



Telecom Order CRTC 2025-99

PDF version

Gatineau, 14 May 2025

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Determination of costs award with respect to the participation of the Ontario Video Relay Services Committee-Comité Ontarien des Services de Relais Vidéo in the proceeding initiated by Telecom Notice of Consultation 2021-102

Application

1. By letter dated 18 November 2023, the Ontario Video Relay Services Committee-Comité Ontarien des Services de Relais Vidéo (OVRSC-COSRV) applied for costs with respect to its participation in the proceeding initiated by Telecom Notice of Consultation 2021-102 (the proceeding). In the proceeding, the Commission undertook a comprehensive review of video relay service (VRS) to assess whether it efficiently addresses the needs of Canadians with hearing and speech disabilities, among other matters.
2. On 25 January 2024, Bell Canada, Quebecor Media Inc. on behalf of Videotron Ltd. (Quebecor), Rogers Communications Canada Inc. (Rogers), and TELUS Communications Inc. (TELUS) collectively filed an answer in response to the OVRSC-COSRV's costs application. Commission staff sent a request for information (RFI) to the OVRSC-COSRV on 26 February 2024. On 26 February 2024, The OVRSC-COSRV filed a reply to the RFI.
3. The OVRSC-COSRV 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.
4. With respect to the group or class of subscribers that the OVRSC-COSRV submitted it represents, the OVRSC-COSRV explained that it represents the interests of Deaf grassroots communities across Ontario. The OVRSC-COSRV explained that these communities consist of Deaf Ontarians interested in the outreach, empowerment, and transparency of VRS. The OVRSC-COSRV also submitted that its contribution did not duplicate that of any other public interest parties.

Details of the costs claimed

5. The OVRSC-COSRV requested that the Commission fix its costs at \$20,721.50, consisting entirely of consultant fees. The OVRSC-COSRV filed a bill of costs with its application.

6. The OVRSC-COSVR claimed 41.3 hours at a rate of \$225 per hour for work performed by one external senior consultant (\$9,292.50) and 103.9 hours at a rate of \$110 per hour for work performed by one external consultant (\$11,429.00). This included 10 hours at a rate of \$110 per hour to prepare its costs application (\$1,100.00).
7. The OVRSC-COSRV submitted that telecommunications service providers that participated in the proceeding are the appropriate parties to be required to pay any costs awarded by the Commission (the costs respondents).

Answer

8. In a joint answer dated 25 January 2024, Bell Canada, Quebecor, Rogers, and TELUS asked the Commission to confirm whether the costs submitted by the OVRSC-COSRV satisfy the criteria for an award of costs set out in section 68 of the Rules of Procedure. The companies also challenged the total amount of costs claimed by all the costs applicants in the proceeding.

RFI

9. On 26 February 2024, the OVRSC-COSRV responded to the RFI sent by Commission staff on 26 February 2024, providing additional documentation, including timesheets for the types of costs it claimed.

Commission's analysis

10. 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.
11. 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, the OVRSC-COSRV has demonstrated that it meets this requirement. The OVRSC-COSRV represents the interests of Deaf grassroots communities across Ontario, and its submissions were focused on outreach, empowerment, and transparency related to VRS.
12. The OVRSC-COSRV has also satisfied the remaining criteria through its participation in the proceeding. In particular, the OVRSC-COSRV's submissions were focused on ensuring that

VRS is of sufficient quality, and that it enriches the lives of Canadian users. The OVRSC-COSRV assisted the Commission in developing a better understanding of the matters that were considered by answering questions posed in the proceeding and participating in virtual discussions. It also addressed topics such as VRS user experience, consumer awareness and promotion of VRS, and regulatory policies concerning VRS, as well as the timing of the next VRS review.

13. The rates claimed in respect of consultant 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. In addition, the amounts claimed for the preparation of the costs application are within the reasonable range established by the Commission in Telecom Order 2025-97.
14. The Commission finds that the total amount claimed by the OVRSC-COSRV was necessarily and reasonably incurred and should be allowed.
15. 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, including its related companies or divisions Bell Mobility Inc., Bell MTS Inc., Lucky Mobile, Solo Mobile, and Virgin Mobile (collectively, Bell Canada et al.); Bragg Communications Incorporated, carrying on business as Eastlink; Cogeco Communications Inc.; Quebecor, including Videotron Ltd. and Freedom Mobile Inc.; Rogers, including Shaw Group and Shaw Telecom G.P.; Saskatchewan Telecommunications; TBayTel; TELUS; and Xplore Mobile Inc.
16. 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 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.
17. Accordingly, the Commission finds that the responsibility for payment of costs should be allocated as follows:²

Company	Proportion	Amount
Bell Canada et al.	36.22%	\$7,505.33
Rogers	29.76%	\$6,166.72

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 2022 audited financial statements.

TELUS	25.62%	\$5,310.92
Quebecor	8.39%	\$1,738.53

Directions regarding costs

18. The Commission approves the application by the OVRSC-COSRV for costs with respect to its participation in the proceeding.
19. Pursuant to subsection 56(1) of the *Telecommunications Act*, the Commission fixes the costs to be paid to the OVRSC-COSRV at \$20,721.50.
20. The Commission directs that the award of costs to the OVRSC-COSRV be paid forthwith by Bell Canada et al., Rogers, TELUS, and Quebecor according to the proportions set out in paragraph 17 above.

Secretary General

Related documents

- *Determination of costs award with respect to the participation of the Deaf Wireless Canada Consultative Committee in the proceeding initiated by Telecom Notice of Consultation 2021-102*, Telecom Order CRTC 2025-97, 14 May 2025
- *Call for comments – Review of video relay service*, Telecom Notice of Consultation CRTC 2021-102, 11 March 2021, as amended by Telecom Notices of Consultation CRTC 2021-102-1, 26 April 2021; 2021-102-2, 30 June 2021; 2021-102-3, 14 March 2022; and 2021-102-4, 19 September 2023
- *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