



27 July 2026

Marc Morin
Secretary General
CRTC
Ottawa, ON K1A 0N2

Filed online

Dear Secretary General,

Re: *Call for comments – Review of the Unsolicited Telecommunications Rules.*, [Compliance and Enforcement Notice of Consultation CRTC 2026-132](#) (Gatineau, 11 June 2026)

The Forum for Research and Policy in Communications (FRPC) is a non-profit and non-partisan organization established in 2013 to undertake research and policy analysis about communications, including broadcasting and telecommunications.

FRPC's comments in this proceeding follow and include a separate document – as requested by 2026-132 at paragraph with responses to two of the CRTC's questions. We look forward to reviewing the submissions of other parties and may submit a reply on or before the deadline of 11 August 2026.

Sincerely yours,

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Unsolicited Telecommunications Rules: No evidence, no transparency and no accountability

*Call for comments – Review of the Unsolicited Telecommunications Rules,
[Compliance and Enforcement Notice of Consultation CRTC 2026-132](#)
(Gatineau, 11 June 2026)*

Comments

by the

Forum for Research and Policy in Communications (FRPC)

27 July 2028



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I. “Do your ducts need cleaning?”

1. The Forum for Research and Policy in Communications (FRPC) is a non-profit and non-partisan organization established in 2013 to undertake research and policy analysis about communications, including broadcasting and telecommunications.
2. This submission addresses the CRTC’s 11 June 2026 call for comments about changes it proposes to make to its “Unsolicited Telecom Rules” (Rules) – that is, the Commission’s rules for telephone calls made to people who have not asked for them.
3. In Part I FRPC sets out the context in which the CRTC developed the Rules and addresses their legal status. Part II addresses the problems with Compliance and Enforcement Notice of Consultation CRTC 2026-132 which discourage public-interest participation. FRPC has filed a separate attachment regarding its answers to the CRTC’s questions, as requested by 2026-132 at paragraph 16.

II. Context of 2026-132: a 43-year old problem whose regulatory framework has been reviewed

4. Compliance and Enforcement Notice of Consultation CRTC 2026-132 describes the CRTC’s approach to unsolicited telecommunications beginning with several amendments it made in 2009¹ regarding its Unsolicited Telecommunications Rules, and from there addressing the Commission’s 2014 policy.² (The 2014 policy flowed from the review of the Rules announced in 2013.)³
 5. In fact, the Commission’s unsolicited telecommunications work began decades before the 2009 amendments.
- A. Complaints about unsolicited telecommunications began in the 1980s
6. Parliament transferred responsibility for telecommunications to the CRTC in 1975.⁴ Within 10 years complaints from telephone subscribers about “Automatic Dialing-

¹

² *Review of the Unsolicited Telecommunications Rules*, Compliance and Enforcement Regulatory Policy CRTC 2014-155 (Ottawa, 31 March 2014), <http://www.crtc.gc.ca/eng/archive/2014/2014-155.htm>.

³ *Review of the Unsolicited Telecommunications Rules - Call for Comments* [Compliance and Enforcement] *Telecom Notice of Consultation CRTC 2013-140* (Ottawa, 20 March 2013).

⁴ The transfer was made through the device of the 1975 *Canadian Radio-television and Telecommunications Commission Act*, 23&24 Eliz. 2, c. 49 (19 June 1975). This statute changed the CRTC’s full legal name from Canadian Radio-Television Commission to Canadian Radio-television and Telecommunications Commission (s. 3(1)). It then also required the CRTC to “exercise the powers and perform the duties and functions in relation to telecommunication ... vested by the *Railway Act*, the *National Transportation Act* or any other Act of Parliament in the Canadian Transport Commission and the President thereof, respectively” (s. 14(2)). Initially

Announcing Devices (ADADs)” led the Commission to ask whether it should prohibit or restrict the use of ADADs for commercial-solicitation purposes.⁵ According to the Commission, “[t]he majority of residential telephone subscribers who commented ... were opposed” to these types of ADADs.⁶

