



Broadcasting and Telecom Notice of Consultation CRTC 2025-94

PDF version

Gatineau, 12 May 2025

Public record: 1011-NOC2025-0094

Call for comments – A new approach to funding public interest participation in Commission proceedings

Deadline to provide an intervention: 9 September 2025

Deadline to provide a reply: 9 October 2025

Deadline to apply for interim costs: 11 June 2025

[\[Submit an intervention or view related documents\]](#)

Summary

The Commission is launching a proceeding on how it can better support people, including public interest groups, to participate in its proceedings. Important information on how to participate in this proceeding, including information about how to receive interim funding to assist with participation, can be found at the [end of this notice](#).

The Commission is an independent quasi-judicial tribunal responsible for regulating the Canadian communications sector. To make decisions in the public interest, the Commission encourages people with a diversity of perspectives to participate in its proceedings. For example, last year, the Commission created an Indigenous Relations Team to better support Indigenous participation in its proceedings and help ensure that more distinct perspectives and lived experiences are considered across the Commission's work. The Commission also issued a notice of consultation (Broadcasting Notice of Consultation 2024-202) to review its consultation and engagement practices in proceedings relating to official language minority communities and official languages.

Recognizing the complexity and costs associated with participating in regulatory proceedings, the Commission has put in place rules that help individuals and public interest groups participate and apply for funding to cover some of their participation costs. However, these rules have not been reviewed in over 10 years. As part of its [regulatory plan](#) to modernize Canada's broadcasting framework and its [Consumer Protections Action Plan](#), the Commission is committed to ensuring clear and predictable rules that support the participation of groups that represent the public interest in its proceedings.

Certain information from this notice is available in American Sign Language (ASL) and Langue des signes québécoise (LSQ) on the [Commission's website](#). The Commission will accept video comments and replies in ASL and LSQ for this proceeding. All interested persons are invited to participate in this proceeding. The deadline for the receipt of comments is **9 September 2025**. The deadline for the receipt of replies is **9 October 2025**. Only parties that file comments may file a reply to matters raised during the comment phase.

Introduction

Why is the Commission launching this proceeding?

1. The Commission's rules for funding public interest participation in its proceedings have not been reviewed in over 10 years. Recent developments related to the legislation governing the Commission, including amendments to the *Broadcasting Act*, the introduction of the *Online News Act*, the issuance of the *Order Issuing Directions to the CRTC on a Renewed Approach to Telecommunications Policy*,¹ and the issuance of the *Order Issuing Directions to the CRTC (Sustainable and Equitable Broadcasting Regulatory Framework)*,² provide an opportunity to review such rules. For more information on the current rules, please see paragraphs 1 and 2 of the [Appendix](#) to this notice.
2. Some public interest groups have told the Commission that obtaining funding to cover some of their costs to participate in Commission proceedings can be complicated, especially because different rules apply to different proceedings. Some have also told the Commission that funding can be unpredictable, can take a long time to obtain, and is generally only available to groups that represent consumers.
3. Given those concerns and recent legislative and policy developments, the Commission is calling for comments on how to better support public participation.

What is the Commission examining in this proceeding?

4. In this proceeding, the Commission will examine the following issues:
 - creating one funding system to participate in Commission proceedings;
 - funding participation through an independent third-party fund;
 - making funding available to more types of organizations or parties;
 - ensuring that the funding system covers appropriate costs;

¹ *Order Issuing a Direction to the CRTC on a Renewed Approach to Telecommunications Policy*, SOR/2023-23, 10 February 2023

² *Order Issuing Directions to the CRTC (Sustainable and Equitable Broadcasting Regulatory Framework)*, SOR/2023-239, 9 November 2023

- determining who should be funding participation and how much funding they should provide;
 - building a system that provides funding in a timely manner;
 - ensuring that funding is used in the public interest;
 - supporting consultations for Indigenous groups and official language minority communities; and
 - supporting participation in proceedings under the *Online News Act*.
5. Interested persons can comment on the general issues described above and answer any of the more detailed questions below. There is no need to answer all questions; interested persons can answer only those that are relevant to them. Information on how to participate and how to apply for funding can be found at the [end of this notice](#).
6. This notice is available in American Sign Language (ASL) and Langue des signes québécoise (LSQ) on the [Commission's website](#).

