



Telecom Order CRTC 2026-150

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Determination of costs award with respect to the participation of the Public Interest Advocacy Centre in the proceeding initiated by Bell Canada seeking forbearance from the regulation of residential local exchange services in Ontario and Quebec

Application

1. By letter dated 6 March 2026, the Public Interest Advocacy Centre (PIAC) applied for costs with respect to its participation in the proceeding initiated by an application from Bell Canada seeking forbearance from the regulation of residential local exchange services in Ontario and Quebec (the proceeding). In the proceeding, the Commission considered Bell Canada's application on the basis of the local forbearance test set out in Telecom Decision 2006-15 and modified in Telecom Regulatory Policy 2020-40.
2. TELUS Communications Inc. (TELUS) filed an answer, dated 16 March 2026, in response to PIAC's application.
3. PIAC submitted that it had met the criteria for an award of costs set out in section 68 of the *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* (the Rules of Procedure) because it represented a group or class of subscribers that had an interest in the outcome of the proceeding, it had assisted the Commission in developing a better understanding of the matters that were considered, and it had participated in a responsible way.
4. In particular, PIAC submitted that it represents the interests of all consumers across Canada as a class, with a particular focus on low-income consumers. PIAC added that it has a long history of representing these consumers and advocating for increased competition, consumer choice, and affordability. It has also participated in various telecommunications proceedings, including previous forbearance applications.
5. With respect to the group or class of subscribers that PIAC has submitted it represents, PIAC explained that this group or class consists of all consumers across Canada and that it is held accountable for its representation of the public interest through a volunteer board of directors drawn from across Canada.

6. PIAC requested that the Commission fix its costs at \$1,363.75, consisting entirely of legal fees. PIAC filed a bill of costs with its application.
7. PIAC claimed one day at a rate of \$600 per day for in-house counsel and 3.25 days at a rate of \$235 per day for an articling student for work reviewing the file, legal research, and preparing the intervention.
8. PIAC submitted that the telecommunications service providers that participated in the proceeding are the appropriate parties to be required to pay any costs awarded by the Commission (the costs respondents).
9. PIAC suggested that the responsibility for payment of costs should be divided among the costs respondents on the basis of the most recent data provided to the Commission.

Answer

10. TELUS submitted that the appropriate costs respondents to an award of costs are the parties that have a significant interest in the outcome of the proceeding and participated actively. TELUS explained that its participation in the proceeding was limited to providing mandatory information regarding its wireless coverage in exchanges where Bell Canada is seeking forbearance. TELUS therefore suggested that Bell Canada should be identified as the costs respondent because it initiated the proceeding.
11. TELUS further explained that its submissions were procedural in nature, that it did not advocate for any particular outcome, and that it did not otherwise actively participate in the proceeding. TELUS requested that the Commission refrain from exposing parties to costs liability where they lack a significant interest in the outcome of a proceeding and are only complying with Commission directives intended to establish a complete record for the Commission to make informed decisions.
12. TELUS also submitted that it would be administratively inefficient to assign multiple costs respondents due to the small amount claimed, and that Bell Canada should be the sole payor.

Commission's analysis

13. The criteria for an award of costs are set out in section 68 of the Rules of Procedure, which reads as follows:
 68. The Commission must determine whether to award final costs and the maximum percentage of costs that is to be awarded on the basis of the following criteria:
 - (a) whether the applicant had, or was the representative of a group or a class of subscribers that had, an interest in the outcome of the proceeding;

(b) the extent to which the applicant assisted the Commission in developing a better understanding of the matters that were considered; and

(c) whether the applicant participated in the proceeding in a responsible way.

