



Broadcasting Notice of Consultation CRTC 2015-191

PDF version

Ottawa, 13 May 2015

Call for comments on proposed amendments to the *Broadcasting Distribution Regulations* to implement a prohibition on 30-day cancellation policies

The Commission calls for comments on proposed amendments to the Broadcasting Distribution Regulations. These amendments would prohibit broadcasting distribution undertakings, such as cable and satellite providers, from requiring customers to provide 30 days' notice in order to cancel their services.

*The deadline for the submission of comments is **12 June 2015**.*

Introduction

1. In Broadcasting and Telecom Regulatory Policy 2014-576, the Commission determined that 30-day cancellation policies for local voice services, Internet services and broadcasting distribution undertakings (BDUs) should be prohibited.
2. In that policy, the Commission stated that it considers that, in light of the changing, dynamic marketplace, the practice of consumers paying for both a cancelled service and a new service is counter to the objectives outlined in section 3(1)(t)(ii) of the *Broadcasting Act*. The Commission also stated that it considers that the prohibition of 30-day cancellation policies for all contracts between providers of wireless, local voice, Internet or BDU services and their customers would (i) ensure regulatory symmetry; (ii) make the process of switching BDUs and telecommunications service providers easier for consumers, especially for consumers with bundles of services; and (iii) contribute to a more dynamic marketplace. As a result, the Commission determined that the impact of the prohibition of 30-day cancellation policies on both telecommunications service providers and BDUs is offset by the associated benefits afforded to consumers.
3. The Commission proposes to amend the *Broadcasting Distribution Regulations* (the Regulations) in order to implement the determinations set out in Broadcasting and Telecom Regulatory Policy 2014-576. The proposed amendments require that a cancellation occurs when a request for cancellation is received by the service provider and consequently, that all charges for that service cease immediately.

Call for comments

4. The proposed amendments to the Regulations are appended to this notice. The Commission invites comments on the wording of the proposed amendments. The Commission will accept interventions that it receives on or before **12 June 2015**.

Procedure

5. The *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* (the Rules of Procedure) apply to the present proceeding. The Rules of Procedure set out, among other things, the rules for content, format, filing and service of interventions, replies, answers of respondents and requests for information; the procedure for filing confidential information and requesting its disclosure; and the conduct of public hearings. Accordingly, the procedure set out below must be read in conjunction with the Rules of Procedure and its accompanying documents, which can be found on the Commission's website under "Statutes and Regulations." Broadcasting and Telecom Information Bulletin 2010-959 provides information to help interested persons and parties understand the Rules of Procedure so that they can more effectively participate in Commission proceedings.
6. The Commission encourages interested persons and parties to monitor the record of the proceeding, available on the Commission's website, for additional information that they may find useful when preparing their submissions.
7. Submissions longer than five pages should include a summary. Each paragraph of all submissions should be numbered, and the line ***End of document*** should follow the last paragraph. This will help the Commission verify that the document has not been damaged during electronic transmission.
8. Submissions must be filed by sending them to the Secretary General of the Commission using **only one** of the following means:

by completing the
[\[Intervention/comment/answer form\]](#)

or

by mail to
CRTC, Ottawa, Ontario K1A 0N2

or

by fax at
819-994-0218

9. Parties who send documents electronically must ensure that they will be able to prove, upon Commission request, that service/filing of a particular document was completed. Accordingly, parties must keep proof of the sending and receipt of each document for 180 days after the date on which the document is filed. The Commission advises parties who file and serve documents by electronic means to exercise caution when using email for the service of documents, as it may be difficult to establish that service has occurred.

10. In accordance with the Rules of Procedure, a document must be received by the Commission and all relevant parties by 5 p.m. Vancouver time (8 p.m. Ottawa time) on the date it is due. Parties are responsible for ensuring the timely delivery of their submissions and will not be notified if their submissions are received after the deadline. Late submissions, including those due to postal delays, will not be considered by the Commission and will not be made part of the public record.
11. The Commission will not formally acknowledge submissions. It will, however, fully consider all submissions, which will form part of the public record of the proceeding, provided that the procedure for filing set out above has been followed.

Important notice

12. All information that parties provide as part of this public process, except information designated confidential, whether sent by postal mail, facsimile, email or through the Commission's website at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's website. This information includes personal information, such as full names, email addresses, postal/street addresses, telephone and facsimile numbers, etc.
13. The personal information that parties 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.
14. Documents received electronically or otherwise will be put on the Commission's website in their entirety exactly as received, 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.
15. The information that parties 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 web page of this particular public process. As a result, a general search of the Commission's website with the help of either its own search engine or a third-party search engine will not provide access to the information that was provided as part of this public process.

Availability of documents

16. Electronic versions of the interventions and of other documents referred to in this notice, are available on the Commission's website at www.crtc.gc.ca by visiting the "Participate" section, selecting "Submit Ideas and Comments," and then selecting "our open processes." Documents can then be accessed by clicking on the links in the "Subject" and "Related Documents" columns associated with this particular notice.
17. Documents are also available from Commission offices, upon request, during normal business hours.

Location of Commission offices

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

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

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Secretary General

Related documents

- *Prohibition of 30-day cancellation policies*, Broadcasting and Telecom Regulatory Policy CRTC 2014-576, 6 November 2014
- *Guidelines on the CRTC Rules of Practice and Procedure*, Broadcasting and Telecom Information Bulletin CRTC 2010-959, 23 December 2010

**Appendix to Broadcasting Notice of Consultation
CRTC 2015-191**

Regulations Amending the Broadcasting Distribution Regulations

AMENDMENTS

1. The heading before section 15.4 of the *Broadcasting Distribution Regulations*¹¹ is replaced by the following:

Cancellation Requested by Subscriber

2. The Regulations are amended by adding the following after section 15.4:

Cancellation Requested by Customer

15.5 (1) The licensee of a customer shall accept a request for the cancellation of programming services that is made to it by the customer.

(2) The cancellation shall occur on the day on which the request is received by the licensee.

(3) Subsection (1) and (2) do not apply to a cancellation request as defined in subsection 15.4(1) that is made by a customer who is also the subscriber for the programming services for which the request is made.

COMING INTO FORCE

3. These Regulations come into force on the day on which they are registered.

¹ SOR/97-555