Canadian Radio-television and Telecommunications Commission

2001 - 2002 Estimates

Part III - Report on Plans and Priorities

Sheila Copps Minister of Canadian Heritage

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Section I: Messages

The Minister's Message

In the face of globalization and new and converging technologies, countries throughout the world are increasingly preoccupied with how to preserve and strengthen the bonds of common citizenship and promote cultural diversity domestically and globally. For Canada, these issues are not new, given our dispersed and diverse population and, of course, our proximity to the United States. We have never taken our cultural space for granted.



The mission of the Canadian Heritage Portfolio is to address these challenges. To accomplish this, the Department and the eighteen Agencies and Crown corporations in the Portfolio have built a strong and effective mix of policies and programs to ensure that Canadians have access to Canadian stories, Canadian choices and Canadian content, while remaining open to the best the world has to offer. Among these various strategies are subsidies, regulations, professional and technical assistance and outreach activities.

Many of the most significant undertakings of the Canadian Heritage Portfolio, including those of the Canadian Radio-television and Telecommunications Commission, an independent regulatory agency, involve partnerships. These relationships include the provinces and territories, other agencies and departments of the Government of Canada, volunteer groups, professional associations and the business community. But above all, the Portfolio takes quiet pride in playing its role in the success of individual Canadians as artists, as athletes and as citizens fully engaged in the life of their country.

This report highlights the objectives of the Canadian Radio-television and Telecommunications Commission for the next three years, the initiatives that will enable it to continue fulfilling its mandate and the results it intends to achieve.

Sheila Copps

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Over the last three years, the Canadian Radiotelevision and Telecommunications Commission has had numerous successes as a result of the valuable contributions made by Canadians who have participated in shaping the future of Canadian communications. Over the next three years, we will continue to pursue initiatives that will provide Canadians with diverse choices, Canadian programming, and innovative communication services at reasonable prices.



With the *Broadcasting Act* as our guide, the creation and distribution of Canadian content, reflecting our linguistic duality and cultural diversity, will remain a key focus of the Commission's endeavours. We will also continue to facilitate the transition to the new reality of a borderless, digital environment, helping Canadians connect to each other and share a distinctive Canadian voice.

With the continuing trend in broadcasting consolidation, the Commission's challenge is to ensure that the market is dynamic enough to let competition coexist with consolidation, by encouraging the entry of new players, and preserving the diversity of Canadians choices and voices.

In telecommunications, we are committed to making Canada one of the most competitive telecommunications markets in the world and to fostering a strong and socially responsive communications industry. We must maintain an appropriate balance between stimulating competition and maintaining high-quality service to all Canadians — fundamental objectives of the *Telecommunications Act*.

We will continue to review and adjust our policies and our competitive frameworks to facilitate a smoother transition to a competitive environment. Consumer-related issues such as affordability and the quality of service offered by telephone companies will remain one of our priorities.

Finally, through our collaborative efforts with all Canadians, we will ensure that the Canadian communications environment remains vibrant, dynamic and responsive to the social and cultural needs of our citizens.

David Colville Chairperson Canadian Radio-television and Telecommunications Commission

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Management Representation

I submit, for tabling in Parliament, the 2001-2002 Report on Plans and Priorities for the Canadian Radio-television and Telecommunications Commission.

To the best of my knowledge, the information:

- Accurately portrays the CRTC's mandate, priorities, strategies, and planned results;
- Is consistent with the disclosure principles contained in the *Guidelines* for Preparing a Report on Plans and Priorities;
- Is comprehensive and accurate; and
- Is based on sound underlying departmental information and management systems.

I am satisfied as to the quality assurance processes and procedures used for the RPP's production.

The Planning and Reporting Accountability Structure (PRAS) on which this document is based has been approved by Treasury Board Ministers and is the basis for accountability for the results to be achieved with the resources and authorities provided.

Ursula Menke	Date
Secretary General	

Section II: Departmental Overview

2.1 Mandate, Roles and Responsibilities

Mandate

Created by Parliament in 1968, the Canadian Radio-television and Telecommunications Commission (CRTC) is an independent public authority established under the *Canadian Radio-television and Telecommunications Commission Act* (R.S.C. 1985, Chap. C-22, as amended). The CRTC reports to Parliament through the Minister of Canadian Heritage.

