



Telecom Decision CRTC 2014-527

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Bell Canada and Bell Mobility Inc. – Further proposals for the use of deferral account funds to improve access to telecommunications services for persons with disabilities

The Commission makes a number of determinations with respect to the request by Bell Canada and Bell Mobility Inc. to use \$6.5 million of Bell Canada's deferral account funds to improve access to telecommunications services for persons with disabilities. Specifically, the Commission

- ***approves** the use of \$3.4 million for the proposed Technology, Product Support, and Lifecycle Management initiatives;*
- ***approves** the use of \$1.5 million for the Direct Marketing initiative, conditional on the filing of a complete and detailed plan;*
- ***denies** the use of \$1.6 million for the proposed Remote Device Management, Enhanced Website Upgrade and Comprehensive Accessibility Training, Mass Marketing, and Mental Health initiatives, and Honorariums; and*
- ***directs** Bell Canada to report on the commencement of implementation of the approved initiatives and to file annual reports on these initiatives.*

*The Commission also **directs** Bell Canada to show cause, within **60 days** of the date of this decision, why it should not be required to use the \$1.6 million of unallocated deferral account funds for one or more of the initiatives identified in this decision. In this show cause proceeding, the Commission also invites comments on its preliminary view that Bell Canada should be allowed to use some of its unallocated deferral account funds to offer its Technology initiatives to wireless customers outside its operating territory in Ontario and Quebec.*

As a result of today's decision, Canadians with disabilities will benefit from the introduction of new accessible wireless products and services into the Canadian telecommunications market.

Background

1. In Telecom Decision 2006-9, the Commission concluded that proposals that focus on improving accessibility to telecommunications services for persons with disabilities would be an appropriate use of a portion of the funds remaining in the incumbent local exchange carriers' (ILECs) deferral accounts. The Commission directed Bell Canada, among other ILECs, to allocate a minimum of 5% of the accumulated

balance in its deferral account to fund programs to improve accessibility to telecommunications services for persons with disabilities.

2. In that same decision, the Commission established the following guidelines for initiatives to improve accessibility to telecommunications services for persons with disabilities:
 - the initiative must improve accessibility to telecommunications services for persons with disabilities;
 - the ILECs must consult with advocacy organizations for persons with disabilities; and
 - drawdowns from each ILEC's deferral account were to be applied within its own territory.
3. The Commission also stated that competitive neutrality is a principal part of the objectives set out in Telecom Decisions 2002-34 and 2002-43 (the price cap decisions), which established the deferral accounts, and should be balanced against all relevant factors when proposals are evaluated.
4. In Telecom Decision 2008-1, the Commission determined that the use of deferral account funds for national initiatives was not consistent with the requirement that drawdowns from each ILEC's deferral account were to be applied within the ILEC's own territory. In addition, the Commission permitted the ILECs to set aside any unallocated portion of their accessibility deferral account funds for future accessibility initiatives, and considered that these funds were to be fully used by the end of 2011.

Application

5. The Commission received an application from Bell Canada and Bell Mobility Inc. (collectively, the Bell companies or the applicants), dated 29 April 2013,¹ in which they requested that the Commission approve the use of \$6.5 million, the remainder of Bell Canada's accessibility deferral account funds, for proposed initiatives to improve the accessibility of telecommunications services for persons with disabilities. This application is the second phase (Delivery B – Implementation) of a two-phased delivery approach for the use of deferral account funds. The Commission approved the use of deferral account funds for the first phase (Delivery A – Plan) in a Commission letter dated 29 April 2011, in which it also directed Bell Canada to provide detailed reporting in specific areas.
6. The Bell companies developed the initiatives proposed in their application with input from the Inclusive Design Research Centre (IDRC) of OCAD University, a hired

¹ The record of this proceeding closed on 31 March 2014 with the submission by the Bell companies of final costing information.

consultant, and in consultation with an advisory committee made up of organizations representing persons with disabilities.

7. The application consists of fourteen proposed initiatives as described below. The Bell companies indicated that the drawdown amounts proposed are estimates that will be adjusted as the initiatives are made available to their customers.
8. The Commission received interventions regarding the Bell companies' application from the Neil Squire Society (NSS) and Mr. Chris Stark. The public record of this proceeding, which closed on 31 March 2014, is available on the Commission's website at www.crtc.gc.ca or by using the file number provided above.
9. Overall, NSS supported the scope and depth of the process led by the applicants in developing the proposed initiatives, under the guidance of the IDRC. In his intervention, to which the Bell companies responded, Mr. Stark requested clarification on how the proposed initiatives would assist people who are blind or who cannot see the screens of mobile phones.
10. In assessing each of the initiatives, the Commission has addressed the following:
 - Is each initiative consistent with the guidelines for initiatives to improve accessibility to telecommunications services for persons with disabilities as established in Telecom Decisions 2006-9 and 2008-1?
 - Is each initiative competitively neutral, and, if not, is there a rationale for approval?
11. In assessing the application as a whole, the Commission has also addressed the applicants' compliance with the requirements set out in the Commission's letter dated 29 April 2011. This is discussed beginning at paragraph 62 of this decision.

