



Telecom Order CRTC 2025-182

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Gatineau, 23 July 2025

File numbers: 1011-NOC2024-0318 and 4754-761

Determination of costs award with respect to the participation of Option consommateurs in the proceeding initiated by Telecom Notice of consultation 2024-318

Application

1. By letter dated 12 March 2025, Options consommateurs applied for costs with respect to its participation in the proceeding initiated by Telecom Notice of Consultation 2024-318 (the proceeding). In the proceeding, the Commission sought comments on making shopping for home Internet services easier for Canadians.
2. Option consommateurs submitted that it had met the criteria for an award of costs set out in section 68 of the *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* (the Rules of Procedure) because it represented a group or class of subscribers that had an interest in the outcome of the proceeding, it had assisted the Commission in developing a better understanding of the matters that were considered, and it had participated in a responsible way.
3. More specifically, Option consommateurs indicated that it had represented the interests of consumers in Quebec, including the most vulnerable consumers and those who might be affected by a decision related to shopping for Internet services. Option consommateurs indicated that it had helped the Commission better understand the issue of standardizing the information presented to consumers in their choice of broadband services, as well as consumer dissatisfaction with the disclosure and communication of prices to be paid.
4. Option consommateurs requested that the Commission fix its costs at \$3,450, consisting entirely of legal fees. Option consommateurs filed a bill of costs with its application.
5. Options consommateurs claimed 2.75 days for in-house counsel at the rate of \$600 per day (\$1,650) for file review, preparation of interventions and observations, and legal research. Option consommateurs also claimed 2.25 days at a rate of \$800 per day for in-house counsel (\$1,800) for file review and for preparation of interventions and observations.
6. Option consommateurs specified that the parties who should be required to pay all fees awarded by the Commission (the costs respondents) are those designated in

accordance with the Guidelines for the Assessment of Costs, on the basis of data provided to the Commission by the telecommunications service providers.

7. The Commission did not receive any interventions in response to the application for costs.

Commission's analysis

8. The criteria for an award of costs are set out in section 68 of the Rules of Procedure, which reads as follows:

68. The Commission must determine whether to award final costs and the maximum percentage of costs that is to be awarded on the basis of the following criteria:

- (a) whether the applicant had, or was the representative of a group or a class of subscribers that had, an interest in the outcome of the proceeding;
- (b) the extent to which the applicant assisted the Commission in developing a better understanding of the matters that were considered; and
- (c) whether the applicant participated in the proceeding in a responsible way.

9. In Telecom Information Bulletin 2016-188, the Commission provided guidance regarding how an applicant may demonstrate that it satisfies the first criterion with respect to its representation of interested subscribers. In the present case, Option consommateurs has demonstrated that it meets this requirement by representing the interests of consumers in Quebec.
10. Option consommateurs has satisfied the remaining criteria through its participation in the proceeding. In particular, Option consommateurs' interventions in the proceedings, especially with regard to consumers' points of view and the disclosure of information about available packages and prices to be paid, helped the Commission gain a better understanding of the matters considered.
11. In addition, Options consommateurs participated in the proceeding in a responsible manner, respecting the deadlines and processes set out in the notice of consultation, and avoiding incurring excessive or unreasonable costs in light of the nature and complexity of the proceeding. The rates claimed in respect of legal fees are in accordance with the rates established in the *Guidelines for the Assessment of Costs*, as set out in Telecom Regulatory Policy 2010-963. The Commission finds that the total amount claimed by Option consommateurs was necessarily and reasonably incurred and should be allowed.

12. The Commission has generally determined that the appropriate costs respondents to an award of costs are the parties that have a significant interest in the outcome of the proceeding in question and have participated actively in that proceeding. The Commission considers that the following parties had a significant interest in the outcome of the proceeding and participated actively in the proceeding: Bell Canada; Bragg Communications Incorporated, carrying on business as Eastlink; Cogeco Connexion Inc.; Quebecor Media Inc., on behalf of Videotron Ltd., Freedom Mobile Inc., and their brands Fizz and VMedia; Rogers Communications Canada Inc., (including Shaw Telecom G.P. and Groupe Shaw Group) [Rogers]; Saskatchewan Telecommunications; TekSavvy Solutions Inc.; TELUS Communications Inc. (TELUS); and Xplore Inc.
13. The Commission considers that, consistent with its practice, it is appropriate to allocate the responsibility for payment of costs among costs respondents based on their telecommunications operating revenues (TORs) as an indicator of the relative size and interest of the parties involved in the proceeding.¹
14. However, as set out in Telecom Order 2015-160, the Commission considers \$1,000 to be the minimum amount that a costs respondent should be required to pay, due to the administrative burden that small costs awards impose on both the applicant and costs respondents. Therefore, the appropriate costs respondents for this costs award order are limited to Rogers and TELUS.
15. Accordingly, the Commission finds that the responsibility for payment of costs should be allocated as follows:²

Company	Proportion	Amount
Rogers	54.09%	\$1,866.14
TELUS	45.91%	\$1,583.86

Directions regarding costs

16. The Commission approves the application by Option consommateurs for costs with respect to its participation in the proceeding.
17. Pursuant to subsection 56(1) of the *Telecommunications Act*, the Commission fixes the costs to be paid to Option consommateurs at \$3,450.

¹ TORs consist of Canadian telecommunications revenues from local and access, long-distance, data, private line, Internet, and wireless services.

² In this order, the Commission has used the TORs of the costs respondents based on their most recent audited financial statements. However, the Commission did not have access to the 2024 TORs, and therefore used the 2023 TORs.

18. The Commission directs that the award of costs to Option consommateurs be paid forthwith by Rogers Communications Canada Inc. and TELUS Communications Inc. according to the proportions set out in paragraph 15.

Secretary General

Related documents

- *Making it easier for consumers to shop for Internet services*, Telecom Notice of Consultation CRTC 2024-318, 4 December 2024; as amended by Telecom Notices of Consultation CRTC 2024-318-1, 14 February 2025; 2024-318-2, 28 February 2025; and 2024-318-3, 17 June 2025
- *Guidance for costs award applicants regarding representation of a group or a class of subscribers*, Telecom Information Bulletin CRTC 2016-188, 17 May 2016
- *Determination of costs award with respect to the participation of the Ontario Video Relay Service Committee in the proceeding initiated by Telecom Notice of Consultation 2014-188*, Telecom Order CRTC 2015-160, 23 April 2015
- *Revision of CRTC costs award practices and procedures*, Telecom Regulatory Policy CRTC 2010-963, 23 December 2010