

**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***

**REPLY COMMENTS  
OF  
BELL CANADA**

**7 JULY 2023**

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## **1.0 INTRODUCTION**

1. There is a consensus from interveners who, like us, advocate for the widespread application of multi-line telephone systems (MLTS) best practices, recognizing their critical role in ensuring the accurate and timely response of emergency services to callers in need. As will be discussed in this Reply, the existing best practices, with minor revisions, are appropriate for this purpose.

2. While endorsing the best practices, most interveners acknowledge the challenges and limitations that telecommunications service providers (TSPs) would face if tasked with monitoring and enforcing regulations on MLTS systems. TSPs have limited visibility into customers' compliance with regulatory obligations owing to the fact that the responsibility for MLTS configuration primarily lies with MLTS managers and operators. Intervenors also recognized the technical, commercial, and practical complexities associated with MLTS, which involve multiple stakeholders and customized solutions.

3. Like us, the majority of interveners concluded that attempting to impose legally enforceable obligations on TSPs as a means to indirectly regulate MLTS providers, operators, and owners raises jurisdictional concerns. The Commission had previously acknowledged that it may not have the jurisdiction to set technical standards or require MLTS equipment manufacturers to configure MLTS equipment in a certain way.<sup>1</sup>

## **2.0 BELL REPLY COMMENTS**

### **2.1 Responsibility for MLTS configurations lies primarily with the vendors and operators**

4. The central issue raised in TNC 2023-156 is whether the Commission should implement obligations on providers of telecommunications services that involve an MLTS, including Canadian carriers and resellers, to enable direct dialing and to provide location information, along with a callback number, pursuant to sections 24 and 24.1 of the *Telecommunications Act* (the *Act*).

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<sup>1</sup> 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*, paragraphs 16 and 17.

5. In line with our Intervention, other TSPs have highlighted that the role of a TSP is frequently confined to ensuring the interoperability of telecommunications services with a customer's MLTS. Additionally, TSPs may serve as partners to MLTS providers like Cisco or Microsoft. In such cases, the TSPs have agreements with the MLTS vendors, but lack direct relationships with the end customers. Consequently, TSPs do not possess the means to ascertain whether an MLTS is configured for direct dialing or if accurate dispatchable location information has been appropriately implemented and maintained for each number utilizing the MLTS.<sup>2</sup>

6. Rogers explained that MLTS solutions can be either hardware- or software-based, and that they are under the full control of the MLTS operators. The customers themselves, or their MLTS vendors, are responsible for designing and configuring the specific type of solution and deploying it. TSPs play a role in providing public switched telephone network (PSTN) voice connectivity to these customers. This is typically achieved through the use of a TDM trunk facility (such as a DS1) or SIP sessions over a data facility. However, it is important to note that the TSP's role is limited to providing connectivity up to the demarcation points. Beyond those points, the control and management of the MLTS solution rest with the customers and/or their MLTS vendors.<sup>3</sup>

7. Sasktel,<sup>4</sup> Telus,<sup>5</sup> and Eastlink<sup>6</sup> have voiced similar concerns regarding the limited role and responsibilities assigned to them in the configuration of MLTS. They argue that imposing obligations on TSPs would place a heavy burden on them without achieving positive results. Sasktel stated that: "TSPs simply do not have the means nor visibility to validate and ensure that the Commission's proposed obligations are being met, nor are they able to enforce these obligations should they discover that a MLTS customer is not in compliance."<sup>7</sup>

8. In light of the aforementioned discussion, it is noteworthy that some stakeholders such as the City of Calgary, Avaya, London Police Service, NB911 Justice & Public Safety, and the Ministère de la Sécurité publique du Québec<sup>8</sup> cautiously alluded to the perceived advantages of

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<sup>2</sup> Bell Canada Intervention, paragraph 13.

<sup>3</sup> Rogers Intervention, paragraphs 8, 23, and 27.

<sup>4</sup> Sasktel Intervention, paragraphs 5 and 6.

<sup>5</sup> Telus Intervention, paragraphs 9 to 11.

<sup>6</sup> Bragg Communications, paragraph 4.

<sup>7</sup> Sasktel Intervention, paragraph 12.