7. In 1985 the CRTC decided that “outright prohibition of the use of such devices is not desirable at this time”: it said that “reasonable safeguards” that the Commission was establishing had to have the chance to show that they could deal with the perceived abuses associated with the use of ADADs”.⁷ The Commission approved tariffs that restricted ADADs’ use for the companies then under its jurisdiction.⁸

B. CRTC takes tougher stand in the early 1990s

8. By 1993, however, the CRTC was considering a prohibition on ADADs altogether due to the number of complaints it was receiving – “almost 5,000” in the first half of 1993.⁹ The Commission at the time proposed to rely on its power to prevent “undue inconvenience or nuisance” under section 41 of the *Telecommunications Act* and Parliament’s policy objective of protecting Canadians’ privacy.¹⁰
9. The CRTC decided less than a year later in Telecom Decision CRTC 94-10 that it was “in the public interest to prohibit the use of ADADs to make unsolicited calls for the purpose of solicitation, defined as the selling or promoting of a product or service, or the soliciting of money or money’s worth, whether directly or indirectly and whether on behalf of the ADAD user or of another party.”¹¹

the Commission’s authority was limited to the country’s largest carriers; the scope of its authority expanded over time.

⁵ *USE OF AUTOMATIC DIALING-ANNOUNCING DEVICES*, Telecom Public Notice CRTC 1984-17 (Ottawa, 22 March 1984), <http://www.crtc.gc.ca/eng/archive/1984/PT84-17.htm>.

⁶ See *Use of Automatic Dialing-Announcing Devices*, Telecom Public Notice [CRTC 93-58](#) (Public Notice 93-58), “I Background”.

⁷ *Use of Automatic Dialing-Announcing Devices*, Telecom Decision CRTC 85-2 (Ottawa, 4 February 1985), <http://www.crtc.gc.ca/eng/archive/1985/DT85-2.HTM>.

⁸ *USE OF TELEPHONE COMPANY FACILITIES FOR THE PROVISION OF UNSOLICITED TELECOMMUNICATIONS*, Telecom Decision CRTC 94-10 (Ottawa, 13 June 1994).

⁹ *Use of Automatic Dialing-Announcing Devices*, [Telecom Public Notice CRTC 93-58](#) (Ottawa, 21 September 1993): “... by 1992, complaints on this topic had grown to represent over 25% of telecommunications complaints. Further, between 1 January and 30 June 1993, the Commission received almost 5,000 complaints respecting ADADs, representing over 40% of all complaints relating to telecommunications received during that period.”

¹⁰ *Ibid.*

¹¹ *Use of Telephone Company Facilities for the Provision of Unsolicited Telecommunications* Telecom Decision CRTC 94-10 (Ottawa, 13 June 1994), <http://www.crtc.gc.ca/eng/archive/1994/dt94-10.htm>,

C. Telemarketing Rules Review in 2001

10. In 2001 the Commission announced it was reviewing its telemarketing Rules.¹² It noted that six of Canada's telecommunications companies had received 14,639 complaints about telemarketing,¹³ a little more than 3,600 per year.¹⁴ It summarized its current Rules in an order that extended its telemarketing restrictions to include resellers¹⁵ but otherwise referred only to "a broad range of concerns and complaints" that had been expressed in recently years "about unsolicited communications using live voice calls and fax transmissions."¹⁶
11. The review launched by the CRTC in 2001 took three years to complete. Telecom Decision CRTC 2004-35¹⁷ concluded that "better enforcement of the existing rules [had been] the major factor in increasing their effectiveness", while noting as well that carriers rarely exercised their ability to disconnect telemarketers "even when complaints indicate breaches of the Rules".¹⁸ The Commission introduced "a multi-faceted awareness program for both consumers and telemarketers"¹⁹ but ultimately concluded that new legislation was needed to "enable the Commission to develop key enforcement processes and the critical sanctions which are required to protect the rights of both consumers and telemarketers".²⁰ Bill C-37, Parliament's legislation to enable the CRTC to regulate telemarketing, [received Royal Assent in 2005](#).

