



## Telecom Public Notice CRTC 2007-16

Ottawa, 22 August 2007

### **Proceeding to consider the organization and mandate of the Commissioner for Complaints for Telecommunications Services**

Reference: 8665-C12-200711748

*In this Public Notice, the Commission initiates a proceeding to approve the organization and mandate of the Commissioner for Complaints for Telecommunications Services. The proceeding will include a public consultation commencing on 14 November 2007 at 9:30 a.m. at the Conference Centre, Phase IV, 140 Promenade du Portage, Gatineau, Quebec.*

#### **Introduction**

1. The Governor in Council issued *Order requiring the CRTC to report to the Governor in Council on consumer complaints*, Order in Council P.C. 2007-533, 4 April 2007 (the Order). The Order stated that all telecommunications service providers (TSPs) should participate in and contribute to the financing of an independent telecommunications consumer agency that would, among other things, resolve complaints from individual and small business retail customers. The Order also stated that the consumer agency should be an integral component of a deregulated telecommunications market. In addition, the Order stated that the consumer agency's structure and mandate would be approved by the Commission.
2. On 23 July 2007, a number of TSPs came together to create a new independent telecommunications consumer agency known as the Commissioner for Complaints for Telecommunications Services Inc. (CCTS). The CCTS's founding members are Bell Aliant Regional Communications, Limited Partnership (Bell Aliant); Bell Canada; Cogeco Cable Canada Inc. (Cogeco); MTS Allstream Inc. (MTS Allstream); Rogers Communications Inc. (Rogers); Saskatchewan Telecommunications (SaskTel); TELUS Communications Company (TCC); Quebecor Media Inc. (on behalf of Vidéotron Ltd.) (Vidéotron); Virgin Mobile Canada (Virgin Mobile); and Vonage Canada Corporation (Vonage) (collectively, the Founding Members).
3. On that same date, the Founding Members filed a submission with the Commission which described in detail the operations of the CCTS. In their submission, the Founding Members requested the Commission's concurrence that they had fully met the expectations set out in the Order in relation to the establishment of an independent telecommunications consumer agency to resolve complaints from individual and small business retail customers. Their submission is available on the Commission's website at [http://www.crtc.gc.ca/PartVII/eng/2007/8638/c12\\_200710914.htm](http://www.crtc.gc.ca/PartVII/eng/2007/8638/c12_200710914.htm).

## Call for comments

4. The Commission hereby initiates a proceeding and invites comments on the structure and mandate of the CCTS and whether the CCTS meets the requirements of the Order. Parties are specifically invited to comment, with full justification, on
  - whether all TSPs should be required to be members of the CCTS, thus assuming all attendant obligations including financial contribution, so as to ensure that the interests of all individual and small business retail customers are protected through the CCTS;
  - what measures, if any, the Commission should adopt to require membership in the CCTS, including whether the Commission should impose a condition requiring membership pursuant to section 24 of the *Telecommunications Act*;
  - whether the CCTS's governance structure (e.g. the composition and nomination of board members) is appropriate and ensures the CCTS's independence from the telecommunications industry;
  - whether the CCTS's procedures (e.g. complaint resolution process) and remedies (e.g. monetary compensation) are appropriate; and
  - whether the mandate of the CCTS should be modified, for example, to include other matters such as resolving complaints from individual and small business retail customers for regulated services.
5. In Telecom Public Notice 2007-15, parties were invited to comment on, among other things, the Commission's intent to delegate its investigative powers with regard to Unsolicited Telecommunications Rules complaints to a third party. In this proceeding, the Commission seeks comments on whether the CCTS would be an appropriate third party to which these investigative powers could be delegated. The record of the Telecom Public Notice 2007-15 proceeding as it relates to this issue will form part of the record of this proceeding.

## Procedure

6. Bell Aliant, Bell Canada, Cogeco, MTS Allstream, Rogers, SaskTel, TCC, Vidéotron, Virgin Mobile, and Vonage are made parties to this proceeding.
7. Other parties interested in participating in this proceeding (including receiving copies of all submissions) must notify the Commission of their intention to do so by filling out the [online form](#), or by writing to the Secretary General, CRTC, Ottawa, Ontario, K1A 0N2, or by faxing to: 819-994-0218 by **13 September 2007** (the registration date). Parties are to provide their email address, where available. If parties do not have access to the Internet, they are to indicate in their notice whether they wish to receive disk versions of hard-copy filings.
8. The Commission will post on its website, as soon as possible after the registration date, a complete list of interested parties and their mailing addresses (including their email addresses, if available), identifying those parties who wish to receive disk versions.