Creating one funding system to participate in Commission proceedings

7. Currently, individuals and public interest groups that wish to participate in Commission proceedings have access to different sources of funding, depending on the type of proceeding they are participating in. For instance, in telecommunications, they can apply directly to the Commission to receive funding for their costs.³ In broadcasting, they can apply to the Broadcasting Participation Fund (BPF), an organization that is funded by broadcasters and is independent of the Commission.⁴ For more information on these sources of funding, please see the [Appendix](#) to this notice.
8. The Commission recognizes that having to deal with two different organizations depending on the type of proceeding can be challenging for some individuals and public interest groups. Its preliminary view is that having a single application process for any Commission proceeding may be a better approach.⁵

Q1. Should the application process for funding the participation of public interest groups be the same in both telecommunications and broadcasting proceedings?

Q2. If so, should the Commission or an independent third party process the applications?

³ See “Guidelines for the Assessment of Costs” in Telecom Regulatory Policy 2010-963 for more information on the current process for reimbursement of costs.

⁴ More information on the BPF’s mandate, structure, and processes can be found on its [website](#). In its [Guidelines for the Assessment of Costs](#), the BPF describes the process for applying for costs from the Fund.

⁵ A preliminary view means that once the Commission considers the argument and evidence on the issue, it may change its view.

Q3. What are the barriers, if any, to using the same process in telecommunications and broadcasting proceedings? How can these be addressed?

Funding participation through an independent third-party fund

9. If participation in Commission proceedings is funded through an independent third-party fund like the BPF, the Commission would need to identify a specific organization to administer the funds and decide how:

- the organization is funded;
- individuals and public interest groups could apply for funding; and
- funding decisions would be made.

Q4. If funding is managed by a single independent third-party fund, would the BPF be the right organization to administer funding?

Q5. If so, what changes would be required to broaden its mandate and funding processes?

Q6. If a different organization would be more appropriate, how could the Commission ensure that individuals and public interest groups continue to receive funding to participate in proceedings while this new organization is being established?

Making funding available to more types of organizations or parties

10. The Commission's main objective in this public proceeding is to develop a system that encourages the broadest, most diverse range of participants in its proceedings while being transparent and accountable. To this end, the Commission considers that it should help ensure that funding is directed to those who need it most and is used responsibly and transparently. To meet these objectives, the current eligibility criteria need to be reviewed and streamlined. For more information on the current eligibility criteria, please see paragraph 2 of the [Appendix](#) to this notice.

11. Moreover, eligibility for funding should be broadened to better reach individuals and public interest groups representing a diverse range of perspectives such as people with disabilities, consumers, official language minority communities (OLMCs), racialized Canadians, and Indigenous peoples, in addition to academics and the general public.

Q7. How can the Commission's eligibility criteria be streamlined or improved?

Q8. How can the Commission make it easier for parties that have not historically participated in Commission proceedings to participate?

- (a) Are there specific considerations pertaining to equity-deserving groups, Indigenous rights holders, OLMCs, or academics?

Q9. Should individuals and public interest groups have to demonstrate that they meet the eligibility criteria every time they apply for funding? If not, at what intervals should they have to?

Q10. Should funding be available for informal Commission activities that take place before or outside of formal Commission proceedings (for example, the CRTC Interconnection Steering Committee meetings, informal consultations, and roundtable meetings)? If so, which activities should be eligible for funding?

Ensuring that the funding system covers appropriate costs

12. For costs under the *Telecommunications Act*, costs must be “necessarily and reasonably incurred”.⁶ The Commission has set out which types of costs are eligible for funding and the rates that can be claimed in Telecom Regulatory Policy 2010-963. For broadcasting proceedings, the BPF has adopted the same model. Given that the rates in particular have not been reviewed since 2010, it is the Commission’s preliminary view that they should be increased. Models used by other tribunals are set out in paragraphs 12–17 of the [Appendix](#) to this notice.