D. 2006 review of telemarketing Rules and the DNCL

12. In 2006 the CRTC launched another review of its telemarketing Rules, inviting comments on establishing what has now become the National Do Not Call List.²¹
13. This proceeding yielded the *Unsolicited Telecommunications Rules framework and the National Do Not Call List*, [Telecom Decision CRTC 2007-48](#) (Ottawa, 3 July 2007).

E. 2013 review because market forces failed to inform Canadians of new remedy

14. By 2009, though, the Commission had decided "that it cannot rely on market forces alone" to "convey a common and complete message across Canada regarding the UTRs,

¹² CRTC seeks public input on telemarketing rules, [Public Notice CRTC 2001-34](#) (Ottawa, 5 March 2001).

¹³ *Ibid.*, paragraphs 66-74.

¹⁴ 3,660.

¹⁵ In a separate document – *Telemarketing restrictions extended to all telecom service providers*, [Order CRTC 2001-183](#) (Ottawa, 5 March 2001).

¹⁶ *Ibid.*, at paragraph 4.

¹⁷ *Review of telemarketing rules*, [Telecom Decision CRTC 2004-35](#) (Ottawa, 21 May 2004).

¹⁸ *Ibid.*, paragraph 85.

¹⁹ *Ibid.*, italics omitted.

²⁰ *Ibid.*, at paragraph 89.

²¹ *Proceeding to establish a national do not call list framework and to review the telemarketing rules*, [Telecom Public Notice CRTC 2006-4](#), (Ottawa, 20 February 2006), as amended by [Telecom Public Notice CRTC 2006-4-1](#) (Ottawa, 13 March 2006).

the National DNCL, and the Commission's new enforcement powers” and it announced a series of changes to the Rules.²² Four years later the CRTC invited comments for a Rules review²³ that, as 2026-132 states,²⁴ resulted in Telecom Regulatory Policy 2014-341.²⁵

15. The point FRPC is making is that unsolicited telecommunications have been a problem for Canadians for almost half a century: devising ways to limit the scope of the problem took decades. Since the CRTC’s first steps towards prohibiting unsolicited telecommunications 23 years ago,²⁶ it has invited public comment on its approach just three times: in 2001, in 2006 and in 2013.
16. 2026-132 is therefore only the fourth time that the CRTC has invited public comment on its approach to unsolicited telecommunications.

III. This fourth review lacks context and facts

17. Given the that the last review began in 2013, it might have been useful for the CRTC to provide those who were not even born when complaints first began to be made about unsolicited telecommunications in the 1980s. Context and facts matter, particularly when it comes to deciding whether and how to change the current Rules.

A. 2023 Policy Direction requires CRTC to focus on consumer interests

18. The CRTC today is in an entirely different place than it was when it took its first tentative steps towards reducing the frequency of telephone calls being placed by telemarketers. Its enabling statute specifically empowers it to hold these companies to account, and to deter continued unsolicited telecommunications for telemarketing purposes through administrative monetary penalties. As importantly, Cabinet has clarified the way in which the CRTC should approach consumer protection as set out in the *Telecommunications Act*.

²² *Revised regulatory requirements to provide information to customers*, [Telecom Regulatory Policy 2009-156](#) (Ottawa, 24 March 2009), at paragraph 34; *Unsolicited Telecommunications Rules and the National Do Not Call List Rules as they relate to the insurance industry*, [Telecom Information Bulletin CRTC 2009-282](#) (Ottawa, 15 May 2009); *Unsolicited Telecommunications Rules and the National Do Not Call List Rules as they relate to the real estate industry*, [Telecom Information Bulletin CRTC 2009-283](#) (Ottawa, 15 May 2009);

²³ *Review of the Unsolicited Telecommunications Rules – Call for comments*, [Telecom \[Compliance and Enforcement\] Notice of Consultation 2013-140](#) (Ottawa, 20 March 2013).

²⁴ Paragraph 6.