<sup>8</sup> City of Calgary Intervention, lines 131 to 135; Avaya Intervention, page 1; London Police Service, paragraph 50; NB911 Justice & Public Safety Intervention, paragraph 10; Ministère de la Sécurité publique Intervention, page 4.

the Commission imposing conditions of service on TSPs. However, conditions of service may not effectively address the concerns related to MLTS operators and vendors due to the limited oversight that TSPs have over the specific configuration and deployment of MLTS solutions, as well as their role being primarily focused on providing PSTN voice connectivity.

9. Indirectly regulating MLTS operators and vendors by placing the burden on TSPs to enforce compliance, when the Commission lacks the authority to do so directly, would create a difficult situation for TSPs. TSPs would be caught in the middle, expected to oversee and enforce the obligations of other entities without having direct visibility into whether these obligations are being fulfilled. This would put TSPs in an untenable position, as they would not have the necessary line of sight or control to effectively monitor and ensure compliance with the regulations imposed on MLTS operators and vendors.<sup>9</sup>

10. If the Commission intends to implement regulations targeting these actors, it would be prudent to seek the necessary authority from the federal government. It is crucial to distinguish between the Commission's ability to impose conditions on TSPs, which fall within its jurisdiction, and the regulation of MLTS operators and vendors, which require explicit authorization.

11. According to Telus, the Commission has direct authority to regulate manufacturers of PBX and IP-PBX Apparatus to address any direct dialing concerns.<sup>10</sup> However, upon careful examination, it is unclear whether it accurately reflects the powers bestowed upon the Commission by Parliament. The Commission has stated that it lacks the direct authority to regulate manufacturers of PBX and IP-PBX telecommunications equipment. The Commission's authority primarily extends to regulating carriers and resellers as providers of telecommunications services.

12. The functions of an MLTS, which involve the switching of telecommunications services, categorize such equipment as exempt transmission apparatus under paragraph 2(1)(a) of the *Act*. The Commission's jurisdiction is limited to regulating non-exempt telecommunications facilities, while exempt apparatus, such as standalone MLTS technology, falls outside its purview. The Commission's authority to impose regulations on manufacturers of PBX and IP-PBX systems directly is therefore constrained by the exempt status of MLTS hardware and software. Consequently, the Commission does not possess direct regulatory authority over MLTS hardware or software. Moreover, even if 32(b) did enable the Commission to set technical standards for

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<sup>9</sup> Canadian Telecommunications Association Intervention, paragraphs 8 and 9.

<sup>10</sup> Telus Intervention, paragraph 18.

MLTS equipment, this would not enable potential obligations for such equipment to be configured by MLTS vendors and operators in a way that enables direct dialing or that dispatchable location information be implemented and maintained over time, which is the gap that the Commission seeks to address.

## **2.2 Further regulation and obligations**

13. As stated in our Intervention and by other TSPs, commercial MLTS agreements currently include specific provisions that MLTS best practices should be followed. As Rogers noted, even with such contractual clauses, these best practices are not legally enforceable, mainly because they are just that: best practices (as per Telecom Decision 2022-265).<sup>11</sup> The only recourse that TSPs would have to enforce these best practices would be the threat of terminating the underlying services under non-compliance situations, as recommended by the stakeholders cited above.<sup>12</sup> But clearly, such drastic action would not be a desirable outcome for MLTS users like hospitals and schools. Indeed, terminating services for non-compliant clients, especially in critical sectors like healthcare and education, would have detrimental effects on public safety, essential services, vulnerable individuals, and overall user experience. Instead, a collaborative approach that emphasizes education, support, and cooperation is more desirable for both Canadians and MLTS users, ensuring regulatory compliance while maintaining uninterrupted access to crucial communication services.

14. Under the circumstances, collaborative solutions between MLTS operators, vendors, and users would be a more effective way to address compliance issues than regulations. This approach fosters a cooperative environment where stakeholders work together to identify and resolve compliance challenges. By promoting open dialogue and providing resources for achieving compliance, the industry can collectively ensure the safety and reliability of MLTS systems.

