

October 30, 2014

Lynda Roy, Hearing Secretary
Canadian Radio-television and Telecommunications Commission
Les Terrasses de la Chaudière
Central Building
1 Promenade du Portage
Gatineau, QC J8X 4B1

Dear Ms. Roy,

Re: Review of wholesale services and associated policies (Telecom Notice of Consultation CRTC 2013-551)

A revised version of OpenMedia.ca's Reply comments to Telecom Notice of Consultation CRTC 2013-551 was submitted approximately eight minutes after the first version. The change made was in the attributions on the cover page. No changes were made in the submission itself, and all parties were served with the revised version alone. Please consider this a request to replace the current submission with the revised one, for the public record.

Thank you very much for your consideration.

Sincerely,
Cynthia Khoo

Telecom Notice of Consultation

CRTC 2013-551

Review of wholesale services and associated policies

Reply of OpenMedia.ca (“OpenMedia”)
October 24, 2014

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Telecom Notice of Consultation CRTC 2013-551
Review of wholesale services and associated policies
CRTC Reference No.: 8663-C12-201313601

REPLY OF OPENMEDIA.CA
October 24, 2014

Executive Summary

ES1. Canadians have expressed clearly their need for access to a range of affordable, independent options for Internet services in a decentralized marketplace. Issues at the core of this proceeding revolve around Canadian citizens and how well their telecommunications regime serves them. This includes affordable, independent, reliable Internet access that supports their everyday well-being, enables them to maximize their innovative and productive potential, and allows them to exercise their democratic rights in a free and open society. Such objectives necessitate maintaining and strengthening Canada's wholesale service policies, or open access rules, in broadband Internet, and mandating access to FTTP networks.

ES2. As a community-based, citizen-engagement organization that regularly involves everyday Canadians in initiatives on issues that impact their everyday digital lives, OpenMedia.ca ("OpenMedia") submits this Reply in response to earlier interventions in this proceeding, "Review of wholesale services and associated policies" (Telecom Notice of Consultation CRTC 2013-551). An appendix accompanies this document, containing a collection of independently written submissions that Canadians have sent to the CRTC from across the country, to be considered and put on record in this proceeding (see Appendix A: Ditch the Deadweight Campaign: Submissions from Canadians).

ES3. The CRTC has a mandate to serve Canadians and uphold the public interest. This charge arises from section 7 of the *Telecommunications Act*, with its focus on Canadians' social and economic needs. Past CRTC decisions have recognized and fulfilled this charge, such as denying Bell Canada's application to increase payphone prices due to concern for rural and low-income Canadians. Various Canadian courts have also acknowledged and encouraged the CRTC's mandate in this respect, with the Supreme Court of Canada pointing out the critical dimension of telecommunications engaging the public interest beyond industry or shareholder concerns, and the Federal Court of Appeal noting that the CRTC's mandate obligates it to apply considerations beyond the economic.

ES4. Cultivating fair open access policies in broadband Internet, and mandating FTTP access, will allow the CRTC to adhere more closely to the 2006 Policy Direction. Open access rules for FTTP would liberate market forces to truly operate in the telecommunications marketplace, as opposed to the dysfunctional, oligopolistic forces that currently impede Canadians' ability to fully benefit from the possibilities of broadband Internet. The incumbents' histories of anti-competitive tactics and discriminatory practices are what truly violate the spirit of the Policy Direction, as they prevent the Commission from relying on market forces at all.

ES5. Canadians across the country have been observing the renewed CRTC with wary hope. We invite the Commission to continue its promising new direction under Chairman Jean-Pierre Blais, in listening to Canadians and putting citizens at the centre of the telecommunications system the CRTC develops for them. Reinforcing and expanding fair open access rules in broadband Internet, including mandating access to FTTP, is one significant way in which the Commission may earn more of Canadians' trust in the CRTC as an institution that truly has their best interests at heart.

ES6. While we encourage the CRTC to look beyond economic considerations, as it is key that Canadian citizens' needs and concerns be what primarily drives this proceeding, economic considerations in this case nevertheless support that same objective. Open access rules would increase investment, enable innovation, and leave unscathed incumbents' incentives to invest. Multiple studies show that incumbents do not invest in improving their facilities and services in a timely and efficient way, without the external pressure of independent competitors, leaving Canadian citizens with an unnecessarily inferior telecommunications system.

ES7. Open access rules enable innovation that would not otherwise be able to occur. The presence of small businesses and independent service providers is essential to innovation because they are likely to be driven by different, firm-specific skills, experiences, target markets, and localized or niche interests from both incumbents and each other. This creates more spaces for “innovation from the edge”, as small businesses are less likely to be encumbered by considerations such as national strategies or shareholder concerns, unlike large incumbents. Fair open access rules and mandated FTTP access will also give rise to innovations that could not happen but for Canadians having affordable and reliable Internet access, particularly among rural and lower-income Canadian citizens.

ES8. Prior proceedings on issues such as FTTN and wholesale high-speed access services dispel the idea that incumbents will withdraw or halt investment in their facilities if the CRTC mandates access to FTTP. Interveners such as PIAC and Primus have thoroughly dismantled this claim using incumbents' own executive statements, annual reports, shareholder messaging, and financial data.

ES9. Incentives to invest will remain because incumbent local exchange carriers (ILECs) and cable carriers will still have to contend with one another. While this constitutes one kind of competition, the Commission should observe that it is an oligopolistic one and not one that provides a truly competitive marketplace with genuine affordable choices or serves Canadians well in the long run. Without external pressure from independent competitors driving the incumbents beyond their comfortable closed competition, Canadians will continue facing a dearth of affordable, reliable, high-quality, and innovative choices in their telecommunications marketplace.

ES10. Strengthening open access rules and mandating FTTP access will not make the “business case” for incumbents investing in FTTP facilities untenable. Such a position is rooted in presumed entitlement to a certain level of financial returns historically made possible through generous treatment of incumbents by the CRTC. The most efficient and effective telecommunications system, however—as well as Canadians' needs, the public

interest, and a general sense of civic equity—requires only providing for fair returns on investment, not inflated ones, when it comes to delivering the best telecommunications system Canada can currently achieve.

ES11. Fair open access rules and mandated FTTP access would not only maintain tenable business cases for incumbents, but would also prove to be an excellent business case for Canadians and Canada as a whole. The quality and affordability of Internet access available to citizens directly impacts how a country performs on a number of factors. In addition, it is inefficient and wrong for governments to allow essential public services to increasingly be accessible primarily or only online while not providing citizens with reliable and affordable Internet access to begin with. The Australian government, for example, concluded it made for a better business case to build their own, structurally separated national broadband network than it was to maintain an imperfect telecommunications market with inadequate competition—such as the one Canada currently maintains.

ES12. The Commission must keep in mind that facilities-based competition is not a goal in its own right, simply one of many possible means to an end: a worldclass telecommunications system for Canadians. Many studies have shown that facilities-based competition does not always lead to higher broadband network quality, let alone to increased social welfare. At the same time, the International Telecommunications Union has explained that service-based competition may be more appropriate in certain contexts, and is certainly better than no competition at all, which reflects Canada's current case.

ES13. Focusing on facilities-based competition to the exclusion of other options also poses the danger of wasting sunk costs in facilities investment through inefficient duplication, again with little reliability that it will in fact improve Canadians' broadband network quality or contribute to their socioeconomic well-being. Facilities-based competition and service-based competition are not mutually exclusive, nor are they a zero-sum game, nor are they the end game. The end game is providing Canadian citizens with affordable, independent, and innovative options for Internet services in a decentralized and truly competitive telecommunications market. In Canada's current context, open access rules and mandated FTTP access are the most effective ways for the Commission to achieve that goal.

ES14. International comparisons would support the CRTC's decision to mandate access to FTTP as part of a broader open access broadband regime. Japan's rise to outstanding broadband performance heavily depended on a mandated access, enforcement of access rules, and low rates that protected the commercial viability of new entrants so that they could provide genuine competition. At the same time, many studies that link mandated access to decreased investment and lesser broadband network quality involve methodological weaknesses, such as using improperly selected investment values, ignoring institutional differences, and neglecting to take into account informal barriers to access such as incumbents' delay tactics or failure to cooperate.

ES15. Such studies' greatest flaw, however, is their focus on numerical data to indicate the success of a telecommunications system, as opposed to quality of experience or citizens' socioeconomic welfare, and the former's impact on the latter. While numbers do tell stories, we encourage the Commission not to let numbers override the stories of everyday Canadians

who have reached out to them in this proceeding, and expressed the need for a robust telecommunications marketplace that includes affordable, reliable, independent options for broadband Internet access. Countries that espouse public interest values similar to Canada's and those found in the section 7 policy objectives have even opted for models that go beyond open access rules, such as Australia's national broadband network and Sweden's public investment in addition to mandated access. Looking to such peers supports the bolstering of fair open access rules and mandated FTTP access.

ES16. Open access rules are critical to Canada's future. More and more, Internet access is presumptively treated as a public utility. Considering that Internet access is such an essential feature of both everyday life and full participation in a free and democratic society, it seems perverse to subject such access to the machinations of powerful private sector interests. Yet this is what has happened, as seen from the dire lack of true telecommunications competition in Canada.

ES17. Incumbent carriers held 92% of the Canadian residential market in 2013, and Canada's telecommunications marketplace is often acknowledged as an entrenched duopoly, if not accused of being a cartel. Canadians' submissions in the attached "Ditch the Deadweight" appendix effectively demonstrate the direct impact this has had on Canadian citizens. Mandated access has been shown to contribute to higher levels of competition in broadband Internet in a number of countries, and is endorsed by the OECD as a strategy to address market distortions and develop meaningful competition.

ES18. We urge the CRTC to recognize how crucial mandating FTTP access is to a forward-looking policy that engages the concerns and best interests of all Canadians and upholds the public interest, in both the short and long run. Considering how much faster FTTP broadband is compared to pre-existing options, and in light of the world's inevitable migration to FTTP, allowing incumbents to block independent service providers from FTTP access would be tantamount to leaving large swaths of Canadians and consequently Canada on the wrong side of a widened digital divide.

ES19. We offer the following recommendations to the CRTC: First, mandate wholesale access to FTTP networks. Second, implement performance measures with indicators such as market concentration (with a view to decentralization), Internet speed, price, and qualitative factors such as meeting policy objectives and contribution to Canadians' socioeconomic welfare. Third, establish a dedicated working group to evaluate performance of the wholesale services framework, with positions reserved for consumer and public interest representatives. Fourth, promote cost-based access by lowering markups. Fifth, move towards structural separation, as the most effective longterm solution to a distorted telecommunications market. This strategy already enjoys support from the OECD, Australia, New Zealand, Singapore, and Sweden, and is already seeing deployment in Coquitlam, BC, Stratford, Ontario, and the province of Alberta. It is time for the rest of Canada to follow suit.

Telecom Notice of Consultation CRTC 2013-551
Review of wholesale services and associated policies
CRTC Reference No.: 8663-C12-201313601

REPLY OF OPENMEDIA.CA
October 24, 2014

Table of Contents

Introduction	2
A. Canadians Have Spoken.....	3
I. OpenMedia.ca: Bringing You the Voices of Canadian Citizens.....	3
II. “Ditch the Deadweight” Campaign.....	4
B. CRTC Mandate to Serve Canadians.....	5
I. Telecommunications Act.....	6
II. CRTC Decisions.....	6
III. Court Decisions.....	8
IV. Policy Direction.....	9
V. Public Trust and the “New CRTC”	11
C. Investment, Innovation, and Incentives.....	12
I. Open Access Rules Promote Investment.....	13
II. Open Access Rules Enable Innovation.....	15
III. Incumbents Will Still Invest If CRTC Implements Access Rules	17
IV. On the “Business Case” of Investing in Broadband Facilities.....	19
V. Facilities-Based Competition Is Not an Unqualified Good Nor Its Own End.....	22
D. Lessons from International Experience	26
I. Japan Relied on Mandated Access in Rise to Broadband Dominance.....	27
II. Studies Relied on by Incumbents Demonstrate Methodological Weaknesses	28
III. Country-Specific Contexts Impact Applicability of Comparisons.....	29
E. Access Rules are Necessary to Our Future	31
I. Mandated Access Increases and Has Increased Competition in Canada.....	32
II. Canadians Face Insufficient Competition in Broadband Marketplace.....	33
III. Mandated Access to FTTP Is Necessary and Forward-Looking.....	35
F. Recommendations.....	36
I. Mandate Wholesale Access to FTTP	36
II. Implement Quantitative and Qualitative Performance Indicators.....	36
III. Promote Cost-Based Access in Wholesale Services.....	37
IV. Move Towards Structural Separation	37
Conclusion.....	39

Introduction

1. Canadians today are poised to make an impressive leap much quicker than their prehistoric ancestors did, moving from the age of copper directly into the age of fibre. While bronze, iron, and steel doubtless have their merits, none can transfer a hundred megabytes of data per second in quite the same way. If the CRTC does not act to protect Canadians' needs and long-term interests, however, through fair open access rules and mandated access to fibre networks (namely fibre-to-the-premises, or FTTP), then Canadian citizens will just as certainly be left behind in another age.
2. Canadians have spoken up and they are not interested in networks weighed down by the vestiges of a (one hopes) former time—whether iron, copper, or nickel (and dimes). Canadian citizens deserve a telecommunications regime that is not held ransom by oligopolistic market powers, resulting in overpriced and limited Internet access. What citizens need, and what would serve Canada's best interests, is access to a range of affordable, independent options for Internet services in a decentralized marketplace. We call on the CRTC to maintain and strengthen the current wholesale services framework, and to mandate access to FTTP networks.
3. The rest of this introduction outlines the balance of our Reply. Please note that silence on any particular issue reflects restrictions of scope and resources rather than unconcern or acceptance of others' stated positions on the issue.
4. First, OpenMedia is uniquely positioned to represent the views of everyday Canadian citizens, due to the nature of our citizen engagement and community outreach. Our “Ditch the Deadweight” campaign garnered over 25,000 responses from Canadians interested in the current proceeding, which we submitted as part of our first-round intervention. We have included a selection of unique comments throughout this Reply and collected nearly all of the unique comments in Appendix A of this submission.
5. Second, the CRTC has a mandate to serve Canadians and decide policies with citizens' needs and the public interest in mind. Canadians have spoken clearly, and the Commission must listen. Section 7 of the *Telecommunications Act*, past CRTC decisions, court precedent, the Policy Direction, and the Commission's own public statements and initiatives all reinforce this mandate and its importance, along with the power and responsibility to fulfill it.
6. Third, we offer rebuttals to a number of common arguments put forth by the incumbent carriers in their submissions, regarding mandated access, investment, innovation, and incentives. First, fair open access rules¹ promote investment. Second, mandatory access

1 A note on terminology: throughout this submission, we use the terms “open access”, “fair access rules”, and similar derivatives interchangeably with terms such as “wholesale service regulations” and “mandated access”. Although there is some ambiguity around the precise definition of “open access”, the literature in this field suggests it “designate[s] the use of a network by a third party other than the owner/operator of that network”, and implies features such as wholesale access, effective enforcement, transparency, non-discrimination, fairness, reasonableness, and price control. Organisation for Economic Co-operation and Development, *Broadband Networks and Open Access* (OECD Digital Economy Papers, No. 218) (OECD Publishing, 2013), online:

rules enable innovation. Third, mandated access policies will not dissuade incumbents from continuing to invest in their own facilities and services. Fourth, the incumbents' "business case" for investing in facilities under a wholesale services framework remains sustainable, and is in any case a lesser priority when put in context. Fifth, facilities-based competition is not an unqualified good and should not be mistaken for an end in itself.

7. Fourth, drawing on international comparisons and observing the experiences of peer countries contradicts the incumbents' claims about the evidence against the merits of mandated access rules. Japan relied heavily on mandated access in their rise to broadband dominance, while studies on the European experience point in every direction and weaken the strength of incumbents' assertions. Such studies also include several methodological weaknesses, the most significant of which is their narrow focus on quantitative factors, as opposed to the qualitative nature of citizens' experiences under their respective countries' telecommunications systems, and the impact of particular telecommunications policies on citizens' well-being. Lastly, the incumbents ignore key country-specific contexts that impact how well conclusions about particular countries may apply to the Canadian telecommunications landscape.
8. Fifth, fair open access rules in broadband Internet are absolutely essential to Canadians' longterm well-being and Canada's growth as a country. At this point in time, access rules are the only way the Commission can provide Canadians with a genuine range of affordable, independent, and reliable Internet services. None of this currently exists; contrary to incumbents' claims, there is little to no functional market competition in the Canadian telecommunications system. Mandated access rules do give rise to meaningful competition, and have brought about what little there may be in Canada. Continuing to cultivate open access in Canadian broadband, including mandating access to FTTP networks, is forward-looking and necessary to Canada's future.
9. Sixth, we submit several recommendations in response to the Commissions' questions in Appendix 1 of the Notice of Consultation for this proceeding. We recommend that the CRTC mandate wholesale access to FTTP and establish both qualitative and quantitative performance measures, such as speed, degree of market decentralization, fulfilment of policy objectives, and the quality of Canadians' everyday experiences in obtaining and using Internet access. We also encourage the Commission to promote cost-based access by lowering mark-ups, and to seriously consider how Canada might move towards structural separation of broadband networks.

A. Canadians Have Spoken

I. OpenMedia.ca: Bringing You the Voices of Canadian Citizens

10. OpenMedia.ca ("OpenMedia") is uniquely positioned to represent the views of everyday Canadian citizens in this proceeding. As an award-winning community-based organization that safeguards the possibilities of the open Internet, OpenMedia works

toward informed and participatory digital policy by engaging hundreds of thousands of citizens in protecting Canadians' online rights. Through our outreach, Canadians participate directly in initiatives such as policy campaigns, governmental meetings, and reports calling for change in the Canadian digital policy landscape. With a small operations team that uniquely relies on grassroots donations as its largest source of support, our campaigns are citizen-driven at every level.²

11. OpenMedia makes it a point to bring Canadians' voices to their government; we actively work to put citizens in their own seats at the table when it comes to decision-making. Our community-led operational style draws upon the open participation in culture and commerce that the Internet enables, as evidenced by a consistent commitment to crowdsourcing public input from all Canadians whenever possible.³ As a result of our approach to wide-ranging outreach, we have been made privy to the views of hundreds of thousands of Canadian citizens regarding issues at the core of this proceeding and how they impact the average Canadian in everyday life. The following section will elaborate on this point in the context of an OpenMedia campaign organized specifically for this proceeding, known as the “Ditch the Deadweight” Campaign.

II. “Ditch the Deadweight” Campaign

Dear Commissioners,

Do not allow Big Telecom companies to block access to affordable independent Internet services. All Canadians deserve access to all speeds of Internet (including fibre) independent of Big Telecom's oligopoly.

It's past time and common sense to split Internet infrastructure off from big telecom companies to ensure digital networks are open for a range of providers to service residents of Canada unencumbered.

We depend on you to put the interests of all Canadians ahead of a small group of Big Telecom conglomerates. My metrics of success are deconcentration of the market, improved speeds, and pricing that better compares with our global counterparts.

I ask that this submission be granted the same weight as that of any other party.

Although the words in this letter are mostly provided by a third party, they provide me with the proper terminology to express how I feel about the monopoly that we could be facing.

*Dan Durocher
Kanata, ON*

-
- 2 We enjoy support from a diverse, robust group of deeply committed volunteers, post-secondary students, nearly 500,000 members across Canada, and an additional 350,000 members from the international pro-Internet community. We are a non-partisan organization that works across the political spectrum, meeting with political figures and celebrating their pro-Internet actions and stances regardless of party affiliation.
 - 3 Our recent “Building a Connected Canada” initiative, for example, brought together over 20,000 Canadians online and in person to discuss the future of Canadian digital policy. Similarly, our Wireless Code of Conduct submissions in “Proceeding to Establish a Mandatory Code for Mobile Wireless Services” (Telecom Notice of Consultation CRTC 2012-557) were informed by over 2,000 personalized letters that individual Canadians sent us. OpenMedia's best known success to date is “Stop the Meter”, the largest online campaign in Canada's history, involving over half-a-million Canadians.

12. In January 2014, OpenMedia.ca launched a campaign to facilitate the participation of Canadians in this review, titled “Ditch the Deadweight”. The campaign focused on the lack of independent high-speed broadband Internet service options currently available in Canada,⁴ as well as on the possibility that incumbents might block FTTP access for independent providers. Such a regime weighs down Canadians' everyday Internet usage with higher costs and more dissatisfaction, and holds back Canada's digital economy and growth as a country. We received an overwhelming response, demonstrating the importance that Canadians ascribe to having affordable, high-quality, high-speed Internet access.
13. Over 25,000 individuals submitted comments via OpenMedia.ca's online tool, and indicated awareness that their views and personal information would become available as part of the public record. The entirety of these comments were submitted as part of our first-round intervention. Many citizens clearly put thought and effort—and at times, even passion—into their submissions, and we are pleased to be able to share some of them with you throughout this Reply. We have also extracted near all of the unique (independently written) comments and attached them as Appendix A to our submission.⁵
14. We emphasize that Canadians who submitted an unedited letter from the tool nevertheless strongly support its contents and would like the Commission to appreciate their views accordingly. They, and we at OpenMedia, entreat and expect the Commission to give each of these submissions the weight due every individual citizen and stakeholder making their voice heard. Please accord each the significance given to any other submission, including those from incumbents, who unlike most Canadian citizens can afford highly paid legal representation to defend their interests.

B. CRTC Mandate to Serve Canadians

Canada needs a competitive ISP market to enable individuals, families, small businesses, civil society and social service orgs to have full access to reasonable prices for reasonable service. As it stands the telecoms rule the airwaves and stand in the way of progress for all Canadian internet users. This is a national issue and the CRTC is the only body with the capacity to challenge the rule of the telecoms. Please step up and take on this responsibility for the sake of Canadians.

*Sincerely,
Nik Beeson
Toronto, ON*

- 4 According to the CRTC's Communications Monitoring Report 2014, cable carriers and incumbent telecommunications service providers together held 92% of the Canadian residential market, with alternative options accounting for 8%. Canadian Radio-television and Telecommunications Commission, “Telecommunications market sector overview: Table 5.3.5” in *Communications Monitoring Report 2014* (Report)(Ottawa: Canadian Radio-television and Telecommunications Commission, 2014), online: Canadian Radio-television and Telecommunications Commission <<http://www.crtc.gc.ca/>> [Communications Monitoring Report].
- 5 Please note that OpenMedia does not endorse all or necessarily any comments or views represented in the attached comments. We submit them as part of our promise to Canadians to take their voices directly to those responsible for making the decisions that will ultimately impact their lives and well-being.

15. While there has been much discussion around key issues such as investment incentives, duplicability, and incumbency, the CRTC must keep sight of the unifying reason at the core of all of these discussions: to benefit Canadian citizens through fostering a telecommunications regime that best suits Canadians' needs and interests. This overarching purpose runs through the section 7 policy objectives of the *Telecommunications Act*, past CRTC decisions, court precedent, and public statements and initiatives from members of the Commission themselves.

I. *Telecommunications Act*

16. Sections 7(a), 7(b), 7(h), and 7(i) of the *Telecommunications Act* collectively give rise to an unmistakable charge to safeguard Canadians' social and economic interests in deciding telecommunications policy.⁶ Section 7(a) emphasizes the role of telecommunications in nurturing Canada's social as well as economic fabric, demolishing some incumbents' claims that this proceeding is purely about the economics of investment, incentives, and competition. Section 7(h) demands that decisions and actions meet social and economic needs on the level of individual Canadians, calling on the Commission to respond to Canadians' economic and social requirements in their use of telecommunications services. Section 7(b) reinforces the focus on citizen-oriented policy by mandating the Commission take into account "Canadians in both urban and rural areas in all regions of Canada" when assessing reliability and affordability of services.
17. Lastly, the inclusion of section 7(i)'s explicit concern with the "privacy of persons" suggests that the CRTC is to act according to principles other than strictly economic ones in its decisions, for the sake of Canadians' overall best interests in their day-to-day reality of telecommunications usage. Section 7(i) also indicates that the CRTC might display sensitivity to the rapidly evolving nature of technology and its implications in a regulatory context.

II. CRTC Decisions

18. Previous CRTC decisions have recognized the section 7 policy objectives in charging the Commission with furthering Canadians' best interests beyond the economic. In "Bell Aliant Regional Communications, Limited Partnership; Bell Canada; and Télébec, Limited Partnership – Application to increase the price ceiling for local payphone calls" (Telecom Decision CRTC 2013-336), for example, the Commission denied an application to increase the price ceiling for payphone rates, on grounds of access and affordability for low-income Canadians.⁷ The Commission further noted that despite the advance of

6 "It is hereby affirmed that telecommunications performs an essential role in the maintenance of Canada's identity and sovereignty and that the Canadian telecommunications policy has as its objectives: (a) to facilitate the orderly development throughout Canada of a telecommunications system that serves to safeguard, enrich and strengthen the social and economic fabric of Canada and its regions; (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; [...] (h) to respond to the economic and social requirements of users of telecommunications services; and (i) to contribute to the protection of the privacy of persons." *Telecommunications Act*, RSC 1993, c 38, ss 7a, 7(b), 7(h), 7(i).

7 "The Commission notes that, in Telecom Decision 2004-47, it concluded that although wireless service could constitute an alternative method for many Canadians, it was not an affordable option for all. The Commission

wireless services and widespread adoption of such by Canadians, there appeared insufficient evidence demonstrating that “advanced technology has affected the demand for payphone service, particularly among lower-income earners, and persons living in rural and remote communities”.⁸ Faced with uncertainty on this point, the Commission decided to err on the side of Canadian citizens, particularly those in lower-income and rural populations.

19. We urge the Commission to act similarly in the current proceedings by deciding in favour of more accessible, affordable, and reliable broadband Internet services for all Canadians, through implementing fair open access rules such as mandated access to FTTP facilities. As will be discussed in Part C below, this would not come at the expense of investment and innovation, but would in fact promote both.
20. In addition, “Regulatory Regime for the provision of International Telecommunications Services” (Telecom Decision CRTC 98-17) suggested that the Commission must avoid furthering any particular section 7 policy objectives at the expense of the others, while having the right—and responsibility—to act in the public interest:

[T]he promotion of the use of Canadian transmission facilities is but one of several objectives contained in that section. In determining whether the rule remains appropriate, the Commission must consider this objective along with the other relevant policy objectives in section 7. Moreover, it is within the Commission's discretion to determine how best to carry out this mandate in the public interest.⁹

21. Applying these principles to the current issue at hand requires the Commission to consider the ultimate impact of their decision on everyday Canadians and the public interest, as protected by a number of the section 7 policy objectives. While we detail in Part C below how mandatory access rules stimulate both investment and innovation, it is key that the Commission not view investment concerns as the main driver of this proceeding. A broadband Internet policy truly based on the input and interests of Canadians would promote and preserve accessibility, affordability, and reliability of high-speed broadband Internet services that meet the social and economic needs of all Canadians. This necessitates the inclusion of mandated FTTP access in addition to a strengthened wholesale services framework. We urge the CRTC to facilitate genuine choice for Canadian citizens, by enabling the market to provide Canadians with what they need and have been asking for¹⁰: access to a range of affordable, independent options for Internet services in a decentralized marketplace.

also found that certain segments of the population, specifically low-income Canadians and those without access to basic residential service, were more likely to use payphone service for important personal and emergency calls”. *Bell Aliant Regional Communications, Limited Partnership; Bell Canada; and Télébec, Limited Partnership – Application to increase the price ceiling for local payphone calls* (Telecom Decision CRTC 2013-336) at 20.

⁸ *Ibid* at 22. Moreover, note that although payphone usage has declined, wireless prices have only continued to rise.

⁹ *Regulatory Regime for the provision of International Telecommunications Services* (Telecom Decision CRTC Decision 98-17) at 46.

¹⁰ See Appendix A: “Ditch the Deadweight Campaign: Submissions from Canadians” [Submissions].

III. Court Decisions

22. Canadian courts at all levels have also encouraged and supported the CRTC in making full use of its “ability to impose *any* condition on the provision of a service...with a view to implementing”¹¹ the section 7 objectives, particularly to address the needs of Canadians who rely on telecommunications services, needs that go beyond economic considerations. The Supreme Court of Canada, for example, quoted esteemed telecommunications expert Michael H. Ryan in *Bell Canada v. Canadian Radio-Television & Telecommunications Commission* to assert:

Because of the importance of the telecommunications industry to the country as a whole, rate-making issues may sometimes assume a dimension that gives them a significance that extends beyond the immediate interests of the carrier, its shareholders and its customers, and engages the interests of the public at large. It is also part of the duty of the regulator to take these more far-reaching interests into account.¹²

23. This statement applies all the more today. There is no question that Internet access—and thus affordable Internet access rates—increasingly holds a significance to everyday Canadians on par with physical and mental well-being and living in a free and open democratic society. For many, the Internet has become the main or only avenue by which such essentials are possible. The Commission owes a duty to Canadian citizens to take these far-reaching, as well as immediate and long-lasting, interests into account, and use its authority to strengthen fair open access rules around broadband Internet, including mandated access to FTTP networks.

24. The Federal Court of Appeal also noted, in *Allstream Corp v. Bell Canada*:¹³

[T]he Commission was greatly concerned about the effect of a denial of services on the communities concerned...and to the detriment of school boards and municipalities in the relevant areas and that such concerns outweighed, in its view, Bell's failure to seek prior approval of these rates. [...] It is true that these considerations are not purely economic in the sense referred to by the appellant such as costs, investment, allowance for necessary working capital, rate of return, etc. These considerations, however, are part of the Commission's wide mandate under section 7.¹⁴

25. Like the Court, interveners such as the Government of Yukon, City of Coquitlam, University of Calgary, and the Board of Education of School District No. 67 (Okanagan Skaha) have indicated that there is more at stake in this proceeding than ensuring appropriate rates of return on investment. More specifically, the Commission's decision must ensure that the resulting telecommunications regime truly serves Canadians' needs,

11 *Bell Canada v Bell Aliant Regional Communications*, 2009 SCC 40 at 36, Abella J (WL Can). Emphasis in original.

12 *Ibid* at 47.

13 *Allstream Corp. v Bell Canada*, 2005 FCA 247, Desjardins JA (CanLII) [*Allstream*].

14 *Ibid* at 34.

including in fundamental areas such as education, health care, employment, and other public services that increasingly rely on high-speed Internet to function.

26. In *Dalhousie Legal Aid Service v. Nova Scotia Power Inc.*,¹⁵ the Nova Scotia Court of Appeal reinforced the point made in *Allstream*, specifically to distinguish the CRTC's mandate from that of the Nova Scotia Utility and Review Board:

Section 47(a) of the *Telecommunications Act*, S.C. 1993, c. 38 directed the CRTC to implement the telecommunications policy objectives from s. 7. Those included enriching the “social and economic fabric”, rendering “affordable” and “accessible” service, and responding to “the economic and social requirements of users.” Nova Scotia’s Utility and Review Board has no such statutory mandate.¹⁶

27. The CRTC has such a statutory mandate, and must do its duty by Canadian citizens who have no choice but to depend on the Commission to ensure that their telecommunications system best serves their social as well as economic needs. This necessitates looking beyond the incumbents' narrow definition of the core issue at hand—one that frames the entire proceeding as a purely economic question—and being sensitive to how the Commission's decision will ultimately play out in the lived experience of everyday Canadians.

IV. Policy Direction

I live in Aylmer, Ontario, it's a small town of 7000 residents. We only have one choice when it comes to cable/DSL Internet access. Eastlink is the provider and we pay a hefty fee because of their monopoly.

Terry Yeo
Aylmer, ON

Lower income families will not afford these services and in small towns where the library is closed certain days, children required to do internet work for school, cannot. This is not fair. Please keep it fair.

Celena Negovetich
Grey Bruce, ON

I live in a rural area in northern British Columbia and operate a tourism and consulting business out of my house. Telus has a fibre-optics cable running through my property, but there is no access to that. I am stuck with a poor provider of a radio link at exorbitant costs. This is but one example of the monopolistic structures that exist in Canada: Telus has no interest in providing broad based service which leaves the small operator a niche for gouging rural customers. It is time to reform telecom in Canada in the public interest.

Christoph Dietzfelbinger
Smithers, BC

28. The CRTC would be adhering to the “Order Issuing a Direction to the CRTC on Implementing the Canadian Telecommunications Policy Objectives” (the “Policy Direction”) by reinforcing the current wholesale services framework and mandating access to FTTN, contrary to incumbents' assertions. First, establishing open access rules would truly constitute “rely[ing] on market forces to the maximum extent feasible as the

¹⁵ *Dalhousie Legal Aid Service v Nova Scotia Power Inc.*, 2006 NSCA 74, Fichaud JA (CanLII).

