

2009 03 11

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

Subject: **Petition to the Governor in Council to vary Telecom Decision CRTC 2008-117, Cybersurf Corp.'s application related to matching service speed requirements for wholesale Internet services, and to rescind Telecom Order CRTC 2009-111, Cybersurf's application related to the implementation of Telecom Decision 2008-117 regarding the matching speed requirement by Bell Aliant and Bell Canada**

Dear Sir,

1. Pursuant to section 12(1) of the *Telecommunications Act*, Bell Aliant Regional Communications, Limited Partnership (Bell Aliant) and Bell Canada (collectively, the Companies) are filing the attached Petition to the Governor in Council to vary Telecom Decision CRTC 2008-117, *Cybersurf Corp.'s application related to matching service speed requirements for wholesale Internet services*, (Decision 2008-117) dated 11 December 2008 and to rescind Telecom Order CRTC 2009-111, *Cybersurf's application related to the implementation of Telecom Decision 2008-117 regarding the matching speed requirement* (Order 2009-111), dated 3 March 2009.

2. Specifically, the Companies are requesting that the Governor in Council rescind Order 2009-111 in its entirety and vary the requirements specified at paragraphs 22, 24 and 25 of Decision 2008-117 as they apply to the requirement to provide wholesale services to match the speeds of the Companies' retail Internet services offered over the Companies' next generation "fibre to the node" access facilities.

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3. A French translation of this Petition will be provided shortly.

Yours truly,

[Original signed by D. Henry]

[Original signed by M. Bibic]

Denis E. Henry

Bell Aliant
Vice-President – Regulatory & Government Affairs
and Chief of Privacy

Mirko Bibic

Bell Canada
Senior Vice-President
Regulatory & Government Affairs

Attachments

c.c.: The Honourable Tony Clement, Minister of Industry
Mr. Robert Morin, Secretary General, CRTC
Ms. Helen McDonald, Assistant Deputy Minister,
Spectrum, Information Technologies and Telecommunications
Mr. Jean-Pierre Blais, Assistant Deputy Minister, Cultural Affairs
In electronic format, to telecom@ic.gc.ca

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