

June 22, 2023

Mr. Claude Doucet
Secretary General
Canadian Radio-television and
Telecommunications Commission
Ottawa, ON K1A 0N2

Dear Mr. Doucet:

**Re: CRTC File # 1011-NOC2023-0156 – Telecom Notice of Consultation CRTC 2023-156,
*Call for comments – Enabling direct 9-1-1 and 9-8-8 calls from multi-line telephone
systems***

1. Pursuant to the procedure outlined in Telecom Notice of Consultation 2023-156 (TNC), the Canadian Telecommunications Association (the “Association”) provides its initial comments concerning enabling direct 9-1-1 and 9-8-8 calls from multi-line telephone systems (MLTS).
2. The Canadian Telecommunications Association is an industry association dedicated to building a better future for Canadians through connectivity. Our members include service providers, equipment manufacturers, and other organizations in the telecommunications ecosystem, that invest in, build, maintain and operate Canada’s world-class telecommunications networks. Through our advocacy initiatives, research, and events, we work to promote the importance of telecommunications to Canada’s economic growth and social development, and advocate for policies that foster investment, innovation, and positive outcomes for consumers.
3. In this intervention we do not intend to comment on all the issues raised in the TNC. Failure to address any issue should not be construed as our agreement with any assertions made, or preliminary positions taken in the TNC. In addition, to the extent that any comments in this intervention conflict with a comment of an Association member, the comment of the member shall prevail with respect to that member.
4. The Association will focus its comments on two aspects:
 - i) The inappropriateness of indirect regulation; and

- ii) The timing and timeline of any activity resulting from a CRTC decision on this matter.

The inappropriateness of indirect regulation

5. At paragraph 13, the Commission notes that “[g]iven the importance of 9-1-1 and 9-8-8 services to the health and physical safety of Canadians, the Commission’s primary goal in initiating a proceeding is to move beyond voluntary rules or encouragements, and towards legally enforceable rules.”¹ They also identify jurisdictional challenges in terms of dictating specific behaviours or actions on MLTS manufacturers, vendors, and operators. Further, the Commission proposes to put in place Section 24 requirements essentially shifting the onus on telecom service providers (“TSPs”) to attempt to do what the Commission cannot: regulate the behaviour of these 3rd parties.
6. Multi-line telephone systems are complicated and diverse in nature, as are the relationships in place that support their usage. When one considers the number of potential parties to an MLTS solution and the possible configuration of services this leads to, the significance of the Commission’s proposal becomes more evident.
7. There is no one singular MLTS system or solution per TSP. In some cases, legacy systems with direct dialing have been installed and continue to be in use; these systems may not have the technological capacity to support what is proposed. In other instances, the MLTS may be end-user purchased and/or installed so a TSP providing access to the network would not have any line-of-sight on the system implementation and/or usage². In addition, there is the added complexity where a party – like Cisco or Microsoft – has the direct contractual relationship with the MLTS customer/end-user for services and the TSP is itself a third-party vendor with limited ability to influence or negotiate system requirements.
8. For example, if a university has a direct contractual relationship with Microsoft for the provision of Microsoft Teams with outward dialing capability, and Microsoft uses a TSP as a vendor to enable the service (i.e., provide access to their network) how would the TSP regulate the behaviour of the other parties to ensure that the system

¹ See Telecom Regulatory Policy CRTC 2023-156, paras. 13-16.

² This would be similar to an end user of a mobile device installing apps. The TSP is unaware of this and has no control over this installation, nor does the TSP ‘see’ how it is being used.

had the desired³ direct dialing capabilities? Additionally, the MLTS configuration is not in the purview of the TSP, nor does the TSP have a mechanism to validate that the prescribed configuration has been applied. In this scenario, the direct contractual relationship for the service would be between the university and Microsoft.

9. From an operational perspective, it is unclear how a TSP would be able to leverage control to ensure the direct dial capability is included, let alone implemented, and what mechanism or tool would need to be in place. Would the end-result be an expansion of certain contractual clauses for telecom services that state, “Client agrees to comply with the CRTC obligations when operating an MLTS system in conjunction with telecommunications services.”, or for the example above, a contractual clause which requires the MLTS vendor to ensure they or their client populates the required information and that the service enables direct dialing? Further, assuming that such clauses are included, who would police the behaviour and enforce accountability, and what would be the penalty for the non-compliance and which party would bear it?
10. At best, TSPs should be expected to provide their customers with the established best practices⁴ and promote their usage. And, if the Commission is of the view that multi-line telephone systems must enable direct 9-1-1 and 9-8-8 calls, it should seek out the appropriate jurisdiction to directly regulate manufacturers, vendors or operators of MLTS as it has done with respect to resellers which resulted in the implementation of s. 24.1 in the Telecommunications Act.

Location information associated with 9-1-1 calls originating from MLTS systems in an NG9-1-1 environment

11. Some incumbent local exchange carriers (ILECs) currently have services which allow TSPs to populate 9-1-1 location information associated with numbers that make use of MLTS systems on behalf of MLTS customers. This allows the 9-1-1 Service Provider (9-1-1 SP) to convey information of the office or hotel room location with a 9-1-1 call instead of the location of the MLTS switch which is used for the MLTS. The Commission may wish to consider whether MLTS vendors or operators should be

³ The capabilities to directly dial 9-1-1 and 9-8-8 may require differentiation at the equipment level. For example, the types of information that would need to be captured or relayed for 9-1-1 may not be the same as that for 9-8-8.

