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File No. : 8633-T66-202201755

October 28, 2022

FILED VIA: GCKEY

Claude Doucet
Secretary General
Canadian Radio–television and
Telecommunications Commission
Ottawa, Ontario
K1A 0N2

Dear Mr. Doucet:

Re: *Telus Part 1* – Application requesting that SILECs be classified as Originating Network Providers for NG9-1-1

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1. Bragg Communications Inc., on behalf of itself and its small Incumbent Local Exchange Carrier ("SILEC") Persona Communications Inc.[1], carrying on business as Eastlink ("Eastlink"), provides herein our Intervention in support of the Part 1 Application filed by TELUS Communications Inc. ("TELUS") dated 25 April 2022 (the "Application") in which they are requesting that SILECs be classified as originating network providers ("ONP"s) within the NG9-1-1 ecosystem.

2. Eastlink has filed certain information (denoted by '##') in confidence with the Commission pursuant to Section 39 of the *Telecommunications Act*. This information includes competitively sensitive information related to private commercial agreements which we consider highly confidential.

3. In their Application, TELUS requests the Commission modify determinations made in Telecom Regulatory Policy CRTC 2017-182 ("TRP 2017-182") regarding the classification of SILECs as NG9-1-1 service providers. TELUS requests SILECs to be reclassified as ONPs. TELUS argues the Commission erred in classifying SILECs as ONPs, as in reality SILECs do not offer wholesale 9-1-1 services and essentially act as ONPs from a technical standpoint by

[1] Formerly Amtelecom Limited Partnership and People's Tel Limited Partnership

outsourcing the NG9-1-1 service to large ILECs. They argue self-provisioning of NG9-1-1 was never an option for SILECs due to the cost and resources required, leaving outsourcing as the only option.

4. In support of their Application, TELUS argues that granting their request would result in benefits to consumers, SILECs, and WSPs. SILECs would have access to the large ILEC wholesale tariffed NG9-1-1 rate, and would be able to pass those rates on to their customers rather than the SILEC cost-based rates which TELUS submits are 4-100 times higher than the large ILEC rates.[2] Further, depending on the outcome of the ongoing Part 1 Application from the Independent Telecommunications Providers Association ("ITPA") regarding NG9-1-1 rates in SILEC exchanges, they argue that WSPs with customers in SILEC exchanges would benefit from the lower large ILEC rates rather than the higher SILEC rates, as well as fewer billing system costs to manage dual rates.

5. Eastlink supports the Application. Based on our experience as both an ONP and operator of a SILEC in rural Ontario, Eastlink agrees that designating SILECs as ONPs for the purposes of NG9-1-1 services makes sense from a technical, financial, and practical perspective. This approach would have minimal impact from a technical perspective, create operational and administrative efficiencies, and reduces costs for SILECs and ultimately end-users.

Technical Implications

6. Eastlink has been working diligently since the Commission's determinations in TRP 2017-182 to facilitate the implementation of NG9-1-1 in our SILEC regions as well as our CLEC regions as an ONP. As outlined in our SILEC NG9-1-1 tariff filing dated November 1, 2021, we have contracted with a large ILEC to act as our NG9-1-1 service provider in our SILEC regions.

7. Eastlink agrees with TELUS that from a technical perspective a SILEC outsourcing NG9-1-1 to a large ILEC is essentially operating as an ONP. As stated at paragraph 9 of the Application *"Notably, the NG9-1-1 technological architecture deployment that has been adopted by the SILECs in their NG9-1-1 implementation is identical to what every ONP has utilized for its*

[2] Paragraph 20

NG9-1-1 configuration. In effect, technologically and functionally, SILECs are ONPs."[3] Based on our experience as both an ONP and SILEC, we agree the technical architecture is the same.

8. Based on the identical technical architecture, there would be little to no technical implications for our SILEC should the Application be granted. Any technical work we have completed for our SILEC to implement NG9-1-1 would have still been completed had it been classified as an ONP from the outset.