14. In Telecom Information Bulletin 2016-188, the Commission provided guidance regarding how an applicant may demonstrate that it satisfies the first criterion with respect to its representation of interested subscribers. In the present case, PIAC has demonstrated that it meets this requirement. PIAC represents the interests of all consumers across Canada with a particular focus on low-income consumers. PIAC is also held accountable for its representation of the public interest through a volunteer board of directors drawn from across Canada.
15. PIAC has also satisfied the remaining criteria through its participation in the proceeding. In particular, PIAC's submissions were not duplicative of those of other parties and assisted the Commission in developing a better understanding of the matters that were considered. PIAC requested that the application be rejected for not being sufficiently transparent because much of the record was filed in confidence and consumers had not been properly informed of the meaning and impact of forbearance. Additionally, PIAC submitted that the competitor presence test sets the bar for market competitiveness too low and allows for unwarranted deregulation. PIAC also participated in a responsible way.
16. The rates claimed in respect of legal fees are in accordance with the rates established in the *Guidelines for the Assessment of Costs*, as set out in Telecom Regulatory Policy 2010-963. The Commission finds that the total amount claimed by PIAC was necessarily and reasonably incurred and should be allowed.
17. 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.
18. The Commission has generally determined that the appropriate costs respondents to an award of costs are the parties that have a significant interest in the outcome of the proceeding in question and have participated actively in that proceeding.
19. In the present case, TELUS has demonstrated that it did not have a significant interest in the outcome of the proceeding and that it did not actively participate. Its participation was limited to what was necessary for the Commission to assess Bell Canada's application, and TELUS did not make substantive comments on the application or take a position on whether it should be allowed.
20. In the proceeding, interventions were also received from Bragg Communications Inc., carrying on business as Eastlink; Community Fibre Company Inc.; the Independent Telecommunications Providers Association, on behalf of its two members Execulink Telecom Inc. and Nexicom Inc.; and Quebecor Media Inc. (collectively, the interveners).

21. The Commission considers that most of the interveners had a sufficiently significant interest in the proceeding and actively participated, which makes them appropriate costs respondents. Specifically, these interveners commented on the substance of Bell Canada's application or whether it should be allowed.
22. The Commission considers that, consistent with its practice, it is appropriate to allocate the responsibility for payment of costs among costs respondents based on their telecommunications operating revenues (TORs) as an indicator of the relative size and interest of the parties involved in the proceeding.¹
23. However, as set out in Telecom Order 2015-160, the Commission considers \$1,000 to be the minimum amount that a costs respondent should be required to pay, due to the administrative burden that small costs awards impose on both the applicant and costs respondents.
24. Accordingly, the Commission finds that the responsibility for payment of costs should be allocated as follows:²

Company	Proportion	Amount
Bell Canada	100%	\$1,363.75

Directions regarding costs

25. The Commission approves the application by PIAC for costs with respect to its participation in the proceeding.
26. Pursuant to subsection 56(1) of the *Telecommunications Act*, the Commission fixes the costs to be paid to PIAC at \$1,363.75.
27. The Commission directs that the award of costs to PIAC be paid forthwith by Bell Canada according to the proportions set out in paragraph 24.

Secretary General

¹ TORs consist of Canadian telecommunications revenues from local and access, long distance, data, private line, Internet, and wireless services.

² In this order, the Commission has used the TORs of the costs respondents based on their most recent audited financial statements.

Related documents

- *Review of the price cap and local forbearance regimes*, Telecom Regulatory Policy CRTC 2020-40, 4 February 2020
- *Guidance for costs award applicants regarding representation of a group or a class of subscribers*, Telecom Information Bulletin CRTC 2016-188, 17 May 2016
- *Determination of costs award with respect to the participation of the Ontario Video Relay Service Committee in the proceeding initiated by Telecom Notice of Consultation 2014-188*, Telecom Order CRTC 2015-160, 23 April 2015
- *Revision of CRTC costs award practices and procedures*, Telecom Regulatory Policy CRTC 2010-963, 23 December 2010
- *Forbearance from the regulation of retail local exchange services*, Telecom Decision CRTC 2006-15, 6 April 2006, as amended by Order in Council P.C. 2007-532, 4 April 2007
- *New procedure for Telecom costs awards*, Telecom Public Notice CRTC 2002-5, 7 November 2002