



11 August 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 submitted comments in this proceeding on 11 August 2026.

Our response to other parties is attached. The Forum has generally limited its reply to matters in which FRPC's position differs from those of other interveners.

Sincerely yours,

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Unsolicited Telecommunications Rules: **Clarity serves all parties' needs**

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

Reply

by the

Forum for Research and Policy in Communications (FRPC)

11 August 2026

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Executive Summary

- ES 1** Established in 2013, FRPC undertakes research and policy analysis about communications, including broadcasting and telecommunications.
- ES 2** On 11 June 2026 the CRTC invited comments about 31 sets of changes proposed to its Unsolicited Telecommunications Rules. FRPC intervened on 27 July 2026.
- ES 3** This submission constitutes FRPC's reply to other parties in the proceeding. We address basic axioms underlying the CRTC's approach to unsolicited telecommunications, address areas where the Rules should not be changed and areas where the Rules should be changed.
- ES 4** Insofar as the axiomatic foundation of 2026-132 is concerned, FRPC notes that Parliament has not yet changed the *Telecommunications Act* to drop all concern regarding consumers. Consequently the CRTC's decision in this matter must devote at least as much concern to meeting Canadians' social and economic needs as users of the telecommunications system as the CRTC devotes to companies that decide to operate within the system for business reasons.
- ES 5** FRPC does not consider that changes are required regarding
- A. The DNCL's permanent registration provision;
 - B. The substance of the Part IV "Automatic Dialing-Announcing Device (ADAD) Rules";
 - C. The sequential dialing prohibition, and
 - D. Current message-content requirements.
- ES 6** FRPC proposes changes regarding six aspects of the Rules:
- A. AI: to ensure that contact recipients understand that they are being contacted by an AI and agree to communicate with it.
 - B. Part I's definition of ADAD; we propose shifting from 1980s terminology to a definition based on today's use and technology: "Calling System means any platform, system, program software, hardware or equipment that whether used alone or with other platforms, systems, software, hardware or equipment, and whether under the control of humans or otherwise initiates outgoing telecommunications to a pre-determined list of telecommunications contact numbers to convey a spoken message with or without text." We also recommend changing the title and content of Part IV.
 - C. Clarify in Part IV that it applies to survey research companies, charities, political parties or political candidates.
 - D. To promote fairness and enable alleged violators to put forward a complete defence, clarify in Part VII that records should be retained for three years and clarify in Part VI the categories of records that parties should consider retaining.



- E. To promote fairness the CRTC should ensure that its enforcement activities are more transparent by publishing all of its enforcement determinations, and
- F. The CRTC should simplify and clarify its online complaints process.

Summary of recommendations

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FRPC recommendation 21	The CRTC should issue an Information Circular to clarify its approach to identifying breaches of the Unsolicited Telecommunications Rules, so that parties understand the risks they assume by not retaining specific documentary evidence.	31
FRPC recommendation 13	With the exception of those making emergency-alert telecommunications, parties must retain records that describe whether the telecommunication is made solely with a Calling System, with a Calling System in conjunction with a live representative or solely by a live	33



- FRPC recommendation 22 The CRTC should provide public access to all of its enforcement determinations (whether a letter, a “Decision” or another document of the Commission announcing breaches and sanction imposed) 38
- FRPC recommendation 24 Invite interested parties including public- and consumer-interest organizations to meet with CRTC staff to discuss improvements to its unsolicited telecommunications complaints pages 40

I. Limiting telecommunications companies' right to free speech – or meeting telecommunications users' needs?

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. On 11 June 2026 the CRTC invited comments about changes it is proposing 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. [Compliance and Enforcement Notice of Consultation CRTC 2026-132](#) asked interested parties to respond to 20 questions, 9 specific changes to the Rules and three other sets of changes.
3. FRPC submitted comments on 2026-132 to the CRTC on 27 July 2026, the deadline for comments set out in the notice of consultation. FRPC described the context in which the CRTC developed the Rules, addressed the problems with Compliance and Enforcement Notice of Consultation CRTC 2026-132 which discourage public-interest participation and responded briefly to two of the CRTC’s questions.
4. After brief comments about the procedures followed by the Commission in this proceeding FRPC addresses the remaining 18 interveners’ submissions.
- A. **This proceeding’s narrow focus ignores Canadians**
5. Parliament requires the CRTC to operate “with a view to implementing the *Canadian Telecommunications Policy* objectives”¹ in section 7 of the *Telecommunications Act*.
6. The *Canadian Telecommunications Policy* sets out nine objectives of which four are relevant to 2026-132. These subsections require the Commission to ensure that its decisions strengthen Canada’s social fabric (a), that it regulates efficiently and effectively (f), that it responds to users’ economic and social requirements (h) and that it contribute to people’s privacy (i): Table 1.

Table 1 Telecommunications Act’s section 7, Canadian Telecommunications Policy

(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;

¹ S. 47(a).

(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]

7. The CRTC must then also implement the *Canadian Telecommunications Policy* “in accordance with any orders made” by Cabinet under section 8.² More specifically, section 8 orders must be limited to “directions of general application on broad policy matters with respect to the Canadian telecommunications policy objectives.”

8. Cabinet’s current 2023 *Direction*³ stipulates that the CRTC “must implement the Canadian telecommunications policy objectives set out in section 7 of that Act in accordance with this Order”.⁴ The *Direction* sets out 19 “[k]ey objectives”, of which six bear on -132: Table 2.

Table 2 2023 Order Issuing a Direction to the CRTC

2 The Commission should consider how its decisions would promote competition, affordability, consumer interests and innovation, in particular the extent to which they would

...

(d) **enhance and protect the rights of consumers in their relationships with telecommunications service providers**, including rights related to accessibility;

....

3 The Commission should **ensure that its proceedings and decisions are transparent, predictable and coherent.**

² S. 47(b).

³ *Order Issuing a Direction to the CRTC on a Renewed Approach to Telecommunications Policy*, SOR/2023-23, [P.C. 2023-110 2023-02-09](#).

⁴ S. 1.

4 The Commission should ensure that **the measures that it imposes through its decisions are efficient and proportionate to their purpose.**

6 The Commission should **base its decisions on sound and recent evidence and should exercise its powers to obtain necessary evidence.**

17 The Commission must **enhance and protect the rights of consumers in telecommunications markets by**

...

(b) **strengthening the position of consumers in their relationships with service providers**

....⁵

[Bold font added]

9. The Forum's view of the *Direction* is that the CRTC is bound to implement the *Canadian Telecommunications Policy* and to also implement the requirements of the *Direction's* 20 provisions. FRPC has therefore assessed other parties' submissions through the lens of the *Canadian Telecommunications Policy* and the *Direction*. In our view, this proceeding requires a decision that

- A. At least maintains and preferably strengthens Canada's social fabric – by maintaining or strengthening consumers' rights in telecommunications
- B. Provides for efficient and effective regulation – that is transparent, predictable, coherent and proportionate, and is based on recent, valid evidence
- C. Meets the social and economic needs of telecommunications service users – and strengthens the rights of consumers with respect to their service providers
- D. Protects Canadians' privacy - and with respect to service providers

B. CRTC continues to admit interventions filed late without reasons

10. The public record for 2026-132 currently includes 19 submissions.

11. Five of these arrived at or were received by the CRTC⁶ after the deadline: Rogers (28 July 2026), CAMP (28 July 2026), TELUS (28 July 2026), eastlink (28 July 2026) and Canadian Marketing Association (29 July 2026) – Table 3 – with one received two days after the deadline on 29 July 2026 (Figure 1).

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⁵ Order Issuing a *Direction* to the CRTC on a Renewed Approach to Telecommunications Policy, SOR/2023-23, [P.C. 2023-110 2023-02-09](#).

⁶ The CRTC's HTML intervention form refers to "Date reçu / Date Arrived:".

Table 3 Number of submissions CRTC received after filing deadline

Proceeding	Number of			
	Submissions CRTC rec'd after the deadline	Calendar days From deadline to receipt	Companies that filed late	Public-interest participants that filed late
BNoC 2026-103	1 (one)	4 calendar days	0	0
BNoC 2026-115	3 (three)	1 to 3 calendar days		0
TnoC 2026-132	5 (five)	1 to 2 calendar days	3	1

Figure 1 Intervention 20 received by CRTC two days after deadline

Public Proceedings | CRTC Interventions | CRTC Intervention

Intervention, observation ou réponse de l'intimé / Intervention, comment or answer by respondent

Date reçu / Date Arrived: 2026-07-29

Numéro de processus public / Public Process Number: 2026-132
 Numéro d'intervention / Intervention Number: 20
 Demande(s) / Application(s):
 Cas / Case: 337896

Demande à comparaître à l'audience publique / Request to appear at the public hearing: Non/No
 Intimé / Respondent: Non/No

Commentaire / Comment
 Comments on behalf of the Canadian Marketing Association attached.

Copie envoyée au demandeur et à tout autre intimé si applicable / Copy sent to applicant and to any respondent if applicable: Non/No

12. The Commission – “consisting of” the members (Commissioners) appointed by the Governor in Council⁷ – must set out deadlines by which parties may respond to the Commission’s notices of consultation.⁸ It may dispense with or vary” its *Rules*.⁹
13. FRPC was unable to locate any procedural requests or CRTC letters regarding late filings.
14. Consequently, the sound regulatory basis for setting intervention deadlines that some parties ignore is uncertain.

⁷ Canadian Radio-television and Telecommunications Commission Act, s. 3(1).

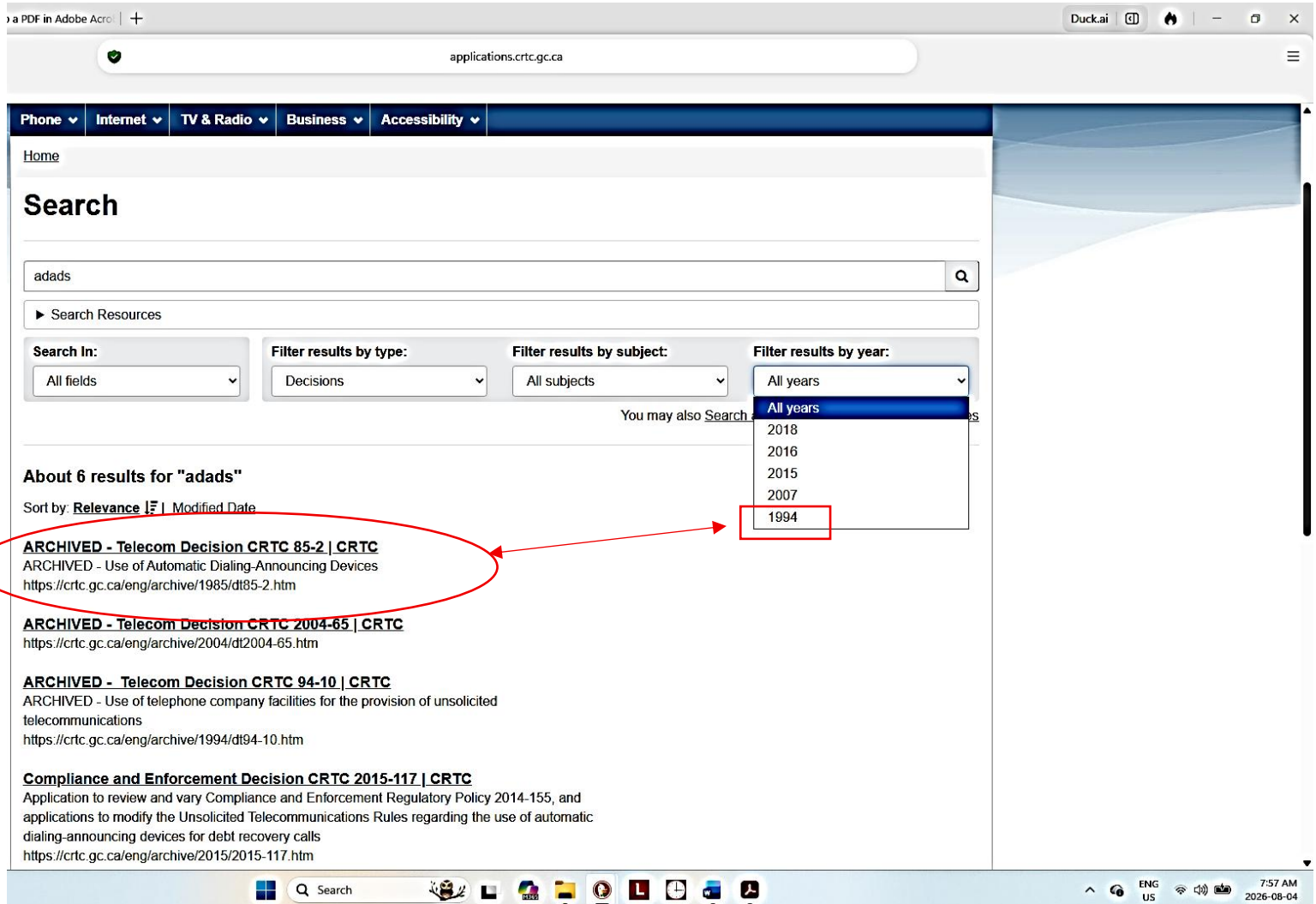
⁸ Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure, s. 21(2)(a). This section refers to deadlines “for filing a reply with the Commission” to its notice of consultation, which presumably may be interpreted more broadly as meaning ‘filing a submission’.

