



## Telecom Order CRTC 2025-334

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Gatineau, 5 December 2025

*Public record: Tariff Notice 7712*

### **Bell Canada – Introduction of new 8 gigabit per second speed tier for wholesale service**

#### **Summary**

Wholesale access helps promote competition by allowing competitors to use the telecommunication networks of large telephone and cable companies to provide their own Internet services to customers.

The Commission received an application from Bell Canada proposing to introduce a new and faster speed tier for wholesale Gateway Access Service and Disaggregated Broadband Service over its fibre-to-the-premises (FTTP) network.

Bell Canada's Gateway Access Service over FTTP is an aggregated wholesale high-speed access service that competitors can lease to connect to Bell Canada's networks at a centralized point of interconnection. Competitors leasing the service can use Bell Canada's transport and access infrastructure to offer Internet services to all end-users throughout Bell Canada's serving territories.

Alternatively, Bell Canada's Disaggregated Broadband Service over FTTP is similar but requires competitors to obtain transport facilities separately and to interconnect to Bell Canada's networks at a larger number of points of interconnection to provide service throughout some or all of Bell Canada's serving territory.

Currently, the Commission has approved, on an interim basis, wholesale access rates up to 3 gigabits per second (Gbps) for Bell Canada's aggregated and disaggregated wholesale high-speed access services. Bell Canada proposed to charge those same rates for its new speed tier, which would offer customers wholesale service with faster connectivity options at the rates of a lower speed tier. The Commission therefore approves, on an interim basis, Bell Canada's application to introduce a new 8 Gbps speed tier for wholesale service.

The interim rates approved in this Order are subject to the outcome of the proceeding initiated by Telecom Notice of Consultation 2023-56.

A concurring opinion by Commissioner Bram Abramson is attached to this order.

## Application

1. On 28 February 2025, the Commission received an application from Bell Canada proposing to introduce a new speed tier (Band 7) for the following two services:
  - General Tariff, Item 5460 – Gateway Access Service – Fibre to the Premises (GAS FTTP)
  - Access Services Tariff, Item 151 – Disaggregated Broadband Service offered over fibre-to-the-premises (FTTP) [DBS FTTP]
2. Bell Canada introduced a new speed tier for its retail residential FTTP customers on 28 February 2025 and for its business FTTP customers on 1 March 2025. The new speed tier offers 8 gigabit per second (Gbps) download and 8 Gbps upload speeds. Bell Canada filed the current application to introduce this new speed tier (the 8 Gbps speed tier) for wholesale GAS FTTP and DBS FTTP access pursuant to the Commission’s speed matching directive set out in Telecom Regulatory Policy 2010-632.

## GAS FTTP

3. In Telecom Order 2024-261, the Commission set interim rates for aggregated FTTP access services<sup>1</sup> with speeds up to 3 Gbps and associated service charges for Bell Canada. Subsequently, Bell Canada filed Tariff Notice 7664A, which included the cost-based rates for the new 8 Gbps speed tier. However, Bell Canada filed to withdraw service speed tiers over 3 Gbps in Tariff Notice 7664B, which was approved on an interim basis by the Commission in Telecom Order 2024-101.
4. In the current application, Bell Canada proposed to reintroduce the 8 Gbps speed tier to its wholesale offerings.
5. Bell Canada proposed to adopt the existing interim monthly rate and installation charge for the 3 Gbps speed tier as the interim monthly rate and service charge for the 8 Gbps speed tier until the Commission makes a final decision on aggregated FTTP access service rates. The current Commission-approved interim rates for aggregated FTTP access services at the 3 Gbps speed tier are:
  - Service charge requiring a site visit: \$244.13
  - Monthly access rate: \$78.03

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<sup>1</sup> In its tariff pages, Bell Canada refers to this service as GAS FTTP.

## **DBS FTTP**

6. In Telecom Order 2017-312, the Commission approved an interim single installation charge and access rate for all DBS FTTP speeds. Bell Canada proposed to use the same interim rate for the new 8 Gbps speed tier until DBS FTTP rates are finalized, rather than submitting a cost study at this time. Those rates are the following:
  - Installation charge: \$247.90
  - Monthly access rate: \$121.79
7. On 3 April 2025, the Commission received an intervention from TekSavvy Solutions Inc. (TekSavvy) regarding Bell Canada's current application.

## **Positions of parties**

8. In its 3 April 2025 intervention, TekSavvy did not oppose the introduction of an 8 Gbps speed tier. TekSavvy did, however, request that the Commission require Bell Canada to include in its tariff pages only the two speed bands approved by the Commission in Telecom Decision 2024-261, rather than the six speed bands currently listed there together with the seventh speed band proposed in this application.
9. TekSavvy also requested that the Commission require Bell Aliant Regional Communications, Limited Partnership (Bell Aliant) and Bell MTS Inc. (Bell MTS) to issue tariff pages reflecting only two approved speed bands, citing Appendix 2 of Telecom Decision 2024-261.
10. In its reply, Bell Canada argued that TekSavvy was incorrect in concluding that the Commission had only approved two speed bands in Telecom Decision 2024-261.
11. According to Bell Canada, the Commission had in fact approved six speed bands as proposed in Tariff Notice 7664B, the same six speed bands that are currently on Bell Canada's tariff page pursuant to Telecom Order 2024-101. Bell Canada reiterated that Telecom Decision 2024-261 did not require it to change the number of speed bands on its tariff page nor any terms or conditions.
12. Additionally, Bell Canada submitted that TekSavvy's request for the Commission to require Bell Aliant and Bell MTS to revise their tariff pages should be dismissed because it is out of this application's scope; the current application does not propose any changes to Bell Aliant's or Bell MTS's tariff pages.

