



Telecom Notice of Consultation CRTC 2024-235

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Ottawa, 7 October

Public record: 1011-NOC2024-0235

Show cause and call for comments – Available footprint for Bell Mobility Inc. and TELUS Communications Inc.’s wholesale roaming services

Deadline for submission of interventions: 6 November 2024

Deadline for submission of replies: 18 November 2024

[\[Submit an intervention or view related documents\]](#)

Summary

In Telecom Decision 2024-233, the Commission revised its rate-setting approach for wholesale roaming services. Roaming services allow Canadians to temporarily use their cellphone on other networks when they travel outside of their service provider’s local coverage area.

Specifically, the Commission mandated that regional carriers and national wireless carriers enter into commercial negotiations to set new rates for wholesale roaming services. If carriers are unable to come to an agreement, they can ask the Commission to set a rate through final offer arbitration. This is consistent with the approach the Commission has adopted for wholesale mobile virtual network operator (MVNO) access.

In this notice, the Commission takes a preliminary view that, as with the MVNO access framework, regional wireless carriers should have access to Bell Mobility Inc. (Bell Mobility) and TELUS Communications Inc.’s (TCI) full shared national network when subscribing to either company’s wholesale roaming service. Currently, regional carriers must enter into roaming agreements separately with Bell Mobility and TCI for their respective portions of the network that they share. This change would provide regional carriers with more options for obtaining national roaming coverage. The Commission invites comments on its preliminary view.

Background

1. In Telecom Decision 2024-233, the Commission mandated commercial negotiation with final offer arbitration (FOA) as the rate-setting approach for the national wireless carriers’ wholesale roaming services. This is consistent with the rate-setting

approach for wholesale mobile virtual network operator (MVNO) access, which was established in Telecom Regulatory Policy 2021-130.

2. In the proceeding leading to Telecom Decision 2024-233, Bragg Communications Incorporated, carrying on business as Eastlink; Cogeco Communications inc.; and Rogers Communications Canada Inc. (RCCI) argued that regardless of the rate-setting approach, the shared network of Bell Mobility Inc. (Bell Mobility) and TELUS Communications Inc. (TCI) must be available under the wholesale roaming services tariff to regional carriers as a national network. According to these parties, this would provide regional carriers with a choice of three national network providers, rather than just one. If access to the shared network was not required, then RCCI would be the only wireless carrier with national coverage. To get coverage similar to what RCCI would provide, regional carriers would have to negotiate separately with Bell Mobility and TCI. Bell Mobility and TCI argued that the terms and conditions of their wholesale roaming services were not the subject of the proceeding and that any proposed changes to them were therefore out of scope.
3. Currently, in their tariffs, Bell Mobility and TCI define the available footprint for wholesale roaming as their respective home public mobile networks. This means that regional carriers must enter into roaming agreements separately with Bell Mobility and TCI for their respective portions of the shared network.
4. In the case of wholesale MVNO access, in Telecom Decision 2022-288, the Commission found that, among other things, failure to require access to the full Bell Mobility-TCI shared network through either of the network partners would leave MVNOs with only two options: RCCI and either Bell Mobility or TCI, depending on which of the two has radio access network (RAN) facilities in a given area. The Commission noted that further reducing the available upstream options would be disadvantageous for regional wireless carriers attempting to enter into MVNO access arrangements and negotiate rates.
5. The Commission also found that the failure to provide MVNO access using RANs owned and operated by another carrier subject to a network-sharing agreement raises concerns of unjust discrimination or undue preference contrary to subsection 27(2) of the *Telecommunications Act* (the Act). If carriers serve their own customers using the facilities of another through a network-sharing agreement, then regional wireless carriers and their end-users may be unjustly discriminated against, and the carriers may be conferring upon themselves an undue preference.
6. The Commission therefore directed Bell Mobility and TCI to include joint network builds as part of their available footprint for MVNO access service as a condition in the tariffs under section 24 of the Act, and to modify their tariffs accordingly.
7. In the case of wholesale roaming, the Commission acknowledged that the record of the proceeding leading to Telecom Decision 2024-233 did not consider changes to the terms and conditions of the national wireless carriers' tariffs. However, the Commission indicated that failure by Bell Mobility and TCI, as national wireless

carriers, to provide regional carriers with access to their full shared national network would likely raise serious concerns of undue preference under section 27(2) of the Act. Moreover, without access to the full shared network, regional carriers will effectively be left with only one option to obtain national roaming coverage, rather than three, thus placing them at a further disadvantage when negotiating.