13. Reimbursement of costs is more limited for individuals seeking funding than it is for public interest groups. Individuals can only receive funding for disbursements, such as travel costs, and cannot receive funding for their time.

14. In the Commission’s preliminary view, a simple and predictable funding model is preferable.

Q11. What costs should be eligible for reimbursement? Do the Commission’s rates need to change? If so, how?

Q12. Should the Commission use a different way to determine how much a party should receive? If so, explain how and why.

Q13. If the current costs model is maintained, how could the process be simplified?

Determining who should fund participation and how much funding they should provide

15. In telecommunications proceedings, telecommunications companies typically pay the costs awarded to public interest groups (known as respondents) on a proceeding-by-proceeding basis.

16. In broadcasting proceedings, the BPF receives periodic funding, including through payments from broadcasters, to fund participation.

⁶ See subsection 70(2) of the *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure*.

17. Following amendments to the *Broadcasting Act*, online streaming services could potentially support public participation in the Commission's proceedings as well. For more information on who currently funds participation and how, please see paragraphs 6–8 of the [Appendix](#) to this notice.

Q14. If funding is collected through a third-party fund like the BPF:

- (a) who should be required to contribute to the fund?
- (b) how should the Commission calculate who pays and how much they should pay?

Q15. If respondents are identified on a proceeding-by-proceeding basis:

- (a) who should be responsible for paying the costs in each proceeding?
- (b) could the Commission's current process be simplified, for example, by:
 - (i) increasing the minimum contribution any one company must pay? (The current minimum is \$1,000.)
 - (ii) establishing at the outset (for example, every year or at the beginning of each proceeding), which companies should pay, and the amounts they could be expected to pay? If so, on what basis should those amounts be calculated?

Building a system that provides funding in a timely manner

18. Typically, applicants file their costs applications within 30 days after the end of a proceeding. This allows applicants to know their total expenses before they request funding. However, applicants must have adequate financial resources under this approach because the costs awards may be issued many months after the applicants have incurred their expenses.

19. Applicants can apply to the Commission to obtain costs earlier while the proceeding is still open, which is known as an application for interim costs.⁷ As part of this process, applicants must show that they do not otherwise have sufficient financial resources to participate effectively in the proceeding.

20. The Commission acknowledges that the rules for interim costs may have discouraged individuals or public interest groups from fully participating in certain proceedings. The Commission's preliminary view is that the interim costs procedures should be simplified.

⁷ See section 60 of the *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure*.

Q16. In general, what can the Commission do to issue funding decisions more quickly?

Q17. How can the Commission simplify applications for interim costs so that applicants can obtain funding earlier in a proceeding?

Ensuring that funding is used in the public interest

21. Participation from people with a broad range of perspectives and lived experiences is important to the Commission. In this context, the perspectives expressed before the Commission can sometimes be controversial.
22. The Commission must protect and promote the constitutional right of freedom of expression of everyone who participates in its proceedings while also upholding the right to equality. When considering this balance, it is important to remember that the Supreme Court of Canada is clear that hate speech is more than offensive content. Hate speech is extreme and risks discrimination or other harm.⁸
23. Hate speech has no place in Commission proceedings. The Commission has several mechanisms for addressing situations where a party uses hate speech during a Commission proceeding, including removing the content from the record of a proceeding. No costs would be awarded in that circumstance because it would not be in the public interest to fund participation that includes hate speech.
24. The Commission wants to ensure a robust funding system that can prevent funding any form of hate speech, including when a public interest group (or someone working for one) uses hate speech outside of a Commission proceeding, for example, on social media. The Commission needs to be confident that funding will be used in the public interest and not to support hate speech, even indirectly.

Q18. Should the Commission require that individuals and public interest groups provide an attestation that they and anyone who worked with them during the proceeding have not engaged in hate speech?

Q19. What other mechanisms can the Commission put in place to ensure that public interest funding does not support hate speech?

Supporting consultations for Indigenous groups and official language minority communities

25. The Commission treats individuals and public interest groups the same when they ask for funding. Even so, certain constitutionally protected, equity-deserving, and rights-holding groups may have additional considerations.