²⁵ *Review of the Unsolicited Telecommunications Rules*, Compliance and Enforcement Regulatory Policy CRTC 2014-155 (Ottawa, 31 March 2014), <http://www.crtc.gc.ca/eng/archive/2014/2014-155.htm>.

²⁶ In 1993 ([Telecom Public Notice CRTC 93-58](#)).

19. Specifically, in 2023 Cabinet directed the Commission to “enhance and protect the rights of consumers” with respect to telecommunications.²⁷ Rather than leaving ‘consumer matters’ as just another of the seven objectives set out in section 7 of the *Telecommunications Act*²⁸ to which the CRTC ought “to respond”, section 17 of the *Direction* – its longest and most detailed section – states that the Commission “must” implement Parliament’s *Telecommunications Policy*. In other words, the CRTC “must” today “respond to the economic and social requirements of users of telecommunications services”.²⁹ (This requirement was absent for the first 30 years of work with respect to unsolicited telecommunications.)
- B. CRTC’s own facts show decreased complaints – though still 2,000/month**
20. Along with information about Cabinet’s requirement that the Commission enhance consumers’ rights, it would have been helpful for the CRTC to provide statistics and other information about unsolicited telecommunications in Compliance and Enforcement Notice of Consultation CRTC 2026-132.
21. For example, the CRTC reports the numbers of complaints it receives about unsolicited telecommunications and describes the actions it has taken about the complaints in its annual reports about the operation of the national do-not-call list.

²⁷ [Order Issuing a Direction to the CRTC on a Renewed Approach to Telecommunications Policy](#), SOR/2023-23 (Registration [and entry into force] on 2023-02-10).

²⁸ Section 7 affirms that the objectives of Canadian telecommunications policy are

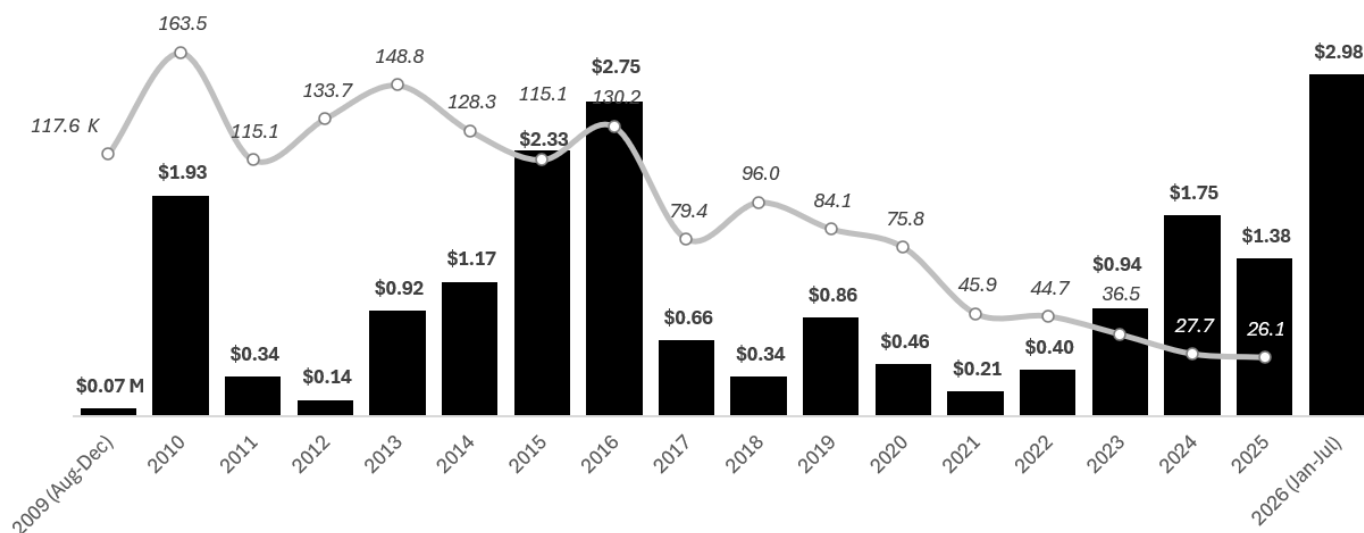
- (a) to facilitate the orderly development throughout Canada of a telecommunications system that serves to safeguard, enrich and strengthen the social and economic fabric of Canada and its regions;
- (b) to render reliable and affordable telecommunications services of high quality accessible to Canadians in both urban and rural areas in all regions of Canada;
- (c) to enhance the efficiency and competitiveness, at the national and international levels, of Canadian telecommunications;
- (d) to promote the ownership and control of Canadian carriers by Canadians;
- (e) to promote the use of Canadian transmission facilities for telecommunications within Canada and between Canada and points outside Canada;
- (f) to foster increased reliance on market forces for the provision of telecommunications services and to ensure that regulation, where required, is efficient and effective;
- (g) to stimulate research and development in Canada in the field of telecommunications and to encourage innovation in the provision of telecommunications services;
- (h) **to respond to the economic and social requirements of users of telecommunications services;** and
- (i) to contribute to the protection of the privacy of persons. [bold font added]

