



## Telecom Order CRTC 2003-514

Ottawa, 18 December 2003

### Aliant Telecom Inc.

Reference: Tariff Notice 94

#### Central office floor space information charges

*The Commission **denies** Aliant Telecom Inc.'s application to charge for the provision of Central Office floor space information. The Commission directed the incumbent local exchange carriers to make this information publicly available in Order CRTC 2001-780 for the benefit of competitors and other interconnecting carriers.*

1. The Commission received an application by Aliant Telecom Inc. (Aliant Telecom), dated 20 June 2003, to introduce Central Office Floor Space Information, item 604.3 of its General Tariff.
2. Aliant Telecom submitted that the purpose of the proposed service was to offer Central Office (CO) building information to competitors while at the same time allowing it to recover the costs of providing this service.
3. Aliant Telecom proposed to categorize the service as a Category I Competitor Service exempt from the mark-up reduction and the I-X constraint because the rate was for the recovery of service costs. Aliant Telecom filed an economic study in support of its proposed charges.
4. Aliant Telecom submitted that as directed by the Commission in *The Coalition for Better Co-location – Part VII application for general relief with respect to the co-location regime*, Order CRTC 2001-780, 26 October 2001 (Order 2001-780), it had made specific information available to competitors and updated that information semi-annually. Aliant Telecom stated that, to date, there had been no demand for Aliant Telecom CO floor information.
5. The Commission received comments from LondonConnect Inc. (LondonConnect) on behalf of itself and Allstream Corp. (Allstream) by letter dated 22 July 2003. Aliant Telecom submitted reply comments on 7 August 2003.
6. LondonConnect and Allstream submitted that the application should be denied. LondonConnect and Allstream objected to Aliant Telecom's proposal to charge competitors for CO building information. LondonConnect and Allstream indicated that in Order 2001-780, the Commission stated that the incumbent local exchange carriers (ILECs) were to make specific CO building information publicly available within 90 days, and that the information was to be updated semi-annually.

7. LondonConnect and Allstream submitted that the information specified by the Commission in Order 2001-780 was information, with the exception of a few items, that should be tracked by Aliant Telecom or any other local exchange carrier in order to manage its physical property assets and that the information did not relate to the presence of existing competitive local exchange carriers (CLECs) or digital subscriber loop (DSL) service providers. LondonConnect and Allstream argued that the recovery of costs associated with collecting and maintaining the information should not be recovered from a specific group of Aliant Telecom customers.
8. LondonConnect and Allstream concluded that the Commission should deny Aliant Telecom's proposal on the basis that the expenses were a normal cost of operating its business, the charge was discriminatory and anti-competitive to CLECs and DSL service providers and Aliant Telecom was already recovering such costs when an actual request for co-location was received.
9. In reply, Aliant Telecom submitted that, contrary to the claims made by LondonConnect and Allstream, this information was not provided to its own company operations in a systematic way and a semi-annual update of the information was not required. Aliant Telecom stated that this undertaking was solely due to the Commission's directive in Order 2001-780.
10. Aliant Telecom submitted that its proposal was not discriminatory or anti-competitive. Aliant Telecom argued that the CO building information was highly confidential and that the unrestricted release of this information could jeopardize the integrity of the public switched telephone network and customers who were responsible for national security. Aliant Telecom stated that detailed information about the use of its COs was protected within Aliant Telecom and would not be made available to non-competitors.
11. Further, Aliant Telecom argued that the compilation of the information was a manual process and considerable time and effort was required to assemble the required data and to make the information available. Aliant Telecom stated that these costs were incurred solely to provide the information to interconnecting carriers (IC) and these costs were not recovered in any other service rates.

### **Commission analysis and determination**

12. The Commission notes that the issue of the provision of CO building information was raised in the proceeding that led to Order 2001-780. In that proceeding, the Coalition for Better Co-location<sup>1</sup> (the Coalition) had asked the ILECs to provide detailed information on all their COs in Bands A, B and C. The Commission notes that Bell Canada, Aliant Telecom (formerly known as Island Telecom Inc., Maritime Tel & Tel Limited, NBTel Inc., NewTel Communications Inc.), MTS Communications Inc. and Saskatchewan Telecommunications were not able to provide a significant amount of the requested information. The Commission further notes that, for security reasons, TELUS Communications Inc. did not disclose the addresses of its COs.

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<sup>1</sup> A group of 12 competitive telecommunications service providers that share a number of common concerns with respect to the existing co-location regime and the co-location arrangements that are currently available from the ILECs.

13. After considering the issues raised by the Coalition and the ILECs regarding the provision of CO building information in that proceeding, the Commission determined in Order 2001-780 that:

... a certain amount of information with respect to COs must be made available and kept up-to-date to help ICs plan their activities and enable early discussions with the ILECs in evaluating solutions where space appeared to be limited or where space exhaust had not yet been investigated by the ILEC.

14. In its determination, the Commission directed the ILECs to make specific CO building information publicly available by posting it on their web sites for each CO building in Bands A, B and C, excluding addresses, and to further update the information semi-annually.
15. The Commission notes that the CO building information that Aliant Telecom proposes to provide for a charge in its application is identical to that which the Commission directed the ILECs to make publicly available in Order 2001-780.
16. The Commission further notes that it had not set out a process in Order 2001-780 for the ILECs to submit economic studies and associated tariffs, but rather directed the ILECs to make the CO information public by posting it on a web site where it would be readily available.
17. The Commission also notes that, since the issuance of Order 2001-780, no other ILEC has proposed to charge competitors a rate for this service or raised any additional security issues and that no comments were filed by other ILECs in this proceeding.
18. In light of the above, the Commission **denies** Aliant Telecom's application to charge for the provision of CO building information.

Secretary General

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