## **Commission's analysis**

13. The introduction of the 8 Gbps speed tier was not brought into question by interveners. Regarding Bell Canada's proposal to use existing Commission-approved interim monthly rates for the 8 Gbps speed tier, the Commission is of the view that

this is consistent with paragraph 7(b) of the *Telecommunications Act*.<sup>2</sup> By offering the 8 Gbps speed tier at the same rate as the 3 Gbps speed tier over aggregated FTTP access services and DBS FTTP, wholesale customers would benefit from faster connectivity options at the same access rate as lower speed tiers.

14. Regarding TekSavvy's intervention, the Commission notes that Bell Canada's tariff pages, which include six existing speed bands for FTTP access service, were approved on an interim basis in Telecom Order 2025-13. The Commission will address any issues concerning the terms, conditions, and speed bands on Bell Canada's tariff page once rates are finalized with the closing of the proceeding initiated by Telecom Notice of Consultation 2023-56.
15. Regarding TekSavvy's request to require Bell Aliant and Bell MTS to issue tariff pages that reflect two speed bands, the Commission is of the view that since the current application was submitted by Bell Canada and does not include tariff pages for Bell Aliant or Bell MTS, TekSavvy's request is beyond the scope of this order.

## **Conclusion**

16. In light of all of the above, the Commission approves, on an interim basis, by majority decision, Bell Canada's application, pending the outcome of the proceeding initiated by Telecom Notice of Consultation 2023-56.
17. Revised tariff pages are to be issued within 10 calendar days of the date of this order. Revised tariff pages can be submitted to the Commission without a description page or a request for approval; a tariff application is not required.

Secretary General

## **Related documents**

- *Interim approval of tariff pages and terms and conditions for aggregated wholesale high-speed access services over fibre-to-the-premises facilities*, Telecom Order CRTC 2025-13, 20 January 2025
- *Interim rates for aggregated wholesale high-speed access services over fibre-to-the-premises facilities*, Telecom Order CRTC 2024-261, 25 October 2024
- *Bell Canada – Interim approval of a tariff application*, Telecom Order CRTC 2024-101, 9 May 2024

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<sup>2</sup> The cited policy objective is: 7(b) to render reliable and affordable telecommunications services of high quality accessible to Canadians in both urban and rural areas in all regions of Canada.

- *Review of the wholesale high-speed access service framework – Temporary access to fibre-to-the-premises facilities over aggregated wholesale high-speed access services*, Telecom Decision CRTC 2023-358, 6 November 2023
- *Notice of hearing – Review of the wholesale high-speed access service framework*, Telecom Notice of Consultation CRTC 2023-56, 8 March 2023, as amended by Telecom Notices of Consultation CRTC 2023-56-1, 11 May 2023; 2023-56-2, 4 July 2023; 2023-56-3, 6 November 2023; 2023-56-4, 8 April 2024
- *Interim rates for disaggregated wholesale high-speed access services in Ontario and Quebec*, Telecom Order CRTC 2017-312, 29 August 2017, as amended by Telecom Order CRTC 2017-312-1, 12 September 2017
- *Review of costing inputs and the application process for wholesale high-speed access services*, Telecom Decision CRTC 2016-117, 31 March 2016
- *Wholesale high-speed access services proceeding*, Telecom Regulatory Policy CRTC 2010-632, 30 August 2010
- *Cybersurf's application related to the implementation of Telecom Decision 2008-117 regarding the matching speed requirement*, Telecom Order CRTC 2009-111, 3 March 2009
- *Cybersurf Corp.'s application related to matching service speed requirements for wholesale Internet services*, Telecom Decision CRTC 2008-117, 11 December 2008
- *Cogeco, Rogers, Shaw, and Videotron - Third-party Internet access service rates*, Telecom Decision CRTC 2006-77, 21 December 2006