²⁹ *Telecommunications Act*, s. 7(h).

22. The CRTC's website currently makes these reports available for the past five years, from 2021 to 2025, although the CRTC has been publishing reports about unsolicited telecommunications since the late 2000s.
23. According to its reports the Commission received 1,568,5609 complaints about unsolicited telecommunications from 2009 to 2026, with the number of complaints decreasing by 79.6% since the Commission last reviewed the Unsolicited Telecommunications Rules in 2013/14. In 2025, however, the CRTC received just over two thousand complaints about unsolicited telecommunications. The data published by the Commission about its [Enforcement Actions](#) indicate that it has levied \$19.6 million in penalties over the same period: Figure 1.

Figure 1 UTRs complaints vs fines levied, 2009 - 2025

2009-2026: 1.569 million DNCL complaints received and \$19.6 million in administrative monetary penalties levied by Commission



24. Somewhat surprisingly, duct-cleaning telemarketers made up just 10 of the 878 enforcement actions listed in the CRTC's data, and accounted for \$156,000 in penalties (or \$15,600, on average). Political campaigns, meanwhile, made up 68 of the enforcement actions, triggering \$326,800 in penalties (or an average of \$4,806).
25. Evaluating the nature of Unsolicited Telecommunications Rules' non-compliance is complicated to a degree by the fact that the CRTC's "details" of non-compliance often shown that a single violation involves more than one Part of the Rules. That said, the CRTC referred to violations of Part IV (regarding ADADs) 44 times out of 878 violations listed. There were 761 violations of Part II and 531 violations of Part III (totals do not add to 878 because a single violation could involve more than one Part).

C. What is CRTC asking of interveners?

26. Compliance and Enforcement Notice of Consultation CRTC 2026-132 invites questions on 32 matters, setting out 20 questions, nine specific changes to the Rules and three other sets of changes. It also invites parties “to provide comments on any other revisions that they consider appropriate: see Table 1.

