



Telecom Order CRTC 2026-7

PDF version

Gatineau, 9 January 2026

Public record: Tariff Notice 48

Bragg Communications Inc., carrying on business as Eastlink – Destandardization of Third-Party Internet Access services and clarification of service area

Summary

The Commission received an application from Bragg Communications Inc., carrying on business as Eastlink (Eastlink), proposing to destandardize two Third-Party Internet Access (TPIA) speed tiers: 100/10 megabit per second (Mbps) and 300/10 Mbps and to clarify the service area in which its 150/10 Mbps service is offered.

The Commission has determined that eliminating these speed tiers from Eastlink's TPIA Tariff would not be in the public interest because it would disproportionately affect competitors and considerably increase their access costs. Moreover, eliminating these affordable speed tiers would run counter to the policy objective of increasing affordability of Internet services. The Commission therefore denies the destandardization. However, the clarification of the service area would allow third-party customers to make informed decisions about what service best suits their needs by accurately reflecting service availability. The Commission therefore approves the clarification of the service area.

Application

1. On 10 March 2025, the Commission received an application from Bragg Communications Inc., carrying on business as Eastlink (Eastlink), proposing changes to its Third-Party Internet Access (TPIA) Tariff. Specifically, Eastlink proposed to destandardize two TPIA speed tiers: 100/10 megabit per second (Mbps) [100 Mbps service or speed tier] and 300/10 Mbps (300 Mbps service or speed tier) and to clarify the service area in which its 150/10 Mbps service (150 Mbps service or speed tier) is offered.
2. Eastlink noted that it stopped offering the 100 Mbps and 300 Mbps services to new retail customers as of 20 December 2024 and that its existing customers on these tiers have been grandfathered.
3. For the destandardization, Eastlink requested an effective date of 9 May 2025.
4. Regarding the clarification of the service area, Eastlink submitted that its tariff page currently indicates that its 150 Mbps service is only available for TPIA customers in

Prince Edward Island and Newfoundland.¹ However, Eastlink noted that the service tier is also available in Ontario and Nova Scotia and proposed changes on the tariff page to reflect this.

5. The Commission received interventions from Purple Cow Internet Inc. (Purple Cow), TekSavvy Solutions Inc. (TekSavvy), and TELUS Communications Inc. (TELUS) regarding the application.

Issues

6. The Commission has identified the following issues to be addressed in this order:
 - Has Eastlink provided sufficient grounds to justify the destandardization of two TPIA speed tiers?
 - Is Eastlink’s proposed administrative correction to the tariff page appropriate?

Has provided sufficient grounds to justify the destandardization of two TPIA Eastlink speed tiers?

Positions of parties

Eastlink

7. Eastlink submitted that, as of 20 December 2024, it no longer offers the 100 Mbps or 300 Mbps services to new retail customers. Furthermore, it stated that, if approved, this destandardization will align Eastlink’s TPIA service offerings with those available to its retail customers, and that these proposed changes are the result of ongoing efforts to streamline and consolidate its service offerings. Eastlink added that its 150 Mbps and 350/10 Mbps (350 Mbps service or speed tier) services are available as alternatives for new end-users.

Interventions

8. Purple Cow, TekSavvy, and TELUS submitted interventions requesting that the Commission deny Eastlink’s request for the destandardization of the 100 Mbps and 300 Mbps services.
9. Interveners submitted that Eastlink has not met the requirements set out by the Commission regarding destandardization applications. More specifically, the interveners claimed that Eastlink’s proposed destandardization of its 100 Mbps and 300 Mbps services has not been sufficiently justified, that it disproportionately affects

¹ In Eastlink’s tariff page, the province name appears as “Newfoundland.” The official name is “Newfoundland and Labrador.”

competitors, and that it is uncompetitive in nature, referring to a previous Commission determination regarding destandardization in Telecom Order 2023-2.

