



Chris Peirce
Chief Corporate Officer
MTS Allstream Inc.

11 March 2009

by Courier

Mr. Kevin Lynch
Clerk of the Privy Council and
Secretary to the Cabinet
Privy Council Office, Langevin Block
80 Wellington Street
Ottawa, ON K1A 0A3

Dear Mr. Lynch:

Subject: Petition to the Governor in Council, Concerning Telecom Decision CRTC 2008-118, MTS Allstream Inc. – Application to review and vary certain determinations in Telecom Decision 2008-17 regarding the classification of wholesale Ethernet services and Telecom Regulatory Policy CRTC 2009-34, Request to Review and Vary Directives in Telecom Decision 2008-10 related to the Provision of Central-Office based Wholesale ADSL Access Service and Aggregated ADSL Access Service

Pursuant to section 12(1) of the *Telecommunications Act*, S.C. 1993, c.38, MTS Allstream Inc., requests the Governor in Council to vary Telecom Decision CRTC 2008-118, *MTS Allstream Inc. – Application to review and vary certain determinations in Telecom Decision 2008-17 regarding the classification of wholesale Ethernet services* and Telecom Regulatory Policy CRTC 2009-34, *Request to Review and Vary Directives in Telecom Decision 2008-10 related to the Provision of Central-Office based Wholesale ADSL Access Service and Aggregated ADSL Access Service*.

The petition to Her Excellency the Governor in Council is accompanied by the following documents:

- a. Submission, which provides a more detailed analysis of the Decisions and how it fails to promote the public interest.
- b. Appendix 1: A Report by Towerhouse Consulting, "Ethernet and Other Next Generation Access Lessons from the UK Example."
- c. Appendix 2: A Report by Economics and Technology Inc., "The Role of Regulation in a Competitive Telecom Environment: How Smart Regulation of

Mr. Kevin Lynch
11 March 2009
Page 2 of 2

Essential Wholesale Facilities Stimulates Investment and Promotes Competition.”

- d. Appendix 3: A Report by Economics and Technology Inc., “The Non-Duplicability of Wholesale Ethernet Services: Promoting Competition in the Face of the Incumbents’ Dominance over Last-Mile Facilities.”
- e. Appendix 4: A Report by Lemay Yates Associates Inc., “Next Generation Network Access: A Canadian and international perspective on why wholesale services should be regulated as essential facilities.”

Yours truly,

Original Signed by Chris Peirce

Chris Peirce,
Chief Corporate Officer

Attachments

c.c: Mr. Robert A. Morin, Secretary General, CRTC (via Epass)

* * * End of Document * * *