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26 July 2006

Ms. Diane Rhéaume
Secretary General
Canadian Radio-television and
Telecommunications Commission
Ottawa, ON
K1A 0N2

Dear Ms. Rhéaume:

Subject: Telecom Public Notice CRTC 2006-4, *Proceeding to establish a national do not call list framework and to review the telemarketing rules – Applications for Costs of L’Union des Consommateurs and the Consumers Association of Canada (Manitoba Branch) and the Manitoba Society for Seniors (“CAC/MSOS”)*

1. TELUS Communications Company (“TELUS”) is in receipt of applications for costs from L’Union des Consommateurs (“L’Union”) dated 26 June 2006 and received 17 July 2006 and the Consumers Association of Canada (Manitoba Branch) and the Manitoba Society for Seniors (“CAC/MSOS”) dated 17 July 2006 and received 19 July 2006. Pursuant to Section 44 of the *CRTC Telecommunication Rules of Procedure* (“the Rules”), TELUS herein provides its response to L’Union and the CAC/MSOS’ application for costs.
2. To qualify for a cost award, an applicant must demonstrate according to section 44(1) of the Rules that they meet the following three criteria;
 - a) the applicant has, or is representative of a group or class of subscribers that has, an interest in the outcome of the proceeding of such a nature that the intervener or group or class of subscribers will receive a benefit or suffer a detriment as a result of the order or decision resulting from the proceeding;
 - b) the applicant has participated in a responsible way; and

- c) has contributed to a better understanding of the issues by the Commission.
3. TELUS does not object to L'Union or the CAC/MSOS' entitlement to costs nor the quantum requested. TELUS is satisfied that both L'Union and the CAC/MSOS participated responsibly and contributed to a better understanding of the issues of persons impacted by unsolicited telemarketing calls.
 4. TELUS notes that neither the L'Union nor CAC/MSOS took a position as to who the appropriate respondents of their applications should be, or the apportionment of costs. TELUS considers that, in principle, all telemarketers should be responsible for paying the costs of organizations that represent the views of consumers. Practically speaking, however, it is neither reasonable nor appropriate to burden L'Union or the CAC/MSOS with the administrative task of collecting their costs from a multitude of parties. Accordingly, TELUS recommends that the ILECs (including MTS Allstream) and cable companies (such as Rogers and Shaw) be named as respondents to L'Union's cost application.
 5. With respect to the appropriate apportionment of costs, TELUS recommends that the costs be apportioned equally between the ILECs and the cable companies in recognition of their equivalent status as telemarketers. Specifically, TELUS recommends that the ILECs be responsible for 50% of the costs based on their telecommunications operating revenues (TORs) and the cable companies be responsible for the remaining 50% of the costs based on whatever formula the Commission deems appropriate.

Yours truly,

{original signed by Willie Grieve}

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PJ/cs

cc: Parties to Public Notice 2006-4
Gerry Lylyk - CRTC