⁹ Canadian Radio-television and Telecommunications Commission Rules, s. 7.

C. CRTC search engine malfunctions increasing

15. On 4 August 2026 FRPC used the CRTC’s search engine to locate decisions made by the CRTC regarding ADADs. As Figure 2 shows, the “Filter results by year” button states incorrectly that the results are from 1994 to 2018, when the very first decision shown is from 1985.

Figure 2 CRTC search engine malfunctioning

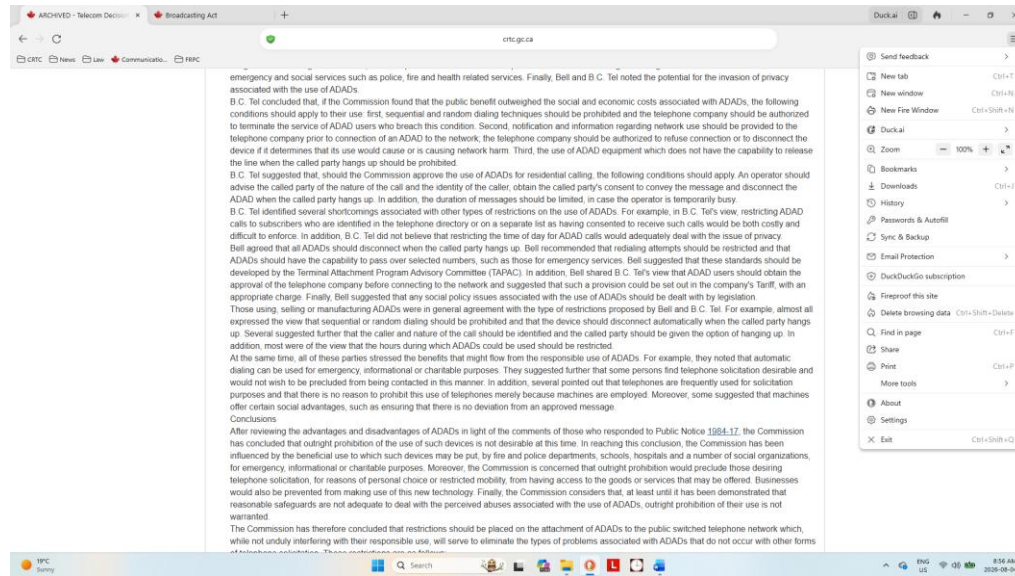


FRPC recommendation 1 Correct the CRTC’s malfunctioning search engine

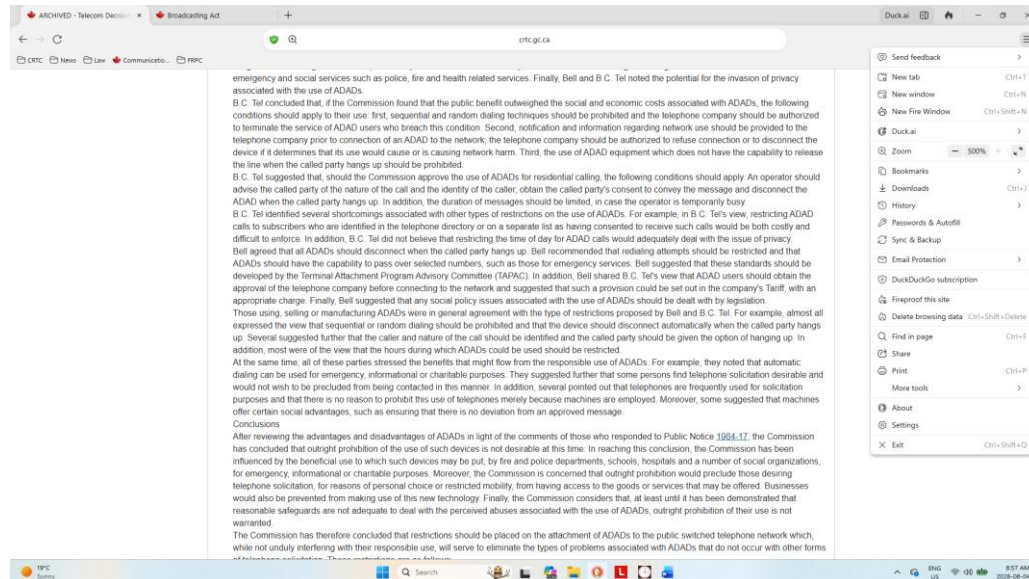
16. At approximately 9 a.m. ET on 4 August 2026 the CRTC’s website also stopped responding to ‘scaling’ requests: page text remained the same size whether set at 100% or 500% - see Figure 3. By 11:51 a.m. this problem had been corrected – without any acknowledgment of the inconvenience or an apology to users inconvenienced by the malfunction.

Figure 3 CRTC website text size fixed on 4 Aug/26

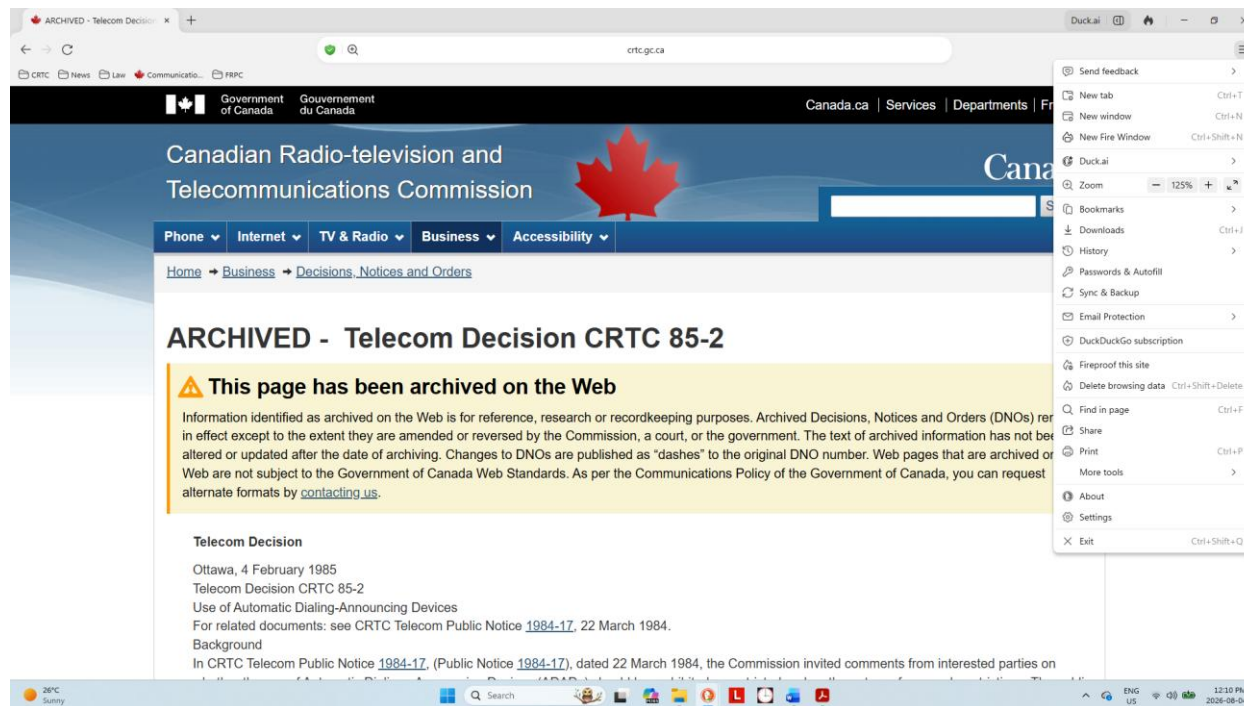
8:56 a.m. Text size at 100%



8:57 a.m. Text size at 500%



Text at 12:10 P.M. (125%):



17. On different days and at different times throughout July 2026 FRPC was unable to access the CRTC's public-proceedings page – the only location where parties may access the public record of its consultations and published applications. (The CRTC closed its publicly accessible library in the late 2000s or early 2010s.)
18. On Sunday 9 August 2026 the CRTC's website was down from 11 a.m. ET to 3 p.m. ET. (FRPC has provided screenshots in its CENoC 2026-134 intervention, also filed today.)
19. The CRTC itself has acknowledged that its website has been functioning erratically: CRTC, *Subject: Procedural requests from: Option consommateurs, Public Interest Advocacy Centre, Canadian Telecommunications Association, Forum for Research and Policy in Communications, and two individuals, [Broadcasting and Telecom - Secretary General Letter addressed to the Distribution List \(Gatineau, 30 July 2026\)](#)*.
20. Until the end of July 2026, however, it did not post an acknowledgment of the site's malfunctions, thereby creating uncertainty.
21. Even after that, once the malfunctions were corrected the CRTC did not post an apology.
22. No process is perfect and while Canadians are entitled to expect the CRTC to make its best efforts to enable them to participate in its proceedings, it would be unreasonable to expect perfection at all times.

23. That said, the absence of acknowledgements that the CRTC's website's features are malfunctioning and the absence of any apology for the time users have had to misallocate to check, re-check and re-check yet again in the hope that they could use the site as designed indicates that the CRTC is either unaware of or indifferent to the difficulties and challenges it creates for those it purports to encourage to participate.
24. To suggest that everything is fine because the CRTC continues to receive interventions is to ignore the fact that the CRTC since 1981 has supported "informed public participation" in its proceedings, to the point that it said its cost awards enabled public-interest groups to develop and maintain expertise in regulatory matters.¹⁰ In 1983 the Federal Court of Appeal upheld a CRTC cost award in part because the interveners whose costs it reimbursed not only set out their positions about applications and consultations but also undertook legal analysis, submitted arguments and led evidence.
25. The majority of evidence about broadcasting and telecommunications, nearly all CRTC determinations and the entire public record of the CRTC's proceedings are only available from the CRTC: the loss of its website during the day on weekends or in the evening on weekdays places public-interest organizations at a serious disadvantage because, unlike the sector's large and long-established companies, we do not have the resources to maintain libraries with physical copies of all CRTC decisions and notices, or to print out all material on the public record.
26. The Commission's malfunctioning website – and its decades-old insistence on counting weekends as part of its "30-day" intervention deadlines forces public-interest organizations including FRPC to work longer than planned, and brings the CRTC's administration of its responsibilities into disrepute. Why should Canadians trust the Commission when it appears indifferent to the very real roadblocks its malfunctioning website causes to informed public participation? Why should Canadians believe that the CRTC 'puts the public interest first' when it cannot be bothered to acknowledge how it wastes the public's time?

II. Replies to other comments

27. In the remainder of this Part FRPC addresses basic axioms that should guide the Commission's response in this proceeding. We then set out five areas where changes are not required for the Unsolicited Telecommunications Rules, and four areas where changes are required.
28. In the remainder of this Part FRPC addresses basic axioms that should guide the Commission's response in this proceeding. We then set out five areas where changes

¹⁰ Telecom Decision CRTC 81-5 (Ottawa, 9 March 1981), pages 7 to 8.

are not required for the Unsolicited Telecommunications Rules, and four areas where changes are required.

A. Axioms

29. CAMP's comments began by setting out three principles that address the costs of unsolicited telecommunications, enforcement and the burden of proof regarding compliance.
30. The Forum considers that it is equally important to set out basic axioms concerning those who rely on the UTRs. It is axiomatic, for instance, that the Commission must ensure that Parliament's *Canadian Telecommunications Policy* is met at all times, even if ensuring that the *Policy* is met may impose costs in terms of money or time on persons. The CRTC's purpose is to implement that *Policy* – not to 'reduce the regulatory burden' as Québecor argues (¶13).
31. FRPC therefore also disagrees with Eastlink's argument (¶12) that the CRTC should not impose "new obligations without first identifying clear and substantial evidence that: (a) a demonstrable compliance problem or consumer harm exists that is not being effectively addressed by the Rules, (b) the new obligation will effectively address that issue, and (c) there is no less burdensome manner of effectively addressing the issue."
32. While FRPC agrees that the CRTC should base its decisions on evidence, it is unclear what evidence proves what fact. Québecor, for instance, notes (¶15) that the CRTC's Part IV: Automatic Dialing-Announcing Device (ADAD) Rules that require identification result in the harmful consequence of increased levels of hang-ups: on the same facts FRPC would conclude that the ADAD Rules are working because they permit those answering such calls to choose not to participate, as the CRTC intended in 1994.¹¹
33. Rather than requiring the CRTC to adduce new evidence to support its regulatory approach, the companies should provide valid evidence to demonstrate that Canadians have no problem with ADADs or, today, AI agents, as the Commission suggested in 2007.¹²

¹¹ *Use of Telephone Company Facilities for the Provision of Unsolicited Telecommunications*, [Telecom Decision CRTC 94-10](#) (Ottawa, 13 June 1994):

... the Commission's purpose is to limit the consequences of the use of ADADs, i.e., the inconvenience and nuisance brought about by an uninvited and, because of its prerecorded or synthesized form, particularly annoying intrusion into the homes of telephone subscribers.