Table 1 Number of questions, changes and proposals in 2026-132

Questions, changes and proposals in 2026-132	# questions/ changes
Q1. Should these terms be defined in the UTRs? (a) If yes, please comment on the proposed definitions below. If you do not agree with the proposed definitions, please provide an alternative definition. [There is no Q1(b)] Q2. With today’s technology and available applications, is the definition sufficient to capture software, applications, or technologies that use synthesized voices, recordings, artificial intelligence, or other methods of non-human generated voice messages? (a) If the current definition of ADAD needs to be updated, how should it be adjusted? [There is no Q2(b)] Q3. Should the Commission align the definitions found in the UTRs with those in CASL? In particular, should the definition of “telemarketing” be adjusted so it reflects the definition of “commercial electronic message” found in CASL so that the definitions in both regimes are more similar? Q4. Should the UTRs include the requirements of subsections 41.7(3) and (4) of the Act? Q5. To improve clarity, should these exemptions include school board elections (which are elections for public office, selected by a general electorate, that are provincially regulated and municipally administered, but not strictly a provincial or municipal election) and elections such as territorial assembly elections? Q6. Should Part II of the UTRs continue to apply to voice mail broadcasting, or should it be excluded from application, thereby making voice mail broadcasting unregulated by the UTRs? Q7. Should the UTRs clarify that when a telemarketer is initiating a telecommunication on behalf of a client, each client must purchase a DNCL subscription and register with, and provide information to, the National DNCL operator? Various sections of the UTRs have similar requirements on both telemarketers and clients of telemarketers (Part II, sections 6 and 7; Part III, sections 2 and 3; Part III, sections 8 and 9; Part III, sections 11 and 12; and Part III, sections 14 and 15). Telemarketers and clients of telemarketers have raised questions as to which provisions apply to them. Q8. To provide greater clarity with respect to obligations and to simplify the UTRs, should provisions that impose similar requirements on a telemarketer and a client of a telemarketer be combined?	20



Questions, changes and proposals in 2026-132	# questions/ changes
Q9. Should the UTRs require telemarketers to maintain calling records/calling logs for a minimum period of time when making telemarketing telecommunications? If yes, how long should that period be? Q10. Should the identification requirements be expanded to require telemarketers to tell consumers that the call is using this sort of technology (i.e., it is not a live person making the call and speaking with the consumer at the start of the call)? Q11. Should the UTRs apply to instances where individuals initiate telecommunications strictly for personal use? Please provide proposed wording to support your position on the application of the UTRs to these types of ADAD telecommunications that are strictly personal in nature. Q12. Should the contact information requirements in bold above be adjusted so that only one element is required? Q13. With a variety of stakeholders using ADADs, should the requirement include both the calling service provider and the client in the identification? Q14. Should there be additional requirements on the form and content of the message such as: (a) needing to start within 10 seconds of the recipient answering the call; and/or (b) not requiring the recipient to interact in any way, such as key press or voice prompt for the information to be provided? Q15. With the evolution of technology, should the acceptable forms of express consent be modified in any way? If so, how? Q16. Should the UTRs require that fictitious names may only be used when the telemarketer can determine the identity of the individual making the telecommunication, if requested to do so? Q17. How can these rules be amended to ensure that they are clear and lead to compliance? Q18. Should there be record-keeping requirements associated with these rules, such as requiring records of when a voice message was left by a consumer and when it was returned? Q19. Are the rules regarding sequential and random dialing still necessary? Please explain your response. Q20. Should the manner and format of records that telemarketers must keep be clarified? If so, how?	
“35: The Commission intends to make the following changes to the UTRs: ○ modifying the UTRs to require persons with a registration to the National DNCL to use an address that is in a format that can be used for service of documents (this would prohibit the use of post office boxes); ○ modifying Part II, sections 9, 10 and 12 of the UTRs, which prohibit telemarketers, clients of telemarketers, and any other subscriber of the National DNCL from inappropriately disclosing the National DNCL, to refer to these entities as “a person with a subscription to the National DNCL”;	9 proposed changes

