



## Telecom Notice of Consultation CRTC 2021-102-4

PDF version

References: 2021-102, 2021-102-1, 2021-102-2, and 2021-102-3

Ottawa, 19 September 2023

*Public record: 1011-NOC2021-0102*

### **Call for comments – Review of video relay service – Establishing final reply deadlines and determinations on other procedural matters**

[\[Submit an intervention or view related documents\]](#)

#### **Background**

1. In *Call for comments – Review of video relay service*, Telecom Notice of Consultation CRTC 2021-102, 11 March 2021; as amended by Telecom Notices of Consultation 2021-102-1, 26 April 2021; 2021-102-2, 30 June 2021; and 2021-102-3, 14 March 2022, the Commission initiated a public proceeding to review video relay service (VRS).
2. The Commission amended this proceeding in Telecom Notice of Consultation 2021-102-3 to, among other things, add virtual discussion sessions to ensure VRS users have a fulsome opportunity to communicate their experience with using the service. The Commission also stated that it intended to provide parties with an opportunity to make final replies to allow all parties to comment on the discussions. It added that the deadline for final replies would be set after the virtual discussions had been completed.
3. The virtual discussion sessions took place in January 2023. They were fully bilingual and accessible with concurrent official language interpretation and sign language interpretation in both American Sign Language (ASL) and Langue des signes du Québec (LSQ). Real-time captions (i.e., Communication Access Realtime Translation [CART]) were also provided in both official languages. The virtual discussion sessions have been transcribed and can be found on the Commission's webpage entitled "[ASL – Virtual discussion session videos about the Video Relay Service in Canada.](#)"

#### **Deadline to reply to virtual discussion sessions**

4. The Commission is adding a 30-day period to allow all parties to comment on any of the virtual discussion sessions. Parties must therefore submit their final comments to the Commission by **19 October 2023**.

5. The Commission is also accepting clarifications to the transcripts from parties that participated in the sessions as part of their comments. Parties should take the following into account:
  - They may provide clarifications only to what they signed during the session they attended.
  - Transcripts and videos (audio and captioning) will not be amended; the written clarifications will be considered part of the record.

### **Final reply period for the Canadian Administrator of VRS (CAV), Inc.**

6. The Commission notes that the Canadian Administrator of VRS (CAV), Inc. (CAV) has continued to update VRS during the proceeding. The CAV may wish to reply to the various interventions received, including comments made during virtual discussions based on the current state of the service.
7. Accordingly, the Commission is adding a final reply period for the CAV with a deadline of **3 November 2023**. This final reply will allow the CAV to reply to any issue raised on the record of this proceeding. The Commission requests that the CAV provide ASL and LSQ interpretations of its reply as soon as they can be made available.

### **Requests for extensions**

8. The Commission is mindful of the length of this particular proceeding to date and understands the importance of making determinations on these matters in a timely manner. As a result, the Commission is not inclined to grant any further requests for extensions. Requests for extensions must be accompanied by compelling rationale and will only be granted in exceptional circumstances.

### **Other matters**

9. In August 2022, as part of its reply in the proceeding initiated by Telecom Notice of Consultation 2021-102, the Canadian Deaf-Blind Collective (CDBC) and the Deaf Wireless Canada Consultative Committee – Comité pour les Services Sans fil des Sourds du Canada (DWCC-CSSSC) [collectively, the CDBC-DWCC]<sup>1</sup> jointly filed a document entitled the Summary Estimate in confidence with the Commission. The document consisted of an estimate provided by a third party of the costs involved to create and maintain a Deaf-Blind accessible platform.
10. The CDBC-DWCC filed an abridged copy of the Deaf-Blind Accessibility Budget (hereafter, Proposed Budget) for the public record and a confidential copy with the Commission, citing subparagraph 39(1)(c)(ii) of the *Telecommunications Act*. The

---

<sup>1</sup> The CDBC and the DWCC-CSSSC filed their interventions as part of this proceeding separately, but they filed their reply jointly. The CDBC consists of the Canadian National Society of the Deaf-Blind and the Deaf-Blind Planning Committee.

CDBC-DWCC requested confidentiality on the basis that disclosure might prejudice future contractual negotiations. In the alternative, the CDBC-DWCC requested that the Commission exercise its powers under sections 5 and 7 of the *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* to modify its procedures in this process to treat the information as confidential for the same reasons stated above.

11. On 15 August 2022, the Canada Deaf Grassroots Movement requested that the CDBC-DWCC disclose the Proposed Budget that it had submitted in confidence to the Commission.
12. The Commission examined the Proposed Budget and considers that the specific details of the document, as they relate to a Deaf-Blind-accessible platform, are premature at this time, considering that the Commission has not determined to what extent the VRS service should be expanded to meet the needs of the Deaf-Blind community. The Commission also finds that the Proposed Budget is unreliable evidence for the following reasons:
  - It is based on information provided by an unknown third party. This means the third party is not accountable to the Commission for the information provided, and the Commission is unable to request further clarity from the party in a manner that would allow all parties to meaningfully respond.
  - The Commission cannot contextualize the estimate by considering the third party's expertise or experience because the third party is unknown.
  - One estimate cannot provide insight on the whole market.
  - The CAV may have existing relationships with suppliers that may be able to meet the same criteria for a different cost.
13. Furthermore, the Commission considers the Proposed Budget submitted in the reply phase as new evidence, and to maintain procedural fairness, this evidence should have been filed during the intervention period.
14. Accordingly, for reasons of relevancy, reliability, and procedural fairness, the Commission excludes the Proposed Budget filed by the CDBC-DWCC from the record of the proceeding. In light of this ruling, the Commission also finds that the request for disclosure is no longer relevant and therefore dismisses it.

Secretary General