## What Has Happened at the CRTC...and Can it Be Fixed?

**Professor Michael Geist** 

Canada Research Chair in Internet and E-commerce Law

University of Ottawa, Faculty of Law

Centre for Law, Technology and Society

# CRTC of 'preliminary view' that Big 3 telecoms may be required to share wireless networks

The CRTC is apparently suggesting that smaller operators need a guarantee they can connect with the bigger network



### **CRTC Ruling Slams Door on New Affordable Wireless Options: OpenMedia**

BY ISTVÁN FEKETE - 3 YEARS AGO - 77

The CRTC issued an important ruling today. It's official: the Big 3 can continue to block Mobile Virtual Network Operators (MVNOs) from setting up in Canada. *OpenMedia* commented after the ruling went up on the CRTC's website.



## Minister Bains instructs CRTC to reconsider decision on mandated wholesale roaming



By Rose Behar JUN 5, 2017 9:15 AM EDT | 13 COMMENTS



#### **Featured A**





## Canadian telecom MVNOs react to CRTC non-decision



Mandy Kovacs @mandyvkovacs

Published: April 4th, 2018

The Canadian Radio-television and Telecommunications Commission (CRTC) decided on Mar. 22 that it would need to study and revisit the issue of whether to allow the resale of wireless services.

Industry players – specifically the small telecom players called Mobile Virtual Network Operators (MVNOs) that this decision affects – have had a chance to react, and while they recognize the need for further review to balance the needs of all stakeholders, their disappointment is clear.

Lawry Trevor-Deutsch, President of TNW Wireless, says that while he understands the CRTC's dilemma, "at the end of the day, they are here to serve the Canadian public and the Canadian public wants lower rates."

## Consumer group not satisfied by CRTC's decision on lower-priced data-only plans

Canadian Press

**Published:** Dec 17, 2018 at 11:51 a.m. **Updated:** Dec 17, 2018 at 8:37 p.m.









## Government of Canada proposes new CRTC direction to put Canadians at the forefront of future decisions

From: Innovation, Science and Economic Development Canada

#### News release

The proposed order aims to improve the affordability of Internet and cellphone services for Canadians

February 26, 2019 – Ottawa, Ontario

Good and affordable access to telecommunications services is increasingly important for Canadians to participate and thrive in a digital economy and society. Canadians are concerned about the cost of their Internet and cellphone plans and are looking for lower-cost options and innovative services.

#### **Telecom Notice of Consultation CRTC 2019-57**

PDF version

Ottawa, 28 February 2019

Public record: 1011-NOC2019-0057

#### **Notice of hearing**

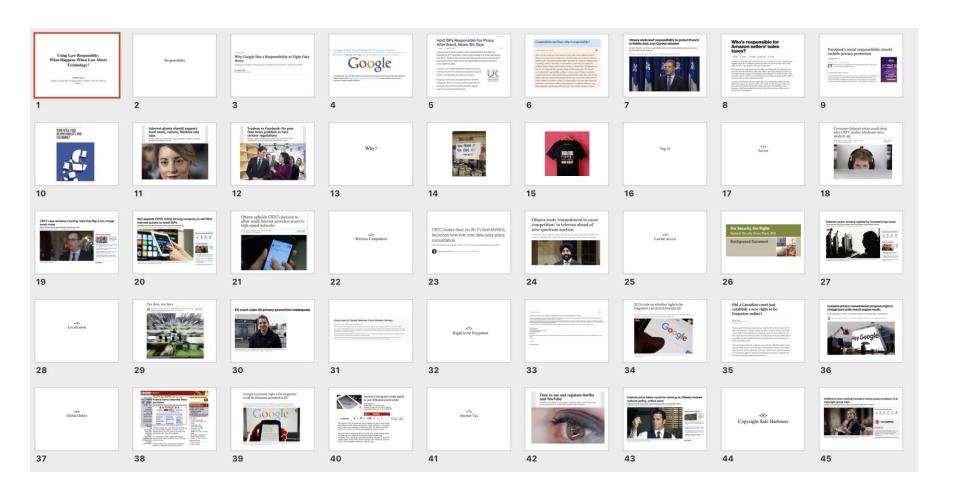
13 January 2020 Gatineau, Quebec

Review of mobile wireless services

Deadline for submission of interventions: 15 May 2019

# What is happening at the CRTC?

### Best case/Worst case



### **Emails Show Bell First Shared Website Blocking Plan to CRTC in Private Meetings**

BY GARY NG - 10 MONTHS AGO - 66

University of Ottawa Law Professor, Michael Geist, continues to dig up details on the origins of the Bell coalition website blocking plan, this time noting how details were first presented to the CRTC in private, closed door meetings.