The CRTC is vested with the authority to regulate and supervise all aspects of the Canadian broadcasting system, as well as the telecommunications services providers and common carriers that come under federal jurisdiction. The CRTC's powers in the area of broadcasting regulation derive from the *Broadcasting Act* (S.C. 1991, Chap. 11, as amended). Its powers over telecommunications come from the *Telecommunications Act* (S.C. 1993, Chap. 38, as amended) and from various "special acts" of Parliament passed for specific telecommunications companies.

Vision, Mission

The Vision and Mission stem from the objectives of the *Broadcasting Act* and *Telecommunications Act* and take into account the constantly changing aspect of the communications environment.

VISION

World-class quality communications, with a distinct Canadian presence, in the public interest.

MISSION

To ensure that Canadian communications contribute fairly and equitably to Canada's economic, social and cultural prosperity through regulation, supervision and public dialogue.

Strategic Objectives

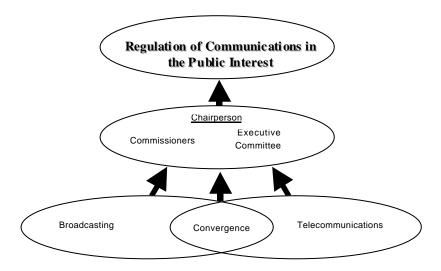
The CRTC will:

- promote creation of and investment in Canadian content reflecting Canadian values, including those of linguistic duality and cultural diversity;
- encourage the provision of a broad range of communications services (both analog and digital) and of choices in programming from Canada and elsewhere; and
- make competition a reality for Canadians.

Planning, Reporting, and Accountability Structure

The CRTC has revised its Planning, Reporting and Accountability Structure (PRAS) in 2000. There is now one business line: *Regulation of communications in the public interest*.

The broadcasting and telecommunications sectors raise similar issues for the CRTC in terms of access to infrastructure, foreign ownership, competition, affordability, accessibility, and diversity and quality of services. The operation of undertakings and infrastructures is also becoming increasingly integrated. With the advancement of digital technology, policies that promote competition within and across industry sectors, and industry consolidation, various companies under the Commission's jurisdiction are expanding into new geographic areas and/or new service areas outside their traditional lines of business. For example, telecommunications carriers can hold a broadcasting licence and vice versa. The single business line reflects present CRTC practices in addressing common issues and concerns in a timely, equitable and consistent manner.



2.2 Planning Context

Globalization, Convergence and Competition

We continue to witness increased consolidation and concentration of ownership of communications businesses world-wide; in fact, some of the largest take-overs of the entertainment and media businesses occurred in 2000 and there is every indication that this trend will persist. Corporations are broadening their geographical reach through global alliances. Convergence and the integration of companies take the form of mergers and diversification, and media are now crossing into new areas outside their traditional boundaries. In Canada, these questions raise questions about the dominance of the domestic market, as well as cultural and social concerns. For consumers, among others, they raise issues related to local content and access to a greater choice of products and services.

Greater competition in Canadian telecommunications markets in recent years has increased the choice of communications services and service suppliers available to Canadians. Yet the transition from a monopolistic industry to a competitive one introduces new challenges related to profound changes in an increasingly complex communications environment and to rapidly developing information economy. The role of the regulator remains crucial with the introduction of new competitive frameworks and the need for faster resolution of issues such as interconnection and access to infrastructures.

A Digital Environment

Convergence is born of digital technology and refers to the gradual merging of the telecommunications, broadcasting and information processing sectors. With full digitization of the various signals, access to content is growing dramatically. In addition, digitized information allows the creation of new, hybrid products and services that

combine voice, data, text and/or images – in short, multimedia products. Not only does this new platform for interaction allow much greater access to information than before, it also affects the legal, commercial, institutional, social and cultural environment of Canada's people.