¹² *Unsolicited Telecommunications Rules framework and the National Do Not Call List*, [Telecom Decision CRTC 2007-48](#) (Ottawa, 3 July 2007) at ¶447

The Commission notes that no party provided evidence of specific technological advances with ADADs and the effect such technology would have on alleviating the inconvenience or nuisance experienced by consumers, particularly the lack of ability to interact with a

FRPC recommendation 2 Regulated parties that ask the CRTC to eliminate or weaken its *Rules* for unsolicited telecommunications should be required to demonstrate Canadians' informed support for such changes

34. A second axiom is that any changes made by the CRTC should be written so as to be easily and quickly understood by those who rely on or who are bound by them.
35. For example, while Parliament in the *Telecommunications Act* set out a double exemption for survey research, parts of the *Rules* that apply to surveys – specifically, Part IV: Automatic Dialing-Announcing Device (ADAD) Rules – do not clearly state this. The word, “survey”, does not appear in this Part. Meanwhile, the CRTC has long imposed fines on those conducting surveys - such as the \$85,000 penalty imposed on Progressive Conservative Party of Ontario in May 2013 after it conducted a survey that breached the requirements in Part IV: Automatic Dialing-Announcing Device (ADAD) Rules.¹³ FRPC's reply makes specific recommendations on this point, but in general urges the Commission to adopt clear language in its decisions.

FRPC recommendation 3 Changes made by the CRTC should be written to be easily and quickly understood by those who rely on or who are bound by them

B. Areas where change is not required

1. Maintain the DNCL's permanent registration and consumers' free choice
36. TELUS argues (¶¶53-56) that agencies such as the CRTC must be prepared to defend the DNCL's permanent registration feature to avoid this feature's being found to be unconstitutional, and proposes that the Commission abandon consumers' interests by giving telemarketers an opportunity to importune them using the telecommunications system, every three years.
37. Effectively, TELUS is asking the CRTC to be its enforcer – by requiring consumers to register periodically instead of leaving consumers with free choice.
38. Nothing prevents consumers from deregistering, however, and rather than forcing consumers into an ongoing cycle of registration, the CRTC should invite telecommunications service providers to support Canadian broadcasters and other media by running regular ads that urge consumers to deregister.

live agent. The Commission is of the view that the ability to decline the message and request not to be contacted via an ADAD is not sufficient to alleviate consumer inconvenience or nuisance.

¹³ [Notice of Violation, PDR 9174-1379 \(Ottawa, 24 May 2013\)](#).

FRPC recommendation 4 Rather than forcing telecommunications service users to re-register on the DNCL every three years, the CRTC should encourage TSPs to purchase broadcast advertising time to urge consumers to unregister for the DNCL

2. Maintain ADAD Rules while clarifying their application

39. TELUS argues (¶132) that “the Commission should consider whether it is even necessary to continue regulating ADAD technology”, because ADAD limitations do not reduce “inconvenience and nuisance to consumers in their homes”.
40. Notably, TELUS does not provide any evidence to support the claim that consumers are not inconvenienced by ADADs or by today’s technologically more sophisticated versions.
41. In fact, the Competition Bureau links the capacity of AI “to quickly produce texts, emails, and messages in the style and language of a specific person”, to fraud:

According to Statistics Canada, fraud cases in Canada have almost doubled over the past ten years, surging from 79,000 in 2012 to 150,000 in 2022. This increase shows that fraudsters are becoming more skilled, and technology like AI is helping them improve their old tricks.¹⁴

42. The Bureau’s news release did not provide a citation for the data it cited, but Statistics Canada reported that in 2025 there were 177,472 police-reported crimes involving fraud,¹⁵ indicating an 18.3% increase in such cases since 2022. In March 2026 it was reported that AI “is increasingly being used to make scams more convincing” including the cloning of persons’ voices “using short audio clips found online”.¹⁶
43. Our point is not that ADADs made using AI are fraudulent, but rather that too little is known about AI-based ADADs to decide to abandon regulation of this sector altogether.

3. Maintain sequential dialling prohibition

44. In 1985 residential telephone subscribers told the CRTC that it should prohibit sequential dialling, a recommendation supported by BC Tel and “[t]hose using, selling or manufacturing ADADs.”¹⁷ Bell later proposed tariff notices that prohibited the generation

¹⁴ Competition Bureau of Canada, “[The rise of AI: Fraud in the digital age](#)” News release (Gatineau, 4 March 2024).

¹⁵ Statistics Canada, “[Police-reported crime statistics in Canada, 2025](#)”, *The Daily*, Released 2026-07-22, (Table 5, “Police-reported crime for selected offences, Canada, 2024 and 2025”).

¹⁶ Faith Greco, “[Fraud evolving across northern Ontario as scammers use AI, crypto and social media](#)”, CBC News (10 March 2026 5:00 AM EDT | Last Updated: March 10). See also The Canadian Press, “‘It’s the Wild West’: How AI is creating new frontiers for crime in Canada” 27 March 2025 at 7:18 AM EDT, Updated 27 March 2025 at 12:33 PM EDT

¹⁷ *Use of Automatic Dialing-Announcing Devices*, [Telecom Decision CRTC 85-2](#) (Ottawa, 4 February 1985): B.C. Tel concluded that, if the Commission found that the public benefit outweighed the social and economic costs associated with ADADs, the following conditions should apply to their use: first, sequential and random dialling techniques should be prohibited and the

of sequential telephone numbers.¹⁸ The CRTC agreed, prohibiting the use of ADADs for sequential or random dialing because “sequential dialing causes difficulties for many multi-line customers”.¹⁹ It did not define “sequential dialling”.

45. 2026-132 proposes to define sequential dialling as “the process whereby a person calls telephone numbers in a telephone exchange in a patterned, mathematical, or sequenced manner” (¶15). Eastlink argues (¶13) that this definition “would capture ordinary business activities, such as sorting a list of businesses to be called alphabetically, by geography, by customer type, etc.” It states that 2007-48 was “primarily intended to prevent: (a) calls to emergency lines and healthcare facilities, and (b) companies with multi-line phone systems from receiving a series of sequential calls in a short timeframe” (footnote omitted), and argues that sequential dialing should be permitted (¶39).
46. In FRPC’s view it is unclear why the CRTC’s proposed definition shifts from its originally, numerically based concept focussing on telephone numbers called in sequence based solely on their numbers, by introducing the imprecise concept of patterning. Adding this undefined term opens the door, as Eastlink noted, to calls based on geography or other variables. The change ignores the CRTC’s historic approach to sequential-dialling patterns and the problem that telephone subscribers with more than one telephone line (including both residences and businesses) received calls on those lines in sequence. f
47. The CRTC should retain the current prohibition on sequential dialling, especially in light of the lack of evidence showing that call recipients are unlikely to be disturbed by sequential dialling because so few of them have telephone numbers that follow in mathematical sequence.

FRPC recommendation 5 Retain the prohibition on making telecommunications based on the mathematical sequence of contact numbers

4. Maintain DNCL subscription model

48. The CMA asks (¶15) the CRTC to permit large companies to buy a single DNCL subscription that covers all of its affiliates, because this “reflects how businesses

telephone company should be authorized to terminate the service of ADAD users who breach this condition.”

...

... Those using, selling or manufacturing ADADs were in general agreement with the type of restrictions proposed by Bell and B.C. Tel. For example, almost all expressed the view that sequential or random dialing should be prohibited

¹⁸ *Use of Telephone Company Facilities for the Provision of Unsolicited Telecommunications*, [Telecom Decision CRTC 94-10](#) (Ottawa, 13 June 1994): Tariff Notices 4869 and 4869A (of 6 August and 2 September 1993, respectively).

¹⁹ *Use of Telephone Company Facilities for the Provision of Unsolicited Telecommunications*, [Telecom Decision CRTC 94-10](#) (Ottawa, 13 June 1994).

operate sharing governance, compliance infrastructure and accountability.” The CMA offers no evidence to support its request or to demonstrate the impact on the [National DNCL Operator](#).

49. Given the lack of evidence to support changing the DNCL subscription model, the CRTC should deny the CMA’s request.

FRPC recommendation 6 The CRTC should maintain the current DNCL subscription model

50. In FRPC’s experience corporations use incorporated subsidiaries to separate lines of business and accountability: the CRTC does not hold BCE Inc. to account regarding the performance of the broadcasting undertakings whose licences are held by Bell Media, for example. The CRTC should only permit parent companies to share their DNCL subscription with their affiliates or subsidiaries if the parent companies agree to accept all responsibility for the actions of their affiliates and subsidiaries.

5. Retain current message-content requirements

51. The CMA suggests that while consumers are entitled to know whether “they are speaking with an automated system” (¶17), the CRTC should grant “organizational flexibility in method, timing and wording appropriate to the call context.”
52. The CMA has not explained why the CRTC should change its current approach – set out, for example, in section 16 of the Part III: Telemarketing Rules:

A telemarketer initiating a voice telemarketing telecommunication shall provide the following information in a clear manner upon reaching the intended party:

- a) the name or fictitious name of the individual making the telecommunication;
- b) the name of the telemarketer, whether the telemarketing telecommunication is made on its own behalf or on behalf of a client of the telemarketer; and
- c) the name of the client, when the telemarketing telecommunication is being made on behalf of a client of the telemarketer.

53. The Forum’s concern is that granting flexibility about the how, the when and the what of stating whether an automated system is being used will create mass confusion over time as different telemarketers adopt their own unique approach. Determining whether complaints about telemarketing are valid will become more complex and consume more time – creating the inefficiency discouraged by the *Canadian Telecommunications Policy*.²⁰ More importantly, the CMA has not explained how granting flexibility to telemarketers will benefit consumers – while Cabinet’s *Order* specifically requires the Commission to “enhance and protect the rights of consumers in

²⁰

S. 7(f) requires that regulation be “efficient”.

telecommunications markets by ... strengthening the position of consumers in their relationships with service providers”²¹ that in turn enable telemarketers to operate.

C. Areas where change is required

54. Interveners in the 2026-132 proceeding have made many proposals to change the current Unsolicited Telecommunications Rules. FRPC agrees that changes should be made to ensure that these reflect the large-language modelling technology to which consumers are now being subjected, to ensure that telemarketers and non-telemarketers understand the type of evidence they need if they want to rely on a due-diligence defence, and to clarify different aspects of the *Rules*.

1. AI

55. Section 16(a) of Part III: Telemarketing Rules requires telemarketers to state “in a clear manner upon reaching the intended party”, “the name or fictitious name of the individual making the telecommunication”.
56. Large language models (LLMs), more popularly known as ‘artificial intelligence’ or AI, offer the same chance as other technologies (the Internet, e-mail) to reduce business costs. AI is subject not only to risks in the same way that the Internet has recreated risks from other media (injuries to reputation, plagiarism), but also to risks that have not yet been addressed by law.
57. Option consommateurs argues (¶16) that use of speech-generating AI agent should be fully transparent, and CDGM agrees (¶29). FRPC agrees as this is in keeping with the Unsolicited Telecommunications Rules’ stipulations for express consent (see *e.g.* Part II: National DNCL Rules, sections 4 and 5). Canadians should have the option to accept or decline communications delivered by AI.

[Remainder of page left intentionally blank]

²¹ *Order*, s. 17(b)

FRPC recommendation 7 When persons use AI to contact Canadians the AI should state that it is an AI system and should provide its fictitious name along with a brief, unique identifier, to those receiving the contact

58. CDGM suggests (¶134) that AI-disclosure be direct and plain, and FRPC agrees.

FRPC recommendation 8 Unsolicited telecommunications made using AI should disclose this fact (“This call is being made by an automated calling system. You are not communicating with a live person.”)²²

59. To limit confusion and to ensure that malfunctioning AI systems can readily be identified, persons using an AI system to deliver a communication should program the system to ensure that it always uses the same fictitious name and unique identifier. Supposing the identifier prefix is the company’s name – say, TellUs (for a survey research company) – a three-digit alphanumeric identifier could have 46,656 combinations.²³ (While a two-digit alphanumeric identifier might be easier for complainants to recall, it may only yield 1,296 combinations.)

FRPC recommendation 9 Each AI system used to make unsolicited telecommunications should state its unique identifier and may also state a fictitious first name (in other words)

60. The CRTC should monitor and report the number of complaints it receives regarding the use of AI in unsolicited telecommunications.

FRPC recommendation 10 The CRTC should track and publish statistics about the numbers of complaints it receives regarding unsolicited telecommunications made with AI

61. Section 1.(a)(vi) of Part VII: Liability requires persons to ‘monitor and enforce’ compliance with the Unsolicited Telecommunications Rules. Clarification should be added to require persons to retain written records describing any complaints, errors, mistakes or other problems that customers have with the persons’ AI CSR chatbots or agents, for three years.

FRPC recommendation 11 Part VII: 1(a)(vi.1) should require persons to retain complaints and error reports regarding AI customer service chatbots or agents for at least three years

62. Unsolicited telecommunications that switch from a non-human to a human should announce this fact, as CDGM suggests (¶143).

