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RESALE AND SHARING

1 DEFINITIONS For purposes of this tariff item:

"Affiliate" means any person who is not a Canadian carrier and who controls or is controlled by the Company or who is controlled by a person who also controls the Company. Control means control in any manner that results in control in fact, whether directly through the ownership of securities or indirectly through a trust, agreement or arrangement, the ownership of any body corporate or otherwise. C

"Class A Licensee" means a telecommunications service provider who;

a) operates telecommunications facilities used in transporting basic international traffic between Canada and another country, whether those facilities are owned by the licensee or leased from a separate facilities provider; or

b) operates telecommunications equipment that converts basic international traffic from circuit switched minutes originating in Canada to non-circuit switched traffic, or from non-circuit switched traffic to circuit switched minutes terminating in Canada, regardless of whether the licensee is responsible for the international transport; or

c) performs both of the functions described in (a) and (b), above.

Such telecommunications service providers shall have obtained from the Commission a Class A license for the provision of basic international telecommunications services. For more information with respect to licencing requirements refer to the Commission's web site at www.crtc.gc.ca.

"Class B Licensee" means a telecommunications service provider who provides international telecommunications services, but neither;

a) operates telecommunications facilities used in transporting basic international traffic between Canada and another country; nor

b) operates telecommunications equipment that converts basic international traffic from circuit switched minutes originating in Canada to non-circuit switched traffic, or from non-circuit switched traffic to circuit switched minutes terminating in Canada.

Class B licensees include service providers who only resell the switched services of other service providers. Such telecommunications service provider shall have obtained from the Commission a Class B license for the provision of basic international telecommunications services. For more information with respect to licencing requirements refer to the Commission's web site at www.crtc.gc.ca.

"Competitive Local Exchange Carrier" (CLEC) means a Canadian Carrier as defined in section 2 of the *Telecommunications Act*, recognized as a CLEC by the Commission pursuant to Telecom Decision CRTC 97-8. C

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RESALE AND SHARING – continued1 DEFINITIONS – continued

"Competitive pay telephone service provider" means a company or individual which provides competitive pay telephone service for use by the general public. For the purposes of this tariff, the competitive pay telephone service provider is the Company's customer.

"Circuit" means a voice-grade analog channel or a 64 kbps (DS-0) channel.

"Circuit Group" means a group of equivalent circuits.

"Control" includes control in fact, whether through one or more persons.

"Direct Access Line" (DAL) means a network arrangement used to transmit traffic over a dedicated facility between a Carrier's or Other Service Provider's interexchange network and a subscriber's premises.

"Data Service" means a telecommunications service other than a voice service.

"Dedicated Service" means a telecommunications service which is dedicated to the private communications needs of a user where one end of the facility used to provide the service is terminated at equipment dedicated to the user.

"Interconnecting Circuit" means a circuit that connects a facility of a reseller or sharing group to a facility of the Company to provide access to the Company's Public Switched Telephone Network (PSTN). An interconnecting circuit may connect (1) a facility of a reseller or a sharing group to the Company's Central Office to which subscriber lines are directly connected (end office); or (2) an interexchange circuit to a Company Centrex switch; or (3) a local circuit from a switch of a reseller or a sharing group to a Company Centrex switch; or (4) an overseas circuit to a Company Centrex switch; or (5) a facility of a reseller to a Company Central Office to which end offices are directly connected in order to originate or terminate toll traffic (toll office). C

"Interconnecting Circuits with Line Side Access" refers to any connecting arrangement provided by the Company to a reseller over which PSTN dial tone is delivered or access to the Company's toll-free service is provided to the reseller, enabling it to access or egress the Company's PSTN. C

"Interconnecting Circuit with Trunk Side Access" refers to a connecting arrangement provided by the Company to a reseller, between their respective switches, over which 1+950, 1+ or 10XXX routing information is exchanged for the purpose of routing traffic to and from the reseller's network.

"Interexchange Service" or "Interexchange Facility" means a service or facility configured to operate between any two Exchanges for which Message Toll Service charges would apply, including overseas and international services and facilities. C

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1 DEFINITIONS – continued

"Joint-Use Basis" means on a basis in which a circuit is not dedicated to a single user.

"Local VoIP Services" mean voice communication services using Internet Protocol that use telephone numbers which conform to the North American Numbering Plan and provide subscribers with universal access to and/or from the Public Switched Telephone Network, along with the ability to make and/or receive calls that originate and terminate within an exchange or local calling area as defined in the Company's tariffs. C

"Overseas Circuit" means a circuit that connects a service or a facility of an international service provider to a country other than the United States, directly or via an Overseas Carrier, for the purpose of providing overseas services.