The constant challenge for the CRTC, is to establish a balance between cultural and social objectives and objectives of an economic nature in an increasingly competitive and convergent world. A balanced approach involves fulfilling cultural aspirations in a digital environment that knows no bounds, while finding solutions adapted to the times. It also means promoting fair competition. It is essential to realize that allowing the market free rein will not in and of itself achieve all the public interest objectives of the *Broadcasting Act* and the *Telecommunications Act*. Although social requirements and guarantees for consumers - including the availability of communications services across Canada - are already fundamental to our legislative texts and regulatory policies, they will even be more important as competition becomes established.

2.3 Departmental Planned Spending

2002 39.0 - 30.6 8.4 - 8.4 94.3 14.3 (71.6)	37.9 - 30.6 7.3 - 7.3 99.9 14.3 (78.3)	2003- 2004 35.2 - 30.6 4.6 - 4.6 104.5 14.3 (85.6)
39.0 - 30.6 8.4 - 8.4 94.3	30.6 7.3 - 7.3 99.9	2004 35.2 - 30.6 4.6 - 4.6 104.5
39.0 - 30.6 8.4 - 8.4	30.6 7.3 - 7.3	2004 35.2 - 30.6 4.6
39.0 - 30.6 8.4	30.6 7.3	2004 35.2 - 30.6 4.6
39.0 - 30.6	30.6	2004 35.2 - 30.6
39.0 - 30.6	30.6	2004 35.2 - 30.6
39.0	-	2004 35.2
	37.9	2004
	37.9	2004
2002		
	2002-	/()() < _
	Spending 2002-	, ,
Planned		
р		ending Spending

^{*} Adjustments are to accommodate approvals obtained since the Main Estimates and include new collective agreements, Supplementary Estimates, etc.

^{**} Reflects the best forecast of total net planned spending to the end of the fiscal year.

Section III: Departmental Plans, Results, Activities and Resources

Program/Business Line Objective

To ensure that Canadians have access to integrated communications services and to the resulting economic, social and cultural benefits, through balanced regulation, monitoring and dialogue with the public in accordance with the *Broadcasting Act*, the *Telecommunications Act* and related legislation.

Description of the Business Line

The CRTC regulates broadcasting undertakings and telecommunications service providers and common carriers to handle matters subject to the *Broadcasting Act*, the *Telecommunications Act* and related legislation in communications sectors under federal jurisdiction.

Among other things, the CRTC:

- develops strategies to ensure the presence of Canadian content as well as access to a broad selection of innovative communications services;
- ensures that Canadians have access to a variety of high-quality communications services, at reasonable prices;
- facilitates the transition to fair, sustainable competition in the communications sector; and
- regulates when the public interest is not being served in a competitive environment.

To accomplish this, the CRTC:

- develops through industry and public participation policy frameworks to achieve the objectives of the Broadcasting and Telecommunications Acts:
- evaluates, analyses and processes applications from broadcasting undertakings and telecommunications carriers;
- promotes the participation of the Canadian public in its decisionmaking process, by holding public proceedings;
- hears complaints from consumers, and conducts investigations;
- uses dispute resolution to settle issues involving a communications company and other parties;
- supervises the Canadian broadcasting and telecommunications systems;
- ensures compliance with the statutes, regulations and conditions of licence:
- examines transfers of ownership and control of undertakings;
- develops regulations, and makes decisions on any matter concerning applications from undertakings and regulatory frameworks;

- identifies important issues affecting the regulation of broadcasting and telecommunications; and
- monitors activities in the broadcasting and telecommunications industries to determine whether CRTC policies and regulations are meeting their objectives.

Net Planned Spending and Full Time Equivalents

Table 3.1 Net Planned Spending and Full Time Equivalents								
	Forecast S 2000-2		Planned S ₁ 2001-2	_	Planned Sp 2002-2	_	Planned Sp 2003-2	
Business Line	\$ millions	FTE	\$ millions	FTE	\$ millions	FTE	\$ millions	FTE
Canada's Voices	4.0	227		-	-	-	-	-
Choices for Canadians	3.9	186	-	-	-	-	-	-
Regulation of communications in the public interest	-	-	8.4	405	7.3	401	4.6	395