Proposed initiatives

Technology

12. The Bell companies requested a \$1.1 million drawdown from Bell Canada's deferral account to cover the costs of procuring, offering, and supporting, for five years, the following initiatives (detailed in Appendix A), referred to collectively as the Technology initiatives: (i) an accessible Feature Phone (\$0.7 million drawdown); (ii) Code Factory's Mobile Accessibility App (\$0.2 million drawdown); and (iii) Komodo OpenLab's Tecla Access Solution (\$0.2 million drawdown). In the applicants' view, these products will improve access to their wireless services for persons with disabilities.
13. While NSS's intervention focused on technology and lifecycle management, it did express support for the Technology initiatives at a reasonable price offering.

Commission's analysis and determinations

14. The Commission considers that the proposed Technology initiatives introduce accessibility capabilities into the applicants' wireless product offerings that will improve access to telecommunications services for persons with disabilities. The Commission thus considers these initiatives to be consistent with the guidelines established in Telecom Decisions 2006-9 and 2008-1. The Commission considers that the use of deferral account funds for these initiatives does not raise competitive neutrality issues.
15. Accordingly, the Commission **approves** the Bell companies' request for deferral account drawdowns to cover the costs to procure, offer, and support the Technology initiatives as proposed in the application.

Product Support

16. The Bell companies requested a \$1.6 million drawdown from Bell Canada's deferral account to cover costs for the following initiatives, referred to collectively as the Product Support initiatives: (i) Accessibility Tutorials (\$1.1 million drawdown); (ii) a Web-based Handset Selector Tool (\$0.4 million drawdown); and (iii) customer service representative (CSR) training specific to supporting the proposed Technology initiatives (\$0.1 million drawdown).
17. The applicants submitted that the Accessibility Tutorials would consist of 35 screenreader-friendly, simple, interactive tutorials to educate customers about the accessibility features and functionalities offered by the Bell companies through their products and services. The Bell companies stated that these tutorials would be available on the "Bell.ca/Support" and "Bell.ca/Accessibility" websites. NSS supported the Accessibility Tutorials as a means for persons with disabilities to increase their awareness of accessibility options.
18. The Bell companies submitted that the Web-based Handset Selector Tool would enable their customers to select phones from a database of capabilities including accessibility features, based on a pre-defined set of features. NSS stated that it would support the Web-based Handset Selector Tool if it were tailored to each of the four major disability groups (hearing, vision, mobility, and cognitive) and if it identified an appropriate list of choices for consumers. The Bell companies confirmed that the Web-based Handset Selector Tool would be adapted to each disability group, and that it would provide recommendations on handsets with appropriate accessibility features.
19. NSS supported training improvements that go beyond the requirements of the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA). In NSS's view, the cost of the applicants' compliance with these requirements should not be covered by deferral account funds, but rather should be addressed through their regular operations.

Commission's analysis and determinations

20. The Commission notes that the proposed Product Support initiatives support the accessible use of technologies. Further, in Broadcasting and Telecom Regulatory Policy 2009-430 (referred to hereafter as the Accessibility Policy), the Commission stated that access to appropriate information, customer service, and support in relation to telecommunications and broadcasting services allows customers with disabilities to make meaningful use of the services offered by telecommunications service providers (TSPs) and broadcasting distribution undertakings. As such, the Commission considers the Product Support initiatives to be consistent with the guidelines established in Telecom Decisions 2006-9 and 2008-1.
21. With respect to the CSR training, the Commission notes NSS's concern. In this case, however, the Commission considers that the proposed training exceeds the customer service standard set out in AODA, given that the training is specific to the support of the proposed Technology initiatives. The Commission therefore considers that the Product Support initiatives do not raise competitive neutrality issues.
22. Accordingly, the Commission **approves** the Bell companies' request for deferral account drawdowns to cover the costs to provide the Product Support initiatives as proposed in the application.