FRPC recommendation 12 Unsolicited telecommunications that switch from a non-human to a human should require the human representative to announce themselves as a ‘live’ agent or representative

²²

²³ The formula for combinations is the number of choices (10 numerals from 0 to 9 and 26 Roman letters, or 36 in total) multiplied by itself 3 times (36 x 36 x 36 = 46,656 different combinations).

2. Drafting clarifications

63. More than 20 years ago the Commission considered that “there is a need to continue monitoring complaints concerning telemarketers who contravene the Rules to track progress in the reduction of complaints and to identify other issues that might require further changes to the current policies.”²⁴ It required telemarketers using PDDs to “maintain records that provide clear evidence” about their compliance with limitations on the number of calls received regarding dead air while live representatives were being transferred to the call because it had received “comments that dead air or silence, when answering the telephone, is both disturbing and annoying, even frightening”.²⁵
64. By 2007, however, the CRTC was concerned that if it published guidelines on its approach to investigating *UTR* breaches that telemarketers might ‘game’ compliance-enforcement activities²⁶ and that the Commission’s flexibility might be unduly inhibited.²⁷
65. The Commission also said, however, that “once the new regime is in effect for a period of time, it can then reconsider this issue”.²⁸
66. CENoC 2026-132 is an important part of this reconsideration, as it states:
8. ... Furthermore, the Commission aims to provide greater clarity and transparency to the industry by simplifying aspects of the UTRs. In doing so, the Commission aims to improve compliance and reduce regulatory burden on the industry.
67. Moreover, the CRTC is in a different place than it was in 2004 and 2007. It has now conducted thousands of investigations and through its website has taken a number of steps to make its approach to *UTR* compliance more accessible.
68. FRPC’s primary concern, therefore, is that as Eastlink (¶15) and SaskTel (¶¶2-3) have argued, terms in the *UTR* must be defined with clarity. In our view, ‘clarity’ means that ambiguous or confusing wording should be avoided and when required due to specialized use, should be defined and used consistently. We believe that clarity will facilitate TSP users’ regulatory compliance, thereby serving the public interest.

²⁴ *Review of telemarketing rules*, [Telecom Decision CRTC 2004-35](#) (Ottawa, 21 May 2004), at ¶115 (“Management of complaint statistics”).

²⁵ *Ibid.*, ¶109.

²⁶ *Unsolicited Telecommunications Rules framework and the National Do Not Call List*, [Telecom Decision CRTC 2007-48](#) (Ottawa, 3 July 2007), ¶¶502-512.

²⁷ *Unsolicited Telecommunications Rules framework and the National Do Not Call List*, [Telecom Decision CRTC 2007-48](#) (Ottawa, 3 July 2007), at ¶513.

²⁸ *Ibid.*

a) Redefine ADAD concept for the 21st century

69. In fall 1993 Bell proposed to define an ADAD more broadly as

... any automatic equipment, including facsimile, which has the capability of storing telephone numbers to be called, or a random or sequential number generator capable of producing numbers to be called, and the capability, working alone or in conjunction with other equipment, to convey a message to the telephone number called.

70. The CRTC noted that this change would then include “predictive dialers and facsimile machines”.²⁹

71. Part 1 of the *Rules* today defines ADADs and Predictive Dialing Devices (PDDs) as follows:

"Automatic Dialing-Announcing Device" or "ADAD" means any automatic equipment incorporating the capability of storing or producing telecommunications numbers used alone or in conjunction with other equipment to convey a pre-recorded or synthesized voice message to a telecommunications number;

...

"Predictive Dialing Device" or "PDD" means any software, system, or device that automatically initiates outgoing telecommunications from a pre-determined list of telecommunications numbers;

72. The only reference to PDDs in the *Rules* occurs in the context of abandoned calls, with “Abandonment Rate” defined as “the percentage of telecommunications placed by a predictive dialing device which are abandoned calls”. Part III: Telemarketing Rules limits telemarketers to a 5% abandonment rate.³⁰

73. Although the Canadian Marketing Association (CMA) supports “Rules that are clearer” (¶12), it opposes changes to the definitions in the Unsolicited Telecommunications Rules (¶13). It argues that “[c]omplexity imposes real costs on legitimate businesses without providing corresponding protection to consumers.” TELUS argues (¶132) that the Commission should not change the definition of ADADs because AI technology within ADADs will not inconvenience consumers or be a nuisance to them.

74. Option consommateurs, on the other hand, argues (¶1) that the definition should be modified to ensure that it encompasses technologies that use synthetic voices, artificial

²⁹ Use of Telephone Company Facilities for the Provision of Unsolicited Telecommunications, [Telecom Decision CRTC 94-10](#) (Ottawa, 13 June 1994).

³⁰ Part III, s. 29.

intelligence or non-human voice-messaging techniques.³¹ Eastlink argues (¶¶41-42) that wording should be changed “to remove obsolete terminology, consolidate related provisions, and improve readability, provided such changes do not alter the substance or clarity of the existing obligations.” Similarly, CDGM (¶14) notes that the current definition may be understood as referring to “traditional hardware-based robocalling equipment” rather than today’s “software applications, cloud-based platforms, conversational artificial intelligence systems or services that generate messages dynamically during a call”.

75. FRPC agrees that the *Rules* must be updated using neutral terminology that captures today’s tools, to improve the *Rules*’ readability, their clarity and their comprehensibility. Updating the *Rules*’ definitions and the *Rules* themselves benefits consumers by ensuring that new tools now in use are subject to the requirements first established in the 1980s to serve the public interest.

76. CAMP proposes (¶20) specific changes to the ADAD definition:

"Automatic Dialing-Announcing Device" or "ADAD" means any software, system, or device that, alone or in conjunction with other equipment, stores or produces telecommunications numbers and conveys or exchanges a pre-recorded, synthesized, or otherwise machine-generated voice message or interactive voice dialogue with a telecommunications number, whether or not a live person participates in real time.

77. FRPC’s concern with referring to “machine-generated” is that this is a subcategory of the larger category of ‘artificial intelligence’.

78. FRPC agrees that the ADAD definition must change. For one thing, it continues to rely on 19th and 20th century concepts of ‘dialing’, ‘devices’ and ‘automation’ – in 2026. FRPC proposes the following updated definition

Calling System means any platform, system, program software, hardware or equipment that whether used alone or with other platforms, systems, software, hardware or equipment, and whether under the control of humans or otherwise initiates outgoing telecommunications to a pre-determined list of telecommunications contact numbers to convey a spoken message with or without text.

79. We explain our reasoning in Table 4.

³¹ Option consommateurs, ¶1: “la définition de « CMA » prévue dans les RTNS doit être modifiée pour s’assurer qu’elle englobe les technologies qui utilisent des voix synthétiques, l’intelligence artificielle ou d’autres méthodes de messages vocaux non générés par des humains.”

Table 4 From 'ADAD' to "Calling System"

Current definitions	Gaps	Proposed changes
"Automatic Dialing-Announcing Device" or "ADAD" means any automatic equipment incorporating the capability of storing or producing telecommunications numbers used alone or in conjunction with other equipment to convey a pre-recorded or synthesized voice message to a telecommunications number	'Dialing' is a concept based on the now-archaic telephone set in which people placed their fingers in holes on a plastic circle to move the dial and trigger the identification of a specific telephone number. While people over the age of 30 may remember these devices, the unsolicited telecom Rules should be readily understood by all people, regardless of their age. FRPC proposes to replace "dialing-announcing" with "calling", to refer both to the action of making a call and its substance – the call itself. 'Automatic' is an adjective with several meanings; the ability "to operate independently of human control"; to perform activity "without thinking about it"; to the certainty that something happens as part of a standard process or system;³² the concept should not be applied to the "equipment" – or platforms, systems, software or hardware – but to the act of making calls. To ensure that calls made with or without direct human supervision are covered by the <i>Rules</i>, the new Calling System definition should refer to human control. "telecommunications numbers" are not defined in the UTRs 'equipment' does not capture the distinction between mechanical products and specialized computer hardware such as neural processing units (NPUs) required and used by large-scale computational work. Voice is not defined, and is different from the concept of 'speaking'. Voice refers to the sound made by humans when their lungs (or assisted	Calling System means any platform, system, program software, hardware or equipment that, used alone or with other platforms, systems, software, hardware or equipment,³³ under the control of humans or otherwise initiates outgoing telecommunications to a pre-determined list of telecommunications contact numbers to convey a spoken message with or without text.

³² [Cambridge Dictionary: "automatic".](#)

³³ S. 33(2) of the *Interpretation Act* (that applies (s. 2(1)) to "an Act or regulation or any portion of an Act or regulation") provides that "[w]ords in the singular include the plural, and words in the plural include the singular." The precise legal status of the UTRs is unclear.

S. 41(1) of the *Telecommunications Act* permits the CRTC to "by order, prohibit or regulate the use by any person of the telecommunications facilities of a Canadian carrier". S. 72.01 then defines contraventions "of a prohibition or requirement of the Commission under section 41" as constituting a violation that can attract administrative monetary penalties.

The UTRs are not set out among the [regulations made under the *Telecommunications Act*](#).

If the UTRs are an order, a prohibition or a requirement of the Commission are they subject to the *Interpretation Act* – and if not, the CRTC should clarify in the UTRs whether a distinction exists between the singular and plural forms of words it uses in the UTRs.



Current definitions	Gaps	Proposed changes
	breathing devices) push air between vocal folds in the larynx so that these vibrate. The sounds humans make are not always intended to be recognized as speech. Speech differs from voice because spoken languages are based on specific and recognizable sounds that convey meaning. In the case of radio, for example, the CRTC does not define non-musical content as 'voice', but as "Spoken Word". Speech is no longer limited to humans as computer-based software and hardware can mimic the sounds used in speech. Rather than referring to a voice message (as the underlying concept this phrase addresses has to do with its content rather than with a human's capacity to formulate sounds using their vocal cords), FRPC suggests that the UTRs refer to a 'spoken' message.	
Predictive Dialing Device" or "PDD" means any software, system, or device that automatically initiates outgoing telecommunications from a pre-determined list of telecommunications numbers;	Does not address generative AI platforms Refers to device, which may not include 'hardware' Telecommunications numbers not defined Timing related to AI capabilities removes utility of referring to a 'pre-determined' list, as AI-based systems are capable of generating such lists at such speed as to make the lists appear instantaneously (rather than 'beforehand' as 'pre-determined' implies).	

FRPC recommendation 13 Replace the current definition of ‘ADAD’ with this text: “Calling System means any platform, system, program software, hardware or equipment that, used alone or with other platforms, systems, software, hardware or equipment, under the control of humans or otherwise initiates outgoing telecommunications to a pre-determined list of telecommunications contact numbers to convey a spoken message with or without text.”

80. In addition to amending Part 1, the title and content of Part IV: Automatic Dialing-Announcing Device (ADAD) Rules should also be revised: Table 5.

Table 5 Current and proposed nomenclature – ADAD vs Calling System

Current nomenclature	Proposed changes
Part IV: Automatic Dialing-Announcing Device (ADAD) Rules	Part IV: Calling System Rules
Refers to ‘ADAD’ in sections 1 (once) 2 (three times) 3 (once) 4 (once) 4 (i) (once)	Replace ‘ADAD’ with ‘Calling System’

b) Clarify survey exemption

81. Survey research is exempted from the regulation of unsolicited telecommunications by the *Telecommunications Act*.³⁴ This exemption is not clearly set out in the Unsolicited Telecom Rules, except in Part III – that does not deal with surveys but telemarketing:

Part III: Telemarketing Rules

...

6. The Telemarketing Rules do not apply in respect of an unsolicited telecommunication made for purposes other than solicitation, including telecommunications made solely for the purpose of emergencies, account collection, collecting information for a survey of members of the public, and market research.

³⁴ S. 41(1) of the *Telecommunications Act* empowers the Commission to “by order, prohibit or regulate the use by any person of the telecommunications facilities of a Canadian carrier for the provision of unsolicited telecommunications” S. 41.7(1)(f) establishes that a s. 41 order does not apply to telecommunications “made for the sole purpose of collecting information for a survey of members of the public; ...”, while s. 41.7(5) establishes that survey researchers need not “identify the purpose of the telecommunications and the person or organization on whose behalf the telecommunication is made” (41.7(3)) and need not maintain their own DNCL (41.7(4)).

82. Meanwhile survey research using telecommunications is subject to the Part IV: Automatic Dialing-Announcing Device (ADAD) Rules, even though nothing in this Part states that it applies to surveys.
83. Rather, section 1 of Part IV states that it applies “whether or not the telemarketing telecommunication” – and surveys are not telemarketing – “is exempt”. Section 2 of Part IV imposes requirements on “[a] telemarketer” while section 3 refers to consumers’ authorization to receive telemarketing telecommunication. Part IV’s last section (4) does not refer to telemarketing or telemarketers but to telecommunications without solicitation – which could refer to a wide variety of telecommunications including but not limited to emergency alerts, appointment reminders or notifications that the ride ordered through a ride-hailing service is on its way; it does not address surveys.
84. [The CRTC website page explaining parties’ obligations](#) under the Unsolicited Telecommunications Rules does not mention surveys: Figure 5.
85. Its “All other industries” page (for industries other than real estate, financial dealers, insurance, mortgage brokers, car dealerships and “HVAC, heating and cooling, and duct cleaning companies” does not mention survey researchers: Figure 6.
86. The CRTC’s “Guidance for all other industries” page does not address any of the unsolicited-telecommunication exceptions set out by Parliament – specifically, registered charities;³⁵ political parties, associations and candidates;³⁶ collecting information for a survey;³⁷ and soliciting general-newspaper subscriptions.³⁸ Figure 7.

