



## Telecom Order CRTC 2016-309

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Ottawa, 4 August 2016

*File numbers: 8661-T69-201507287 and 4754-497*

### **Determination of costs award with respect to the participation of l'Union des consommateurs in the proceeding initiated by TELUS Communications Company's application to review the rates for its 9-1-1 public emergency reporting service**

#### **Application**

1. By letter dated 7 December 2015, l'Union des consommateurs (l'Union) applied for costs with respect to its participation in the proceeding initiated by TELUS Communications Company's (TCC) application to review the rates for its 9-1-1 public emergency reporting service in its incumbent operating territory in Quebec (the proceeding).
2. The Commission did not receive any interventions in response to the application for costs.
3. L'Union submitted that it had met the criteria for an award of costs set out in section 68 of the *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* (the Rules of Procedure) because it represented a group or a class of subscribers that had an interest in the outcome of the proceeding, it had assisted the Commission in developing a better understanding of the matters that were considered, and it had participated in a responsible way.
4. Specifically, l'Union submitted that it represents the interests of consumers, especially moderate-income households, and that its intervention focused on furthering solidarity, equality, and social justice values, as well as on the improvement of consumers' economic, social, political, and environmental conditions. L'Union added that TCC's requested rate increase could negatively affect the interests of consumers (particularly those with low incomes) since they would have no choice but to pay given the essential nature of the service in question. L'Union indicated that through its intervention, it aimed to protect consumer interests; that its intervention was targeted; and that it did not focus on issues with which l'Union did not have expertise or a particular opinion, reflecting the reasonable nature of its participation in the proceeding.
5. L'Union requested that the Commission fix its costs at \$1,340, consisting of \$400 for legal fees and \$940 for analyst fees.

6. L'Union made no submission as to the appropriate parties to be required to pay any costs awarded by the Commission (the costs respondents).

### **Commission's analysis and determinations**

7. The criteria for an award of costs are set out in section 68 of the Rules of Procedure, which reads as follows:
  68. The Commission must determine whether to award final costs and the maximum percentage of costs that is to be awarded on the basis of the following criteria:
    - (a) whether the applicant had, or was the representative of a group or a class of subscribers that had, an interest in the outcome of the proceeding;
    - (b) the extent to which the applicant assisted the Commission in developing a better understanding of the matters that were considered; and
    - (c) whether the applicant participated in the proceeding in a responsible way.
8. L'Union has satisfied these criteria through its participation in the proceeding. In particular, l'Union represented a group or class of subscribers that had an interest in the outcome of the proceeding, it assisted the Commission in developing a better understanding of the matters that were considered, and it participated in the proceeding in a responsible way.
9. The rates claimed in respect of legal and analyst fees are in accordance with the rates established in the Commission's *Guidelines for the Assessment of Costs*, as set out in Telecom Regulatory Policy 2010-963. The Commission finds that the total amount claimed by l'Union was necessarily and reasonably incurred and should be allowed.
10. This is an appropriate case in which to fix the costs and dispense with taxation, in accordance with the streamlined procedure set out in Telecom Public Notice 2002-5.
11. The appropriate costs respondent to l'Union's costs application is TCC.

### **Directions regarding costs**

12. The Commission **approves** the application by l'Union for costs with respect to its participation in the proceeding.
13. Pursuant to subsection 56(1) of the *Telecommunications Act*, the Commission fixes the costs to be paid to l'Union at \$1,340.
14. The Commission **directs** that the award of costs to l'Union be paid forthwith by TCC.

Secretary General

## **Related documents**

- *Revision of CRTC costs award practices and procedures*, Telecom Regulatory Policy CRTC 2010-963, 23 December 2010
- *New procedure for Telecom costs awards*, Telecom Public Notice CRTC 2002-5, 7 November 2002