



Telecom Circular CRTC 2005-6

Ottawa, 25 April 2005

Introduction of a streamlined process for retail tariff filings

Purpose of this Circular

1. The purpose of this Circular is to provide notification of procedural changes that the Commission will implement to streamline and expedite the processing of retail tariff filings.
2. Section 26 of the *Telecommunications Act* (the Act) requires that the Commission respond to a tariff application within 45 business days. With the implementation of the initiatives detailed in this Circular, it is the Commission's intention to respond to each and every retail tariff application within 10 business days.
3. Currently, the Commission's average time to dispose of retail tariff applications is in excess of 55 business days. With the procedural changes outlined in this Circular, the Commission expects to reduce its average time to dispose of retail tariff applications by 50 percent over the next 12 months, with major improvements implemented immediately. The Commission's initiatives will enable the telephone companies to respond more quickly to customer needs in an increasingly competitive telecommunications marketplace.

The need for more streamlined procedures for approval of retail tariff applications

4. On 8 November 2004, Bell Canada filed an application, pursuant to Part VII of the *CRTC Telecommunications Rules of Procedure*, requesting that the Commission establish new procedures for disposing of incumbent local exchange carrier retail tariff filings, with the exception of applications for destandardization or withdrawal of a service. Bell Canada's proposal included specific, shortened timeframes for disposing of these applications and would have allowed for the automatic approval of applications.
5. The Commission recognizes the need for timelier disposition of tariff applications, given the rapid pace of innovation and the presence of competition in the telecommunications industry. Taking into account the interests of all stakeholders - incumbents, competitors and consumers - the Commission has developed the initiatives set out below.
6. The Commission's objectives for processing retail tariff applications set out below track, to a large extent, the timeframes proposed by Bell Canada. They do not, however, allow for automatic approval of tariff applications.
7. By separate letter dated 25 April 2005, the Commission is disposing of Bell Canada's Part VII application.

New streamlined procedures

Disposition of retail tariff applications

8. The Commission's objective will be to ensure that within 10 business days from the date a complete retail tariff application is received, the Commission will issue either (a) an order granting the application interim approval, (b) a letter stating that it intends to dispose of the application within 45 business days of receipt of the application, setting out the reasons why interim approval was not granted, (c) a letter either with interrogatories included or confirmation that interrogatories are to follow within 5 business days, and an indication that it still intends to dispose of the application within 45 business days, or (d) a letter indicating that the file is being closed due to deficiencies in the application, identifying the specific deficiencies.
9. If a specific application cannot be disposed of within 45 business days, the Commission will issue another letter setting out the reasons why, and specify the period of time within which the Commission intends to dispose of the application, in accordance with section 26 of the Act.
10. The Commission notes that applicants will be expected to respond more quickly to any interrogatories. More specifically, responses to interrogatories will be expected to be provided as soon as possible, normally within 5 to 10 business days depending on the complexity of the information sought.
11. In view of the new procedures outlined above, proposed effective dates for new or amended tariff pages may be as early as 10 business days after the filing date.
12. An application will be considered complete when the Commission has received the entire application, including any confidential and requisite supporting information, as well as any amendments (for example, A or B filings).
13. In cases where applications are closed or denied due to deficiencies, new applications can be filed under a new tariff number containing the necessary additional information.

Tariff applications to be filed electronically

14. In order to help the Commission meet its objective of responding expeditiously to tariff applications, the companies will be required to file all tariff applications on an electronic basis, using Epass, beginning on 1 May 2005. Epass will allow the companies to file at the same time, on a secure basis, both the confidential and abridged versions of the applications and any supporting documentation. The information necessary to file using Epass is available on the Commission's website at the following address: <http://www.crtc.gc.ca/eng/file.htm>.
15. Tariff applicants must file with their applications all information necessary to demonstrate compliance with the applicable regulatory requirements. As of 1 May 2005, as companies must file tariff applications using Epass, they will no longer be required to file paper copies of these applications.

Revised timeframes for filing comments and reply comments

16. The Commission is proposing to modify the time parties have to file comments and replies with respect to all tariff applications in order to help it meet the overall objective of timely disposal of tariff applications set out in this Circular. Beginning on 1 May 2005, interested parties are to provide comments within 25 calendar days of the filing date of an application, and the applicant is to file reply comments within 7 calendar days after the final date for interventions. Parties will continue to have the right to request an extension of time, providing justification for their request.

Conclusion

17. With this Circular, the Commission has taken several major steps to increase regulatory efficiency. In the Commission's view, regulatory delay will be reduced significantly as a result of the initiatives outlined in this Circular, given its stated intention to respond to each and every retail tariff application within 10 business days, and to dispose of virtually all of them within 45 business days. With the introduction of these initiatives, the Commission has also introduced increased certainty to the process, as applicants will know quickly the amount of time the processing of their applications will likely take.
18. The initiatives set out above, with the exception of those related to the filing of electronic documents and the timeframes for filing comments and reply comments, were introduced on 1 April 2005. The Commission is instituting these initiatives on a trial basis, until such time as the Commission has sufficient information to assess their ongoing appropriateness. The Commission will continue to examine additional options for increasing regulatory efficiency.
19. The Commission notes that the initiatives outlined in this Circular will not apply to applications for destandardization or withdrawal of a service, as the disposition of such applications is being addressed in the context of a separate proceeding.
20. On 1 April 2005, the Telecommunications Branch re-introduced, on a going-forward basis, the service standards for tariff applications that it had put in place effective 1 April 2002, in order to help monitor its efficiency in dealing with tariff applications. Following the trial period, final service standards will be implemented.

Secretary General

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