[Remainder of page left intentionally blank]

³⁵ S. 41.7(1)(a).

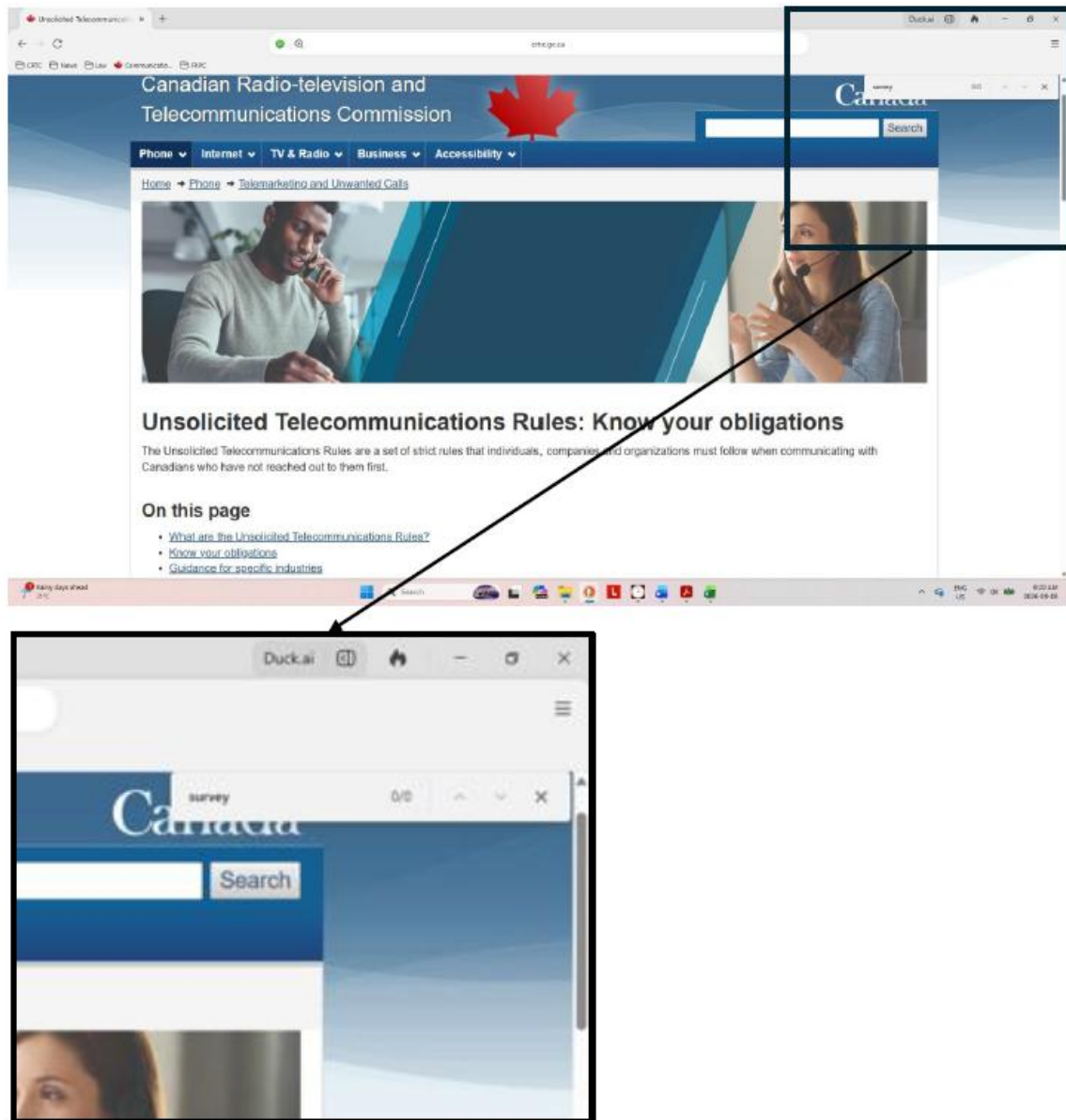
³⁶ Ss. 41.7(1)(c), (d) and (e).

³⁷ S. 41.7(1)(f).

³⁸ S. 41.7(1)(g).

Figure 4

CRTC's "Know your obligations" page silent concerning surveys



[Remainder of page left intentionally blank]

Figure 5 CRTC's "Guidance for specific industries" page ignores exempted sectors

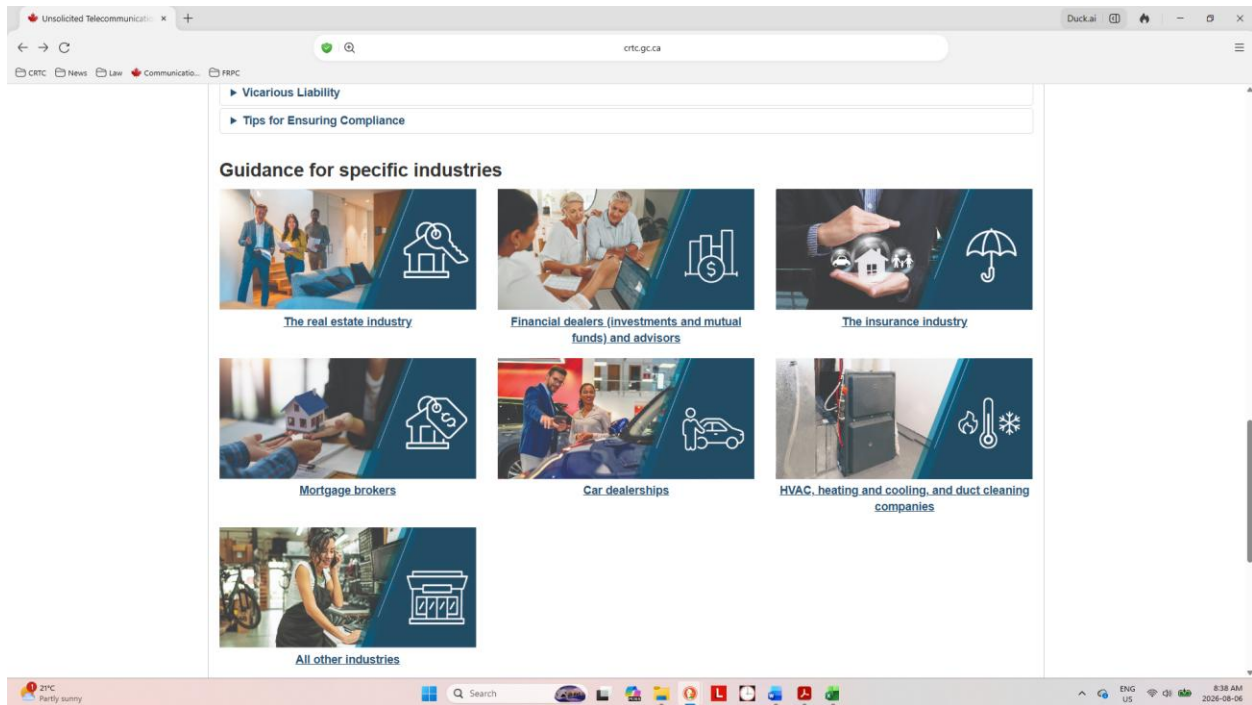
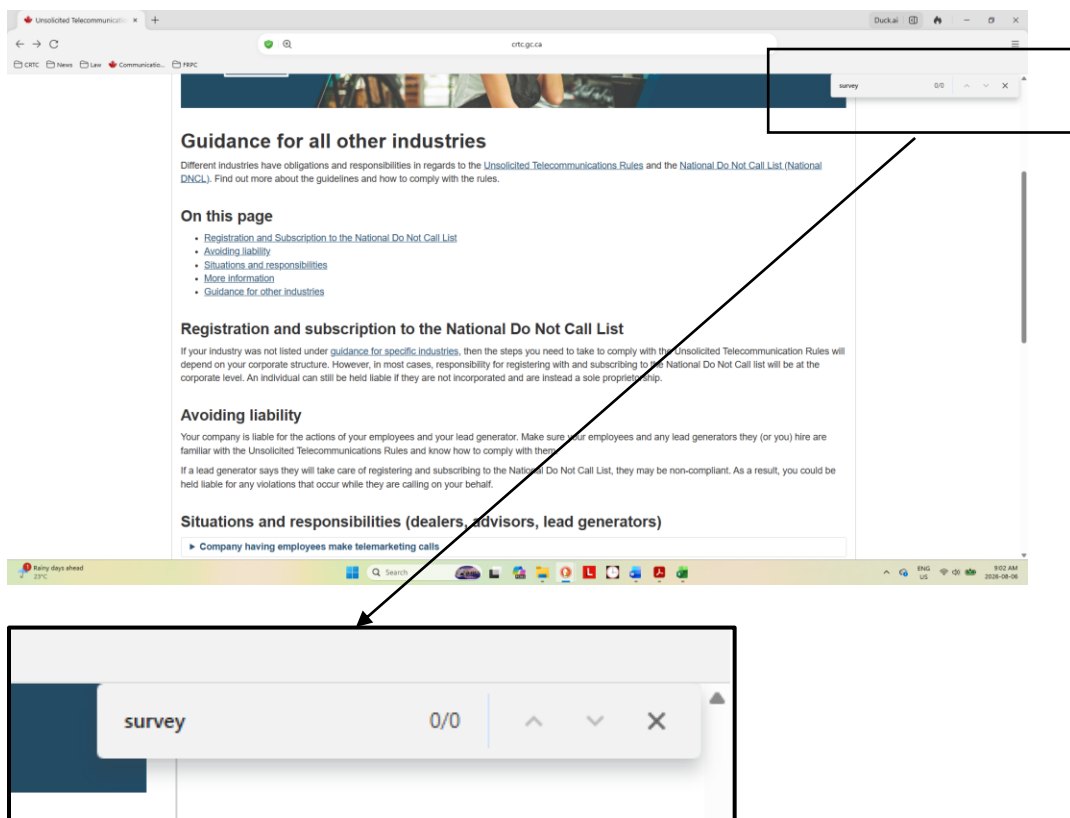


Figure 6 CRTC's "Guidance for all other industries" page ignores survey research



87. It is unclear why a survey research company that is just launching should understand that “telecommunications without solicitation” refers to surveys: in fact, survey researchers typically do solicit – they solicit respondents’ time to answer questions. At times they even offer consideration for that time, such as a gift card for respondents who give their time to answer survey questions. These are not commercial activities and companies that engage in them are not telemarketers.
88. The problem is that the CRTC devised its unsolicited telecommunications regime in fits and starts over decades, making minor changes incrementally. While the Commission’s corporate memory may cover this period, third parties may not enjoy this privilege. Consequently, while the CRTC clarified more than ten years ago that it did not include survey research within telemarketing,³⁹ this clarification is not provided in the Unsolicited Telecommunications Rules.
89. In FRPC’s view it is unreasonable to assume that all, many, most or some of those who read the Rules are as familiar with the CRTC’s thinking and its historical texts as the CRTC and its staff are. After all, “[t]he purpose of drafting legislative texts in plain language is to enhance democracy and the rule of law by making legislation accessible to the people whose lives it affects”⁴⁰ – not, for instance, “for the legal profession” or “superior court judges”.⁴¹ The lives in the case of survey research involve those who receive but do not want calls from survey companies, those who make the calls and those on whose behalf the calls are made.
90. The CRTC’s UTRs overall and Part IV in particular must be rewritten to so that they can easily be understood by complainants and by those potentially subject to CRTC administrative monetary penalties. The Rules should not use vague and obscure terminology whose true meaning and significance would elude a reasonable person who spends no time or very little time reading the CRTC’s regulations because that is not the person’s core business. They should explain – “[f]or greater clarity” – that “a telecommunication in which there is no attempt to solicit, including one initiated for the sole purpose of conducting a survey, is captured by the UTRs only if it is made through the use of ADADs”.⁴²

³⁹ *Application to review and vary Compliance and Enforcement Regulatory Policy 2014-155, and applications to modify the Unsolicited Telecommunications Rules regarding the use of automatic dialing-announcing devices for debt recovery calls*, [Telecom \[Compliance and Enforcement\] Decision CRTC 2015-117](#) (Ottawa, 31 March 2015), at ¶41.

⁴⁰ Ruth Sullivan, “The Promise of Plain Language Drafting”, 47 McGill L.J. 97 at 97.

⁴¹ *Ibid.*, at 108.

