



## Telecom Order CRTC 2025-354

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Gatineau, 18 December 2025

*File numbers: 1011-NOC2024-0294 and 4754-779*

### **Determination of costs award with respect to the participation of the Public Interest Advocacy Centre in the proceeding initiated by Telecom Notice of Consultation 2024-294**

#### **Application**

1. By letter dated 24 April 2025,<sup>1</sup> the Public Interest Advocacy Centre (PIAC) applied for costs with respect to its participation in the proceeding initiated by Telecom Notice of Consultation 2024-294 (the proceeding). In the proceeding, the Commission called for comments to determine how it can amend the Wireless Code and the Internet Code (the Consumer Protection Codes) to ensure that Canadians can modify or cancel their plans without fees acting as a barrier. The Commission also addressed the amendments to the *Telecommunications Act* (the Act) set out in *An Act to implement certain provisions of the budget tabled in Parliament on April 16, 2024*, which require the Commission to prohibit fees whose main purpose is to discourage subscribers from modifying or cancelling their plans.
2. The Commission did not receive any interventions in response to the application for costs.
3. PIAC 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 PIAC has submitted it represents, PIAC explained that this group or class consists of all consumers across Canada with a particular focus on low-income and vulnerable consumers, which includes those who are dissatisfied and disadvantaged by current barriers to switching service providers or plans and those who find the process daunting and tedious. PIAC submitted that it assisted the Commission in developing a better understanding of the matters under consideration in the proceeding by supporting the Commission's proposed changes to the Consumer Protection Codes and responding to the Commission's questions within the proceeding. In particular, PIAC

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<sup>1</sup> PIAC filed an amended costs application on 29 April 2025.

highlighted to the Commission a growing pattern of frustrated consumer interventions in the proceeding, elaborated with examples on the types of cancellation fees that would be justified, and highlighted arguments from other parties in its reply. PIAC also submitted that it participated in the proceeding in a responsible way because it complied with the Rules of Procedure of the Commission and respected the proceeding's deadlines and processes.

5. PIAC requested that the Commission fix its costs at \$715.84, which includes the Ontario Harmonized Sales Tax (HST) less the HST rebate to which PIAC is entitled. PIAC filed a bill of costs with its application.
6. PIAC claimed 0.72 hours for senior external counsel at a rate of \$250 per hour for case management purposes, which include reviewing the file and preparing interventions and reply comments (\$180). PIAC also claimed 2.25 days for an articling student at a rate of \$235 per day to review the file and prepare interventions and reply comments (\$528.75).
7. PIAC submitted that telecommunications service providers that participated in the proceeding are the appropriate parties to be required to pay any costs awarded by the Commission (the costs respondents).
8. PIAC suggested that the responsibility for payment of costs should be divided among the costs respondents on the basis of their gross 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:
    - (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, PIAC has demonstrated that it meets this requirement. PIAC represents the interests of all

consumers across Canada with a particular focus on vulnerable and low-income consumers, which includes those who are dissatisfied and disadvantaged by current barriers to switching service providers and plans and those who find the process of switching plans daunting and tedious. Such consumers have an interest in the outcome of the proceeding because they could be affected by it.

11. PIAC has also satisfied the remaining criteria through its participation in the proceeding. In particular, PIAC's submissions highlighted the need for a stronger focus on consumer protection regulations given growing concerns and an increasing number of issues Canadians face when switching providers. PIAC's submissions also identified a growing pattern of frustration in consumer interventions related to cancellation and modification fees, and explained which types of cancellation fees would be justified. These submissions assisted the Commission in developing a better understanding of the matters that were considered. PIAC also participated in a responsible way.
12. The rates claimed in respect of legal fees are in accordance with the rates established in the *Guidelines for the Assessment of Costs* (the Guidelines), as set out in Telecom Regulatory Policy 2010-963. The Commission finds that the total amount claimed by PIAC 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;<sup>2</sup> Bragg Communications Inc., carrying on business as Eastlink; Bravo Telecom; 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., carrying on business as SSI Canada; TekSavvy Solutions Inc.; TELUS Communications Inc.; 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

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<sup>2</sup> 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 Communications 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.

their telecommunications operating revenues (TORs) as an indicator of the relative size and interest of the parties involved in the proceeding.<sup>3</sup>

16. Accordingly, the Commission finds that the responsibility for payment of costs should be allocated as follows:<sup>4</sup>

Company	Proportion	Amount
Bell Canada	100%	\$715.84

### Directions regarding costs

17. The Commission approves the application by PIAC for costs with respect to its participation in the proceeding.
18. Pursuant to subsection 56(1) of the Act, the Commission fixes the costs to be paid to PIAC at \$715.84.
19. The Commission directs that the award of costs to PIAC be paid forthwith by Bell Canada according to the proportions set out in paragraph 16.

Secretary General

### Related documents

- *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
- *Guidance for costs award applicants regarding representation of a group or a class of subscribers*, Telecom Information Bulletin CRTC 2016-188, 17 May 2016
- *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

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

<sup>4</sup> 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.