⁸ See *Canada (Human Rights Commission) v. Taylor*, [1990] 3 SCR 892 and *Saskatchewan (Human Rights Commission) v. Whatcott*, 2013 SCC 11.

26. For instance, some regulators give funding to Indigenous groups participating in their proceedings that raise matters of Aboriginal law under section 35 of the *Constitution Act, 1982* in different ways than other public interest groups.

Q20. Should the Commission establish different processes to fund the participation of Indigenous groups, such as Indigenous organizations and governments, in Commission proceedings? If so, what should those processes be?

27. Furthermore, the *Broadcasting Act* has specific rules for how the Commission must consult with OLMCs.⁹

Q21. Should the Commission establish different processes for funding for OLMCs? If so, what should those processes be?

Supporting participation in proceedings under the *Online News Act*

28. On 13 March 2024, the Commission launched Online News Notice of Consultation 2024-55 about the implementation of the bargaining framework under the *Online News Act*. In response to that notice, the Public Interest Advocacy Centre asked the Commission whether Canadians and public interest groups would be able to receive costs for participating in that proceeding. In response to an application by the BPF, the Commission has since approved (via a [Secretary General letter](#)) a change to the BPF's mandate to allow it to fund participation in proceedings under the *Online News Act*.

Q22. Are there any additional matters that the Commission should consider to support participation in proceedings that take place under the *Online News Act*?

Call for comments

29. The Commission calls for comments on the questions set out in the present notice. The Commission will accept interventions that it receives on or before **9 September 2025**. Only parties that file interventions may file a reply to matters raised during the intervention period. Replies must address only the issues raised during the intervention period. The deadline for the filing of replies is **9 October 2025**.

Procedure

30. The *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* (the Rules of Procedure) apply to the present proceeding. The Rules of Procedure set out, among other things, the rules for content, format, filing and service of interventions, answers, replies and requests for information; the procedure for filing confidential information and requesting its disclosure; and the conduct of public hearings. Accordingly, the procedure set out below must be read in

⁹ See subsection 5.2(1) of the *Broadcasting Act*.

conjunction with the Rules of Procedure and related documents, which can be found on the Commission's website under "[Statutes and Regulations](#)." The guidelines set out in Broadcasting and Telecom Information Bulletin 2010-959 provide information to help interested persons and parties understand the Rules of Procedure so that they can more effectively participate in Commission proceedings.

31. Canadian telecommunications carriers and broadcasting undertakings are made parties to this proceeding. Anyone else—including individuals and public interest groups—can become a party by submitting an intervention.
32. The Commission invites individuals who are Deaf or hard of hearing and their representatives to present their comments on the issues under consideration in ASL and LSQ in video format if they so choose. Parties filing video comments must provide a working link to their video in the Intervention form. Because these videos will inform the Commission's decision-making, they must be publicly accessible. For instance, a link that requires another party to request access to the video would not meet this standard.
33. The Commission will transcribe the ASL and LSQ interventions filed for this proceeding, and the transcripts will be posted on the Commission's website to facilitate the reply comments process for all interveners.
34. Interested persons who wish to request accommodations to facilitate their participation or who require assistance submitting comments can contact the Commission's Hearings and Public Proceedings group at hearing@crtc.gc.ca.
35. Interested persons are permitted to coordinate, organize, and file, in a single submission, interventions by other interested persons who share their position. Information on how to file this type of submission, known as a joint supporting intervention, as well as a template for the covering letter to be filed by the parties, can be found in Broadcasting Information Bulletin 2010-28-1.
36. The Commission encourages interested persons and parties to monitor the record of the proceeding, available on the Commission's website, for additional information that they may find useful when preparing their submissions.
37. Submissions longer than five pages should include a summary. Each paragraph of all submissions should be numbered, and the line *****End of document***** should follow the last paragraph. This will help the Commission verify that the document has not been damaged during electronic transmission.
38. Pursuant to Broadcasting and Telecom Information Bulletin 2015-242, the Commission expects incorporated entities and associations, and encourages all Canadians, to file submissions for Commission proceedings in accessible formats (for example, text-based file formats that allow text to be enlarged or modified or read by screen readers). To provide assistance in this regard, the Commission has posted on its website [guidelines](#) for preparing documents in accessible formats.

