**CRTC INTERCONNECTION STEERING COMMITTEE**

**CANADIAN STEERING COMMITTEE ON NUMBERING (CSCN)**

**DISPUTE POSITION**

**Date of Submission:** 28 November 2017  **Dispute ID #:** CNDI001.docx

**Referenced Task #:**

**Name:**  Gerry Thompson

**Affiliation:**  Rogers Communications Canada Inc.

**Address:**  350 Bloor Street East, Toronto. M4W 0A1

**Tel:** 416-935-5239

**E-mail:**  Gerry.Thompson@rci.rogers.com

**Dispute Title:** NPA Relief Planning (709 NL) Relief Date Change – Rogers Position

**Dispute Description:** Proposed Change of Implementation Date of NPA 879 in relief of NPA 709 (NL)

**Priority:** High

**Tasks with Cross-impacts:**

**Background**

On 11 March 2016, the Canadian Numbering Administrator (CNA) informed the Commission that based on the 2016 G-NRUF results, NPA 709 in Newfoundland and Labrador (NL) was within the six-year window for NPA relief with a Projected Exhaust Date (PED) of May 2019.

The Commission issued TNoC 2016-205[[1]](#footnote-1) on 31 May 2016, in which it established a Relief Planning Committee (RPC) to examine options for providing relief to NPA 709. The RPC developed a Relief Implementation Plan (RIP), based on the PED of May 2019 for NPA 709, and submitted it to the Commission on 11 October 2016. The Commission approved the RIP in Decision 2017-35[[2]](#footnote-2).

The 709 RPC met by conference call on 17 November 2017 to review Bell Canada’s presentation of Dispute Information Form CNDI001, in response to Rogers’ 30 October 2017 contribution (attached herein as Appendix 1) that opposed Bell’s proposal to postpone the NPA 709 relief dates.

**Rogers Comments**

**A Decision is in Place**

Rogers notes that the most current CRTC Decision on the matter is Telecom Decision (TD) CRTC 2017-35. That Decision approved the recommended RIP submitted on 11 October 2016 as requested by the Commission in Telecom Notice of Consultation (TNoC) 2016-205. Absent any further Telecom Decision on that matter arising from a formal regulatory process such as a Part I Application, Rogers is adhering to the actions and dates in the RIP approved in TD 2017-35. Execution of that RIP has begun. In other words, “the train has left the station.”

**The NRUF Process Output Has a History of Variance**

The approved Network Resource Utilization Forecast (NRUF)[[3]](#footnote-3) process (approved by the Commission in TD CRTC 2006-04) predicted NPA 709 exhaust dates which include the initial March 2019 exhaust date that drove the initial Jeopardy declaration and the current Projected Exhaust Date (PED) of 1Q2024. The NRUF is known to have variances between NRUF releases as demonstrated each time it is released, with all NPAs in Canada. Rogers believes that the same variance in the process that moved the NPA 709 PED out almost five years may and could, at a future release, bring the PED back into a Jeopardy situation. A new Jeopardy situation could restrict access to numbering resources to new entrants as well as to existing carriers seeking expansion in the NPA 709 footprint. This includes new wireless service providers which might have set-aside spectrum in the upcoming 600 MHz spectrum auction,[[4]](#footnote-4) expected within 2 years, and have not yet filed a NRUF report. A new Jeopardy situation in NPA 709 would not concern Bell Canada because, as the Incumbent LEC in NPA 709, it already has physical and numbering assets in place. It has nothing to lose if the RIP is delayed, but everything to gain in the form of cost avoidance. To Bell, the deployment of the NPA 709 RIP represents only a cost and the NPA 709 RIP does not provide it with an input requirement for growth or expansion like a CLEC or WSP. It is natural for Bell to oppose the costs associated with the implementation of the NPA 709 RIP. Many would conclude that Bell’s approach is one of a party that resists competition.

**Telecom Decision CRTC 2014-338 Is Not a Precedent**

Bell argues that Telecom Decision CRTC 2014-338[[5]](#footnote-5), which revised the RIP for NPA 519 from 4 June 2015 to 4 June 2016, serves as a precedence. We disagree. Unlike in this case, it was released before any relief activities had begun. NPA 709 is a different situation. Relief activities have begun. “The train has left the station.” The first phase of the Public Awareness campaign ran from February to May 2017. In conjunction with the RIP, we notified our customers. Reversing the notification will create public confusion and will increase implementation costs. If the CRTC agrees with Bell, a new campaign would have to be undertaken on an expedited basis to reverse the previous campaign and to reset the new relief dates. If the PED changes again in the future and the RIP schedule is changed again, a similar revised campaign will have to be run one more time to reflect another revised PED. The resulting plethora of messages would be confusing to the public and unreasonably costly to competitive carriers.

