



## Telecom Order CRTC 2025-77

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Gatineau, 11 March 2025

*Public record: Bell Canada Tariff Notice 981 and TELUS Communications Inc. Tariff Notice 590*

### **Bell Canada and TELUS Communications Inc. – Interim wholesale support structure rates**

#### **Summary**

The Commission requires that incumbent local exchange carriers allow competitors to attach network equipment on support structures they own or to which they control access. This increases competition by helping lower the costs for competitive providers to build new networks.

This order makes the rates that competitors pay when accessing support structures interim effective the date of this order. Bell Canada's wholesale support structure rate is \$1.04 per billing unit per month for its poles in Ontario and Quebec, and TELUS Communications Inc.'s wholesale support structure rate is \$1.61 per billing unit per month for its poles in British Columbia and Alberta.

#### **Background**

1. In Telecom Regulatory Policy 2023-31, the Commission made several determinations to facilitate access to poles, or support structures, owned or controlled by Canadian carriers. Among these determinations was the requirement for a carrier to absorb the costs of make-ready work to bring a pole into compliance with construction standards. Previously, these costs were the responsibility of the party seeking access to the pole (third-party attacher).

#### **Applications**

2. On 16 October 2023, the Commission received an application (Tariff Notice [TN] 981) from Bell Canada, noting that it has incurred additional costs resulting from Telecom Regulatory Policy 2023-31. Specifically, Bell Canada submitted that the current wholesale support structure rate does not reflect the costs of make-ready work to bring a pole into compliance with construction standards. As a result, Bell Canada filed new proposed rates reflecting the updated costs.
3. The Commission also received an application (TN 590) from TELUS Communications Inc. (TELUS) on 26 April 2024, in which it made similar assertions to those of Bell Canada. TELUS also filed new proposed rates reflecting the updated costs.

4. The current rate for third-party attachers on Bell Canada's poles in Ontario and Quebec is \$1.04 per billing unit per month, as set in Telecom Decision 2010-900. In TN 981, Bell Canada proposed a rate of \$2.09 per billing unit per month.
5. TELUS's current rate for third-party attachers in British Columbia and Alberta is \$1.61 per billing unit per month, as set in Telecom Order 2016-228. In TN 590, TELUS proposed a rate of \$2.49 per billing unit per month.
6. At the time Bell Canada and TELUS filed their applications, the Commission did not make the rates interim because the terms and conditions had not been approved. On 28 January 2025, the terms and conditions were approved by the Commission in Telecom Order 2025-21. Although Bell Canada asked for pole attachment rates in Ontario and Quebec to be made interim in the proceeding that led to Telecom Order 2025-21, the Commission noted that rate setting would be done as part of its assessment of TN 981.

### **Procedural request**

7. On 17 February 2025, Bell Canada filed a procedural request for its current wholesale support structure rate to be made interim immediately. Bell Canada noted that while the Commission approved changes to the terms and conditions in its support structure tariff, resulting in obligations from Telecom Regulatory Policy 2023-31 being imposed on the company, the Commission did not approve interim rates. Bell Canada submitted that, without interim rates, it would have no way to recover the costs incurred due to the requirements set out in Telecom Regulatory Policy 2023-31.
8. In response to a Commission staff letter requesting comments on Bell Canada's procedural request, the Commission received submissions from the Independent Telecommunications Providers Association (ITPA); TELUS; as well as Bragg Communications Incorporated, carrying on business as Eastlink; Cogeco Communications Inc., on behalf of Cogeco Connexion Inc.; Quebecor Media Inc.; and Rogers Communications Canada Inc. (collectively, the Cable Carriers).

### **Positions of parties**

9. TELUS submitted a letter in support of Bell Canada's request. It added that the request applies equally to TELUS and asked that the Commission consider its request simultaneously with Bell Canada's request.
10. The ITPA submitted that the Commission should reject Bell Canada's request, noting that the matter of interim rates has been before the Commission since TN 981 was filed. The ITPA referenced its 16 November 2023 intervention, in which it provided arguments against making the rate interim due to the impact on the competitive industry, including its members.
11. The Cable Carriers submitted arguments related to the proposed rates and the recovery of costs, and stated that the Commission should deny Bell Canada's request.

They noted that the record for TN 981 is currently closed, and that the request is out-of-process absent a decision by the Commission amending its procedures.

12. In its reply, Bell Canada submitted that the rate is no longer just and reasonable and that the current rate for its poles in Ontario and Quebec must be made interim immediately. Bell Canada added that its request is procedurally sound because it is not a new filing, but a reiteration of a previous request made in several proceedings (TNs 977, 978, and 981).
13. Bell Canada also addressed TELUS's request that the Commission consider its own request for an interim rate simultaneously with Bell Canada's request. While noting TELUS's support of the request, Bell Canada submitted that it would be inappropriate for its request to be further delayed by a need to assess TELUS's potential upcoming request.

### **Commission's analysis**

14. The Commission considers that approving Bell Canada's request would not change rates for parties subject to the wholesale support structure rate. The only impact it may have on existing wholesale customers is the potential for rates to be applied retroactively once they are made final.
15. Regarding the Cable Carriers' claim that Bell Canada's request is out-of-process, under section 7 of the *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure*, the Commission may dispense with or vary these rules if it is of the opinion that considerations of public interest or fairness permit.
16. Lastly, the Commission considers that, because both Bell Canada and TELUS filed updated proposed rates following Telecom Regulatory Policy 2023-31, and the tariff pages were approved with changes in Telecom Order 2025-21, TELUS's request should be considered simultaneously with Bell Canada's. The Commission further considers that addressing both applications in this proceeding will not cause any undue delay to addressing Bell Canada's request.

### **Conclusion**

17. Given that the Commission has approved the tariff pages with updated terms and conditions, the Commission considers it appropriate to make the existing rates for Bell Canada and TELUS interim.
18. Accordingly, the Commission makes Bell Canada's current wholesale support structure rate for its poles in Ontario and Quebec (\$1.04 per billing unit per month) interim, effective of the date of this order. The Commission also makes TELUS's current wholesale support structure rate for its poles in British Columbia and Alberta (\$1.61 per billing unit per month) interim, effective of the date of this order.

Secretary General

## Related documents

- *Bell Canada, Saskatchewan Telecommunications, and TELUS Communications Inc. – Amended support structure service tariffs*, Telecom Order CRTC 2025-21, 28 January 2025
- *Regulatory measures to make access to poles owned or operated by Canadian carriers more efficient*, Telecom Regulatory Policy CRTC 2023-31, 15 February 2023; as amended by Telecom Regulatory Policy CRTC 2023-31-1, 22 March 2023
- *TELUS Communications Company – Application to modify monthly pole attachment rate*, Telecom Order CRTC 2016-228, 16 June 2016
- *Review of the large incumbent local exchange carriers’ support structure rates*, Telecom Decision CRTC 2010-900, 2 December 2010; as amended by Telecom Decision CRTC 2010-900-1, 9 December 2010