Remote Device Management (RDM)

23. The Bell companies requested a \$0.6 million drawdown from Bell Canada's deferral account to cover the costs associated with RDM. RDM is a customer service tool that enables CSRs to remotely access customer mobile wireless handsets and services, and diagnose and troubleshoot any associated issues. The Bell companies submitted that RDM would be used to address (i) gaps in resolving customer issues related to accessibility, (ii) miscommunication, (iii) lack of familiarity with wireless technology, and (iv) barriers imposed by a disability.
24. The Bell companies proposed to introduce RDM in their Accessibility Services Centre and to extend it to their regular call centres. They did not provide details regarding the anticipated uptake of RDM by their wireless customers, but they did envision a high rate of adoption by their customers with accessibility needs.
25. The Bell companies submitted that the RDM had been tested, that its use would require no special customization, and that it is compatible with the Mobile Accessibility App and the Tecla Access Solution. The Bell companies submitted that RDM would be used to add or to remove apps, and that RDM could be used to add or remove the Mobile Accessibility App but not the Tecla App, since the customer is responsible for adding and configuring the Tecla App.
26. The Bell companies indicated that Android platforms would generally support RDM, and that the iPhone 4, 4S, and 5 smartphones, and Samsung feature phones would have limited or no RDM support. They submitted that they would assess RDM

compatibility with the accessible Feature Phone once the manufacturer for that phone is determined.

27. The applicants attributed the limitations in RDM support to security issues with the Apple platform and compatibility issues with Samsung's feature phone operating system. They indicated that the iPhone currently offers the best range of accessibility features in their Apple/Smartphone/Superphone offerings.
28. NSS submitted that it generally supports the development of tools such as RDM for mobile applications.

Commission's analysis and determinations

29. The Commission has assessed how RDM would improve accessibility to telecommunications services for persons with disabilities. The Commission notes the following gaps with respect to the ability of RDM to support certain technologies used by persons with disabilities:
 - RDM does not appear to serve the Tecla Access Solution;
 - It is uncertain whether RDM would serve users of the proposed accessible Feature Phone, given that the manufacturer has not been determined and that the phone has not been assessed; and
 - RDM would serve, in limited capacity, users of the iPhone 4, 4S, and 5 smartphones, the phones that the applicants have submitted offer the best range of accessibility features.
30. The above-noted gaps put into question whether persons with disabilities will be able to readily adopt and meaningfully use RDM. Further, the Commission is not convinced that RDM has any discernible aspects that uniquely serve the needs of persons with disabilities; rather, the RDM appears to be a mainstream capability that is accessible out of the box and able to support subscribers with a range of abilities. The Commission considers that should the Bell companies choose to deploy RDM in their general operations, persons with disabilities would have access to RDM capabilities – subject to the gaps identified above – even without the use of deferral account funding.
31. In light of the above, the Commission finds that the use of deferral account funds for RDM would not improve accessibility to telecommunications services for persons with disabilities, and is thus not consistent with the guidelines established in Telecom Decisions 2006-9 and 2008-1.
32. Accordingly, the Commission **denies** the Bell companies' request for a deferral account drawdown to cover the costs to provide RDM.

Lifecycle Management

33. The Bell companies requested a \$0.5 million drawdown from Bell Canada's deferral account to cover the costs for Lifecycle Management of their proposed Technology initiatives, RDM, and Accessibility Tutorials for three years, including funding for staff to manage product procurement and development. The Bell companies subsequently amended their application to request that the drawdown amount be adjusted to \$0.7 million, and cover Lifecycle Management over a five-year period.
34. The Bell companies submitted that they would dedicate staff to a Product Management team that would be responsible for accessibility from procurement to end-of-life. That team would ensure that the Bell companies' wireless devices meet the accessibility needs of customers with disabilities, and that accessibility features are not impaired by upgrades. The Bell companies stated that the functions of this team would be absorbed into the Bell companies' operational processes at the end of the five-year period.
35. The Bell companies added that procurement processes would encourage handset manufacturers (Android, Blackberry, Microsoft, etc.) to improve the accessibility of their products and would require these manufacturers to identify how their devices are consistent with the accessibility features of the Web-based Handset Selector Tool.
36. NSS expressed concern that the proposed Lifecycle Management approach would not achieve maximum and long-lasting benefits. NSS submitted that it was unclear how accessible products and processes would be sustained after the depletion of deferral account funds, and that it was concerned about the effects of this on customers who would require ongoing availability of technologies such as the accessible Feature Phone.
37. NSS also expressed concern that the proposed Lifecycle Management approach lacked the "demand pull" required to sustain accessible capabilities in the applicants' wireless product offerings. NSS asserted that Bell Canada, as a customer of handset manufacturers, determines the products and features it offers to its own customers. NSS argued that therefore, Bell Canada can achieve "demand pull" for accessibility capabilities by communicating to handset manufacturers detailed accessibility requirements based on consultations with persons with disabilities. NSS noted that, as an example, the Universal Serial Bus On-the-Go (USB OTG),² available on the Samsung Galaxy S4 Android smartphone, offers accessibility capabilities for persons with mobility disabilities. However, NSS noted that USB OTG is currently offered on only one smartphone from one manufacturer. NSS submitted that Bell Canada could ensure that USB OTG remains on the market by exerting "demand pull" with the manufacturers as described above.