15. In the event that direct obligations are implemented, adopting a two-year implementation notice period that applies on a forward-looking basis is both necessary and reasonable for several compelling reasons. First, MLTS stakeholders, including owners, operators, providers, and resellers, require sufficient time to assess the technical capabilities of existing systems and to

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<sup>11</sup> Rogers Intervention, paragraph 25; Telecom Decision CRTC 2022-265, *CISC Emergency Services Working Group – Consensus report ESRE0074b – Proposal to Manage Multi-line Telephone Systems in the Canadian Enhanced 9-1-1 or Next-Generation 9-1-1 Environment*.

<sup>12</sup> Bell Canada Reply Comments, paragraph 8, Supra footnote 8.

develop and implement the necessary software and process changes for MLTS systems. Second, these changes often involve complex coding, rigorous testing, and seamless integration with the existing infrastructure. Third, some legacy systems or custom MLTS implementations may present challenges in terms of updating them within a commercially reasonable timeframe, as recognized by the United States, which established forward-looking obligations.<sup>13</sup> Finally, certain MLTS configurations may necessitate hardware or firmware changes, which require careful design, manufacturing, and deployment processes. Vendors typically adhere to specific release schedules for software updates and system enhancements to ensure quality control, reliability, and efficiency, which can affect the implementation capabilities.

16. The two-year notice period provides stakeholders with an opportunity to plan and allocate resources for incorporating the required MLTS changes into their upcoming release cycles. By integrating these changes into manufacturing and procurement processes, stakeholders can ensure that newly produced MLTSs are fully compliant and ready for deployment. Introducing new features to MLTS also calls for training sales and customer support staff, as well as internal IT support staff, to familiarize them with the new functionalities and their workings. This training ensures that MLTS stakeholder personnel are equipped with the necessary knowledge and skills to effectively assist customers and users and address any issues related to the new functionalities.

17. Certain stakeholders have advocated for the application of the new obligations by November 2024.<sup>14</sup> However, it is important to note that this request is not supported by any empirical study or analysis. Their suggestion seems to be solely based on the forthcoming implementation of the 9-8-8 emergency service. London Police Service recognized that the timeline should take into consideration the time required to update the system and educate the users.<sup>15</sup> It enables them to align their development cycles, synchronize internal processes, and ensure a seamless transition for their customer-facing operations. This approach fosters a smoother and more efficient implementation of the necessary MLTS changes while mitigating potential disruptions to the services provided by stakeholders. Several stakeholders have

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<sup>13</sup> See "Multi-line Telephone Systems – Kari's Law and RAY BAUM'S Act 911 Direct Dialing, Notification, and Dispatchable Location Requirements," Federal Communications Commission, <https://www.fcc.gov/mlts-911-requirements>, which states: "Compliance date (MLTS direct dialing and notification) and Exemption for Legacy MLTS: Kari's Law and the Commission's rules are forward-looking and do not apply with respect to any MLTS that is manufactured, imported, offered for first sale or lease, first sold or leased, or installed on or before February 16, 2020."

<sup>14</sup> Agence municipale de financement et de développement des services d'urgence 9-1-1 du Québec Intervention, page 3; Ministère de la Sécurité publique Intervention, page 4.

<sup>15</sup> London Police Service Intervention, paragraph 11.

supported a two-year window and a forward-looking rule allows vendors and operators to adequately prepare for the upcoming changes.<sup>16</sup> By allowing ample time for planning, resource allocation, training, and coordination, the two-year timeframe supports the successful adaptation and compliance of MLTS systems in a manner that is practical and feasible for all involved parties.

18. We noted in our Intervention that certain 9-1-1 service providers offer Private-Switch Automatic Location Information (PS-ALI) services. These services allow a TSP to integrate location information on behalf of an MLTS customer into the 9-1-1 service provider's E9-1-1 ALI database. This ensures that the Public Safety Answering Point (PSAP) can access accurate location information associated with the telephone number used by an MLTS if the MLTS user has provided detailed information (e.g., proper configuration by the enterprise customer's IT department indicating the specific office location within a building). In light of the use of hosted or TSP-provided location information servers (LIS) in next-generation 9-1-1 (NG9-1-1) configurations, the Commission should request the Emergency Services Working Group (ESWG) to review whether similar PS-ALI-type solutions should be developed for NG9-1-1. Additionally, the ESWG should consider whether MLTS vendors, managers, or operators should have the ability to update information within these PS-ALI-type solutions or LISs without TSP involvement, as TSP involvement is often limited when it comes to MLTS configurations.