**Conclusion**

For the reasons stated herein and in the Appendix 1, the CISC Steering Committee and the Commission should reject Bell’s assertion that the NPA 709 RIP be modified. There is a non-consensus of this issue in the NPA 709 Relief Planning Committee and Bell has not filed a Part 1 Application to review and vary TD 2017-35. It is natural for Bell to oppose NPA 709 relief. It is likely that Bell does not require incremental numbering blocks in NPA 709 and NPA 709 relief implementation represents only a cost without benefit to them. Bell wants to defer that cost.

The approved RIP has begun. There is no precedent CRTC Decision for this unique situation. Consumers would be confused if the relief dates are changed. Further, as stated above, future NRUF results could swing back to create a Jeopardy situation which could be a barrier to new competitor and new WSP deployment (in light of a spectrum auction within two years - they have not yet filed a NRUF report) and other carrier expansion plans within the NPA 709 footprint.

Rogers wants to continue with the original approved RIP to ensure that the public does not become confused and to ensure that adequate numbering resources are in place for future competitors in the NPA 709 footprint. In the event that the CRTC would vary TD 2017-35 stemming from this dispute, Rogers is of the strong opinion that Bell be responsible to pay for all Telecommunications Alliance costs related to any future the public awareness campaigns (including the one that would serve to notify consumers in 2018 that the Projected Exhaust Date has changed). CLECs should not have to pay for these Bell-initiated costs.

**Appendix 1: Rogers’ Contribution to NPA 709 RPC, opposing Bell’s proposal to postpone the NPA 709 relief dates.**

**CONTRIBUTION: NPA 709 Relief Planning Dates**

**Working Group: NPA 709 Relief Planning Committee (RPC)**

**Title**: **Rogers’ Comments on Proposed Changes to NPA 709 Relief Planning Dates**

**Date: October 30, 2017**

**RELATED TIF:** **NPA 709 Relief Implementation Plan**

**SOURCE: Gerry Thompson**

Rogers Communications Canada Inc.

Tel: 416-935-5239

[Gerry.Thompson@rci.rogers.com](mailto:Gerry.Thompson@rci.rogers.com)

**Simon-Pierre Olivier**

Rogers Communications Canada Inc.

Tel: 514-350-6595

[simon-pierre.olivier@rci.rogers.com](mailto:simon-pierre.olivier@rci.rogers.com)

**Distribution NPA 709 Relief Planning Committee**

**NOTICE:**

This contribution has been prepared by Rogers Communications Canada Inc. (“Rogers”) for the purposes of discussion within the NPA 709 Relief Planning Committee members, and it is not to be considered a binding proposal upon Rogers. Rogers reserves the right to amend or withdraw any statements made in this contribution.

**Background**  
  
Telecom Decision CRTC 2017-35 (2 February 2017) rendered determinations regarding NPA 709 relief planning, including approval of the Relief Implementation Plan (RIP) proposed by the NPA 709 RPC.   
  
The Decision states:

1. *With respect to the transition to 10-digit dialing, the Commission determines that* 
   * *the* ***permissive dialing period is to take place between 17 August and 9 November 2018****, with network announcements and automatic call completion for calls dialed using 7 digits being phased in during the period of 17 to 24 August 2018;*
   * ***mandatory 10-digit local dialing is to be implemented beginning on 10 November 2018****, with network announcements for calls dialed using 7 digits, stating that the caller must hang up and dial the area code with the 7-digit number, being phased in between 10 and 17 November 2018; and*
   * *standard network announcements stating that calls made using 7 digits cannot be completed as dialed are to be phased in between 2 February and 2 March 2019.*
2. *The* ***relief implementation plan includes a detailed implementation activity schedule, as well as the network and consumer communications activities that would need to be completed as part of the relief implementation process.*** *The Commission considers that the relief implementation plan includes steps that are consistent with the steps identified in the Canadian NPA Relief Planning Guideline and sets out implementation timelines that a telecommunications service provider can follow to meet the relief date.*
3. *In light of all the above, the Commission* ***approves*** *the relief implementation plan.*

[Emphasis Added]

The Jeopardy Condition in NPA 709 was suspended by the CNA effective 5 September 2017 due to the July 2017 NPA 709 R-NRUF results released by the CNA on 20 September 2017.[[6]](#footnote-6)

**Rogers’ Views on Postponement of NPA 709 Relief Dates**

For the following reasons, Rogers does not agree with Bell’s proposal to delay the NPA 709 relief dates listed in the CRTC-approved NPA 709 Relief Implementation Plan (RIP). The Bell proposal was presented to the NPA 709 RPC on 25 October 2017[[7]](#footnote-7).

