



Rogers Communications Partnership

333 Bloor Street East
Toronto, Ontario M4W 1G9
rogers.com
Tel.: 416.935.3227
Fax: 416.935.2523
ken.thompson@rci.rogers.com

Ken Thompson

Director & Counsel
Copyright and Broadband Law

February 14, 2011

Canadian Radio-television and
Telecommunications Commission
Ottawa, ON K1A 0N2

Attention: Patrick Owens

Dear Mr. Owens:

**Re: Complaint Regarding Rogers' Internet Traffic Management Practices; Your
File # 503207**

Thank you for your letter of January 13, 2011. We are pleased to respond to your comments.

To clarify my letter of December 10, 2010, Rogers has not introduced any changes to its Internet traffic management practices with respect to downstream traffic. We do not and have not ever shaped downstream traffic. The changes to our ITMP disclosure FAQs discussed in my December 10, 2010 letter was regarding an entirely different matter, namely an unintended impact on upstream FTP traffic in extremely unusual circumstances.

Since Rogers does not shape downstream peer-to-peer traffic, we see no need to update our ITMP disclosure regarding downstream traffic. Mr. McKillican was mistaken when he claimed that Rogers shapes downstream traffic.

...2/

As the Commission knows, and as Rogers discussed during the Commission's traffic management proceeding, some peer-to-peer applications will reduce downstream speeds in response to a number of factors including upstream speeds. However, the slowing of the downstream traffic is a consequence of the way that these peer-to-peer applications operate. Rogers does not control these peer-to-peer applications. Some peer-to-peer applications do not slow the downstream in response to a slower upstream.

We do not understand why Commission staff feels that a change in disclosure regarding downloads should be made now and why it should only be made by Rogers. Furthermore, since the P2P applications and not Rogers, slows the download speeds, it is difficult for us to say which applications slow the download speed or the extent of the slowing.

However, in an effort to be helpful to our customers and to the Commission, Rogers amended its ITMP disclosure FAQs by introducing the following language:

6. Is P2P download speed impacted by Rogers network management measures?

Rogers does not manage download P2P file sharing traffic; however, some P2P applications will limit download speeds based on various factors, including the amount of P2P upload traffic and protocol acknowledgments. These factors may be responsible for customers experiencing slow download P2P file sharing speeds.

Please feel free to contact me if you have any questions.

Yours very truly,



Ken Thompson
Director & Counsel
Copyright and Broadband Law

Copy: Justin McKillican