3.2 Key Results Commitments, Planned Results, Related Activities and Resources

Table 3.2 Key Resu	ults Commitments, Planned I	Results, Re	lated Activ	vities and
Key Results Commitment To provide Canadians with Canadian communications that contribute fairly and equitably to Canada's economic, social and cultural prosperity.	Planned Results Availability of Canadian content and programming that reflects at Canadian creative talent, Canada's linguistic duality, a's cultural diversity and social		ources (\$ mill 2002-2003	
	Access for Canadians to a variety of innovative, high-quality communications services, at reasonable prices, that meet their needs and reflect their values	Telecommu	nications ources (\$ mill	ions)
	Competitive Canadian communications industries	2001- 2002	2002- 2003	2003- 2004
	Commission processes that are fair, credible and effective	18.8	18.2	16.9

Our latest Action Plan can be accessed on our Website (http://www.crtc.gc.ca) under "About the CRTC."

For the planning period 2001-2004, the CRTC will undertake the following activities and initiatives:

Regulation and supervision of the broadcasting industry

- Development, review, implementation, monitoring and assessment of the impact of regulatory policies – The CRTC will implement changes to regulations, and will assess and monitor the impact of decisions for future adjustments. In the next three years, The Commission will monitor the radio and television systems to ensure the availability of quality Canadian television programming, particularly in important areas such as drama and children's programming. We will also review the policy for low power and community-channel television.
- Examination and implementation of a policy framework to ensure the transition to a digital environment – The CRTC will examine the issues related to a greater digital capacity for television.
- Examination of mergers, acquisitions, and transfers of ownership The CRTC expects it will examine an increasing number of mergers and consolidations in the broadcasting industry. There is also the issue of the impact on the structure and type of industry we will have as well as on competition and diversity of content.
- Licensing and renewal of radio services, television stations and certification of Canadian content – The CRTC will address new licensing initiatives, amendments to conditions of licence, and licence renewals for large TV station group licence (CTV, Global, TVA) and small TV group licence (CHUM, Craig), and will develop a strategy for the renewal of pay and specialty stations.
- Licensing of broadcasting distribution undertakings and review of various rates filings, and amendments to eligible satellite services – In particular, the CRTC will review the licensing approach for smaller cable undertakings and is considering a regional approach to licensing larger cable systems.
- Monitoring of policies relating to linguistic duality and cultural diversity, regional voices, violence, the disabled, privacy, affordability and accessibility to communication services.

- Dispute resolution mechanisms We will continue to make greater use of dispute resolution to settle disputes quickly.
- Service standards The CRTC has developed and will improve service standards related to the application review process of broadcasting companies.
- Streamlining The CRTC is streamlining its processes to become more efficient and to reduce the regulatory requirements as competition increases.
- Access issues Examination of an increasing number of applications concerning access to infrastructure relating to rights of way and access to wiring inside buildings. This issue has implications under both the Broadcasting and Telecommunications Acts.

Regulation and supervision of the telecommunications industry

- Development and implementation of competitive frameworks Priorities will be devoted to continuing to refine our existing frameworks or developing new ones when and where appropriate for a smoother transition to a competitive environment. Among other things, the CRTC will implement a collection contribution mechanism, improve the identification of high-cost areas that require a subsidy, and address interconnection, access and co-location issues that impede competition. We will also examine the state of competition in the public payphone market.
- Review the existing price cap regulatory framework of the ex-Stentor member companies and develop a price regulation framework for SaskTel.
- Review and implementation of regulatory frameworks for independents – Among other things, the CRTC will establish a price regulatory framework for Québec-Téléphone and Télébec as well as a simplified regulatory framework for small independents. We will implement a new contribution regime for all independent companies.
- Regulation where market forces are not achieving public interest objectives and related issues The CRTC will continue to dispose of tariff applications and agreements and to regulate to address any problems related to affordability, directory assistance, 911, consumer privacy and unsolicited communications. In particular, we will examine issues related to consumer literacy and affordability. We will also monitor the quality of services offered by telephone companies.

