



Broadcasting and Telecom Information Bulletin CRTC 2009-38-1

Additional reference: Broadcasting and Telecom Information Bulletin CRTC 2009-38

Ottawa, 26 April 2010

In this bulletin, the Commission adopts an additional condition to the procedures applicable for final offer arbitration set out in Broadcasting and Telecom Information Bulletin 2009-38.

1. In Information Bulletin 2009-38,¹ the Commission set out, among other things, the procedural steps and time limitations that apply to each of the following: a) staff-assisted mediation, b) final offer arbitration, and c) expedited hearings (collectively, the dispute resolution mechanisms).
2. In this bulletin, the Commission announces that in addition to the considerations outlined in Information Bulletin 2009-38, requests by parties for final offer arbitration will be considered in light of the following: as a condition to proceeding to the final offer arbitration process, where both parties request that process, they will be expected to agree not to apply under section 62² of the *Telecommunications Act* (the Act) for a review and variance of the decision resulting from the final offer arbitration. In the Commission's view, removing the prospect of a review and vary application will help to ensure that parties have the requisite incentive to submit reasonable final offers. Accordingly, the Commission considers that this condition related to the final offer arbitration process is reasonable and necessary to improve the efficiency and effectiveness of the dispute settlement mechanisms available to parties.

Secretary General

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>.

¹ *Practices and procedures for staff-assisted mediation, final offer arbitration, and expedited hearings, Broadcasting and Telecom Information Bulletin CRTC 2009-38, 29 January 2009*

² Section 62 of the Act states that the Commission may, on application or on its own motion, review and rescind or vary any decision made by it or re-hear a matter before rendering a decision.