID would accurately identify a calling number associated with the ISDN-PRI Service location, thereby providing reliable information to subscribers of Call Display services who receive the call and for E-9-1-1 service call identification.
5. TCI stated that to ensure adherence to the above CLID standard, the company automatically deploys CLID screening in its central offices, a feature that enables a DMS switch to verify the calling number and send the verified number into the network, within the majority of its exchanges.
6. TCI stated that there were however situations where ISDN-PRI customers found it both appropriate and desirable to have their terminal equipment deliver the CLID of a location, other than those defined at item 495.2.

7. TCI provided as examples, situations where customers use their terminal equipment to forward calls to a remote location, (e.g. after-hours call forwarding to a different call centre) or where a carrier chooses to employ ISDN-PRI for line-side interconnection. TCI stated that in these cases, it would be desirable to display a number other than the customer's main service location of the ISDN-PRI.
8. TCI noted that to accommodate these customers, the company would have to disable the CLID screening so that the desired location, other than the ISDN-PRI service location number, could be delivered to the recipient of the call.
9. To facilitate the correct CLID delivery of such calls, TCI proposed to disable any CLID screening in the serving exchange on specific trunks used for call forwarding. TCI noted that the translation work involved in disabling CLID screening was very similar that found in its tariff item 495.4.5 ISDN-PRI Access service charges, Translation Change Charge. TCI proposed to use this tariff for the removal of CLID screening.
10. TCI also proposed to introduce new conditions of service for ISDN-PRI Service, related to E-9-1-1 service. Specifically, TCI proposed:

without restricting any indemnities in TCI's General Terms of Service, the Customer is responsible and shall indemnify TCI for, and save TCI harmless from and against, all charges, losses, costs, liabilities and damages of any kind whatsoever related to emergency services being dispatched to a location other than the location from which the call to 9-1-1 originated as a result of (a) any use by the Customer of ISDN-PRI Service that results in the location associated by TCI with a Calling Line Identification being a location other than the location from which the call to 9-1-1 originated; and (b) the failure by the Customer or any person using ISDN-PRI Service or any services used in conjunction with ISDN-PRI Service to respond, or provide complete or accurate information, to a 9-1-1 or emergency call operator requesting a response or information in order to properly dispatch emergency services.

*Xit telecom's comments*

11. Xit telecom submitted that TCI's application should be denied.
12. Xit telecom stated that TCI was proposing to make a fundamental change to the CLID standard which raised broad public policy concerns.
13. Xit telecom noted that CLID screening has always been a requirement imposed by the incumbent local exchange carrier (ILEC) with an objective of ensuring that the Automatic Location Identification/Automatic Number Identification (ALI/ANI) database remains populated with the civic address of the circuit, to ensure that 9-1-1 services are dispatched to the right location.

14. Xit telecom further noted that populating the ALI/ANI database for DIDs is a feature provided to Voice over Internet Protocol (VoIP) service providers by several competitive local exchange carriers as a premium service which is charged on a monthly basis at a rate that is often as high as a few dollars per month per DID.
15. Xit telecom further noted that in Telecom Order CRTC 2003-110, 14 March 2003, the Commission approved an application made by Bell Canada to provide an arrangement whereby a Private Switch (e.g. a PBX) operator would be able to electronically transmit location information to the company's ALI system. The purpose of this arrangement is to enable the delivery of 9-1-1 call-related location information of a Private Switch end-user, as provided to the company by the Private Switch operator, to the Public Safety Answering Point (PSAP).
16. Xit telecom noted that the record of another Bell Canada filing (TN 6812) demonstrated that Bell Canada had to clarify that it was prepared to allow updates to its ALI system. Xit telecom also noted that Bell Canada further conceded on the record of TN 6812 that it would allow 9-1-1 calls to be terminated on the Internet Voice Access Service (IVAS) and that Bell Canada would route the calls to the proper PSAP, as recognized by the Commission in Telecom Order CRTC 2004-353, 29 October 2004.
17. Xit telecom noted that TCI did not file any cost support of its application and that while at the onset, the removal of any functionality such as CLID screening may not necessarily need to be supported by an imputation test if the rates remain evidently above costs, the issue at hand was the broad public policy issues surrounding the proposed change by TCI to the CLID standard.
18. Xit telecom expressed concern that TCI's proposal may be a way to bypass the price floor associated with customers having to maintain public switched telephone network (PSTN) lines to premises in order to assure 9-1-1 service delivery. Xit telecom stated that in doing so, TCI may be trying to accommodate certain of its customers who are using TCI's wide area network (WAN) services provided at rates that are lower than for the corresponding unbundled network elements, to transport VoIP calls in a manner that is contrary to the forbearance granted for WAN services in *Forbearance granted for telcos' wide area network services*, Order CRTC 2000-553, 16 June 2000.

