



Telecom Order CRTC 2004-428

Ottawa, 17 December 2004

Bell Canada

Reference: Tariff Notice 835 (National Services Tariff)

Ex parte application

1. The Commission **approves on an interim basis** the *ex parte* application¹ by Bell Canada, dated 14 October 2004, with the following amendment. The tariff pages are to provide that Bell Canada is to notify the customer of the Customer Specific Arrangement (CSA) either on its monthly bill or by letter:
 - at least 60 days before contract expiry, that the contract or services will be automatically renewed unless the customer indicates otherwise; and
 - within 35 days following automatic renewal, that the contract has been renewed and that the customer may terminate the contract without penalty within 30 days of the date of the automatic renewal notice.
2. In addition, the Commission considers that tariff pages, which pertain to CSAs that provide for automatic renewal of the CSA and/or services within the CSA, are to reflect the above provisions.
3. In order that the application may be available for public examination consistent with the *CRTC Telecommunications Rules of Procedure* (the Rules), Bell Canada is directed to file with the Commission, within two business days of the date of this Order, a hard copy of the application for the public examination room at the Commission's headquarters in Gatineau, Quebec, and an electronic version for the Commission's web site. Among other things, the Rules allow interveners to comment, within 30 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.

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