

January 8, 2001

Ms. Shirley Soehn
Executive Director, Telecommunications
Canadian Radio-television and
Telecommunications Commission
Ottawa, ON K1A 0N2

Dear Ms. Soehn:

RE: TCI Tariff Notice 327 and TCBC Tariff Notice 4120

Introduction

1. The Canadian Wireless Telecommunications Association (CWTA) is in receipt of TELUS Communications Inc. (TCI) Tariff Notice 327 (TN 327) and TELUS Communications (B.C.) (TCBC) Tariff Notice 4120 (TN 4120) that propose to introduce Wireless Service Provider (WSP) Enhanced Provincial 9-1-1 (E9-1-1) Network Access Service to allow WSPs with trunk-side access to interconnect with the Company's provincial 9-1-1 network. TCI and TCBC (collectively TELUS) also filed Wireless Service Provider Enhanced Provincial 9-1-1 Network Access Service Agreements. Due to the similarities between the proposed tariffs, CWTA provides the following comments on TN 4120 and TN 327 together.
2. CWTA represents the wireless telecommunications industry in Canada. It has a membership base of more than 300 domestic and international companies. CWTA's members come from a variety of sectors, including mobile telephone service providers, paging companies, mobile radio, mobile satellite carriers, and fixed wireless service providers. In addition, CWTA represents a broad cross-section of manufacturers and equipment suppliers to the industry.
3. TELUS Mobility, a CWTA member, is not a party to these comments.
4. These tariffs are of great interest to the wireless industry in Canada, as this service will enable wireless carriers, through TELUS' provincial 9-1-1 networks, to transport 9-1-1 call information not previously available to emergency call centers.

5. CWTA is generally satisfied with the contents of the tariffs, and regards the service as a positive step forward that will provide both an improved level of service to wireless subscribers and more useful and timely information to emergency response agencies. CWTA is pleased that TELUS has made the effort to devise an E9-1-1 service that reflects the needs of wireless carriers and their customers.
6. CWTA agrees with TELUS that rollout of the service is the responsibility of WSPs and PSAPs, along with the cooperation and assistance of TELUS, and that considerable planning is required between these parties before E9-1-1 can be operating successfully throughout the TELUS serving areas.
7. Notwithstanding the above, CWTA does have concerns about several specific issues.

Request for Clarification

8. CWTA fully supports TELUS' proposal to provide E9-1-1 service by means of CCS7 interconnection. However, wireless carriers must be permitted to use any existing CCS7 signaling facilities that are already in operation with TELUS. There is no technical justification for dedicating separate CCS7 signaling facilities to 9-1-1 service. TELUS should be directed to clarify the wording in its tariff pages such that it is clear that wireless carriers may use existing CCS7 signaling facilities.
9. With respect to the proposed rates, CWTA submits that it is appropriate to apply the methodology provided in Telecom Decision CRTC 99-17, as modified in Telecom Order 2000-630. That is, up-to-date working telephone number counts should be used to determine wireless demand for the calculation of the rate for this service.
10. CWTA supports the proposed use of NPA-511-XXXX for the provision of E9-1-1, but would like to ensure wireless carriers will not be required to pay TELUS for these non-dialable telephone numbers. TELUS will not need to recover any E9-1-1 costs via its existing telephone number charge, given that any costs incurred by TELUS will be recovered via the other charges identified by TELUS within the proposed E9-1-1 tariffs. Further, traffic will not egress from the TELUS network to these telephone numbers, as would be the case with traditional wireless telephone numbers loaded in a wireless carrier's switches. Therefore, the tariff pages should be modified to clearly state that wireless carriers will be under no obligation to remit payment to TELUS for the NPA-511-XXXX non-dialable numbers.
11. CWTA notes a typographical error in section 2.2 of Attachment 1. The requested effective date is January 8, 2000. In order to prevent any

misunderstanding, CWTA requests that the date be corrected to read January 8, 2001.