² USB OTG provides for accessibility since it connects and supports a range of input devices that can be used to operate a smartphone. Input devices include a mouse, keyboard, trackball, joystick, or game controller.

38. Lastly, NSS submitted that there is a need for wireless service providers such as Bell Canada to publish user and technical requirements to encourage the development of third-party accessibility solutions and applications. In this regard, NSS suggested the creation of a developer support program similar to that of AT&T in the United States.

Commission's analysis and determinations

39. The Commission considers the proposed Lifecycle Management approach to be consistent with the guidelines established in Telecom Decisions 2006-9 and 2008-1, since it supports the accessibility capabilities introduced through the proposed initiatives over time. Accordingly, the Commission **approves** the Bell companies' request for a deferral account drawdown to cover the costs to provide Lifecycle Management for the initiatives approved in this decision.
40. However, the Commission notes the concerns expressed by NSS with respect to sustaining these capabilities. In order for the Commission to be satisfied that the accessible features and capabilities delivered by the application are meaningfully sustained with respect to the accessibility needs of customers with disabilities, the Commission **directs** Bell Canada to report on lifecycle matters annually, in accordance with the Commission's determinations set out in the Reporting section of this decision.

Enhanced Website Upgrade and Comprehensive Accessibility Training

41. The Bell companies requested a \$0.3 million drawdown from Bell Canada's deferral account to cover the costs for a proposed Enhanced Website Upgrade initiative and a \$0.4 million drawdown to cover the costs associated with a proposed Comprehensive Accessibility Training initiative for call centre/technical support staff and web developers. The Bell companies submitted that the Enhanced Website Upgrade initiative would improve navigation by persons who use screenreaders, and that the Comprehensive Accessibility Training initiative would improve the customer service experience for persons with disabilities. The Bell companies stated that the training would focus on accessibility issues in general and would not be specific to the proposed Technology initiatives.
42. NSS opposed the use of deferral account funds for the Enhanced Website Upgrade and Comprehensive Accessibility Training initiatives, arguing that these initiatives respond to the regulatory requirements of AODA. In NSS's view, the cost of the applicants' compliance with these requirements should not be covered by deferral account funds, but rather should be addressed through their regular operations. NSS added that the use of deferral account funds for these proposed initiatives would provide the Bell companies with an unfair competitive advantage over other TSPs, which must also comply with AODA but do not have deferral account funds for this purpose.

Commission's analysis and determinations

43. The Commission considers that the use of deferral account funds for the Enhanced Website Upgrade initiative is consistent with the guidelines established in Telecom Decisions 2006-9 and 2008-1, but raises competitive neutrality issues.
44. Since the issuance of Telecom Decision 2008-1, in which the Commission approved the use of deferral account funds to improve the accessibility of the websites of various TSPs (including those of Bell Canada, MTS Allstream Inc.,³ Saskatchewan Telecommunications, and TELUS Communications Company), AODA has come into effect in Ontario. Among other things, AODA prescribes accessibility requirements for the websites and customer services of TSPs, including Bell Canada operating in Ontario. Accordingly, the Commission considers that an assessment of the competitive neutrality of the proposed Enhanced Website Upgrade and Comprehensive Accessibility Training initiatives must take AODA into consideration.
45. In this regard, the Bell companies have not demonstrated that their proposed Enhanced Website Upgrade and Comprehensive Accessibility Training initiatives go beyond the accessibility accommodations required under AODA. The Commission notes that other TSPs operating in Ontario must also comply with AODA, but do not have access to deferral account funds to cover their costs for doing so. Therefore, the Commission considers that the use of deferral account funds for these proposed initiatives would not be competitively neutral.
46. Accordingly, and since there are no other factors to balance against the requirement for competitive neutrality, the Commission **denies** the Bell companies' request for a deferral account drawdown to cover the costs for the Enhanced Website Upgrade and Comprehensive Accessibility Training initiatives as proposed in the application.

Mass and Direct Marketing

47. The Bell companies requested a \$0.2 million drawdown from Bell Canada's deferral account to cover the costs for a proposed Mass Marketing initiative (which would include quarterly campaigns such as television advertisements, billboards, and social media posts) and a \$1.5 million drawdown to cover the costs for a proposed Direct Marketing initiative (which would include quarterly marketing campaigns through targeted magazines, events, and trade shows). In the Bell companies' view, these initiatives would help promote accessibility products to persons with disabilities.
48. NSS generally supported an increased scope of advertising for accessibility products, but questioned the effectiveness of Mass Marketing strategies given the lack of budget specified in the application to fully use mainstream channels such as newspapers, magazines, and radio and television spots. NSS also questioned the

³ MTS Allstream Inc. was the entity at the time of the Telecom Decision 2008-1 proceeding. However, as of early January 2012, MTS Allstream Inc. became known as two separate entities, namely MTS Inc. and Allstream Inc.

ability of Direct Marketing channels to reach persons with disabilities who are not involved in accessibility organizations or who do not use media.