Operational and Administrative Efficiencies

9. Eastlink submits that, for SILECs, operating as an ONP would be much simpler from an administrative and operational standpoint than operating as an NG9-1-1 provider outsourcing to a large ILEC. SILECs are typically small operators providing services in rural areas and do not have the same resources as large ILECs. TELUS explains in the Application that current NG9-1-1 tariffs are not in their final state and are only interim as the service continues to develop and the current 9-1-1 service is eventually decommissioned. The need to develop new tariffs and cost studies as the service develops is anticipated to be burdensome. As detailed in our SILEC NG9-1-1 tariff filing dated November 1, 2021, Eastlink has faced challenges both due to unknowns surrounding providing the service as well as lack of resources to conduct cost studies to accurately reflect costs to inform tariff filings. Eastlink expects to continue to face the same challenges as the NG9-1-1 service develops and further tariff filings are needed. These concerns would be eliminated should the Application be granted.

10. Further, TELUS' proposal is consistent with how SILECs currently operate in the E9-1-1 environment. As noted by TELUS at paragraph 4 of the Application, SILECs currently operate as ONPs by delivering 9-1-1 traffic originated by their customers to large ILECs for termination on their 9-1-1 networks. Granting the Application would permit SILECs to continue to operate as they have been in the 9-1-1 environment without the additional burden of meeting NG9-1-1 service provider requirements.

[3] Paragraph 9

11. In Eastlink's case, where we operate as both a SILEC and an ONP, we currently need to dedicate resources to manage unique billing practices and other administrative aspects of the service in those two separate roles, despite the fact that the technical connection and end-user service is the same. Granting the Application would result in a streamlined NG9-1-1 administrative process for Eastlink across our serving areas.

Costs

12. Eastlink submits granting the Application would be in the public interest as it would result in lower fees for end-users. As noted by TELUS in the Application, because SILEC outsourcing of NG9-1-1 is in essence the same as operating as an ONP, and because most if not all SILECs have chosen to outsource, "[…] *the only outcome of the designation of SILECs as NG9-1-1 service providers is costs being levied upon SILECs to procure access to a NG9-1-1 network and having those costs passed through to the customers of the SILEC and the customers of WSPs who may be assigned residency (through an as yet undetermined method) within a SILEC exchange*."[4]

13. Ultimately, under the current framework, SILECs and their end-users are paying more for an identical service to that of ONP and large ILEC end-users. This is contrary to the intent of TRP 2017-182 which included ensuring a cost-effective solution for Canadians.[5] Further, this is contrary to the 2019 Policy Direction to ensure affordable access to high-quality telecommunications services in all regions of Canada, including in rural areas where SILECs largely operate. ###

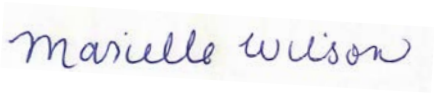
###. There is no justification for SILECs and their end-users to be subject to these higher costs when a more straightforward, efficient, and affordable solution exists. If the Application were granted, end-users would have access to lower rates and our SILEC would no longer be operating at a loss in delivering the service. Given the identical nature of the service under each scenario, Eastlink submits that it is clear the Application supports the most cost-effective and affordable approach for consumers.

[4] Paragraph 10.
[5] TRP 2017-182, paragraph 24.

Conclusion

14. Eastlink fully supports the Application to reclassify SILECs as ONPs within the NG9-1-1 ecosystem. Eastlink's experience as an ONP and a SILEC has demonstrated that from a technical perspective, a SILEC outsourcing to a large ILEC NG9-1-1 provider is essentially operating as an ONP. Where most if not all SILECs have chosen to outsource their NG9-1-1 service, granting the Application would not impose any additional technical requirements, but would result in significant cost benefits to end-users and SILECs alike. While Eastlink fully supports the Application, should the Commission choose not to grant the request Eastlink submits that at minimum the Commission should allow SILECs the option to operate as an ONP if they choose.

Respectfully submitted,



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