19. The outcome of a review by the CRTC Interconnection Steering Committee (CISC) on Numbering regarding potential solutions for automated provisioning of dispatchable location information with MLTS calls could lead to further recommended obligations or best practices regarding populating information in LIS or PS-ALI-type services. For instance, it could result in a recommendation that MLTS operators maintain accurate information regarding telephone numbers used within an MLTS and upload this information into the 9-1-1 service provider's or relevant TSP's LIS or NG9-1-1 compatible PS-ALI-type solutions. Avaya also recommends that: "the CRTC should direct ... ESWG to identify ways in which MLTS systems can take advantage of the information known to the MLTS system or its associated enterprise 9-1-1 application to update or supply location information directly to the 9-1-1 systems and networks."<sup>17</sup>

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<sup>16</sup> Rogers Intervention, paragraph 26; Telus Intervention, paragraph 58; Sasktel Intervention, paragraph 13; Canadian Telecommunications Association, paragraphs 16 to 18.

<sup>17</sup> Avaya Intervention, page 4.



### **2.3 Strong consensus that 9-1-1 and 9-8-8 obligations are not necessarily the same**

20. Multiple stakeholders, including the Agence municipale de financement de développement des services d'urgence 9-1-1 du Québec, have recognized the distinct nature of 9-8-8 calls and the need for different response protocols.<sup>18</sup> It is widely acknowledged that the obligations should not be identical for 9-1-1 and 9-8-8 services. The City of Calgary has specifically emphasized that location information is not necessary for 9-8-8 calls.<sup>19</sup> Avaya, the London Police Service, and Rogers have all expressed agreement that obligations should be tailored to the specific service requirements.<sup>20</sup> Rogers has also raised privacy concerns related to 9-8-8, highlighting the need for a different approach than that applied to 9-1-1.<sup>21</sup> Esri Canada did not provide comments on 9-8-8, indicating that the focus and priority should remain on 9-1-1, at least for the time being.<sup>22</sup> Furthermore, the Canadian NG911 Coalition abstained from providing comments on 9-8-8, citing a lack of expertise in the matter.<sup>23</sup> This collective stance from various stakeholders underscores the need to treat 9-8-8 differently, and it would be prudent to suspend any obligations until sufficient information has been gathered about the 9-8-8 service. Taking this approach will allow for informed decision-making based on a thorough understanding of the unique requirements and considerations associated with 9-8-8.

### **3.0 CONCLUSION**

21. The ESWG identified challenges with MLTS in a report submitted to the Commission including MLTS direct dialing to access 9-1-1, emergency call routing functions, and Automatic Location Identification (ALI) display capabilities. While the Commission has jurisdiction over 9-1-1 providers and telecommunications service providers (TSPs), it lacks authority over MLTS providers or owner-operators.

22. Bell Canada shares the goal of ensuring successful 9-1-1 calls and accurate caller location information. However, we caution against adopting simplistic obligations that overlook the technical, commercial, and practical challenges associated with MLTS. MLTS solutions are highly versatile and lack consistency, with customization by vendors and operators. The implementation

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<sup>18</sup> Agence municipale de financement de développement des services d'urgence 9-1-1 du Québec Intervention, page 3.

<sup>19</sup> The City of Calgary Intervention, lines 111 to 113.

<sup>20</sup> Avaya Intervention, page 3; London Police Service Intervention, paragraph 9; Rogers Intervention, paragraphs 17 and 21.

<sup>21</sup> Rogers Intervention, paragraph 17.

<sup>22</sup> Esri Canada Intervention, page 6.

<sup>23</sup> Canadian NG911 Coalition, paragraph 9.

of MLTS involves various vendors, service providers, and IT departments, making oversight by the Commission difficult. MLTS vendors and operators may not fall within the definition of a telecommunications service provider as defined by the *Act*.

23. Furthermore, the involvement of TSPs in MLTS configuration is limited, and they have no visibility into customers' compliance with regulatory obligations. Bell believes that additional obligations for TSPs are unnecessary. However, if the Commission has jurisdiction over MLTS stakeholders, Bell suggests mandating direct dialing capabilities for 9-1-1, similar to Kari's Law in the U.S., with a reasonable transition period and a forward-looking rule, including reasonable exceptions based on technical feasibility.

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