39. Submissions must be filed by sending them to the Secretary General of the Commission using **only one** of the following means:

by completing the
[\[Intervention/comment/answer form\]](#)

or

by mail to
CRTC, Gatineau, Quebec K1A 0N2

or

by fax at
819-994-0218

or

by ASL or LSQ video using the
[\[Intervention form\]](#)

40. Parties that send documents electronically must ensure that they will be able to prove, upon Commission request, that filing, or where required, service, of a particular document was completed. Accordingly, parties must keep proof of the sending and receipt of each document for 180 days after the date on which the document is filed or served. The Commission advises parties that file or serve documents by electronic means to exercise caution when using email for the service of documents, as it may be difficult to establish that service has occurred.

41. In accordance with the Rules of Procedure, a document must be received by the Commission and all relevant parties by 5 p.m. Vancouver time (8 p.m. Gatineau time) on the date it is due. Parties are responsible for ensuring the timely delivery of their submissions and will not be notified if their submissions are received after the deadline. Late submissions, including those due to postal delays, will not be considered by the Commission and will not be made part of the public record.

42. The Commission will not formally acknowledge submissions. It will, however, fully consider all submissions, which will form part of the public record of the proceeding, provided that the procedure for filing set out above has been followed.

Important notice

43. All information that parties provide as part of this public process, except information designated confidential, whether sent by postal mail, fax, email or through the Commission's website at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's website. This information includes personal information, such as full names, email addresses, postal/street addresses, and telephone and fax numbers.

44. The personal information that parties provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission or for a use consistent with that purpose.
45. Documents received electronically or otherwise will be put on the Commission's website in their entirety exactly as received, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format. Links to ASL or LSQ video submissions and the transcripts of these videos will also be put on the Commission's website.
46. The information that parties provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. In the case of information submitted via ASL or LSQ videos, the transcripts of these videos will also be entered into the unsearchable database. This database is accessible only from the web page of this particular public process. As a result, a general search of the Commission's website with the help of either its own search engine or a third-party search engine will not provide access to the information that was provided as part of this public process. However, because individuals who submit an ASL or LSQ video comment or reply must submit a working link to a publicly viewable version of their video to the Commission, depending on where the video was uploaded, any intervention or reply submitted via ASL or LSQ video may be searchable by a third-party search engine.

Availability of documents

47. Links to interventions, as well as other documents referred to in this notice, are available on the Commission's "[Consultations and hearings: have your say](#)" page.
48. Documents are available upon request during normal business hours by contacting:

Documentation Centre
Examinationroom@crtc.gc.ca
Tel. : 819-997-4389
Fax : 819-994-0218

Client Services
Toll-free telephone: 1-877-249-2782
Toll-free TTY: 1-877-909-2782

Obtaining funding in this proceeding

49. For simplicity and ease of access, all costs applications in this proceeding will use the telecommunications costs process and be reviewed and assessed under that funding system.

Obtaining funding after the proceeding

50. The Commission considers that active participation of individuals and groups that represent the public interest provide a valuable contribution to its decisions. They may require financial assistance to effectively participate in Commission proceedings. To understand how to apply for costs after the proceeding, please visit the Commission's "[How to claim telecommunications proceeding expenses](#)" page.

Obtaining funding during the proceeding

51. Parties can also file an application for interim costs if they wish to obtain funding during the proceeding. Interim costs grant parties with funding up front, which can help support their participation and encourage broader participation. In this proceeding, the Commission will consider applications for interim costs exclusively under the *Telecommunications Act*. Moreover, the Commission will not require that applicants show that they have insufficient financial resources to participate effectively in the proceeding without these costs. To understand how to apply for interim costs, please visit the Commission's "[How to claim telecommunications proceeding expenses](#)" page.