Commission's analysis and determinations

49. The Commission notes that the requested \$1.7 million drawdown for the Mass and Direct Marketing initiatives represents the largest requested allocation of deferral account funds in the application. The Commission also notes that the Bell companies (i) indicated that the requested drawdown would be used entirely to fund salaries and (ii) did not provide details regarding specific marketing programs and campaigns.
50. Given this lack of detail, the Commission is not convinced that the Mass Marketing initiative would meaningfully promote accessibility products and services among persons with disabilities. Accordingly, the Commission finds that the use of deferral account funding for the Mass Marketing initiative would not improve access to telecommunications services by persons with disabilities, and is thus not consistent with the guidelines established in Telecom Decisions 2006-9 and 2008-1. The Commission therefore **denies** the Bell companies' request for a deferral account drawdown to cover the costs for the Mass Marketing initiative.
51. Nonetheless, the Commission considers that the applicants' Direct Marketing initiative could reach persons with disabilities through targeted, meaningful advertising delivered through direct channels. While the Commission considers that a Direct Marketing initiative may be consistent with the guidelines established in Telecom Decisions 2006-9 and 2008-1, the Commission finds the Bell companies' application to be lacking in critical details on marketing programs, individual campaigns, the channels to be used, and a means to measure the success of these programs.
52. Accordingly, the Commission **directs** the Bell companies to file a plan, as set out in paragraph 77 of this decision, including details regarding the specific Direct Marketing campaigns to be undertaken.
53. In light of the above, the Commission **approves** the Bell companies' request for a deferral account drawdown of \$1.5 million to cover the costs for a Direct Marketing initiative, conditional on the filing by the Bell companies of a complete and detailed plan, as set out in paragraph 77 of this decision.
54. The Commission notes NSS's concern about the ability of direct marketing to reach persons with disabilities who are not involved in accessibility organizations and who do not use media. The Commission considers that the applicants can use their websites to reach such customers, in conjunction with any Direct Marketing initiative that they may undertake. For example, in the Accessibility Policy, the Commission encouraged Bell Canada, among other TSPs, to promote disability-specific information through their websites. Further, in Telecom Regulatory Policy 2013-271 (the Wireless Code), the Commission required Bell Canada and other TSPs to report to the Commission in this area.

Honorariums

55. The Bell companies requested a \$0.01 million drawdown from Bell Canada's deferral account to cover the costs of providing an honorarium to each member of the advisory committee. The Bell companies stated that honorariums are necessary to recognize the significant commitment in time and effort of each advisory committee member. They added that the amount of these honorariums would be beyond the equivalent amount necessary to reimburse any reasonable expenses related to committee meetings, and that the honorariums were not intended as a fee for services that could undermine the independence of the members.

Commission's analysis and determinations

56. The Commission notes that in the first phase of this application (Delivery A – Plan), Bell Canada stated that it was willing to provide honorariums, with the appropriate amount of the honorariums to be determined.
57. The Commission considers that if the applicants believe that honorariums are necessary to solicit the advice and commitment of the advisory committee members, the cost of the honorariums should be incurred by the applicants without the use of deferral account funds. The Commission also considers that the provision of honorariums would not improve access to telecommunications services for persons with disabilities, which is a criterion for the receipt of deferral account funding.
58. Accordingly, the Commission **denies** the Bell companies' request for a deferral account drawdown to cover the costs to provide an honorarium to each member of the advisory committee.

Mental health

59. The Bell companies requested a \$0.09 million drawdown from Bell Canada's deferral account for one or more of the following initiatives for improving the mobile experience for customers with mental health disabilities:
- Always There App – a mobile app that enables young people to access mental health counselling, information, and resources;
 - Kids Help Phone Website – a reconfiguration of the current website to make it usable on a mobile phone; and
 - Live Chat Counselling – customized, real-time, instant messaging for young people to chat with a Kids Help Phone counsellor.

Commission's analysis and determinations

60. While the Commission considers that the Kids Help Phone organization provides meaningful community services to Canadians, the applicants have not demonstrated that use of deferral account funds for the proposed mental health initiatives will

improve access to telecommunications services for persons with disabilities. The Commission therefore finds that use of deferral account funds for the proposed mental health initiatives is not consistent with the guidelines established in Telecom Decisions 2006-9 and 2008-1.