## Concurring opinion of Commissioner Bram Abramson

1. At the end of February 2025, Bell Canada resumed marketing its 8 gigabit per second (Gbps) residential and, the next day, business packages. As required, it filed speed-matching tariffs at the same time. My Telecommunications Committee colleagues<sup>1</sup> have correctly applied the existing regulatory framework. But this tariff application, and the long gap between then and now, spotlight a long-standing timing loophole in the Commission’s speed-matching framework.
2. Wholesale high-speed access (HSA) providers have incentives to exploit that loophole, which I write separately to underline. The loophole has persisted since speed-matching was first mandated, in 2006, to address two juxtaposed dynamics.
3. First, broadband providers work to offer the fastest access speeds. The stakes go beyond direct subscription revenue. Offering top speeds serves as a market signal of technological capability and network quality.
4. Second, facilities-based providers with market power must provide wholesale access to their last-mile networks. Absent this unbundling, the Commission has found, and Cabinet reinforced,<sup>2</sup> consumer choice and competitive vigour in retail Internet services would be diminished.
5. The Commission’s speed-matching obligation recognizes how these dynamics interact. It is founded in a finding that, without speed-matching, “it is likely that competition in retail Internet service markets would be unduly impaired,” and “would not continue to be sufficient to protect consumers’ interests.”<sup>3</sup> But that obligation is not that “when a wholesale HSA service provider introduces a new retail Internet service speed, it must also offer that speed to [c]ompetitors”, as one might expect. Instead, it provides for a lag, because the provider may fulfil this obligation “by filing, at the same time [as it introduces a new retail Internet service

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<sup>1</sup> On behalf of the Commission: *Telecommunications Committee*, By-Law No. 10 (CRTC), paragraph (e) (“[a]ny act or thing done by the Telecommunications Committee shall be deemed to be an act or thing done by the members [...]”), pursuant to paragraph 11(1)(b) and subsection 12(3) of the *Canadian Radio-television and Telecommunications Commission Act* (duties delegated to standing committees by by-law. As distinguished from assigning a particular file to a panel: *Shoan v. Canada (Attorney General)*, 2016 FCA 261, para 6).

<sup>2</sup> *Order Issuing a Direction to the CRTC on a Renewed Approach to Telecommunications Policy*, SOR/2023-23, 10 February 2023, paragraphs 9 and 10.

<sup>3</sup> Telecom Regulatory Policy 2010-632, paragraph 55. See, generally, Telecom Decision 2006-77 (large cable companies); Telecom Decision 2008-117 and Telecom Order 2009-111 (incumbent local exchange carriers [ILECs]).

speed], a tariff application for a wholesale HSA service that matches the new speed offering.”<sup>4</sup>

6. In other words, the HSA provider gets a head start. It may offer the newly introduced speed at the retail rate right away. But when competitors will obtain access to do the same is determined by the speed of regulation. The head start lasts until the Commission has finished processing the tariff application duly filed the day retail service commenced.
7. Were that head start an intentional buffer designed to balance the interests of providers with market power and their competitors, such as by incentivizing investment, it might be defensible. But that is not its purpose. That is why investment incentives were provided through other avenues.<sup>5</sup> The tariff-review-period head start is simply an artefact of how speed-matching was implemented, despite policy reasoning that emphasizes symmetry.
8. As such, the tariff-filer’s administrative head start lacks any grounding in policy, and is gameable. Bell Canada’s 8 Gbps speed tier illustrates how.
  - a) Introducing an 8 Gbps speed tier when no wholesale match was required let Bell Canada advertise the speed as a market signal and build a subscriber base around it.
  - b) Destandardizing the 8 Gbps speed tier a few months after aggregated fibre became mandated, but before interim rates were issued, left that subscriber base intact, pausing only new retail additions and any wholesale speed-matching.<sup>6</sup>
  - c) Re-introducing an 8 Gbps speed tier on February 28 and March 1 allowed the speed tier to be actively re-marketed and re-sold for another eight months before the same-day speed-matching tariff became effective.
9. The result is predictable. The highest-speed tier has circulated in the market for years, broadcasting the intended quality signal. The wholesale match the Commission deemed necessary for competitive discipline has remained absent. This is a structural lag without policy logic.

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<sup>4</sup> Telecom Decision 2016-117, footnote 6.

<sup>5</sup> For instance, a 10-percent supplementary markup for ILECs in view of evidence that speed-matching increased risk and dampened investment incentives (Telecom Regulatory Policy 2010-632); more recently, the five-year “head start” rule (Telecom Decision 2023-358).

<sup>6</sup> Telecom Regulatory Policy 2023-56 (temporary aggregated FTTP HSA mandated); Telecom Decision 2024-101 (Bell Canada HSA speeds above 3 Gbps destandardized); Telecom Orders 2024-261 and 2025-13 (interim aggregated FTTP HSA rates and terms and conditions, respectively).

10. The asymmetry is sharper because regulatory changes were underway. But regulatory transition is frequent. Whether or not Bell Canada engaged in strategic behaviour, the outcome shows the latitude a provider has to exploit this timing gap. Loopholes like this one embed a recurring first-mover advantage in administrative delay. Having adopted a behavioural remedy to discipline market power, we should not then let tariff-processing mechanics become an alternative source of it.
11. In previous dissents I have emphasized that structural asymmetries, if unaddressed, erode both competitive choice and institutional legitimacy. The long history of Bell Canada's 8 Gbps tariff illustrates another such asymmetry. If speed-matching is to be mandated, then it must work in practice, not just in principle. Closing the gap would restore the symmetry the framework presumes and strengthen the credibility of our broader competition policy architecture, even when larger questions remain unresolved.