52. If you wish to apply for interim costs, you must submit your costs application by **11 June 2025**.

53. Anyone, including costs respondents, can respond to an interim costs application by **23 June 2025**.

54. Costs applicants can reply to those responses by **3 July 2025**.

55. The Commission notes that the largest telecommunications companies are often the ones required to pay costs; therefore, the most likely costs respondents are:

- Bell Canada;
- Cogeco Connexion Inc.;
- Quebecor Media Inc.;
- Rogers Communications Canada Inc.;
- Saskatchewan Telecommunications; and
- TELUS Communications Inc.

56. **Important notice:** If you receive interim costs, you will need to apply for final costs at the end of the proceeding. This means you will have to provide receipts and account for your time to demonstrate that your group spent the money responsibly.

Secretary General

Related documents

- *Call for comments – Guidelines regarding consultation and engagement practices in proceedings relating to official language minority communities and official languages*, Broadcasting Notice of Consultation CRTC 2024-202, 9 September 2024
- *Call for comments – Framework under the Online News Act (formerly Bill C-18)*, Online News Notice of Consultation CRTC 2024-55, 13 March 2024
- *Filing submissions for Commission proceedings in accessible formats*, Broadcasting and Telecom Information Bulletin CRTC 2015-242, 8 June 2015
- *Revision of CRTC costs award practices and procedures*, Telecom Regulatory Policy CRTC 2010-963, 23 December 2010
- *Guidelines on the CRTC Rules of Practice and Procedure*, Broadcasting and Telecom Information Bulletin CRTC 2010-959, 23 December 2010
- *Changes to certain practices for filing interventions – Expansion of filing practices to include the filing of joint supporting comments for broadcasting policy proceedings*, Broadcasting Information Bulletin CRTC 2010-28-1, 10 December 2010

Appendix to Broadcasting and Telecom Notice of Consultation CRTC 2025-94

Eligibility criteria

1. Historically, the Commission has limited funding to individuals and public interest groups that represent consumer interests. Furthermore, funding for individuals has been limited to travel costs or other disbursements (like money spent on photocopies). Public interest groups can access broader funding, including for the time they spent to prepare their written submissions or appear at a public hearing, for example. Details on who can receive funding and the eligibility criteria are set out in the [Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure](#) and in *Revision of CRTC costs award practices and procedures*, Telecom Regulatory Policy CRTC 2010-963, 23 December 2010 (Telecom Regulatory Policy 2010-963).¹⁰ While these rules apply with respect to participation in proceedings under the *Telecommunications Act*, similar rules and criteria have been adopted by the Broadcasting Participation Fund (BPF) when it awards funding for participation in broadcasting proceedings.
2. Currently, a party seeking funding must demonstrate that (i) they represent Canadians with an interest in Commission proceedings, or have an interest in the proceeding, (ii) their participation helped the Commission develop a better understanding of the issues, and (iii) they participated in the proceeding in a responsible way. In Telecom Regulatory Policy 2010-963, the Commission outlined the specific amounts that applicants can claim for different types of expenses, including disbursements. For example, applicants can claim the use of experts and lawyers in accordance with set rates that are scaled and based on years of experience. There are also set rates for operational expenses, such as photocopies and travel.

Applying for costs under the *Telecommunications Act*

3. When submitting an application to the Commission, applicants are required to complete several forms that detail each type of cost claimed, provide receipts, and list the hours worked by experts or lawyers.
4. Telecommunications companies that have been identified as having a substantial interest in the proceeding (known as respondents) have the option to respond to costs applications submitted by public interest groups prior to a decision on the awarding of costs. The amounts paid are based on each respondent's telecommunications

¹⁰ See also *Guidance for costs award applicants regarding representation of a group or a class of subscribers*, Telecom Information Bulletin CRTC 2016-188, 17 May 2016, which provides guidance on how a costs applicant should demonstrate that it represents a group or a class of subscribers that has an interest in a proceeding.

operating revenues.¹¹ There can be many respondents in any given proceeding. Having to determine which telecommunications companies are responsible for costs awards, and how much they must pay, adds complexity and can delay the payment of costs.