⁴² See e.g. *Application to review and vary Compliance and Enforcement Regulatory Policy 2014-155, and applications to modify the Unsolicited Telecommunications Rules regarding the use of automatic dialing-announcing devices for debt recovery calls*, [Telecom \[Compliance and Enforcement\] Decision CRTC 2015-117](#) (Ottawa, 31 March 2015), at ¶41 [underlining added]

91. The CRTC should revise Part IV, section 1 as follows:

Part IV: Automatic Dialing-Announcing Device (ADAD) Rules, section 1	Proposed change
1. The ADAD Rules apply whether or not the telemarketing telecommunication is exempt from the National DNCL Rules.	1. The Calling System Rules apply whether or not the telemarketing telecommunication is exempt from the National DNCL Rules, such as when made by or on behalf of registered charities, political parties or candidates and survey researchers.

FRPC recommendation 14 Revise section 1 of Part IV to include a list of the sectors exempted by Parliament from the DNCL requirements

92. In fact, ideally the CRTC would set out a separate Part to state clearly its requirements for survey research.

93. Retaining this uninformative wording amounts to granting long-established survey researchers an undue preference, while imposing an undue disadvantage on new or potential entrants.

FRPC recommendation 15 Consider introducing a separate Part in the Rules to clarify the CRTC's requirements of survey researchers

c) Update ADAD identification

94. The CMA suggests that the Commission simplify "ADAD identification and contact option" by reducing the information required. The current Rules regarding the information that unsolicited ADAD telecommunications must contain are summarized below, beside CMA's proposal: Table 6.

Table 6 CMA's identification proposal reduces consumers' informed participation

Current Unsolicited Telecommunications Rules	CMA recommendation 8
4(d) such telecommunications shall begin with a clear message identifying the person on whose behalf the telecommunication is made and	<i>ADAD identification should consist of</i>
a brief description of the purpose of the telecommunication.	(a) the name of the calling organization; and
This identification message shall include an electronic mail address or postal mailing address	(b) a toll-free telephone number and/or an email address,
and a local or toll-free telecommunications number at which a representative of the originator of the message can be reached.	



In the event that the actual message relayed exceeds sixty (60) seconds, the identification message shall be repeated at the end of the telecommunication	
Shading	Content CMA may be proposing to drop from the Part IV: ADA) Rules

95. The brevity of the CMA's proposal makes it difficult to understand exactly what CMA wants the CRTC to do, but if accepted as stated, the Rules would no longer tell those who answer the call who is really contacting them – because the requirement to disclose the person on whose behalf the call is being made would be dropped. The option of providing a postal mailing address and the requirement for a local telephone number would also be dropped, as would the requirement to repeat the information if the message lasts more than a minute.
96. CMA argues that the current Rules 'inflate message length and drive hang-up rates' – but did not provide any evidence on these points.
97. Presumably changing the Rules would benefit telemarketers by reducing message length and hang-up rates. What the changes would not do is benefit the recipients of such calls. They would no longer be told who is really trying to contact them and would not receive a reminder of the caller's contact information because that information's shortened length would no longer require that reminder.
98. Absent reasoned argument and evidence showing how the changes would affect consumers, the CRTC should not adopt the CMA's proposed change.

FRPC recommendation 16 Deny CMA's request to reduce ADAD message content information due to the lack of evidence, lack of reasons and failure to demonstrate how consumers will benefit from not knowing who is attempting to contact them

d) Update reference to "employees" to include other types of employment

99. Section 1(a)(ii) in Part VII: Liability requires persons to demonstrate that they provide "adequate ongoing training to employees". This section should be clarified to refer to "employees or contract staff".

FRPC recommendation 17 Part VII: 1(a)(ii) Add reference to contract staff

e) Set records retention period based on CRTC knowledge of constitutive elements

100. Sasktel recommends (¶19, ¶15) that "a minimum retention period for calling records or calling logs ... be framed as a reasonable period aligned with ordinary business practices." It opposes "unnecessary storage, administrative, privacy, cybersecurity, and system-design burdens." The CMA suggests (¶16) that records be retained for a maximum of two years, arguing that this "represents the period of greatest enforcement relevance; retention beyond this point ADADs cost without adding

meaningful investigative utility.” Québecor Média suggests (¶134) a maximum retention period of 3 years.

101. Neither the Unsolicited Telecommunications Rules nor the *Telecommunications Act* defines “ordinary business practices” for record-keeping duration. This gap may leave those who want to comply with the Rules unclear about the time they should retain their records.
102. Users of the telecommunications system require clarity because, as the CRTC commented six years ago, limitation periods help to ensure fairness:
- [L]imitation periods aim to provide fairness in the treatment of alleged violators and to enable them to put forward a complete defence. Their ability to put forward a complete defence may be compromised by the lapse of time or undue delay in taking action. ...⁴³
103. Even more, and again as the CRTC has acknowledged, issuing notices of violation “within the prescribed time limit ... ensures that the Commission is exercising its powers lawfully and is not acting outside of its statutory grant of power.”⁴⁴
104. The 1993 *Telecommunications Act* sets out different limitation periods for financial penalties imposed by the CRTC.
105. Under the “General Administrative Monetary Penalties Scheme”, section 72.0091(1) states that “A proceeding in respect of a violation may not be commenced later than three years after the day on which the subject-matter of the proceedings becomes known to the Commission.”
106. Under the “Administrative Monetary Penalties Scheme for Unsolicited Telecommunications”, however, section 72.12(1) states that “[n]o proceedings in respect of a violation may be commenced later than two years after the day on which the subject-matter of the proceedings became known to the Commission.” The CRTC relies on this two-year period when dealing with *UTR* violations.
107. In 2020 the CRTC determined that the English-language and French-language versions of 72.12(1) are different.⁴⁵ It decided that the English-language version was ambiguous

⁴³ *Nicholson Wealth and Risk Solutions Inc. – Violations of the Unsolicited Telecommunications Rules, Compliance and Enforcement Decision CRTC 2020-320* (Ottawa, 1 September 2020), at ¶11.

⁴⁴ *Ibid.*, at ¶10.

⁴⁵ *Ibid.*, at ¶¶12 to 17:

12. The English version of subsection 72.12(1) of the Act states the following:

No proceedings in respect of a violation may be commenced later than two years after the day on which **the subject-matter of the proceedings became known to the Commission**. [emphasis added]

because it referred to the “subject-matter of the proceedings” while the French-language version referred to ‘the constitutive elements of the violation’ (“des éléments constitutifs de la violation”).⁴⁶ The Commission adopted the French-language interpretation – constitutive elements of the violation – as being “clear and unequivocal”.⁴⁷

108. The CRTC then also clarified that

...the two-year limitation period begins to run when a Commission inspector has sufficient and credible information to reasonably believe that (i) specific violations have been committed, and that (ii) such violations have been committed by an identifiable individual or group. Both elements need to be present for the two-year limitation period to start running.⁴⁸

[Bold font and underlining added]

109. The Commission added that

... as opposed to some other legal regimes where limitation periods start running on the day on which the violation was committed, the Act provides for a longer delay between the commission of the violation and the starting point of the limitation period. **This longer delay is to the advantage of the Commission inspector. Because limitation periods are restrictive provisions, as a general legal principle, they have to be strictly interpreted, and any ambiguity must be resolved in favour of the party whose rights are affected.** For this reason, the Commission considers that **the Commission inspector and the person designated under the Act to issue notices of violation have the onus to demonstrate when the inspector was made aware of the constitutive elements of alleged violations.**⁴⁹

[Bold font and underlining added]

110. To put this another way, the limitations clock does not begin ticking when a violation is committed but when the CRTC’s inspector has sufficient and credible information to reasonably believe that that it was committed. A party suspected of having committed violations does not necessarily know when the CRTC’s representatives believe they know about alleged violations’ constitutive elements. In other words, parties that retained their records for the two-year minimum proposed by CMA could well find

13. The French version of that subsection reads as follows:

Les procédures en violation se prescrivent par deux ans à compter de la date où **le Conseil a eu connaissance des éléments constitutifs de la violation.** [emphasis added]

⁴⁶ *Ibid.*, ¶14.

⁴⁷ *Ibid.*, ¶17.

⁴⁸ *Ibid.*, at ¶10. In that decision the CRTC decided that the notice of violation that had been issued was untimely because it was issued nearly a year after the two-year limitation period ended (¶130).

⁴⁹ *Ibid.*, at ¶22.

themselves in the lurch when they receive a request for records for dates after the two years, due to the CRTC's commencing its investigation just after the two-year limit.⁵⁰

111. If the CRTC adopted the CMA's recommendation and parties were unaware of the *Telecommunications Act's* three-year limitation period, they might find themselves without the evidence needed to establish that they had not breached the Rules or that they had exercised due diligence.

FRPC recommendation 18 Deny CMA's proposal to limit record-keeping requirements to two years

112. The CRTC should clarify Part VII: Liability by renumbering the current section 1 to become section 2. A new section 1 should state that persons may be held liable for violating the Unsolicited Telecommunications Rules for up to three years after the date when the CRTC first learned that an alleged violation occurred. This section would provide context for the record-keeping requirements or recommendations that follow.

FRPC recommendation 19 The CRTC should renumber section 1 of Part VII (Liability) as section 2, and include a new section 1 to explain that persons may be liable for breaches of the *Rules* for up to three years after the CRTC learned of an alleged violation.

f) Clarify types of records required by CRTC

113. As Sasktel argues (¶¶14-16), the CRTC should not mandate the use of specific types of storage. That said, the CRTC should also not fear imposing requirements due to the ever-present fear of burden, despite its evanescence and lack of evidentiary support.
114. It has been and remains common for businesses to retain records, not simply to meet statutory or regulatory requirements but to have a record of their companies' corporate memory, their practices and their performance. Decades ago retaining records required physical space; companies sometimes rented off-site space simply to store paper or other records. (These expenses could be applied, of course, to reduce companies' taxable income.) Information storage in today's digital era is entirely different, as memory devices consume little space and cost very little.
115. Québecor argues (¶35) that persons should not be required to keep recordings of calls that have been made because this would be 'technically complex, financially

⁵⁰ *Unsolicited Telecommunications Rules framework and the National Do Not Call List*, [Telecom Decision CRTC 2007-48](#) (Ottawa, 3 July 2007), at ¶461:

The Commission notes that pursuant to subsection 71.12(1) of the Act, it has up to two years to commence proceedings in respect of a violation of the Unsolicited Telecommunications Rules after the day the subject-matter of the proceeding becomes known to the Commission. In light of the above, the Commission determines that telemarketers shall keep the records of proof of subscription to the National DNCL and proof of payment of fees to the National DNCL operator for a period of three years.

disproportionate and would be unjustifiable in a proceeding whose objective is to reduce regulatory burden.'

116. Quebecor has not, however, provided any evidence to support its claim and it has not proposed any alternatives (such as third-party-verified transcripts). If the CRTC is prepared to accept Québecor's argument in this proceeding without evidence, the Commission should also be prepared to accept statements such as this: "Consumers suffer annoyance and inconvenience when unsolicited communications frequently interrupt their activities" and make a decision based on this claim's being the same as evidence.
117. FRPC notes, however, that it would be useful for the CRTC – perhaps through the mechanism of an Information Circular – to clarify how it measures certain types of violations. Suppose, for instance, that the CRTC receives a complaint about calls placed outside the approved times, collects calling data and confirms by its own analysis of these data that many of the calls were placed outside the approved times – and then suppose the CRTC misapplied Canadian time zones when undertaking its analysis. In such a case, it would be difficult for a person accused of committing thousands or hundreds of thousands of violations to defend themselves – unless the CRTC clarified how it undertook its analysis. A regularly updated Information Circular could provide all parties with useful and relevant explanations, "reducing unnecessary regulatory burden" as Sasktel proposes (¶16).

FRPC recommendation 20 The CRTC should issue an Information Circular to clarify its approach to identifying breaches of the Unsolicited Telecommunications Rules, so that parties understand the risks they assume by not retaining specific documentary evidence.

118. As for the idea that the CRTC should impose burdens regarding privacy and cybersecurity, one would hope that Canadian telecommunications in the 21st century are already fully committed to ensuring that Canadians' privacy rights are respected and that their systems are as secure as possible against cyberattacks. Any 'burdens' in these areas are not due to the CRTC's asking that records be retained but to statutory requirements in other areas and due to Canadians' changing expectations about their rights.

3. Evidence needed for due diligence defence

119. CAMP has addressed records-retention in some detail at ¶¶29 to 31. As it noted, the current Unsolicited Telecom Rules include a Part dedicated to record-keeping. It consists of one section and four subsections:

Part VI: Record Keeping

1. With regard to any records that are required to be kept pursuant to the Unsolicited Telecommunications Rules and any other records kept with regard to

unsolicited telecommunications activities that are subject to the Unsolicited Telecommunications Rules:

a) a telemarketer and a client of a telemarketer may keep the records in any form, and shall do so **in the same manner and format as they keep records in the ordinary course of business**;

b) such records **shall** be maintained in the regular place of business in a manner such that they are readily accessible in order to facilitate the activities authorized under section 72.06 of the Telecommunications Act;

c) such records **shall** be provided to the Commission within thirty (30) days of a request from the Commission; and

d) in the event of any termination of the business of a telemarketer or a client of a telemarketer, a principal of that person **shall** maintain the records and shall comply with paragraphs (a), (b), and (c). In the event of any sale, assignment, or other change in ownership of the business of a telemarketer or a client of a telemarketer, the successor business shall maintain the records and shall comply with paragraphs (a), (b), and (c).

