



Telecom Notice of Consultation CRTC 2009-261-1

Additional reference: Telecom Notice of Consultation CRTC 2009-261

Ottawa, 4 August 2009

Notice of hearing

16 November 2009
Gatineau, Quebec

Proceeding to consider the appropriateness of mandating certain wholesale high-speed access services

File number: 8663-C12-200907321, 8638-C12-200905010, and 8661-C122-200904286

Changes to procedure

1. With this notice, the Commission amends certain procedures and scheduled dates established in Telecom Notice of Consultation CRTC 2009-261, 8 May 2009.
2. Specifically, the Commission amends the filing dates set out in paragraphs 23 to 26. It also adds a second round of submissions and interrogatories, as set out in new paragraphs 27, 28 and 29. The Commission renumbers all subsequent existing paragraphs to reflect the insertion of the new paragraphs. The revised procedure section follows for ease of reference.

Procedure

14. The ILECs, the cable carriers, CISP, Cybersurf, Distributel, OneConnect Canada, and Primus Telecommunications Canada Inc. are made parties to this proceeding.
15. The records of the CO-based ADSL access proceeding and the head-end-based cable network proceeding are made part of the record of this proceeding.
16. Parties other than those identified in paragraph 14 that are interested in participating in this proceeding (including receiving copies of all submissions) must notify the Commission of their intention to do so by filling out the online form; or by writing to the Secretary General, CRTC, Ottawa, Ontario, K1A 0N2; or by faxing to: 819-994-0218 by **22 May 2009** (the registration date). Parties are to provide their email address, where available. If parties do not have access to the Internet, they are to indicate in their notice whether they wish to receive disk versions of hard-copy filings.
17. The Commission will post on its website, as soon as possible after the registration date, a complete list of parties and their mailing addresses (including their email addresses, if available), identifying those parties who wish to receive disk versions.

18. Persons wishing merely to file written comments in this proceeding, without receiving copies of the various submissions, may do so by writing to the Commission by **7 December 2009** at the address or fax number noted above, or by filling out the online form.
19. The ILECs and cable carriers are to file, and other parties may file, initial submissions with the Commission on any matters within the scope of this proceeding, serving copies on all other parties, by **22 June 2009**. Such submissions are to provide detailed rationale, together with any supporting evidence.
20. The ILECs' initial submissions filed pursuant to paragraph 19 are to include, to the extent not already provided, the information described in Appendix 1. To the extent that an ILEC has already provided this information, it is to identify precisely where on the record the information may be found.
21. The cable carriers' initial submissions filed pursuant to paragraph 19 are to include the information described in Appendix 2.
22. Parties may address interrogatories to any party who filed initial submissions pursuant to paragraph 19. Any such interrogatories must be filed with the Commission and served on the relevant party or parties by **17 July 2009**.
23. Responses to interrogatories addressed pursuant to paragraph 22 are to be filed with the Commission and served on all parties by **31 August 2009**.
24. Requests by parties for further responses to their interrogatories, specifying in each case why a further response is both relevant and necessary, and requests for public disclosure of information for which confidentiality has been claimed, setting out in each case the reasons for disclosure, must be filed with the Commission and served on the relevant party or parties by **4 September 2009**.
25. Written responses to requests for further responses to interrogatories and for public disclosure must be filed with the Commission and served on the party or parties making the request by **11 September 2009**.
26. Determinations will be issued with respect to requests for further information and public disclosure as soon as possible. Any information to be provided pursuant to that determination must be filed with the Commission and served on all interested parties by **25 September 2009**.
27. Parties may file submissions with the Commission, serving a copy on all parties, by **2 October 2009**.

