



Telecom Order CRTC 2025-363

PDF version

Gatineau, 18 December 2025

File numbers: 1101-NOC2024-0295 and 4754-764

Determination of costs award with respect to the participation of Option consommateurs in the proceeding initiated by Telecom Notice of Consultation 2024-295

Application

1. By letter dated 2 April 2025, Option consommateurs applied for costs with respect to its participation in the proceeding initiated by Telecom Notice of Consultation 2024-295 (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) by requiring the provision of self-service mechanisms in a way that would be useful to Canadians. 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 impose the provision of self-service mechanisms that allow Canadians to cancel or modify their plans.
2. The Commission did not receive any interventions in response to the application for costs.
3. Option consommateurs 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 Option consommateurs has submitted it represents, Option consommateurs explained that this group or class consists of Quebec consumers, especially vulnerable consumers who regularly have issues with telecommunications service providers (TSPs). Option consommateurs explained that it contributed to a better understanding of the matters under consideration by providing information on mechanisms that would offer a maximum of functionalities, both for configuring the various aspects of a cellphone plan and terminating it. Option consommateurs also included submissions on the potential presence of “dark patterns” in self-service mechanisms and encouraged the imposition of requirements to limit their usage. Further, Option consommateurs

participated in a responsible way by respecting deadlines and processes established in the proceeding.

5. Option consommateurs requested that the Commission fix its costs at \$4,650, consisting entirely of legal fees. Option consommateurs filed a bill of costs with its application.
6. Option consommateurs claimed 5.25 days for senior in-house counsel at a rate of \$800 per day for reviewing the file, preparing interventions and comments, and conducting legal research (\$4,200). Option consommateurs also claimed 0.75 days for in-house counsel at a rate of \$600 per day for preparing reply comments (\$450).
7. Option consommateurs submitted that all potential respondents designated in accordance with the Guidelines for the Assessment of Costs (the Guidelines) are the appropriate parties to be required to pay any costs awarded by the Commission (the costs respondents).
8. Option consommateurs suggested that the responsibility for payment of costs should be divided among the costs respondents on the basis of the revenues provided to the Commission by TSPs.

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, Option consommateurs has demonstrated that it meets this requirement. Option consommateurs represents Quebec consumers, especially vulnerable Quebec consumers who regularly have issues with TSPs.

11. Option consommateurs has also satisfied the remaining criteria through its participation in the proceeding. In particular, Option consommateurs' submissions, especially regarding functionalities of self-service mechanisms, the need for easy online access to these mechanisms and the potential presence of "dark patterns" in self-service mechanisms, assisted the Commission in developing a better understanding of the matters that were considered. Further, Option consommateurs participated in a responsible way.
12. The rates claimed in respect of legal fees are in accordance with the rates established in the Guidelines, as set out in Telecom Regulatory Policy 2010-963. The Commission finds that the total amount claimed by Option consommateurs was necessarily and reasonably incurred and should be allowed.
13. 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;¹ 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., carrying on business as SSi Canada; TBayTel; TekSavvy Solutions Inc.; TELUS Communications Inc. (TELUS); and Xplore Inc.
14. 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.²
15. 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.

¹ 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.

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

16. Accordingly, the Commission finds that the responsibility for payment of costs should be allocated as follows:³

Company	Proportion	Amount
Bell Canada	39.71%	\$1,846.71
Rogers	32.61%	\$1,516.33
TELUS	27.68%	\$1,286.96

Directions regarding costs

17. The Commission approves the application by Option consommateurs 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 Option consommateurs at \$4,650.
19. The Commission directs that the award of costs to Option consommateurs be paid forthwith by Bell Canada, Rogers Communications Canada Inc., and TELUS Communications Inc. 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 – 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
- *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

³ 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.