



Telecom Order CRTC 2025-302

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Gatineau, 19 November 2025

File numbers: 1011-NOC2025-0180 and 4754-800

Determination of interim costs award with respect to the participation of the Deaf Wireless Canada Consultative Committee in the proceeding initiated by Telecom and Broadcasting Notice of Consultation 2025-180

Summary

The Commission is an independent quasi-judicial tribunal responsible for regulating the Canadian communications sector. To make decisions in the public interest, the Commission encourages people with a diversity of perspectives to participate in its proceedings.

In this order, the Commission approves with changes, by majority decision, interim costs for the Deaf Wireless Canada Consultative Committee (DWCC) to support its participation in Telecom and Broadcasting Notice of Consultation 2025-180. In that proceeding, the Commission is considering targeted improvements within its mandate to support the National Public Alerting System. The DWCC has applied for interim costs in order to appoint a multi-person team to carry out the implementation of a national survey, to conduct targeted interviews, and to engage in community outreach at the Ottawa Deaf Expo.

Awarding interim costs provides an applicant who has, or represents a group that has, an interest in the outcome of the proceeding with funding up front where it has demonstrated that its participation can assist the Commission in developing a better understanding of the matters to be considered and that it does not have sufficient financial resources to be able to participate effectively in the proceeding.

A dissenting opinion by Commissioner Ellen C. Desmond K.C. is attached to this order.

Application

1. By letter dated 12 August 2025, the Deaf Wireless Canada Consultative Committee (DWCC) applied for interim costs with respect to its participation in the proceeding initiated by Telecom and Broadcasting Notice of Consultation 2025-180 (the proceeding). In the proceeding, the Commission is considering targeted improvements to support the National Public Alerting System (NPAS) within its mandate and is seeking comments on certain aspects of the NPAS, including comments to help identify or prevent barriers to the accessibility of the NPAS and solutions for eliminating these barriers, both in terms of distributing and receiving public alerts.

2. The DWCC requested a total of \$35,448.46¹ in order to appoint a multi-person team to conduct a national survey on the accessibility of public alerting systems across multiple platforms, to conduct targeted interviews with Deaf, Deaf-Blind, and Hard of Hearing (DDBHH) Canadians to capture lived experiences during emergencies and disasters, and for costs for the participation of four members of the DWCC team to conduct community outreach at the Ottawa Deaf Expo, which includes the costs related to booth rental, travel and accommodations, and a per diem.
3. The DWCC proposed that telecommunications service providers (TSPs) be required to pay the costs allocated proportionally based on their telecommunications operating revenues (TORs).² The DWCC served its interim costs application on 20 August 2025 on the TSPs with the largest TORs, who are the most common costs respondents: Bell Canada, Cogeco Connexion Inc. (Cogeco), Quebecor Media Inc. (Quebecor), Rogers Communications Canada Inc. (Rogers), Saskatchewan Telecommunications (SaskTel), and TELUS Communications Inc. (TELUS).
4. The DWCC submitted that it meets the criteria for an interim award of costs set out in section 63 of the *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* because (i) it has, or represents a group or class of subscribers that has, an interest in the outcome of the proceeding, (ii) it can assist the Commission in developing a better understanding of the matters to be considered, (iii) it does not have sufficient financial resources to participate effectively in the proceeding, and (iv) it undertakes to participate in the proceeding in a responsible way.
5. On 2 September 2025, the Canadian Telecommunications Association (CTA) filed an intervention in response to this interim application for costs. The DWCC filed a reply dated 3 September 2025.

Answer

6. The CTA submitted that there is potential for misalignment between what the DWCC is proposing to undertake and the scope of the Commission's jurisdiction on public alerting. Additionally, the CTA questioned the appropriateness of the costs requested by the DWCC for honoraria for Community Connectors³ and the smartphone prize⁴ and submitted that the DWCC has not demonstrated how the interview initiative materially varies from the survey. It also submitted that the costs

¹ The DWCC asked for a total of \$35,848.46, which miscalculates the combined costs for the proposed initiatives. In light of this, the Commission has adjusted the total amount sought.

² TORs consist of Canadian telecommunications revenues from local and access, long distance, data, private line, Internet, and wireless services.