28. Parties may address additional interrogatories to any party who filed submissions pursuant to paragraph 27. Any such interrogatories must be filed with the Commission and served on the relevant party or parties by **9 October 2009**.
29. Responses to interrogatories addressed pursuant to paragraph 28 are to be filed with the Commission and served on all parties by **26 October 2009**. The information to be provided on the public record in response to these interrogatories should be consistent with the level of disclosure found to be appropriate in the determinations contemplated by paragraph 26.
30. The Commission will hold an oral public hearing, beginning on **16 November 2009** at the Conference Centre, Phase IV, 140 Promenade du Portage, Gatineau, Quebec. The hearing is expected to last no more than five days.
31. Parties wishing to appear at the oral hearing must file notice of their intention to participate no later than **9 October 2009**. An organization and conduct letter, providing directions on procedure with respect to the oral hearing, including the scope of the issues to be examined during the oral hearing, will be issued prior to the commencement of the oral hearing.
32. All parties may file final submissions with the Commission on any matter within the scope of this proceeding, serving copies on all other parties, by **7 December 2009**.
33. All parties may file replies with the Commission, serving copies on all other parties, by **21 December 2009**.
34. The Commission expects to issue a decision on the issues raised in this Notice of Consultation within 90 days after the record closes.
35. The Commission will not formally acknowledge comments. It will, however, fully consider all comments and they will form part of the public record of the proceeding.
36. Where a document is to be filed or served by a specific date, the document must be actually received, not merely sent, by that date.
37. Parties may file their submissions electronically or on paper. Submissions longer than five pages should include a summary.
38. Electronic submissions should be in HTML format. As an alternative, those making submissions may use "Microsoft Word" for text and "Microsoft Excel" for spreadsheets.
39. Each paragraph of all submissions should be numbered. In addition, the line *****End of document***** should be entered following the last paragraph. This will help the Commission verify that the document has not been damaged during electronic transmission.

40. The Commission also encourages parties to monitor the record of this proceeding (and/or the Commission's website) for additional information that they may find useful when preparing their submissions.

Important notice

41. Note that all information that you provide as part of this public process, except information granted confidentiality, whether sent by postal mail, facsimile, email or through the Commission's website at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's website. This information includes your personal information, such as your full name, email address, postal/street address, telephone and facsimile number(s), and any other personal information you provide.
42. The personal information you provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.
43. Documents received electronically or otherwise will be posted on the Commission's website in their entirety exactly as you send them, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.
44. Please note that the information you provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the webpage of this particular public process. As a result, a general search of our website with the help of either our own search engine or a third-party search engine will not provide access to the information which was provided as part of this public process.

Location of CRTC offices

45. Submissions may be examined or will be made available promptly upon request at the Commission offices during normal business hours:

Toll-free telephone: 1-877-249-2782

Toll-free TDD: 1-877-909-2782

Central Building
Les Terrasses de la Chaudière
1 Promenade du Portage, Room 206
Gatineau, Quebec J8X 4B1
Tel.: 819-997-2429
Fax: 819-994-0218

Metropolitan Place
99 Wyse Road, Suite 1410
Dartmouth, Nova Scotia B3A 4S5
Tel.: 902-426-7997
Fax: 902-426-2721

205 Viger Avenue West, Suite 504
Montréal, Quebec H2Z 1G2
Tel.: 514-283-6607

55 St. Clair Avenue East, Suite 624
Toronto, Ontario M4T 1M2
Tel.: 416-952-9096

Kensington Building
275 Portage Avenue, Suite 1810
Winnipeg, Manitoba R3B 2B3
Tel.: 204-983-6306 – TDD: 204-983-8274
Fax: 204-983-6317

2220 – 12th Avenue, Suite 620
Regina, Saskatchewan S4P 0M8
Tel.: 306-780-3422

10405 Jasper Avenue, Suite 520
Edmonton, Alberta T5J 3N4
Tel.: 780-495-3224

580 Hornby Street, Suite 530
Vancouver, British Columbia V6C 3B6
Tel.: 604-666-2111 – TDD: 604-666-0778
Fax: 604-666-8322

Secretary General

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