¹⁶ *Ibid* at 27.

means of achieving the telecommunications policy objectives”.¹⁷ This is because in interpreting the Policy Direction, the Commission should presume the authors meant *functioning* market forces, and did not intend to leave Canadians at the mercy of a dysfunctional and grossly distorted market, which is currently the case.¹⁸

29. This presumption is in keeping with fundamental principles of legislative interpretation, such as applying “a fair, large and liberal interpretation as best insures the attainment of [the Act's] objects.”¹⁹ While not an Act, the Policy Direction is an expression of legislative intent, which Minister Maxime Bernier articulated as “making Canada's telecommunications regulatory system more modern, flexible and efficient”.²⁰ Due to years of government subsidies and regulatory protections of incumbent carriers, Canada's system is now anything but, and promoting a robust wholesale services framework—including mandating access to FTTP—would address such shortcomings. The law also obligates lawmakers to construe relevant terms “in accord with convenience, reason, justice and legal principles”.²¹ Convenience, reason, justice, and legal principles all dictate that the oligopolistic state of Canada's telecommunications market cannot stand. These were likely not the “market forces” the Minister was looking for.
30. By establishing fair rules of access to broadband networks, including FTTP, the Commission would not only minimally intervene in market forces, but would in fact enable market forces to operate to a far greater extent than they currently do. History has shown immediate market responsiveness to past CRTC decisions in benefiting Canadians, such as with wholesale high-speed access.²² While some say that Rogers and Bell only coincidentally revived unlimited Internet packages the same week the CRTC promoted access by halving their wholesale rates, one easily imagines they simply sensed which way the market-opening wind was blowing, and acted accordingly²³—which is exactly how market forces are supposed to work. Promoting fair access rules through wholesale services would ensure that market forces can actually be relied on to benefit Canadians, as the Policy Direction intends.
31. Conversely, incumbent carriers are the ones who have a well-documented history of “interfer[ing] with the operation of competitive market forces”,²⁴ to the detriment of Canadians everywhere. Allowing this to continue would violate the spirit of the Policy Direction. Incumbents have abused their market power through discriminatory practices against independent ISPs;²⁵ manipulated the availability of affordable choices to

17 *Order Issuing a Direction to the CRTC on Implementing the Canadian Telecommunications Policy Objectives*, SOR/2006-355, (2006) C Gaz I, 2006, s 1(a)(i) [*Policy Order*].

18 See Part F.II below; see Submissions, *supra* note 10 at 19-25.

19 *Interpretation Act*, RSC 1985, c I-21, s 12.

20 Industry Canada, Press Release, “Canada's New Government Issues Policy Direction to CRTC that Calls for Greater Reliance on Market Forces” (18 December 2006) online: Market Wired <www.marketwired.com>.

21 *R v Ruddick* (1928), 62 OLR 248 at 27, 49 CCC 323, [1928] 3 DLR 208 (Ont HC) (WL Can) [*Ruddick*].

22 *Disposition of review and vary applications with respect to wholesale high-speed access services: Introductory statement* (Telecom Regulatory Policy CRTC 2013-70) [*Disposition*].

23 “Unlimited internet offers return to Bell, Rogers”, *CBC News* (20 February 2013) online: CBC News <<http://www.cbc.ca>>; Peter Nowak, “Affordable unlimited internet may be nigh”, *Words by Nowak* (18 February 2013) online: Words by Nowak <<http://wordsbynowak.com>>.

24 *Policy Order*, SOR/2006-355, s 1(a)(ii)

25 *Wholesale mobile wireless roaming in Canada – Unjust discrimination / undue preference* (Telecom Decision

Canadians through vertical integration;²⁶ and exhibited recalcitrance in the face of other access rules meant to promote competition and harness market forces to "offer Canadians a choice in service providers that provide innovative services at reasonable prices".²⁷ Arguably, incumbent carriers effectively regulate the telecommunications market by forcing Canadians into specific behaviours through limiting the availability of affordable choice.²⁸ It is up to the CRTC, then, to liberate true, functional market forces by reinforcing fair open access rules for broadband Internet, and extending them to include mandated FTTTP access.

32. Finally, mandating FTTTP access would "ensure the technological and competitive neutrality"²⁹ of the broadband access regime. Considering how much faster fibre broadband is compared to DSL and cable, allowing incumbents to block access to FTTTP would be tantamount to undoing the Commission's "Matching Speeds" decision.³⁰ The CRTC found that "a speed-matching requirement is necessary"³¹ to "ensure that competition in retail Internet service markets, notably in the residential market, remains sufficient to protect the interests of users as service speeds increase".³² This reasoning is more applicable today than ever. Canadians are sitting at a critical juncture as the world migrates over to FTTTP, and rely on the Commission to safeguard the public interest by mandating access to FTTTP as part of a fair open access broadband regime.

V. Public Trust and the "New CRTC"

Phone companies have been trying to control the internet—and it's content—since its inception. Access to the full scope of freedom that affordable internet service provides is our greatest tool in communication with ALL of the voices and minds in our world. Have the courage to oppose these sneaky cowards. Give voice to people who need it the most, simply by listening to your own better judgement. This is an easy decision, and the right one. Listen to the people.

*Scott Hatcher
Neil's Harbour, NS*

We, average Canadians, depend on you to put our interests ahead of the interests of a handful of massive companies. We're getting there with indie ISPs like TekSavvy, Acanac, Distributel, and more, but it's not enough. The vast majority of Canadians are still stuck paying exorbitant fees for sub-par service from the incumbents. Thank you for your time. With your help, Canada can become a global leader in telecom.

*Michael Zafiris
Mississauga, ON*

CRTC 2014-398) [Unjust discrimination].

26 Canadian Radio-television and Telecommunications Commission, News Release, "CRTC finds Bell Mobility in breach of rules over exclusive programming rights" (12 December 2011) online: Canadian Radio-television and Telecommunications Commission <<http://www.crtc.gc.ca>>.

27 Disposition, *supra* note 22 at 12; Annemijin F Van Gorp & Catherine A Middleton, "The impact of facilities and service-based competition on internet services provision in the Canadian broadband market" (2010) 27 *Telematics and Informatics* 217-230 (ScienceDirect) at 221, 224 [Van Gorp & Middleton, "Impact of Facilities"].

28 See Submissions, *supra* note 10 at 19-25.

29 *Policy Order*, SOR/2006-355, s 1(b)(iv).

30 *Wholesale high-speed access services proceeding* (Telecom Regulatory Policy CRTC 2010-632) [WHSa].

31 *Ibid* at 147.

32 *Ibid*.

33. OpenMedia and engaged Canadian citizens across the country have been heartened by Chairman Jean-Pierre Blais' and the CRTC's renewed willingness to reach out and listen, and we encourage the Commission to continue its promising trend. We recognize the "new CRTC" has not just talked the talk through declarations that "[i]t's important to listen to Canadians," and assurances that the CRTC will "put Canadians at the centre of their communication system".³³ The Commission has in fact also walked the walk—whether through implementing the Wireless Code of Conduct, publishing a citizen's participation guide, or active Let's Talk TV outreach—and Canadians are sitting up and taking notice. That is why it is so critical for the CRTC to continue listening to Canadians, now that citizens are speaking up with some faith that they will indeed be heard and accounted for.
34. Chairman Blais has also spoken publicly about the need for the CRTC to become "an institution that is trusted by Canadians ... to ensure that Canada maintains and develops a world-class communication system [and] to defend their interests as citizens, as creators and as consumers".³⁴ Between the current tenor of public opinion and contemporary issues such as net neutrality, unbundling, and high-speed Internet access, Canadians, right now, are more willing than at any other point in recent history to give the CRTC that trust. However, the Commission must continue to earn it. On news websites, forums, social networks, and through OpenMedia's crowdsourcing tools and this submission, engaged citizens have spoken up loudly and clearly about what they want to see out of this proceeding. The renewed CRTC has already been doing comparatively well, but we too would like to see it do better.³⁵ Please make the results of these proceedings one of the decisions with which you do better to earn Canadians' trust; make it clear to Canadians that the Commission is, in fact, *their* CRTC.³⁶

C. Investment, Innovation, and Incentives

35. As mentioned in the introduction, the incumbents are incorrect about the core issue at the heart of this proceeding. Investment is not a good in and of itself, but a good because of what it can provide Canadians with: a world-class telecommunications system. The CRTC must prevent a narrow focus on investment from superceding its original purpose, and focus on its true priority: ensuring that Canadian citizens have a system that works best for them. Even from an investment-centric perspective, however, there remain compelling reasons for the Commission to strengthen wholesale broadband services and mandate FTTP access.

33 Canadian Radio-television and Telecommunications Commission, Speech by Jean-Pierre Blais, Chairman, "sTo the annual workshop of the Community of Federal Regulators" (4 Novâember 2013) online: Canadian Radio-television and Telecommunications Commission <<http://www.crtc.gc.ca>> [Speech].

34 "I foresee that by then the CRTC will have earned greater trust of Canadians. But we won't earn that trust only by ensuring that Canadians get the services and protections that I've been talking about. We also have to ensure that Canadians become more involved in our decision-making process." *Ibid.*

35 "But we can do better, and we will do better—to earn their trust, every day, in every action and in every decision." *Ibid.*

36 "It's Your CRTC: Here's How to Have Your Say!", *Canadian Radio-television and Telecommunications Commission*, online: Canadian Radio-television and Telecommunications Commission <<http://www.crtc.gc.ca>>.

36. With the benefit of having read the first and second round interventions, OpenMedia has identified several broad arguments that run throughout the submissions entered by the incumbent local exchange carriers (ILECs) and cable carriers. We offer the following rebuttals: first, fair open access rules promote investment. Second, mandatory access rules enable innovation. Third, mandated access policies will not dissuade incumbents from continuing to invest in their own facilities and services. Fourth, the incumbents' "business case" for investing in facilities under a wholesale services framework remains sustainable, and is in any case a lesser priority when put in context. Fifth, facilities-based competition is not an unqualified good and should not be mistaken for an end in itself.

I. Open Access Rules Promote Investment

37. Open access rules, such as the CRTC's wholesale services framework and mandated FTTP access, lead to greater investment in our telecommunications system. Such rules spur investment among the incumbent carriers, who have to compete with businesses they would not otherwise have to contend with, while still competing with each other. Studies such as J. Gans' "Access Pricing: Theory and Practice" have found that mandated access rules positively impact investment, through "an appropriately specified access price [that can] ensure the socially optimal investment time".³⁷ At the same time, continuing and strengthening wholesale services will also inject much-needed choice and room for innovation among independent competitors, giving Canadians an affordable range of genuine options in the market.
38. The incumbent carriers argue that "regulatory intervention would have a net harmful effect, deterring investment and innovation"³⁸ and that, as Telus put it, "[o]ne path leads to more and better broadband connectivity for Canadian consumers and businesses, while the other leads to less investment and lower quality connectivity".³⁹ Such statements set up a false dichotomy between providing genuine choices for Canadians, and encouraging investment and innovation for the future. This framing of the issue is misleading, as the two paths are not mutually exclusive. Rather, they are cumulative: establishing fair open access rules for broadband Internet services, including FTTP, will allow greater innovation to flourish while providing new incentives for incumbents to invest in their own services and facilities. For positive evidence of mandated access leading to better broadband penetration and network quality, see Japan's experience as discussed in Section D-I below.
39. Not only can fair access rules promote investment in telecommunications, but refraining from implementing such rules, which the incumbents argue is how one achieves both adequate competition and more investment, has not prompted a meaningful degree of either. A study in 2009, shortly after "Revised regulatory framework for wholesale services and definition of essential service" (CRTC Decision 2008-17), indicated that

37 Cited in Carlo Cambini & Yanyan Jiang, "Broadband investment and regulation: A literature review" (2009) 33 *Telecommunications Policy* 559-574 (ScienceDirect) at 566.

38 *Review of wholesale services and associated policies* (Telecom Notice of Consultation CRTC 2013-551) (First Intervention of Bell Aliant, et al) at 23 [First Intervention of Bell Aliant].

39 *Review of wholesale services and associated policies* (Telecom Notice of Consultation CRTC 2013-551) (Second Intervention of TELUS Communications Company) at 2 [Second Intervention of Telus].

“despite the co-existence of two alternative last mile infrastructures with nationwide footprint, competition in the market is not robust, as Canada’s major (incumbent) players have been slow in providing their customers with access to offer higher speeds, lower prices or better quality of service”.⁴⁰ Not only was meaningful competition lacking for Canadians, despite the rivalry between incumbent carriers, but the incumbents also failed to invest in providing better services for Canadians. Further, Cave and Hatta suggest that “absent competitive pressure, operators may choose to delay the installation of fibre even when investment in a fibre network has a positive expected net present value”.⁴¹ Thus, there may be less incentive for incumbents to invest in next-generation networks, at least in a timely and efficient manner, in an environment that lacks the innovative competition spurred on by open access rules, resulting in Canadians ending up with inferior services.⁴²

40. Where governments have fully committed to open access rules, however, broadband penetration and high network quality follow. For example, Sweden “intervened at several junctures in broadband markets to enact strong open access rules in the telecommunications sector” in 2001, affirmed open access with additional policies in subsequent years, and is now “one of the top performers in broadband provision and adoption, scoring well in terms of broadband penetration, speed, and affordability.”⁴³
41. Evidence on record does not just show that mandated access in broadband Internet has no clear negative impact on investment; the evidence in fact indicates that mandated access has a clear positive effect on investment and subsequent network quality, such as in Sweden. Meanwhile, the present state of broadband services has been proven to have a clear negative impact on the choices, prices, and quality of experience available to Canadians across the country (see Section E-II and Appendix A). The CRTC thus does not face two paths—investment *or* affordable choice, as the incumbents say—but rather one clear path that includes both investment *and* affordable choice. If the Commission strengthens wholesale service policies and extends them to FTTP, investment certainly will continue. Incumbents’ predictions of harm to investment are questionable and unsubstantiated, as we explain in Section C-III below. Simultaneously, however, mandated access to FTTP will guarantee improved broadband Internet options, prices, and services for Canadian citizens. This is the path that sees more Canadians getting online and using the Internet to fulfill their creative and productive potential, in addition to improved access to essential services such as education and health care.

40 Van Gorp & Middleton, “Impact of Facilities”, *supra* note 27 at 225.

41 Martin Cave & Keiko Hatta, “Transforming telecommunications technologies—policy and regulation” (2009) 25 *Oxford Review of Economic Policy* 488-505 at 495 (JSTOR).

42 “Given independent ISPs’ place at the lowest rung of the investment ladder, new infrastructure rollout cannot be expected to be initiated by these independents, and thus is largely up to the established players. Unfortunately, competition between telcos and cablecos to date has been unable to achieve this.” Annemijin Van Gorp, “Barriers to Competition in Canada’s Residential Broadband Internet Market” in Marita Moll & Leslie Regan Shade, eds, *The Internet Tree: The State of Telecom Policy in Canada 3.0* (Ottawa: Canadian Center for Policy Alternatives, 2011) 73-80 at 78 [Van Gorp, “Barriers”].

43 Berkman Center for Internet & Society, *Next Generation Connectivity* (Harvard University, 2010) online: Berkman Center for Internet & Society <<http://cyber.law.harvard.edu>> at 306.

II. Open Access Rules Enable Innovation

42. A vigorous wholesale services framework enables and creates space for innovation that might not otherwise emerge. Research increasingly indicates that “open access policies lead to the development of higher quality broadband networks”,⁴⁴ while experts warn that “relying on market forces alone for the development of next generation broadband networks will likely not be successful”.⁴⁵ Further, “innovative Internet access services are typically found in areas where consumers have a variety of choices for broadband”,⁴⁶ and strong access rules would bring about this variety of choices that gives rise to innovation.
43. A fair open access regime would also encourage innovation by enabling smaller, independent companies to innovate upon the products and services they offer. This could not happen if independent Internet service providers (ISPs) are denied access to next generation networks such as FTTP. The presence of smaller, independent telecommunications firms is critical to innovation because they are more likely to “approach[] new opportunities with different skills, experiences and commercial foci [in addition to other] firm-specific factors”⁴⁷ such as particularized or local interests, than those found in large, nationwide incumbent firms. Former Commissioner Timothy Denton stated as much in his dissenting opinion on “Wholesale high-speed access services proceeding” (Telecom Regulatory Policy CRTC 2010-632):

If innovation comes frequently from smaller players trying to satisfy the novel requirements of specialized customers, then creating circumstances in which engineers can innovate is beneficial to the public; indeed, public policy in telecommunications should aim for it—in a sensible balance with other policy considerations.

...

The right of carriers to innovate in network architectures is absolute, subject to the normal policy constraints of non-discrimination and non-self-preference. The question remains whether innovation from the edge will ever be allowed again, after the burst of innovation which accompanied the introduction of the Internet.⁴⁸

44. Bringing back innovation from the edge—encouraging the fulfillment of suppressed potential across Canada—is more likely to be achieved through nurturing a high number of independent, regional, or niche innovators, than through a handful of incumbent behemoths who must focus on national strategies and overall revenues at the expense of perhaps less widely applicable but more ingenious, niche-perfect, or innovative ideas and initiatives.⁴⁹

44 Reza Rajabiun & Catherine A Middleton, “Multilevel governance and broadband infrastructure development: Evidence from Canada” (2013) 37 Telecommunications Policy 702-714 at 705 (ScienceDirect) [Rajabiun & Middleton, “Evidence from Canada”].

45 Van Gorp & Middleton, “Impact of Facilities”, *supra* note 27 at 226.

46 *Ibid* at 219.

47 Annemijin F Van Gorp, Carleen F Maitland & Heidemarie Hanekop, “The broadband Internet access market: The changing role of ISPs” (2006) 30 Telecommunications Policy 96-111 at 99 (Science Direct).

48 WHSA, *supra* note 30.

49 For examples of specialized innovations that have emerged from independent ISPs, see *Review of wholesale services and associated policies* (Telecom Notice of Consultation CRTC 2013-551) (Second Intervention of

45. Finally, the Commission must take into account all of the innovations that will *not* occur due to Canadians being barred from the affordable and accessible high-speed broadband Internet that would be available with mandated FTTP access.⁵⁰ Whether it is empowering Canadian educators, creators, scientists, or local businesses, much Canadian innovation may be lost if everyday citizens lack reliable and affordable Internet access. For example, “Sanctuary”, an acclaimed Canadian television show filmed in BC and eventually broadcast on the SciFi Channel, started as an online series sold directly to viewers on the Internet.⁵¹
46. Similarly, The Internet Association's 2014 report, “Reasserting Canada's Competitiveness in the Digital Economy”, features several made-in-Canada success stories wholly dependent on affordable and reliable Internet access. These include: Hootsuite, the well-known Vancouver-based social media management platform; Shopify, an Ottawa-based platform where anyone may create and manage their own online store; Desire2Learn in Kitchener-Waterloo, a personalized learning tool deemed the “first truly integrated learning platform”; and the Scottish Lion, a Halifax-based highland wear store that saved itself from demise in the financial crisis by leaping from bricks and mortar into a cloud.⁵²
47. One can only imagine what might emerge from those who live in rural and remote communities, which are least likely to attract competitive market forces and thus most likely to be held hostage by rural monopolies, to higher prices and inferior service. By promoting fair and open access to broadband networks, including FTTP access, the Commission can ensure that our telecommunications regime promotes innovation from and truly serves “Canadians in both urban and rural areas in all regions of Canada”.⁵³

Not only is it stifling the infrastructure of Canada for businesses and residents, it is stifling the education of Canadians young and old as the Internet is one of the best educational tools in the world. I would also like to add that smaller ISPs like TekSavvy Solutions have shown that they respect their customers and will fight for Canadian rights even when it costs them greatly to do so. In my experiences, they have also shown that they can provide better Internet and customer support services than the big telecom companies ever tried to provide. These smaller ISPs deserve to grow and prosper from the customer goodwill that they have most definitely earned.

*Stephen Pascoa
Toronto, ON*

Canadian Network Operators Consortium Inc) at 47-62 [Second Intervention of CNOC].

- 50 “We conclude that the Broadband Pilot Program addressed a need that would most likely not have been provided if left to market forces. Furthermore, there are initial indications of positive social and economic impacts in the approximately 900 communities supported by the Broadband Pilot Program.” Industry Canada, “Executive Summary” in *Formative Evaluation of the Broadband for Rural & Northern Development Pilot—Final Report* (Evaluation Report) (Ottawa: Industry Canada, 2006), online: Industry Canada <www.ic.gc.ca/eic/site/ae-ve.nsf/eng/02999.html> at i-xi [Broadband Pilot].
- 51 *Review of the Internet traffic management practices of Internet service providers* (Telecom Regulatory Policy CRTC 2009-657) (Transcript of Proceeding) at 2491 online: Canadian Radio-television and Telecommunications Commission
- 52 The Internet Association, *Reasserting Canada's Competitiveness in the Digital Economy* (The Internet Association, 2014) online: The Internet Association <<http://internetassociation.org/>> at 2, 8, 10, 12 [Canada's Competitiveness].
- 53 *Telecommunications Act*, RSC 1993, c 38, s 7(b).

III. Incumbents Will Still Invest If CRTC Implements Access Rules

48. The ILECs and incumbent cable carriers continually assert that maintaining or strengthening the current wholesale services framework will reduce their incentives for investing in upgrades and next generation networks and, as a result, Canadian citizens will lose out.⁵⁴ However, these declarations hold little water in light of past statements and behaviour by the same parties. As interveners such as PIAC, Eastlink, and Primus have pointed out, threats to withdraw investment in the Canadian telecommunications system pepper prior CRTC proceedings on similar issues, including FTTN and matching speeds.⁵⁵ The incumbent carriers, however, invariably followed up such threats by continuing to invest in their infrastructure and services regardless, and made public commitments to do so despite the Commission deciding in favour of mandated access.
49. The incumbents have continued and will continue to invest regardless of CRTC regulations because they continued and will continue to be sufficiently incentivized. Multiple interveners have noted that the ILECs and cable carriers have no choice but to continue investing and innovating in order to stay one step ahead of each other, as they have always done.⁵⁶ OpenMedia wholly supports Primus's thorough refutation of the incumbents' position here, which shows the incumbents' own executive statements, financial data, quarterly reports, annual reports, shareholder messaging, and other publicly available evidence dispelling any substantial fears that mandated access would lead to withheld investment by way of reduced incentives.⁵⁷
50. At this point, OpenMedia would like to respond to Rogers' assertion that "CNOC's claim that competition for market share is strong enough to drive investment between facilities-based competitors contradicts its argument that more regulatory obligations must be imposed to achieve a competitive market".⁵⁸
51. There is no contradiction in this claim. To perceive contradiction is to conflate two separate concepts of competition involved in this matter. The first is competition in the sense of a disciplining and driving force for businesses to act, in order to keep up with or surpass rival businesses. It is competition in the sense of rivalry. Rivalry is what exists between the ILECs and cable carriers, and is the competition we refer to as what will

54 First Intervention of Bell Aliant, *supra* note 38 at 73-77; First Intervention of Bell Canada, *supra* note 62 at 89.

55 See, e.g., WSA, *supra* note 30. See also *Review of wholesale services and associated policies* (Telecom Notice of Consultation CRTC 2013-551) (First Intervention of Public Interest Advocacy Centre) at 29 [First Intervention of PIAC]; *Review of wholesale services and associated policies* (Telecom Notice of Consultation CRTC 2013-551) (Second Intervention of Primus Telecommunications Canada Inc) at 8 [Second Intervention of Primus].

56 *Review of wholesale services and associated policies* (Telecom Notice of Consultation CRTC 2013-551) (Intervention of Eastlink) at 21 [Intervention of Eastlink]; *Review of wholesale services and associated policies* (Telecom Notice of Consultation CRTC 2013-551) (First Intervention of MTS Allstream) at 44 [Intervention of MTS Allstream]; *Review of wholesale services and associated policies* (Telecom Notice of Consultation CRTC 2013-551) (First Intervention of Primus) at 98 [First Intervention of Primus]. It bears mentioning that incumbents would also be incentivized to compete for wholesale customers.

57 First Intervention of Primus, *supra* note 56 at 96-101, 157; Second Intervention of Primus, *supra* note 55 at 8, 28-34, 42-43.

58 *Review of wholesale services and associated policies* (Telecom Notice of Consultation CRTC 2013-551) (Second Intervention of Rogers) at 93 [Second Intervention of Rogers].

invariably incentivize incumbent carriers to continue investing in facilities, whether FTTP access is mandated or not. Not only that, but such competition in this case is also oligopolistic—actors competing with each other have a collective interest in barring new entrants to maintain their profit margins, established through tacit market signals that are inefficient compared to a truly competitive market. This leads to the second concept of competition involved in this issue.

52. The second concept of competition refers to the overall market of products and services available to Canadian citizens. It is competition in the sense of what drives an entire market, not specific participants in it. Market competition is the competition we refer to as requiring open access rules to stimulate. There is currently little to no market competition in Canada.⁵⁹ To the extent it exists, what little competition there is depends wholly on mandated access.⁶⁰ This is despite all of the incumbents' statements to the effect of there currently being "healthy"⁶¹ or "vibrant"⁶² competition in Canadian telecommunications.⁶³ To a private business with profit-seeking motives, *any* competition is "healthy and vibrant". To Canadian citizens seeking a broad range of affordable and innovative offerings, however, healthy and vibrant competition implies a vastly different thing.
53. This means that while rivalrous competition exists, between ILECs and cable carriers, market competition does not, in that the totality of choice available to Canadians is limited by cartel-like dominance and barriers to entry blocking alternative competitors who may introduce products and services the incumbents cannot or will not. Therefore, "the case for encouraging other service providers to enter the market is that they can offer competition within DSL and cable markets, challenging the incumbents' duopoly, and offering variety"⁶⁴ in multiple aspects of telecommunications services.⁶⁵
54. In short, the disputed claim stands. Rivalrous competition between the ILECs and cable carriers is strong enough to drive investment in facilities regardless of regulation, as explained above. Without open access to broadband Internet, however, there is little incentive for incumbents to improve their products, services, and prices beyond what is minimally necessary to maintain market share in the duopoly, leading to a dearth of

59 See Section F-II, below.

60 See Section F-I, below.

61 *Review of wholesale services and associated policies* (Telecom Notice of Consultation CRTC 2013-551) (Second Intervention of Bell Aliant, et al) at 13 [Second Intervention of Bell Aliant].

62 *Review of wholesale services and associated policies* (Telecom Notice of Consultation CRTC 2013-551) (First Intervention of Bell Canada, et al) at 135 [First Intervention of Bell Canada].

63 First Intervention of Bell Aliant, *supra* note 38 at 119, 143;

64 Catherine Middleton, "Structural and Functional Separation in Broadband Networks" in Marita Moll & Lesleie Regan Shade, eds, *The Internet Tree: The State of Telecom Policy in Canada 3.0* (Ottawa: Canadian Center for Policy Alternatives, 2011) 61-72 at 63.

65 We would be remiss to leave out that former Commissioner Denton also articulated this distinction in his "Matching Speeds" dissent: "Competition in telecommunications comes in two forms, not one. The first kind of competition, the conventional kind, is where carriers compete with each other, and further, the carriers determine what gets onto their networks.... There is a second form of competition, which comes from innovation. ... In this model, applications still pay for infrastructure, but the owners of the applications have a right to get onto the infrastructure without anyone's permission. This phenomenon is referred to as innovation without permission." *WHSA*, *supra* note 30.

overall market competition. Rivalrous competition will continue incentivizing investment and innovation among incumbents whether the CRTC regulates wholesale services or not. However, listening to Canadians will show the Commission that this kind of competition is not enough to serve citizens' needs or the public interest.

55. Canadians require and deserve market competition beyond the incumbents' two-player games. Such overall market competition—enabling alternative and innovative businesses and service providers to compete with the incumbents, and thus provide a respectable range of affordable choices to Canadians—is only possible with the CRTC implementing fair open access rules, lest the market remain oligopolistic. It is within the Commission's power to give Canadians the best of both worlds: investment *and* choice, not simply one or the other as the incumbent parties imply, and we entreat the CRTC to do so.

IV. On the “Business Case” of Investing in Broadband Facilities

56. Several interveners have argued that mandated access to broadband facilities such as FTTP would harm the business case for investing in infrastructure to begin with. First, this is not the case; and second, even if it were, the argument is less relevant in context of higher-level policy objectives that would best serve the public interest and everyday Canadian citizens. What makes a good business case for Telus, Shaw, and the like may ultimately make a poor business case for Canadians and the public stewards of their telecommunications-related and general welfare.
57. First, the business case for incumbent carriers to invest in facilities would not become “untenable”⁶⁶ under mandated access policies. Canadian incumbents have simply become used to the inflated revenues flowing from their ILEC/cable duopoly. However, “evidence shows that the capital markets had become accustomed to generous treatment of Canadian telcos by the CRTC [and] the available evidence does not support the claim of regulatory ‘hold-up’ in the form of inadequate returns on sunk investment”.⁶⁷ In other words, the incumbents seem to be arguing from a position of presumed entitlement to a certain level of financial returns on investment regardless of technological or regulatory advances. A claim that regulation would harm the business case for investment is essentially a claim that regulation would reduce the level of profit that firms have enjoyed under historical “generous treatment” by the CRTC. Since there is no CRTC mandate to maintain incumbent profit levels—as long as the returns are fair, as opposed to “generous”—this argument fails in the face of the Commission's duty to take action to ensure that Canadians benefit from the best telecommunications options possible.
58. Iacobucci, Trebilcock, and Winter also point out that the argument of allowing inflated broadband prices to encourage greater investment and thus a better future system (at the expense of a decent present-day system) flies in the face of standard economics.⁶⁸ At least, it contravenes “the principle that consumers should have the right to buy at the lowest price that would fairly [not generously] compensate suppliers”, and this does not

66 First Intervention of Bell Canada, *supra* note 62 at 48.

67 Edward Iacobucci, Michael Trebilcock & Ralph A. Winter, “The Canadian Experience with Deregulation” (2006) 56:1 U of Toronto L J 1-74 at 23 (JSTOR).

68 *Ibid.*

change in a regulated market.⁶⁹ They continue on to state that “regulation aims to mimic competitive markets in the sense of matching price and average cost, and there is no obvious reason why regulation should force prices above costs in such a market in exchange for the hope of accelerated innovation”.⁷⁰ In this case, it is the absence of access rules that would force prices above costs, as past incidents demonstrate.⁷¹ In deciding what is best for Canadians, then, the CRTC must verify that claims of untenable business cases for investment in fact mean negative or unfair returns, as opposed to returns that are merely less than ideal from an incumbent shareholder’s perspective.

59. Second, the determining factor in deciding mandated access policies should not be how good a carrier’s business case for investment is. The OECD affirmed that “open access policies...always need to be assessed against meeting overall policy objectives”,⁷² such as those in section 7 of the *Telecommunications Act*. The Commission has both the authority and the responsibility to make private business interests subject to the overall public interest, and not the other way around. A report evaluating a rural and northern broadband pilot program reinforces this point: “Most vendors and project representatives indicated that without government assistance there is simply no business case for providing broadband services to rural and remote communities.”⁷³ The implication here is that, deciding strictly on the applicable business case (or lack thereof), rural and remote communities would simply have no access to broadband services, which is the truly untenable case. We encourage the CRTC to prevent such repercussions for more Canadians by mandating access to FTTP, in light of Canada’s—and the world’s—inevitable transition to this technology.

60. Third, if one is to consider the business case for incumbents, then one should at least also consider the business case for all Canadians—because mandating access to FTTP provides an excellent one. To begin with, Canada would reap the benefits of increased innovation and productivity as described in Section C-II, above. Most success stories begin as small businesses, but according to The Internet Association, “too few Canadian SMEs are leveraging the full power of the Internet”,⁷⁴ perhaps because they cannot or it is too expensive to risk experimenting. The Internet Association also found that “Canada is a leader in digital content creation... A new generation of local creators ... have successfully leveraged new platforms such as YouTube to deliver their content and to global audiences.”⁷⁵ Expanding affordable broadband Internet access, by mandating FTTP access, would build on this creative momentum while admitting entry to innovators who might not otherwise be able to contribute.

61. In addition, the McKinsey Global Institute reports that “a strong Internet ecosystem—one that fosters competition, encourages innovation, develops human capital, and builds out a

69 *Ibid* at 24.

70 *Ibid*.

71 For example, when the CRTC discovered in a review that Bell and Telus were charging over 200% what they should have been, due to incorrectly done cost studies. *WHSA*, *supra* note 30.

72 Broadband Networks, *supra* note 1 at 6.

73 Broadband Pilot, *supra* note 50.

74 “Statistics Canada (2012) reports that only 10.1% of small enterprises are selling online.” Canada’s Competitiveness, *supra* note 52 at 10.

75 *Ibid* at 4-5.

comprehensive Internet infrastructure and boosts access—enables a country to capture the maximum value this technological transformation offers”.⁷⁶ Mandating wholesale access to next-generation networks such as FTTP would open the way towards cultivating the competition, innovation, human capital, and access-boosting infrastructure that is critical to Canada's future, and that has been unavailable to many Canadians.

