



Telecom Order CRTC 2025-349

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Determination of costs award with respect to the participation of the Manitoba Coalition in the proceeding initiated by Telecom Notice of Consultation 2024-293

Application

1. By letter dated 25 April 2025, the Aboriginal Council of Winnipeg, Harvest Manitoba, and the Manitoba Branch of the Consumers' Association of Canada (collectively, the Manitoba Coalition) applied for costs with respect to their participation in the proceeding initiated by Telecom Notice of Consultation 2024-293 (the proceeding). In the proceeding, the Commission sought comments on how to improve the information Canadians receive from their wireless and Internet service providers when their current contract is about to end through the 90-day notice period and when roaming internationally. The proceeding was launched to address certain amendments to the *Telecommunications Act* (the Act) set out in Division 37 of *An Act to implement certain provisions of the budget tabled in Parliament on April 16, 2024*.
2. The Commission did not receive any interventions in response to the application for costs.
3. The Manitoba Coalition 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 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. With respect to the group or class of subscribers that the Manitoba Coalition has submitted it represents, the Manitoba Coalition explained that this group or class consists of Manitoba consumers, including those who struggle with hunger and poverty, and First Nations, Inuit, and Métis living in Winnipeg. With respect to the specific methods by which the Manitoba Coalition has submitted that it represents this group or class, the Manitoba Coalition explained that it conducted independent consumer research, and that its member organizations, which it engages with on a daily basis, collaborated with Manitobans who struggle with hunger and poverty, and First Nations, Inuit, and Métis living in Winnipeg.
5. The Manitoba Coalition filed a joint costs application spanning three different proceedings, and the Commission attributes \$9,247.30 to this proceeding. This

amount consists of \$3,922.30 for legal fees and \$5,325 for disbursements.¹ The Manitoba Coalition filed a bill of costs with its application.

6. The Manitoba Coalition claimed 2.3 hours for external counsel at a rate of \$206 per hour for work on preparing interventions and comments, preparing evidence, preparing reply comments, and consulting with clients (\$473.80). The Manitoba Coalition also claimed 20.9 hours for another external counsel at a rate of \$165 per hour for file review, preparing interventions and comments, consulting with clients, and case management (\$3,448.50). Finally, the Manitoba Coalition claimed \$5,325 in disbursements for independent consumer research.
7. The Manitoba Coalition submitted that the parties who have a significant interest in the proceeding and who have actively participated in the proceeding are the appropriate parties to be required to pay any costs awarded by the Commission (the costs respondents).
8. The Manitoba Coalition suggested that the responsibility for payment of costs should be divided among the costs respondents on the basis of their respective operating revenues.

Commission's analysis

9. 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:

¹ The Manitoba Coalition submitted a joint costs application for Telecom Notices of Consultation 2024-293, 2024-294 and 2024-295 (hereafter, the three proceedings). In order to ensure fair allocation amongst the costs respondents in these various proceedings, the Commission has divided these costs across the three proceedings. The amounts not addressed in this order are addressed in Telecom Orders 2025-350 and 2025-351, also issued today.

For the three proceedings, the Manitoba Coalition claimed a total of \$15,975 in disbursements. For calculation purposes, the Commission evenly divided and allocated these costs between the three proceedings, hence the total of \$5,325 in disbursements for its participation in the proceeding initiated by Telecom Notice of Consultation 2024-293, only.

For the three proceedings, the Manitoba Coalition claimed a total of \$8,471.30 in legal fees. For calculation purposes, the Commission relied on the information provided in the time sheets to determine which costs were attributable to the proceeding initiated by Telecom Notice of Consultation 2024-293. Where the proceeding to which a task was attributed was not specified by the costs applicant, or where one task referred to all three proceedings, the Commission evenly distributed the time and fees between the three proceedings. Using this method, the Commission determined that the Manitoba Coalition claimed \$3,922.30 in legal fees for its participation in the proceeding initiated by Telecom Notice of Consultation 2024-293, only.

- (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.

10. In Telecom Information Bulletin 2016-188, the Commission provided guidance regarding how an applicant may demonstrate that it satisfies the first criterion with respect to its representation of interested subscribers. In the present case, the Manitoba Coalition has demonstrated that it meets this requirement. The Manitoba Coalition's member organizations represent the needs and interests of Manitoba consumers, including those who struggle with hunger and poverty, and First Nations, Inuit and Métis living in Winnipeg. This group has an interest in the proceeding because they could be affected by the outcome of the proceeding.
11. The Manitoba Coalition has also satisfied the remaining criteria through its participation in the proceeding. In particular, the Manitoba Coalition's submissions, especially through its independent consumer research, assisted the Commission in developing a better understanding of the matters that were considered. The Manitoba Coalition further assisted the Commission by offering a distinct point of view in the proceeding, presenting a province-specific and consumer-focused perspective, and contributing to the evidentiary record. It submitted its viewpoint on the consumers' need for information, namely regarding roaming fees and temporary discounts, and it proposed that rules be established to regulate the notices. The Manitoba Coalition also participated in a responsible way by making reasonable and evidence-based recommendations and maintaining communication with other consumer-oriented interveners throughout the proceeding to promote efficiency and minimize duplication of effort.
12. The rates claimed in respect of legal fees are in accordance with the rates established in the *Guidelines for the Assessment of Costs*, as set out in Telecom Regulatory Policy 2010-963. The Commission finds that the total amount claimed by the Manitoba Coalition was necessarily and reasonably incurred and should be allowed.
13. 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.
14. The Commission has generally determined that the appropriate costs respondents to an award of costs are the parties that have a significant interest in the outcome of the proceeding in question and have participated actively in that proceeding. The Commission considers that the following parties had a significant interest in the