³ The CTA submitted that, given that the DWCC identifies as an organization that advocates for a specific community, it should already have the resources and connections to do this outreach on its own.

⁴ The CTA submitted that incentivizing participation in a survey by offering a substantial prize may lead to skewed survey results.

associated with the DWCC's participation at the Ottawa Deaf Expo should be dismissed entirely, since attendance likely has benefits to the DWCC that are separate from this proceeding. The CTA submitted that having four individuals attend is unnecessary given that it is a one-day event and the bulk of the interaction is to solicit survey participation, and that the costs submitted for the booth do not reflect the cost of booth rental as identified on the Expo's website.

Reply

7. The DWCC replied that the costs it has requested are reasonable accommodations required for its meaningful participation to capture the perspectives of DDBHH individuals in relation to how alerts are distributed and experienced by end-users. It also explained that the survey seeks to provide quantitative data, while interviews generate qualitative insights into lived experiences.⁵ Regarding its request for costs to participate in the Ottawa Deaf Expo, the DWCC explained that this outreach enables accessible in-person engagement in American Sign Language and Langue des signes québécoise.

Commission's analysis

8. The DWCC has demonstrated that it represents DDBHH communities and that it intends to assist the Commission by presenting data gathered from a national survey, targeted interviews, community outreach, and public engagement to understand and remove accessibility barriers in public alerting systems. The DWCC also undertook to participate in the proceeding in a responsible way. The DWCC demonstrated that it did not have sufficient financial resources to participate effectively without the award of interim costs by explaining that it has no paid staff and that it depends entirely on costs recovery to support it being able to participate in Commission proceedings. Therefore, the Commission finds that the DWCC has satisfied the criteria outlined above and that part of the total interim amount claimed by the DWCC should be allowed.
9. The Commission finds that most of the amounts requested are reasonable and are consistent with the *Guidelines for the Assessment of Costs*, as set out in Telecom Regulatory Policy 2010-963. The Commission considers that the costs to conduct the survey and interviews are reasonably and necessarily incurred and would be complimentary, rather than duplicative.
10. As set out in Telecom Order 2017-163, the Commission generally supports innovative approaches to ensuring that the voices of a broad range of Canadians are heard in proceedings. Similar to the Commission's determinations in Telecom Order 2023-57, the Commission considers that the present request for costs to cover honoraria and a prize incentive will encourage meaningful participation of individuals

⁵ Based on the copy of the survey provided by the DWCC on the record, participants can self-identify as having lived through an emergency and can say whether they are willing to participate in a follow-up interview to share their experience and any barriers they faced.

in the survey whose voices are relevant to the issues in the proceeding. Therefore, the costs are reasonably and necessarily incurred.

11. The Commission considers that the proposed survey substantially relates to the scope of the proceeding and the Commission's role in regulating the transmission of alerts by TSPs. The Commission encourages the DWCC to focus on issues and solutions that are within the Commission's authority in the area of public alerting when undertaking the proposed initiatives and when developing its interventions.
12. The Commission finds that the costs of the booth rental and attendance by the DWCC representatives at the Ottawa Deaf Expo (travel, accommodations, and a per diem for four individuals), totalling \$5,287.98, do not satisfy the criteria for an award of interim costs. The Commission considers that the potential benefit in terms of increasing participation is too remote to be considered reasonably and necessarily incurred for the purpose of participating in the proceeding. Therefore, the Commission denies these costs.
13. The Commission also finds that a contingency fee of \$100 is incompatible with the purpose of interim costs and would not meet the prescribed criteria for such an award. Therefore, the Commission denies these costs. Any discrepancies in costs between the interim costs awarded and the final bill of costs would be resolved when the DWCC applies for final costs.
14. In light of the above, the Commission determines that it is appropriate to award interim costs in the amount of \$30,060.48.
15. The Commission considers that the appropriate costs respondents to this costs order are TSPs with the largest TORs: Bell Canada, Cogeco, Quebecor, Rogers,⁶ SaskTel, and TELUS. Should the Commission determine a different set of costs respondents when the DWCC applies for final costs, TSPs will be able to settle any necessary adjustments to the amounts among themselves.
16. Consistent with its practice, the Commission finds it is appropriate to allocate the responsibility for payment of costs among costs respondents based on their TORs as an indicator of the relative size and interest of the parties involved in a proceeding.
17. As set out in Telecom Order 2015-160, the Commission considers \$1,000 to be the minimum amount that a costs respondent should be required to pay, due to the administrative burden that small costs awards impose on both the applicant and costs respondents.
18. Accordingly, the Commission finds that the responsibility for payment of interim costs should be allocated as follows:⁷

⁶ 2024 TORs now include Shaw Telecom G.P. and Groupe Shaw Group within Rogers' TORs.