62. From the Canadian government's perspective, a report on the economics of broadband infrastructure in the Arctic asserts that “Internet services can lower the day-to-day cost of administration [because] much of government’s service approach assumes broadband into homes”.⁷⁷ Without universal access, government expenditures rise through “expensive and labour intensive” services run on parallel systems.⁷⁸ This is even more significant in light of proliferating eGovernment initiatives in Canada, such as GCKey (conducting government business),⁷⁹ the BC Services Card (health care and driver's license),⁸⁰ and SecureKey Concierge (banking and federal government services).⁸¹
63. In fact, Australia’s government determined that the costs of building their own broadband network “is not nearly as high as the ‘hidden’ costs of maintaining an imperfect market structure and insufficient competition”, estimating that “the economic cost of less competition and higher prices ... could be 3-4 times more than the initial cost of providing the broadband facility in the first place”.⁸² While the current proceedings do not contemplate the Canadian government building its own broadband infrastructure, Australia’s conclusion emphasizes two points. First, a telecommunications regime with insufficient competition, as Canada’s has repeatedly been shown to be, costs the entire country as a whole, not just individual Canadians. Second, a peer country’s government found ensuring accessible and affordable broadband Internet for their population such a vital imperative that they took it out of the hands of the private sector altogether. In light of that, it seems more than reasonable for the CRTC to promote and strengthen fair open access rules around broadband Internet, including mandated FTTP access, to further move Canada towards the same level of commitment to its citizens' digital welfare.

Already in my area, while I do not choose to use Bell's phone services, they refuse to upgrade the line so that we and others in our area can get fiberoptic cable which is available within 1 km of our home, and there is nothing our provider can do about this—even though they have their own such cables one concession away. Because they rent from Bell—they are stuck with this, and we have to pay a small fortune to Rogers for a dodgy hub connection. This is exactly how Big Telecom want things to stay—and it is NOT OK.

*E. Christie
Aytton, ON*

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- 76 James Manyika & Charles Roxburgh, “The great transformer: The impact of the Internet on economic growth and prosperity” (Paper prepared for the Foreign Commonwealth Office International Cyber Conference, October 2011) online: McKinsey Global Institute <<http://www.mckinsey.com>> at 7.
- 77 Northwest Territories, Northern Communications and Information Systems Working Group (NCIS-WG) Project Steering Committee, “Insight into the Economics of ‘Broadband’” in *A Matter of Survival: Arctic Communications Infrastructure in the 21st Century* (Report) (Winnipeg: Imaituk Inc., 2011), online: ACIA Report <<http://www.aciareport.ca>> 153-177 at 150 [Arctic Communications].
- 78 *Ibid.*
- 79 “Enabled Services”, GCKey (21 October 2013) online: GCKey <<https://elegc-gckey.gc.ca/>>.
- 80 “Overview”, BC Services Card online: British Columbia <<http://www2.gov.bc.ca/>>.
- 81 “SecureKey Concierge – Credential Broker Service”, Shared Services Canada (13 September 2013) online: Shared Services Canada <<http://www.ssc-spc.gc.ca/>>.
- 82 Arctic Communications, *supra* note 77 at 166.

Considering that the large telecom companies, who have developed a network through subsidies and enforced monopolistic policies, are not focused on the improvement of our current infrastructure, especially in smaller cities. Further to this, charging outrageous, unregulated prices for fictitious costs such as 'overage fees' and enforcing these on third party vendors is appalling. This would not be an issue if there was actual competition in this country. The internet is the future of our society, economy and paramount for the continuing development of our country and planet. Falling behind the world standard puts our economic competitiveness in peril should the government continue to support the major incumbents currently operating in Canada.

*Andrew Spencer
Belleville, ON*

V. Facilities-Based Competition Is Not an Unqualified Good Nor Its Own End

64. The incumbent carriers have maintained another seemingly unquestioned claim throughout their submissions: that facilities-based investment is an unqualified good in and of itself, which the Commission should do everything in its power to move towards.⁸³ Many of the incumbents' statements speak of achieving facilities-based competition without any view to what comes beyond, as if facilities-based investment constitutes its own end and not simply one of many means. For example, stating that the "Commission confirmed that facilities-based competition is its goal as recently as this spring",⁸⁴ without more, is not automatically an argument for the substantive merits of the goal.
65. This section argues the following: first, that facilities-based competition is not inherently desirable. Second, promoting competition is not about the facilities or even competition itself but about generating greater choices and lower prices to make broadband Internet access more widely available to Canadians. Third, service-based competition is more appropriate in certain contexts, one of which is Canada's telecommunications landscape. Fourth, unqualified promotion of facilities-based investment may be harmful and inefficient. Fifth, prior CRTC statements and precedents are no object to furthering open access rules. Sixth, the incumbents' framing of facilities-based "versus" service-based competition as a zero-sum game is unnecessary and counterproductive.
66. First, neither interveners in this proceeding nor the Commission should treat facilities-based competition as an end in itself, as opposed to one of several means. Reza Rajabiun and Catherine Middleton, Canada Research Chair in Communication Technologies in the Information Society at Ryerson University, found that "facilities-based competition and higher levels of investment do not always translate into relatively higher penetration growth and pace of network quality improvements",⁸⁵ moreover possibly as a result of "efficiency loss due to a lack of competitive discipline".⁸⁶ Similarly, the Analysis Group Report submitted by CNOC asserts that "[h]igher levels of infrastructure investment do

83 First Intervention of Bell Aliant, *supra* note 38 at E27; *Review of wholesale services and associated policies* (Telecom Notice of Consultation CRTC 2013-551) (First Intervention of TELUS Communications Company) at 31 [First Intervention of Telus].

84 Second Intervention of Telus, *supra* note 39 at 15.

85 Rajabiun & Middleton, "Evidence from Canada", *supra* note 44 at 705.

86 Reza Rajabiun & Catherine A. Middleton, "Regulation, investment and efficiency in the transition to next generation broadband networks: Evidence from the European Union" (2015) 32 *Telematics and Informatics* 230-244 at 231 (ScienceDirect) [Rajabiun & Middleton, "Evidence from the European Union"].

not directly translate into increased social welfare”.⁸⁷ Many experts “question the proposition that facilities-based entry as such should be a goal”,⁸⁸ as opposed to an optimal telecommunications regime that enhances the welfare of everyday Canadians, in the form of affordable and reliable access to educational materials, health records, safe communities, employment opportunities, and similarly critical aspects of well-being.

67. If upholding facilities-based policies contributes little to or detracts from improving Canadians' lives, then there is no reason for the Commission to adhere to them as an overarching strategy. A healthy telecommunications regime is not about the facilities themselves, but what providers and Canadians do with them after the fact. As both CNOC and Primus suggest, constructing underlying facilities can only go so far in the way of innovation; when it comes to what such facilities enable through advanced technologies, however, innovation is limitless.⁸⁹ In light of this, Canadians from all parts of Canada and all demographics must be able to access such facilities in order to fulfill their innovative, technological, economic, and entrepreneurial potential. This is only possible through promoting wholesale services and including FFTP.
68. Once one recognizes that facilities-based competition merits little consideration in its own right, as opposed to what it does for Canadians, it follows that there may be some contexts in which service-based competition is in fact a more suitable choice. The OECD has indicated, for example, that “[f]or areas that may not attract investment by multiple operators, e.g. scarcely populated or remote areas, service-based competition may also be an efficient long-term market structure”.⁹⁰ The International Telecommunications Union similarly asserts that a facilities-based strategy must recognize “that broadband economics do not allow for full competition in all geographies and therefore defines principles for state aid and public backhaul”.⁹¹ While the latter goes beyond mandated access, it demonstrates that facilities-based competition is not and cannot be all things for all of Canada, indicating room for positive action on the CRTC's part, such as fair open access rules that will benefit citizens and protect the public interest.
69. The Canadian context is one that requires service-based competition, at least at this point in time. According to the ITU, “a temporary stage of service-based competition is certainly better than no competition at all”,⁹² which is what Canadians would face without regulated wholesale services, particularly with FFTP. Bell Canada asserts that “[r]etail markets in Canada do not exhibit any of the problems to which mandated access might be considered as a response”,⁹³ based on a number of factors. Based on Bell's own criteria, this assertion is inaccurate:

87 *Review of wholesale services and associated policies* (Telecom Notice of Consultation CRTC 2013-551) (“Attachment A”, First Intervention of Canadian Network Operators Consortium) at 40 [First Intervention of CNOC].

88 Iacobucci, Trebilcock & Winter, *supra* note 67 at 19.

89 First Intervention of CNOC, *supra* note 87 at 185; First Intervention of Primus, *supra* note 56 at 61-66.

90 Broadband Networks, *supra* note 1 at 10.

91 International Telecommunications Union, *Impact of Broadband on the Economy* (ITU, 2012) online: ITU Universe of Broadband <www.itu.int> at 74 [Impact of Broadband].

92 *Ibid.*

93 *Review of wholesale services and associated policies* (Telecom Notice of Consultation CRTC 2013-551) (Second Intervention of Bell Canada, et al) at 28 [Second Intervention of Bell Canada].

- Canadian broadband prices are widely recognized as “among the worst in the developed world”,⁹⁴ and rose 11.3% among other Internet access costs between 2013 and 2014.⁹⁵
- While Canada may do well in connection speeds around 4 Mbps, the same Akamai report shows Canada faring much worse when it comes to going beyond the bare minimum: only 35% of Canadians have access to broadband speeds above 10 Mbps, while 39% of citizens in the United States have the same, along with 54% of Japan, 56% of Switzerland, and 78% of South Korea.⁹⁶
- Bell Canada depends on the notion that Canada leads globally in broadband usage by time;⁹⁷ this is little to brag about upon realizing that more time spent online is a natural consequence of low speeds, deplorable connectivity, and throttling,⁹⁸ all factors Bell neglected to include.

70. In short, Canada very much exhibits problems that mandated access would resolve. Moreover, Rajabiun and Middleton found that

there is little association between investment input levels and digital infrastructure quality in terms of peak and average network speeds [and that] countries with a higher degree of service based competition appear to have developed relatively high quality broadband networks both in terms of measured connectivity speeds and access to next generation fiber platforms.⁹⁹

In consideration of these findings, one might look to the ITU's advice that where market failure occurs, “regulators need to pragmatically recognize that wholesale obligations of access on the telecommunications operator could be the more appropriate approach to stimulate entry of new players and boost a competitive regime”.¹⁰⁰ Canada's current broadband market has clearly failed to serve everyday Canadians on the ground, and the Commission would be making the right decision in continuing to support open access to broadband Internet, including mandating access to FTTP facilities.

71. Furthermore, evidence shows that uninhibited facilities-based investment may not be the most efficient course in any case. Iacobucci, Trebilcock, and Winter explain that “[e]ncouraging facilities-based entry as an end in itself runs the risk of wasting sunk

94 Peter Nowak, “Why internet upload speed in Canada lags behind world average”, *CBC News* (20 March 2014) online: CBC News <<http://www.cbc.ca>>.

95 Statistics Canada, “Table 4-3”, *Consumer Price Index – August 2014 (Report)* (Ottawa: Statistics Canada, 2014), online: Statistics Canada <<http://www.statcan.gc.ca>>.

96 Akamai, *State of the Internet Report* (Cambridge, Massachusetts: Akamai, 2014) online: DocumentCloud <www.documentcloud.org> at 33, 38, 45.

97 Second Intervention of Bell Canada, *supra* note 93 at 28.

98 Canadian Radio-television and Telecommunications Commission, Letter, “Re: File 545613, Internet Traffic Management Practice (ITMP)”, Section 36 of the Telecommunications Act, S.C. 1993, c. 38, as amended (‘Act’), and Paragraphs 126 and 127 of Telecom Regulatory Policy CRTC 2009-657 (‘TRP CRTC 2009-657’) (20 January 2012) online: Canadian Radio-television and Telecommunications Commission <<http://www.crtc.gc.ca>>.

99 *Review of wholesale services and associated policies* (Telecom Notice of Consultation CRTC 2013-551) (Intervention of Ted Rogers School of Information Technology Management, Ryerson University) at 22 [Intervention of TRSITM].

100 Impact of Broadband, *supra* note 91 at 77.

assets that are available at very low social marginal cost”¹⁰¹ and that while the “social cost of incumbent assets is sunk[,] the investment of prospective entrants is not”.¹⁰² Rajabiun and Middleton also note that “[t]oo much inter-platform competition can also imply too much duplication, which could further help explain why some countries with relatively high capital expenditures on telecoms do not necessarily have relatively high quality network infrastructure”.¹⁰³

72. One neighbourhood only needs so many local loops, thus enforced duplication would make the system inefficient and wasteful. Iacobucci, Trebilcock, and Winter found that

access prices need only be high enough to cover the costs of the assets, including a fair return on investment, to be part of an efficient telecom regulatory mechanism. Given the low cost of sharing network assets already established, any access prices significantly in excess of this cost are inefficient, notwithstanding the acceleration of facilities-based entry that such prices would induce.¹⁰⁴

In other words, the inefficiency of unnecessary duplication in light of sunk costs would outweigh any efficiency to be gained by dismantling or withholding fair access rules and allowing prices to rise even further above costs. Meanwhile, Canadians would still be barred from an affordable, accessible, competitive broadband Internet market that works in their best interests. Facilities-based competition appears just as likely to hold back advances in Canada's telecommunications system as incumbents claim services-based competition would, if not more so.

73. Although some incumbents cite prior CRTC statements and decisions in support of facilities-based competition,¹⁰⁵ this does not detract from the Commission's ability to continue cultivating wholesale services and mandating FTTP access, or from the validity of such a decision. Bell Aliant, et al, offers the “Commission's recognition that resale-based competition was not the end-game, and that wholesale competitors were expected to evolve to facilities-based competitors over time”.¹⁰⁶ Again, neither service-based competition nor facilities-based competition is the end game—nor are they mutually exclusive. A worldclass telecommunications system that supports everyday well-being and longterm quality of life for Canadian citizens is the end game. Facilities- and service-based competition are both simply tools to achieve this end, and the Commission is free to use either as best fits the situation. Whether or not facilities-based competition is superior in an economic theory-perfect world, the fact of the matter is that as the state of Canadian broadband stands now, forcing facilities-based competition by reducing mandated access, or by allowing incumbents to block independent providers from accessing fibre networks, would simply foreclose any competition either in facilities or services.

101 Iacobucci, Trebilcock & Winter, *supra* note 67 at 19.

102 *Ibid.*

103 Rajabiun & Middleton, “Evidence from the European Union”, *supra* note 86 at 231.

104 Iacobucci, Trebilcock & Winter, *supra* note 67 at 19.

105 First Intervention of Bell Aliant, *supra* note 38 at 113-116; First Intervention of Telus, *supra* note 83 at 62.

106 First Intervention of Bell Aliant, *supra* note 38 at 114.

74. Finally, setting up facilities-based competition and service-based competition as opposing options in a zero-sum regulatory game, as the incumbents have done, is inappropriate and counterproductive to the Commission's objectives. One system will not necessarily work for all of Canada at all times. The ITU, in fact, proposes “a hybrid model that combines infrastructure-based competition in selected geographies with service-based competition in others [as] the most appropriate approach”¹⁰⁷ in certain contexts. Telus frames the issue as one pitting “investment in networks” against “access to networks” in driving competition,¹⁰⁸ but it is what results from competition that matters, not what drives it.
75. To date, Canada's only broadband competition worthy of the name is due to mandated access to networks, as will be elaborated upon in Part E, below. There might come a point in time when independent service providers are able to compete efficiently without mandated access, when the Canadian telecommunications market has evolved beyond a duopoly, but now is not that time. To mandate access would not be addressing short-term benefits at the expense of long-term benefits. Rather, it would address short-term benefits—which in itself is nothing to scoff at, from the perspective of today's Internet-dependent students, senior citizens, jobseekers, or caregivers, for instance—and simultaneously build towards long-term benefits, as opposed to foreclosing on both.

D. Lessons from International Experience

In many comparable countries, people can get fiber to the home, telephone, TV and even a cell phone, all for around \$20 per month. Here in Canada, the 3 big companies are united in robbing us from the increased productivity Internet provides. It is unacceptable that the average person in Canada pays well over \$100 for the same.

*J. Restrepo
Toronto, ON*

I look to the pricing of Europe and several Asian countries and hang my head in shame and frustration that we are so highly gouged in pricing.

*Scott Coulson
Kanata, ON*

Dear Commissioners,

Did you know that in 2008, while at college, I had a young lady in my class from Burkina Faso who ROAMED with her cell phone on a plan from her home country, and she paid less than we do for service in our own region, Bathurst, N.B.? That is UNACCEPTABLE.

*Edward Ertl
Saint Leolin, NB*

This is outright embarrassing. Canada should be a world leader in all forms of technology, but we're beholden to a few companies with a vested financial interest in keeping us behind the curve. There is NO reason why Canadians deserve anything but the absolute best when it comes to interconnectivity, access and speed.

*Brandon Savage
Oshawa, ON*

¹⁰⁷ Impact of Broadband, *supra* note 91 at 77.

¹⁰⁸ First Intervention of Telus, *supra* note 83 at 64.

76. The incumbents repeatedly assert that, based on international experience, countries with mandated access see less investment and thus inferior broadband networks, while the opposite is true of countries without mandated access. Looking at evidence from the Japan, the European Union, and other regions shows this statement is at best a misleading oversimplification and at worst outright false.

I. Japan Relied on Mandated Access in Rise to Broadband Dominance

77. The incumbents present Japan as a paragon of extraordinary broadband success achieved without relying on mandated access; this representation is inaccurate. Japan depended heavily on unbundling regulations in their fibre-rapid rise to the top. A 2013 OECD report noted that the “Japanese government is to date reluctant to remove unbundling obligations for fibre, which has existed since 2001, as they believe this would have a negative effect on competition”.¹⁰⁹ Kenji E. Kushida explains that Japan’s broadband achievements depended on two explicit phases: deregulation encouraging entrepreneurs to enter the market, followed by “re-regulation” to protect new entrants from incumbents.¹¹⁰ This “re-regulation” phase “was a necessary condition for new entrants to launch commercially viable disruptive business strategies”,¹¹¹ and it included mandated access to dark fibre, increased enforcement, heavier regulatory signaling, and low interconnection rates that promoted FTTH development.¹¹² To learn from Japan’s example, then, would be to implement policies in a way that is equally protective of new entrants in the broadband market, including would-be FTTP competitors.

II. Studies Relied on by Incumbents Demonstrate Methodological Weaknesses

78. A review of the available research shows that many studies concluding mandated access decreases investment and national broadband network quality give rise to mixed results;¹¹³ moreover, they contain a variety of methodological weaknesses that undermine their findings. Deficiencies include, for instance: using investment values that fail to capture important distinctions; ignoring the effects of subtle institutional differences between countries and carriers; and neglecting to account for “informal barriers” to access, such as incumbents failing to cooperate or engaging in delay tactics.¹¹⁴ We also note that many reports submitted by the incumbents were commissioned by them specifically to support their views in the current proceeding, undermining their value as

¹⁰⁹ Broadband Networks, *supra* note 1 at 13.

¹¹⁰ Kenji E Kushida, “Entrepreneurship in Japan’s ICT Sector: Opportunities and Protection from Japan’s Telecommunications Regulatory Regime Shift” (2011) 15:1 Social Science Japan Journal 3-30 at 16 (ScienceDirect).

¹¹¹ *Ibid* at 11.

¹¹² *Ibid* at 15, 19, 27.

¹¹³ Correlations between mandated access and decreased investment or broadband network quality, in the European Union, have been much more inconclusive than the incumbent carriers suggest. A considerable number of studies directly contradict the incumbents’ assertions on this point. According to these studies, for example, more service-based competition correlates with higher quality broadband networks and speeds, and increased capital expenditures correlate with decreased broadband speeds, possibly due to inefficient duplication. The presence of these studies undermines the incumbents’ arguments based on the European experience. See Rajabiun & Middleton, “Evidence from the European Union”, *supra* note 86 at 232-242.

¹¹⁴ *Ibid* at 237.

objective and reliable evidence where the public interest is concerned.

79. Additionally, many of the incumbents' claims that mandated access is correlated with lesser broadband network quality ignore exogenous factors and broader macroeconomic influences, such as the global financial crisis,¹¹⁵ that may account for observed trends beyond or in lieu of specific telecommunications policies. For example, Telus and both Bell parties cite the words of the European Commission's Vice-President for the Digital Agenda, Neelie Kroes, to support the claim that open access policies have led to decreased investment and lower quality broadband networks in Europe.¹¹⁶ However, reading the original sources of Kroes' words—an August 2013 memo issued by the European Commission and a September 2013 press conference—reveals a somewhat different picture. The EC memo primarily attributes lack of longterm investment not to particular regulations in themselves, but to the fact that “telecoms companies face different charges and regulatory systems from country to country in the EU”.¹¹⁷ The thrust of Kroes' press conference speech was not “down with mandated access”, but “you should not have different rights, different rules, different prices everywhere you go in Europe”.¹¹⁸
80. On mandated access itself, the memo declares that “[t]his system plays an important role in maximizing competition and use of the networks”,¹¹⁹ so long as wholesale prices are fair, consistent, and stable across EU member states. The memo also states that patchwork regulations—regardless of what the regulations were—led equally to “limiting competition by making it difficult for companies to enter new markets”.¹²⁰ This suggests that lack of competition and barriers to new entrants also contributed to Europe falling behind, and this is the problem we ask the Commission to resolve in Canada through mandated access policies, particularly for FTTP.
81. Lastly, the most significant weakness is that most studies to date have focused strictly on numerical values associated with broadband deployment, such as capital expenditures, subscription rates, or number of lines installed—as opposed to the quality of experience for citizens actually using broadband services.¹²¹ As Rajabiun and Middleton point out, “capital expenditures are only one of many inputs [and] the actual quality of service end users achieve represents a more realistic indicator for measuring the pace of progress in the diffusion of next generation platform technologies”.¹²² Tellingly, one such study of the so-called “regulation /investment trade-off”¹²³ in the European telecommunications

115 “Telecoms impacted by the Economic downturn”, *International Telecommunications Union*, online: International Telecommunications Union <<http://www.itu.int/>> at 3.

116 First Intervention of Bell Aliant, *supra* note 38 at 36; Second Intervention of Telus, *supra* note 39 at 27; First Intervention of Bell Canada, *supra* note 62 at 109.

117 European Commission, Memo, “Regulatory mess hurting broadband investment: consumers and businesses stuck in slow lane” (30 August 2013) online: European Commission <<http://europa.eu/>> [Memo].

118 European Commission, Press Release, “We must act now—time for a Connected Continent” (12 September 2013) online: European Commission <<http://europa.eu/>>.

119 Memo, *supra* note 117.

120 *Ibid.*

121 Rajabiun & Middleton, “Evidence from the European Union”, *supra* note 86 at 231.

122 *Ibid.*

123 Michal Grajek & Lars-Hendrik Roller, “Regulation and Investment in Network Industries: Evidence from European Telecoms” (2012) 55:1 *Journal of Law and Economics* 189-216 at 190 (JSTOR).

industry makes it a point to “emphasize that the focus of this paper is on investment, not welfare ... we do not examine the effect of investment on consumer prices [and] our conclusions cannot be used to assess regulation in general welfare terms”.¹²⁴ Such a selective focus is understandable for the sake of a controlled academic study, but an unacceptable oversight in the context of making public policy that will impact everyday Canadians' lives in practice and that is meant to serve their best interests.

82. We encourage the Commission to remember the qualitative factors often overlooked by incumbents and the studies they present. This disregarded domain is where one will find the stories of Canadians citizens and how telecommunications policies impact their livelihoods and well-being on a day-to-day basis.¹²⁵ As we demonstrated in Part D above, strengthening fair open access rules for broadband Internet, and extending mandated access to FTTTP, will increase investment, innovation, and broadband network quality across the board, in ways Canadians will directly experience, benefit from, and participate in.

III. Country-Specific Contexts Impact Applicability of Comparisons

83. The incumbents have failed to take into account certain distinguishing factors that weaken the applicability of conclusions from Japan, Korea, and the European Union to Canada. For example, BEREC's 2013 annual report states that “[a]ny comparison with Asia needs to take into consideration that roll-out occurred with public money to a very significant extent”.¹²⁶ The respective governments of Japan and Korea “had to co-opt industrial interests with large public subsidies”¹²⁷ in order to achieve the level of broadband penetration that they have. In fact, it was “direct government support for fiber network... from the ‘controlled competition’ regulatory regime of the 1990s [that] facilitated the construction of multiple costly fiber backbone networks” later in Japan.¹²⁸ It would be wrong, then, to rely on the incumbents’ assertions regarding lack of mandated access, investment, and network quality or adoption in Japan and Korea without situating such findings in their historical contexts, which differ from Canada’s.
84. As for the European Union, the competitive landscape for broadband changes with the lack of dominant cable competition to challenge their ILECs,¹²⁹ a fundamental aspect of the Canadian regime. This suggests that rivalrous competition between ILECs and cable carriers would not exert as strong a disciplining competitive force on ILECs in the European Union, giving more credence to arguments that ILECs would have less incentive to invest if regulators imposed mandatory access. However, this is clearly not the case in Canada, where cable carriers have been nearly the only source of serious competition for ILECs, leading to Canadians’ current predicament of a duopoly-controlled market.

¹²⁴ *Ibid* at 193.

¹²⁵ See generally Submissions, *supra* note 10.

¹²⁶ Body of European Regulators for Electronic Communications, *BEREC Annual Reports 2013* (Report, BoR (14) 60) (BEREC, 2014) online: <berec.europa.eu> at 74 [BEREC Annual Report].

¹²⁷ Rajabiun & Middleton, “Evidence from the European Union”, *supra* note 86 at 232.

¹²⁸ Kushida, *supra* note 110 at 18.

¹²⁹ Grajek & Roller, *supra* note 123 at 192; Second Intervention of Bell Canada, *supra* note 93 at 79.

85. Lastly, other countries do not necessarily regulate in a way that prioritizes the section 7 policy objectives of the Canadian *Telecommunications Act*, nor are they obligated to, whereas the Commission is. As CNOC mentions, for example, “[the] U.S. model does not conform to the mandate of the CRTC or the policy goals set forth by the Canadian government—which is to maximize economic and social welfare”.¹³⁰ Broadband access policies conducive to the latter may not align with a framework crafted in a country, for instance, “where political ideology tends to favour the free market more so than most other countries around the world”.¹³¹
86. Conversely, countries that explicitly prioritize similar public interest values take a different approach. Sweden, for instance, “has approached the challenge from a view of market demand, but with the caveat that equality is an important value within Swedish society”,¹³² leading to a combination of regulatory obligations, public investment, ownership, and last-mile competition “[w]here the market cannot be competitive”.¹³³ Australia “regards the challenge from the perspective of supply”—that is, from the perspective of Australian citizens—and “established a minimum standard of service that all Australians must have access to”.¹³⁴ The Australian government further concluded that market forces alone could not provide this soon enough or at all, and thus began building its own National Broadband Network.¹³⁵
87. If the Commission is to draw on international experience, it seems appropriate to look to countries that have explicitly espoused policy objectives that sit well with the Commission’s section 7 mandate. Doing so leads to the conclusion that fair open access rules—or better yet, structural separation—would most enhance Canadians’ day-to-day well-being and lives.

E. Access Rules are Necessary to Our Future

Internet is not a luxury anymore. It is a necessity, and lack of access will marginalize those who cannot afford the ridiculous prices of our current dominant companies. Kids have to have it for school. Gone are the days of books. Adults need it to access many services that are being cut because people can get them on-line. The veterans services issue comes to mind, as does applying for EI. You can apply no other way.

*Karen Linsley
Kingsville, ON*

As a disabled person who gets NO assistance from anyone, living on only my wife’s single, meager salary, the internet allows me some freedom to visit/stay in touch with friends and family. If these greedy telecom monopolies are allowed to continue, even that small window of hope will be gone from my life. This has got to end. It boggles my mind that a country such as Canada allows this sort of behaviour to happen. We are supposed to be a democracy, but apparently not when it comes to the big business of Canadian Telecom.

*John Harris
Mississauga, ON*

¹³⁰ Second Intervention of CNOC, *supra* note 49 at 23.

¹³¹ Arctic Communications, *supra* note 77 at 174.

¹³² *Ibid.*

¹³³ *Ibid.*

¹³⁴ *Ibid.*

¹³⁵ *Ibid.*

Information communication infrastructure should be recognized as a public good similar to public highways. Privatization will contribute to polarization of service and greater social inequity.

*John Devlin
Guelph, ON*

The internet has become an essential part of everyday life. More and more government services are being offered over the internet and other means of access to services are being closed. At the same time earnings are not keeping pace with the rise of internet rates as I found out with my latest bill from Bell Canada. Is access to government services to be limited by our ability to pay?

*David Knight
Guelph, ON*

88. Mandated access is necessary to Canada's future if our telecommunications market is to meet Canadians' needs and best interests, and if Canada is to grow and keep up with our peers internationally. First, mandated access does increase and has increased competition, in Canada and elsewhere. What little competition we have is due to pre-existing wholesale services regulation. Second, a reinforced and expanded wholesale services framework is necessary because there is still insufficient choice and little affordable access in Canada, contrary to incumbents' demonstrated optimism. Third, because mandated access is so essential to both Canadians' well-being and Canada's global standing, economically and otherwise, the Commission's decision must be forward-looking and include mandated access to FTTP facilities.

I. Mandated Access Increases and Has Increased Competition in Canada

89. Incumbent carriers such as Telus and the Bell companies argue that mandated access to broadband Internet does not, in fact, lead to meaningful competition.¹³⁶ On the contrary, mandated access gave rise to what little competition does exist, where Canadian citizens are concerned, and even this has come at a struggle.¹³⁷ According to a recent OECD paper, mandated broadband access successfully addressed market failure¹³⁸ and “undeniably played a leading role in the development of competition, in most OECD countries [, which] achieved a far higher degree of competition than would have been the case if [government] had not intervened to assist”.¹³⁹ In light of these findings, it remains vital to Canadians that the Commission continue to build upon fair open access rules, and strengthen them by including FTTP access. This would break the incumbent stranglehold that hinders Canadians’ ability to fully benefit from high-quality, affordable broadband Internet services.

90. The OECD report also found that where regulation did not work as expected, this was often a result of enforcement laxity and incumbent carriers not meeting their obligations

¹³⁶ Second Intervention of Telus, *supra* note 39 at 7.

¹³⁷ Van Gorp and Middleton relate a long history of battle between new entrants and incumbents since local loop unbundling began in 1997, concluding that “although the implementation of [wholesale service] policies continues to generate friction between market entrants and the telco incumbents and cablecos whose infrastructures they are accessing, a number of ISPs have developed retail broadband businesses as service-based competitors in the Canadian broadband market.” Van Gorp & Middleton, “Impact of Facilities”, *supra* note 27 at 222.

¹³⁸ Broadband Networks, *supra* note 1 at 5.

¹³⁹ *Ibid* at 4.

by, among other tactics, delaying service, giving deficient service, or discriminating against non-affiliated retail sellers.¹⁴⁰ In Canada, hearings “revealed a diversity of practices [that] the dominant ISPs” actively engaged in to ward off competition,¹⁴¹ including withholding physical co-location space and deliberately compromising Canadians’ Internet access.¹⁴² Indeed, the CRTC recently published clear findings of discriminatory, entrant-barring behaviour on Rogers’ part.¹⁴³ Additionally, Rajabiun and Middleton found that it was “a combination of high access prices, sunset provisions ... and hesitation in enforcement [that] limited the initial effectiveness of the unbundling mandate” in “Local Competition” (Telecom Decision CRTC 97-8).¹⁴⁴

91. The Commission would be remiss to conclude that certain policies are ineffective when they have not fully had a chance to take effect, particularly due to incumbents’ recalcitrance, vertical foreclosure, and related behaviours that prevent fair access rules from working as intended. In the words of the OECD, “[t]he importance of open access policies, mostly in the form of regulated access should not be underestimated. [...] Success stories such as France or the UK in Europe or Japan and Korea in Asia are partly, if not mostly, the outcome of well implemented open access policies”.¹⁴⁵ The Commission should follow suit and ensure continued mandated access to broadband Internet networks in Canada, including expansion to FTTP.

II. Canadians Face Insufficient Competition in Broadband Marketplace

92. There is little to no market competition in Canada’s broadband Internet landscape. Canadians have very clearly stated that this is the case, and that they want things to change so that they have access to affordable choices that are otherwise barred to them.¹⁴⁶ Contending that “there were over 500 Internet service providers (ISPs) operating across Canada”¹⁴⁷ in 2013 means nothing in light of the fact that incumbents collectively hold 92% of the Canadian residential market in Internet access.¹⁴⁸ Despite what Bell Canada may think, “participation”¹⁴⁹ is not quite the same as competition outside of schoolyard games—and independent ISPs are not interested in ribbons. In fact, the Canadian telecommunications regime is commonly acknowledged as a policy objective-violating duopoly,¹⁵⁰ or would be without mandated access, including by then-National

140 *Ibid* at 37.