10. Regarding the justification for destandardization, Purple Cow submitted that in Telecom Orders 2023-2 and 2021-188, the Commission determined that a TPIA service provider's decision to stop offering certain speed tiers to its own retail customers is insufficient to justify an application for destandardization. TekSavvy and TELUS added to this, noting that Eastlink has provided no other rationale for the proposed destandardization other than to align its service offerings.
11. Regarding Eastlink's proposed destandardization disproportionately affecting competitors, all interveners pointed to the popularity of these services. Specifically, Purple Cow submitted that a significant portion of its subscribers are served using Eastlink's TPIA service, and that the services proposed for destandardization are their most popular service offerings. TekSavvy submitted that the 100 Mbps and 300 Mbps services represent the "vast majority" of its wholesale high-speed access subscriptions with Eastlink. TELUS submitted that many current Koodo Internet customers in Eastlink territory use either the 100 Mbps service or the 300 Mbps service and claimed that the fact that a significant portion of Koodo Internet customers select lower tier plans demonstrates their popularity. TELUS also noted that, in Telecom Order 2023-2, the Commission found that when the proposed destandardized speed tiers were used by a large portion of competitors' subscribers, such destandardization would disproportionately affect competitors.
12. Regarding the proposed destandardization being uncompetitive in nature, the interveners cited the inadequacy of the alternative services proposed by Eastlink and noted the difference in access rates between the 100 Mbps and 150 Mbps services and the 300 Mbps and 350 Mbps services. Intervenors submitted that the 150 Mbps and 350 Mbps services are not viable alternatives, and that the destandardization of the 100 Mbps and 300 Mbps services would further reduce the affordability of telecommunications services and consumer choice.
13. Purple Cow and TekSavvy also raised similar concerns regarding the increase in access costs. Specifically, Purple Cow cited Telecom Orders 2023-2 and 2021-188, noting that the Commission found that competitors would incur significantly increased monthly access costs if they were compelled to transition to higher speed services. Furthermore, Purple Cow noted that in Telecom Order 2023-2, the Commission acknowledged that a transition to higher speed services would also impose an increase in capacity-based billing (CBB) costs on competitors. It submitted that this is due to the need to reserve additional bandwidth capacity for end-users being served at a higher bandwidth speed. TekSavvy also submitted that a transition to higher speed tiers would place an uncompetitive burden on competitors since it would be accompanied by a significant increase in access costs, compounded by an increase in CBB.
14. TELUS also noted that increased access rates reduce the ability of competitors to adjust their retail pricing to remain competitive and respond to shifting market

dynamics. TELUS added that there are no other viable alternatives in the provinces where it uses Eastlink's TPIA service, noting that the wireline footprint for Rogers Communications Canada Inc. does not overlap with the majority of areas where TELUS currently uses Eastlink's service and therefore is not a replacement option. TELUS added that although Bell Aliant Regional Communications, Limited Partnership (Bell Aliant) is present in these areas, the higher monthly rate for its fibre-to-the-premises (FTTP) access² for the corresponding speed tiers would prevent TELUS from being able to offer competitive pricing in the retail market.

15. Lastly, interveners submitted that Eastlink's application is contrary to the Commission's policy objectives to foster competition, access, affordability, and lower prices. Specifically, Purple Cow and TELUS referred to section 7 of the [Telecommunications Act](#) (the Act) and, along with TekSavvy, the 2023 Policy Direction.³ Purple Cow submitted that the rejection of Eastlink's proposed destandardization would advance the directives in the 2023 Policy Direction by ensuring that telecommunications services remain affordable for consumers and small businesses in Atlantic Canada, while also maintaining a competitive, diverse market.

Eastlink's reply

16. Eastlink replied that it has provided sufficient grounds to justify destandardization. Eastlink stated that its application is compliant with the Commission's directions in Telecom Information Bulletin 2010-455-1. It also cited the speed-matching requirement, submitting that network providers are not required to offer a wholesale service if they no longer provide an equivalent retail service. Eastlink claimed that this is sufficient to justify the destandardization of its 100 Mbps and 300 Mbps TPIA speed tiers.
17. Regarding the Commission orders cited by the interveners, specifically Telecom Orders 2023-2 and 2021-188, Eastlink claimed that these are deviations from the long-standing speed-matching requirement. It added that the Commission has not provided guidance within these orders on what amounts to sufficient grounds to justify destandardization beyond stating that costs being required to maintain the speed was insufficient.⁴ Eastlink also submitted that, within these orders, the Commission determined that a very large price increase coupled with a lack of similar alternative speed tiers would be considered uncompetitive, but that no clear threshold

² TELUS quoted this rate as \$122.50/month for speed tiers of 100 Mbps, 150 Mbps, and 300 Mbps, referring to the rate proposed in Bell Aliant's Tariff Notice 569/C, which was filed on 15 March 2024, but was never in effect. In its reply, Eastlink noted that Bell Aliant's current tariffed FTTP access rate is \$68.94/month for each tier, including 100 Mbps, 150 Mbps, and 300 Mbps. The Commission approved this rate on an interim basis in Telecom Order 2024-261.

