



Telecom Costs Order CRTC 2008-10

Ottawa, 9 June 2008

Determination of costs award with respect to the participation of the Public Interest Advocacy Centre in the proceeding leading to Telecom Decision 2008-33

Reference: 8661-C12-200716699 and 4754-313

1. By letter dated 24 April 2008, the Public Interest Advocacy Centre (PIAC) applied for costs with respect to its participation on behalf of the Consumers' Association of Canada and National Anti-Poverty Organization in the proceeding leading to Telecom Decision 2008-33 regarding a network access fee charged by TELUS Communications Company (TCC).
2. On 28 April 2008, TCC filed comments in response to PIAC's application.

Application

3. PIAC submitted that it had met the criteria for an award of costs set out in subsection 44(1) of the *CRTC Telecommunications Rules of Procedure* (the Rules), as it had represented a group of subscribers that had an interest in the outcome of the proceeding leading to Telecom Decision 2008-33, it had participated responsibly, and it had contributed to a better understanding of the issues by the Commission through its participation in the proceeding leading to Telecom Decision 2008-33.
4. PIAC requested that the Commission fix its costs at \$11,915.62, consisting entirely of legal fees. PIAC's claim included the federal Goods and Services Tax (GST) on fees less the rebate to which PIAC is entitled in connection with the GST. PIAC filed a bill of costs with its application.
5. PIAC submitted that the appropriate respondent in this case was TCC.

Answer

6. In response to the application, TCC stated that it did not oppose PIAC's cost application.

Commission's analysis and determinations

7. The Commission finds that PIAC has satisfied the criteria for an award of costs set out in subsection 44(1) of the Rules. Specifically, the Commission finds that PIAC is representative of a group or class of subscribers that has an interest in the outcome of the proceeding, it has participated in a responsible way, and it has contributed to a better understanding of the issues by the Commission.

8. The Commission notes that the rates claimed in respect of legal fees are in accordance with the rates set out in the Legal Directorate's *Guidelines for the Taxation of Costs*, revised as of 24 April 2007. The Commission also finds that the total amount claimed by PIAC was necessarily and reasonably incurred and should be allowed.
9. The Commission considers that 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.
10. The Commission finds that the appropriate respondent to PIAC's costs application is TCC.

Direction as to costs

11. The Commission **approves** the application by PIAC for costs with respect to its participation in the proceeding leading to Telecom Decision 2008-33.
12. Pursuant to subsection 56(1) of the *Telecommunications Act*, the Commission fixes the costs to be paid to PIAC at \$11,915.62.
13. The Commission directs that the award of costs to PIAC be paid forthwith by TCC.

Secretary General

Related documents

- *TELUS Communications Company – Network access charge*, Telecom Decision CRTC 2008-33, 17 April 2008
- *New procedure for Telecom costs awards*, Telecom Public Notice CRTC 2002-5, 7 November 2002

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