141 Van Gorp & Middleton, “Impact of Facilities”, *supra* note 27 at 224.

142 *Ibid* at 221, 224.

143 Unjust discrimination, *supra* note 25.

144 Rajabiun & Middleton, “Evidence from Canada”, *supra* note 44 at 706.

145 Broadband Networks, *supra* note 1 at 39.

146 See Submissions, *supra* note 10.

147 *Communications Monitoring Report*, *supra* note 4 at s 5.3.

148 Table 5.0.0 of the CRTC’s *Communications Monitoring Report 2014* shows that the top five incumbent telecommunications service providers and the top five cable carriers together captured 95% of total industry revenues in 2012 and 2013. *Ibid* at Table 5.0.0.

149 “Retail broadband in Canada is already very competitive. [...] ISPs, via ULLs and aggregated high-speed access services, are certainly participants in retail broadband, providing service to 8% of Canadian Internet broadband households.” First Intervention of Bell Canada, *supra* note 62 at 90.

150 “Even though as many as 500 Internet Service Providers (ISPs) exist (for both consumers and businesses), consumers’ choice between ISPs is limited. The Canadian Radio Television and Telecommunication Commission’s (CRTC) obligation implemented in the late 90s requires telephone companies and cable

Commissioner Denton speaking at the British Columbia Broadband Conference in May 2012.¹⁵¹ Middleton elaborates:

[W]hile Canadians have a choice between cable or DSL broadband providers, there is limited choice as to which DSL or cable service they can select. Further, if a household is interested in ‘bundling’...the only choice in most cities is to buy service from the single cable company or the single incumbent phone company that operates in that market.¹⁵²

93. Bell Aliant, et al, submit that independent ISPs have no influence on competition¹⁵³—that is precisely the point: competitors have had little influence because they cannot exert more competitive pressure under current circumstances, without further reinforcement and expansion of mandated access to next generation networks. We call on the CRTC to rectify this situation through mandated access to FTTP and reinforcing open access.
94. The incumbents give various reasons for their stance that Canada's broadband market is adequately competitive, including: cable carriers and ILECs together give rise to intense competition; the wireless market is a substitute for broadband;¹⁵⁴ Canadian citizens already have multiple options; and Canadians are willing to pay more and subscribe to higher tiers because the connectivity is of higher quality.¹⁵⁵ None of these arguments are persuasive. As described above, cable carriers and ILECs give rise only to oligopolistic competition, which harms Canadians' interests. Evidence from the recent “Review of wholesale mobile wireless services” (Telecom Notice of Consultation CRTC 2014-76) hearing suggested Canada's wireless market is also in questionable competitive shape, making it a poor alternative, especially when the same incumbents dominate both markets. As mentioned above, the mere presence of multiple providers has no bearing on how distorted a market might be towards certain specific providers. Finally, Canadians are forced to pay more because they have no other choice—not because they are willing to pay more. Reading through the “Ditch the Deadweight” comments attached to this submission will quickly disabuse one of any illusions that Canadians consider their broadband Internet market competitive.¹⁵⁶

companies to provide independent ISPs access to their last mile infrastructures to enable them to offer retail internet services. However, many independent ISPs characterize Canada's broadband market as a “duopoly” between the two. Third Party Internet Access (TPIA) to cable networks, mandated as of 1999, remains limited in most parts of the country. For example, Rogers Communications provides TPIA to only one independent ISP. Numbers show that DSL access by independent ISPs has been more popular. However, these ISPs have been unable to gain significant market share.” Van Gorp, “Barriers”, *supra* note 42 at 74.

151 “We require larger carriers to lease capacity to smaller ones. This is a policy decision that is the subject of constant adverse criticism from certain schools of economists, and the debate on it will never end. At its simplest, the decision was made that a duopoly of telephone and cable suppliers was not sufficient competition.” Canadian Radio-television and Telecommunications Commission, Speech by Timothy Denton, National Commissioner, “To the British Columbia Broadband Conference” (23 May 2012) online: Canadian Radio-television and Telecommunications Commission <<http://www.crtc.gc.ca>>.

152 Middleton, *supra* note 64 at 63.

153 First Intervention of Bell Aliant, *supra* note 38 at 119.

154 Second Intervention of Telus, *supra* note 39 at 36-41.

155 *Review of wholesale services and associated policies* (Telecom Notice of Consultation CRTC 2013-551) (First Intervention of Rogers Communications Partnership) at 47 [First Intervention of Rogers].

156 See Submissions, *supra* note 10.

This move by telcos can have a ridiculously horrendous impact on affordability of service. Please don't let these telcos limit our choice. Teksavvy has been providing me with almost flawless internet service for the past 3 years. We need choice and capacity to access the things we want and need. We pay for these services and we have to rely on the CRTC to take care of anticompetitive situations that are against the public interest.

*Yvon Letourneau
Waterloo, ON*

I am sick and tired of not having money for food because of bell, rogers and telus. Internet is a must now because employers do not take applications and resumes in person any longer. Allowing bell, rogers and telus the power to shut down a business is like giving them the power to tell us when we can eat, see the doctor and how many hours we have to work because in essence, that is what they are doing by blocking our access to competition. If they want to survive, please give them this message from me, Rhonda Drakes-Blais: Stop taking my family's grocery money. My child has a right to eat. If you want my business, do not make it impossible for me to be able to purchase your services!!!

*Thank you,
Rhonda Drakes-Blais
Elmira, ON*

I dealt with one of the big companies in the past and left them due to incompetent customer service and unreasonable prices. They do not need any protection! If anything they need more competition to get their business practices in line with effective companies.

*Shawn Key
Montrea, QC*

I am much dismayed by the lack of competition in the Internet service provider market in Canada. Not only has this led to extremely high prices compared to other countries around the world, it has disturbing implications for net neutrality.

*Janis Hughes
Winnipeg, MB*

I am buying a house that is a new build. From what I've researched, it will be wired with fibre connection and no copper wiring at all. That leaves me two options for internet only. With Bell or through Cogeco cable. Both options are priced too high for what is offered in terms of value.

*Cuong Tran
Hamilton, ON*

I am a young, working professional, who lives alone. I currently use an independent provider and, without the availability of this affordable alternative to the price-gouging of the big guns, I would be unable to afford access to the web. And I am far from the least fortunate among us. Are we to decide that people of modest means do not deserve access to the internet? Without your intervention, this is where big telecom would like to take us. Enough is enough.

*Sonya van Heyningen
Toronto, ON*

III. Mandated Access to FTTP Is Necessary and Forward-Looking

95. The fact that Canada's current broadband regime is in dire need of more market competition—that is, more affordable and innovative choices—combined with the fact that mandated access to networks has successfully increased competition in the past, points to a clear way forward for the Commission: mandated access to next generation networks, namely FTTP. Considering that Canadian citizens will increasingly move to FTTP in all aspects of their Internet usage, the same way they moved from dial-up to

DSL and cable, those who do not provide FTTP services will be left behind in short order, and with them, those who cannot afford the subscription prices a less competitive regime would bring about. There is no question that Internet access today amounts to a public utility, and one essential to a free and democratic society.¹⁵⁷ As the Arctic Communications Infrastructure Assessment Report declares,

There should no longer be any debate over whether high speed Internet service should be a public good. It might be expensive, but the reality of our world is what it is, and it includes Internet service for all. We have reached a point in the development of modern communications that the Internet is a part of our democracy.¹⁵⁸

96. Until Canadians in all parts of Canada have genuine choice among affordable and accessible broadband Internet options, the Commission would best serve its national constituency by doing what it can to increase competition and improve the on-the-ground experience of Canadian citizens in using telecommunications to go about their days. This means providing them with broadband Internet access that will allow them to keep pace with their counterparts around the world. At this point in time, that necessitates continuing to reinforce a robust wholesale services framework, in addition to mandating access to FTTP. Open access is where Canada's future lies, and Canadians are depending on the CRTC to keep their future open.

F. Recommendations

97. In this section, OpenMedia submits a series of recommendations in response to Telecom Notice of Consultation CRTC 2013-551. These recommendations are based on extensive research, consultation with experts, and listening to hundreds of thousands of everyday Canadians on matters central to this proceeding. We have also indicated which question each recommendation responds to, in Appendix 1 of CRTC Notice of Consultation 2013-551. On issues this submission does not address, we express no opinion and silence does not construe acceptance or agreement so much as limitations of scope and resources.

I. Mandate Wholesale Access to FTTP (Response to Question 4b)

98. In light of the discussions presented throughout this submission above, OpenMedia wholly supports the submissions of PIAC, Cybera, CNOC, and Primus, in their recommendations that the CRTC implement mandated access to FTTP facilities.¹⁵⁹

¹⁵⁷ “It has become almost passé to talk about the role of broadband in the growth and prosperity of a modern society. It is quite simply understood as a necessity.” Arctic Communications, *supra* note 77 at 153.

¹⁵⁸ *Ibid* at 160.

¹⁵⁹ See, e.g., *Review of wholesale services and associated policies* (Telecom Notice of Consultation CRTC 2013-551) (Second Intervention of Public Interest Advocacy Centre) [Second Intervention of PIAC]; First Intervention of Primus, *supra* note 56 at 17, 161; First Intervention of CNOC, *supra* note 49 at 49-51; See, e.g., *Review of wholesale services and associated policies* (Telecom Notice of Consultation CRTC 2013-551) (Intervention of Cybera) at 6 [Intervention of Cybera].

II. Implement Quantitative and Qualitative Performance Indicators (Response to Question 5)

99. OpenMedia strongly recommends establishing a performance measurement process of the wholesale services framework. There would seem to be little other evidence-based way for the Commission to know whether or not the framework or any changes in it are working as intended, have led to unintended consequences, or are in fact failing miserably. (As such, we find it telling that incumbents such as Telus and Sasktel find evaluative measures and reviews not necessary at all.)¹⁶⁰
100. Regarding performance objectives, indicators, and metrics, OpenMedia joins several other interveners in recommending that the most appropriate measures include: market concentration (with a view to decentralization); Internet speed and prices as compared to peer countries; and responsiveness of the framework generally to technological advances, evolution of Canadians' needs, and market changes.¹⁶¹ More significantly, we recommend the Commission take qualitative indicators as much or more into account than quantitative ones, such as the degree to which the framework's results has met policy objectives¹⁶² and the quality of Canadians' everyday experiences with obtaining and using broadband Internet services.¹⁶³ To these ends, we recommend establishing a dedicated working group, with positions reserved for consumer and public interest representatives.

III. Promote Cost-Based Access in Wholesale Services (Response to Question 4f)

101. OpenMedia recommends that the CRTC continue its move towards cost-based access in wholesale services. Prices should resemble as closely as possible the actual costs expended by incumbent carriers, with more reasonable, lowered mark-ups to allow for more dynamic competition. Cost-based access would also restrict anti-competitive and discriminatory practices among incumbents, while enabling new entrants and independent providers to compete and leaving them wider margins that allow for more investment and entrepreneurial risk-taking than currently possible. Canadians deserve and need a market that is based on actual costs, not a market that rides haphazardly on the waves of unaccountable incumbent pricing schemes and distortion of industry realities. We invite the CRTC to recognize the economic realities of many Canadian citizens by lowering markups in the wholesale services regime, so that they may afford the high-quality, high-speed Internet access that proves increasingly critical to their well-being.

IV. Move Towards Structural Separation (Response to Question 3)

102. While OpenMedia recognizes that the existing wholesale services framework is the

160 First Intervention of Telus, *supra* note 83 at 181; *Review of wholesale services and associated policies* (Telecom Notice of Consultation CRTC 2013-551) (First Intervention of Sasktel) at 66-68.

161 First Intervention of PIAC, *supra* note 55 at 82.

162 Intervention of Cybera, *supra* note 159 at 7.

163 *Review of wholesale services and associated policies* (Telecom Notice of Consultation CRTC 2013-551) (Intervention of Government of Yukon) at 49-51.

specific focus of this proceeding, we submit nevertheless that the Commission should begin seriously considering how to implement structural separation in Canada, as the most effective long-term solution to the problems this proceeding confronts. The structure of our current telecommunications market includes perverse incentives, where incumbents are both serving independent providers as wholesale customers and seeking to undermine them as competitors. Moving towards structural separation would address this irrational and harmful dynamic at a fundamental level and contribute considerably towards remedying Canada's dysfunctional telecommunications market. Promoting structural separation would ensure that Canadians enjoy unfettered access to a range of affordable service options and that the public interest is upheld in the long run.

103. OpenMedia wholeheartedly supports strengthening and improving the current wholesale services framework to the extent it ensures an effective broadband access regime. Despite what the incumbents claim, the existing wholesale services framework has achieved relative success compared to if it did not exist at all,¹⁶⁴ in promoting competition and better choices for Canadians. However, the framework suffers from certain vulnerabilities that favour incumbent carriers,¹⁶⁵ and it is both possible and desirable to go further still.
104. The forward-looking solution is to implement structural separation in broadband Internet. According to the 2013 OECD Report, structural separation "should be easier to implement as some of the concerns regarding incentives to discriminate against third-party providers no longer exist".¹⁶⁶ In other words, playing fair is built into the system by design. Incumbents would have no choice but to avoid discriminatory practices, as opposed to taxing the public system through excessive rates and expensive hearings to establish even the fact that they had behaved in a discriminatory manner.¹⁶⁷
105. Implementing structural separation would put Canada in good company, globally speaking. Australia, New Zealand, and Singapore have already begun building structurally separated national networks in recognition of its superior benefits, having realized that the "pace of communications infrastructure prior to [structural separation] was insufficient to meet policy objectives".¹⁶⁸ So have the United Kingdom, Italy,

¹⁶⁴ See Section E-I, above.

¹⁶⁵ "Wholesale access is regulated to mitigate this problem of incumbent market power, but the recent Canadian experience shows that regulatory decisions do not always deliver a more competitive wholesale regime." Middleton, *supra* note 64 at 64.

¹⁶⁶ Broadband Networks, *supra* note 1 at 19.

¹⁶⁷ "Evidence presented to the CRTC in a variety of proceedings over many years suggests that incumbents do discriminate against the retail providers to whom they sell network access, indicating that a functional separation regime could benefit the competitive retail providers and their customers. Documented forms of discrimination include price discrimination (e.g. where the incumbent telco or cableco sets their wholesale price for a service higher than the price they charge their own customers for the same service²¹) and non-price discrimination (where retail providers cannot provide the same services to their customers as offered by the incumbent provider). See the article by Van Gorp in this collection for further details on this issue." Middleton, *supra* note 64 at 65.

¹⁶⁸ Broadband Networks, *supra* note 1 at 18-19; Organisation for Economic Co-operation and Development, "Recent communication policy developments", in *OECD Communications Outlook 2013* (OECD Publishing, 2013), online: OECD iLibrary <http://www.keepeek.com/Digital-Asset-Management/oecd/science-and-technology/oecd-communications-outlook-2013/recent-communication-policy-developments_comms_outlook-2013-4-en#page1> 35-61 at 38-39.

Sweden, Finland, and Poland.¹⁶⁹ Closer to home, we see cities such as Coquitlam, BC, and Stratford, Ontario, launching similar initiatives.¹⁷⁰ Even the entire province of Alberta has started down this path, with its SuperNet owned and operated by Axia NetMedia and, incidentally, Bell Canada (suggesting economic viability), and the Western Ontario Wardens' Caucus has been calling for a regional broadband plan.¹⁷¹ It is time for the rest of Canada to join them.

106. One final note: with the incumbents' heavy emphasis on the economics of broadband Internet provision, they may be pleased to know that no less an authority than Jean Tirole—the 2014 winner of the Nobel Prize in Economic Sciences—has weighed in on this issue, through the work that recently earned him the highest honour of the Royal Swedish Academy of Sciences.¹⁷² Tirole examined government regulation of monopoly-dominated industries, including telecommunications. He identified early on the problems flowing from unified private control over both facilities and retail services, and recommended both functional or structural separation and mandatory interconnection as remedies.¹⁷³
107. While Middleton warns that structural separation is not a panacea and comes with further challenges,¹⁷⁴ this should pose no obstacle to the Commission's consideration. All regulatory systems come with their own particular set of challenges, but not all result in an optimal, effective, competitive, and fair telecommunications system for everyday Canadians. Structural separation would go a much longer way towards achieving that, compared to other available options such as the current wholesale services framework.¹⁷⁵ We encourage the Commission to look into how they can provide Canadians with the best telecommunications system possible, by implementing structural separation in the provision of broadband Internet.

Conclusion

108. Canadians are sitting in the passenger seat of their own future, dependent on the CRTC to read the signals and move us into the right lane before getting stuck in (incumbent-throttled) traffic. We hope our submission assists the Commission in coming to a decision that best serves all Canadians and upholds the public interest.
109. Fair open access rules in the provision of broadband Internet, particularly mandated access to FTTP networks, will promote investment, enable innovation from the already

169 Rajabiun & Middleton, "Evidence from the European Union", *supra* note 86 at 232.

170 "About Us", *Qnet*, online: Qnet <<http://www.qnetbc.net/>>; "Stratford's Municipal Broadband Company Brands as Rhizome Networks", *Rhizome*, online: Rhizome <<http://www.rhizome.ca/>>.

171 "Alberta SuperNet", *Service Alberta*, online: Service Alberta <<http://www.servicealberta.com/>>; "Broadband Background", *Western Ontario Wardens' Caucus*, online: Western Ontario Wardens' Caucus <<http://www.wowc.ca/broadband-background>>.

172 Royal Swedish Academy of Sciences, Press Release, "The science of taming powerful firms" (31 October 2014) online: NobelPrize.org <<http://www.nobelprize.org/>>.

173 Crawford, Susan, "Nobel-Winning Message for the FCC", *Bloomberg View* (14 October 2014) online: Bloomberg View <<http://www.bloombergview.com/>>.

174 See generally Middleton, *supra* note 64.

175 *Ibid.*

marginalized edge, increase meaningful competition, and support Canadians in both rural and urban regions in maximizing their innovative and productive potential. This will benefit the country as a whole, contributing to our economy and helping Canada catch up to broadband superstars such as Japan and Sweden. The Commission should look to countries that espouse values that align with the section 7 policy objectives in the *Telecommunications Act* and Canada's commitment to socioeconomic equity.

110. Mandating FTTP access in addition to reinforcing open access rules would fulfill the section 7 objectives as well as the CRTC's mandate to serve Canadian citizens. The Commission would also be adhering to the Policy Direction, as open access rules would liberate functional market forces to operate, as opposed to distorted oligopolistic forces, in a way that they may actually be relied upon to benefit Canadians and spur the growth of affordable, independent choices in broadband Internet. Past CRTC decisions and multiple Canadian courts support the principles of open access, by taking into account Canadians' social and economic needs and recognizing the significant public interest aspect of telecommunications matters.
111. We call upon the CRTC to reinforce fair open access rules, mandate access to FTTP networks, and implement evaluative performance measures such as Internet connection speed, prices, market concentration, responsiveness to technological advances, and customer satisfaction. We also urge the CRTC to promote cost-based access by lowering markups, and to begin moving towards structural separation as the most effective long-term solution in broadband Internet access.
112. We would like to appear at the hearing. Thank you very much for your time and consideration. The Commission faces a critical decision with far-reaching implications, and we trust that the CRTC will listen to the tens of thousands of Canadians who have reached out to them. The CRTC is in the driver's seat, but it is the average Canadian citizen who will suffer most from a crash—and all for want of a fibre.

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Appendix A

“Ditch the Deadweight” Campaign Submissions from Canadians

“Ditch the Deadweight” is a campaign that OpenMedia launched in January 2014, to facilitate the participation of Canadians in this proceeding. We received an overwhelming response, demonstrating the importance that Canadians ascribe to having affordable, high-quality, high-speed Internet access. Over 25,000 individuals submitted comments via OpenMedia.ca's online tool, and indicated awareness that their views and personal information would become available as part of the public record. The entirety of these comments were submitted as part of OpenMedia's first-round intervention. Many citizens clearly put thought, effort, and even passion into their submissions, as the Commission will see below.

We have extracted many of the unique (independently written) comments from the campaign, and submit these as part of our promise to Canadians to take their voices directly to those responsible for making the decisions that will ultimately impact their lives and well-being.

Many comments touch on the following themes:

- Canadians rely on the CRTC to fulfil its mandate and protect their best interests against telecom incumbent excess, in recognition of the Commission's role as public servants.
- Canadians believe incumbent local exchange carriers and cable carriers need to be reigned in and their practices made subject to common sense wholesale access rules. They believe these firms hold and abuse disproportionate market power.
- Canadians want access to a range of affordable independent options for telecom service in a decentralized marketplace. They are extremely unhappy with the experiences they have had with incumbent providers, such as Telus, Rogers, Bell, Shaw, and Videotron.
- Canadians are paying too much for Internet access, and some can barely afford it as it is.
- Canadians are very fond of the independent ISPs that do exist, and want the Commission to enable their continued existence.
- Canadians in rural and remote communities—and their families who live elsewhere—are particularly dependent on the CRTC to make policies with their best interests in mind.
- Canadians who are entrepreneurs or small business owners will suffer if telecom incumbents are permitted to block independent service providers.
- Canadians care about Canada's global standing and are embarrassed to rank so lowly in broadband Internet access measures. They also believe Canada's poor broadband performance will hurt the economy and cause the country to fall further behind.
- Canadians consider Internet access a public utility like water or electricity, and believe it should be regulated according to similar principles (i.e. not private sector economics).
- Canadians who submitted a letter without editing its contents nevertheless strongly support its message and would like the Commission to appreciate their views accordingly. They and we at OpenMedia expect each of them to be counted as an individual citizen and stakeholder making their voice heard. They should each receive the same weight as any other submission, including those from incumbent firms that can afford to hire expensive legal professionals to represent their interests.

Lastly, some Canadians submitted letters that touched on a variety of themes and were longer than the average comment. These are collected at the end and titled “Letters to the CRTC”.

Theme 1: Canadians rely on the CRTC to fulfil its mandate and protect their best interests against telecom incumbent excess, in recognition of the Commission's role as public servants.

“Our society by now relies on the internet for everything from information and communication to banking to online education. Not having access to affordable high speed internet would be a serious handicap for most people and it is simply not right that we can be held hostage to price gouging and other artificial constraints that would be much less likely to happen if there were real competition. Isn't preventing a situation like this part of the CRTC's mandate?”

Patricia Murtha
pmurtha@shaw.ca
Victoria, BC
V9A 1L9

Sameer Apte Vihsadas@gmail.com Edmonton T6E 0B9

As a politician, what do you feel is the overarching goal of your day-to-day work? What is the motivation that drives you to continue as a public servant and leader? I argue that whether one is a politician, a labourer, a store clerk, or a doctor, our fundamental aim should be to drive the advancement and betterment of our environment, and therefore our society. Everyday I go to work as a physician, and no matter how tired, defeated, or frustrated I become, that driving force to improve my surroundings keeps me going.

As we have reached the computer age, the access to technology and information is at the very heart of the machine that drives our society. It is literally becoming the currency by which each individual person can learn, love and better themselves and their families.

In your position you have a the most crucial role to play in this development; to ensure that the technological developments that occur in society are accessible to all Canadians at fair price, so that each person is empowered to educate themselves, and stay connected through the internet.

Because our telecom infrastructure is a cartel oligopoly, the free market cannot and will not prevail... Not until you take it upon yourselves and decide that YOU will be the one to take a stand and improve society for all Canadians in the way that you can. Competition with smart regulation is how you can do this. Your organization has done this once before for phone services, and then again for DSL and cable services, and now we stand at the brink again as fiber services are finally beginning to be deployed.

We look to you to help protect us from large corporations that seek to extract profits from us at well over fair market price in telecommunications. Without you we will have only one or two choices and none of them based on real cost service, but rather on a few companies with little motivation to innovate or improve service because they do not need to compete--we, as consumers can go nowhere else.

We need to separate the network itself from the power of just a few companies. This new fiber network should be available to as many small companies as possible so that they can force real competition in the market, and therefore realistic non-gouging prices. As nationwide networks are very difficult to be built, this new technology needs to be regulated and not left to the free market. Small competitors have no way to enter this market unless you force it. We already suffer from dramatically more expensive cellphone, Internet and TV services compared to our southern neighbours for absolutely no real economic reason other than a lack of effective competition and a lack of effective regulation. For instance, it is laughable that I have to pay long distance fees to call anywhere in Canada. In the US you can determine where someone is from based on the area code of their cellphone. Why must poor Canadians suffer from a lack of connectedness for the interest of big telecom?

I ask you now to please do what is best for individual Canadians and Canadian society, not what is best for big telecom. Please, make a change, or at the very least give Canadians the choice in the telecommunications market to make that change themselves.

Sincerely,

A concerned citizen, technophile, and physician

Adam Roberts mr.adamroberts@gmail.com Edmonton T5K1L3

It is becoming a tiresome issue to constantly and consistently hear about big telecom companies interfering with and attempting to dismantle Canadians access to more competitors and better services. While I'm glad that the issue is being reported and fought by concerned Canadians, I fear the CRTC needs to create additional policies which supports and promotes independent internet providers.

The fact that the big telecoms currently have an oligopoly is a symptom of a problem in our government which either lacks the ability to control this situation (is incompetent) or has a vested interest in sustaining the oligopoly of the big telecoms (conflict of interest). I fear the reason to our current state is a combination of both of these factors.

It is time the CRTC creates laws and policies which are meaningful, concrete and ultimately prevent the control of the internet by a select few. The internet and all of its content and the access to that content should never be controlled or hindered in Canada. It's time the CRTC performs its duty to the Canadian citizens, the taxpayers, to prevent further control of the internet by the oligopoly of telecoms.

Eric Packman edwin2@micro.org Montreal h4a1b2

I was horrified and totally unsurprised to learn that Bell is trying to set the stage for no regulation on its new fiber rollouts by claiming any regulation is "Market distortion."

I implore you to go to war for the Canadian people.

Bell is already rolling out fiber, as you know, and is frequently using this as an excuse to block DSL. I hear friends in apartment buildings claim they MUST go with Bell, as other providers (they tried to get Colbanet) offer only DSL, and according to Bell, there's only fiber access now. Believe it or not, they've declared all the existing copper in the building is non-existent, regardless of the fact that others in the building are using legacy copper DSL without trouble. This practice is growing COMMON.

Fiber is an ideal way for Bell to block out competition, not just for customers who want faster Internet, but for customers who want DSL too, and this is utterly unacceptable. I beg you to once again help out and distort this market - fair access for all providers to fiber is the only way to stem the tide of this tight oligopoly shutting everyone else out.

Please HELP US.

* I am not affiliated in any way with any ISP. I am pretty frustrated about my comparatively low bandwidth, and few options that don't include Bell.

Michael Zafiris michaelzafiris@gmail.com Mississauga L5V2J5

You cannot allow Big Telecom companies to block access to independent Internet service providers. All Canadians deserve equal access to all Internet connectivity options, independent of Big Telecom's oligopoly.

It's time to stop Internet infrastructure controlled by the Big Three telecom companies from being used as a monetization weapon, and to ensure digital networks are open for a range of providers to service residents of Canada unencumbered. (Heck, personally I'd like to nationalize all the infrastructure and sell access to it, but I realize that's entirely too left-wing for the current federal administration.)

We, average Canadians, depend on you to put our interests ahead of the interests of a handful of massive companies. We're getting there with indie ISPs like TekSavvy, Acanac, Distributel, and more, but it's not enough. The vast majority of Canadians are still stuck paying exorbitant fees for sub-par service from the incumbents. Thank you for your time. With your help, Canada can become a global leader in telecom. But it can't be done on the terms of the Big Three.

Duane Smethurst ddpaofbj@shaw.ca Red Deer, Alberta T4N 7C4

Your job should be to keep as much competition as possible in the marketplace or your job is unneeded!!

Dr. David Maxwell david.maxwell@dal.ca Middle LaHave B4V 3E2

I would submit that you have a crucial decision before you. We have long had as a fundamental right the principle of free speech, within socially prescribed limits. To this end we have engaged repeatedly over the years in battles meant to limit media concentration in print media. We are now confronted with a parallel situation in electronic media - concentration of power in the hands of a very few private agencies, whose interests are frequently not aligned with those of society, but, rather, with their own financial success. This is not intended as a criticism - that is the appropriate role for companies. On the other side of this coin, however, I would suggest that it is the proper role of government - in this instance, you, the regulator - to protect the interests of civil society.

So, I would suggest that the fundamental basis upon which you must approach this issue is the preservation of net neutrality. How to strike a reasonable balance between fair financial recompense to the service providers, and preservation of freedom of expression, (ie. prevention of de facto censorship by the ISPs), I must leave to wiser and more knowledgeable heads than I. It has been suggested that the appropriate action is to split Internet infrastructure off from big telecom companies to ensure digital networks are open for a range of providers to service residents of Canada unencumbered. While this has undoubted merit, it is unlikely to be the only reasonable solution. Allowing private telecom companies absolute control over what arguably is a public good, is, however, a wholly unacceptable solution, and I would urge you to insist on a structure that maintains the fundamental principle of net neutrality upon which our freedom of expression is based.

Etienne Ringuet eringuet@gmail.com Orillia L3V7Y8
Don't forget that you work for the public!

David Marceau uticdmarceau2007@yahoo.ca Ottawa K1R 7C2

The CRTC has forgotten who they are supposed to serve. At present it is clear CRTC's actions or inaction favor Big Telecom rather than the general public. I have grown great animosity towards the CRTC and wish it to be abolished and replaced by regular people, elected people which better represent the interests of the general public. We, the Canadian democracy, own you. The CRTC must act in the interests of all Canadians and not just Big Telecom. Canadians need jobs. Rather than providing cushy jobs to a select few telecom workers, share the pie pieces more and provide more jobs at a lower wage. Listen to openmedia.ca! Deconcentration of the market, improved speeds, and pricing that better compares with our global counterparts. That will help spur more innovation and more jobs. Less inaction from the CRTC will bring about the expected result: abolishing the CRTC because it no longer represents the interests of ALL CANADIANS.

Nik Beeson nikbeeson@gmail.com Toronto M5A 3G2

Canada needs a competitive ISP market to enable individuals, families, small businesses, civil society and social service orgs to have full access to reasonable prices for reasonable service. As it stands the telecom's rule the airwaves and stand in the way of progress for all Canadian internet users. This is a national issue and the CRTC is the only body with the capacity to challenge the rule of the telecoms. Please step up and take on this responsibility for the sake of Canadians.

Sincerely,
nik beeson

Sayed Lavasani sahosse@ucalgary.ca Calgary T2L 1Y3

Please defend consumers interest in a competitive market and do not allow the big telecom companies to kill the small companies only due to their monopolizing power.

Yours truly,
Sayed

Ty N togmantog@gmail.com Thunder Bay P0T 2G0

Why do you so want us, the consumers, to be unwilling slaves? Why do you get to choose, and the silent majority takes it laying down?

Andrew Boryski boryskia@hotmail.com Saskatoon S7k4z9

Do not fail and burden Canadians! We are better than this!

Walrus Crane walruscrane@shaw.ca surrey V3V3S9

You are suppose to be looking after the consumers best interest not the rich telecom companies!

René Kâbis rene@kabis.org Kelowna V1X 8B3

Classifying any Internet provider as a 'Common Carrier' is, in my opinion, a great first step toward achieving this goal.

Isn't it time you did something right for once? Do something right for the Canadian people. Stop the Big 3 from gouging consumers. One suggestion might be for the government to take over the whole internet infrastructure.

Provide national service to all Canadians while keeping costs in check. You would be creating many high tech jobs in the process

Dave Bassi classydave@gmail.com Hamilton L9A 1E4

We depend on you to put the interests of all Canadians ahead of a small group of Big Telecom assholes.

Sammy Douglas triple_fusion3@hotmail.com Toronto M5S 3G2

We, THE PEOPLE, depend on you to put the interests of all Canadians ahead of a small group of Big Telecom conglomerates.

Fracnk Belle-Isle admin.cortex@gmail.com Montreal H8N 2A7

The Population is the BOSS and decide what they want: WE want to ditch the big telecom.

Our orders are Clear enough?

G Fraser greg.zaneszoo@gmail.com Richmond, BC V6X2E7

Please remember that although some, or even most or all, of you have worked in the industry that you now oversee, you now work at the CRTC on the behalf of Canadians and you should be keeping our best interests at heart.

Susan Cozzi susan.cozzi@utoronto.ca Toronto M4E2W5

Are you for the people of Canada or the huge telecom companies? It's time for change.

pat morin patlmorin@hotmail.com richmond v7c2g5

For the last 30 years, the gov't or/and its agencies have given corporations excessive handouts and rights at the taxpayers' expense. When will this stop? If this continues, it will simply divert people to installing mesh networks and skip the BigTelcos.