"Related Persons": A person is "related" to another if (1) either holds, either directly or indirectly, at least a 20% interest in, any of the capital, assets, property, profits, earnings, revenues or royalties of the other, or (2) any third party holds, directly or indirectly, at least a 20% interest in, or any options to acquire at least a 20% interest in, any of the capital, assets property, profits, earnings, revenues or royalties of each of the persons.

"Resale" means the subsequent sale or lease on a commercial basis, with or without adding value, of telecommunications services provided by the Company. C

"Reseller" means a person engaged in resale. (Note 1) C

"Sharing" means the use by two or more persons, in an arrangement not involving resale, of telecommunications services provided by the Company. C

"Sharing Group" means a group of persons engaged in sharing. (Note 1) M¹

Note 1: For greater certainty, a customer is deemed not to act as a reseller or sharing group if the telecommunications services that it purchases from the Company are used only by a company and one or more related persons; a company and its franchises or authorized franchisees; or a cooperative organization and its associated member companies. For greater certainty, a government is deemed not to act as a reseller or sharing group if the telecommunications services that it purchases from the Company are used only by departments, agencies, crown corporations or other entities: C M²

- (a) declared by statute to be part of the government in question; or
- (b) with respect to the employees of which the government has the obligations of employer. M²

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M² – Moved from Page 68B.

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1 DEFINITIONS – continued

"Standby Circuit" means an interconnecting circuit with line side or trunk side access which has been activated but rendered incapable, by the Company, of carrying traffic. **C M¹**

"User" means a person or a member of a sharing group using a telecommunications service or facility for the person's or member's private communications needs.

"Voice Service" means a two-way telecommunications service involving direct real-time voice communication between two or more natural persons, but does not include a service, the purpose of which is limited to the coordination or setting up of a data service. **M¹**

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A. 1) Where a reseller or sharing group desires to enter into an arrangement or agreement whereby its facilities or services interconnect with the system or services of the Company, it shall first, if required by law, obtain the necessary authorization to permit the interconnection of its facilities or service with the system or services of the Company. C
C

2) Subject to the authorization which may be required as referred to in 1) above:

a) the facilities of a reseller or a sharing group may be interconnected with the system of the Company, and C
C

b) The Company's telecommunications service may be shared or resold (Note), in accordance with the rates, terms and conditions of this tariff. C

B. Resellers and sharing groups are required to register with the Company and the Commission prior to receiving service. C

C. Credit deposits as identified in Section 7 of Item 200 shall apply to resellers and sharing groups.

D. As a condition of resale, resellers of the Company's local exchange services are required to provide the Company with complete end-customer information, and to provide any changes to end-customer information (for example, information for new customers or changes for existing customers) within 30 days of the change. C
C

E. The provision of public pay telephone service by resellers and sharing groups is not permitted.

F. Where a reseller offers shared tenant service, it must provide the Company with direct access, under reasonable terms and conditions, to tenants who choose to receive service from the Company rather than, or in addition to, service from the reseller. C
C

G. The provision of an interexchange service by resellers and sharing groups using local services only is not permitted. Except as provided in Note 1 below, the resale of Community Calling Service, Urban Unlimited or similar services is not permitted.

H. The resale of Centrex services is subject to the following terms and conditions: C

1) all resellers and sharing groups must sign contracts for Centrex service, and must provide the Company with a detailed network diagram illustrating their requirements; C
C

Note: The resale of residential exchange services is permitted only to provide residential services. D
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2) resellers of Centrex service shall make all reasonable efforts to ensure that subscribers and end-users of the Centrex service do not employ the Centrex call transfer feature to transmit telemarketing telecommunications.

I. Monthly billing information is provided to each sharing group member by a standard billing report. The standard billing report includes the following:

For Business Savings Plan Service:

- 1) A Summary Bill reflecting:
 - Previous balance, payments and adjustments;
 - Balance forward;
 - Total current charges, including:
 - other charges and credits; and
 - chargeable messages;
 - Taxes (GST and PST) as appropriate;
 - Late Payment Charges (if applicable); and
 - Total amount due.

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I. For Business Savings Plan Service: – continued

2) Chargeable message details, including:

- Originating telephone number;
- Originating location by city and province;
- Date and time of call;
- Call type;
- Terminating telephone number;
- Terminating location by city and province;
- Billed minutes;
- Usage charges before discounts; and
- Taxes (GST and PST) as appropriate.

For Digital Private Line Service:

1) A Summary Bill reflecting:

- Previous balance and payments;
- Balance forward;
- Total current charges, including:
 - Equipment rental; and
 - Other charges and credits;
- Taxes (GST and PST) as appropriate;
- Late Payment Charges (if applicable); and
- Total amount due.