outcome of the proceeding and participated actively in the proceeding: Bell Canada;² Bragg Communications Inc., carrying on business as Eastlink; Cogeco Communications Inc., on behalf of its subsidiary Cogeco Connexion Inc.; Iristel Inc.; Quebecor Media Inc., on behalf of its affiliates Videotron Ltd. and Freedom Mobile Inc., and their brands Fizz and VMedia; Rogers Communications Canada Inc., including Groupe Shaw Group and Shaw Telecom G.P. (Rogers); Saskatchewan Telecommunications; SSi Micro Ltd., doing business as SSi Canada; TBayTel; TekSavvy Solutions Inc.; TELUS Communications Inc. (TELUS); and Xplore Inc.

15. The Commission considers that, consistent with its practice, it is appropriate to allocate the responsibility for payment of costs among costs respondents based on their telecommunications operating revenues (TORs) as an indicator of the relative size and interest of the parties involved in the proceeding.³
16. However, 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.
17. Accordingly, the Commission finds that the responsibility for payment of costs should be allocated as follows:⁴

Company	Proportion	Amount
Bell Canada	39.71%	\$3,672.10
Rogers	32.61%	\$3,015.55
TELUS	27.68%	\$2,559.65

² Bell Canada, on its own behalf and on behalf of the following companies or related divisions and brands: Bell Aliant Regional Communications, Limited Partnership; Bell Internet Companies Group (including B2B2C Inc.; Distributel Communication Limited [including Primus Telecommunications Canada Inc. and Acanac Inc.]; EBOX, a division of Bell Canada; and Oricom Internet Inc.); Bell Mobility Inc.; Bell MTS Inc.; Câblevision du Nord de Québec inc.; DMTS, a division of Bell Canada; Groupe Maskatel Québec LP; KMTS, a division of Bell Canada; Lucky Mobile; NorthernTel, Limited Partnership (including NorthernTel FibreOp); Northwestel Inc.; Ontera, a division of Bell Canada; Télébec, Société en commandite; and Virgin Plus.

³ TORs consist of Canadian telecommunications revenues from local and access, long distance, data, private line, Internet, and wireless services.

⁴ In this order, the Commission has used the TORs of the costs respondents based on their most recent audited financial statements. However, the TORs of 2024 were not readily available to the Commission when it made its determination, so 2023 TORs were used.

Directions regarding costs

18. The Commission approves the application by the Manitoba Coalition for costs with respect to its participation in the proceeding.
19. Pursuant to subsection 56(1) of the Act, the Commission fixes the costs to be paid to the Manitoba Coalition at \$9,247.30.
20. The Commission directs that the award of costs to the Manitoba Coalition be paid forthwith by Bell Canada, Rogers Communications Canada Inc., and TELUS Communications Inc. according to the proportions set out in paragraph 17.

Secretary General

Related documents

- *Call for comments – Making it easier to choose a wireless phone or Internet service – Enhancing self-service mechanisms*, Telecom Notice of Consultation CRTC 2024-295, 22 November 2024, as amended by Telecom Notices of Consultation CRTC 2024-295-1, 20 December 2024, and 2024-295-2, 14 February 2025
- *Call for comments – Making it easier to choose a wireless phone or Internet service – Removing barriers to switching plans*, Telecom Notice of Consultation CRTC 2024-294, 22 November 2024, as amended by Telecom Notices of Consultation CRTC 2024-294-1, 20 December 2024; 2024-294-2, 14 February 2025; and 2024-294-3, 28 February 2025
- *Call for comments – Making it easier to choose a wireless phone or Internet service – Enhancing customer notification*, Telecom Notice of Consultation CRTC 2024-293, 22 November 2024, as amended by Telecom Notices of Consultation CRTC 2024-293-1, 20 December 2024; 2024-293-2, 14 February 2025; and 2024-293-3, 28 February 2025
- *Guidance for costs award applicants regarding representation of a group or a class of subscribers*, Telecom Information Bulletin CRTC 2016-188, 17 May 2016
- *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
- *New procedure for Telecom costs awards*, Telecom Public Notice CRTC 2002-5, 7 November 2002