Matthew Redman matthewredman@bell.net Toronto M4G2Z8

Although am a big telecom customer for multiple communications services; as a Canadian I an looking forward to the day when smaller player in the market can support the kinds of services that i currently pay obscene prices for though Bell. the idea that you are considering going in the exact opposite directions means you are not hearing the please of your constituents who are began you to end the Rogers/Bell stranglehold! I completely support the sentiment expressed below!

Celin Alexiuk celin.alexikuk@gmail.com Embrun K0A 1W0

It is time the government that was elected BY THE PEOPLE and not by the corporations actually do something FOR THE PEOPLE.

Moira Law issues@moiralaw.ca Kemptville ON K0G1J0 Please We need more choice!

Big companies can afford big bucks to pay high-priced lobbyists to argue for their wish to make more profit. I can't afford that but ask that you consider my point of view anyway.

Jacqui Gingras jacquingras@gmail.com Toronto M4C3M9

This is a very important issue to Canadian citizens.

Glen Peters recluse@xplornet.ca Elgin e4z2j3

Canada is supposed to be a democracy and a democracy is supposed to be for the people, all the people, not just those at the top of the food chain! The elite already have everything and when government caters to them, is that not called fascism? Do the right thing!!!

Richard Zajchowski zackr@camosun.bc.ca Victoria V8S 4G3

Your mandate is an administrative tribunal that regulates and supervises broadcasting and telecommunications in the public interest.

Paul McNally rokman@cogeco.ca Hanilton L8L 5R6

There are two ways a 'capitalist' society works.. One moves forward through innovation and competition. The other tries to grind progress to a halt, to maximize short and long term profits. Canadians think your job is to do what the majority of Canadians want.. Canadians don't want collusion pricing.

Grace Law gracelaw@auracom.com Toronto M4E 2G5

Please protect the interests of ALL Canadians!

Oliver Neubauer o.neubauer@gmail.com Toronto M6H1Y2

We depend on you to *put the interests of all Canadians ahead of a small group of Big Telecom conglomerates*. That's your mandate.

Scott Forsyth scotfor@gmail.com Rossland V0G 1Y0

I do believe that the issue of non-competitiveness in this area is an important one. The prospect of the CRTC supporting the big established telco's in their pursuit of a monopoly or something close to it is not good.

Sukhpaul Sandhu hextallindros@yahoo.com Surrey V3x 3m6

We depend on you to put the interests of all Canadians ahead of a small group of Big Telecom conglomerates.

S Wengle hands_on369@yahoo.com Toronto M6C 3B3

IN THE SAME SPIRIT OF DEMOCRACY ON WHICH THE WEB WAS FOUNDED DO NOT ALLOW THE BIG CORPORATIONS DROWN OUT OUR VOICES!

Harold Johnson harold.johnson@ncf.ca Ottawa K2H 6N7

Canada is already expensive to end users in this arena: further concentration of access can only make it worse. Splitting Internet infrastructure off from the telecom giants to ensure competition on price and service among multiple providers is a big step towards breaking the regional oligopolies, or even monopolies, enjoyed by big telecom.

Canadians are depending on you to put the interests of all Canadians ahead of a small group of telecom conglomerates. A more open market will help to bring Canada better into line with pricing and access for such services around the globe.

Galvin McGuber gmcguber@gmail.com Montreal h1s3a5

This is a travesty. The way the CRTC has handled competition in the telecommunications industry is laughable. You are all shills, and your actions so far only prove that you'll do what the highest bidder wants you to do. The impression I get is that the CRTC has always sided with big business, and has done whatever they can to gouge the Canadian consumers for every single penny they can. Maybe you can redeem yourselves and do what's right for once.

Patrick Taylor onfiremccoy@gmail.com Winnipeg R2C0A1

We also depend on you to defend our personal rights to privacy, and uncensored free speech. Canada is a nation built upon the principles that no man or woman should be excluded, singled out, segregated, or mistreated. In your allowance of Big Telecom to control the digital lives of everyday Canadians, you exclude millions of people the freedom they deserve. I love my country, and the country belongs to the millions of Canadian citizens who call it home. It does not exist as a profit farm for faceless corporations. Defend the rights of the people.

Claude Pichon claud.pichon@gmail.com Laval H7X 1P7

This is of the up most critical importance to give fair opportunity to small players on the internet service. This is outrageous to see the extreme low quality of offers by the big telecom company, especially when we the consider the extravagant price they charge. This is more an oligarchy than a free market, and you commissioners have the responsibility to break this de-facto monopoly.

Monty Nicol catsfive@yahoo.com Calgary T3C0Z8

I continue to be disgusted by the levels of inaction from the CRTC. I am very, very aware of these issues and post often on Twitter and my Facebook. Get on the ball! The time has come to change the way Canada works. SET A GOAL: Upload speeds in the top five! I'd be happy with what I pay and the companies in charge if I actually got world class service.

Sincerely,
Monty Nicol

Danielle Pepin pepart@gmail.com Etobicoke M9V 2G8

Please put Canadian citizens first before corporations! Affordable internet at a decent speed for everyone including low income should be CRTC's priority even in rural areas of Canada.

Frank Egerszegi F.egerszegi@gmail.com Toronto M6H2Y7

It goes without saying that enough is enough. This government is starting to resemble more of a communist state than a democracy, with its attempts to control communication, influence and even how we think. This sentiment is wide spread.

Freedom of access to everyone is paramount. Any type of restriction or hindrance will most surely be met with some sort of revolt. The CRTC should always act in consideration to the majority of the public and not play into the hands of the greedy corporations.

Judith Isaaks judith@Abraces.ca Abbotsford, BC V2S 1R5

My son will not talk to me or visit with me because I cannot afford a telephone or car insurance.

I cannot afford to attend hearings in relation to this submission, because I cannot afford car insurance (another very heavy tax to get from point A to point B, thanks to Tommy Douglas in the 1950s when it became mandatory) even if you held it in Vancouver, only an hour away.

When my son bought me a phone a few years ago, I could not afford to run it because I could afford no more than \$5 a month and minimum was \$10 for about 30 minutes, which then rounded each second to a minute, which is outright theft. Of the \$10 I managed to purchase when I could, \$.75 of use was deducted for 911 service that I never used - another outright theft from gov't emergency services - no one else gets to get away with forcing others to pay their telephone bill and if they do - then at least have the people own their own radio-telephone waves - not fair for union workers (stock-holders) to own the telephone airwaves. Everyone should be able to buy their own line and wave code and the gov't should own the infrastructure (satellites, mountain antennas, telephone pole lines, etc).

It is also unfair that they bill us monthly. Feb has 28 days and thus every Feb they cheat all customers by 10% for less 3 days from other months. THEY CHEAT CHEAT CHEAT ALL THE TIME.

TAKE BACK COMMUNICATIONS FOR ALL PEOPLE - a benefit for paying/doing your taxes. No one should be able to majorly profit from it, because everyone will own their own line - no need for billing - and gov't (everyone collectively) will/should own infrastructure, as mentioned above.

PLEASE change the airwaves to all-people ownership - a non-profitable ministry.

Thanks for using my suggestions - please?

Scott Hatcher scoot_shall_be@hotmail.com Neil's Harbour B0C 1N0

Phone companies have been trying to control the internet - and its content - since its inception. Access to the full scope of freedom that affordable internet service provides is our greatest tool in communication with ALL of the voices and minds in our world. Have the courage to oppose these sneaky cowards. Give voice to people who need it the most, simply by listening to your own better judgement. This is an easy decision, and the right one. Listen to the people.

If they have used coercion tactics on the trusted decision-makers, all the more reason to expose these bland leeches for what they are; or bend to the will of avarice and turn the screw a little deeper. We need to make stands somewhere for what is right. How else can the misguided greedy ever learn the error of their ways? A step in the right direction, eh?!

Drew Craik omnideuce@hotmail.com Vernon V1t 6j8

Do not allow Big Telecom companies (Telus, Rogers, Bell) to block access to affordable independent internet services. All Canadians deserve access to all speeds of Internet (including fibre) independent of Big Telecom's oligopoly, and IT IS an oligopoly.

It's past time, and the will of the majority, to split Internet infrastructure off from big telecom companies to ensure digital networks are open for a range of providers to service residents of Canada unencumbered. One need only ask customers of the big three to see the hatred they inspire.

We depend on you to put the interests of all Canadians ahead of a small group of Big Telecom conglomerates, but doubt that you will do so, or even read this. I would like to see deconcentration of the market, improved speeds, and pricing that better compares with our global counterparts.

Adam McIsaac coolnes.geo@yahoo.com Charlottetown C1A 1K8

All Canadians deserve access to any form of Internet connection they wish and anyone should be free to provide it to them. If you allow established companies to block other providers, you are merely further proving to me and anyone else paying attention, who you truly serve.

Need I remind you that you are here to ensure digital networks are open for a range of providers to service residents of Canada unencumbered?

We depend on your moral judgement to put the interests of all Canadians ahead of any one group.

Especially groups with fabulous wealth which affords them great influence. I sincerely hope you take your responsibility seriously enough to be above this influence rather than partial to it.

My metrics of success are diversification of the market, consistent speeds for all online services, and pricing which at least attempts to compare with our global counterparts. (Excluding the United States as they have the same problem)

Despite my lack of fabulous wealth.

Bruce Carey bcarey6@gmail.com Montreal H3W 2H5

I am depending on you to put the interests of all Canadians ahead of a small group of Big Telecom conglomerates.

Jon Gill JWGill@Shaw.ca Winnipeg R2G 0R6

Please listen to and HEAR the little guys in our society!!

Bob Trower btrower@gmail.com Brockville K6V3X5

I will be among a group of people pushing for prosecution of the insiders involved in this and similar transgressions by the CRTC. The cozy insider's club at the CRTC needs to be broken up. We need oversight that acts in the interests of Canadians, not monopolist cronies. These public resources have been knowingly misused. It is time to claw back ill-gotten profits and pursue criminal penalties.

Steven Westbrook StevenAWestbrook@hotmail.com Waterdown L0R 2H3

You could at least make an effort to seem as if you weren't entirely in the pockets of the rich. We have worse internet service than half of Africa thanks to you people. Aren't you ashamed to go out in public, knowing you've betrayed your country? What kind of people are you?

Jordan Turner jordturn@hotmail.com Welland L3C2W5

We need competition. Otherwise we have to choose between lesser evils.

I'm sure from where you stand you get anger yelled at you by those of us who think you are to blame but I know you can make the right choice because you are like me, born from a mother and father and raised with morals.

I want companies like Wind mobile to be successful and innovative which competition drives.

Do what you will but be the hero we need you to be.

I Lundgren ilund69@yahoo.ca saskatoon s7j0t5

Do you people work for consumers, the very taxpayers that pay your salaries, or are you just forever nothing but corporate shills for the benefit of what sure seems to be your very wealthy criminal proponents of fascism?

Bruce McKenzie bmckenzie@ody.ca London N6G 1R1

Affordable, high-speed -and if they so chose- independent Internet service is something all Canadians deserve. Access to all speeds of Internet (including fibre) independent of Big Telecom's oligopoly is what an open market demands.

Splitting Internet infrastructure off from big telecom companies to ensure digital networks are open for a range of providers to service residents of Canada is a bold, innovative idea that provides for digital development and not digital stagnation.

Canadian consumers depend on the CRTC to put the interests of all Canadians ahead of a small group of large HIGHLY PROFITABLE Telecom companies. I would like to see the deconcentration of the market, improved speeds, and pricing that better compares with our global counterparts.

Geoffrey Heck geoffrey@impressed.ca Toronto M1N 1E9

Dear Employees,

We fully expect you to put the interests of all Canadians ahead of a small group of Big Telecom conglomerates, as that is your legal obligation.

Justin Wheeler openmedia.ca@datademons.com Cambridge N1S 1N6

There is a form letter here that they want me to send.

I'm not going to send it.

I'm going to appeal to you. For once. Just once in your life: do what's right.

Forget the money Rogers/Bell/Telus puts in your pockets, and think about your country and its people.

Robelus is a horrible disease on this country, and if you don't do something now, who will?

Don't wait until it's too late for Canada, and we're left behind by countries in the third world (it's already happening!)

Rein in the cancer that is Rogers, Bell, and Telus.

For all of us.

Justin

Theme 2: Canadians believe incumbent telecom service providers need to be reigned in and their practices made subject to common sense wholesale access rules. They believe these firms hold and abuse disproportionate market power.

"I urge you to act to not allow Big Telecom companies to block access to affordable independent Internet services. I myself currently subscribe to a small local provider rather than a large telecom, I would be directly affected by this decision. I strongly believe that Internet infrastructure on a wholesale level should be available to any and all innovators and entrepreneurs beyond the gates of large telecom companies, without restrictions and encumbrances. I am hoping that you can consider the interests of all Canadians rather than those of large Telecom companies exclusively."

Michael Kers
michael.kers@gmail.com
Paynton, SK
S0M 2J0

Michael Frenette mikefrenette@eastlink.ca Hammonds Plains B4B1K1

PLEASE. It is high time Big Telecom's grip on Canadian internet services be loosened and that price gouging cease. How much profit is enough? It appears there is no definition of enough for Canada's Big Telecom. Canadians need reliable, inexpensive internet in a competitive market, not a market controlled by a few wealthy companies with an iron grip on the market.

Timothy Webster tdwebste4@yahoo.com Blyth n0m 1h0

Blocking High speed internet access is as effective as blocking all internet access. Fibre internet must be available to all. National spectrum ownership is not required for local ISP. It only denies local ISP to valuable spectrum.

Customers must have access though regional geo located wireless spectrum towers/hubs. Regional ISP must have access to fibre for towers / hubs.

Local ISP spectrum usage should be regulated much like traditional radio.

Ian Gartshoreian.gartshore2@gmail.com Nanaimo, BC V9R1E3

I am concerned that it appears the large telecom companies are wishing to further erode the ability of smaller companies to participate in the marketplace. I request you deny these large companies the ability to block access to affordable independent Internet services. All Canadians deserve access to all speeds of Internet (including fibre) independent of their oligopoly.

Joshua Galaski jgalaski@gmail.com Ottawa K1J 1G6

FTTP has the capability of changing how all infotainment services are delivered into Canadian's home now and likely into the far future.

Please do not allow Big Telecom to gain the same kind of oligopoly with FTTP they had with high speed internet 5 years ago. In the former case, market regulation was required to effectively, right a wrong, no regulation allowed to occur.

When making your upcoming decision, please consider first and foremost the benefit to the Canadian public, both personal and economical, that the decision will have. There are complexities of FTTP that will make any decision unfavorable to some, please do not give more weight to those with the larger bank roles.

As for my personal suggestion. I believe that some sort of mandatory leasing strategy for any infrastructure built to accomplish FTTP with the purpose of reimbursing the building of said infrastructure, is a fair option to all those involved. This idea is in place of forcing municipalities to create the infrastructure for the benefit of their residence. This idea could also lead to opportunities for companies that wish to build the infrastructure for the purpose of leasing it for future use. It might also provide an economic benefit for municipalities to develop it themselves.

I am unsure if the above suggestion is has/was investigated to address this issue. But again, my request is to not allow another oligopoly situation to occur which will undoubtedly hurt the Canadian public.

Sincerely,

Name supplied above.

John Marrett johnf@zioncluster.ca Montreal H4V 2C7

Dupoly competition between two incumbent providers (typically cable and a telco with DSL and/or Fibre) does not work. This can already be seen here in Canada as well as in the US. The huge differences in cost for Internet (and also television) service between Ontario and Quebec is already a clear indicator that there are real problems with this approach. Rogers and Bell are content to have minimal competition, whereas Videotron and Bell are competing much more aggressively here in Quebec.

A shared infrastructure approach such as is used in the UK makes much more sense and our current rules don't go far enough. This article makes for interesting reading on the subject: <http://arstechnica.com/tech-policy/2010/03/uk-regulators-officially-mock-us-over-isp-competition/>

Murray Webb damadark1@gmail.com London n6j 2m2

As an internet tech for many years I have seen Bell/Rogers/Telus services become less than many countries. Now they are trying to manipulate you into an illegal act to monopolize new services so they have no competition.

A thought I have had is for the government to take back the city wiring of the Internet to an independent service or government department and make Bell/Rogers/Telus rent the lines like they make others do for cable/DSL services. Since they were originally paid for by the Government. All other equipment would still be the ISP responsibility which would make them obsolete if they deliberately retard service another competitor can provide.

A point to remember is other countries don't have download limits yet we do and are very small before we get charged EXTRA. This is because the big 3 companies are not willing to spend the money on equipment upgrades. I have seen 3rd world countries over the last 9 years make better service than Canada.

Mary Gavan marygavan@telus.net Vancouver V5Z3Z2

Please, prevent the Big Telecom companies from blocking access to affordable independent Internet services. Democratic use requires that Internet infrastructure is separated from the big telecom companies to ensure digital networks are open for a range of providers to service residents of Canada unencumbered.

David Button david.button@gmail.com St. John's A1E1W3

I support greater freedoms for ISPs to provide services to Canadians. The Big players have a virtual monopoly and protections need to be in place to allow and protect small ventures and start ups to thrive.

I support a shared infrastructure, however this has to be done knowing that there are those, including big Telcos, that have invested heavily in Fibre etc, and they deserve to be compensated for use of said networks, including compensation for cost of installation, Maintenance, and loss profit. However I support the same for any player who wishes to invest in Canada's information infrastructure.

Henry Armitage h@hpka.net North Vancouver V7L 1C5

Please DO NOT restrict access in any way, or in any unstated way, or otherwise allow restriction of access to Canada's new, existing or future Fibre Optic or similar faster internet connections. The Internet will be VITAL to our economy and future standing, and widespread availability, lowest costs and higher quality service should be considered critical to this.

Please also treat all opinions equally and arrive at a socially responsible decision.

Steve Stransman stevestransman@gmail.com Toronto M5R 2V1

The telecom industry as a whole is an oligopoly, few will refute that. We need you to foster competition in this space to ensure that the Canadian people have fair, unencumbered access to the highest quality product at competitive prices.

Robin Roberts RobinAndDiana@gmail.com Victoria V8N 2R2

Allow affordable independent Internet services equal opportunity to those who wish to have access. Do not allow Big Telecom companies to block them.

This will also encourage the big providers to offer services at fair rates.

Stuart MacDonald stuartm.misc@gmail.com Kitchener N2P1G8

Dear CRTC, who is supposed to be looking out for the customers,

It is long long long since past time to cleave the infrastructure business from the content business. One set of companies to do nothing but maintain the basic network, and wholesale, equally, to all interested parties.

Vertical integration is bad for consumers in a monopoly/oligopoly situation. Let's stop doing that.

Stu

Jorgen Baker zekebaker@gmail.com Toronto M6G2G4

Please ensure the regulations reflect the possibility of many minor providers of all information infrastructure.

Also don't over regulate to the point where small players can't enter the market!

Thank you for doing your best to provide quality access to ALL safe information for Canadians!

ingrid de Jong idej@shaw.ca qualicum beach bc V9K2C5

I believe that that big service providers are far too powerful. Please consider allowing the smaller companies to exist for competition- and to get rates to go lower. Fees are far too high.

Andy Hughes andy@ehughes.ca Ottawa K2J4W6

I worked at Distributel for a while. They're a big independent and rely fully on regulation of the telecom industry. It would be in Canada's best interest to fully regulate and allow small independents to use these networks.

Why? Bell has been propped up by the Canadian tax payer. This is a fact that demonstrates that we're owed access to any further networks built due to their success on our dime. More importantly, the big 3 sit on a great monopoly that should be taken down. As it stands, in both the internet and wireless industries, it is very tough for any independents. Please make it fair...

Andy Hughes

Marina Mactavish mdmactavish@shaw.ca Campbell River V9W5K5

Internet infrastructure and services must be separated from other telecommunications. We must ensure that digital networks are open for a range of providers to service residents of Canada unencumbered.

We depend on the CRTC to put the interests of all Canadians ahead of Big Telecom conglomerates. Communication should be affordable for all, and not degenerate into a money-making tool for a corporation. Deconcentration of the market, improved speeds, and pricing that better compares with our global counterparts should be the goal for Canadians.

Sarah Rimmington srimmington@gmail.com Toronto M6J2C9

It is high time CRTC rules were changed to allow competition in the high-speed internet sector and prevent the current oligopoly from continuing to price-gouge Canadian consumers.

J Spicer cdnphoenix@yahoo.com Edmonton T6g 0E7

You need to ensure digital networks are open for a range of providers to service residents of Canada unencumbered. Canada needs service that better compares with our global counterparts.

Garth Boyd garthoid@gmail.com Ottawa K2P1K9

As a software and internet professional with over 20 years of experience I have seen first hand the importance of this infrastructure to the future of our country. Leaving this critical infrastructure in the hands of those who have continuously proven they are unequal to the task will relegate our country to the bottom of innovation and commerce.

Farrokh Kohiyar kohiyarf@videotron.ca Westmount H3Z 3C7

Big Telecom companies should not be allowed to buy out small providers as has happend in the past. It is incumbent upon you to put the interests of all Canadians ahead of a small group of Big Telecom conglomerates. The metrics of success are deconcentration of the market, improved speeds, and pricing that better compares with our global counterparts.

Jason Czernecky jchernec@gmail.com Barrie L4N 6H3

The way Canadian's view television content is on par with the significance of a digital revolution. Cable TV services packages are losing ground to on-line internet streaming as the means and the foreseeable norm for viewing content. As such, there is a much greater and increasing (demand) for high-speed backbones with fibre being the most accepted and widespread. If you allow big telecoms to control the types of backbones being offered to small ISP's (supply) there is a chance that they will not offer the high speed fibre backbones, as contradictin to their interests which is to maximize profits. If you cannot regulate and guarantee a fair fibre medium for the small ISP's to compete against the larger telecoms, they should just close down to and shame to your mandate; which I believe is to provide fairness and competition to the benefit of all Canadians..

How are the ISP's suppose to grow to become bigger telecom's in the future and provide additional competition in the telecom market?

J. EDWARDS DONDUCK49@HOTMAIL.COM TORONTO M1E 2V5

WHY DO YOU LET THEM RUN A CARTEL CARTEL.

ITS BEEN ON GOING FOR YEARS.

IF ANY ONE TRIED IT THEN ANTI TRADE COMMISSION WOULD BE ON THERE BACK.

END THE CARTEL BY THE BIG THREE.

END THE CARTAL BY THE BIG THREE.

Candy Fung candifung@hotmail.com Burnaby v5h2y5

Blocking High speed internet access is as effective as blocking all internet access. Fibre internet and high speed wireless must be available to all.

National spectrum ownership is not required for local ISP. It only denys local ISP access to spectrum.

Customers must have access though regional wireless spectrum towers/hubs. Regional ISP must have access to fibre for towers / hubs.

Local ISP spectrium usage should be regulated much like traditional radio.

Nick Longstaff nlongstaff@cfccreates.com Toronto M5r 4p4
 Rogers and bell should be forced to match their rate to a global standard.
 Rogers and bell should - if at all possible - be shut down as they are now clearly monopolies.

Michael Riordon ironwood@kos.net Picton K0K 2T0
 An open, accessible and equitable internet is fundamental to real democracy.
 Please use the authority entrusted to you, to prevent corporate interests from turning it into a monopoly.
 Thank you.
 Michael Riordon.

Josh Davey jwdavey@gmail.com London N6B3L5
 Big telecoms are holding back innovation in our country with their high prices for below average bandwidth speeds and bandwidth allotments. Other countries are quickly or already have much higher speeds with much lower prices, which allow their citizens to be more innovative with digital services and products. Without changing this will create a technology deficit in Canada, where our companies will have a harder time competing globally.
 The high prices also push out the poor and create a digital divide between the haves and the have nots which will effect our country negatively long term. Effectively using the internet is a requirement to survive in the Canadian job market and it does not sit well with me that some Canadians are being left behind so a few companies can benefit.

Julian Cooper youcanreachjulian@gmail.com Westmount H3Z 2H2
 It would stifle innovation, and create a boring, predatory market where only established businesses could afford to compete for customer access.

Andrew Farrer acfarrer@gmail.com Toronto m5m 1z2
 Please allow other providers to access the infrastructure that has been heavily funded by Canadian taxpayers.
 Priming the pump has worked and it is time to release the resources.

J Daoust bt112565@distributed.net Ottawa K0A2M0
 As a residential customer of internet services and owner of a personal cellular telephone, I humbly offer the following comments. Regarding access to affordable independent Internet services, Canadians deserve access to all speeds of Internet, independent of individual service provider limits.
 Internet infrastructure should be split off from big telephone companies to ensure digital networks are open for a range of providers to service residents of Canada.
ALL CANADIAN INFRASTRUCTURE SHOULD BE OWNED AND OPERATED BY A SINGLE COMPANY SEPARATE AND INDEPENDENT FROM ALL SERVICE OPERATOR CONTROL, BUT JOINTLY OWNED BY ALL CANADIAN OPERATORS.
THE SAME APPROACH SHOULD BE PUT IN PLACE FOR ALL CELLULAR TELEPHONE OPERATORS IN CANADA SO THAT ALL COMPANIES HAVE EQUAL ACCESS TO A SINGLE NATIONAL NETWORK.

Michael Yu michaeldyu7@gmail.com Edmonton T5X 5P2
 I ask that you deny Big Telecom companies the ability to impede access to affordable independent Internet services. All Canadians deserve access to all speeds of Internet (including fibre), independent of Big Telecom's restrictions. Splitting Internet infrastructure off from the big companies just makes sense, to ensure digital networks are open for a range of providers to service Canadian residents unencumbered. Just as consumers should be able to buy food at a corner store without having to fear price increases imposed by a large grocery chain, they should have the freedom to choose an independent Internet provider if they feel the company can offer better value.
 We depend on you to put the interests of all Canadians ahead of a small group of conglomerates. Success depends on diversity of the market, improved speeds, and pricing that better compares with our global counterparts - given that online access is essential in today's world, nobody should have to feel like their Internet service is being held hostage by profiteering corporations.

Kevin Taylor krtaylor@gmail.com Toronto M5G 2G4
 Government subsidies have been a significant part of the investment needed and the resulting infrastructure should be shared amongst all service providers to ensure healthy competition and avoid the price gouging that has been in effect to date.

Steve Esuer steve.esuer@gmail.com Toronto M6C 2R8
ISP's should be dumb pipes not gatekeepers and dictators of who gets quality service.

Tammy Collard tammybob@telus.net Campbell River V9W 1P2
I am staunchly against the government allowing Big Telecom companies to block access to affordable independent Internet services.

zachary mccandless zachmccandless@gmail.com saskatoon s7n4h8
I feel that with the big telecom giants that we are going against all that we as Canadians and the CRTC have fought for the last couple of years. Great success has come from the open market within the cellular market, with abolishing of the three year contract, i mean really who has these poorly made devices that are not even operational at the end of 3 years or supported by the manufacture. To let them monopolize yet another arm of our communications you would allow them to choke as much money out of us as possible. They do not care about providing information to people at a affordable cost, they have tiered their networks already to gouge us when it has been shown that their networks are capable of everyone being on the highest speeds with a lower price point. To them its about making the most money that they can. Not about providing a service to Canadians. Take a stand against them and show them that we as Canadians want a free and open internet. That we do not stand for consumers being charged ridiculous prices for such a simple service.
mani khorsandi manikhor@gmail.com north vancouver v7h2a5

Kerrie Rusk loopyker@gmail.com Port Colborne L3K 5V3
The big telecom companies have had ample time to provide reliable and affordable service to under-served areas and still show little progress, while increasing charges for what little service they do provide.

Phil Funkel funk0007@algonquinlive.com Gatineau J8Z 1V9
The BIG Carriers only got so big because of Canadian tax dollars in the first place, now that they have all of that which they have, these now public companies are using their positions to limit competition and gauge consumers.

Sol Chrom sol.chrom@gmail.com Toronto M6J 3A9
Big Telecom has run roughshod over us long enough. The big telecom companies whom you have allowed to form an oligopoly have used it for little more than enriching themselves and screwing us.

Ashley Howes ashley.kos@gmail.com Sydney, NS B1K 2A2
Here in Cape Breton, I have lived for over 10 years within 100 yards of fibre optic cable laid down by govt the year before privatisation gave Bell Aliant rights over the cable. We cannot use it and furthermore they blocked private access to it by making backbone access available only at retail rates.
Moreover in Sydney a private company about 5 years ago put up a tower and was offering streaming dvd-quality video, telephone and internet services for \$80.00 a month - far superior quality and more affordable than the major carriers. He was allowed to mount the tower and offer the services but not allowed to charge money for it due to CRTC hostility.
The CRTC is a corrupt operation which should be immediately dismantled and all governments which support it are no less corrupt.
I have no confidence that writing letters such as this does any good because the people to whom it is addressed are either in thrall to 'the bad guys' in all this or the bad guys themselves.

Ryan Mackay mackay.ryan@gmail.com Calgary t2s 2y8
For virtually all my adult life I've worked in IT and watched Canadian Telco/Cable and cable companies act like a functional monopoly. There is a complete and in my opinion morally criminal disconnect between the cost ISPs pay to provide access to the internet and the markup costs passed on to consumers. Would it be in the public interest for a water utility to mark up their 'product' 4000 times the cost they pay? (<http://www.slaw.ca/2012/09/17/canadas-biggest-ripoff/>) This kind of behavior is encouraged by the weak regulation of the industry and it seems to me that the CRTC should be listening to consumers not lobby groups and ex-telco board members. I would suggest, the telecom industry has thus far gotten away with it because people don't understand the technical issues and costs involved and essentially don't really know how hard both the industry and crtc by proxy have been screwing them by allowing this to continue.

In a free market, I would have choices other than shaw and telus. Didn't our taxes by and large pay for the networks they operate on? Open the lines to competition please and severely punish line operators for anti competitive behavior. I'm sick of padding the coffers of companies with so little regard for the their customers.

It makes sense that since our personal and tax dollars have built this infastructure up so much WE, Canadians be given a choice in which providers we choose to provide us services.

I myself am a student, I use mobile internet service provided by a smaller wireless carrier and it is MUCH more affordable than both home and mobile options which the larger companies offer. Without this option or options similar to this, I could not afford the internet I require to log into my educational institution and maintain my status on the deans list.

Rachel Conlon missconlon@gmail.com Ottawa K1R 1B4

It is only after concentrated effort on the part of activist groups that the current offers of internet providers have become mroe reasonable and competitive. Big Telecom companies have already proven that, without competition, they see no reason to provide affordable and reasonable service.

Michael Rogers rogersler@yahoo.ca Edmonton T6K 2B9

In keeping with the current governmental moves to open up the Canadian market and make it better for the consumers, I think it is important that this direction is followed with data services as well as communications. Unlike America, which recently ruled in favor of larger companies, Canada needs to focus on its individual citizens, not the corporations.

Laura Robinson laura.robinson@sympatico.ca Southampton N0H2L0

There is far too much power within the Big Telecom companies already. We don't need to award them more.

Josiah Liesemer kknd_1585@hotmail.com London n5y4t9

I want to add simply by example that in 2011 Rogers cable dept lowered their bandwidth caps literally the week that Netflix launched in Canada. Netflix was forced to lower quality to help customers avoid hitting bandwidth caps. This errant decision on the part of a large telecom company created a huge amount of mistrust among consumers which resonates with me to this day. I cannot trust 3 large conglomerate to be fair in pricing and availability when they have proven otherwise time and time again. Their executives work together and share business practices often driving cost beyond the realm of middle class citizens and all of them are not following mandates to bring further infrastructure into rural areas. The cost of mobile access for mobile high speed internet devices are still outrageously high and flex plans gouge customers as they have only bandwidth caps and no price caps. DSL is still widely unaccessable in rural areas leading to huge gaps in service. Until these issues change I cannot support removing fair access to consumers and consumer protection in the form of independent internet access. This is a paramount issue to me and many young Canadians struggling to pay the high costs associated with large telecom companies

John Stukel parsifal@rogers.com Toronto M4C3T3

Do not under any circumstances allow Big Telecom companies to block access to affordable independent Internet services.

Adam Barnett barnett.a.e@gmail.com Toronto M4M 2Y2

Please do not favour big business over the interests of real Canadians.

Gary Salter thenarfus@gmail.com north vancouver V7N 2K3

All Canadians deserve access to all speeds of Internet (including fiber) independent of Big Telecom's oligopoly. Municipal internet ISP's should be permitted and you should be able to run your own private server from your house, home etc.