Concerns

12. CWTA is of the view that liability and indemnification considerations should be dealt with in a reciprocal manner. In Attachment 2, section 8.2 TELUS has proposed that WSPs will indemnify and hold harmless TELUS, and will further be liable to TELUS in certain circumstances. CWTA believes that wireless carriers must be able to hold TELUS liable at least to the extent provided for in its Terms of Service. CWTA submits that section 8.2, and specifically item (b), overstates the level of protection that TELUS should reasonably expect, while providing no protection for the wireless carrier. In order to rectify this imbalance, CWTA requests the Commission direct TELUS to modify section 8.2 of Attachment 2 to create a more equitable distribution of liability protection.
13. CWTA is also concerned by the attempt by TELUS to impose a recurring trunk termination charge on wireless carriers that make use of the service. Within the Conditions of Service of its proposed Wireless E9-1-1 Tariffs¹, TELUS states that “The rates and charges, and terms and conditions, for trunk termination as specified in General Tariff Item [TCI 555 / TCBC 197] shall apply for port connection(s) to the Selective Router(s).”
14. CWTA objects to the inclusion of this clause for two reasons. First, the trunk termination charges referenced therein bear no relation whatsoever to trunk-side 9-1-1 interconnection. Second, all costs of providing Wireless E9-1-1 incurred by the ILECs are already fully recovered from other charges.
15. CWTA notes that the trunk-side termination charges presently incorporated into TELUS’ WSP Access Tariffs² were derived from the Extended Area Service (EAS) transport services the ILECs provide to Competitive Local Exchange Carriers (CLECs). EAS transport charges are intended to recover the cost of common equipment and facilities employed by the ILECs in processing calls within the free local calling area of a given point of interconnection. CWTA knows of no rationale for why the cost of providing EAS transport would bear any relation to the cost of processing calls on the stand-alone 9-1-1 network.
16. More importantly, CWTA submits that the charges already in place in TELUS’ existing 9-1-1 service tariffs or proposed elsewhere in their Wireless E9-1-1 Tariffs fully recover all of the costs of providing Wireless E9-1-1.

¹ TCI TN 327 item 570.3.4 and TCBC TN 4120 item 197-C.D.4

² TCI item 555.4.6 and TCBC item 197-A.E.1(a)

17. As evidence, it is important to look at the tariff structure for trunk-side 9-1-1 interconnection by wireline CLECs. Under TELUS' Carrier Access Tariffs³, wireline CLECs pay two recurring charges for trunk-side 9-1-1 service: a monthly per active number charge, and a monthly per DS0 charge for transport facilities between the wireline CLEC switch and the ILEC 9-1-1 tandem. There is no incremental trunk interconnection charge beyond these two recurring charges.
18. For simplicity, some other ILECs have replaced their 9-1-1-specific DS0 transport facility charge by a more generic reference to their standard Digital Network Access (DNA) tariffs. See for example Bell Canada Tariff Notice 6456, approved in Order CRTC 2000-212. However, in none of these cases has the ILEC attempted to argue that an incremental trunk termination charge is required in addition to the standard DNA transport trunk rates.
19. In contrast, TELUS is requesting that wireless carriers pay a recurring per active number charge (including three-cent surcharge), a recurring DNA transport trunk charge plus a recurring trunk termination charge. CWTA recommends that the Commission eliminate the latter charge by rejecting tariff items TCI 570.3.4. and TCBC 197-C.D.4.

Other Issues

20. CWTA notes that on January 3, 2001, the Alberta E9-1-1 Advisory Association (AEAA) filed comments regarding TCI TN 327. CWTA submits that AEAA's requests (that adoption of the proposed service be mandatory, and that wireless subscriber records be included in the ANI/ALI database(s)) introduce issues that are beyond the scope of the TELUS tariff filings, and that no other parties have had an opportunity to comment on these two matters. In this regard, the Commission should not consider these issues within this proceeding.

Conclusion

21. In conclusion, CWTA is pleased with the proposed service and looks forward to working with TELUS and the PSAPs to implement it. Prior to offering its full support to the proposed services, CWTA requests the following actions;
22. First, CWTA requests that TELUS clarify within its tariffs that
 - a. wireless carriers may use existing CCS7 signaling facilities for connection with TELUS' 9-1-1 platform, and

³ TCI item 215.4.iv and TCBC item 105.D.3(g)

- b. wireless carriers will not be obligated to remit payment to TELUS for use of the NPA-511-XXXX format non-dialable numbers required for use of the service.
23. Second, CWTA requests that the Commission ensure the use of up-to-date working telephone number counts when the rate for the service is calculated.
24. Third, CWTA requests the Commission direct TELUS to modify Section 8.2 of Attachment 2 to create a more equitable distribution of liability protection.
25. Finally, CWTA requests the Commission, for the reasons noted above, reject tariff items TCI 570.3.4. and TCBC 197-C.D.4 in order to eliminate the recurring trunk termination charge.
26. CWTA appreciates the opportunity to provide these comments.

Sincerely,

Electronic filing

J. David Farnes
Vice President
Regulatory Affairs

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