According to emails and documents obtained under the Access to Information Act, Bell first presented its ideas for FairPlay Canada to the CRTC–months before a public consultation process began.

From: Lelièvre, Cédrick
Sent: July-26-17 11:22 AM
To: May-Cuconato, Danielle <Danielle.May-Cuconato@crtc.gc.ca>; Foster, Peter peter.foster@crtc.gc.ca>; Shortliffe,
Scott <Scott.Shortliffe@crtc.gc.ca>; Hutton, Scott <scott.hutton@crtc.gc.ca>
Subject: FW: Presentation at the September FCM
Importance: High
Good morning,

Below is an email from Commissioner MacDonald regarding the possibility of having a presentation from a joint-group of industry players regarding the industry wide plan to fight Content piracy and protect the rights of the creators.

They would like to present to Commissioners and Commission staff at the next FCM, in September.

We are wondering if this is a topic/information that would be relevant currently and would be of interest to Commission staff?

## CRTC Pushes for Internet Service Provider Tax, Netflix Tax to Fund Canadian TV Production

BY GARY NG - 9 MONTHS AGO - 1616

The CRTC has released their report this morning on the future of programming in Canada, titled "Harnessing Change: The Future of Programming Distribution in Canada."



### 'It's not a tax': CRTC chair defends proposal for internet providers to contribute to Canadian content

CRTC proposal that broadcasters pay less and broadband providers pay 1% of revenue the subject of much debate



# Internet groups disappointed in lowered CRTC speed targets for broadband fund



THE CANADIAN PRESS

September 27, 2018 3:49 PM EDT

Last UpdatedSeptember 28, 20186:40 AM EDT

OTTAWA — Internet advocacy groups say they're unhappy Canada's telecoms regulator has halved the minimum speed that projects need to meet for a \$750-million fund designed to make broadband internet more accessible.

The CRTC said in its policy release Thursday it changed the target so more projects would be eligible for the fund, since challenges such as geography, transportation costs and other barriers make the higher speed harder to meet.

The decision, however, shows a lack of ambition to provide Canadians with



## SWIFT is requesting CRTC to reconsider its Broadband Fund eligibility criteria

# PIAC announces boycott of CRTC's mandatory ISP code of conduct proceedings

The boycott stems from the CRTC's refusal of a deadline extension request filed by PIAC



By Sameer Chhabra @SameerChhabra94 NOV 23, 2018 | 5:04 PM EDT | D 0 COMMENTS

## CRTC Asks Canadians for Input on Possible Internet Code by Commenting on Facebook

CRTC
Canada

CRTC - Canadian
Radio-television and
Telecommunications
Commission

@crtceng

Like Follow Share ...

Contact Us Send Message

Starting today, the CRTC says it is seeking input from Canadians to share their opinions regarding the creation of a possible Internet Code of conduct for Internet service providers.

## CRTC rejects call for public inquiry into aggressive telecom sales practices



CRTC says consumers already have access to a variety of telecom complaint options

Sophia Harris · CBC News · Posted: Feb 21, 2018 4:00 AM ET | Last Updated: February 21, 2018

## Ottawa orders CRTC to investigate reports of 'aggressive' telecom sales practices











More than 200 past and current telecom employees have come forward to CBC's Go Public

Catharine Tunney · CBC News · Posted: Jun 14, 2018 2:40 PM ET | Last Updated: June 20, 2018

## Telecom customers face 'unacceptable' harm from misleading sales tactics, CRTC says









Industry regulator calls for new rules to protect consumers following 8-month public inquiry



Erica Johnson · CBC News · Posted: Feb 20, 2019 3:16 PM ET | Last Updated: February 20

## TekSavvy complains about data omitted from annual CRTC report on industry trends

f 💟 G The Canadian Press CRTC

CRTC , The Canadian Press/Graham Hughes

#### CRTC written public submission to the Legislative Review Panel

#### Download this report in PDF

The Canadian Radio-television and Telecommunications CRTC (CRTC) is an independent administrative tribunal charged with the supervision and regulation of many of the activities of the broadcasting and telecommunications sectors under their respective legislation. More specifically, the CRTC's role is to ensure and facilitate access to the best possible communications services and content by and for Canadians.

As noted in *Responding to the New Environment: A Call for Comments*, the CRTC has recently published a report, *Harnessing Change: The Future of Programming Distribution in Canada*, at the direction of the Governor in Council, which sets out many of the CRTC's views and should be read in conjunction with these comments. Although that report was focused on matters related to broadcasting, given the close relationship between broadcasting and telecommunications in Canada, several areas of the report pertain to both.