³ *Order Issuing a Direction to the CRTC on a Renewed Approach to Telecommunications Policy*, SOR/2023-23, 10 February 2023

⁴ Telecom Order 2023-2, paragraph 32.

for price or speed differences was established in either proceeding. Eastlink reiterated that its application does not represent a large price increase and that there are similar alternative speed tiers available.

18. Eastlink also claimed that the proposed destandardization does not disproportionately affect competitors. Rather, it achieves competitive neutrality by allowing both Eastlink and its TPIA customers to offer the same speed tiers and focus on other means of competitive differentiation. Additionally, Eastlink submitted that any impact on competitors is mitigated by the grandfathering of existing customers and the availability of alternatives that are similar in speed, unlike in the context leading to Telecom Order 2021-188. Eastlink added that it is not the only TPIA service provider in the region and indicated that Bell Aliant does offer FTTP wholesale services.
19. Eastlink submitted that the proposed destandardization is not uncompetitive in nature. To support this, Eastlink reiterated that the application was brought in accordance with the long-established speed-matching policy with the purpose of aligning its wholesale offerings with its retail offerings. Additionally, Eastlink claimed that the rate difference between tiers is not significant and would still allow wholesale customers to maintain competitive prices.
20. Eastlink also addressed the interveners' concerns regarding a potential increase in CBB costs for the Internet service provider, submitting that these claims are speculative and do not provide any evidence that an increase in the available speed tiers would significantly change consumer behaviour. Eastlink further submitted that, based on its experience with introducing new speed tiers, an increase of 50 Mbps is unlikely to alter consumer behaviour enough that there would be increased capacity needs.
21. Eastlink submitted that this application is unlike Telecom Order 2021-188, in which the Commission found that destandardization could considerably limit consumer choice, especially for consumers who considered the speed proposed for destandardization an ideal price and speed. Eastlink claimed that destandardizing its 100 Mbps and 300 Mbps speed tiers would not similarly limit consumer choice as there is only a 50 Mbps difference between these and the next available higher speed tiers, and that the 150 Mbps and 350 Mbps services are still low-cost and low-speed options. Eastlink indicated that although the interveners submitted that both current speed tiers are popular, there is no reason to believe that if the interveners offered both those and the 150 Mbps and 350 Mbps speed tiers, the latter would not be equally or more popular. Eastlink added that its decision to remove the lower speed options from its retail offerings is a result of customers looking for higher speed services.
22. Finally, Eastlink submitted that the proposed destandardization is consistent with, and not contrary to, Commission policy objectives. Regarding affordability, Eastlink claimed that the interveners could either maintain their current prices for the 150 Mbps and 350 Mbps alternative speed tiers and still maintain significant margins, or increase their prices to maintain current margins, which in Eastlink's opinion is

unlikely to substantially impact end-users. Furthermore, Eastlink claimed that the 150 Mbps and 350 Mbps speed tiers remain low-price, affordable options for TPIA customers and end-users, which supports affordability and ensures a variety of service offerings. Eastlink also submitted that destandardizing some of its lower speed tiers while retaining slightly faster but still low-cost alternatives is consistent with the Commission's policy goals of fostering increased reliance on market forces (paragraph 7(f) of the Act) and responding to the economic and social requirements of telecommunications consumers (paragraph 7(h) of the Act).