2) Service and equipment details, including:

- Explanation of the CVPP discounts, i.e. identification of the service components eligible for discounts, reflecting:
 - circuit numbers - billing telephone number;
 - USOC's and quantities of same - billing insert;
 - mileages (where appropriate) - billing insert;
 - service cross sections - minimum monthly commitment shown; and
 - total charges eligible for CVPP discounts;
- Equipment record details and charges - billing insert; and
- Explanation of other charges and credits - billing insert.

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2 GENERAL – continued

I. For Business Savings Plan Service: – continued

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For Long Distance Solutions:

1) Chargeable message details, including:

- Originating telephone number;
- Originating location by city and province;
- Terminating telephone number;
- Terminating location by city and province;
- Date and time of call;
- Duration of call; and
- Amount of call.

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2) Summarized message detail including:

- Discounts levels (domestic and international);
- Taxes (GST and PST) as appropriate;
- Total charges (prime time and non prime time);
- Terminating overflow charges;
- Customized message announcement charges;
- Miscellaneous charges and credits / feature charges;
- Usage detailed by account code;
- Usage detail by originating access type;
- Usage detail by Long Distance Solutions only phone card number; and
- Usage detail by 800 remote access number.

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3) Hierarchical report detail (available on paper copy only) such as:

- Summary report by organizational unit;
- Provincial summary; and
- Network access summary.

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I. For Business Savings Plan Service - continued

For Toll-Free Service:

1) A summary bill reflecting (paper):

- Previous balance, payments and adjustments;
- Balance forward;
- Total current charges, including chargeable messages, and other charges and credits;
- Taxes (GST and PST) as appropriate;
- Late payment charges (if applicable);
- Usage summary by NPA;
- Minute summary by NPA / time of day;
- Call summary by NPA / time of day;
- Call status summary by NPA / time of day;
- Feature subscription charges;
- Discount summary;
- Feature charges; and
- Total amount due.

C

C

2) Chargeable message details including:

- Originating NPA / NXX;
- Originating location by city and province;
- Time of call;
- Terminating 800 telephone number;
- Billed minutes;
- Summary usage charges before volume discounts;
- Completion status;
- Discount summary; and
- Total current charges before taxes, including chargeable messages, and other charges and credits.

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J. Information in alternate formats for services provided to customers who are blind.

1) Pursuant to the requirements of Decision CRTC 2002-13, as a condition of acquiring telecommunications services from the Company for resale purposes, resellers must make available to their end-users the following information, within a reasonable period of time, in Braille, large print, computer diskette or such other format as is mutually agreed upon by the parties:

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J. Information in alternate formats for services provided to customers who are blind - continued

a) upon request of subscribers who are blind:

- billing statements;
 - bill inserts sent to subscribers about new services or changes in rates for existing services;
- and
- any bill inserts that are mandated from time to time by the Commission.

b) upon request of subscribers or potential subscribers who are blind, information setting out the rates, terms and conditions of the service.

2) However, in the case of a request for an excessively large volume of information, the service provider may limit the alternative format to computer diskette or any other electronic format mutually agreed upon by the parties.

K. Reserved for future use. D

L. "Internet Traffic Management Practices" (ITMPs) are measures that may be used by Internet Service Providers (ISPs) to manage Internet traffic through economic or technical means. As a condition of service under this tariff, and in accordance with paragraphs 50, 66 and 104 of Telecom Regulatory Policy CRTC 2009-657, *Review of the Internet traffic management practices of Internet service providers* (TRP 2009-657), Resellers of the Company's services must ensure that customers employing ITMPs shall:

1) whether or not they are Canadian carriers, abide by the requirements of subsection 27(2) of the *Telecommunications Act* with regard to any ITMPs they employ;

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2) abide by the disclosure requirements described in TRP 2009-657; and

3) not use for other purposes personal information collected for the purposes of traffic management or disclose such information.

M. Pursuant to the requirements of Broadcasting and Telecom Regulatory Policy CRTC 2014-576, as a condition of resale, resellers of Company local voice services including VoIP, and/or Internet services are required to adhere to the following conditions: C

1) To the extent indicated in Broadcasting and Telecom Regulatory Policy CRTC 2014-576 customers may cancel their contract at any time by notifying their service provider.

2) Cancellation takes effect on the day requested by the customer, on or after the day that notice is given to the service provider.