⁷ In this order, the Commission has used the TORs of the costs respondents based on their most recent audited financial statements.

Company	Proportion	Amount
Rogers	38.37%	\$11,534.97
TELUS	33.21%	\$9,983.47
Bell Canada	21.33%	\$6,410.63
Quebecor	7.09%	\$2,131.41

19. The Commission reminds the DWCC that it will need to apply for final costs no later than 30 days after the close of record. This means that the DWCC will be required to (i) demonstrate how it assisted the Commission in developing a better understanding of the matters to be considered, (ii) provide an accounting for the amount claimed, (iii) explain any discrepancies between the interim amount requested and the final amount claimed, and (iv) demonstrate that its group spent the funds provided responsibly.
20. The Commission also reminds the DWCC that it is expected to submit detailed timesheets and receipts when applying for final costs, specifically describing its criteria for determining how it allocates honoraria and how the costs it has incurred are related to the proceeding.

Directions regarding costs

21. The Commission approves with changes, by majority decision, the application by the DWCC for interim costs with respect to its participation in the proceeding.
22. Pursuant to subsection 56(1) of the *Telecommunications Act*, the Commission fixes the costs to be paid to the DWCC at \$30,060.48.
23. The Commission directs that the award of interim costs to the DWCC be paid forthwith by Rogers Communications Canada Inc., TELUS Communications Inc., Bell Canada, and Quebecor Media Inc. according to the proportions set out in paragraph 18.
24. The DWCC is directed to file an application for final costs no later than 30 days after the close of the record in this proceeding.

Secretary General

Related documents

- *Call for comments – Improving the public alerting system*, Telecom and Broadcasting Notice of Consultation CRTC 2025-180, 15 July 2025, as modified by Telecom and Broadcasting Notice of Consultation CRTC 2025-180-1, 10 October 2025

- *Determination of costs award with respect to the participation of the Deaf Wireless Canada Consultative Committee in the proceeding initiated by Telecom Notice of Consultation 2020-178, Telecom Order CRTC 2023-57, 9 March 2023*
- *Determination of costs award with respect to the participation of Manitoba Keewatinowi Okimakanak Inc. in the proceeding leading to Telecom Regulatory Policy 2016-496, Telecom Order CRTC 2017-163, 19 May 2017*
- *Determination of costs award with respect to the participation of the Ontario Video Relay Service Committee in the proceeding initiated by Telecom Notice of Consultation 2014-188, Telecom Order CRTC 2015-160, 23 April 2015*
- *Revision of CRTC costs award practices and procedures, Telecom Regulatory Policy CRTC 2010-963, 23 December 2010*

Dissenting opinion of Commissioner Ellen C. Desmond K.C.

Introduction

1. On 15 July 2025, the Commission issued Telecom and Broadcasting Notice of Consultation 2025-180, indicating its intent to consider targeted improvements to support the National Public Alerting System (NPAS) within its mandate. The Commission also indicated its intent to seek comments on certain aspects of the NPAS, including barriers to accessibility, the languages in which alerts are provided, issues affecting its availability nationwide, and possible measures the Commission could implement to monitor the system's status more effectively.
2. Shortly thereafter, the Deaf Wireless Canada Consultative Committee (DWCC) applied for interim costs for its participation in this hearing. In particular, the DWCC is seeking interim costs with the goal of conducting a national survey, conducting targeted interviews, and more generally to offer an informed submission to the Commission.
3. My colleagues have evaluated the request for interim costs and have determined that the amount of \$30,060.48 should be awarded to the DWCC.
4. I take no issue with the fact that the DWCC has been a strong advocate for Deaf, Deaf-Blind, and Hard of Hearing Canadians and that the DWCC offers a unique view as it relates to the accessibility of the NPAS. In addition, I take no issue with the calculations and adjustments that my colleagues have made to the amounts claimed by the DWCC.
5. However, I do not agree with the entirety of the majority's decision, for the reasons provided below.