***TCI's reply comments***

19. TCI submitted that Xit telecom's comments were out of process as they were received after the 30-day filing period for comments, pursuant to Section 33 of the *CRTC Telecommunications Rules of Procedure*. TCI requested that the Commission disregard Xit telecom's comments as they were out of process, without merit and a mischaracterization of the proposed changes.
20. TCI stated that should the Commission choose to accept Xit telecom's comments, the following constituted its reply.
21. TCI submitted that it did not propose any fundamental changes to the CLID standard. TCI stated that the existing standards as currently set out in item 495 would remain unchanged. TCI submitted that its proposal recognizes that customers who forward calls to other locations have a legitimate business need to present a call origination CLID rather than a CLID of the

ISDN-PRI service. TCI viewed the proposed change as a necessary addition, rather than a fundamental change, to address the legitimate business requirements of customers who are forwarding calls.

22. TCI stated that the majority of Xit telecom's comments appeared to be made on the basis of Xit telecom's misguided interpretation of the revision proposed in TCI's application. TCI submitted that Xit telecom's comments were irrelevant to and had no bearing on TCI's application.
23. TCI stated that it did not file an imputation test with its application since it did not propose to introduce a new charge or rate element. TCI stated that since disabling CLID screening involves the same kind of switch translation work as that which is currently addressed by the tariff rate, the existing charge for Translation Change under tariff item 495.4.5 should be used. TCI noted that this rate is an existing CRTC-approved rate and does not require further demonstration that the charge was above the costs of providing the service.
24. TCI submitted that its application complied with all the necessary tariff requirements and should be approved.

#### **Commission analysis and determination**

25. The Commission notes TCI's objection that Xit telecom's comments were technically out of process but has considered them below as they were only marginally late and TCI suffered no prejudice.
26. The Commission notes that TCI proposed to provide ISDN-PRI customers with the ability to deliver CLID of a location other than those identified in tariff item 495.2. TCI proposed to do this by disabling CLID screening such that the desired location other than the ISDN-PRI Service location number would be delivered to the recipient of the call. The Commission disagrees that TCI's proposal is a way to bypass the price floor associated with customers having to maintain PSTN telephone lines to premises in order to assure 9-1-1 delivery.
27. The Commission considers that TCI's proposal to deliver CLID of a location other than those identified in tariff item 495.2, would enhance its ISDN-PRI service. The Commission considers that enhancing ISDN-PRI service to meet customer needs is a legitimate business decision.
28. With respect to Xit telecom's concern that TCI did not file an imputation test, the Commission notes that TCI proposed to use the already approved Translation Change Charge per ISDN-PRI system group per order as the rate for removing the CLID screening function. The Commission considers that similar translation work is involved for CLID screening. The Commission therefore finds that TCI is not required to file and imputation test for CLID screening.
29. The Commission notes that TCI also proposed to set out in its tariff the conditions regarding the CLID delivery of a location and the associated customer responsibilities and TCI's liability related to E-9-1-1.

30. The Commission notes that under TCI's proposal, a caller to 9-1-1 would be required to provide the emergency service call operator with information relating to the emergency. This is because a caller may be in a location different from the one indicated in the E-9-1-1 record due to call forwarding arrangements in effect at that point in time. In these instances, the caller is required to stay on the line and provide the emergency service call operator with information relating to the emergency.
31. The Commission considers that the proposed conditions are appropriate as they clearly establish the conditions regarding the delivery and location of CLID and the associated customer responsibilities as they relate to E-9-1-1. Further, while TCI proposes to limit its specific liability related to 9-1-1 calls, the overall provisions for indemnities under the Terms of Service would still apply.
32. The Commission considers that Xit telecom's comments with reference to Bell Canada's tariff notices and WAN service, are not relevant as they relate to Centrex Internet Protocol service, which does not use ISDN-PRI interface.
33. In light of the above, the Commission **approves** TCI's application. The revisions take effect as of the date of this order.

Secretary General

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