
September 11, 2009

FILED VIA E-PASS

Robert A. Morin
Secretary General
Canadian Radio-television and
Telecommunications Commission
Gatineau, Quebec
K1A 0N2

Dear Mr. Morin,

Re: Application by TekSavvy Solutions Inc. (“TSI”) to Review and Vary Telecom Order CRTC 2009-484, Bell Aliant Regional Communications, dated 12 August 2009 (the “UBB Order”); Application by TSI for a Stay of the Commission’s Determinations in Paragraphs 18 and 21 of the UBB Order

1. In the attached document two applications are being made on behalf of TSI.
2. The first application (“R & V Application”) is made pursuant to section 62 of the *Telecommunications Act* (the “Act”) and Part VII of the *CRTC Telecommunications Rules of Procedure* to review and vary the UBB Order by:
 - (i) amending paragraph 18 so as to rescind interim approval of the request by Bell Aliant Regional Communications, Limited Partnership (“Bell Aliant”) and Bell Canada (collectively the “Bell Companies”) to introduce usage based billing (“UBB”) for Gateway Access Service, pending the Commission’s final determination of Bell Aliant Tariff Notice No. 242 (“TN 242”) and Bell Canada Tariff Notice No. 7181 (“TN 7181”); and
 - (ii) amending paragraph 21 so as to rescind interim approval of the Bell Companies’ proposed excessive usage charge, pending the Commission’s final determination of TN 242 and TN 7181.
3. In order for the Commission to be able to dispose of the R & V Application in an expedited manner, TSI requests that the Commission abridge the usual times for the filing of the Answer of the Bell Companies and Reply of TSI to September 30, 2009 and October 5, 2009, respectively. TSI further requests that the Commission make a determination with respect to the R & V Application on an expedited basis, and in any event no later than the date that the UBB charges are scheduled to go into effect under the UBB Order.

4. In addition, by way of a second application (“Stay Application”), TSI is requesting that the Commission immediately stay the interim approvals granted in paragraphs 18 and 21 of the UBB Order, pending a Commission determination of TSI’s R & V Application.

5. In order for the Commission to dispose of the Stay Application on an expedited basis, TSI requests that the Commission require the Bell Companies to provide their Answer by September 21, 2009 and TSI to file its Reply by September 28, 2009. TSI further respectfully requests that the Commission render a determination on the Stay Application as soon as possible, and in any event by no later than October 8, 2009.

6. TSI is making the two applications in one document, because they are inextricably linked by the same factual foundation and sense of urgency. In addition, because the UBB Order is itself interlocutory in nature, there are common aspects to the reasoning as to why the impugned portions of the UBB Order should be both stayed and varied.

7. Pursuant to section 39 of the *Act*, certain information related to the costs, revenues, supply arrangements and customers of TSI in the R & V Application, also incorporated by reference in the Stay Application, is designated as confidential information of TSI and is being filed in confidence with the Commission. As a private company, TSI is not required to disclose this information publicly. The information in question is confidential and is treated consistently in a confidential manner by TSI. Disclosure of this information could also reasonably be expected to prejudice the competitive position of TSI and to result in material financial loss to TSI, thereby causing TSI specific direct harm. The information designated as confidential is merely illustrative of certain points made on the public record in the submissions set out in the R & V Application, which is also incorporated by reference in the Stay Application. Therefore, the specific direct harm to TSI from disclosure of the confidential information would not be outweighed by any public interest in the public disclosure of the information. For all of these reasons, TSI is not placing this confidential information on the public record of this proceeding.

Yours truly,

Rocky Gaudrault

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