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March 9, 2015

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Bell

[REDACTED]  
[REDACTED]  
[REDACTED]

**RE : CCTS file number #519294**

On February 13, 2015, we issued a Recommendation regarding the above complaint. As Bell rejected our Recommendation, I am required by section 11 of our Procedural Code ("the Code") to issue a Decision.

### **Our Recommendation**

[REDACTED] was billed \$2,088.40 for calls made to Saudi Arabia from April 16 to June 9, 2014. [REDACTED] disputes that he, or a member of his staff, placed these calls. [REDACTED] requested that Bell look into the matter to determine if it was a case of fraud.

Bell assured him that it investigated the calls in dispute and determined that they did not result from external fraudulent activity. That being said, Bell never explained the findings of its investigation to [REDACTED]

- After investigating [REDACTED] complaint, we determined that Bell could not demonstrate that the calls in dispute were made from [REDACTED]' number.

Accordingly, we recommended that Bell credit the charges that had not yet been credited.<sup>1</sup>

### **Bell's Objections**

Under Section 11 of the Code, the party objecting to the Recommendation is required to explain why he or she considers it to be unacceptable or inappropriate. Bell provided its objections to CCTS on March 4, 2015.

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<sup>1</sup> As Bell applied a credit of \$570.92 on the account and adjusted the related late payment fees

Bell alleged that it conducted a lengthy investigation and provided all of the documentation in support of its billing. However Bell explained that it is no longer able to produce the switch records, as this type of information is not archived beyond a three month period.

That being said, Bell explained that when calls are made directly from the customer's equipment, they are identified in a certain way on the invoices. Specifically, the number "8" appears beside each call originating from the customer's equipment. Bell provided a screenshot from [REDACTED]' account, featuring some of the disputed calls to Saudi Arabia, to show that each was coded with the number 8.

For these reasons, Bell contends that it should not have to provide any further credits in this matter.

### **Analysis of the Objection**

The only new evidence provided by Bell is a screenshot that resembles the standard Bell invoices that all of its business customers receive. In my view, an electronic version of an invoice does not demonstrate that the calls billed on the original invoice were billed correctly.

During the course of the investigation we asked Bell to provide us with the details of the investigation into these calls, which it said it conducted, so that we could independently assess it. Bell has been either unable or unwilling to do so, and instead has provided us only with the outcome of its investigation. This is insufficient to allow us to conclude that the calls were billed properly.

### **Decision**

Section 11.5 of our Procedural Code provides that in formulating a Decision the Commissioner shall consider whether there is substantial doubt as to the correctness of the original Recommendation.

Bell has failed to demonstrate doubt as to the correctness of the Recommendation, as the evidence that it submitted in support of its position is inconclusive. As such, there is no basis upon which to modify our Recommendation.

Further to sections 11.7, 11.8 and 11.9 of our Procedural Code, [REDACTED] may accept or reject this Decision within twenty days of receipt. Should he decide to reject this Decision and pursue this complaint through any other forum, Bell shall be fully released from the Decision.

A copy of our Procedural Code is attached for reference.

Sincerely,

Howard Maker  
Commissioner