

The Wireless-Service- Provider Network Access Regulations

Repealed

by Saskatchewan Regulations 93/2000
(effective November 2, 2000).

Formerly

Chapter S-34 Reg 4 (effective April 1, 1999).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER S-34 REG 4

The Saskatchewan Telecommunications Act

Title

1 These regulations may be cited as *The Wireless-Service-Provider Network Access Regulations*.

Interpretation

2 In these regulations:

- (a) “**Act**” means *The Saskatchewan Telecommunications Act*;
- (b) “**alternate provider of directory assistance**” means a person that provides directory assistance service to a customer of a wireless-service-provider by a means other than accessing SaskTel’s directory assistance;
- (c) “**authorized Saskatchewan inter-exchange carrier**” means a Canadian carrier within the meaning of the *Telecommunications Act* (Canada) that has received approval pursuant to section 43.1 of the Act to operate as an inter-exchange carrier in Saskatchewan;
- (d) “**cellular system**” means a system duly licensed pursuant to the *Radiocommunication Act* (Canada) to operate in the 824.040 to 848.970 megahertz portion and the 869.040 to 893.970 megahertz portion of the radio spectrum;
- (e) “**directory assistance**” means an operator assisted service that provides a Saskatchewan telephone number listing in response to a request from a customer;
- (f) “**enhanced specialized mobile radio system**” means a system duly licensed pursuant to the *Radiocommunication Act* (Canada) to operate in the 806 to 821 megahertz portion and the 851 to 866 megahertz portion of the radio spectrum;
- (g) “**general tariff**” means the schedule of charges, rates, terms and conditions for telecommunication services established pursuant to subsection 9(2) of the Act;
- (h) “**message relay service**” means a service to provide hearing-impaired or speech-impaired customers with the ability to communicate with other customers through the use of specialized equipment;
- (i) “**personal communications system**” means a system duly licensed pursuant to the *Radiocommunication Act* (Canada) to operate in the 1850 to 1990 megahertz portion of the radio spectrum;

- (j) **“public switched telephone network”** means the part of SaskTel’s telephone network that provides switched telephone service to the general public;
- (k) **“SaskTel telephone exchange area”** means the telephone exchange areas and boundaries administered by SaskTel and set out in the general tariff;
- (l) **“telecommunication equipment”** means all equipment that is used in whole or in part to provide telecommunication services, including lines, poles, structures, wires, cables, conduit, apparatus, switches, and processors;
- (m) **“wireless-service-provider”** means a cellular system operator, a personal communication system operator or an enhanced specialized mobile radio system operator providing services in Saskatchewan;
- (n) **“wireless-service-provider network access”** means the attachment of the wireless-service-provider system to the public switched telephone network;
- (o) **“wireless-service-provider system”** means a wireless telecommunication system that:
- (i) is owned by a wireless-service-provider; and
 - (ii) consists of low power radio transmitter and receiver cells and connected switches that are configured to provide mobile radio communication service to customers;
- (p) **“wireless-service-provider terminal”** means a wireless telephone used by an individual subscriber to access a wireless-service-provider system.

16 Apr 99 cS-34 Reg 4 s2.

Attachment of wireless-service-provider systems

3 Subject to these regulations, SaskTel may permit a wireless-service-provider to attach a wireless-service-provider system to SaskTel’s telecommunication lines to obtain access to the public switched telephone network.

16 Apr 99 cS-34 Reg 4 s3.

Conditions of attachment

4 The attachment of a wireless-service-provider’s system to SaskTel’s telecommunication lines is subject to:

- (a) the terms and conditions of service set out in the general tariff; and
- (b) the terms and conditions of any interconnection agreement between SaskTel and the wireless-service-provider.

16 Apr 99 cS-34 Reg 4 s4.

Agreement

5(1) A wireless-service-provider that attaches a wireless-service-provider system to SaskTel's telecommunication equipment for the first time after these regulations come into force must enter into an interconnection agreement with SaskTel pursuant to section 43.1 of the Act.

(2) If the Lieutenant Governor in Council approves an interconnection agreement, and there is a conflict between these regulations and the provisions of the interconnection agreement, the provisions of the interconnection agreement prevail.

16 Apr 99 cS-34 Reg 4 s5.

Ownership of telecommunication equipment

6 SaskTel must own, install and maintain all telecommunication equipment that is necessary to provide wireless-service-provider network access to a wireless-service-provider.