9. All parties may file with the Commission written comments with respect to the issues described in this Public Notice, serving a copy on all other parties, by **1 October 2007**. Only those parties who have filed comments in accordance with this paragraph will be permitted to make an oral presentation at the public consultation.
10. Any person who wishes merely to file written comments in this proceeding, without receiving copies of any other submissions or appearing at the public consultation, may do so by writing to the Commission, at the address or fax number noted in paragraph 7, or by filling out the [online form](#), by **1 October 2007**.
11. Parties who file comments pursuant to paragraph 9 and who wish to appear at the public consultation shall file notice of their intention to participate by **15 October 2007**.
12. Persons requiring communications support such as assistive listening devices and sign language interpretation are requested to inform the Commission at least twenty (20) days before the commencement of the public consultation so that necessary arrangements can be made.
13. The Commission will issue an organization and conduct letter to outline the process of the public consultation by **26 October 2007**.
14. The public consultation will commence on **14 November 2007** at 9:30 a.m. at the Conference Centre, Phase IV, 140 Promenade du Portage, Gatineau, Quebec.
15. The Commission reserves the right to group parties of similar views together for the purpose of presenting their views at the public consultation.
16. All parties may file with the Commission, serving a copy on all other parties, reply comments by **23 November 2007**.
17. The Commission expects to issue a decision on the issues raised in this proceeding by **29 February 2008**.
18. The Commission will not formally acknowledge comments. It will, however, fully consider all comments and they will form part of the public record of the proceeding.
19. Where a document is to be filed or served by a specific date, the document must be actually received, not merely sent, by that date.
20. Parties may file their submissions electronically or on paper. Submissions longer than five pages should include a summary.
21. Electronic submissions should be in HTML format. As an alternative, those making submissions may use "Microsoft Word" for text and "Microsoft Excel" for spreadsheets.
22. Each paragraph of all submissions should be numbered. In addition, the line **\*\*\*End of document\*\*\*** should be entered following the last paragraph. This will help the Commission verify that the document has not been damaged during electronic transmission.

23. The Commission also encourages parties to monitor the record of this proceeding (and/or the Commission's website) for additional information that they may find useful when preparing their submissions.

### **Important notice**

24. Note that all information that you provide as part of this public process, except information granted confidentiality, whether sent by postal mail, facsimile, email or through the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca), becomes part of a publicly accessible file and will be posted on the Commission's website. This information includes your personal information, such as your full name, email address, postal/street address, telephone and facsimile number(s), and any other personal information you provide.
25. The personal information you 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.
26. Documents received electronically or otherwise will be posted on the Commission's website in their entirety exactly as you send them, 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.
27. Please note that the information you provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the webpage of this particular public process. As a result, a general search of our website with the help of either our own search engine or a third-party search engine will not provide access to the information which was provided as part of this public process.

### **Location of CRTC offices**

28. Submissions may be examined or will be made available promptly upon request at the Commission offices during normal business hours.

Toll-free telephone: 1-877-249-2782

Toll-free TDD: 1-877-909-2782

Central Building  
Les Terrasses de la Chaudière  
1 Promenade du Portage, Room 206  
Gatineau, Quebec J8X 4B1  
Tel.: 819-997-2429  
Fax: 819-994-0218

Metropolitan Place  
99 Wyse Road, Suite 1410  
Dartmouth, Nova Scotia B3A 4S5  
Tel.: 902-426-7997  
Fax: 902-426-2721

205 Viger Avenue West, Suite 504  
Montréal, Quebec H2Z 1G2  
Tel.: 514-283-6607

55 St. Clair Avenue East, Suite 624  
Toronto, Ontario M4T 1M2  
Tel.: 416-952-9096

Kensington Building  
275 Portage Avenue, Suite 1810  
Winnipeg, Manitoba R3B 2B3  
Tel.: 204-983-6306 – TDD: 204-983-8274  
Fax: 204-983-6317

Cornwall Professional Building  
2125 – 11<sup>th</sup> Avenue, Suite 103  
Regina, Saskatchewan S4P 3X3  
Tel.: 306-780-3422

10405 Jasper Avenue, Suite 520  
Edmonton, Alberta T5J 3N4  
Tel.: 780-495-3224

580 Hornby Street, Suite 530  
Vancouver, British Columbia V6C 3B6  
Tel.: 604-666-2111 – TDD: 604-666-0778  
Fax: 604-666-8322

Secretary General

### **Related documents**

- *Order requiring the CRTC to report to the Governor in Council on consumer complaints*, Order in Council P.C. 2007-533, 4 April 2007
- *Proceeding to consider delegation of the Commission's investigation of Unsolicited Telecommunications Rules complaints*, Telecom Public Notice CRTC 2007-15, 22 August 2007

*This document is available in alternative format upon request, and may also be examined in PDF format or in HTML at the following Internet site: <http://www.crtc.gc.ca>*