



22 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 requests re Shaw’s reply***

- 1 The Forum for Research and Policy in Communications (FRPC) intervened in the above-noted broadcasting notice of consultation.
- 2 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]

- 3 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).

- 4 The information added by the CRTC to the 2022-267-3 proceeding includes two responses from Shaw.
- 5 As indicated in the snapshots below, Shaw’s two responses are identical.

DM#4296117 – “Cover Letter”	DM#4296123 - “Cover Letter”
<p><b>Shaw)</b></p> <p>February 1, 2023</p> <p>Claude Doucet Secretary General Canadian Radio-television and Telecommunications Commission Ottawa ON K1A 0N2</p> <p><i>Filed via GC Key</i></p> <p>Dear Mr. Doucet:</p> <p><b>Re: CRTC Application no. 2022-0019-5 – Joint application by Bell Canada, Cogeco, Eastlink, and Sasktel – CRTC Request for Additional Information – Response of Shaw Communications Inc.</b></p> <ol style="list-style-type: none"> <li>Shaw Communications Inc. (Shaw), on behalf of Shaw Cablesystems Limited (Shaw Cable) and Star Choice Television Network Inc. (Shaw Direct) provides this response to the Commission’s request for additional information dated 24 January 2023 (the RFI) in connection with the above-noted application.</li> <li>Shaw requests confidential treatment of this response pursuant to section 31 of the <i>CRTC Rules of Practice and Procedure</i> and Broadcasting and Telecom Information Bulletin CRTC 2010-961. Shaw’s response contains material non-public information and trade secrets regarding: (i) the potential number of Shaw BDU subscribers that could be subject to a rate adjustment following a decision by the Commission to increase the basic service price cap; and, (ii) Shaw’s business strategies and considerations in connection with implementing rate adjustments. This information has been treated in a consistently confidential manner by Shaw. The disclosure of this information would provide Shaw’s direct competitors with insight regarding Shaw’s pricing strategies and plans, which could reasonably be expected to result in material financial loss and competitive harm. The potential harms associated disclosure are not outweighed by any public interest.</li> <li>Shaw notes that in its 24 January 2023 correspondence, the Commission indicated that “[s]imilarly 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.”</li> <li>Shaw does not oppose the aggregated disclosure of the data contained in Shaw’s response, provided the following:</li> </ol>	<p><b>Shaw)</b></p> <p>February 1, 2023</p> <p>Claude Doucet Secretary General Canadian Radio-television and Telecommunications Commission Ottawa ON K1A 0N2</p> <p><i>Filed via GC Key</i></p> <p>Dear Mr. Doucet:</p> <p><b>Re: CRTC Application no. 2022-0019-5 – Joint application by Bell Canada, Cogeco, Eastlink, and Sasktel – CRTC Request for Additional Information – Response of Shaw Communications Inc.</b></p> <ol style="list-style-type: none"> <li>Shaw Communications Inc. (Shaw), on behalf of Shaw Cablesystems Limited (Shaw Cable) and Star Choice Television Network Inc. (Shaw Direct) provides this response to the Commission’s request for additional information dated 24 January 2023 (the RFI) in connection with the above-noted application.</li> <li>Shaw requests confidential treatment of this response pursuant to section 31 of the <i>CRTC Rules of Practice and Procedure</i> and Broadcasting and Telecom Information Bulletin CRTC 2010-961. Shaw’s response contains material non-public information and trade secrets regarding: (i) the potential number of Shaw BDU subscribers that could be subject to a rate adjustment following a decision by the Commission to increase the basic service price cap; and, (ii) Shaw’s business strategies and considerations in connection with implementing rate adjustments. This information has been treated in a consistently confidential manner by Shaw. The disclosure of this information would provide Shaw’s direct competitors with insight regarding Shaw’s pricing strategies and plans, which could reasonably be expected to result in material financial loss and competitive harm. The potential harms associated disclosure are not outweighed by any public interest.</li> <li>Shaw notes that in its 24 January 2023 correspondence, the Commission indicated that “[s]imilarly 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.”</li> <li>Shaw does not oppose the aggregated disclosure of the data contained in Shaw’s response, provided the following:</li> </ol>

- 6 FRPC respectfully requests that the Commission place any document provided by Shaw other than its cover letter in response to the CRTRC’s 24 January 2023 request on the CRTC public record of the 2022-267 proceeding as soon as possible – preferably before the current deadline set out in BNoC 2022-267-3 (i.e., 24 February 2023) and preferably with a notice to interested parties advising them of the addition to the record.

Sincerely,



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