- Implementation of statutory responsibilities concerning numbering Among other things, the CRTC, in conjunction with the U.S. Federal Communications Commission and other regulatory bodies, is developing a strategy and plan to address the expansion of the North American Numbering Plan and continues to oversee the implementation of new area codes.
- Implementation of infrastructure access Access to infrastructure continues to be a high priority for the CRTC over the next few years, because if it is not addressed competition could be severely hampered. Areas that need to be addressed are the policy frameworks and disputes related to access to rights of way, access to wiring inside buildings and access to support structures.
- CRTC Interconnection Steering Committee (CISC) and dispute resolution mechanisms – Among other things, we will continue to collaborate with industry and public interest groups through mechanisms such as CISC to facilitate competition.
- Monitoring competition The CRTC will establish a monitoring framework to analyze the status of competition in Canadian telecommunications markets and the deployment of advanced infrastructure, and will report to the Order in Council [P.C. 2000-1053] to the CRTC under Section 14 of the *Telecommunications Act*, no later than September 28, 2001.

Citizen-centered service delivery: Government On-line (GOL) and Service Improvement Initiative (SII)

The CRTC takes part in Government of Canada initiatives designed to improve service to Canadians. It has developed and is currently implementing plans to support the GOL initiative for the next three years. Part of this plan is to provide an electronic application process for companies, electronic access to public files, and an electronic complaints and inquiries service.

The CRTC is now part of the Canadian Consumer Information Gateway, a fast and easy one-stop access to all consumer information under one easy-to-navigate on-line portal (http://ConsumerInformation.ca). We will continue enhancing information related to consumers.

Finally, the CRTC is currently examining how it will implement the SII in its key service delivery to companies and the general public.

Section IV: Regulatory Initiatives

Context

The regulatory issues facing the CRTC continue to increase in complexity. The significance of communications industries to business and society is highlighted daily in the media. Competition has developed rapidly in Canadian communications markets and has considerably increased the choices of both communications services and service providers available to Canadians. Competition has also increased the complexity of regulatory issues for industry, the CRTC, the Government of Canada and other participants in the regulatory arena.

Regulatory and Legislative Initiatives, 2001-2002

Potential Changes to Regulations and Legislation	Expected Results
Broadcasting Distribution Regulations	Implement policy on availability of minority official language services
Broadcasting Information Regulations,1993	➤ Implement changes in response to the Standing Joint Committee for Scrutiny of Regulations
Rules of procedure	Adapt broadcasting rules of procedure and telecommunications rules of procedure to the realities of a converging environment.

Section V: Financial Information

Table 5.1 Respendable Revenue (\$ millions)					
	Forecast	Planned	Planned	Planned	
	Revenue	Revenue	Revenue	Revenue	
Business Lines	2000-2001	2001-2002	2002-2003	2003-2004	
Broadcasting Licence Fees	16.6	16.8	16.8	16.8	
Telecommunications Fees	13.5	13.8	13.8	13.8	
Total Respendable Revenue	30.1	30.6	30.6	30.6	

Table 5.2 Non-Respendable Revenue (\$ millions)					
Business Lines	Forecast Revenue 2000-2001	Planned Revenue 2001-2002	Planned Revenue 2002-2003	Planned Revenue 2003-2004	
Broadcasting Licence Fees	86.7	89.8	95.4	100.0	
Telecommunications fees	5.1	4.5	4.5	4.5	
Total Non-Respendable Revenue	91.8	94.3	99.9	104.5	
Total Revenue (5.1 + 5.2)	121.9	124.9	130.5	135.1	

Explanation of Revenue

Broadcasting Licence Fees

Section 11 of the *Broadcasting Act* empowers the Commission to make regulations respecting licence fees. Pursuant to this section of the Act, the Commission implemented new Broadcasting Licence Fee Regulations effective 1 April 1997. This was in direct response to a Treasury Board decision granting the CRTC "vote netting" authority for regulation of the broadcasting industry. The CRTC now requires funding, in the form of licence fee revenues, by 1 April of each year to finance the Commission's operating expenditures for regulation of the broadcasting industry.

These regulations apply to all licensees other than those classes of undertakings specifically exempted under section 2 of the Fee Regulations. Every applicable licensee shall pay annually to the Commission a Part I licence fee, payable on 1 April each year and a Part II licence fee, payable on or before 30 November each year. The Part I fee is based on the broadcasting regulatory costs incurred each year by the

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¹ Vote Netting – Is a means of funding selected programs or activities wherein Parliament authorizes a department to apply revenues collected from fee payers towards costs directly incurred for specific activities. CRTC has the authority to use Part I fees collected from broadcasters to finance the costs it incurs in regulating the broadcasting industry.

