



21 February 2023

Filed online

Claude Doucet  
Secretary General  
CRTC  
Ottawa, ON K1A 0N2

Dear Secretary General,

**Re: *Call for comments on an application by Bell Canada, Cogeco Communications Inc., Bragg Communications Incorporated, carrying on business as Eastlink, and Saskatchewan Telecommunications regarding the increase of the maximum retail price of the basic service, [Broadcasting Notice of Consultation CRTC 2022-267](#) (Ottawa, 28 September 2022), [2022-267-1](#) (Ottawa, 27 October 2022), [2022-267-2](#) (Ottawa, 17 November 2022) and [2022-267-3](#) (Ottawa, 20 February 2023) – Procedural request re Québecor Média’s 1 February 2023 response***

- 1 On 24 January 2023 the CRTC asked the BDU parties to this proceeding for additional information:

1. In order to quantify the potential impact on the Canadian broadcasting distribution undertaking (BDU) subscribership, please indicate the number of BDU subscribers that could be subjected to an increase of any kind in their monthly bill should the Commission approve the proposed increase to the maximum price of the basic package. Please provide your underlying assumptions and implementation scope(s) by **listing the types of subscribers (e.g. those who only subscribe to the small basic service, those who only subscribe to the small basic service without any discount, those who subscribe to other packaging options alongside the small basic service, those who subscribe to a different package altogether, those who bundle their services, etc.)** who will be immediately (or eventually) impacted by the proposed increase.

Similarly to the aggregated numbers provided in Broadcasting Notice of Consultation 2022-267-2, the Commission is intending to publish the aggregated numbers to the above question. Please confirm your agreement with this approach. If you have concerns with this approach, please explain.

[bold font added]

- 2 On 20 February 2023 the CRTC added information to the 2022-267-3 proceeding, re-opened the proceeding and invited “interventions in regard to the new information only” (para. 13).

- 3 In response to a 24 January 2023 request by CRTC staff that the company submit certain information. Québecor Média (Québecor) submitted on 1 February 2023 a 'public document', a snapshot of the first page of which is shown to the right.



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DOCUMENT PUBLIC

Montréal, le 1 février 2023,

Monsieur Claude Doucet  
Secrétaire général  
Conseil de la radiodiffusion et des télécommunications canadiennes  
Ottawa, Ontario K1A 0N2

Objet : **Réponses de Québecor Média inc. à la demande de renseignements du CRTC. Demande 2022-0019-5 de Bell Canada, Cogeco Communications inc., Bragg Communications Incorporated, faisant affaire sous le nom d'Eastlink et Saskatchewan Telecommunications concernant l'augmentation du prix de détail maximal du service de base**

Monsieur le Secrétaire général,

1. Québecor Média inc. (Québecor Média), au nom de Vidéotron ltée (Vidéotron), soumet par la présente ses réponses à la demande de renseignements additionnels du Conseil formulée dans la lettre signée par Monsieur Pierre-Louis Prigent datée du 24 janvier 2023.
2. Il est important de spécifier que les réponses de Québecor Média ne témoignent pas des intentions spécifiques de l'entreprise quant à la tarification future de ses abonnés. Advenant un changement au prix maximal autorisé par le CRTC pour le forfait de base, Québecor Média procéderait à une analyse approfondie de la question à la lumière d'une variété de facteurs.
3. Par ailleurs, nous sommes dans l'obligation de soumettre une version amendée de notre réponse déposée le 12 octobre 2022 en ce qui a trait à la demande de renseignements du Conseil détaillée à l'Annexe 2 de l'Avis de consultation de radiodiffusion CRTC 2022-267. Nous avons constaté que les chiffres fournis ne reflétaient malheureusement pas le nombre réel d'abonnés au service d'entrée de gamme à 25\$ prescrit dans la Politique réglementaire de radiodiffusion 2015-96, étant donné qu'ils incluaient à tort certaines catégories d'abonnés à qui ce forfait n'est pas offert. Cette erreur de calcul a récemment été identifiée par nos équipes qui ont apporté les corrections nécessaires aux données demandées par le Conseil.