Cheryl Brauer cherylbrauer@gmail.com Edmonton T5G1P1

It's time to put the needs of Canadian citizens before the wants of monolithic corporations.

sarah worry sarah0warry@gmail.com hamilton 19a 3n1

I do not need to issue a generic statement made by a stranger. you know , i know and most people who are not drowned in ignorance know that our current system is run by a monopoly . there a a few parties which control the internet , phone and cable services. they have big names and little umbrella corporations under them to try and under mind society . if telus owns koodoos and rogers owns fido and we have bell that is not a large list of options . not only that but because there are few companies it allows high prices . where as more companies would allow lower prices and in order to compete and stay afloat price matching and competition would have to take place. its bad enough we have been duuped into this cable box bullshit . instead of having a cable run to all my tvs i must rent or purchase a box to run each one individually . or the fact alone that in the olden days corporations had sponsored television stations and commercials paid for the cable . now we've gung ho and no money is ever enough . my phone service has increased at least 50% in the past ten years and I have no better of a service . Internet prices are extremely high in Canada and you are not charged a flat rate but a rate for use which is another problem . there is no caps and these companies run like rampant dogs. they are also dirty as i have alone had to have the better business bureau intervene between the business of bell and myself and they found bell to be in contempt.

its simple they are running a monopoly . they are not here to provide customers with great services or anything else . it is corporate greed and they want money money money . not only do they want our money but they spend money trying to lobby government to let them have shoddy rules and regulations and prey on customers. so its quite simple in the eyes of a consumer , government either put the people and tax payers first above and beyond the requests and shady wants of big corporate heads or straight out tell the people what and whos best interests are being protected.

i should not have to opt out of having a phone or cable or internet because i dont want to follow the rules of a self regulating system of crooks and thieves . i cannot simply say do as i tell you or you have nothing , if other companies wish to enter and provide fair game current companies have no say in the matter . walmart cannot simply advise the government that it should ban grocery stores because they too offer food and to keep collecting profit they want special treatment.

canada was once considered a fair and respectful country but we too are falling victim to corporate interest and self servings entities within the government who treat the people like peasants who need to be told what they need or deserve .

time for the government to grow a pair and put your foot down . you either want our tax dollars to operate and fund your bank or the dollars of corporate scum bags you cant have your cake and eat it too.

Clarke Hamel clarke.hamel@gmail.com Edmonton T5X 6E7

Please do not allow a few telecom companies to block access to affordable independent Internet services. All Canadians deserve access to the entire speed-range of the Internet (including fibre) independent of Big Telecom's oligopoly and its focus on maximum billing of clients for as little service/investment as possible. It's past time and logic to split Internet infrastructure off from big telecom companies to ensure digital networks are open for a range of providers to service residents of Canada without private, self-serving restrictions. We depend on you to put the interests of all Canadians ahead of a small group of Big Telecom conglomerates and to see past the bizarre, taxpayer-funded ads the current government uses to attack them. Despite the enormous industry and government pressure, let me remind you that it is your duty and responsibility to hold the powerful and well-heeled to account. Do you have the backbone for the task? My spinal markers of success are decentralization of the market, improved speed, globally competitive pricing and true unlimited data and tethering. In a society that values equality, I stand on that sacred ground.

Rob Whetter Mad@mad-one.com Cornwall k6h2y8

Lack of censorship/blocking by big media companies who are even now blocking access to free public content in other countries in order to force people to buy access from them instead.

I would like however a copy of the entire hearing both in audio and transcription formats.

Thank you for your time and consideration.

David O'Dowd dave.odowd@gmail.com Vancouver V6A4K7

Please help Canada remain an open and free nation with healthy internet competition.

Darren LeCraw dlecraw@gmail.com London N6K 4E4

I strongly object to any legislation that prevents open and honest competition in the Telecom industry. The big three Telecom companies have been taking advantage of the Canadian public for far too long. Please do not give them any more advantages in the market. Allow independent carriers a chance to compete with them.

Bryn Gillings bryngillingscs@hotmail.com Sarnia N7t6k9

Basically its only a matter of time until the world turns on you all for selling out so pick the right side or be trampled when the time comes because the world WILL turn on big corporation. MATTER OF TIME.

Bambi Westhaver hevvyeyes@hotmail.com Liverpool B0T 1K0

It's time to put the interests of Canadian people before Corporations.

Don Cavers doncavers@yahoo.ca Chase V0E1M0

It is essential to foster independent networks and information sources.

Arie deValois adevalois@hotmail.com Lethbridge AB T1H 1K6

Open the borders completely to all the worlds telecoms to compete openly here. Eliminate anything beyond 2 year contracts.

Dennis Choptiany DMChoptiany@sympatico.ca Markham L3P 4M9

I have recently learned that Big Telecom companies might block access to affordable independent Internet services. This must not happen. All Canadians deserve access to highspeed Internet (including fibre) independent of Big Telecom's oligopoly. One option that makes a lot of sense is to split Internet infrastructure from big telecom companies to ensure digital networks are open for a range of providers to service residents of Canada unencumbered. This should improve speeds, and pricing so that they are comparable with global counterparts. The interests of all Canadians should trump the profits of Big Telecom.

Francois R Bolduc khawlis@gmail.com Ottawa K2B 7T2

The choice of a telecom should be left to Canadians not the same big telecoms. We need low cost high speed that only a healthy competition will bring.

alex Yang yangalex7@gmail.com Toronto M2J0A7

You probably will get a lot of these, so I'll write my own.

I think that Canadian innovation and entrepreneurship is hindered by companies like this. The internet has hit a point that it is a 1st world right to compete competitively on a global scale. When we are unable to use the service due to restrictions, all we do is nothing because of the dollars attached to it. I believe you hear the arguments about costing versus delivery of product, and we all know that the big telecoms make an amazing amount of money. Please make the right decision for the people, we're already losing so much money to them on a per month basis (just look at Roger's internet bundles, it's just horrible). Thank you for your consideration.

Jillian Dasti jilliandasti@hotmail.com Oshawa L1K 1W8

It is important that Canadians have their freedoms. While it is important that big businesses stay afloat to help keep our economy healthy, it's also important that they don't run our country and have control over our internet access and content. Canada is a free democratic country, NOT a monopoly. No one part of Canada should be purely controlled by 1 person/group/etc. Please help keep Canada free of monopolies like the Big Telecom giants.

Jason Mogus jason@communicopia.com Salt Spring Island V8K 1J5

Big business is trying again to tilt the rules in their favour, but we're watching you.

Richard Therrien appliedpoetics@shaw.ca North Vancouver V7L 2Z1

As a Canadian writer, cultural worker, and researcher I depend on access to all speeds of Internet (including fibre) without the threat of Big Telecom's increasing control of the market.

Digital networks should remain open for a range of providers.

Please put the interests of all Canadians ahead of a small group of Big Telecom conglomerates. Deconcentration of the market and pricing that compares with our global counterparts is important to many Canadians.

Mark McGaire mcg122onet@telus.net Surrey, BC V4N 0L9

As the CRTC, you must continually weigh the pros and cons of some monopoly protection to companies to allow them to service equally the great geographical expanse that is Canada, and have those companies give something in return for this so that it is in the best interests of Canadian citizens as a whole. In this case though it is clear that allowing independent ISPs equal access to infrastructure built on previous monopoly protection granted by Canada is in the best interest of Canada as a whole. Only through this equal access with enough competition arise to give balance to the price/service ration we citizens will get from ISPs. I urge you to vote to not let existing ISPs block access to their networks from independent ISPs.

Lorraine Reed lreed@nucleus.com Calgary T3E6N7

I'm a Canadian citizen in my 60s. Over the past 20 years or so I've seen constant attempts to declare Money to be God. This is a very poor trend indeed.

Caroline B Parry carolinebp@sympatico.ca Ottawa K2B 5W5

Diversity is good, and centralization is on the way out. Don't be foolish or selfish!
Come on

Dave Bleakney dbleakney@cupw-sttp.org London N6C 4A8

Please stop Canada's decent into a corporatocracy. Why do large corporations get such a free ride in this country?

S P Arif Sahari Wibowo arifsaha@yahoo.com Edmonton T6W 1L3

Please make sure that free market prevail, in which at any time a new competitor can enter the market as long as it is more efficient than existing one. One reasonable way to help ensure this to have Internet infrastructure separated from big telecom companies, since it will ensure digital networks are open for a range of providers to service residents of Canada unencumbered.

Timoy Smallwood Timoy.Smallwood@gmail.com North York M3N 2S3

Can you people seriously tell these guys to go away? Into the bottom of the worlds' deepest trench, maybe? It is troublesome to have this nonsense show up twice or thrice a year.
No. Just. No.

alex burgess alex.s.burgess@gmail.com Halifax B3H 1M4

I urge you to put Canadian citizens' interests ahead of those of entrenched businesses. Seriously, cementing a monopoly is only going to cripple our economy in the long run.

Thank you for your time and consideration,
-Alex Burgess

lucan charchuk lucancharchukart@gmail.com surrey bc v4a3r2

Stop bullying the free world. Ask corporations to be good citizens. There is more to life than meets the internet. Our corporations have truly become DEAD WEIGHT.

Henry Hightower hightower@dccnet.com Sechelt, BC V0N 3A1

Don't allow the three telecom giants to squeeze out the small, even niche providers from our Internet. If Canadians are to innovate, we all must have an internet that does not discriminate, is equally available to all, and allows free and open discussion, subject only to the laws of slander and libel.

carol wilkins wimsey4u2@shaw.ca chemainus v0r 1k2

The data available on the Internet was created by we the people and we should have priority access to it.
Protection of Big Telecom's interest is not in the best interest of all Canadians.

Steven Daniels steve_plumber_man@yahoo.com Calgary T2T4Z7

Please help make a beginning on removing a corporate agenda from our countries economic history.

Lisa Tipper lisatipper@gmail.com Brantford n3t3w7

Canadians are joining together finally ,and will use all our powers to protect our rights under the charter.No more monopoly.

V Duobaitis vince858@gmail.com port severn 10k 1s0
 Canada needs a fast, world class and affordable internet, and not control for the benefit of the dominant industry players.

mike hay mikchico@hotmail.com nanaimo v9r4r5 Dear Commissioners, listen up
 free enterprise is what we need. this eradicates that system. this is about communication. do u really want to be known as the ones that ended free enterprise. death to the conglomerates

gudrun langolf glangolf@telus.net VANCOUVER v6p3c3
 There should be universal access to all speeds of Internet (including fibre) independent of Big Telecom's dominance. The Internet infrastructure should now be severed from big telecom companies so that digital networks open for a range of providers to service unencumbered. I urge you to put the interests of all Canadians ahead of a small but incredibly powerful/influential companies. To me, success is measured by complete 'deconcentration' of this Canadian market, improved speeds, and pricing that already exist elsewhere in the world. I understand that my comments and information will form part of the public record for this proceeding including on the CRTC website. I'm unable to appear at the hearing in relation to this submission. Thank you for your consideration of my concerns.

Dustin Keller dustinkeller@gmail.com Vancouver V5v411
 Please stop the large telecom companies from dictating terms of usage to Canadian consumers... We deserve better.

Theme 3: Canadians want access to a range of affordable independent options for telecom service in a decentralized marketplace. They are extremely unhappy with the experiences they have had with incumbent providers, such as Telus, Rogers, Bell, Shaw, and Videotron.

“As a consumer, I am tired of being bullied by Big Telecom. Prices keep increasing and I have nowhere to turn for alternatives that meet my budgetary needs. We consumers are being backed into a corner. In just the past 6 months I have received two notifications of price increases from Cogeco. I have no other options in my area that are less expensive, and so I have to continually be gouged with nowhere to turn.

I depend on reliable, fast, and high quality Internet at home in order to do my job. Frequently I am already suffering lags and unreliable service. I use video conferencing to meet with colleagues in the United States. I've yet to have a meeting that does not drop, lag, or simply get interrupted by packet loss. Do you know what my business colleagues say? Canada is so third world or how can you live in a country with such terrible technology? Yes. THIS is the reputation we are gaining because of the oligopoly that we've allowed to exist.

Again—I have nowhere else to turn to find something better, or more affordable and am paying more every six months. For internet alone I am paying 90\$ a month - a comparable service in the United States is 30\$ and is reliable without the same problems. I won't even go into these SAME companies controlling our mobile access and television services.”

Alison Rothwell
 arothwell@brocku.ca
 Grimsby, ON
 L3M 0A7

Roel Coert rcoert@go4objectives.com North Vancouver V7J 1Y9

Internet will give Canadians access to phone and TV. Services will come from the cloud. That means that broadband internet will become the essential service.

Wholesale internet has not worked well in creating competition in the telecom market.

Therefore competing service providers should have ACCESS TO DARK FIBRE of the incumbent. Proper price point: (construction cost)/#fibre strands/amortisation + (operations and maintenance cost).

CRTC: please revise the wholesale policy in such way that we'll see an healthy competing marketplace in Canada.

Shawn Key shawn_key2@yahoo.com Montreal H2R2R6

I dealt with one of the big companies and the past and left them due to incompetent customer service and unreasonable prices. They do not need any protection! If anything they need more competition to get their business practices in line with effective companies.

Marge Chang changmarge@gmail.com Montreal H8P3A4

Incredible abusive, bullying business with B*** we have experienced which remains unresolved. we need choices, we need peace, by being respected.

Marl Robertson markconsult@gmail.com Ajax 11s0a3

Canada has some of the highest pricing on Internet access in the world. This is because of the anti competitive environment that has been historically lobbied and granted.

As a past ISP back in the early days of the internet, I experienced the anti competitive nature of Bell, when they could not seem to link me to a main internet pipe next door to my office and wanted to charge me approximately 20,000 to do so. I had over 600 dial up subscribers and they only let me install low grade, unreliable isdn that was frequently down. Subsequently i had to close operations.

Respectfully the CRTC has the ability to finally make this wide open.

The telcoms may argue that jobs will be lost, well I submit that our right to low cost access and education are being denied and must be addressed.

Competition spurs more jobs and fuels efficiency in price and service. History has proven this.

In conclusion lets make access fair, efficient and affordable. And don't fall for the sales pitch from executives that have a vested personal interest in keeping their rates high to keep their bonuses coming and shareholders pockets bulging.

Respectfully, Mark Robertson MBA, MM

E Christie elspeth_christie@yahoo.ca Ayton N0G1C0

Already in my area, while I do not choose to use Bell's phone services, they refuse to upgrade the line so that we and others in our area can get fiberoptic cable which is available within 1 km of our home, and there is nothing our provider can do about this - even though they have their own such cables one concession away. Because they rent from Bell - they are stuck with this, and we have to pay a small fortune to Rogers for a dodgy hub connection. This is exactly how Big Telecom want things to stay - and it is NOT OK.

Suzanne Mason scmasonmcleod@hotmail.com Waterloo N2H 2J5

I know I paid lots to Bell for years with an additional infrastructure charge. When I moved a few years ago, I set up an account through TekSavvy for Cable internet. They had to go through Rogers to get the line activated. After a month and a 1/2 of no network access due to Rogers continually just not showing up, I had to get rid of the middle man: Teksavvy and had to go with the Bastards: Rogers. Way too expensive and very low downloads limits.

My son's friends/aquaintances in the States are shocked and disgusted that my son has to get off xbox because of our pathetic low download/upload limits. Really?!

There should be a pool where internet/telecom companies pay into it with in relation to the # of their clients. I want Teksavvy and Worldline, etc. to have control of the lines for their clients. I am trying to leave Rogers, but realize that Worldline and I can still get royally screwed over by Rogers again. When I asked Rogers, they told me that any company that uses their cable, are considered clients so Rogers treats their clients first and then looks at the clients of Worldline second. Not fair. Help empower Worldline.

Please help Canadian customers by giving us real competition and enable lower income earners the ability to access these services and stop these big thug companies from bleeding us dry and embarrassing us with our neighbours.

Jackie Gour jandjgour@yahoo.ca Sexsmith T0H 3C0

We pay too much for these services. Please open the door for competition (and real competition not like our energy services here in Alberta).

Ray Webb webbr@accesscomm.ca Regina S4S4b2

WE WANT MORE COMPETITION AND MORE LOCAL PROVIDERS!

It's time for this to stop. It's time for consumers to have a choice. It's time for big telecom to be told it is NOT ok to bully their customers. It's time to be competitive with the rest of the world so that business can grow.

Luke Taylor lutaylor@gmail.com Charlottetown C1A6G8

Our large incumbent carriers run multiple lines of business, for example Bell and Rogers offer television services such as satellite and digital cable in addition to offering internet access for both the wholesale and consumer market. The internet is growing at an exponential rate, the rise of services like Netflix and youtube has made it a direct competitor to television based services.

The problem with this scenario is the following:

1. ISPs like Bell and Rogers effectively have a oligopoly on internet access in this country.
2. Television service sales are eroding as more and more users are using internet based services.
3. Internet subscription rates are not changing since practically all Canadians had internet access before the rise of competitive services such as Netflix.
4. Bell and Rogers want to keep people using television based services while at the same time maintain their internet subscription rates.
5. Bell and Rogers implement caps to discourage use of services that might impact the bottom line of their television based business.

Bottom line is that this is not right and represents anti-trust.

Marc de la Bastide marcdelabastide@gmail.com Newmarket, ON L3Y 4H6

I am very concerned about the concentration of market power held by a few large media companies in Canada. Please

Andrew Spencer andrew.spencer84@gmail.com Belleville K8N5E6

Considering that the large telecom companies, who have developed a network through subsidies and enforced monopolistic policies, are not focused on the improvement of our current infrastructure, especially in smaller cities. Further to this, charging outrageous, unregulated prices for fictitious costs such as 'overage fees' and enforcing these on third party vendors is appalling. This would not be an issue if there was actual competition in this country. The internet is the future of our society, economy and paramount for the continuing development of our Country and planet. Falling behind the world standard puts our economic competitiveness in peril should the government continue to support the major incumbents currently operating in Canada.

Mark Koski markpkoski@yahoo.ca Burnaby V5A 3Y1

The service and treatment I have received as a customer of Canada's cellular phone providers has been less than ideal. I have had to fight tooth and nail to correct errors on bills committed by their employees or automated systems. Overcharging on hardware and services have not surprisingly made Canada's cellular phone service the most expensive in the developed countries of the world.

It is critical to our development as a capitalist economy to encourage competition and innovation to drive our cellular phone service and create new jobs and more competitive services to Canadians. Real regulation that facilitates and does not impede the development of a true competitive marketplace.

Respectfully,

Mark P. Koski

Electrical Power System Control Operator

BC Hydro

Janis Hughes jhughesj@shaw.ca Winnipeg R3G 2K6

I am much dismayed by the lack of competition in the Internet service provider market in Canada. Not only has this led to extremely high prices compared to other countries around the world, it has disturbing implications for net neutrality.

Ken Nelson ken@lakeshore.on.ca Toronto M8V3H4 Dear CRTC Commissioners,
In most markets in Canada, the largest telecom companies have monopolies on the communication infrastructure to residences. These same companies also own and control many if not most of the private digital broadcast and content available.

In order to keep the data connections to our homes open and neutral, and prices competitive, resellers must be able to compete with the big companies in the provision of flexible and affordable connectivity.

If a workable arrangement cannot be found with these big players, then we should consider whether it's time to put the internet infrastructure under separate companies and management, to ensure fair prices, neutrality and widespread access.

We depend on the CRTC to put the interests of all Canadians ahead of a small group of Big Telecom conglomerates. Canadians will be best served with affordable internet connectivity and net neutrality.

Bryan Carney bryan@bryancarney.org Toronto M6R2Y8

Canada's internet and telecom landscape, in terms of options and pricing, is an abomination for a country with a strong tech sector and history of recognizing the importance of weighing public interest in communication infrastructure against the interests of oligopolies that use their full financial political influence to seek unlimited profits and thwart regulation and protections aimed at encouraging competition and fair pricing for consumers. The arguments touting population density expenses in Canada simply do not wash when we are highly connected per capita on a global scale and the vast majority of us live within 200km of the US border.

Have the courage to stand up knowing that some interference in the market is the only chance to allow some semblance of competition to get prices down to levels that are not just plain gouging as we have noted as soon as a third party enters the marketplace in similar oligopoly structures in telecom and energy in Canada.

Zoltan Miko zilv2001@yahoo.ca Ottawa K2A3C9

The following is a form letter, but I agree with the sentiments expressed therein. The telecom last mile to our homes is as vital a piece of infrastructure as the electricity wires, gas pipes, and water pipes that feed them.

Competition on price, customer service, and features is desperately needed to improve the situation that we Canadians find ourselves in today. Dissatisfaction with the Big 3 predominates among my friends and acquaintances, even as most of us hold our noses and take it. Allowing smaller competitors access to the last mile at fair rates with minimal obstacles can improve this situation.

I believe that those who built these access networks should be compensated fairly. But not by granting preferential or exclusive access to the last mile for their content services and internet services. I believe that is best accomplished by regulating a fair return on investment, or by divesting this business as an independent entity equally responsible to all ISPs.

Zoltan Miko

PS I have no ties to any service provider, but have worked for a former vendor to many (Nortel).

Cuong Tran calvin.hobo@gmail.com Hamilton L8H 2M8

I am buying a house that is a new build. From what I've researched, it will be wired with fibre connection and no copper wiring at all.

That leaves me two options for internet only. With Bell or through Cogeco cable. Both options are priced too high for what is offered in terms of value.

Janet Storey janet.storey@gmail.com Ottawa K2E6P4

Canadians deserve choice in their internet services, NOT just the dictates of Big Telecom.

Bernie Pallek bmatthiasp@yahoo.com Ottawa K1T 2N4

The very idea of the Internet is federation, not domination by a handful of mega-corps. I like using a small independent ISP; don't take that away from me and my fellow Canadians.

If the free market is about choice, it doesn't make sense to have a few giants who have no reason to try harder because there's no room for smaller, nimbler competition.

Please ensure that all Canadians can choose Internet service that suits their needs, and doesn't require making do with one of the giants.

Dan Holmes danholmes007@gmail.com Hawkesbury K6A2N8

As an example of why we need this deconcentration of telecommunications look at the virtually identical record of poor customer service provided by all of the major telcos. Again they offer almost identical pricing and gouging. I pay more for 30 minutes of air time per month in the USA than my entire cellphone bill including long distance and taxes.

Scott Boutin sjboutin@zoho.com Edmonton T5P2V6

The ability to choose an alternate ISP is still very important to me, despite my current ISP being one of those big three. I would rather not be locked in with nothing but terrible, price-colluding choices like an American in the event that my current ISP relationship turns sour.

Mark Hathaway mark@hathaway-ramos.com Toronto M4C1W2

As a Canadian citizen, I want to have access to quality, affordable, high-speed internet via as wide a selection of independent Internet service providers as possible.

Martin Guibert guibert@gmail.com Ottawa K2S 0C1

Customers deserve choice and innovation. This will not happen if the Big Telecom companies to block access to affordable independent Internet services.

Theme 4: Canadians are paying too much for Internet and can barely afford it as it is.

“Due to my economic status, I use my internet for every thing including teaching my kids to running my household. To lose my unlimited internet package would place an unreasonable financial hardship on my household and interfere with my children's education.”

Mary Underhill
kmunderhill@amtelecom.net
Straffordville
N0J1Y0

Rhonda Drakes-Blais rdrakesblais@yahoo.ca Elmira N3B 2R7

I AM SICK AND TIRED OF NOT HAVING MONEY FOR FOOD BECAUSE OF BELL, ROGERS AND TELUS. INTERNET IS A MUST NOW BECAUSE EMPLOYERS DO NOT TAKE APPLICATIONS AND RESUMES IN PERSON ANY LONGER. ALLOWING BELL, ROGERS AND TELUS THE POWER TO SHUT DOWN A BUSINESS IS LIKE GIVING THEM THE POWER TO TELL US WHEN WE CAN EAT, SEE THE DOCTOR AND HOW MANY HOURS WE HAVE TO WORK BECAUSE IN ESSENCE, THAT IS WHAT THEY ARE DOING BY BLOCKING OUR ACCESS TO COMPETITION. IF THEY WANT TO SURVIVE, PLEASE GIVE THEM THIS MESSAGE FROM ME, RHONDA DRAKES-BLAIS:

STOP TAKING MY FAMILY'S GROCERY MONEY. MY CHILD HAS A RIGHT TO EAT. IF YOU WANT MY BUSINESS, DO NOT MAKE IT IMPOSSIBLE FOR ME TO BE ABLE TO PURCHASE YOUR SERVICES!!!

THANK YOU,
RHONDA DRAKES-BLAIS

Susie Schmidt karatemamabear@hotmail.com Edmonton T5T5Y7

We also need affordable pricing. The future of our children's education, extended learning, and information is based on the internet. If it is too expensive for some, they won't have access and therefore unable to succeed and grow into honorable, taxpaying citizens of the future.

Talia Johnson talia@candjsolutions.com Ottawa K1S 3T6

As a student who takes some courses via distance learning it is critical that high speed internet be as affordable as possible.

Craig Steel crsteel@shaw.ca Calgary T3G3R3

Honestly, in this day and age, there is no excuse for Canadians to be PAYING some of the highest internet connectivity price for middle of the road service packages. Don't be swayed by their cries of oh, our business will fail without these high tariffs. They'll survive, and continue to make healthy profits.

Make no mistake, their drive for powers to block competition and sustain impossible barriers to market entry are driven by their motivation to maximize company profits for short term shareholder gain. That cannot stand as any sort of valid consideration in choosing how to regulate this kind of service.

Cheryl Gourley cheryls_site@yahoo.ca Ladysmith, BC V9G 1Z4

IT IS AGAINST MY FREEDOM OF CHOICE AND ACCESS TO FAIR MARKET PRICES. DO NOT ALLOW CORPORATE GIANTS TO MONOPOLIZE INDUSTRIES. AFFORDABILITY FOR ALL ECONOMIC CLASSES SHOULD BE PARAMOUNT.

Roman Halawa roman_halawa@hotmail.com Mississauga L5B3W9

Please It is not right that here in Canada we pay one of the highest rates for Internet use in the world. The only reason for this is purely lack of competition in this segment of the industry.

Mike Hunt baroing@yahoo.com Lunenburg B0J2C0

Broadband prices in Canada are ridiculous for the speeds (and caps, when applicable) that are offered. As a broadband consumer, I should not have to subsidize big telco's losing media divisions through higher broadband rates. Let those who want to buy cable packages absorb those costs and those who only want internet pay the associated costs.

Also, I strongly recommend the CRTC look critically at big telco's metrics for 'costs' associated with internet infrastructure. Much of the backbone was established with plenty of help from the 'public purse' and costs to expand bandwidth are much less than they would lead us to believe. Especially since the costs of hardware (i.e. memory) has never been cheaper.

Bob Stuart bobstuart@sasktel.net Spiritwood S0J2M0

I'm already having to spend a ridiculous amount to maintain a telephone number I don't use every week with even an in-province area code.

Tom Daichendt tom.daichendt@gmail.com Cambridge N1R3X9

I personally save \$13 dollars per month (31%) for the same same speed and 2.75 times the download capacity. Clearly both my ISP and the cable provider are able to make a profit.

Todd Austman taustman@shaw.ca Calgary T2V 0C1

We already pay some of the highest rates in the world. Let's not take away some of the options or competition.

Marcia Bennett mbennett28@rogers.com Toronto M6R2A6

I particularly emphasize the word affordable and independent.

Yvon Letourneau yvon_letourneau@hotmail.com Waterloo N2L 6H8

This move by telcos can have a rediculously horrendous impact on affordability of service. Please don't let these telcos limit our choice. Teksavvy has been providing me with almost flawless internet service for the past 3 years. We need choice and capacity to access the things we want and need. We pay for these services and we have to rely on the CRTC to take care of anticompetitive situations that are against the public interest.

Derek Baars derekbaars@gmail.com Lynden L0R1T0

I pay \$69.85/month for 10 gigabytes of data over a cellular network. DSL is not available where I live. I ask that you do what you can to make faster, cheper unlimited internet service available for Canadians like me.

JOHN ISH ISHMAEL ISH@ISHMAEL.CA BRAMPTON L6W0A4

Please act in Canadian consumers clear interests in much lower digital access costs - comparable to the lowest cost countries.

Derek Keoughan derek@finnsoft.com Brampton L6Z 1K5
I'm already paying enough for internet and telephone and mobile and especially mobile data!

Rick Sackiw rick_sackiw@hotmail.com Edmonton T5B3K8
Dear CRTC Commissioners,
For years prices for internet services have been going up and up, speeds have not increased to the levels that most of the developed world enjoys. All this despite the huge amounts in grants and tax dollars given to the telecom companies to upgrade their services. High prices on internet and a definite lack of competition all contribute to this growing discrepancy between what we pay and what we get. Please make a stand,
Rick

Sonya van Heyningen svanheyningen@gmail.com Toronto M6P2A8
I am a young, working professional, who lives alone. I currently use an independent provider and, without the availability of this affordable alternative to the price-gouging of the big guys, I would be unable to afford access to the web.
And I am far from the least fortunate among us. Are we to decide that people of modest means do not deserve access to the internet? Without your intervention, this is where big telecom would like to take us.
Enough is enough. .

Devin Lindsay devin1060@gmail.com Slocan V0G 2C0
The whole concept of Internet Service Providers is a joke. People and businesses want Internet Connectivity -- all we want is to have our packets routed as fast as technically feasible and we have already paid through the nose for our computers, routers, phones, home networks, etc. And we have paid through taxes and higher than acceptable rates for the poles, fibre, local lines, etc. Bottom line, we deserve to know what existing infrastructure exists and to be able to install any new equipment that will make better use of the fibre and local infrastructure to meet our needs which are: 1) IP data routing; 2) IP Data Routing; 3) IP DATA ROUTING!

Niklas Roy niklas.roy@hotmail.com Lively P3Y 1H8
We deserve better and more affordable infrastructure, one were we don't have outrageous prices for just a basic service.

Will Natynczyk willnatynczyk@hotmail.com Kanata K2K 2X4
The value for telecom that we Canadians pay is criminal.

Jeff Bai 90seconds@gmail.com Toronto M6p3w1
Dear Madames and Sirs of the CRTC,
I remember the days of unlimited internet at a flat rate, and I remember the technological boom that accompanied it. Please note that restricting affordable high speed Internet will ultimately cripple our IT innovation and further reinforce a tiered access to the Internet.

erella Gannon assistant@erella.com Toronto m6j 3m2
We need internet for paying bills and in a variety of ways. Please don't allow the big telecom companies to price the internet away from poor people. They make record profits. I think they are being greedy.

Tony Morronecinematicpro@gmail.com Toronto M9A 4V5
Plus....can I get free TV in the airwaves again? These cable companies are really ripping me off big time

Darcy Faires darcyfares@gmail.com Surrey V3R 4C7
There is no reason to limit valuable telcom infrastructure in this way. Canadians already pay a large amount of money for weaker Internet than much of the first world enjoys.

Theme 5: Canadians are very fond of the independent ISPs that do exist, and want the CRTC to allow their continued existence.

"I don't have a lot of money and switching away from one of the Telecom giants to a local, cheaper provider has been a huge help to me. Their services are good, I get quality internet access, and I don't cringe when I look at the invoice each month, wondering what new or more expensive charges have suddenly been put on my bill. I think I'd go without internet access before going back to either Bell or Rogers—please don't make me make that choice."

Kyle Murphy
seothern@gmail.com
Kitchener, ON
N2H 1M5

Christina Campbell mysonjustus@yahoo.ca Kitchener N2C 1Z6
My family has received excellent service from several smaller internet companies - Yak, Voice Network and Teksavvy; after experiencing many years of poor service and higher fees with both Rogers and Bell.
Sincerely,
Christina V. Campbell

Munro Borisenko Munro1@teksavvy.com Brampton L6X 2R3
I am currently with a small ISP called Teksavvy and have been happy for years with them. In the last few years Teksavvy has actually reduced the cost of my ADSL connection; something Rogers would never do. Almost every spring Rogers would send me a letter telling me how wonderful they are but that my bill in the new year will be going up. I do not want to live in a country where a few large ISP's can charge their customer's what ever they want and give us poor quality as well. I am sick of it.
I want the choice to pick the best ISP for my needs. I feel all ISP's should have access to newer technologies such as fiber and should not be restricted to only the largest (\$\$) ones.
Please remember the most important thing, myself the customer deserve better.
Best regards, Munro Borisenko.

Stephen Pascoa s.t.pascoa@gmail.com Toronto M8Y 1C6
Not only is it stifling the infrastructure of Canada for businesses and residents, it is stifling the education of Canadians young and old as the Internet is one of the best educational tools in the world.
I would also like to add that smaller ISPs like TekSavvy Solutions have shown that they respect their customers and will fight for Canadian rights even when it costs them greatly to do so. In my experiences, they have also shown that they can provide better Internet and customer support services than the big telecom companies ever tried to provide. These smaller ISPs deserve to grow and prosper from the customer goodwill that they have most definitely earned. My metrics of success are deconcentration of the market, improved speeds, and pricing that better compares with our global counterparts who actually respect their customers and the real prices of providing the Internet to them.

Nathan Taylor-Conboy navynatah@hotmail.com Ottawa K2H 7H7
I am thankful that I am able to purchase Internet service from a local non profit group whose aim is to help improve internet access for as many people in the National Capital region as possible. The costs are much lower, predictable and the features offered help to maintain Internet access for many people in my region who may not be able to afford service otherwise. If the provider could not use higher speed lines to improve the service in the future it would be unfair competition as we are paying for the development of this private infrastructure already through our wholesale rates.