5. Both the type of costs and amounts claimed can be and often are challenged by those required to pay. For example, a costs claim can be challenged because the costs submitted exceed what is permitted under Telecom Regulatory Policy 2010-963. A claim can also be challenged because an applicant's participation did not help the Commission address any of the issues raised in a given proceeding.

How the BPF is funded

6. The BPF receives its funding largely through payments made by broadcasters. When broadcasters obtain the Commission's approval to proceed with certain large-scale transactions, they must make payments that benefit the broadcasting system, which can include payments to the BPF. The BPF also receives some funding from the Department of Canadian Heritage.
7. The BPF's funding is sporadic because payments are linked to broadcasting transactions, and the frequency of those transactions can be unpredictable. Moreover, the amount of money available to reimburse costs is necessarily capped at the amount available in the fund. However, this model has its advantages and can be efficient. There is no need to determine who should pay every time a public interest group applies for funding because payments are pooled into the fund.
8. Following amendments to the *Broadcasting Act*, online streaming services can now also be required to contribute to the financing and sustainability of the Canadian broadcasting system.

Options going forward

9. In reviewing its costs procedures, the Commission could either adopt the current telecommunications model (where the Commission decides who receives funding) or the current broadcasting model (where a third party, either the BPF or a similar type of external fund, decides who receives funding) for all funding requests. If those options are not feasible, the Commission could adopt a "one-door" approach, which would allow applicants to use one form or apply through one website in all cases. The application would then be sent to the right place to be processed.
10. If a third-party model is adopted, the Commission would not dictate details like who is eligible for funding or what process the third party needs to follow. However, it is

¹¹ Telecommunications operating revenues consist of Canadian telecommunications revenues from local and access, long distance, data, private line, Internet, and wireless services. In certain circumstances, the Commission has used the wireless operating revenue only.

possible for this third party to adopt procedures that are very similar to those the Commission uses for telecommunications proceedings, like the BPF has done.

11. Any new funding framework must respect the legal limits imposed by the *Telecommunications Act* and *Broadcasting Act*, given that the two pieces of legislation are not identical.¹²

What other tribunals do

12. Some Canadian regulators have costs models that are similar to the Commission's under the *Telecommunications Act*. These include the Alberta Energy Regulator, Alberta Environmental Appeals Board, Alberta Utilities Commission, British Columbia Utilities Commission, Manitoba Public Utilities Board, Newfoundland and Labrador Board of Commissions of Public Utilities, Northwest Territories Public Utilities Board, Ontario Energy Board, and Quebec's Régie de l'énergie.
13. Although these costs models are similar, they have some notable variations. For example, Quebec's Régie de l'énergie has adopted a costs award model and structure like the Commission's. However, this model caps the number of hours that parties can claim for reimbursement, which varies depending on the type of professional services used.
14. The Alberta Energy Regulator strives to expedite the costs process by minimizing the analysis and approvals required. It only intervenes in costs applications if there is a dispute over what is being claimed. However, it may still audit any application it chooses at its own discretion.¹³
15. The Ontario Energy Board has taken a different approach to eligibility. It requires that public interest groups demonstrate their eligibility to receive costs once or annually, as opposed to every time they seek funding (see the Ontario Energy Board's "[Annual filings of frequent intervenors](#)" webpage).
16. Regulators have adopted different funding models, such as the Canadian International Trade Tribunal, which operates via a flat-rate system. This flat-rate model sets costs in relation to the level of complexity of the proceeding, with three levels of costs available.
17. Some of these funding alternatives offer targeted options as well: The British Columbia Utilities Commission permits Indigenous groups that participate in proceedings to claim costs for community consultations and for participation of traditional knowledge experts and elders.¹⁴

¹² See sections 24, 24.1, 46.5, and 56 of the *Telecommunications Act* and paragraph 11.1(1)(c) and subsection 11.1(2) of the *Broadcasting Act*

¹³ See the [Alberta Energy Regulator Bulletin 2014-07](#).

¹⁴ See [British Columbia Utilities Commission Rules of Practice and Procedure, Order G-72-23](#), section 34.09.1.