⁴ See Appendix to Telecom Decision CRTC 2023-156, Multi-line Telephone System Best Practices.

able to purchase such services directly and whether there are particular considerations in an NG9-1-1 environment given legacy E9-1-1 services are expected to be decommissioned in 2025.⁵

12. Recommendation: The Association recommends that the Commission request the CRTC Interconnection Steering Committee (CISC) Emergency Services Working Group (ESWG) to investigate whether Private Switch Ali (PS-ALI) type solutions should be developed for NG9-1-1 in light of NG9-1-1 networks' use of Location Information Servers (9-1-1 SP Hosted LIS vs. Originating Network Provider (ONP) LIS). The group should also consider whether MLTS vendors or enterprise customers should have the ability to directly populate such systems with the location information of their users.

Direct dialing to 9-8-8

13. As the Commission is also aware, the 9-8-8 voice service is not expected to launch in Canada until November 2023. Since this will be a new service in Canada it is difficult to predict how and when it will be used, and what impacts that may have on the program itself. Realistically, even with the most flawless of executions, the 9-8-8 program will need to be evaluated and allowed to settle into a steady state.
14. Implementation needs for 9-8-8 are also different than those for 9-1-1 and would therefore require a different MLTS solution.
15. Recommendation: The Association recommends that any obligations in relation to MLTS direct dialing to 9-8-8 be paused until the program has launched and stakeholders have an opportunity to review its usage patterns and identify any new requirements/needs that could impact other elements of program operation.⁶

⁵ Telecom Decision CRTC 2021-199, E911 to be decommissioned 4 March 2025 after onboarding and the migration of traffic from E911 to NG911.

⁶ It is important to remember that the 9-8-8 program has different operational needs from that of 9-1-1, and that many of those elements continue to be worked through currently by relevant stakeholders. It is still unclear to TSPs, for example, how the program will operate from a practical perspective or who the various partners in the process are. While some of these may not be relevant to TSPs, at this point it is difficult to know.

Timing and timeline of any activity resulting from a CRTC decision on this matter

16. Should the Commission determine that additional action by the TSP or MLTS manufacturers, vendors or operators is required, regardless of the form that takes, a realistic timeline, including transitional period, will be necessary.
17. Recommendation: The Association recommends that any obligations placed on TSPs in relation to MLTS direct dialing for 9-1-1 or 9-8-8, or the mandating of more detailed location information for 9-1-1 in MLTS systems, should include a 2-year transitional period for completion. In some cases, legacy systems with direct dialing have been installed for many years, if not decades, and continue to be in use by enterprise customers, both public and private. These systems may not have the technological capacity to support what is proposed.
18. In addition, any required action, regardless of the form that takes, should be applicable from a go-forward perspective, and applied to new equipment and/or users. This will allow time for MLTS manufacturers, vendors and operators to review requirements resulting from the decision and provide time for these stakeholders to develop or commission solutions that meet these new requirements.

Summary

19. Imposing regulation on a TSP does not guarantee the desired outcome in any of the scenarios identified, nor is it practicable or reasonable. It would also be inappropriate to potentially penalize a TSP for a MLTS manufacturer, vendor or operator's failure to comply. Such indirect regulation simply puts TSPs in an untenable middle-man position to police the behaviour of other entities even though the TSP has no direct line-of-sight on whether such obligations are complied with.
20. If the Commission is of the view that multi-line telephone systems must enable direct 9-1-1 and 9-8-8 calls, it should seek out the appropriate jurisdiction to directly regulate manufacturers or end users of MLTS as it has done with respect to resellers which resulted in the implementation of s. 24.1 in the Telecommunications Act.
21. The Association makes the following recommendations:

- Recommendation 1: The Association recommends that the Commission request the CISC ESWG to investigate whether PS-ALI type solutions should be developed for NG9-1-1 in light of NG9-1-1 networks' use of Location Information Servers (9-1-1 SP Hosted LIS vs. ONP LIS). The group should also consider whether MLTS vendors or enterprise customers should have the ability to directly populate such systems with the location information of their users.
- Recommendation 2: The Association recommends that any obligations in relation to MLTS direct dialing to 9-8-8 be paused until the program has launched and stakeholders have an opportunity to review its usage patterns and identify any new requirements/needs that could impact other elements of program operation.
- Recommendation 3: The Association recommends that any obligations placed on TSPs in relation to MLTS direct dialing for 9-1-1 or 9-8-8, or the mandating of more detailed location information for 9-1-1 in MLTS systems, should include a 2-year transitional period for completion. In addition, any required action, regardless of the form that takes, should be applicable from a go-forward perspective, and applied to new equipment and/or users only as of the end of the 2-year transition period.

Conclusion

22. The Association thanks the Commission for the opportunity to provide feedback on this important proceeding and looks forward to the ongoing collaborative discussion.