



Telecom Order CRTC 2010-567

PDF version

Ottawa, 12 August 2010

Determination of costs award with respect to the participation of the Public Interest Advocacy Centre in the proceeding leading to Telecom Decision 2010-292

File numbers: 8661-P8-200917305 and 4754-368

1. By letter dated 27 May 2010, the Public Interest Advocacy Centre (PIAC), on behalf of the Consumer's Association of Canada and Canada Without Poverty, applied for costs with respect to its participation in the proceeding that led to Telecom Decision 2010-292 (the proceeding).
2. In letters dated 2 June 2010, Bell Canada and TELUS Communications Company (TCC) each stated that they did not object to PIAC's application; however, TCC submitted that it should not be named as a costs respondent because the dispute in question was a matter strictly between Bell Canada and PIAC.

Application

3. PIAC submitted that it had met the criteria for an award of costs set out in subsection 44(1) of the *CRTC Telecommunications Rules of Procedure* (the Rules) because it represented a group of subscribers that had an interest in the outcome of the proceeding, it had participated responsibly, and it had contributed to a better understanding of the issues by the Commission through its participation in the proceeding.
4. PIAC requested that the Commission fix costs at \$3,690 consisting entirely of legal fees. PIAC's claim included the federal Goods and Services Tax (GST) on fees less the rebate to which PIAC is entitled in connection with the GST. PIAC filed a bill of costs with its application.
5. PIAC made no submission as to the appropriate respondents in this case.

Commission's analysis and determinations

6. The Commission finds that PIAC has satisfied the criteria for an award of costs set out in subsection 44(1) of the Rules. Specifically, the Commission finds that PIAC represented a group or class of subscribers that had an interest in the outcome of this proceeding, it participated responsibly, and it contributed to a better understanding of the issues by the Commission. Accordingly, the Commission finds that the applicant meets the criteria for an award of costs under subsection 44(1) of the Rules.

7. The Commission notes that the rates claimed in respect of legal fees are in accordance with the rates set out in the Commission's Legal Directorate's *Guidelines for the Taxation of Costs*, revised as of 24 April 2007. The Commission also finds that the total amount claimed by PIAC was necessarily and reasonably incurred and should be allowed.
8. The Commission considers that 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.
9. The Commission notes that this proceeding dealt with Touch-Tone charges for rotary dial customers in Bell Canada's operating territory. Accordingly, the Commission determines that Bell Canada is, in the circumstances of this case, the appropriate costs respondent.

Direction as to costs

10. The Commission **approves** the application by PIAC for costs with respect to its participation in the proceeding.
11. Pursuant to subsection 56(1) of the *Telecommunications Act*, the Commission fixes the costs to be paid to PIAC at \$3,690.
12. The Commission directs that the award of costs to PIAC be paid forthwith by Bell Canada.

Secretary General

Related documents

- *The Consumers' Association of Canada and Canada Without Poverty – Touch-Tone charges for rotary dial customers*, Telecom Decision CRTC 2010-292, 19 May 2010
- *New procedure for Telecom costs awards*, Telecom Public Notice CRTC 2002-5, 7 November 2002