



Telecom Order CRTC 2026-27

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Determination of costs award with respect to the participation of the Public Interest Advocacy Centre in the proceeding initiated by Rogers Communications Canada Inc. regarding contributions to the National Contribution Fund

Application

1. By letter dated 8 October 2025, the Public Interest Advocacy Centre (PIAC) applied for costs with respect to its participation in the proceeding initiated by an application from Rogers Communications Canada Inc. (Rogers) regarding the National Contribution Fund (the proceeding). In the proceeding, the Commission considered a request from Rogers regarding telecommunications service providers' (TSPs) contributions to the National Contribution Fund with respect to the Broadband Fund. Rogers requested that the Commission either (i) direct the Central Fund Administrator (CFA) to suspend requests for new contributions that support the Broadband Fund while instead drawing down contributors' uncalled funds, or (ii) allow each contributor to release half of their uncalled contributions. Rogers also requested that the Commission direct the CFA to modify its annual contribution requirements so that the CFA's collections are better aligned with its disbursements going forward.
2. The Commission did not receive any interventions in response to the application for costs.
3. By letter dated 5 November 2025, PIAC corrected minor calculation errors in its initial costs application by submitting an amended final costs claim.
4. PIAC 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.
5. With respect to the group or class of subscribers that PIAC has submitted it represents, PIAC explained that this group or class consists of all consumers across Canada with a particular focus on low-income and vulnerable consumers. PIAC submitted that this group or class has an interest in the outcome of the proceeding because the availability, effective use, and deployment of

broadband funds are important to improving the availability and affordability of telecommunications services. PIAC also submitted that it assisted the Commission in better understanding the matters that were considered by explaining that the National Contribution Fund can be instrumental in rendering reliable and affordable telecommunications services in urban and rural regions, and by making recommendations to that effect. Additionally, PIAC submitted that it participated in a responsible way by complying with the Rules of Procedure and respecting the deadlines and processes in the proceeding.

6. PIAC requested that the Commission fix its costs at \$1,082.46, consisting of legal fees. Part of PIAC's claim included the Ontario Harmonized Sales Tax (HST) on fees, minus the rebate to which PIAC is entitled in connection with the HST. PIAC filed a bill of costs with its application.
7. PIAC claimed 1.5 days for in-house counsel at a rate of \$600 per day for work on legal research, reviewing the file, and preparing the intervention and comments (\$900). PIAC also claimed a half day at a rate of \$235 per day for an articling student to work on legal research, reviewing, summarizing, and analysis (\$117.50) and 0.25 hours for external counsel at a rate of \$250 per hour to prepare the intervention and comments (\$64.96 with the HST and associated rebate).
8. PIAC submitted that the TSPs that participated in the proceeding are the appropriate parties to be required to pay any costs awarded by the Commission (the costs respondents).
9. PIAC suggested that the responsibility for payment of costs should be divided among the costs respondents on the basis of the most recent data provided to the Commission.

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, PIAC has demonstrated that it meets this requirement. PIAC represents the interests of all consumers across Canada with a particular focus on low-

income and vulnerable consumers. These consumers have an interest in the outcome of the proceeding because they could be affected by it.

12. PIAC has also satisfied the remaining criteria through its participation in the proceeding. In particular, PIAC's submissions that there should be no scale back and no holds on new contributions, its requests for more transparency, its encouragement for an expedited review, and its recommendations for excess funding assisted the Commission in developing a better understanding of the matters that were considered. PIAC also participated in a responsible way, complying with the Rules of Procedure and respecting the deadlines and processes set out in the proceeding.
13. 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 PIAC was necessarily and reasonably incurred and should be allowed.
14. 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.
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; Bragg Communications Inc., carrying on business as Eastlink; Quebecor Media Inc., on behalf of its affiliates Videotron Ltd. and Freedom Mobile Inc.; Rogers, including Groupe Shaw Group and Shaw Telecom G.P.; TerreStar Solutions Inc.; and TELUS Communications 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
17. 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.

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

18. Accordingly, the Commission finds that the responsibility for payment of costs should be allocated as follows:²

Company	Proportion	Amount
Rogers	100%	\$1,082.46

Directions regarding costs

19. The Commission approves the application by PIAC for costs with respect to its participation in the proceeding.
20. Pursuant to subsection 56(1) of the *Telecommunications Act*, the Commission fixes the costs to be paid to PIAC at \$1,082.46.
21. The Commission directs that the award of costs to PIAC be paid forthwith by Rogers Communications Canada Inc. according to the proportions set out in paragraph 18.

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

² In this order, the Commission has used the TORs of the costs respondents based on their most recent audited financial statements.