61. Accordingly, the Commission **denies** the Bell companies' request for a deferral account drawdown to cover the costs for the proposed mental health initiatives.

Compliance with the Commission's 29 April 2011 letter

62. In its 29 April 2011 letter referenced in paragraph 5 above, in which the Commission approved the use of deferral accounts for Delivery A – Plan, the Commission directed Bell Canada to

- ensure that the needs of persons with cognitive disabilities are represented and reflected; and
- provide formal detailed reporting in the following areas when it files with the Commission its request for approval of the implementation phase (i.e. this application):
 - i. unmet accessibility needs;
 - ii. initiative evaluation criteria/process;
 - iii. universal/inclusive design;
 - iv. lifecycle support/management; and
 - v. sustainability of initiatives.

63. The Commission is satisfied that Bell Canada has ensured that the needs of persons with cognitive disabilities are represented and reflected in this application by providing the Commission with a plan for engaging persons with cognitive disabilities, and including representation of these persons on the advisory committee. The Commission encourages Bell Canada to continue its efforts in this area.

64. The Commission is also satisfied that Bell Canada has sufficiently reported on unmet accessibility needs as assessed by the IDRC in a report filed on the record of this proceeding.

65. However, the Commission finds that Bell Canada has not provided the detail required to fully assess the company's initiative evaluation criteria/process, universal/inclusive design, lifecycle support/management, and sustainability of initiatives. In the Commission's view, this information continues to be relevant.

66. Accordingly, the Commission **directs** Bell Canada to report on these areas in accordance with its determinations in the Reporting section of this decision.

Preliminary view concerning the out-of-territory use of deferral account funds

67. The Commission notes that the use of deferral account funds approved in this decision will be applied in Bell Canada's operating territory in Ontario and Quebec, and that wireless service subscribers in that operating territory will benefit. This is consistent with Telecom Decision 2006-9, in which the Commission determined that drawdowns from each ILEC's deferral account must be applied within its own territory.
68. However, the Commission notes that the present application covers initiatives to improve the accessibility of mobile telecommunications services, which are provided by Bell Mobility Inc. across the country. While most of Bell Mobility Inc.'s subscribers reside in Ontario and Quebec, there is a percentage of this company's wireless service subscribers with disabilities⁴ who would not benefit from this application, since they reside outside Bell Canada's operating territory in Ontario and Quebec.
69. The Commission is of the preliminary view that, as an exception to the guidelines set out in Telecom Decision 2006-9, Bell Canada should be permitted to use some of its unallocated deferral account funds to offer, outside its operating territory in Ontario and Quebec, the Technology initiatives approved by the Commission in this decision.
70. The Commission considers that expanding the geographic scope over which the Technology initiatives can be deployed will help ensure that Bell Mobility Inc.'s customers with disabilities outside Ontario and Quebec can also benefit from the accessible wireless technologies offered through this application.
71. Based on the record of this proceeding, the Commission considers that the cost associated with the proposed geographic expansion appears to be small and incremental to the other costs, particularly the fixed costs, associated with this application. In addition, the Commission considers that its proposal does not raise issues of competitive neutrality. Accessible wireless technologies do not appear to be prevalent in the competitive offers of other Canadian wireless service providers. Therefore, the Commission considers it unlikely that market forces would result in the delivery of these technologies to the Bell companies' wireless service customers with disabilities residing outside their incumbent operating territory. Also, as stated in the Accessibility Policy, the Commission considers that persons with disabilities are generally not able to influence the market sufficiently to obtain accessible telecommunications products and services.

⁴Although the number of subscribers with disabilities is not known, based on 2012 data from Statistics Canada, 3.0 million (13.7%) Canadians aged 15 and older reported having a disability that limited their daily activities.

Conclusion

Follow-up proceeding

72. Based on the Commission's determinations set out above, an estimated amount of \$1.6 million would remain unallocated in Bell Canada's deferral account.
73. The Commission invites Bell Canada and other interested parties to comment on the preliminary view set out above that Bell Canada should be allowed to use some of its unallocated deferral account funds to offer Technology initiatives to its customers outside its operating territory in Ontario and Quebec. Comments to this follow-up proceeding are to be filed in accordance with the Procedure section below.
74. The Commission notes that various accessibility initiatives were identified on the record of this proceeding, either through the Bell companies' application or by interveners. The Commission **directs** Bell Canada to show cause, including the provision of detailed costing information, why it should not be required to use all of the \$1.6 million of its unallocated deferral account funds for some or all of the initiatives set out below, which have been identified on the record of this proceeding:
 - offer and support a smartphone with USB OTG technology for at least five years;
 - publish and keep up-to-date comprehensive information on technical/user requirements and capabilities of smartphones (particularly those that support accessibility) to encourage the development of third-party accessibility solutions and applications. This could be modelled on developer support programs of providers in other jurisdictions;
 - provide the accessible Feature Phone at a price lower than that proposed by Bell Canada;
 - increase, beyond five years, lifecycle support for the Feature Phone or a comparable phone at a price similar to the proposed price;
 - extend the offer and support of the Tecla Access Solution to Apple iOS smartphones and tablets as well as Android tablets offered by Bell Canada; and
 - put together basic packages of the Mobile Accessibility App and compatible smartphones/tablets, and the Tecla Access Solution and compatible smartphone/tablets, and offer these packages as lower-priced options.