- 4 Pages 2 to 4 of Québecor's response provide information in which all of the company's answers have been redacted. At page 3, for example (shown to the right), all answers to the CRTC's questions have been redacted:

**Question 2. Veuillez fournir vos hypothèses sous-jacentes et le(s) champ(s) d'application en énumérant les types d'abonnés qui seront immédiatement (ou éventuellement) touchés par l'augmentation proposée.**

- a) Les abonnés au forfait de base uniquement  
# CONFIDENTIEL #
- b) Les abonnés au forfait de base uniquement qui ne reçoivent pas un crédit à leur compte  
# CONFIDENTIEL #
- c) Les abonnés au forfait de base qui sont également abonnés à d'autres options d'assemblage  
# CONFIDENTIEL #
- d) Les abonnés au forfait de base qui sont également abonnés à d'autres options d'assemblage et qui ne reçoivent pas un crédit à leur compte  
# CONFIDENTIEL #
- e) Les abonnés au forfait de base qui regroupent leur service de télévision avec un autre service non télévisuel tel que le téléphone filaire ou Internet  
# CONFIDENTIEL #
- f) Les abonnés au forfait de base qui regroupent leur service de télévision avec un autre service non télévisé et qui ne reçoivent pas un crédit à leur compte  
# CONFIDENTIEL #
- g) Les abonnés à un forfait différent  
# CONFIDENTIEL #

- 5 The information in Québecor's 1 February 2023 letter is relevant and material to the matters at issue in BNoC 2022-267, as Québecor is one of Canada's largest BDUs and changes in the prices it charges for its subscribers' access to small basic BDU service may affect many, if not all, of its subscribers (shown as 1,278,931 in the company's 2022 aggregated annual return).
- 6 Section 31 of the *Canadian Radio-television and Telecommunications Commission Rules of Practice of Procedure* (see below) states that a party that wants to designate information as confidential must do so at the time they file the document containing the information, while subsection 32(1) states that the party must "provide reasons, as well as any supporting documents, why the disclosure of the information would not be in the public interest ....".

**[Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure](#)**

(SOR/2010-277)

**Designation subject to filing**

31 (1) In broadcasting matters, a party may designate information referred to in paragraphs 39(1)(a) to (c) of the Telecommunications Act as confidential if they file it with the Commission.

Note: Subsection 39(1) of the Telecommunications Act provides for the same rule in relation to telecommunications matters.

**Timing of designation**

(2) **The party must make the designation at the time that they file the document that contains the information.**

**Reasons for designation**

32 (1) **The party that designates information as confidential must provide reasons, as well as any supporting documents, why the disclosure of the information would not be in the public interest,** including why the specific direct harm that would be likely to result from the disclosure would outweigh the public interest.

**Abridged version**

(2) The party must either file with the Commission an abridged version, intended to be made available to the public, of the document that contains the information or provide reasons, as well as any supporting documents, why an abridged version cannot be filed.

[**Highlighting** added]

- 7 Québecor's 1 February 2023 letter to the CRTC did not request that the information it provides be granted confidentiality. Its letter begins by describing itself as a "DOCUMENT PUBLIC" ('public document') and it provides neither reasons nor evidence to support any claim for confidentiality. No other letter from Québecor from January or February 2023 – including a letter stating that its contents are abridged – is shown in the "Responses to requests for information" of the [2022-267-3 proceeding](#).

- 8 The Forum for Research and Policy in Communications (FRPC) respectfully submits that the CRTC should disclose all information in Québecor's 1 February 2023 "public document" because when Québecor filed the document it neither requested confidentiality nor provided any reasons why disclosure of its information would not be in the public interest and because the information's disclosure would provide the public with a more complete record on which to base their responses to BNoC 2022-267-3.

Sincerely,



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