1. The public awareness campaign[[8]](#footnote-8) has already started. Carriers have incurred costs for that campaign. Postponing the dates that include the CRTC-ordered 10-digit dialling date will likely create confusion for the public.
2. Carriers have also already started to notify their own customers (e.g. bill messages for landline and text messages for wireless customers). This activity is listed in the NPA 709 RIP as occurring between 24 February 2017 and 24 May 2017. Postponing NPA relief activities at this point in the process will likely create confusion for our customers.
3. Rogers has already incurred costs towards website updates, creation of customer-facing documents, back office system IT development, etc., to comply with Telecom Decision 2017-35. The same likely applies to other carriers that operate within NPA 709.
4. In reaction to the already-launched public awareness campaign, it is very likely that some end-users have already started to modify and update their telecom systems (e.g. PBX or alarm systems). They are also likely to have undertaken updates to business and personal documentation (e.g. their web sites, letterheads, business cards, etc.).
5. Rogers’ network implementation resources and budget for the anticipated NPA 709 2018 10-digit dialling and NPA 879 overlay dates are already in-place to comply with Telecom Decision 2017-35.
6. If the NPA 709 relief dates are modified as Bell proposes, Rogers and the industry at large will need to spend additional effort and money to notify our customers again, stating that dates including the mandatory 10-digit dialling date have been modified. This will likely generate call centre volume from customers posing questions. This will increase our call centre costs. And all affected carriers will have to re-do the consumer awareness work again in a few years.
7. 10-digit dialing is not a bad thing. Nomadic VoIP customers and wireless roamers would benefit from a consistent 10-digit dialing plan across most or all provinces. Canadians are travelling more and more so they would benefit by having the same dialing experience when dialing a local phone number, no matter where they are.
8. The CRTC-approved NPA 709 relief implementation plan has begun! Requesting the Commission to review its 2 February 2017 Telecom Decision, then render a new decision might take too much time. As identified above, changing the dates “mid-stream” will be disruptive and confusing to carriers and end-users. Further, the existing NPA 709 Relief Implementation Plan cannot afford to wait a few months while waiting for a determination from the Commission.
9. The change in the NPA 709 Projected Exhaust Date (PED) from the R-NRUF was unexpected. Explaining to the public that the industry was wrong by 4 years might increase their frustration and skepticism facing the telecom industry and the Commission as a whole. And of course, future R-RUFs for NPA 709 could bring the PED to a date closer than that predicted in the July 2017 R-NRUF. This would trigger the need for yet another change in the NPA 709 RIP if the Bell proposal is adopted.
10. Rogers believes that it is too late in the NPA 709 Relief Implementation to change dates for the above reasons and that the existing CRTC-approved RIP should be retained. Rogers appreciates the NPA 709 Relief Planning Committee’s time in considering the issues identified in this contribution.

\*\*\* END OF DOCUMENT \*\*\*

1. Telecom Notice of Consultation CRTC 2016-205*, Establishment of a CISC ad hoc committee for relief planning for area code 709 in Newfoundland and Labrador.* [↑](#footnote-ref-1)
2. Telecom Decision CRTC 2017-35, *Area code relief for area code 709 in Newfoundland and Labrador*. [↑](#footnote-ref-2)
3. http://www.crtc.gc.ca/cisc/eng/cisf3fg.htm [↑](#footnote-ref-3)
4. http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/h\_sf11331.html [↑](#footnote-ref-4)
5. http://www.crtc.gc.ca/eng/archive/2014/2014-338.htm [↑](#footnote-ref-5)
6. <http://cnac.ca/npa_codes/relief/709/relief_709.htm> [↑](#footnote-ref-6)
7. <http://cnac.ca/npa_codes/relief/709/relief_709.htm> [↑](#footnote-ref-7)
8. <http://cnac.ca/npa_codes/relief/709/documents/709_TA_CRTC_progress_report_1.pdf> [↑](#footnote-ref-8)