Questions, changes and proposals in 2026-132	# questions/ changes
○ consolidating rules regarding express consent in one place for ease of reference and greater transparency, given that they are currently found in separate places (Part II, section 5; Part IV, section 3; and Part V of the UTRs); ○ consolidating rules regarding record-keeping in one place for ease of reference and greater transparency, since they are currently found in separate places (Part II, section 8; Part III, sections 5 and 30; and Part VI of the UTRs); ○ deleting sections regarding record-keeping requirements (Part II, section 8; and Part III, section 5 of the UTRs) that only relate to registration and subscription documents, which are also kept by the Commission and the National DNCL Operator. It is not necessary for telemarketers to keep these documents since the Commission has already access to them; ○ deleting Part III, section 6 of the UTRs, which establishes that Part III does not apply in respect of unsolicited telecommunications made for purposes other than solicitation. The terms “telemarketer” and “telemarketing” are already defined in Part I and include the concept of solicitation in their definitions, making the clarification in Part III, section 6 redundant. ○ deleting Part III, section 27 of the UTRs, which permits random dialing to all numbers except numbers that are (i) registered on the National DNCL and/or the telemarketer’s or client’s internal do not call list, (ii) emergency lines, or (iii) associated with healthcare facilities. These prohibitions are redundant with other provisions in the UTRs, which already prohibit contacting numbers in these categories. ○ inserting in Part IV of the UTRs a statement that Part IV applies regardless of whether a telemarketing telecommunication is captured by Part III, to clarify that the application of Part IV is independent from the application of Part III. Part IV currently states that the ADAD Rules apply regardless of whether a telemarketing telecommunication is exempt from Part II. It does not, however, state that the ADAD rules apply regardless of whether a telemarketing telecommunication is captured by Part III. ○ including the term “an Internal Do Not Call List (Internal DNCL)” in Part III, sections 8 to 15 of the UTRs, for clarification in each instance where the organization’s own do not call list is referenced. These sections impose obligations on both telemarketers and their clients to maintain their own do not call list separate from the National DNCL. These requirements are at times misunderstood. The term “internal DNCL” is often used by industry.”	
“36: “The Commission also intends to make the following changes” ○ removing all references to “complaints investigator delegate” and “Centrex services”; ○ removing section 19 of the UTRs (specific rules related to faxes) and instead incorporating the identification and contact information rules related to faxes more broadly in Part III; and ○ removing granular clarifications regarding telecommunications initiated by ADAD contained in Part IV, section 2 of the UTRs that refer to charities, requesting a consumer to hold until a telemarketer is available, radio station promotions, and referring consumers to 900 or 976 service numbers.	3 additional changes
“37. This notice of consultation outlines the changes to the UTRs that the Commission is considering. However, it is open to parties to provide comments on any other revisions that they consider appropriate.”	

27. Overall, Compliance and Enforcement Notice of Consultation CRTC 2026-132 suffers from three major problems. First, no side-by-side comparison is provided to show the impact of the 12 sets of changes proposed in the notice. Presumably the CRTC expects

each intervener to undertake this exercise separately – even though the CRTC in Broadcasting and Telecom Notice of Consultation 2026-134 took the time to set out a combined set of consumer *Codes*.

28. Also, and as noted earlier, 2026-132 does not set out facts that may be relevant to parties interested in this issue – the 79.6% decrease in complaints received by the CRTC about telecommunications since its last review of the Unsolicited Telecommunications Rules in 2013/14. Nor does it offer any information about the degree to which non-compliance has been found for the six individual Parts of the Rules (Parts II to VII) – whereas the CRTC’s enforcement-action data indicate that Part IV ADADs violations are comparatively rare.
29. When Canada signed the *Canada-United States-Mexico Agreement* it agreed that when developing regulations that it would “under normal circumstances, publish ... an explanation of the data, other information, and analyses the regulatory authority relied upon to support the regulation”.³⁰
30. Assuming not only that Unsolicited Telecommunications Rules are regulations and that this review amounts to the development of new and improved unsolicited telecommunications regulations, the lack of evidence and relevant context in this proceeding is problematic. Rather than transparent, the 2026-132 is opaque, and rather than being accountable, the CRTC’s approach in this notice of consultation leaves it unaccountable. If the CRTC’s Unsolicited Telecommunications Rules are not made to be broken, neither are Canada’s commitments under *CUSMA*.

*** End of document ***

³⁰

Article 28.9:

1. ... when a regulatory authority is developing a regulation, the Party shall, under normal circumstances... publish:

(a) the text of the regulation along with its regulatory impact assessment, if any;

(b) an explanation of the regulation, including its objectives, how the regulation achieves those objectives, the rationale for the material features of the regulation, and any major alternatives being considered;

(c) an explanation of the data, other information, and analyses the regulatory authority relied upon to support the regulation; ...

....