Colin Parrott colin.n.parrott@gmail.com Toronto M6P3V6
Don't let TekSavvy die by allowing Big Telecom companies to block access to affordable independent Internet services.

Bruce Wessels bruceybonus@hotmail.ca Ottawa K2P 0G3

All Canadians deserve access to all speeds of Internet (including fibre) independent of Big Telecom's.

I use a small ISP because they provide a level of service that the big providers will only provide at almost double of the price. This is good for competition and Canadians.

Edward Kong kongew@mcmaster.ca Kitchener N2A 4H5

I feel that big telecom companies' control over the infrastructure unfairly impacts the competitiveness of independent ISPs.

Ron Belaire crtc@belaire.net Nepean K2G4W3

I just switched away from Rogers to TekSavvy and am glad that I had freedom to choice.

Casey Ashton shtc0020@humbermail.ca Toronto M8V1K8

The fact that I even have to debate this topic is embarrassing. I moved to Toronto from the US in search of the American dream... And despite the healthcare and marginally affordable education, I've been appalled at the services offer via telecom in this country. Teksavvy has offered me the opportunity to have access to the internet like the rest of the developed world. I've been able to play games online, watch videos, and even have a Skype conversation with my grandmother before she passed away. That said, this is with Teksavvy. With Rogers, I was unable to do any of these things reliably the majority of the time. When I was, I was charged for more data than I was using because of the lack of oversight the CRTC has with them. Without mudslinging, I ask you... I tell you, as I can pull up root and take my money right back to the US at any time... Let Indie providers give Canadians the service they demand. We get no representation from you unless it means that wireless telecom takes a crap on us and you look on with applause. Just leave things alone and watch as Canadians prosper.

Theme 6: Canadians in rural and remote communities—and their families who live elsewhere—are particularly dependent on the CRTC to make policies with their best interests in mind, and fear exacerbation of the digital divide.

“My family and I are speaking up today because we are dependant upon independant ISP providers. None of the big guys think that there is any money in providing us with affordable service, and its only our local city ISP, with its cluster of rural area local residents, are able to offer us a plan.

I am bedridden and depend completely on my internet access for all social, business and educational needs. Disallowing my little ISP from the necessary speeds will be like shackling me to my home. We live on our private disability pension, a fixed income which will never allow us to pay the 5x higher costs that the big guys charge other rural areas. We cannot let their corporate greed handicap the citizens of this country.”

Lori Verton
vertonfamily@kos.net
Wolfe Island, ON
K0H 2Y0

Robert Sims rsims@teksavvy.com Ottawa K1S1W1

There is a digital divide in this country because poorer Canadians cannot afford the price of internet services, wireless rates and/or the subscription costs of even basic television.

I have internet access because of my decision to purchase these services through an independent internet service provider -- Teksavvy.

It is past time to treat these services as a public utility and this is as good an opportunity as any.

W Williamson wendwilliams@shaw.ca Nelson V1L2X3

Please keep in mind that those of us who live in the mountainous areas are particularly vulnerable to price-gouging. Thank you for considering the needs of all Canadians!

Christoph Dietzfelbinger info@bearmountaineering.ca Smithers V0J 2N0

I live in a rural area in northern British Columbia and operate a tourism and consulting business out of my house. Telus has a fibre-optics cable running through my property, but there is no access to that. I am stuck with a poor provider of a radio link at exorbitant costs. This is but one example of the monopolistic structures that exist in Canada: Telus has no interest in providing broad based service which leaves the small operator a niche for gouging rural customers. It is time to reform telecom in Canada in the public interest.

Erik Blake erik@icefield.yk.ca Whitehorse Y1A 5M2

I live in the north, and am served by the effective monopoly of NorthwTel as far as Internet access goes. We live with prices that are higher, data rates that are lower, and usage caps that are lower than competing services in southern Canada.

In order to change that, we need to have competition. NorthwTel has build our fibre pipe to the outside at considerable cost, but it is critical that access to that pipe be kept open to competitors at a reasonable cost. Because this has not been happening, we have higher costs.

The same scenario will play out in southern Canada unless the market is kept open.

Decoupling the infrastructure from the service providers should be considered. It removes the conflict-of-interest that exists today.

Kristofor Jensen kristofor.jensen@gmail.com Mountain View T0K1N0

As part of a rural, regional economic development alliance, I implore you to not allow Big Telecom companies to block access to affordable independent Internet services. All Canadians deserve access to all speeds of Internet (INCLUDING FIBER) independent of Big Telecom's oligopoly. The service offerings are sparse and the business case driven by big telecom doesn't provide the profit margins to expand fast, fiber networks into rural areas. Community owned broadband solutions are present all over the world but cannot be implemented with the current ownership of all networks but big telecom companies who will not allow competition on the networks that were paid for with tax payers dollars.

Terry Yeo yeo.terry@gmail.com Aylmer N5H2N2

I live in Aylmer, Ontario, it's a small town of 7000 residents. We only have one choice when it comes to cable/DSL Internet access. East link is the provide and we pay a hefty fee because of their monopoly.

Celena Negovetich theradiofreak@yahoo.com Grey Bruce, ON N4L 1G9

Lower income families will not afford these services and in small towns where the library is closed certain day, children required to do internet work for school, cannot. This is not fair. Please keep it fair.

Matthew Grosvenor grosvenor@gmail.com Simcoe n3y 4k6

The divide between rural and urban/suburban is already at, or very near, the point of no return with respect to availability of high speed internet connections. Not all solutions (satellite, wireless) are created equal, and fail to address the current problems of ancient infrastructure the Big Telecom will not address out of profit concerns.

Roger Pettit rogerlisapettits@gmail.com Galiano Island V0N 1P0

Please All Canadians deserve access to their choice of Internet speeds (including fibre), independent of Big Telecom's oligopoly. Currently, on Galiano Island, Big Telecom refuses to provide affordable wired service to two-thirds of the island. We are forced to rely on a small wireless carrier who has limited available bandwidth, and relatively high pricing. The only other services, from Big Telecom, uses the cellular networks. Not only is the coverage apotty, but the cost is prohibitively expensive for average family needs.

It's time to split Internet infrastructure off from big telecom companies to ensure digital networks are open for a range of providers to service all residents of Canada.

We depend on you to put the interests of all Canadians ahead of Big Telecom conglomerates. Candians deserve a competitive deconcentrated market, improved speeds, and pricing that compares favorably with residents other nations.

Dave Gurney davegurney@gmail.com Winnipeg R3J 3X7

No doubt you will have received many of Open Media Form letters, and I agree with pretty much what they've identified, however, I have an alternate perspective which I believe merits your attention.

I have worked in the field of distance education for over 40 years. For decades, the major impediment to continuing education for students not living in a major urban centre was access. The Internet has to a significant extent removed some of these barriers. As manager of the Educational Television Studios at Red River College in Winnipeg, I instituted a streaming video delivery platform which enabled rural Nursing, Paramedic and Early Childhood Education students to participate in the same courses as on site students live in Winnipeg. Fiber optic will along with 3 and 4 G networks have significantly improved the quality and access distance students can expect to have in the coming years but only if it is affordable. If the 3 big players control the marketplace then you can be sure their pricing practices will continue to keep Canadians paying some of the highest costs in the world. We are a country of great distances and we should do everything we can to level the playing field for students outside of major urban centres.

Christopher Shackleton christopher.shackleton@gmail.com Vancouver V6J 3V2

Rural Canadians are at a significant disadvantage as compared to their urban counterparts because Big Telecom refuses to invest in the infrastructure required to service small communities. We need more competition, better access and better service.

Jerry Cook info@taxaction.ca Richibucto E4W 4E4

The Big Telephone companies already have a monopoly on lousy service in rural areas. I strongly object to this further degradation of service.

Bruce Switzer bdschwitzer@rogers.com Komoka N0L 1R0

Rural Canada must be given access to the same quality of infrastructure that urban areas receive. Current methodology promotes access only in urban areas due to higher concentration of addresses. This cannot continue.

Marcelle Kors makors@gmail.com Ucluelet V0R3A0

We depend on you to put the interests of all Canadians at the heart of your consideration. Internet access is now a necessity. Higher prices for less service will continue to take it out of the reach of more Canadians. All Canadians deserve access to all speeds of Internet including fibre which is not available in my area (neither is DSL), being in a rural area I have to depend on Wireless internet service which has many drawbacks.

Brian Wakeford brianjwakeford@gmail.com Indian River K0L2B0

Internet in Rural Ontario is a problem. The few that have it have to pay through the nose and are gouged for download gigs as well as base service fees. Companies buy gigs of bandwidth for pennies yet sell it for 10 dollars or more. There should be no caps, no throttling and reasonable prices. Canada is stuck in this bind with Bell Rogers and telus. They are holding us ransom while they clean our pockets. Their profit margins are proof of this.

Michelle Corbett michelle.corbett.is@gmail.com Sandy Lake, Ontario p0v1v0

I live in a remote area where Big Telecom will not supply us.

K Bailey driftwayk@gmail.com Toronto M5S 3B8

I am a soon to retire librarian who has worked in the public library for thirty years. I see the information rich and the information poor every day. My library is near the Scott Mission in Toronto, where 300 homeless people eat lunch every day. Some of them use the library computers to e-mail family far away. Some use the computers to job hunt. Some simply watch a funny movie to escape the pain of loneliness, or to try not to drink or do drugs. Affordable internet is so important on so many levels.

I hope someone pays attention to it, as affordable Internet is also a key part of education for people in remote parts of Canada, including indigenous youth.

Kathleen Bailey,

B.A. Honours English University of Guelph

M.L.S. University of Toronto

M.A. in Children's Literature, Simmons, Boston 1995 .

Storyteller and preserver of oral tales.

Member Storytellers of Canada - Raconteurs du Canada.

Theme 7: Canadians who are entrepreneurs or small business owners will suffer if telecom incumbents are permitted to block independent service providers.

“What is at stake here is not the continued health of the telecom industry as it is now constituted. It is about facilitating the kind of open, accessible communication system that is a level playing field for ALL Canadians today and into the future. It is about setting the stage for pioneers and entrepreneurs to share ideas and grow the new businesses that will be the lifeblood of Canada moving forward. It is about any rural e-business having the same opportunity and access to customers as any urban one.”

Kimberly Smith
ks@creativeaction.ca
Canning, NS
B0P 1H0

Sergei Van Hardeveld daedalus2134@gmail.com Alliston L9R 1P6

As a an aspiring independent businessman I want to work in a climate of healthy competition between many small actors and perhaps some large ones, I want better prices, better service and more options. Most importantly, I want to be able to direct my business towards those whom I share ethics, beliefs and good business practices with; I would rather spend my money willingly than begrudgingly due to a lack of options. When large companies work against that, they don't only work against me, they work against the Canadians that make their existence possible, they work against innovation and for stagnation, they work for a world in which they have a controlling share. Frankly they're boring, they're stuffy, they move slowly and I don't want to live in their world, I want to live in a world that is alive with ideas and exploration, brimming with innovation and overflowing with creativity. If it takes making the internet a public utility or if it takes moving it closer to a public utility through the encouragement of cooperatively run or municipally run internet services than so be it. I want an internet that serves all Canadians and I certainly want an internet that places Canada back at the forefront when it comes to digital services because we have been lagging behind to say the least.

Yannick Marcerou yannick.marcerou@gmail.com Ottawa K1N 8E4

Thank you in advance for giving a fair chance to Canadian entrepreneurs who provide excellent service and fair prices like Teksavvy.

Nicholas Leach Xnick@primus.ca Toronto M6J3A7

As a small production company owner I am sick and tired of the CRTC putting the concerns of large corporations ahead of small companies. We have to fight for every dollar we get while the CRTC does everything in its power to back big business and destroy smaller competitors.

david marshallmarshall@nas.net hamilton l9g2h4

I am a customer of a small independent internet access service. I always support small local businesses when practical and run one myself. It used to be said that bigger is better but all large nationals and multi-nationals are proving that in so many ways, ignoring the social requirements of the places in which they operate. Canada has a number of such company's in all industry segments. Customers are not put first in any of them. Banks and telecom are good examples.

Stephanie Davidson stephie@vaxxine.com Niagara Falls L2G 7H8

(Also please note that I work for a small Internet provider. With the lack of work in this area I am grateful for the employment. Without the job, my family would suffer hardship as well.)

Don Barthel don.barthel@gmail.com Vancouver V6P2H1

The small business I work for depends on a competitive, inexpensive, telecommunications marketplace. Please choose for more competition and less monopoly. Don't allow big telecommunication company to achieve a monopoly or duopoly.

Suzanne Leclair suzanne@shiftcounsel.com Timmins P4N 7C3

I am a digital business lawyer. I help solo professionals work online. Many Canadians must rethink work, due to layoffs, retirement or family obligations. Affordable internet services are essential for households on fixed retirement income and for small entrepreneurs alike.

I am based in a rural part of Timmins Ontario. I have only basic internet service. As an entrepreneur, doing business with Big Telecom is frustrating.

I understand my comments and information will form part of the public record for this proceeding including on the CRTC website. I can appear at the hearing in relation to this submission.

pat donovanpkgdonovan2@gmail.comottawa k1t 1e3

kidnapping is considered a crime... And housejacking, too, since this seems to a large group of consumers.

you know the history. independants can do in less than 24 hours what majors claim is impossible.

don't fall for it again.

Cory Hanson hanson_c@telus.net Nanaimo V9R 6R1

Our country was built on and continues to thrive on the do-it-yourself entrepreneur-ship of individuals or small companies growing their dreams. The Internet with it's huge expansion in the past 2 decades, and it's huge future potential, reflects and enhances so much innovation, from the field of internet service provision, right through to the creative use of the internet by nearly every person in Canada.

Simon Tyler support@humanfly.com Toronto M6G 2V1

Further, competition leads to cheaper prices. Cheaper prices for bandwidth leads to more small businesses on the internet. Cheaper access to the internet makes our small businesses more competitive, and cheaper internet access means that individuals can better leverage the internet for training and self education, it makes Canada as a whole more competitive.

Jacob Dambergs jake@lptechsupport.ca Halifax B3H 4G5

As an IT support professional, and one who deals mainly with small business, I consistently witness communication infrastructure and affordable bandwidth as one of the primary factors restricting growth of the small businesses I service.

(Marie) Diane Doucet boubou@shaw.caDuncan V9L5X8

We seem to be entering a time of more and more of Big Business (in this case Big Telecom) control over sections of our economy to the detriment of smaller businesses and the general population. This does not bode well for a free and democratic society. Wages are being suppressed, prices are artificially inflated and there is too much control over internet content and privacy. This must stop and there needs to be more not less internet access and freedom if we are to truly move forward.

Robert Lopez robpez@mac.com Toronto M4E 1E2

Small businesses are the lifeblood of our country. I would like our government to allow independent telecom companies to compete on a level playing field. I personally support small businesses and want to see them thrive. It is my belief that Canada's Telecom's oligopoly has stifled true innovation and competition. It is time for our country to catch up with the rest of the world in this area.

Derek Wong dwong@dwacs.com Guelph N1K1T8

I am a small business owner who relies on third party Internet providers for my livelihood. There is no reason in today's market to allow the Big 3 Telecoms to maintain their stranglehold over Canadians.

Michael Richardson mcr@sandelman.ca Ottawa K1Z5V7

My small BUSINESS DEPENDS UPON GOOD Internet service. The incumbents are a decade behind in technology, are unable to provide the service I need, and seem to regularly practice predatory pricing to keep independents from succeeding.

The independents I rely upon are responsive, customer focused, and have been at the forefront of technology.

Theme 8: Canadians consider Internet access a public utility like water or electricity, and believe it should be regulated according to similar principles (i.e. not private sector economics).

"The Internet is an essential service the same way we depend on electricity, water and sewage. No essential services should be totally under the control of the private sector when it comes to pricing since that will allow them to increase the ditch there already is between the most fortunate of us and those would could actually benefit from the information. The internet is knowledge and services, it's a fundamental piece of our society nowadays and access to it should be seen the same way we see access to water and electricity."

Jean-Marc Lagace
jean-marc@m2i3.com
Laval, QC
H7Y 1T8

Karen Linsley llanda@idirect.com Kingsville n9y 2c3

Internet is not a luxury anymore. It is a necessity, and lack of access will marginalize those who cannot afford the ridiculous prices of our current dominant companies. Kids have to have it for school. Gone are the days of books. Adults need it to access many services that are being cut because people can get them on-line. The veterans services issue comes to mind, as does applying for EI. You can apply no other way.

Benjamin Glatt benjamin.r.glatt@gmail.com London N5W5C5

To add my own words--to lend weight to this--I would like to say that I spend all of my time on the Internet: I conduct business, do banking, and search for ways to do my job online, as well as get all of my entertainment. Right now Big Telecom treats data as a finite resource and charges exorbitant fees for its transfer. The truth is that there is not a limited amount of data: if I transfer 25 megs of information to my computer, that information is still available for somebody else to get; it doesn't disappear. Bell and Rogers charge egregiously for the transfer of information and they price it as more valuable than water, and far more valuable than the electricity required to transfer the information. The fees are too great and these companies need to stop treating as finite an infinite resource like information.

S--- L---

Internet -and indeed other telecommunication- has become a resource akin to electricity -in that- despite not being a biological need, it is something expected and required to function as a part of today's society. For careers and education in addition to social norms, it has become a resource that we are all expected to have and that most people's lives are built around having. For this reason it should be treated as such. If a company -or a group of them- would not be allowed the command of the market for electricity, then they should not be allowed that control for this modern resource. The laws that govern access to, and control of, such a resource should mirror the policies that ought to be in place for the resources we already have that have become so essential to daily life. We already have a working model of how the policies surrounding internet should work in the way that we manage these other resources. The most comparable of these would be phone service, and though these regulations are far from perfect, we have at least come as far as making sure everyone has equal access to a resource such as a phone, because it is something we are expected and required to have access to. Internet should, logically, be no different.

In addition to this are all the considerations for the educational and business aspect of the issue, where equal and fair access to all types of internet is the only way to ensure a fair and competitive market, not only for internet services themselves, but for those businesses, products and services that depend on internet usage.

I do not wish to have my personal location information made public, as this creates a security risk for me, however, I acknowledge that my comments will form part of the public record for this proceeding including on the C.R.T.C. website. I do not wish to appear at the hearing in relation to this submission.

John Harris bennbjbear@hotmail.com Mississauga L5J4A3

As a disabled person who gets NO assistance from anyone, living on only my wife's single, meager salary, the internet allows me some freedom to visit/stay in touch with friends and family. If these greedy telecom monopolies are allowed to continue, even that small window of hope will be gone from my life. This has got to end. It boggles my mind that a country such as Canada allows this sort of behaviour to happen. We are supposed to be a democracy, but apparently not when it comes to the big business of Canadian Telecom.

Phil Tesseyman ptesseyman@gmail.com London N5Y 1J3

The information highway is exactly that an infrastructure to move data/ideas. The government must be the entity to maintain this structure not profit driven interests.

John Devlin jdevlin@uoguelph.ca Guelph N1G 1N4

Information communication infrastructure should be recognized as a public good similar to public highways. Privatization will contribute to polarization of service and greater social inequity.

Jim Emberger jimemberger@nb.sympatico.ca Taymouth E6C2H2

The Internet is about the last public commons left in the world. Please do not allow it to also fall to the commercial interests of a few giant corporations which already wield too much power over our lives.

Turvy Strong turvyc@gmail.com Burnaby V5C 3C9

Let's get real here: it's obvious the big three are a cartel. Tactics such as usage-based billing and data caps are artificial limits imposed by those companies to turn a higher profit. The internet should be a public utility, not a private for-profit luxury.

For completeness, I am also including Openmedia's form letter below, and I fully endorse its message.

The Canadian consumer needs a break. The 3 big telecom companies are strangling us. They are getting too big. I am particularly concerned about the dangerous growth of Rogers, which seems intent on complete domination. Our marketplace is becoming totally dysfunctional. Small companies must be allowed to flourish, and for that they need access. The gouging of the Canadian consumer must stop! Force the big three to share. Our country is not a monopoly board!

DominicBrown fourfoldway@gmail.com Vancouver V6K 1N4

Do not allow incumbent telecoms to block access to affordable independent Internet services. All Canadians deserve equal access to the Internet, undeterred by artificially high prices set by an oligopoly. High-speed access, including fibre, is not a separate luxury product, but an essential enhancement to productivity, and an enabler of innovation and creative new forms of business.

It is long past time Canada took the common-sense step of treating Internet access as basic infrastructure, not a private cash-cow for big telecom companies. We need to open digital networks to a wide range of providers (local and national, specialized and general, basic and premium) to serve Canadians.

We depend on you to put the interests of all Canadians ahead of a small group of over-privileged business. Wise regulation does not mean maximizing the profits of telecoms, but broadening the range of providers in the market, improving Internet speed dramatically, and establishing a pricing regime more comparable to those in, say, South Korea or Japan.

Benjamin Gattie gatt_the_cat@hotmail.com Ancaster l9g2h6

This is my right as a human being to have freedom of speech. Never forget how our country was formed and to never get lost by shedding unnecessary dead weight for a better humanity. For whoever reads this. If it does reach anyone. Remember Humans just like you and I created everything we have today. We can improve this, lets not destroy ourselves and the planet. We have a responsibility to do what is best for all of humanity and if people cannot share and connect throughout the World which now should be a basic need for all humans. You never know who the next big mind or creator or explorer will be. This helps us out and you out. Profit does not, profit is cancer. Love, your fellow human being.

Kyle Lillie kylelillie@gmail.com Edmonton T6J5K7

Internet should be made a public utility, and cheap access a right for every Canadian.

Marc MacPherson MMacPh700@gmail.com Dartmouth b2v1y9

We are living in a digital era where the library 2.0 that is the internet, the largest database of knowledge and culture holds an essential part of our daily lives. Be it political voicing, enhancement of education or doing our jobs, having a connection to the internet and Net Neutrality must be seen as a human right and not a place to be messed with by the greed of business.

Please

mike newman mike@ncf.ca ottawa k1s2h5

Please do not allow a few private interests to control and effectively regulate access to the backbone of electronic communication in Canada.

We wouldn't allow this with water, or electricity, or health, or education...or any of the other boring background services that make our country such a great place to live.

CRTC is charged with regulation; please consider that this is a prime example of when you should exercise that responsibility.

Najieb Nabil jeebs81@gmail.com Calgary T2T3X2 Dear Commissioners,

The Internet's infrastructure should be treated like our roads - open to the public and regulated by government, not by private organizations.

We can't allow this great nation of ours to be held ransom by the greed of too big to fail corporations who do not have our best interest in mind. We shouldn't be struggling with a third world Internet when we live in such a rich and successful country such as this.

Please protect the rights and freedoms of all Canadians.

Thank you,

Najieb Nabil

James Roberts exjimmyr@gmail.com Gravenhurst P1P1C5

Internet is the new Phone system, make all ISP Common Carriers.

David Knight davknigh@sympatico.ca Guelph N1E4P2

The internet has become an essential part of everyday life. More and more government services are being offered over the internet and other means of access to services are being closed. At the same time earnings are not keeping pace with the rise of internet rates as I found out with my latest bill from Bell Canada. Is access to government services to be limited by our ability to pay?

Kyle Laskowski stratochief66@gmail.com Winnipeg R2W1H7

With more of our day to day digital lives, work, and play depending on internet services, gouging and low data caps by the oligopoly are putting Canada further and further behind other nations.

<http://www.michaelgeist.ca/content/view/5727/125/>

Alan Monk amonk@telus.net Kelowna V1W4Z8

An open and unrestricted internet is crucial to optimize the democratic benefits of the internet.

Richaard Sharman rsharman@pobox.com Ottawa K2C 2W4

The days of an internet connection being a luxury item for a few are behind us; it is getting to become as essential as a phone service was in the fifties.

Jamie Ruben jamie_ruben@hotmail.com Toronto M6S 3R6

The internet has been progressive in society due to its empowerment of smaller voices. This must be true to its business structure to maintain its truth to users.

This has not practical good.

Theme 9: Canadians care about Canada's global standing and are embarrassed to rank so lowly in broadband Internet pricing and speeds. They believe Canada's poor broadband performance will hurt the economy and cause the country to fall further behind.

“To the Commissioners it may concern:

By foolishly allowing Big Telecom companies to block access to affordable independent Internet services, Canada will become the laughingstock of the developed world. All Canadians deserve affordable access to all speeds of Internet, including fibre. You need to put the interests of each, unique, economically and socially diverse Canadian ahead of a small group of Big Telecom conglomerates. That's a large task to undertake, and you face enormous pressure from the business sector. Your actions send an international message in terms of what you as an individual and we as a country deem acceptable. I trust that you will make the right decision to establish successful, independent internet services based on the deconcentration of the market, improved speeds, and pricing that better compares with our global counterparts.”

Kelly Milne
kelly.m.milne@gmail.com
Camrose, AB
T4V 4P1

Aaron Lee djalpha_@hotmail.com Woodstock N4T1E9

As a economics grad, and a education professional, it is plain for me to see how much of a deadweight loss the telecom oligopoly is imposing on Canada. For something that is quickly becoming part of our necessary infrastructure, keeping this much power in the hands of a select few is dangerous. The American government has recently struck down critical parts of Net Neutrality. Subsequently, companies such as Netflix have started to feel the consequences. Why should they (and its users) be punished, because big telecom was slow to innovate and act?

Luc Devroye luc@cs.mcgill.ca Montreal H3A 2A7

It is a sad fact that we already pay more for much slower internet service than many parts of the world. I often visit Chicago, where speed-ups of a factor of 10 compared to Montreal are commonplace. at a fraction of the price. We need more competition and at the very least a separation between the internet per se and the telecom companies.

Luc Devroye,
Professor of Computer Science
McGill University

L de la Gorgendiere ldlg11@hotmail.com Wakefield, QC J0X 2W0

Do we risk lagging behind as a country because of CRTC's reluctance and/or inability to serve the needs of Canadian citizens in face of a daunting Telecom monopoly (Internet, cell phone, etc.)? CRTC must ensure that digital networks are open for a range of providers to service residents of Canada unencumbered. CRTC must strive to Improve and open the market to provide Canadians with better speeds and pricing that compare favourably with our global counterparts.

J Restrepo jrestrepousa@yahoo.com Toronto M5G2C9

In many comparable countries, people can get fiber to the home, telephone, TV and even a cell phone, all for around \$20 per month. Here in Canada, the 3 big companies are united in robbing us from the increased productivity Internet provides. It is unacceptable that the average person in Canada pays well over \$100 for the same. The current situation is as if the government would allow all the interconnecting highways in Canada to be in the hands of 2 or 3 companies!!!

Anne-Marie St-Laurent aramistl@gmail.com Vancouver V5L 1E3

The call to split Internet infrastructure off from big telecom companies to ensure digital networks are open for a range of providers is reasonable. It should have happened years ago.

The telecoms' stranglehold is turning Canada from a digital innovator into a backwater. Lack of competition makes them arrogant and greedy, and it's stifling innovation. It's time to stop coddling them. Free the fibre and make them compete in the provision of what are, in 2014, vital digital services that all Canadians need.

On a personal note, I spent six years struggling with my former ISP, a major Canadian telecom company, because my internet connection became unusable any time it rained two days in a row – in Vancouver. They were happy to take my money, which was significantly more than anyone I know in the US or Europe pays for comparable service; they just didn't care to provide a reasonable level of service, and thanks to the lack of competition in the provision of digital services, they felt no pressure to do so.

Jason Harder Jasonharder2@gmail.com Windsor N9A3E2

AND IN MY PERSONAL OPINION IF WE ARE TO ENCOURAGE FAIR & CRITICALLY NEEDED COMPETITION BETWEEN COMPANIES IN OUR COUNTRY. FAST INTERNET IS ALSO BECOMING THE FUTURE OF COMPETITION between countries and we are being WRECKED BY SOUTH KOREA AS IT IS ALREADY. LETS NOT GIVE OUR PROVIDERS ANOTHER REASON TO BE LAZY.

Derek Samuelson impelled_procrastinator@hotmail.com Abbotsford V2T1J5

I ask that this submission be granted the same weight as that of any other party for the sake of civil liberty and direction the public opinion should hold on matters that effect them, and for the progress of Canada as a whole.

Percy Hart percysbeach@live.com Heriot Bay V0P1H0

The Big Telecon companies are holding us back with their old obsolete business models.

Cam Stroud cstroud@helixit.ca Orillia L3V 6H2

Canadian internet services already are ranked equivalent or worse than those of third world countries. Having moved back from the United States 3 years ago and seeing the price of internet, bandwidth caps, the number of active dial-up and DSL situations still in play(dial up in businesses because of cost), and general corruption and poor, money-mongering business practices of the Canadian ISP oligopoly; the climate you have allowed for your protected ISP oligopoly is deplorable and makes me ashamed of being Canadian. You are doing nothing more than hampering Canadian businesses, our economy, and our access to something that should be and soon will be considered a basic human right. Your prolonged protection of these Telcos who control every aspect of media and communication they can sink their greedy paws into is just as disgusting. To think that the company I work for is paying over 10 times more for a vastly inferior service than I had in my home in the US makes me want to puke; and you are the enablers, well you can put a stop to that. It is also important that you force truth in advertising by the ISPs, who try to act like they pay by the byte of data they handle, or that they laid the infrastructure - where most of the physical hard lines (coax at least) were installed by Hydro-One and other utilities, not the Telcos. We are talking about companies who look for your protection because they are too worried about their bottom lines and keeping up their massive profit margins to implement any infrastructure upgrades. I heard of incredible nodes, speeds and availability in European countries and then sit looking at what Canadians deal with and can only shake my head, but we will only stand by and wait on you to wake up and smell the roses for so long. The population's patience is wearing thin, its time for you to do something.

David Cadman high.hopes.haven@gmail.com Ajax L1S2S6

With Internet Accessible Products soon to skyrocket from a few minor streams, like computers and smart phones, to multitudes of avenues, such as watches, TVs, refrigerators / freezers, to smart medical devices and glasses, and items I can't even begin to guess at in the present, it is imperative we have the BEST in CONNECTIVITY. Handing over to the Big Telecoms a monopoly on this will deliver Canada into the Back Waters of the NEW Internet Eco-Sphere. Canadian Institutions and Citizens will be destined to be 3rd World Equivalent Citizens in this New Eco-Sphere where National Boundaries are blurred and the REAL BOUNDARIES will be the ability to interact (Socially, Economically and Politically) in this New World. The NEW WORLD NEEDS Canada's voice to be loud and strong; to promote Canadian interests and values.

I cannot appear at the hearing in relation to this submission. Not that I wouldn't like to, but I am physically and economically unable to travel.

Scott Coulson sacoulson@rogers.com Kanata K2M2R5

I look to the pricing of Europe and several Asian countries and hang my head in shame and frustration that we are so highly gouged in pricing.

Catherine Woltz cgwoltz@gmail.com Toronto M4S2L1

Canada can not afford to fall behind other nations in access to technology. How can our industries and businesses stay competitive unless they have the best tools and networks?

Please support fairness and open access by preventing Rogers, Telus and Bell from monopolizing the telecoms market. All Canadians benefit from this, economically, financially and socially.

Samuel Babin-Gill sbabingill@gmail.com Longueuil j4t 3p1

I must say that i am shocked that in the Canadian culture we are still so late on internet communication... To me there is 2 possible reason for that.. we do live in a very rich country.

1: We are being hacked by rich elitist old oligarch families that have enormous influence on the politics, in the purpose to bleed us dry and turn us into their slaves!

2: we have a totally inapt and incompetent governing body, socioeconomic and information media awareness body I for myself vote for the 1st. Because i do not believe, we have elected officials that are that much idiotic to let oligarchies destroy the country they live in. Those people went to school and studied laws as well as history. By destroying the internet connection capacities they are literately and intentionally attempting to make CANADA turn into a 3RD WORLD COUNTRY!

It as always been their plans, to harvest the rich, resourceful countries then destroy them by design, so that they can come right back and buy our government debt. So they can OWN our land and turn us into their PROPERTY using the UN and the IMF.

Let's take a look at 3rd world countries for example! What does their governing bodies look like most of them? Dictatorship!..Oh my bad, MILITARY dictatorship.

What else do these countries have? A very DEVALUED currency.. Let me explain... What we buy with our money, never INCREASE in VALUE...It is our MONEY that LOSE VALUE, Thus requiring MORE to buy the same THINGS!

and what does that mean? it means we as a country are getting our wealth stolen, harvested!

Banks print more money, and we have to pay for the interest on top of the lending.... mathematically, it is impossible to pay that back. Why would banks do that? Aren't they part of the governing body? Well i guess not.

We do not have a dictatorship in Canada don't we?

I guess it's time we pay attention because we HAVE ALL THE SYMPTOMS!

Just like our current healthcare system...we should STOP treating SYMPTOMS and instead CURING illness, because right now i find our governing body pretty silly. much love! For a better tomorrow!

