



Telecom Costs Order CRTC 2006-17

Ottawa, 2 November 2006

Application for costs by the Public Interest Advocacy Centre on behalf of the Consumer Groups – *Rate ranges for services other than voice over Internet protocol services*, Telecom Public Notice CRTC 2006-8

Reference: 8661-C12-200606965 and 4754-278

1. By letter dated 30 August 2006, the Public Interest Advocacy Centre (PIAC), on behalf of the Consumer Groups, applied for costs with respect to their participation in the proceeding initiated by *Rate ranges for services other than voice over Internet protocol services*, Telecom Public Notice CRTC 2006-8, 9 June 2006 (the Public Notice 2006-8 proceeding).
2. By letter dated 11 September 2006, Bell Canada filed comments on behalf of Bell Aliant Regional Communications, Limited Partnership, Bell Canada, NorthernTel, Limited Partnership, Saskatchewan Telecommunications and Société en commandite Télébec (collectively, the Companies).
3. PIAC did not file a reply to the comments submitted regarding its costs application.

The application

4. The Consumer Groups submitted that they had met the criteria for an award of costs set out in subsection 44(1) of the *CRTC Telecommunications Rules of Procedure* (the Rules) as they represent a group of subscribers that had an interest in the outcome of the Public Notice 2006-8 proceeding, they had participated responsibly in the Public Notice 2006-8 proceeding, and they had contributed to a better understanding of the issues by the Commission.
5. The Consumer Groups filed a bill of costs with their application, claiming a total amount of \$2,840.74, consisting of \$497.49 in legal fees and \$2,343.25 in consulting fees. PIAC's claim included the Federal Goods and Services Tax (GST) on fees less the rebate to which PIAC is entitled in connection with the GST.

Answer

6. In answer to the application, the Companies indicated that they did not oppose PIAC's entitlement to costs or the amount claimed.

Commission analysis and determination

7. The Commission finds that the Consumer Groups have satisfied the criteria for an award of costs set out in subsection 44(1) of the Rules. Specifically, the Commission finds that the Consumer Groups are representative of a group or class of subscribers that has an interest in the outcome of the proceeding, have participated in a responsible way, and have contributed to a better understanding of the issues by the Commission.

8. The Commission notes that the rates claimed in respect of legal fees are in accordance with the rates set out in the Legal Directorate's *Guidelines for the Taxation of Costs*, revised as of 15 May 1998. The Commission also finds that the total amount claimed by PIAC was necessarily and reasonably incurred and should be allowed.
9. The Commission is of the view that this is an appropriate case in which to fix the costs and dispense with taxation in accordance with the streamlined procedure set out in *New procedure for Telecom costs award*, Telecom Public Notice CRTC 2002-5, 7 November 2002.
10. With respect to the issue of the appropriate respondents, the Commission notes that it has generally determined that the appropriate respondents to an award of costs are the parties who are affected by the issues and have participated actively in the proceeding. However, the Commission has also been sensitive to the fact that if too large a number of respondents are named, the applicant may have to collect small amounts from many respondents. Accordingly, the Commission concludes that the Companies are the appropriate respondents to this application.
11. Consistent with its general approach articulated in Telecom Costs Order CRTC 2002-4, 24 April 2002, the Commission makes Bell Canada responsible for payment on behalf of the Companies, and leaves it to the members of the Companies to determine the appropriate allocation of the costs among themselves.

Direction as to costs

12. The Commission **approves** the application by PIAC, on behalf of the Consumer Groups, for an award of costs with respect to their participation in the Public Notice 2006-8 proceeding.
13. Pursuant to subsection 56(1) of the *Telecommunications Act*, the Commission fixes the costs to be paid to the Consumer Groups at \$2,840.74.
14. The Commission directs that the award of costs to the Consumer Groups be paid forthwith by Bell Canada on behalf of the Companies.

Secretary General

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