



Telecom Order CRTC 2018-176

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Ottawa, 18 May 2018

Public record: Tariff Notice 55

Rogers Communications Canada Inc. – New point of interconnection location in Argentia, Ontario

Application

1. The Commission received an application from Rogers Communications Canada Inc. (RCCI), dated 30 November 2017, in which the company proposed revisions to its Access Services Tariff to introduce a new high-speed access (HSA) disaggregated point of interconnection (POI) location in Argentia, Ontario. RCCI also proposed to add this new location to its list of aggregated HSA serving locations.¹ In this regard, RCCI submitted that it occasionally adds new service area locations based on forecasted network demand and network expansion.
2. RCCI proposed that the existing interim POI rates approved by the Commission would also apply to this new location. However, the company indicated that it may also file a new cost study to reflect the additional costs associated with this new POI location at a later date.
3. In Telecom Order 2018-3, the Commission approved RCCI's application on an interim basis, effective 4 January 2018.

Intervention

4. The Commission received an intervention from the Canadian Network Operators Consortium Inc. (CNOc). CNOc submitted that RCCI's request should be denied on a final basis as the company did not provide any justification for the introduction of a new disaggregated POI location.
5. CNOc submitted that the roll-out of disaggregated wholesale HSA services has brought about new implications for changes to POI locations by wholesale carriers, including new POI additions as proposed by RCCI and other changes such as POI splits. CNOc added that under a disaggregated configuration, competitive providers are required to secure their own transport to a POI, and must rely on the wholesale carriers' approved lists of POIs to plan and deploy network and business strategies to reach end-users in targeted serving areas.

¹ See Part G, item 704 of RCCI's Access Services Tariff. Also referred to as third-party Internet access (TPIA) in the company's tariff pages.

6. CNOC submitted that the addition of this new POI may require competitors to interconnect at an additional POI with significant additional interconnection and transport-related costs. CNOC argued that RCCI should be required to provide additional information explaining why this new POI location is required; whether interconnection to this new POI location is required to serve existing end-users; and why adjustments to RCCI's existing disaggregated POI locations that have already been approved on an interim basis would be insufficient to satisfy RCCI's wholesale business and technical needs.
7. In order to streamline the process for applications such as this one on a going-forward basis, CNOC proposed that all applicants be required to provide justification for any proposed changes to disaggregated POI locations.

RCCI's reply

8. RCCI submitted that the business decision to introduce a new head-end/POI location is based on a combination of factors such as network resiliency, redundancy, risk mitigation for fire or flood at a single location, and changes in technology. Network changes of this nature are for the benefit of all end-users, including its wholesale HSA customers, and are in no way driven by any desire to build a new disaggregated POI.
9. RCCI also submitted that the proposed change to POI locations will result in a change to the POI from which existing retail and wholesale end-users are served. Further, if the Argentia POI were not in place, then there would have to be a transport link between Argentia and the original head-end/POI location to enable HSA service in Argentia, in contravention of Telecom Decision 2016-379.
10. RCCI requested that the Commission dismiss CNOC's objections, and establish a minimally burdensome and streamlined tariff procedure, consistent with the policy objective set out in paragraph 7(f) of the *Telecommunications Act* (the Act),² thus providing certainty to the industry in order to foster increased reliance on market forces.

Commission's analysis and determinations

11. With regard to CNOC's request for an applicant to provide justification for introducing a new POI, the Commission notes that Telecom Information Bulletin 2010-455-1 (the Bulletin) establishes the process and the requirements for competitor tariff applications. In particular, the Bulletin requires a brief description explaining the exact service or equipment in question, and does not require an applicant to provide any additional justification. RCCI's description of its proposed new POI is consistent with this requirement.

² The objective set out in paragraph 7(f) of the Act is to foster increased reliance on market forces for the provision of telecommunications services and to ensure that regulation, where required, is efficient and effective.

12. In addition, the Commission is of the view that establishing a new head-end is a decision that a company makes for various technical, operational, and business reasons which may be highly sensitive, and that the additional information sought by CNOG is beyond the scope of information requirements to be filed with a tariff application.
13. In light of the above, the Commission finds in the circumstances that RCCI has provided sufficient information in support of its application, in compliance with the requirements set out in the Bulletin for such applications.
14. The Commission **approves on a final basis** RCCI's application, effective 4 January 2018. RCCI is to issue revised tariff pages³ within **10 days** of the date of this order.

Secretary General

Related documents

- *Various companies – Interim approval of tariff applications*, Telecom Order CRTC 2018-3, 4 January 2018
- *Follow-up to Telecom Regulatory Policy 2015-326 – Implementation of a disaggregated wholesale high-speed access service, including fibre-to-the-premises access facilities*, Telecom Decision CRTC 2016-379, 20 September 2016
- *Approval processes for tariff applications and intercarrier agreements*, Telecom Information Bulletin CRTC 2010-455-1, 19 February 2016

³ Revised tariff pages can be submitted to the Commission without a description page or a request for approval; a tariff application is not required.