J.R. BROOM BISI@SHAW.CA POCO V3C 4C3
South Korea are light years ahead

Alan Bristow acbrist@gmail.com Ottawa K1J 8J5

Although this letter may appear similar to others, it is nonetheless heartfelt. Canada of all places with it's geography and freedoms should be a leader rather than a sloth in this.

david tsabar david.tsabar@gmail.com vancouver v6e 3w3

Having lived in France last year I can safely say that I'm being gouged for third rate internet service, by comparison.

Simon Bodger simon@bodger.ca Ottawa K4M1C8

I have grave concerns about Canada's large telecom companies being able to block access to independent ISPs. It is crucial that Canada stays competitive in a world that grows increasingly digital, and that starts with ensuring digital networks are open for a range of providers so Canadian residents may have a wide choice of services to choose from

Ken Greenwood Mustang05GTdt@gmail.com Aurora L4G6J4

It's amazing that ordinary Canadians have slower speeds, less bandwidth and more expensive service than poorer countries that were formerly part of the Soviet bloc.

Natalie Currie ncurrie90@hotmail.com Thornhill L3T7N1

We live in an amazing first-world country with less than first-world telecommunications. In fact, it's an outright shame and disgrace. This needs to change now!

Ben Jolie ben.jolie@gmail.com Victoria V9Z0E6

A strong, open internet marketplace is the key to a thriving technology based economy. Otherwise, we'll fall even farther behind the rest of the globe.

Byron Morales bmorales@gmail.com Calgary T3K 0M4

Unfettered, affordable access to the internet for everyone will secure Canada's position in the information age. We cannot trust the current Telecom oligopoly to provide this service.

Owen Lewery olewery@allision.com Toronto M4L1X1

Any attempt to regulate competitive entrants to the market is going to be detrimental in both the short and long term to Canada and to Canadians. The internet is fast becoming the base infrastructure for commerce in the modern world. This is one sector of guaranteed growth where regulation in favour of the incumbents can only restrict Canada's ability to participate in the new economy.

Jeremy Kroeker reverb256@shaw.ca Winnipeg R2X0K8

Seriously, this stuff is ridiculous. Canada needs to get with the modern times in reflecting the values of its citizens.

Karim Saleh zeekmfa@gmail.com Vancouver V6G 2K6

It is really shameful for us as a country to be still having such issues, when Asian countries surpass us (and in my opinion they already have) you have nothing and no one to blame but the big companies greed and lack of fore-site.

Edward Ertl eertl@nbnet.nb.ca Saint Leolin, N.B. E8N2R5
Dear Commissioners,
Did you know that in 2008, while at college, I had a young lady in my class from Burkina Faso who ROAMED with her cell phone on a plan from her home country, and she paid less than we do for service in our own region, Bathurst, N.B.?

That is UNACCEPTABLE.

Peter Gikandi pgikandi@mac.com Vancouver V6B1G6

Scores of countries, even in developing status like Kenya, are far ahead in the telecom space with regards to payment, price and practice philosophies, enabling fast, organic business practices that enrich the overall business structure and speed up financial fluidity. For the laymen, it's more money for more people faster, and so more national economy for whatever other investment interest your shareholders have.

Norma Christie lilithwork@gmail.com Fredericton E3B1Z6

I am afraid of what is happening to Canada - we are being owned by large conglomerates.

Chris Spencer cvspencer@gmail.com Halifax B3K1R1

I will add that this issue makes me extremely angry as I wonder more and more often: What the heck is going on with this country?

Chris Wickens chriswickens@gmail.com London N6H4R5

Do not help destroy the internet. We are not Americans.

Please do some research on global internet speeds vs. price. Canada is turning into a technologically inept country and this will only make things worse.

Mike Wilkinson nrokchi@hotmail.com Kelowna, BC V1Z 1B5

We cannot go the same way as the United States while criticizing their monopoly-style practices without being hypocrites.

Actions similar to that of the United States' Common Carrier philosophy, whereby Big Telecom cannot give preferential treatment to how their infrastructure is use, would be in the best interest of Canadians.

Brandon Savage oneofthetools@hotmail.com Oshawa L1G7E6

This is outright embarrassing. Canada should be a world leader in all forms of technology, but we're beholden to a few companies with a vested financial interest in keeping us behind the curve. There is NO reason why Canadians deserve anything but the absolute best when it comes to interconnectivity, access and speed.

Andrew Runka spamfilter239@hotmail.com Ottawa k1h 8l7

Please stand up for the free market to protect it from its own excesses. This duopoly has to face competition or our whole country will fall even further behind. Our country was founded on advanced communication infrastructure. Don't let that legacy fall into a dusty history lesson about when we used to be great. Below is a form email message, but its contents ring true with my feelings as well.

-Andrew Runka

Phd Candidate,

School of Computer Science.

John Phillips tjphillips@shaw.ca Stony Mountain R0C 3A0 Commissioners,

Manitoba currently has the equivalent average upload equal to that of Honduras and/or Iraq and we continue to fall further behind. This should be embarrassing to all Canadians! This applies directly to me personally and I live in a town a mere 8 minutes from Winnipeg.

Kogee Leung kogee.leung@gmail.com Toronto M4E 3X8

In an increasingly digital world with greater income disparities, it would be a mistake for the current government to allow Big Telecom companies to behave in an anti-competitive manner. A knowledge based economy requires affordable, fast and dependable access to the Internet. With these criteria being met Canadians will fall behind their industrialized counterparts and reduce the nations economic competitiveness.

Frank Del Vecchio frank.delvecchio@gmail.com Whitby L1N3R7

Third world countries now have faster and cheaper internet than we have in Canada. WHY???

S. Bayly baylysf@yahoo.com Ottawa K2B 6M5

Enough is enough. [...]

Why should the Canadian public be a source of profit on a scale that other countries do not allow?

Stuart Stevenson stuart.stevenson@gmail.com Ottawa K1R 5S7

Also please remove all foreign ownership restrictions on Canadian telecommunications companies. This will bring world class competition to our marketplace.

E Sum alphadonna@gmail.com Toronto M5J2L1 Dear Mr. Raj Shoaan and other CRTC Commissioners, I am writing in the hopes that the CRTC will continue to allow smaller ISPs to access our online infrastructure. Having travelled abroad, I have found Canada's online services to be slow and very expensive in comparison. It is clear that a major factor for this is the lack of competition in the ISP market.

I believe that:

- if we are to hope to ever develop an innovative, high tech industry here in Canada, we need to have an online infrastructure that is competitively priced.
- with more collaboration being conducted online and with more people telecommuting - using technologies like VPN remoting or video conferencing that require very high speeds to be functional - this is not simply an matter of recreational use of the Internet, but all manner of professional uses.

. As I am presently in the US, I am unable to appear at the hearing in relation to this submission.

Thank you kindly for considering this email.

Erica Sum

Ken Forsythe ken.forsythe@gmail.com Slocan V0G2C0

We cannot remain competitive or achieve new levels of efficiency without having Internet Infrastructure comparable to our competitors'. If necessary, given our unique geographical/demographic challenges in Canada, nationalizing the 'information highway' may be a policy we need to examine.

James Relyea james.relyea@zifiniti.com Ottawa K2M 1N2

To those who create our future,

The digital age is quickly coming to fruition. Let the people of our great country have the final say and the power to control and mold access to all these brilliant technologies. Do not let us be restricted by the profit-driven interests that have no vision for progressing the greatness of our people. This is a historic time not just for Canadians, but for the evolution of our species on a global-scale.

We need to stop limiting ourselves by greed. Let us strive towards putting ourselves on par with other nations which have far superior unrestricted access to cheap, world-class internet. Without limits, we can accelerate our advances in all areas of science, but most importantly, our children will be able to develop the future of our nation so that we can be seen as a technological power-house.

Sean Cooney sean.robert.cooney@gmail.com Montreal H2K 4J7 Commissioners,

I'm quite certain that by this point you are well enough informed on the issues of economic oligopolies, and how there has been a rather glaring one allowed to develop in Canada. While it's true that under the current regulatory system Telus, Rogers, and Bell Alliant have every capacity to stop their smaller competitors from getting bigger without breaking any laws, I judge it to be in every way against what this country is for.

Canada was, and should continue to be socialist. This means that even though it may inconvenience the few, decisions have to be made that benefit everyone, the country as a whole so that we may all prosper.

This is purely a political and economic argument however. By now people will have bombarded you with every moral argument ever written, and while I agree with many of them I couldn't care less; From a technological stand point, having only three companies as the backbone of your infrastructure is foolish and reckless. So I say to you, a decision to force openings in the market has to be made as to avoid severe negligence to infrastructural stability. Please be mindful of this, and consider this missive public record, both in defence of any positive decisions you make, or as an unheeded warning should things deteriorate due to inaction.

Many thanks,

-Sean Robert Cooney

Wayne Parks camerashy44@gmail.com Gananoque, ON K7G2V4

I have travelled extensively in Central and South America and I am always amazed at the quality of service that they receive from their internet providers and at costs that are far below what we here in Canada spend for inferior service especially if you live in a rural area like I do.

Services for 3G and 4G are available to everyone and at extremely low costs compared to Canada. Here I can not afford to have a smartphone, but even the poorest have these services in most of the South and Central American countries in which I have travelled.

Jacob Young snakeandbake@hotmail.com Montreal H4H1X4

A form letter follows my own comments.

Stop letting Bell, Videotron and other monopolistic companies decide the future of Canada's internet access. The prices we pay for existing service are already a joke around the world and lead to record profits for companies that are doing very little to keep Canada at the forefront of technological access. It's an outrage that they tried to enforce primitive bandwidth caps and prices and it's disgusting what they are doing with regards to high speed access now. STOP THE MONOPOLY.

William Hatfield will.j.hatfield@gmail.com Halifax B3H3S3

Honestly if they get through with this it is their own funeral. How can they even imagine that making these changes will benefit them? The beauty of capitalism is that there will be others who offer lower prices.

Don't tell them to not do this, tell them they are stupid.

Jeremy Butler jools0080@gmail.com Brantford N3S 4Y3

Please. Capitalism does not function properly without competition. I do not wish to appear at the hearing in relation to this submission, although I would if it were feasible for me to do so.

Harold Fisher hfisher@fwdmedia.com Montreal H2S 2C9

It is a core component of Canada's productivity and contributes in innumerable ways to our GDP, as well as to many of the democratic values we have sent our fathers and grandfathers to die for.

Don't enable corporat Tzarism.

Frank Huntley fhuntley@kingstonsf.com Kingston K7M 3X5

Though the country as a whole is a communications innovator, Canada's access to telecommunications is an international embarrassment.

Chris Rakos chris@folkwolf.net Ottawa K2G 2T9

I believe that high speed Internet should be affordable to all Canadians, and also comparable in speed and price to what is available in other countries, not only in the near future, but for many years to come.

When competition is stifled, and the status quo is controlled by large telecom companies who only care about maximizing profits, innovation stagnates. One need only look at the current sad state of affairs with so-called high speed Internet access in Canada for proof of this. While other countries have increased speeds by leaps and bounds over the last decade, Canadian Internet access has remained at a near standstill.

I will concede that allowing the same large telecom companies full control of the new infrastructure will indeed result in a vast improvement in access speeds - at least at first. Then we will again see many years of stagnation, just as we have seen from the early 2000s until now.

This should not be allowed to happen again. I hope that you consider this when you make your decision.

Clayton Mitchell ccmitchell1@gmail.com Abbotsford V2T1X1

Canada and the English speaking world in general is making some serious regulatory mistakes in their greedy rush for power and control over the population. Please be aware that the rest of the world does not operate under this control and automatically becomes more competitive with each stupid decision this government and its agents makes. Smart people take notice of this and arrange their affairs accordingly. It sure looks like Canada has decided to be poor and stupid.

Diana Popa diana.g.popa.27@gmail.com Montreal H1V2E8

While I am not asking for the commission to recognize that the Internet is a right for all citizens (as Sweden has done, for instance), I cannot remain silent about the growing inequalities in service quality and the rising costs imposed by Big Telecom. If Big Telecom companies gain even more control over the Internet infrastructure, our economy will be rapidly and seriously affected. Small businesses and independent workers will suffer the most. Canadian customers will have a decreased purchasing power and will be less competitive in the global market. This being a market that depends on fast, reliable, secure and neutral Internet for every step.

It's past time and common sense to split Internet infrastructure off from Big Telecom companies. This is the only way that will ensure digital networks are open for a range of providers to service residents of Canada unencumbered. The Internet infrastructure is as important to today's economy as paved roads. It is aberrant to allow a few companies to maintain an oligopoly on accessibility and pricing.

Thank you for your time. Respectfully, Diana Popa

Sylvain Desjardins slydesj@gmail.com Quebec G1R 3H3

We are tired of being a richer backward country.

Everett Dunn enochezraeli@gmail.com Sault Ste. Marie P6B 5B2

My metrics of success are by dispersing the market we achieve a stronger, diverse workforce resulting in improved and innovative services, increased sustainability and therefore a more robust economy producing pricing that compares with our global counterparts.

Lawrence Jones jonesla@telus.net Coquitlam V3E 2J1

Canada lags behind many countries in terms of Internet speed and innovation, and the push to improve often comes from smaller, more agile companies.

Austin Moore austin.moore@gmail.com Toronto m6r 1r2

Why is this issue even being debated. Do you not understand basic economics? How could you not try and improve competitive conditions for something as vital as the internet! Let the big three keep their phones and TV systems, but please improve the competitive market for internet as well as mobile internet.

Ryan Reamsbottom ryanrms@gmail.com Medicine Hat, AB T1A6W1

Canada's internet and cell phone service options are currently in a stranglehold by four megacorporations and this needs to change for our digital economy to succeed.

Theme 10: Canadians who submitted a letter without editing its contents nevertheless strongly support its message and would like the Commission to appreciate their views accordingly. They and we at OpenMedia expect each of them to be counted as an individual citizen and stakeholder making their voice heard. They should each receive the same weight as any other submission, including those from incumbent firms that can afford to hire expensive legal professionals to represent their interests.

*“Dear Commissioner,
You will be receiving quite a few of these, and hopefully this line will stand out from the cookie cutter message below everyone is sending. At least let the weight of the issue be taken into account by how many people are willing to take time to send this along to you. Without further ado, the rest of the message.”*

Trent Smith
master8aker@gmail.com
Fredericton, NB
E3B 6V5

David Homer ds2horner@netscape.net Toronto, ON M1H 2T6
And although this is originated as boilerplate construction these are my sincerely weighed concerns and recommendations.

Mike Hutchinson mike_hutchinson@cooperators.ca Guelph n1e 2x7
I ask that this submission be granted the same weight as that of any other party even though I am not a wealthy person.

julie cardy julie.cardy@gmail.com Sarnia n7t4z5 Dear Commissioners,
And also this started off as a form letter, so I know that you would never read it, but I think every member of the committee should get a free kitten.

Dennis Morrison openwindowsdm@yahoo.ca Toronto M4Y 1J7
I am appalled at the notion of these companies engaged in tactics such as the tactics being employed, or hidden in plain site as it were. In a free and open society, such as exists in cyberspace, we have an opportunity for the kind of conscious freedom that cannot be employed in the society unless freedom to choose is maintained. I have read the contents of this document and am in agreement in principal. Please put in place the language that will prevent future attempts at trying to remove the freedoms these smaller service providers make available. Do not take away their right to survive.
Best regards, Dennis Morrison
647 852 9794

Dan Durocher dandurocher@gmail.com Kanata K2K 2M6
Please All Canadians deserve access to all speeds of Internet (including fibre) independent of Big Telecom's oligopoly, some of which was subsidized by public funds.
Although the words in this letter are mostly provided by a third party, they provide me with the proper terminology to express how I feel about the monopoly that we could be facing.

Adam Lichty adamblichty@gmail.com Ottawa k2m 1e8
Although what follows is a form letter, it reflects my views.
Thanks, Adam Lichty

Jeremy Wolf j_wolf89@hotmail.com Waterloo N2L 5L4
Sincerely (form letter or not),
Jeremy Wolf

Jack Bystromsandleafj17@hotmail.com Red Deer T4N 5E1

These parameters allow for a free market ideology based on the merits of competition. Any company wishing to compete has that right but should not force legislation to ensure its survivability because that would crowd the market with out of date, substandard services and products.

The majority of this message is written by a third party, who I feel is defending our human rights as declared by the United Nations as of a few weeks ago, and they obviously have more knowledge on this matter that they have not included in the generic base for this letter. If something is not done I shall write in again but hopefully the outcome of your decision does not lead me to that point.

Sincerely, Jack Bystrom. Citizen of Canada.

Bob Barten barten@telus.net West Kelowna V1Z 2R1

I ask that this submission be granted the same weight as that of any other party and I will be watching closely how this matter is dealt with.

Sean Coleshill seancoleshill@hotmail.com London N5Y 2W2

I will be calling my MP.

Constance Bellina ladybellina@yahoo.ca Calgary Alberta T2K 1H8

Thanks for your consideration and ACTION.

Letters to the CRTC

Rico D'Andrea rdandrea@gmail.com Sarnia N7T4M7

Before you allow large companies to determine the course of Canadian history, please look around and review the status of Canadian broadband as compared to other countries. Our broadband has been compared to a third world country in terms of speed vs cost. Don't take my word for it and don't simply ask the big providers if this is true, please take a moment to investigate this... ask your employees to provide a report and require that they do NOT ask any ISP's for their numbers or input but rely in unbiased third party information.

If you want Canada to get into the information race you HAVE to allow innovation that is NOT forced into arbitrarily low limits in order for the ISP's to charge for internet usage.

Right now a company has to fight to even get consumers to review their service. Why is this? The consumer has to budget their internet knowing that the cap is EXTREMELY low and if they take on any new services they will have to lower internet usage in other ways. How likely is it that the consumer will roll back their netflix, youtube, vimeo usage in order to try a brand new product?

Netflix even had to create a brand new method to distribute LOW QUALITY videos in response to the Canadian internet speed and broadband cap. Think of this for a moment... a company has to LOWER their quality in order that Canadian users would be willing to use it simply because using high quality videos would break their internet budget.

I have three teenage boys at my house and 2 days ago I just paid \$500 for internet and basic cable... for 1 month because the boys didn't realize that I had to pay for broadband usage... they were having fun uploading funny movies they made to youtube. Feel free to contact me and I can send in my cable bill to show you what I mean and that this is a seriously messed up situation.

And I am a computer programmer and have been for 23 years, so I know what I am talking about... I live in Canada but work in the USA so I know first hand how our internet compares to the USA. Don't get me started on cell phone costs, that is another disgrace.

Trevor Pott Trevor.P@Astlor.ca Edmonton, Alberta T5X 5J5

Hi there. There is every likelihood you won't read this, pressed as you are under the crush of a vociferous and angry public. Even were you to take a few seconds to notice that this was more than a form letter, the chances of this reaching someone who has not already made up their mind are slim.

Still, as a citizen of Canada, I must try.

The needs of the many outweigh the needs of the few, or the one. Your job is to bear that maxim in mind as you make decisions about regulation that will impact our entire nation.

Canadians are emphatically not best served by further empowering an oligopoly which has repeatedly proved themselves unable to resist the temptations of abusing their position of power. Canadians are not served by a reduction in competition nor are they served by loosening regulation which encourages - even demands - innovation and infrastructure investment.

Whatever your personal opinions on the moral right of statutory persons (corporations) to engage in their affairs unhindered, the moral right of a small number of statutory persons absolutely cannot outweigh the moral rights of 35 million natural persons.

Communications are an essential service. They must be made available to all Canadian citizens. They must be affordable by all Canadian citizens. There is no rational economic theory under which this will occur in an environment where a largely unrestrained oligopoly is allowed to erect and maintain barriers to entry for competitors.

Regardless of history, political persuasion or personal morality this is a critical ethical dilemma of national import. The consequences of your decision in this matter will cascade beyond this one issue. It will set a tone for the governmental interaction with and regulation of critical infrastructure and utilities for decades to come.

What world do you wish to leave to future generations? One in which Canada has stagnated due to a lack of innovation, high prices and artificially erected barriers to entry?

What morals are you hoping to teach future generations: that a hypothetical moral right to unlimited profit, exploitation and greed trump the good of an entire nation?

How much is enough? These companies can make very healthy profits under a system that requires them to rent out their infrastructure to third parties. They do today and this model works well in the UK and elsewhere as well.]You are here today to answer one of the most important questions of our time:

Do companies have a fundamental right to unlimited profit growth at the expense of an entire nation? If this is your contention, then I - as a Canadian citizen - demand you explain yourself to us all.

This is our nation. One land, shared by 35 million people. We must find an equitable way to share our resources, be they natural resources or fundamental utilities and communications infrastructure.

If the current custodians of our vital infrastructure are unable or unwilling to find an ethical balance between their greed and Canadians' need then they quite simply should no longer be allowed to retain control of that infrastructure. You are the people who make these choices. You are a handful of individuals who control the fate of millions, today and in the future.

As the world becomes increasingly automated human endeavor in developed nations is largely focused on the creation of intellectual property. The companies you oversee are possess our only realistic means to exchange that intellectual property: they are the gatekeepers of the next hundred years of Canadian economy. Make the wrong call and our nation absolutely will fall behind. Make the wrong call here and we will stagnate as other nations leap ahead, reaping the rewards of national-scale innovation and investment.

Who are you? What world are you building? This is not merely a matter of law, it is about the definition of our cultural ethics. Your decisions here will serve to define part of the very soul of our nation.

Please, for whatever the pleading of one singular citizen is worth, I beg of you: do not screw this up. Choose to mandate increased competition by requiring that incumbents share their infrastructure with third parties. Do it for the other 35 million Canadian citizens...the ones whose voices are all too infrequently heard in your deliberations.

Thank you for your time.

Mason Schmitt mason@schmitt.ca

Salmon Arm V1E 1H7

I have been working for cable companies for the last 13 years. During that time I have experienced, first hand, the difficulty smaller players often have in gaining access to outside plant infrastructure in order to deploy their own fibre assets. If the ILEC decides their poles and ducts are full they will deny access or require that you pay them exorbitant fees to have them do the engineering and construction in order to place new strand, poles, etc. This problem will be significantly exacerbated once an ILEC has completed a FTTH project, as their legacy copper will still be in place along with the new fibre, thus 3rd parties wishing to gain access to poles and ducts will have a much more difficult time.

The expected result is that the ILEC will be in a position to grab significant market share while also being able to prevent competition in that market. This could have disastrous effects on consumer choice and the quality and pricing of offerings from the ILECs.

I see several potentially feasible scenarios that I hope the commission will consider. These scenarios are listed in order of desirability from top to bottom:

1 - Legislate an open access model for *all* FTTP deployments (whether deployed by the ILECs or CLECs). There are many potential approaches to realizing this model. From the physical point of view, it could be possible to share the same physical fibre using CWDM/DWDM (this may be supported in an upcoming PON spec). Another possible physical solution is to require that multiple fibres be delivered to each residence so that other ISPs can IRU dark fibre from the fibre owner. Of course, legislation like this could allow for greater diversity in ownership and maintenance of the fibre assets. I personally believe the last mile should be publicly owned infrastructure as it is now as crucial to our economy as our roads, but private ownership is certainly feasible as well within this model.

The main goals of this model would be:

- increase capital efficiency by only building one network, once rather than multiple networks at different times. The result of greater capital efficiency should be that customers will pay less for their services.
- Allow for true customer choice by ensuring that more than one ISP can have end to end control of their network, thus allowing them to determine exactly what level of customer experience they wish to provide
- Allow our economy to move much more quickly, because we are cooperating on building out a single infrastructure quickly and cost effectively and then getting on with the business of providing services over it. This is in stark contrast to a conflict oriented process where capital is tied up unnecessarily and considerable delays in deployment are inevitable due to questionable ROI of projects, conflict over access to poles and ducts, etc

2 - Ensure, that the first to build FTTP in a given market does not lock subsequent entrants out of the market. This could be accomplished by requiring the ILECs to allow 3rd parties to build their own aerial strand on the ILEC's poles according to strict engineering standards so that the ILECs cannot preclude competition in a market by saying their infrastructure is full and the new entrant will have to pay exorbitant fees to have the ILEC complete the engineering and construction. Standards for duct size would have to be laid out in order to ensure new entrants will have access to ducts. Perhaps a requirement could be put in place to remove the legacy copper in order to free up space in existing ducts?

3 - Legislate tariffed rates for wholesale access to FTTP services so that independent ISPs can piggy back on the FTTP provider's infrastructure. This would essentially be an extension of the current system that allows independent ISPs access to wholesale DSL. This model provides no physical control of the infrastructure for alternate ISPs (thus limiting their ability to have control over the customer's experience) and it does mean the FTTP provider will be making money hand over fist and preventing effective competition, but it will at least allow for some customer choice in the market. This model would also have the feature of reduced capital expenditure as there would only be one FTTP network, but few of the benefits of that reduced capital expenditure would likely be seen by the customers.

I do hope the commission understands how incredibly important it is to make a well informed decision that carefully considers the significant number of variables involved. This is a key decision on the path forward from the legacy technologies of twisted pair and coax, toward the future of a ubiquitous fibre optic last mile. The industry is at an inflection point right now where the ILECs are wanting to rid themselves of the burden of their twisted pair networks, they know fibre is the next step and they know that if they move first and have exclusive access to these new networks, they can crush their competition. If we want to see the continuing growth of an economy supported by robust, ubiquitous access to the Internet; it is imperative that we make a wise decision that will ensure a long term level playing field for multiple ISPs in the market.

If you would like to reach me for further information or clarification, please contact me at mason@schmitt.ca. I am more than happy to offer my thoughts on this matter as I am very concerned about the future of Internet access in Canada should the CRTC not take a strong stance to protect customer choice.

Regards,
Mason Schmitt

Raymond Theriault contact@theri.ca Quebec G1X 4J1

Commissaires du CRTC,

Le Canada a été à l'avant garde mondiale de la technologie des télécommunications, lors de l'émergence moderne et à grande échelle de ce domaine, dans les décennies 60/70. Nous avons des grands noms de l'industrie. La réglementation et la présence de sociétés de la couronne ont permis de créer de nombreuses innovations et de formuler et offrir pour un temps des services qui ont correctement servi les besoins de la populations.

Hélas, les dérèglémentions, les démantellements des sociétés de la couronne, les privatisations, ont changé de fond en comble la face des services que nous recevons. aujourd'hui nous n'avons plus raisonnablement accès aux services que nous devrions et serions en droit de recevoir. Nous vivons sous la tutelle d'une pogné de grands conglomérats, qui nous imposent leurs dictats commercial et leurs limitations technologiques artificiels, dictés en fonctions étroite de leurs profits toujours croissants.

Desservir nos foyers ne doit pas être laissé dans les mains exclues d'oligopoles. Nous les clients, sommes en droits de réclamer et d'obtenir la liberté de choix. Et nous devons pouvoir exercer notre droit sans avoir à subir de préjudices et de pressions. Il est bien évident qu'il ne ferait pas de sens d'amener plusieurs cable coaxial ou de de fibre optique dans chacun de nos logements et habitations.

Alors la logique est simple. Il n'y a aucune raison et c'est même immoral pour une société, que de donner à une entreprise privé l'eclusivité sur les télécommunications. C'est un bien public essentiel, qui aujourd'hui s'appuient sur le cable coaxial et maintenant surtout sur la fibre optique. Au même titre qu'il a fallut établir des règles et des lois pour gérer le spectre électromagnétiques, il est maintenant grandement temps de faire semblablement concernant ces outils essentiels.

Quoique je ne demande pas de venir vous faire une présentation en audience formelle, je compte que mes commentaires recevront une attention égale à celle de d'autres et qu'ils feront parties du compendium que vous réunirez sur votre site internet du CRTC.

Tim Dobson timothy_dobson@yahoo.com Toronto M8W 1N3

I oppose any blocking of independant ISP from access to Fibre optic or any other telecommunications lines controlled by the Big 3 Telco's.

Let us be clear on some major points of these Monopolies. They are Monopolies because of Government! That PRIVILEGE granted decades ago, was in exchange for providing a PUBLIC BENEFIT. With some of the highest fees in the world by these 3 companies, I see no public benefit. Furthermore, the infrastructure was built with massive tax write-offs, credits, etc. And despite this fact, all 3 claim they own the infrastructure. Based on the reality of subsidies, tax credits etc. over the years and massively high prices the public paid for many decades, The CRTC really needs to decipher who really owns the networks? If all 3 paid everything, with no credits, fine. The protected high fees people are forced to pay -FOR AN ESSENTIAL SERVICE to the Big 3 Telco's are A SUBSIDY!

I HAVE HAD SERVICE WITH ALL 3, but none of them since 2005. I hate all 3! Rogers was by far the worst, Bell second. Telus was tolerable. I still wait in vain for a foreign competitor long promised, but never surfaced. I currently resort to a fine smaller ISP for internet which is handcuffed to Bell lines and I see the slow service from Bell in throttling, etc. I cannot even do a mobile phone service as there is no competitive network to these 3. Only by RECOVERING the infrastructure that the federal government helped to build via monopoly protection and subsidies, can there be fairer prices, better service for customers and taxpayers.

The protection of the infrastructure afforded the Big 3 Telco's has damaged our economy and greatly limited my communications use and options. I rely on an american VOIP system for phone for a decade just to avoid having to have any account with any of the 3 Telco's. Cable Television is gone for the same reason 15 years ago. I will die before there is true alternatives to the Big 3. You can help create a chance for a true alternative by freeing up Fibre for smaller ISP that can at least have a chance to compete.

Vincent Bilodeau old.headlines@gmail.com Montreal H2A 3K3

Net neutrality is imperative to a healthy and modern society and in the last few years has been in constant jeopardy at the hands of telecom companies that have their own financial interest in mind.

The state of internet access in Canada is already bad with high prices and bandwidth limits that are beyond what anyone with a knowledge of technology could call reasonable. Figures that are no less than disastrous when compared to the offerings in other countries. This is something the CRTC should be greatly concerned about. It is imperative to keep the major telecom companies (BCE, Rogers & Telus) from selectively blocking or prioritizing internet access to certain websites.

The CRTC should not allow any telecom company to block access to affordable independent Internet services. All Canadians deserve access to all speeds of internet (including any underlying technology such as optical fibre). Telecom companies are there to provide access to a global network, not to a particular network that they control; we have cable/television companies for that. It is past time that the CRTC take action and open the Canadian market to international interests in telecommunications. This will ensure fair competition, better service and better prices for Canadian customers.

Canadians depend on the CRTC to decide and regulate the market for them. However I personally feel that I have been cheated by very poor decisions regarding the telecommunications industry in the last few years. Fair and open internet access should be regarded as a measure of a country's advancement. On that subject, the United States of America should absolutely not be considered a reference in internet access as the lack of network neutrality policy and the presence of a strong lobbying culture ensures that corporations control most of the legislation.

Heather Massel prheatherm@yahoo.ca Sherwood Park T8A6B5

Whatever happened to free enterprise?

Canada was built on small and medium-sized businesses; people who took the initiative to work hard, develop and take advantage of opportunities and meet consumer needs. Allowing large telecommunications companies to crush smaller independent competitors is not only anti-competitive, it's anti-Canadian.

As consumers, we expect to have freedom of choice, not be hampered by a few large, de-facto monopolies who operate almost in collusion with one another. This is very serious, and we expect the Canadian government to stand up for freedom of choice.

The big telecoms pick and choose where they operate for maximum profitability. Other, smaller and independent providers provide a service that is needed and are not quite so beholden to their shareholders at the expense of their customers.

Canada is a large country, as you know. In this day and age, access to the Internet is closer to being an essential service than it has ever been in the past. Businesses, families, individuals depend on connectivity for personal and professional reasons, and it makes no sense to allow a few large telecoms with a lot of deep pockets such a high level of control.

Commissioners, I appeal to you to have a stronger voice for the independent provider, to encourage and more strongly enable lively competition in the Canadian marketplace. Consumers want access to all speeds of Internet (including fibre), and I ask you to hear their voice more loudly than that of a few large and entitled telecoms.

In fact, the time is long since past when Internet infrastructure needs to be carved off from big telecom companies. Competition is healthy and vital, to encourage innovation and ensure digital networks are open for a range of service providers to compete for the privilege of serving us.

We often hear that, because Canada is so spread out, economies of scale demand a few large providers, not a variety of sizes and services. To that I say, rubbish. Let the market decide, not the policies of government or the dictates of a few large companies. If anything, allowing service of a variety of levels and sizes helps keep the big players honest, prodding them to innovate and match pricing and offerings. Why should we as consumers be robbed of the opportunity to see a competitive market, improved speeds, and pricing that better compares with our global counterparts - because a few large telecoms are afraid of the competition?

I encourage you as Commissioners to do the right thing and push back on the strong lobbying of big telecoms. Advocate for the independent and smaller service providers and bring back competition to the Canadian telecom marketplace. Consumers will thank you, which is as it should be.

Thank you very much for your time and your service to Canadians. It is greatly appreciated.

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