Interim costs

6. As my colleagues have pointed out, any claim for interim costs must meet the requirements of section 63 of the *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* (the Rules of Procedure). Specifically, the Commission must consider the following criteria:
 - (a) whether the applicant has, or is the representative of a group or a class of subscribers that has, an interest in the outcome of the proceeding;
 - (b) the extent to which the applicant can assist the Commission in developing a better understanding of the matters to be considered;
 - (c) whether the applicant has sufficient financial resources to participate effectively in the proceeding; and
 - (d) whether the applicant undertook to participate in the proceeding in a responsible way.

7. In addition, pursuant to the Rules of Procedure, the applicant is required to serve its application on all other parties. Party is specifically defined in the Rules of Procedure to mean an applicant, a respondent, or an intervener.¹
8. The ability to award interim costs gives the Commission a mechanism to provide parties with funding early in the process and can generally encourage broader participation. Successful applicants are also required to apply for final costs, at which time the Commission can make any necessary adjustments to the costs award once the hearing is concluded.
9. In the normal course, when the criteria for interim costs have been satisfied, these costs are to be paid by “costs respondents” that is, interveners who have responded to an application or who have intervened and have an interest in the outcome.

Costs respondents

10. In this instance, while the DWCC has satisfied the requirements set out in section 63 of the Rules of Procedure, no telecommunication service provider (TSP) has intervened at this point in the proceeding.
11. My colleagues have stated that, in their view, the most appropriate costs respondents are TSPs with the largest telecommunications operating revenues, namely Bell Canada, Cogeco Connexion Inc., Quebecor Media Inc., Rogers Communications Canada Inc., Saskatchewan Telecommunications, and TELUS Communications Inc. Yet none of the TSPs named by my colleagues have yet signalled their intention to participate in this matter. None of these TSPs have registered as a respondent or as an intervener.² Moreover, none of the TSPs named by my colleagues can be considered a “party” under the Rules of Procedure at this stage of the process.
12. Expecting parties that have not yet intervened to pay interim costs has not been the past practice of the Commission and would be a departure from the Commission’s normal approach. The fact that the DWCC has served its application on various “expected costs respondents” does not, in itself, satisfy the Rules of Procedure.

Notice and administrative fairness

13. A key factor in this matter is the question of notice and procedural fairness. Even though the Commission is the master of its own procedure, parties should expect, at a minimum, to be put on notice by the Commission that they may be named as costs respondents. They should also be notified if the Commission intends to depart from its normal practice.

¹ Pursuant to subsection 61(2) of the Rules of Procedure, the party seeking costs must serve the application on all other parties. Pursuant to section 1 of the Rules of Procedure, a party is defined to mean an applicant, a respondent, or an intervener.

² None of these TSPs had registered as a respondent or as an intervener at the time this decision was made.

14. This was the approach recently used by the Commission in Broadcasting and Telecom Notice of Consultation 2025-94 where the Commission specifically stated at paragraph 55 in relation to interim costs:

55. The Commission notes that the largest telecommunications companies are often the ones required to pay costs; therefore, the most likely costs respondents are:

- Bell Canada;
 - Cogeco Connexion Inc.;
 - Quebecor Media Inc.;
 - Rogers Communications Canada Inc.;
 - Saskatchewan Telecommunications; and
 - TELUS Communications Inc.
15. In providing specific notice to likely costs respondents in Broadcasting and Telecom Notice of Consultation 2025-94, the Commission allowed the various TSPs that were identified the opportunity to object to the payment of interim costs before any award was made. No such specific notice was provided in this proceeding.

Conclusion

16. The past practice of the Commission has been to name as costs respondents those parties that have intervened and have a significant interest in the outcome. The Commission has not expected parties, who have not intervened, to pay interim costs.
17. While there is one exception to this, namely Broadcasting and Telecom Notice of Consultation 2025-94, notice to potential “costs respondents” was specifically provided in advance in that proceeding. No such notice was provided in this instance.
18. Interim costs should not be awarded until it is clear who the appropriate costs respondents are or alternatively, advance notice should be provided by the Commission to “expected costs respondents” even in the absence of an intervention. This would ensure procedural fairness for all parties.