Procedure

75. The *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* (the Rules of Procedure) apply to the follow-up proceeding referenced above.⁵ For help understanding the Rules of Procedure, see the *Guidelines on the CRTC Rules of Practice and Procedure*.⁶
76. The procedure for the above-referenced follow-up proceeding is set out below.
- Bell Canada is to file with the Commission its submission regarding the use of its unallocated deferral account funds in accordance with (i) the Commission's preliminary view regarding the use of deferral funds outside Bell Canada's operating territory in Ontario and Quebec, and (ii) the proposed initiatives set out above by **8 December 2014**.
 - Interested persons who wish to become parties to the show cause proceeding are to file with the Commission an intervention regarding Bell Canada's submission and the Commission's preliminary view by **22 January 2015**.
 - Bell Canada may file replies to interventions with the Commission by **2 February 2015**.

Direct Marketing plan

77. The Commission also **directs** Bell Canada to file, by **8 December 2014**, a complete and detailed plan for the Direct Marketing initiative that would substantiate the use of \$1.5 million in deferral account funds. This plan is to include a breakdown of each proposed campaign, including type, focus, timing, cost, and expected outcome. As well, the plan is to specify the channels to be used (magazines, events, trade shows, etc.) to reach the target market of persons with disabilities.

Reporting

78. The Commission **directs** Bell Canada to report to the Commission as follows:
- within **30 days** of the date of this decision, the date on which Bell Canada will begin implementation of each of the initiatives approved by the Commission in this decision; and
 - beginning in 2015 and until the deferral account funds are fully used, an annual report, by 31 March each year, details regarding the initiatives

⁵ The Rules of Procedure set out, among other things, the rules for the filing, content, format, and service of interventions and interrogatories; the procedure for filing confidential information and requesting its disclosure; and the conduct of the public hearing, where applicable. Accordingly, the procedure set out in this decision must be read in conjunction with the Rules of Procedure and their accompanying documents, which can be found on the Commission's website under "CRTC Rules of Practice and Procedure."

⁶ These guidelines are set out in Broadcasting and Telecom Information Bulletin 2010-959.

implemented in the previous year and lifecycle matters. The report must also include the detailed information set out in paragraph 65 above.

79. The Commission expects that Bell Canada's deferral account funds will be fully used within the five-year period ending in 2019.

Summary of the Commission's determinations

80. A summary of the Commission's determinations is set out in Appendix B to this decision.

Secretary General

Related documents

- *The Wireless Code*, Telecom Regulatory Policy CRTC 2013-271, 3 June 2013
- *Guidelines on the CRTC Rules of Practice and Procedure*, Broadcasting and Telecom Information Bulletin CRTC 2010-959, 23 December 2010
- *Accessibility of telecommunications and broadcasting services*, Broadcasting and Telecom Regulatory Policy CRTC 2009-430, 21 July 2009, as amended by Broadcasting and Telecom Regulatory Policy CRTC 2009-430-1, 17 December 2009
- *Use of deferral account funds to improve access to telecommunications services for persons with disabilities and to expand broadband services to rural and remote communities*, Telecom Decision CRTC 2008-1, 17 January 2008
- *Disposition of funds in the deferral accounts*, Telecom Decision CRTC 2006-9, 16 February 2006
- *Implementation of price regulation for Télébec and TELUS Québec*, Telecom Decision CRTC 2002-43, 31 July 2002
- *Regulatory framework for second price cap period*, Telecom Decision CRTC 2002-34, 30 May 2002, as amended by Telecom Decision CRTC 2002-34-1, 15 July 2002