Commission and other federal departments or agencies, excluding spectrum management costs and is equal to the aggregate of:

- the costs of the Commission's broadcasting activity; and
- the share that is attributable to the Commission's broadcasting activity of:
 - i. the costs of the Commission's administrative activities, and
 - ii. the other costs that are taken into account to arrive at the net cost of the Commission's program, excluding the costs of regulating the broadcasting spectrum.

There is an annual adjustment amount to the Part I fee to adjust estimated costs to actual expenditures. Any excess fees are credited to the licensee in the following year's invoice while shortfalls are charged to the licensees.

The Part II fee amounts to 1.365% of a licensee's gross revenue in excess of an applicable exemption limit. The CRTC collects the Part II fees on behalf of the government, with all revenues collected being deposited to the Government's Consolidated Revenue Fund. In accordance with the Government's Cost Recovery and Charging Policy, this fee is assessed to address three major issues: i) costs incurred by Industry Canada to manage the broadcasting spectrum; ii) the privilege of using the broadcasting spectrum; and iii) the privilege of holding a broadcasting licence for commercial benefit.

For 2000-2001, a total of \$103.3 million was collected from broadcasting undertakings (\$22.2 million in Part I fees and \$81.1 million in Part II fees).

Telecommunications Fees

The Telecommunications Fees Regulations 1995, made under section 68 of the *Telecommunications Act*, set out the formula for collecting telecommunications fees from the carriers that the Commission regulates. Each company must pay fees based on its operating revenues, as a percentage of the revenues of all the carriers that are regulated.

The annual fees the CRTC collects is equal to the aggregate of:

- the cost of the Commission's telecommunications activity;
- the share of the costs of the administrative activities that is attributable to its telecommunications activity; and
- the other costs included in the net cost of the Commission's program attributable to its telecommunications activity.

These costs are set out in the Expenditure Plan published in the Estimates of the Government of Canada. In 1995-96, the Commission obtained authority for basing revenues on current year estimates and adjusting the annual telecommunications fees charged to the Commission's actual expenditures on telecommunications activities during the fiscal year. Any excess fees are credited to the carriers, while shortfalls are subject to an additional billing. For 2000-2001, \$18.6 million was collected in CRTC telecommunications fees.

Cost of Program

Table 5.3 Net Cost of Program for the Estimates Year	
	Total
(\$ millions)	Expenditures
Net Planned Spending (Gross Budgetary and Non-Budgetary Main	
Estimates plus Adjustments)	8.4
Plus: Services received without charge	
Accommodation provided by Public Works and Government	
Services Canada(PWGSC)	2.3
Contributions covering employees' share of employees' insurance	
premiums and expenditures paid by Treasury Board (TBS)	1.8
Severance and Maternity Leave Payments (TBS)	0.3
Workers' Compensation coverage provided by Human Resources	
and Development Canada (HRDC)	0.1
Regulation of Broadcasting Spectrum (IC)	9.8
Total Services Received Without Charge	14.3
Less: Non-Respendable Revenue	94.3
2001-2002 Net cost of Program	(71.6)

Section VI: Other Information

Contacts for Further Information

CRTC Members

Chairperson	David Colville	(819) 997-3430
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Library	(819) 997-4484
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Legislation Administered and Associated Regulations

Statutes

Canadian Radio-television and R.S.C. 1985, c. C-22, as

Telecommunications Commission Act amended

Broadcasting Act S.C. 1991, c. 11, as

amended

Telecommunications Act S.C. 1993, c. 38, as

amended

Bell Canada Act S.C. 1987, c. 19, as

amended

Regulations and Rules of Procedure

CRTC Rules of Procedure

Broadcasting Information Regulations, 1993

Broadcasting Licence Fee Regulations, 1997

Broadcasting Distribution Regulations

Pay Television Regulations, 1990

Radio Regulations, 1986

Specialty Service Regulations, 1990

Television Broadcasting Regulations, 1987

CRTC Tariff Regulations

CRTC Telecommunications Rules of Procedure

Telecommunications Fee Regulations, 1995

Canadian Telecommunications Common Carrier Ownership and Control

Regulations