3. INTERCONNECTION CHARGES

Interconnecting circuits

A. The Company will furnish interconnecting circuits with line side access to resellers, and sharing groups at the rates and charges specified in the Company's tariffs. C
C

B. The Company will furnish interconnecting circuits with trunk side access to resellers under the terms, conditions, rates and charges specified in the IXC Tariff (CRTC 24006). The particular requirements specified in Items 40, 41, 42, 70, 80, and 85 of the IXC Tariff (CRTC 24006) also apply. C

C. The Company will provide Billing and Collection Service to resellers with interconnecting circuits with trunk side access under the terms, conditions, rates and charges specified in the IXC Tariff (CRTC 24006) Item 42, including execution of the Billing and Collection Services Agreement specified in the IXC Tariff (CRTC 24006) Item 42 2.A. C

D. By utilizing Billing and Collection Service, the reseller agrees that all information provided to the reseller pursuant to 3.C. above is provided in confidence for the exclusive use of the reseller. The reseller is responsible for protecting the confidentiality of the information and may not provide, disclose, or resell this information to any third party, including but without restricting the generality of the foregoing, any agents, affiliates, related persons, co-venturers, etc.

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E. By utilizing Billing and Collection Service, the reseller agrees that all information provided to the reseller pursuant to 3.C. above may only be used for the purpose of billing eligible calls as defined in the Billing and Collection Service Agreement specified in the IXC Tariff (CRTC 24006) Item 42. Without restricting the generality of the foregoing, the reseller may not use any information provided pursuant to 3.C. above for telemarketing purposes. For the purposes of Item 3.C. above, telemarketing shall include but not be restricted to the promotion, by the reseller or by any person or entity, of the reseller or its services or products, or of any third party or its services or products, by any means.

F. Reserved for future use.

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RESALE AND SHARING – continued4. STANDBY CIRCUITS

A. Standby circuits are available to resellers under the service and equipment, rates and charges specified in Item 60 of the IXC Tariff (CRTC 24006).

5. INTERNET SERVICE PROVIDERS

A. The following definitions apply to this section:

"Internet Access Line" (IAL) refers to an access service provided by a Local Exchange Carrier (LEC) to an ISP which allows calls to be originated from or terminated to the Public Switched Telephone Network (PSTN). IALs typically connect to a "gateway" or server which provides the functionality to connect a caller to the Internet.

"Internet Service Provider" (ISP) is a service provider who provides dial access capability to connect customers to the Internet via an Internet gateway or server.

"IP Data" traffic includes all usage on the Internet except for PSTN Voice traffic and PC Voice traffic

"PC Voice" is real-time voice communication via the Internet using a personal computer or other terminal equipment which is equipped with a modem, and the hardware and software required to perform voice compression and conversion to a form which can be transmitted to or from an ISP over Internet Access Lines (IAL). At the IAL, PC Voice communication is effectively indistinguishable from other forms of communication between a modem-equipped personal computer and an ISP.

"PSTN Voice" is real-time voice communication via the Internet to or from a telephone set or other equipment where the conversion for carriage on the Internet is performed at the service provider's (i.e., the ISP's) equipment. Unlike "PC Voice", such communication can be accommodated using a normal telephone set, without requiring the user to be equipped with a modem or a computer with special hardware or software at the terminal location.

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RESALE AND SHARING – continued5. INTERNET SERVICE PROVIDERS – continued

B. Internet service providers are required to register with the Company and the Commission prior to receiving service. **C**

6. VOICE OVER INTERNET PROTOCOL (VoIP) SERVICE PROVIDERS (VSPs)

A. Where a local VSP is not a Canadian carrier subject to the Commission's emergency service obligations for local VSPs and the Company's telecommunications services are to be used by the local VSP for the provision of local VoIP services, then, as a condition of the Company providing these telecommunications services, the local VSP must register with the Commission as a Reseller and abide by the directives of the Commission set out in: **C**

a) paragraphs 52, 68, 93, 94 and 98 of Telecom Decision CRTC 2005-21, *Emergency service obligations for local VoIP service providers*; and **C**

b) Telecom Decision CRTC 2005-61, *Follow-up to Emergency service obligations for local VoIP service providers, Decision 2005-21 – Customer notification requirements*; and **C**

c) Telecom Decision CRTC 2007-44, *Routing of fixed/non-native and nomadic VoIP 9-1-1 calls to public safety answering points*.

B. A VSP that is providing nomadic or fixed/non-native VoIP services is required, as a condition of receiving telecommunications services from the Company, to abide by the following directives of the Commission as set out in Telecom Decision CRTC 2010-387, *Viability of proposals for the provision of E9-1-1 service for nomadic and fixed/non-native VoIP subscribers*: **C**

a) each time a customer of a VSP changes its billing address, the VSP is to contact the customer to confirm the most likely physical address of the customer for emergency purposes; and

b) the VSP is to ensure that its customers are able to update their most likely physical address online.