Appendix A to Telecom Decision CRTC 2014-527

Summary of the Technology initiatives as proposed in the application

Accessible Feature Phone with built-in screenreader and tactile keypad

- While the Bell companies have not defined a specific phone, they commit to working with at least one major handset manufacturer to offer an accessible Feature Phone with the following capabilities:
 - screenreader functionality;
 - a simple user interface with a tactile three-key-by-four-key keypad, including differentiated keys and shortcuts to access commonly used features;
 - system-wide control of text font, size, and colour;
 - speakerphone functionality and readout of all the information indicated on the phone's screen and its native applications;
 - teletypewriter (TTY) compatibility; and
 - a user manual in an accessible, plain-language document.
- This Feature Phone does not require a data plan, and provides an alternative to a smartphone for customers who rely on screenreader capabilities.
- The phone will be compatible with interactive voice response (IVR) systems.
- Special attention will be given to ensuring a consistent high-quality product in both English and French.
- An out-of-the box solution with earphones and a charging dock. The only setup required will be to turn on the screenreader in the phone's settings, which can be done by a CSR.
- The phone will be priced at \$249.99 without a contract, and at \$79.99 with a contract. Prepaid options are available.

Code Factory's Mobile Accessibility App

- Bell Mobility Inc. customers will be offered licences for English and French versions of Code Factory's Mobile Accessibility App through the Bell.ca Accessibility Services Centre. The App can then be downloaded from the virtual Google Android app store.

- Code Factory’s Mobile Accessibility App provides a suite of screenreading “tools” for Android smartphones that are distinct from those that reside on the Android phone. These include screenreading capabilities for device information, contacts, text messaging (Short Message Service), alarms, battery level, network strength, calendar, email, and Web browsing. Manuals or product information will not be supplied in alternate formats since these can be acquired from Code Factory.
- Technical support will be provided through the Bell Technical Solutions team. Each year, the Bell companies will provide upgrades to this app to ensure that the most up-to-date capabilities are available.
- Licences will be priced at a \$40 flat rate, with the only condition that the customer must be a Bell Mobility Inc. customer. The price does not depend on the type of contract (prepaid or post-paid). The customer must have a compatible Android smartphone.

Komodo OpenLab’s Tecla Access Solution

- The Bell companies will work with Komodo OpenLab as a certified partner to distribute, integrate, and support the Tecla Access Solution.
- The Tecla Access Solution uses the following components:
 - the Tecla Shield – hardware that connects wheelchair driving controls or adapted switches to a smartphone via Bluetooth;
 - the Tecla App – a free app available from the virtual Google app store;
 - the Android smartphone – a customer-supplied smartphone; and
 - mounting hardware and battery.
- Customers will deal exclusively with the Bell.ca Accessibility Services Centre for ordering and support. The Bell companies will assume all responsibility for supporting the solution; however, the nature of the support issue will dictate whether it will be handled by the Bell companies or directed to Komodo OpenLab. Komodo OpenLab will also be responsible for distributing the devices.
- The Tecla Access Solution will be priced at \$200, on the condition that the customer is a Bell Mobility Inc. customer on any post-paid contract. This price includes hardware, software (app), mounting, battery, shipping, and related support and installation if required.
- Customers must supply a compatible Android smartphone on a post-paid contract with Bell Mobility Inc. Customers are also responsible for downloading and installing the free Tecla App from the Google app store, and arranging for the installation of the hardware. Installation will require assistance from a friend, family member, or health care provider.

Appendix B to Telecom Decision CRTC 2014-527

Summary of the Commission's determinations in this decision

Proposed initiative (and associated deferral account drawdown)	Proposed deferral account drawdown (\$ millions)	Commission's determination
<p>Technology initiatives:</p> <ul style="list-style-type: none"> • Accessible Feature Phone (\$0.7 million); • Code Factory's Mobile Accessibility App (\$0.2 million); and • Komodo OpenLab's Tecla Access Solution (\$0.2 million) 	1.1	Approved
<p>Product Support initiatives:</p> <ul style="list-style-type: none"> • Accessibility Tutorials (\$1.1 million); • Web-based Handset Selector Tool (\$0.4 million); and • CSR training to support the Technology initiatives (\$0.1 million) 	1.6	Approved
Remote Device Management (RDM)	0.6	Denied
Lifecycle Management	0.7	Approved (annual reporting required)
Enhanced Website Upgrade (\$0.3 million); and Comprehensive Accessibility Training (\$0.4 million)	0.7	Denied
Mass Marketing	0.2	Denied
Direct Marketing (of accessibility products)	1.5	Approved conditional on the filing of a complete and detailed plan, as set out in paragraph 77
Honorariums	0.01	Denied
Mental health initiatives	0.09	Denied

Requirements for Bell Canada	Time frame
Show cause for use of unallocated funds	by 8 December 2014
Plan for Direct Marketing	by 8 December 2014
Reporting	<p>within 30 days of the date of this decision, the date on which Bell Canada will begin implementation of each of the initiatives approved by the Commission in this decision</p> <p>annually, beginning in 2015, by 31 March each year, until the deferral account funds are depleted, details regarding the initiatives implemented in the previous year and lifecycle matters</p>