



Telecom Notice of Consultation CRTC 2010-43-2

Additional references : 2010-43, 2010-43-1

Ottawa, 30 March 2010

Notice of consultation and hearing

Obligation to serve and other matters

File numbers: 8663-C12-201000653, 8663-C12-200912437, and 8663-C12-200909658

Changes to procedure – Forbearance framework for mobile wireless data services

1. In Telecom Notice of Consultation 2010-43,¹ the Commission announced its intention to review, among other things, the appropriateness of the existing forbearance framework for mobile wireless data services. By letter dated 10 March 2010, the Canadian Wireless Telecommunications Association (CWTA), on behalf of its carrier members, submitted that this issue should be removed from the context of this proceeding and be considered in a separate process. Further, the CWTA stated that its carrier members were prepared to support the reapplication of section 24 and subsection 27(2) of the *Telecommunications Act* (the Act) to mobile wireless data services. Parties who commented offered general support for the CWTA's submission.
2. The Commission considers that, consistent with its practice, if subsection 27(2) of the Act is applied to mobile wireless data services, subsections 27(3) and 27(4) would also be applied. The Commission generally agrees with the CWTA's proposal, but finds that it would be more appropriate to conduct a separate written process within this proceeding, as set out below, to consider reapplying only section 24 and subsections 27(2), 27(3), and 27(4) of the Act to mobile wireless data services. Therefore, parties' comments on this issue are not to be included in their initial evidence filed pursuant to paragraph 35 of Telecom Notice of Consultation 2010-43, as modified below.
3. In light of the above, the Commission establishes the following process:
 1. Parties may file comments on the appropriateness of reapplying only section 24 and subsections 27(2), 27(3), and 27(4) of the Act to mobile wireless data services. Comments are to be filed with the Commission and served on all parties by **29 April 2010**.
 2. Reply comments are to be filed with the Commission and served on all parties by **10 May 2010**.

¹ *Proceeding to review access to basic telecommunications services and other matters*, Telecom Notice of Consultation CRTC 2010-43, 28 January 2010, as amended by *Obligation to serve and other matters*, Telecom Notice of Consultation CRTC 2010-43-1, 5 March 2010

Changes to procedure – Initial comments and other dates

4. By letter dated 12 March 2010, the Public Interest Advocacy Centre (PIAC) requested a two-week extension for the filing of initial evidence and comments, from 12 April 2010 to 26 April 2010. PIAC proposed that no other modifications to the schedule be made.
5. While most parties were in agreement with PIAC's request, some submitted that all subsequent deadlines in this proceeding should also be extended by two weeks.
6. After considering the submissions received, the Commission announces the following changes to the dates set out in Telecom Notice of Consultation 2010-43 (changes are in bold italics). There will be no change to the oral hearing schedule.
 35. Each party set out in paragraph 29 is to file, and other parties may file, evidence on matters within the scope of this proceeding. Each party's evidence must include an executive summary no longer than 10 pages. Parties filing evidence are to do so with the Commission, serving copies on all parties, by ***26 April 2010***.
 36. The Commission and the parties may address interrogatories to any party who has filed evidence pursuant to paragraph 35. Any such interrogatories must be filed with the Commission and served on the relevant party or parties by ***20 May 2010***.
 37. Responses to interrogatories are to be filed with the Commission and served on all parties by ***15 June 2010***.
 38. 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 ***22 June 2010***.
 39. 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 ***29 June 2010***.
 40. Determinations will be issued regarding requests for further information and public disclosure as soon as possible. Any information to be provided pursuant to such determinations must be filed with the Commission and served on all interested parties by ***13 July 2010***.
 41. Parties may address additional interrogatories to any party who filed evidence pursuant to paragraph 35. Any such interrogatories must be filed with the Commission and served on the relevant party or parties by ***20 July 2010***.

42. Responses to interrogatories addressed pursuant to paragraph 41 are to be filed with the Commission and served on all parties by **3 August 2010**.
43. 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 **10 August 2010**.
44. 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 **17 August 2010**.
45. A determination 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 will be filed with the Commission and served on all interested parties by **31 August 2010**.

Secretary General

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