



Telecom Order CRTC 2026-16

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Gatineau, 16 January 2026

File numbers: 8663-B2-202501700 and 4754-803

Determination of costs award with respect to the participation of the Ontario Association of the Deaf in the proceeding initiated by Bell Canada seeking to adapt the regulatory framework for mobile wireless primary exchange service

Application

1. By letter dated 30 July 2025, the Ontario Association of the Deaf (OAD) applied for costs with respect to its participation in the proceeding initiated by an application from Bell Canada seeking to adapt the regulatory framework for mobile wireless primary exchange service (the proceeding). The OAD participated in collaboration with the Newfoundland and Labrador Association of the Deaf (NLAD) as part of the Deaf and Hard of Hearing Coalition (DHHC). In the proceeding, Bell Canada is requesting the Commission confirm and approve certain adjustments to primary exchange service (PES) obligations when PES is offered on mobile wireless networks.
2. The Commission did not receive any interventions in response to the application for costs.
3. The OAD 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. In particular, the OAD explained that it represents the interests of Deaf and Hard of Hearing (DHH) sign language users who would benefit from an accessible mobile wireless exchange service, and that the OAD provides resources, support, and advocacy for the Deaf community of Ontario. The OAD submitted that its contributions did not duplicate those of the other public interest parties because they were active, focused, and structured and offered a distinct and unique point of view. The OAD also submitted that it participated responsibly by filing a joint submission with NLAD.
5. The OAD requested that the Commission fix its costs at \$2,248.95, consisting of consultant fees and disbursements. The OAD filed a bill of costs with its application.

6. The OAD claimed half a day at a rate of \$470.00 per day for an in-house consultant to review the file and prepare the intervention (\$235.00). It also claimed 12 hours at a rate of \$165.00 per hour for an external intermediate consultant to review the file, prepare the intervention, and prepare the costs application (\$1,980.00). The OAD also claimed \$33.95 in disbursements for notarization and photocopies.
7. The OAD submitted that either Bell Canada alone or Bell Canada, Rogers Communications Canada Inc. (Rogers), and TELUS Communications Inc. (TELUS) are the appropriate parties to be required to pay any costs awarded by the Commission (the costs respondents). In either case, the OAD entrusted the Commission with determining whether Bell Canada, Rogers, and/or TELUS should be required to pay any costs awarded by the Commission.

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, the OAD has demonstrated that it meets this requirement. The OAD represents the interests of Deaf Ontarians. This group has an interest in the outcome of the proceeding and could be affected by decisions arising from it.
10. The OAD has also satisfied the remaining criteria through its participation in the proceeding. In particular, the OAD's submission through the DHHC identified specific accessibility issues for DHH consumers in the context of the transition to Mobile PES, including DHH users' continued reliance on analog technology, such as TTYs (teletypewriters). The OAD's submission also raised concern about whether the transition would be communicated to DHH consumers in an accessible manner. The OAD participated in the proceeding in a responsible way because it filed a joint submission with NLAD and respected the deadlines and processes set out in the

proceeding. Accordingly, the Commission finds that the applicant meets the criteria for an award of costs under section 68 of the Rules of Procedure.

11. 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. The Commission finds that the total amount claimed by the OAD was necessarily and reasonably incurred and should be allowed.
12. This is an appropriate case in which to fix the costs and dispense with taxation, in accordance with the streamlined procedure set out in Telecom Public Notice 2002-5.
13. 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 Inc., carrying on business as Eastlink; Eeyou Communications Network; Quebecor Media Inc., on behalf of its affiliates Videotron Ltd. and Freedom Mobile Inc.; Rogers, including Groupe Shaw Group and Shaw Telecom G.P.; Saskatchewan Telecommunications; and TELUS.
14. 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
15. 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.
16. Accordingly, the Commission finds that the responsibility for payment of costs should be allocated as follows:²

Company	Proportion	Amount
Rogers ³	53.61%	\$1,205.66
TELUS	46.39%	\$1,043.29

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.

³ 2024 TORs now include Groupe Shaw Group and Shaw Telecom G.P. within Rogers' TORs.

Directions regarding costs

17. The Commission approves the application by the OAD for costs with respect to its participation in the proceeding.
18. Pursuant to subsection 56(1) of the *Telecommunications Act*, the Commission fixes the costs to be paid to the OAD at \$2,248.95.
19. The Commission directs that the award of costs to the OAD be paid forthwith by Rogers Communications Canada Inc. and TELUS Communications Inc. according to the proportions set out in paragraph 16.

Secretary General

Related documents

- *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
- *New procedure for Telecom costs awards*, Telecom Public Notice CRTC 2002-5, 7 November 2002