In particular, the report emphasized that as the communications environment changes, so too must legislation and regulation. Having vibrant domestic communications markets in the future will require developing systems and approaches that provide an environment in which services that benefit Canadians can thrive and innovate, while opportunities for creativity and the knowledge-based economy are optimized.

### Where does this leave us?

## It's early

## It's late

### Government vs. CRTC

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- 1. In exercising its powers and performing its duties under the *Telecommunications Act*, the Commission must implement the Canadian telecommunications policy objectives set out in section 7 of that Act, in accordance with the following:
  - a. the Commission, when relying on regulation, should consider how the measures used can promote competition, affordability, consumer interests and innovation, namely the extent to which they
    - i. encourage all forms of competition, ii. foster affordability and lower prices, particularly when there is potential for telecommunications service providers to exercise market power,
    - iii. ensure that affordable access to high quality telecommunications services is available,
    - iv. enhance and protect the rights of consumers in their relationships with telecommunications service providers.
    - v. reduce barriers to entry and barriers to competition for new and smaller telecommunications service providers.
    - vi. enable innovation in telecommunications services, including new technologies and differentiated service
    - offerings, and vii. stimulate investment in research and development and in other intangible assets that support the offer and provision of telecommunications services; and
  - b. the Commission, when relying on regulation, should demonstrate its compliance with this Order and should specify how the measures used can, as applicable, promote competition, affordability, consumer interests and innovation.

#### Conservatives use wireless decision to raise funds



Minister of Industry Christian Paradis responds to a question during question period in the House of Commons on Parliament Hill in Ottawa on Monday March 4, 2013.

#### **TRENDING**

Higher egg i cardiovascu death, study

LESLIE BECK

- How can I p get so tired
- 3 EXPLAINER
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DAVID EDDIE

## NDP: Bring in Affordable Internet and Cellular Services for All Canadians

OTTAWA – High-speed internet and cellular services are a necessity for Canadians, despite this, broadband access and wireless services are far from being affordable or reliable in Canada. Today, NDP Leader Jagmeet Singh introduced the NDP's new website www.ndp.ca/lower-my-bill as a place for Canadians to share their story about internet and cellular fees.

"Canadians pay some of the highest prices for mobile wireless and broadband subscriptions in the world. This is wrong," said Singh. "We believe that not only is broadband access essential, wireless services are too. They need to be affordable for all."

## Federal budget to target Canada-wide high speed internet by 2030









Broadband investments will focus on narrowing urban-rural divide, source says



David Cochrane · CBC News · Posted: Mar 18, 2019 4:00 AM ET | Last Updated: March 18



#### **Broadcasting and Telecommunications Legislative Review**

From: Innovation, Science and Economic Development Canada

To ensure that Canadians continue to benefit from an open and innovative Internet, the Government of Canada has appointed an external Panel to review Canada's communication legislative framework. The review will examine issues such as telecommunications and content creation in the digital age, net neutrality and cultural diversity, and how to strengthen the future of Canadian media and Canadian content creation.

Navdeep Bains, the Minister of Innovation, Science and Economic Development is responsible for the Telecommunications Act and Radiocommunication Act.

Pablo Rodriguez, the <u>Minister of Canadian Heritage</u> is responsible for the *Broadcasting Act*. Their departments will work collaboratively to support an independent panel in the conduct of the review.



Top Secret by Michelangelo Carrieri (CC BY-ND 2.0) https://flic.kr/p/8xzAnc

News

Why So Secret?: Government's Communications Law Panel Plans to Keep Public Submissions Under Wraps for Months

January 15, 2019 - Edit

#### Trudeau rejects new Internet tax to help fund media sector



#### TRENDING

Higher egg intake boosts risk of cardiovascular disease, premature death, study suggests

LESLIE BECK

- How can I parent mindfully when I get so tired of being a parent?
- 3 EXPLAINER
  When can we read Mueller's full
  Trump-Russia report? The story so
  far
- 4 I love my wife, but envy her successful career. How do I deal with my jealousy?

DAVID EDDIE

OPINION

## Banning Huawei from Canada's 5G networks could be costly for taxpayers









Terms of investment treaty allow Chinese to sue if government acts on security fears



Janyce McGregor · CBC News · Posted: Feb 17, 2019 4:00 AM ET | Last Updated: February 17



### Telecom 2020

### Government vs. CRTC

# Independents + Consumers vs.

Incumbents + Content

### Telecom 2020s

## amgeist