



April 17, 2020

By email

Mr. Chris Seidl
Executive Director, Telecom
Canadian Radio-television and Telecommunications Commission (CRTC)
1 Prom. du Portage, Gatineau, QC J8X 4B1

Dear Mr. Seidl:

On April 13th, TekSavvy issued a press release¹ in which it states, among other things, that it has asked the CRTC to “investigate unilateral changes that [wholesale providers] are making to regulated processes for ordering, service installations and repairs.” A publicly available joint letter from CNOC and TekSavvy addressed to you appears to confirm this request. The letter suggests – without any factual evidence – that certain practices may engage section 27(2) of the *Telecommunications Act*.

Shaw was not sent a copy of the CNOC/TekSavvy letter. In fact, we do not believe that any wholesale provider was copied. This confirms CNOC/TekSavvy’s disdain for procedural fairness as well as the fact that the allegations are without merit. In fact, any changes Shaw has made to our practices on the wholesale side are consistent with those adopted on the retail side.

As one of the companies required by the CRTC to provide wholesale Internet access, Shaw is writing to express our serious concerns with CNOC and TekSavvy’s disrespect for the Commission’s procedures and the wholesale Internet framework. Vague, unsubstantiated public accusations, with the intended effect of maligning an entire class of wholesale providers in Canada, is unfair and unjust.

If any reseller has concerns with a wholesale provider, its services or its practices, they should raise those concerns directly with the provider in the first instance. This is an essential first-step, as it affords an opportunity to resolve confusion, clarify practices and improve the commercial relationship between the reseller and the wholesale provider. As an example of building these constructive relationships, in the context of the ongoing COVID-19 crisis, Shaw has not denied – and will not deny – any reasonable request of individual wholesale customers for additional capacity

¹ <https://www.teksavvy.com/in-the-news/2020-press-releases/teksavvy-calls-on-crtc-for-emergency-relief/>

on commercial terms. We further note that these requests have been – and will continue to be – processed expeditiously.

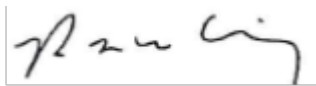
Rushing to the media and the regulator with a broad, but very serious, allegation is irresponsible and destroys trust. Regardless of whether these allegations were intended to apply to Shaw, we would ask that you disregard this highly inappropriate approach adopted by CNOC and TekSavvy. The request should be rejected outright.

Although it would be objectionable in normal circumstances, these tactics are especially egregious at this time, when the entire industry, and the entire country, are trying to address the challenges associated with COVID-19. For Shaw's part, we have directed our focus to maintaining the reliability and high quality of our networks to meet unprecedented demand. Shaw's teams are seized with the vital work of keeping our networks and operations running as smoothly as possible through the crisis, while doing everything we can to ensure that our people, our customers and our communities are safe and supported. The connectivity that we and other network operators provide has already proven essential to the economic and social well-being of Canadians during the crisis, and it will drive the country's economic recovery when the pandemic ends.

Shaw and the Commission are both committed to making sure Canadians' connectivity needs continue to be met during these extraordinary times. This focus would be undermined if the resources of any of the carriers or the Commission were engaged with CNOC/TekSavvy's self-serving, unsubstantiated and vague allegations.

We look forward to continuing our work through this crisis and to communicating and collaborating with you and the Commission as we proceed.

Please do not hesitate to reach out to us if you have any concerns or questions,



Paul Cowling
Senior Vice President, General Counsel and Regulatory Affairs

*cc. Ian Scott, Chairperson and Chief Executive Officer, CRTC
Peter Johnson, Executive Vice President & Chief Legal and Regulatory Officer, Shaw Communications Inc.*

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