120. FRPC submits that the Commission should use Part VI to describe the evidence it requires to establish the due diligence defence set out in Part VII: Liability. Ideally, examples of the records parties should retail would be provided in the regulations so as to minimize the time parties may otherwise have to devote to finding a single information bulletin.
121. We note Eastlink's concern (¶19) that "new record keeping obligations" not be imposed without "demonstrated need or compliance concern." Although it has not identified the specific record-keeping requirements that raise concerns for the company, it states (¶40) that the CRTC should not require "companies to select or change their technology or software in order to maintain the records in a specific format."
122. FRPC agrees that the CRTC should state the types of records that enable companies to rely on a due-diligence defence, and leave it to affected parties to determine whether they need to change their current practices or equipment to defend themselves.
123. At the same time, as the CRTC cannot know what businesses keep what records, it must serve the public interest in fair process by identifying and describing the information it requires to meet the *Canadian Telecommunications Policy* and the 2023 *Order*. More than 20 years ago the Commission considered that "there is a need to continue monitoring complaints concerning telemarketers who contravene the Rules to track progress in the reduction of complaints and to identify other issues that might require further changes to the current policies."⁵¹ It required telemarketers using PDDs to "maintain records that provide clear evidence" about their compliance with limitations

⁵¹ *Review of telemarketing rules*, [Telecom Decision CRTC 2004-35](#) (Ottawa, 21 May 2004), at ¶115 ("Management of complaint statistics").

on the number of calls received regarding dead air while live representatives were being transferred to the call because it had received “comments that dead air or silence, when answering the telephone, is both disturbing and annoying, even frightening”.⁵²

124. CDGM has suggested (¶45) that telemarketers must identify whether a call used a recording, synthesized voice, chatbot, artificial intelligence system or another automated technology.” In our view, all parties that make unsolicited telecommunications – with the possible exception of emergency alerting systems, as these have been chronically underfunded and do not make the calls with any expectation of profit – should be required to retain information to identify calls made using Calling Systems, using Calling Systems in conjunction with live representatives or made only with live representatives.

FRPC recommendation 21 With the exception of those making emergency-alert telecommunications, parties must retain records that describe whether the telecommunication is made solely with a Calling System, with a Calling System in conjunction with a live representative or solely by a live

125. Setting out the CRTC’s information requirements would enable it to make decisions about alleged violations on the basis of actual rather than presumed misconduct because the party investigated was unaware that specific records should have been kept. Suppose the CRTC claimed that a party had breached the Part IV ADAD Rules by calling people outside of the required hours and proposed to impose significant penalties: the party’s only defence in that case would be its own records – without those, what would prevent the Commission from imposing the penalties?
126. The CRTC should also clarify whether the phrase, “thirty (30) days”, refers to calendar or business days, as it cannot assume that those who read the Unsolicited Telecommunications Rules are aware of the *Interpretation Act*. and the duration that parties must retain such evidence.
127. Requiring those whose business involves calling Canadians to guess what information the CRTC and its staff believe that companies keep “in the ordinary course of business” so as to establish that they have been diligent is inefficient and burdensome.
128. For example, while some telemarketers may make contact residents who live in their own municipality, survey research companies may make calls across Canada and reach Canadians through their mobile phones. Being mobile, the respondent may not be located as indicated by the three-digit prefix of their telephone number and may then complain to the Commission about calls received outside of the periods approved by the Part IV ADAD Rules. It is not inconceivable that while investigating, the CRTC’s staff may request the survey company’s calling records – which in the case of national surveys

may amount to millions of telephone numbers called. Unless the survey company is aware of the need to retain these records, it would be unable to defend itself against a claim that it had breached the *Rules*.

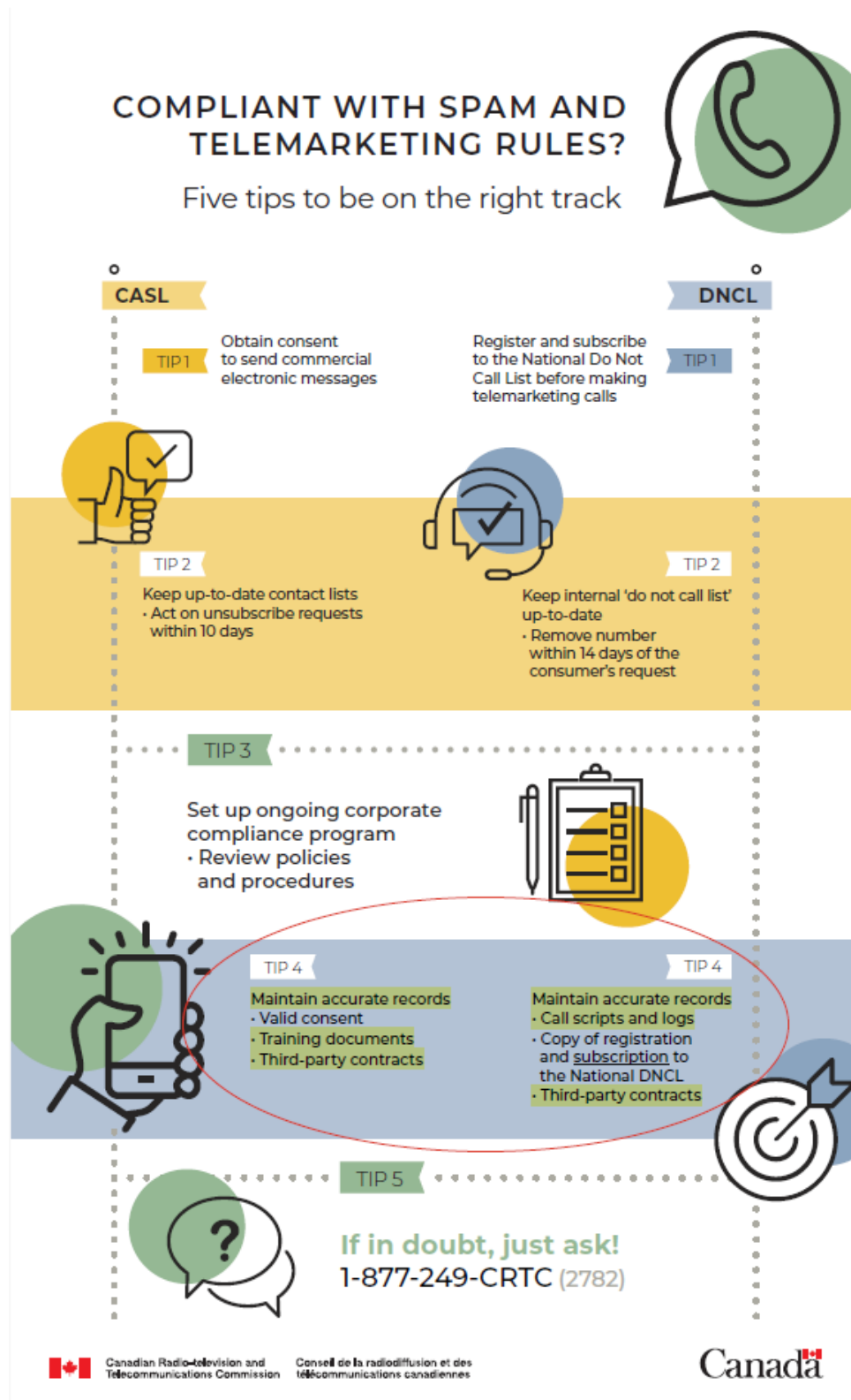
129. Who (other than, perhaps, the Receiver General of Canada) benefits when those making lawful contact cannot prove their innocence because they were unaware of the types of records required in support of their case?
130. It was argued that “the burden of evidencing compliance should rest with the party that can produce the evidence most cheaply” (CAMP, ¶12). In 2007, however, the CRTC took pains to clarify that telemarketers should keep records for each client and itself⁵³ and expanded on the types of records it thought should be retained “in the normal course of doing business”.⁵⁴
131. The CRTC today encourages telemarketers to keep accurate records: Figure 4.

[Remainder of page left intentionally blank]

⁵³ *Unsolicited Telecommunications Rules framework and the National Do Not Call List*, [Telecom Decision CRTC 2007-48](#) (Ottawa, 3 July 2007), at ¶1460.

⁵⁴ *Ibid.*, at ¶¶1462-464.

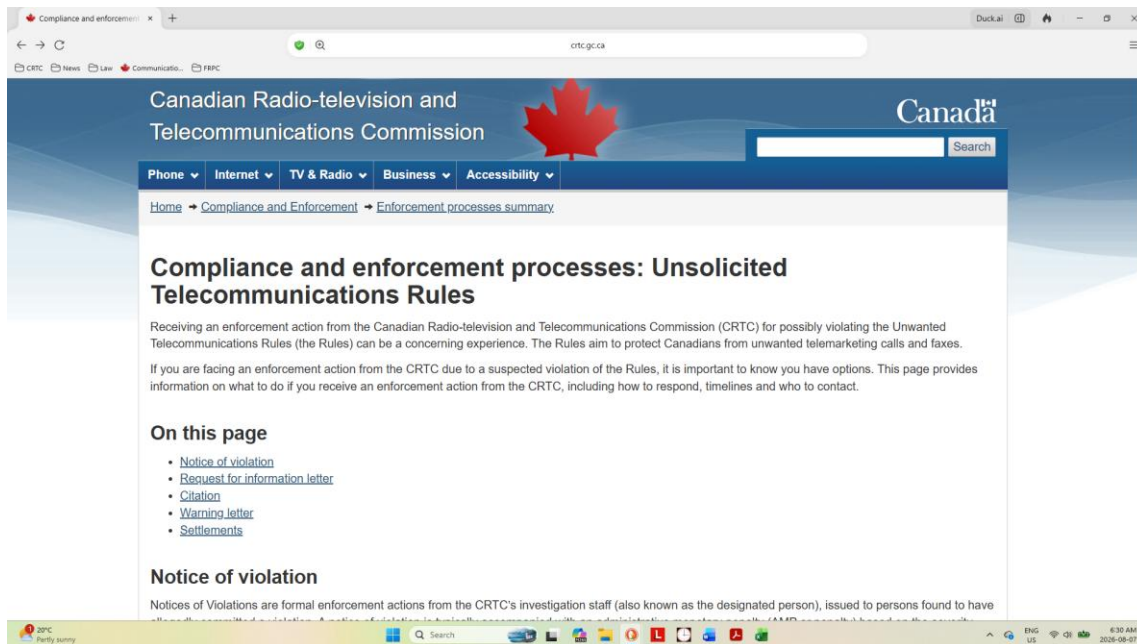
Figure 7

CRTC's "[Five tips to be on the right track](#)" (4 Aug/26)


D. Ensure enforcement is transparent

132. Compliance and Enforcement Notice of Consultation CRTC 2026-132 notes that the CRTC has undertaken more than 3,500 investigations regarding “telemarketer compliance with the Rules”.⁵⁵
133. The CRTC lists five “measures” it “can take to reinforce compliance”⁵⁶ with respect to the Unsolicited Telecommunications Rules (Figure 18).

Figure 8 Five types of UTRs enforcement actions



134. The CRTC publishes data about its enforcement of the *Telecommunications Act*, the *Canada Elections Act*, CASL and the UTRs on its *Enforcement Actions* page (<https://crtc.gc.ca/eng/ce/actions.htm>).
135. In the 19 years from 2009 to 2026 the CRTC has undertaken 879 ‘measures’ - 46 measures per year or nearly 4 per month: Table 7.⁵⁷ Citations and Notices of Violation make up 86.8% of these measures.

Table 7 Five CRTC enforcement measures

Citations: 444 (50.6%)

⁵⁵ [CENoC 2026-132](#), “Summary”.

⁵⁶ CRTC, *Compliance and Enforcement*, “[Enforcement Actions](#)” [Date modified: 2026-07-28].

⁵⁷ This total includes 2 decisions listed in the CRTC’s enforcement-actions database in which the Commission declined to levy AMPs.

“a letter issued by the CRTC’s investigation staff (also known as a designated person) outlining the alleged violations of a business or person, which provides them with the opportunity to clarify the circumstances surrounding the claims made by the investigation staff”⁵⁸

Notices of Violation: 318 (36.2%)

“the NOV sets out alleged violations under CASL, or under the Telecom Act (including the UTRs). An NOV can also include an Administrative Monetary Penalty (AMP).

Decisions: 89 (10.1%)

“... official decisions made by the CRTC following the review of a NOV, notice to produce or preservation demand. ... the CRTC examines the allegations made by the designated person, alongside representations made by the recipient to determine whether the violations were committed, and if so, whether the AMP is appropriate.”