16 Apr 99 cS-34 Reg 4 s6.

Access to the public switched telephone network

7 Access to the public switched telephone network is to be provided to a wireless-service-provider:

- (a) only where SaskTel has suitable telecommunication equipment available for that purpose; and
- (b) only with respect to the portion of the public switched telephone network that is designated by SaskTel.

16 Apr 99 cS-34 Reg 4 s7.

Control of public switched telephone network

8 SaskTel has the right to change, in whole or in part, the design, function, operation, or layout of the public switched telephone network.

16 Apr 99 cS-34 Reg 4 s8.

Connection of services

9 The physical points of connection between the wireless-service-provider's system and SaskTel's telecommunication lines are to be at interface points that are:

- (a) agreed to between SaskTel and the wireless-service-provider; and
- (b) located on the premises of the wireless-service-provider.

16 Apr 99 cS-34 Reg 4 s9.

Carriage of telecommunication messages

10(1) All telecommunication messages transmitted over the public switched telephone network by a wireless-service-provider system must have a wireless-service-provider terminal as either an originating or terminating point of the message.

(2) Subject to subsection (4), all telecommunication messages set out in subsection (3) must utilize the public switched telephone network, an authorized Saskatchewan inter-exchange carrier or a wireless-service-provider system.

(3) Subsection (2) applies to:

(a) all telecommunication messages of a customer of the wireless-service-provider system that originate from a wireless-service-provider terminal within Saskatchewan and terminate outside the SaskTel telephone exchange area from which the telecommunication message originated; and

(b) all telecommunication messages of a customer of the wireless-service-provider system that terminate on a wireless-service-provider terminal within Saskatchewan and originate in a SaskTel telephone exchange area other than the SaskTel telephone exchange area in which the message terminated.

(4) Subsections (2) and (3) do not apply to telecommunication messages that originate on a wireless-service-provider terminal of a customer of a wireless-service-provider and terminate on another wireless-service-provider terminal of a customer of the wireless-service-provider without accessing the public switched telephone network.

(5) For the purposes of subsections (1), (2) and (3), the low power radio transmitter and receiver cell that is in direct contact with the wireless-service-provider terminal is deemed to be the point at which the telecommunication message originated or terminated.

16 Apr 99 cS-34 Reg 4 s10.

Forecast

11 Every six months, a wireless-service-provider must give to SaskTel a detailed written forecast setting out its equipment and facilities requirements for the following six months.

16 Apr 99 cS-34 Reg 4 s11.

Directory assistance

12 The wireless-service-provider must route all directory assistance requests placed by any person through a wireless-service-provider's system:

(a) directly to SaskTel; or

(b) to an alternate provider of directory assistance.

16 Apr 99 cS-34 Reg 4 s12.

Reports of trouble

13(1) A wireless-service-provider must instruct its customers to report all cases of trouble to the wireless-service-provider.

(2) SaskTel will respond to and service all reports of trouble where a wireless-service-provider has determined that the cause of the trouble does not originate in the wireless-service-provider system or the telecommunication equipment of a wireless-service-provider customer.

(3) When trouble is reported to SaskTel and SaskTel determines that the cause of the trouble is the wireless-service-provider system or the wireless-service-provider terminal of the customer of the wireless-service-provider, the wireless-service-provider must pay a charge assessed by SaskTel, on a portal to portal basis, based on the rates set forth in the general tariff.

16 Apr 99 cS-34 Reg 4 s3.

Fees for services

14 A wireless-service-provider must pay to SaskTel for telecommunication services provided through the attachment of the wireless-service-provider system:

- (a) all applicable charges and rates set out in the general tariff and any other agreement entered into pursuant to subsection 9(4) of the Act;
- (b) without limiting the generality of clause (a), contribution charges for wireless-service-providers set out in the general tariff; and
- (c) all charges incurred for message relay service, long distance calls, operator assisted calls and directory assistance requests, and other utilized services.

16 Apr 99 cS-34 Reg 4 s14.

Non compliance with regulations

15 If a wireless-service-provider fails to meet the requirements of these regulations, SaskTel may:

- (a) restrict or deny a wireless-service-provider's request for the installation of additional facilities; or
- (b) disconnect any or all telecommunication equipment provided to a wireless-service-provider pursuant to these regulations, including telephone numbers.

16 Apr 99 cS-34 Reg 4 s15.

R.R.S. c.S-34 Reg 2 repealed

16 *The Cellular Mobile Radio System Network Access Regulations* are repealed.

16 Apr 99 cS-34 Reg 4 s16.