Commission's analysis

23. As a result of a comprehensive public proceeding, Telecom Regulatory Policy 2010-632 reaffirmed the Commission's stance on its speed-matching requirement. This requirement is that incumbent local exchange carriers are to provide, upon demand from a competitor, their wholesale aggregated access services at speed tiers that match all of their retail Internet service speed options. The Commission concluded that competition in retail Internet services would not continue to be sufficient to protect consumers' interests in the absence of a speed-matching requirement.
24. The Commission considers that, while compliance with the speed-matching requirement is a factor in approving an application for destandardization, there are other factors to consider. These are set out in Telecom Order 2023-2:
 - whether the applicant provided sufficient grounds to justify the proposed destandardization;
 - whether the proposed destandardization disproportionately affects competitors; and
 - whether the proposed destandardization is uncompetitive in nature.
25. Regarding the first factor, the Commission considers Eastlink's application to be compliant with the speed-matching requirement. However, the Commission acknowledges that compliance with this regulatory policy alone does not provide sufficient grounds for destandardization. Additionally, the Commission notes that, other than streamlining and consolidating its service offerings, Eastlink did not submit any additional evidence to support its proposed destandardization.
26. Regarding the second factor, the Commission considers that, after reviewing information filed in confidence, the destandardization of both the 100 Mbps and 300 Mbps services would disproportionately affect competitors because all interveners submitted that these services are used by a substantial proportion of their subscribers. Additionally, the Commission notes the significant reliance on the 100 Mbps speed tier by all interveners.
27. Regarding the third factor, the Commission considers that a transition from the slower 100 Mbps and 300 Mbps speed tiers to the higher alternative speed tiers proposed by Eastlink would place a burden on competitors, since this would be accompanied by a

considerable increase in access costs. Specifically, this would be a 23% to 29% increase. This increase could also be compounded by an increase in CBB due to the need to reserve additional bandwidth capacity for end-users being served at higher bandwidth speed tiers.

28. Regarding the matter of consistency with the Commission's policy objectives, the Commission finds the interveners' positions reasonable. The Commission considers that eliminating more affordable services from Eastlink's TPIA Tariff would run counter to the policy objectives set out in paragraphs 7(b) and (c) of the Act.⁵
29. In light of the above, the Commission denies Eastlink's proposal to destandardize the 100 Mbps and 300 Mbps TPIA service speed tiers.

Is Eastlink's proposed administrative correction to the tariff page appropriate?

Positions of parties

30. Eastlink proposed an administrative correction to the tariff page relating to the service area where the 150 Mbps service is available. Currently, Eastlink's tariff page states that the 150 Mbps service is available only for TPIA customers in Prince Edward Island and Newfoundland. However, the 150 Mbps service is currently available in Eastlink's full serving area. Eastlink's proposed change addresses this discrepancy.
31. The interveners did not oppose this part of Eastlink's application.

Commission's analysis

32. The Commission considers that a company's tariff pages must reflect the most accurate and up-to-date information. Up-to-date tariff pages allow third-party customers to make informed decisions about what service best suits their needs by accurately reflecting what services are available in their region. Accordingly, the Commission finds Eastlink's proposed update to the tariff page reasonable.

Conclusion

33. In light of all of the above, the Commission:
- denies Eastlink's proposal to destandardize the 100 Mbps and 300 Mbps TPIA service speed tiers; and

⁵ The cited policy objectives are: 7(b) to render reliable and affordable telecommunications services of high quality accessible to Canadians in both urban and rural areas in all regions of Canada; and 7(c) to enhance the efficiency and competitiveness, at the national and international levels, of Canadian telecommunications.

- approves Eastlink's proposed administrative correction regarding the clarification of the service area for its 150 Mbps service.

34. Revised tariff pages are to be issued within 10 calendar days of the date of this order. Revised tariff pages can be submitted to the Commission without a description page or a request for approval; a tariff application is not required.

Secretary General

Related documents

- *Interim rates for aggregated wholesale high-speed access services over fibre-to-the-premises facilities*, Telecom Order CRTC 2024-261, 25 October 2024
- *Cogeco Communications Inc. – Introduction of new Ethernet passive optical network/fibre-to-the-home disaggregated speed tiers and destandardization of certain third-party Internet access aggregated and disaggregated speed tiers*, Telecom Order CRTC 2023-2, 9 January 2023
- *Câblevision du nord de Québec inc. – Update to its third-party Internet access service*, Telecom Order CRTC 2021-188, 1 June 2021
- *Approval processes for tariff applications and intercarrier agreements*, Telecom Information Bulletin CRTC 2010-455-1, 19 February 2016
- *Wholesale high-speed access services proceeding*, Telecom Regulatory Policy CRTC 2010-632, 30 August 2010