Show cause and call for comments

8. The Commission takes the preliminary view that a condition of service imposed under section 24 of the Act should be applied to Bell Mobility and TCI's wholesale roaming service, similar to the analogous condition of service that applies to MVNO access. For similar reasons as outlined in Telecom Decision 2022-288, the Commission is also of the view that each company's available footprint for wholesale roaming service should include the RAN owned and operated by the other carrier under their shared network agreement.
9. Parties are invited to show cause why such a condition pursuant to section 24 of the Act should not apply to Bell Mobility and TCI's respective wholesale roaming services. In particular, parties should address why the Commission's determinations in Telecom Decision 2022-288 regarding Bell Mobility and TCI's shared network should not apply in a similar manner to the wholesale roaming service.

Procedure

10. The *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* (the Rules of Procedure) apply to this proceeding. The Rules of Procedure set out, among other things, the rules for the content, format, filing, and service of interventions, answers, replies, 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 related documents, which can be found on the Commission's website at www.crtc.gc.ca, under "[Statutes and regulations](#)." The guidelines set out in Broadcasting and Telecom Information Bulletin 2010-959 provide information to help interested persons and parties understand the Rules of Procedure so that they can more effectively participate in Commission proceedings.
11. Bell Mobility and TCI are made parties to this proceeding and may file interventions with the Commission by **6 November 2024**.
12. Interested persons who wish to become parties to this proceeding must file an intervention with the Commission regarding the above-noted issues by **6 November 2024**. The intervention must be filed in accordance with section 26 of the Rules of Procedure.
13. Parties are permitted to coordinate, organize, and file, in a single submission, interventions by other interested persons who share their position. Information on how to file this type of submission, known as a joint supporting intervention, as well

as a [template](#) for the accompanying cover letter to be filed by parties, can be found in Telecom Information Bulletin 2011-693.

14. All documents required to be served on parties to the proceeding must be served using the contact information contained in the interventions.
15. All parties may file replies to interventions with the Commission by **18 November 2024**.
16. The Commission encourages interested persons and parties to monitor the record of this proceeding, available on the Commission's website at www.crtc.gc.ca, for additional information that they may find useful when preparing their submissions.
17. 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.
18. Pursuant to Broadcasting and Telecom Information Bulletin 2015-242, the Commission expects incorporated entities and associations, and encourages all Canadians, to file submissions for Commission proceedings in accessible formats (for example, text-based file formats that enable text to be enlarged or modified, or read by screen readers). To provide assistance in this regard, the Commission has posted on its website [guidelines](#) for preparing documents in accessible formats.
19. Submissions must be filed by sending them to the Secretary General of the Commission using **only one** of the following means:

by completing the
[\[Intervention form\]](#)

or

by mail to
CRTC, Ottawa, Ontario K1A 0N2

or

by fax to
819-994-0218

20. Parties who send documents electronically must ensure that they will be able to prove, upon Commission request, that filing, or where required, service, 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 or served. The Commission advises parties who file or 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.

21. 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.
22. 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

23. All information that parties provide as part of this public process, except information designated confidential, whether sent by postal mail, fax, 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 includes all personal information, such as full names, email addresses, postal/street addresses, and telephone and fax numbers.
24. 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.
25. Documents received electronically or otherwise will be posted 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.
26. 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 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

27. Links to interventions, replies, and answers filed for this proceeding, as well as other documents referred to in this notice, are available on the Commission's "[Consultations and hearings: have your say](#)" page.
28. Documents are available upon request during normal business hours by contacting:

Documentation Centre
Examinationroom@crtc.gc.ca
Tel.: 819-997-4389
Fax: 819-994-0218

Client Services
Toll-free telephone: 1-877-249-2782
Toll-free TTY: 1-877-909-2782

Secretary General

Related documents

- *Wholesale roaming service – Review of rates and rate-setting approach*, Telecom Decision 2024-233, 7 October 2024
- *Facilities-based wholesale mobile virtual network operator (MVNO) access tariffs – Commission determinations on proposed terms and conditions*, Telecom Decision CRTC 2022-288, 19 October 2022; as amended by Telecom Decision CRTC 2022-288-1, 31 October 2022
- *Review of mobile wireless services*, Telecom Regulatory Policy CRTC 2021-130, 15 April 2021
- *Filing submissions for Commission proceedings in accessible formats*, Broadcasting and Telecom Information Bulletin CRTC 2015-242, 8 June 2015
- *Filing of joint supporting interventions*, Telecom Information Bulletin CRTC 2011-693, 8 November 2011
- *Guidelines on the CRTC Rules of Practice and Procedure*, Broadcasting and Telecom Information Bulletin CRTC 2010-959, 23 December 2010