Undertaking: 20 (2.3%)

“An undertaking can be entered between a business or person who has committed a contravention under CASL or the Telecommunications Act (except under the UTRs), a member of the CRTC’s staff designated for the purpose of entering into an undertaking. An undertaking is an agreement defining the compliance obligations to be put in place following a contravention, and may include a requirement to pay a specified amount.”

Settlements: 7 (0.8%)

“A settlement can be reached between a business or person and the CRTC’s investigation staff in order to resolve any issues regarding alleged violations of the UTRs. A settlement generally entails a recognition of the acts or omissions leading to non-compliance that may then be reflected in an NOV, and may include the payment of an AMP.

136. The CRTC’s list of enforcement actions included three decisions that did not involve penalties, bringing the total down to 876.

137. The CRTC has undertaken enforcement actions under regarding the *Unsolicited Telecommunications Rules*, the *Telecommunications Act*, CASL and the *Canada Elections Act*, with the UTRs comprising 87% of the total actions. Table 8 summarizes total administrative monetary penalties levied by the Commission.

Table 8 Types of enforcement actions of the CRTC, 2009-2026

Regime and Action type	Number of actions	Number of AMPs	Total AMPs imposed	Average AMP (AMP total / count of date)
UTRs				
Citation	346			
Notice of violation	317	314	\$ 17,901,402	\$56,471

⁵⁸ It is not entirely clear why the CRTC considers a citation – inviting accused persons to respond to the CRTC’s claims – to be an enforcement measure, rather than a step in the process that culminates in an enforcement measure.

Regime and Action type	Number of actions	Number of AMPs	Total AMPs imposed	Average AMP (AMP total / count of date)
Decision	86	81	\$ 1,799,062	\$20,919
Settlement	7	3	\$ 136,000	\$19,429
Undertaking	4	4	\$ 300,000	\$75,000
UTRs, total	760 (87%)	402	\$ 20,136,465	\$26,495
CEA (VCR)				
Citation	98			
CASL				
Decision	2			
Undertaking	13	13	\$ 766,500	\$58,962
CASL Total	15 (17%)	13	\$ 766,500	\$51,100
GAMPT	2 (0.2%)	1	\$ 5,000,000	\$2,500,000
TACT	1 (0.1%)	1	\$ 600,000	\$ 600,000
Total	876	417	\$ 26,502,965	\$30,255

138. The \$25.5 million total of administrative monetary penalties excludes two non-fine penalties totalling \$475,000.⁵⁹ In FRPC's view, negotiated settlements such as these – while rare – risk the appearance of differential treatment of those found in breach of the Commission's Rules; the two unsolicited telecommunications cases that involved a financial sum each involved large telecommunications companies (Rogers and TELUS). Neither those cases nor the other seven settlements listed in the CRTC enforcement-action database refers to a decision, notice or HTM link to reasons explaining the CRTC's choice of action.

139. The issue raised by these actions, though rare, is lack of transparency which assures Canadians in general and those found to have breaches the Unsolicited Telecommunications Rules of equal treatment before the Commission.

FRPC recommendation 22 The CRTC should provide public access to all of its enforcement determinations (whether a letter, a "Decision" or another document of the Commission announcing breaches and sanction imposed)

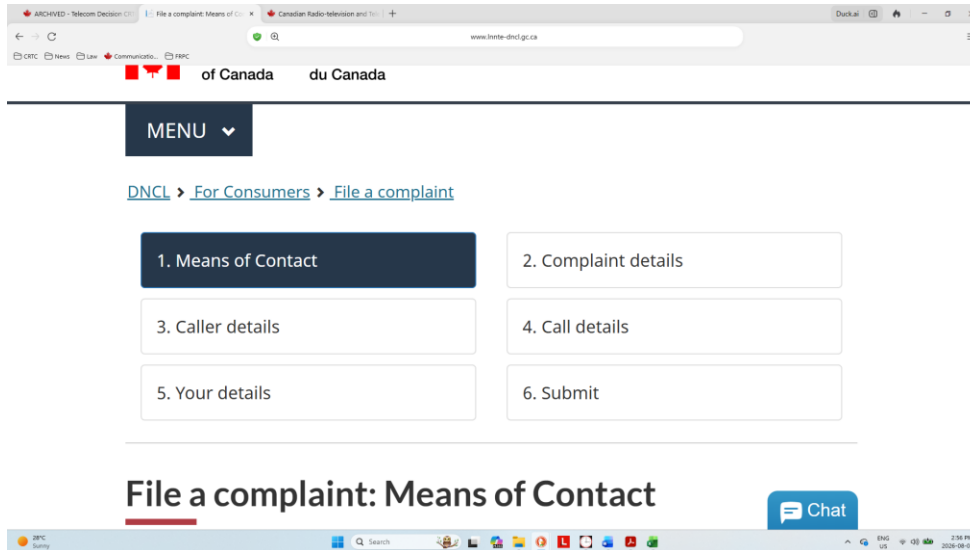
E. Simplify and clarify CRTC's online complaints process for Canadians

140. Finally, FRPC notes that [the process that complainants must follow to bring unsolicited telecommunications to the CRTC's attention](#) is complicated, requiring six steps, from 'Means of Contact' to 'Submit': Figure 9.

⁵⁹ Rogers Communications "made charitable donations of \$175,000 to the École Polytechnique de Montréal and \$100,000 to the British Columbia Institute of Technology" in 2011 as a settlement of UTR violations, while TELUS in 2010 "made a charitable donation of \$200,000 to establish a TELUS scholarship fund at the School of Public Policy and Administration at Carleton University to support graduate studies in the areas of policy and regulation....".

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Figure 9 CRTC's six-step *UTR* complaint process



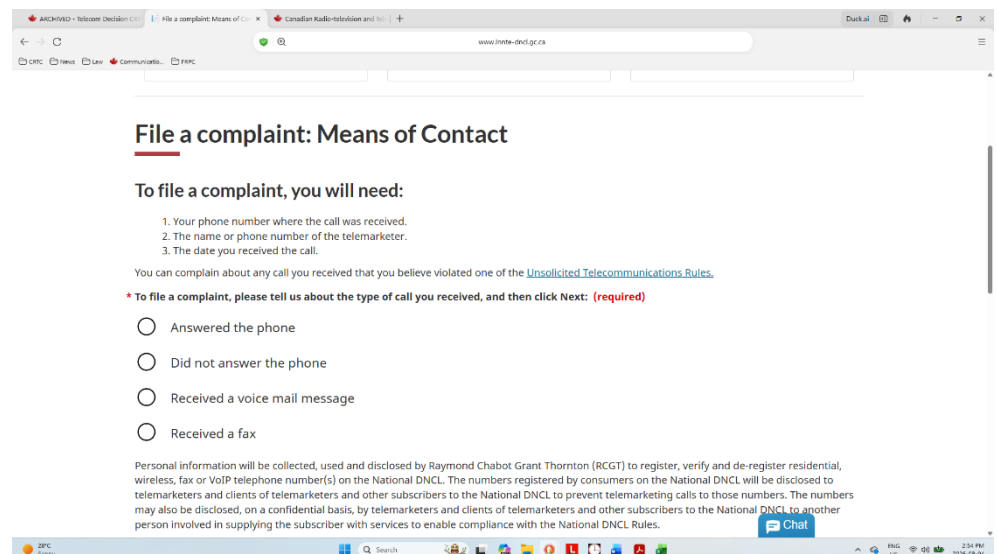
Accessed 4 August 2026

141. The CRTC's UTR's complaints page then invites complainants to describe how they were contacted.

Figure 10 How complaints were contacted

142. Yet the first two of four options describe complainants' actions, not the type of call: Figure 10.

143. The first option to answer 'how were you contacted' is "Answered the phone": should this not instead be "Received a telephone call"? The second option - "Did not answer the phone" - should perhaps instead be "Caller left message on my answering system".



144. The CRTC should invite interested parties – including public- and consumer-interest organizations – to meet with its staff to discuss whether its website pages could be improved, and perhaps so that staff and interested parties could trial-run systems such as an improved online complaints mechanism.

FRPC recommendation 23 Invite interested parties including public- and consumer-interest organizations to meet with CRTC staff to discuss improvements to its unsolicited telecommunications complaints pages

III. Conclusions and recommendations

A. 2026-132 offers chance to make all parties' lives easier

145. CENoC 2026-132 asked interested parties for comments on addressing new ways of telemarketing and “to provide greater clarity and transparency to the industry by simplifying aspects of the UTRs” (¶18). While it is understandable that in today’s climate a great deal of attention is focussed on maximizing the strength of Canadian businesses, the *Telecommunications Act* and the *Order* require the CRTC to focus as much attention on consumers. As consumers are, after all, a primary driver of telecommunications revenue, meeting their needs will strengthen their satisfaction with in Canada’s telecommunication system.
146. To that end – meeting consumers’ needs and concerns – the CRTC should provide **greater clarity and transparency to all users of the telecommunications system** – to those who receive unwanted and unsolicited communications, to those who are attempting to reach consumers (or, in the case of surveys, respondents) and to telecommunications service providers.
147. FRPC in particular supports the redefinition of ‘ADAD’ – a technology that is more than 40 years old – in a technologically neutral fashion that reflects today’s astonishing technological advances, while enabling contact-recipients to notify TSPs or the CRTC when new technologies malfunction.
148. FRPC also strongly supports clarity concerning the records that telecommunications users should retain so as to establish their diligence, and especially regarding the duration of this retention given the absence of a clear timeline in the *Telecommunications Act*.

B. Recommendations

149. Having had the opportunity to review other parties’ comments, FRPC has restated its thinking in the form of recommendations and these are set out below along with a reference to the page where they appear.



- FRPC recommendation 2 Regulated parties that ask the CRTC to eliminate or weaken its *Rules* for unsolicited telecommunications should be required to demonstrate Canadians' informed support for such changes 10
- FRPC recommendation 3 Changes made by the CRTC should be written to be easily and quickly understood by those who rely on or who are bound by them 10
- FRPC recommendation 4 Rather than forcing telecommunications service users to re-register on the DNCL every three years, the CRTC should encourage TSPs to purchase broadcast advertising time to urge consumers to unregister for the DNCL 11
- FRPC recommendation 5 Retain the prohibition on making telecommunications based on the mathematical sequence of contact numbers 12
- FRPC recommendation 6 The CRTC should maintain the current DNCL subscription model 13
- FRPC recommendation 7 When persons use AI to contact Canadians the AI should state that it is an AI system and should provide its fictitious name along with a brief, unique identifier, to those receiving the contact 15
- FRPC recommendation 8 Unsolicited telecommunications made using AI should disclose this fact ("This call is being made by an automated calling system. You are not communicating with a live person.") 15
- FRPC recommendation 9 Each AI system used to make unsolicited telecommunications should state its unique identifier and may also state a fictitious first name (in other words) 15
- FRPC recommendation 10 The CRTC should track and publish statistics about the numbers of complaints it receives regarding unsolicited telecommunications made with AI 15
- FRPC recommendation 11 Part VII: 1(a)(vi.1) should require persons to retain complaints and error reports regarding AI customer service chatbots or agents for at least three years 15
- FRPC recommendation 12 Unsolicited telecommunications that switch from a non-human to a human should require the human representative to announce themselves as a 'live' agent or representative 15
- FRPC recommendation 13 With the exception of those making emergency-alert telecommunications, parties must retain records that describe whether the telecommunication is made solely with a Calling System, with a Calling System in conjunction with a live representative or solely by a live 33
- FRPC recommendation 14 Replace the current definition of 'ADAD' with this text: "Calling System means any platform, system, program software, hardware or equipment that, used alone or with other platforms, systems, software, hardware or equipment, under the control of



humans or otherwise initiates outgoing telecommunications to a pre-determined list of telecommunications contact numbers to convey a spoken message with or without text.”	21
FRPC recommendation 15 Revise section 1 of Part IV to include a list of the sectors exempted by Parliament from the DNCL requirements	26
FRPC recommendation 16 Consider introducing a separate Part in the Rules to clarify the CRTC’s requirements of survey researchers	26
FRPC recommendation 17 Deny CMA’s request to reduce ADAD message content information due to the lack of evidence, lack of reasons and failure to demonstrate how consumers will benefit from not knowing who is attempting to contact them	27
FRPC recommendation 18 Part VII: 1(a)(ii) Add reference to contract staff	27
FRPC recommendation 19 Deny CMA’s proposal to limit record-keeping requirements to two years	30
FRPC recommendation 20 The CRTC should renumber section 1 of Part VII (Liability) as section 2, and include a new section 1 to explain that persons may be liable for breaches of the <i>Rules</i> for up to three years after the CRTC learned of an alleged violation.	30
FRPC recommendation 21 The CRTC should issue an Information Circular to clarify its approach to identifying breaches of the Unsolicited Telecommunications Rules, so that parties understand the risks they assume by not retaining specific documentary evidence.	31
FRPC recommendation 22 The CRTC should provide public access to all of its enforcement determinations (whether a letter, a “Decision” or another document of the Commission announcing breaches and sanction imposed)	38
FRPC recommendation 24 Invite interested parties including public- and consumer-interest organizations to meet with CRTC staff to discuss improvements to its unsolicited telecommunications complaints pages	40

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