



24 September 2026

Marc Morin
Secretary General
CRTC
Ottawa, ON K1A 0N2

Dear Secretary General,

Re: *Show cause and call for comments – Device unlocking and related procedural matters*, [Telecom Notice of Consultation CRTC 2026-210](#) (Gatineau, 14 August 2026)

The Forum for Research and Policy in Communications (FRPC) is a non-profit and non-partisan organization established a decade ago to undertake research and policy analysis about communications, including telecommunications, and to advocate on behalf of the public interest.

The Forum's comments concerning the above-noted proceeding are attached.

We look forward to reviewing the proposals of service providers and other parties in this proceeding.

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Scofflaws

Comments by the
Forum for Research and Policy in Communications (FRPC)

In response to

Show cause and call for comments
– Device unlocking and related procedural matters

Broadcasting and Telecom Notice of Consultation 2026-210
(Gatineau, 14 August 2026)

24 September 2026

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I. This consultation

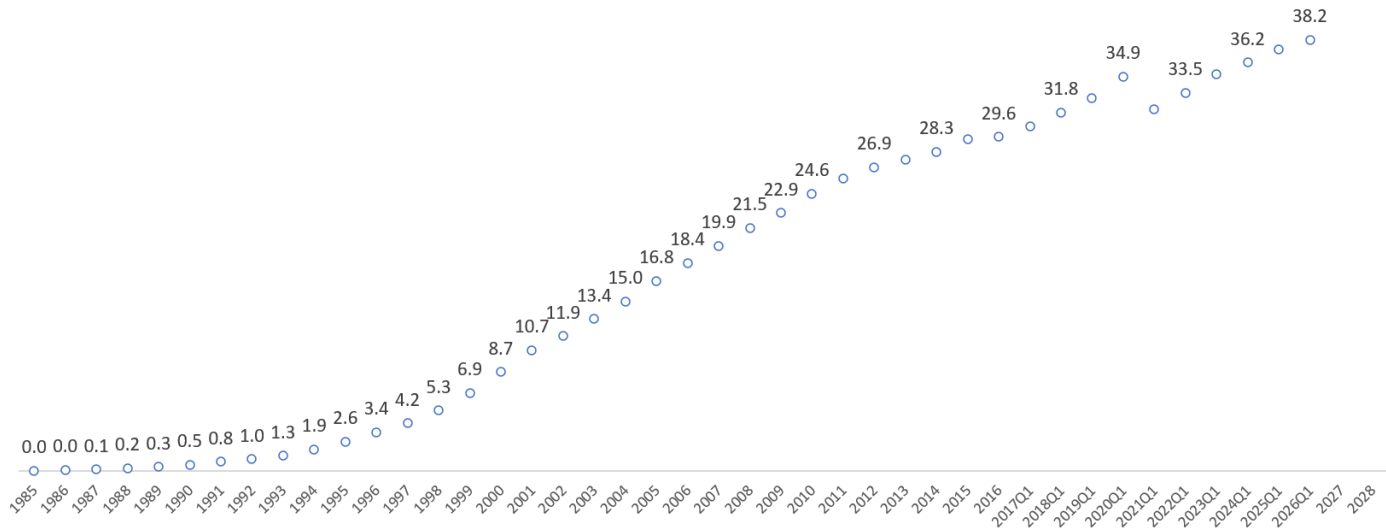
- 1 The Forum for Research and Policy in Communications (FRPC) is a non-profit and non-partisan organization established in 2013 to conduct legal and policy analysis and empirical research on communications, including broadcasting and telecommunications. We have appeared before Standing Committees of both Houses of Parliament to discuss matters involving these sectors.
- 2 This consultation has to do with the decision by Bell Canada (Bell) to ‘lock’ the wireless devices it provides to its customers, contrary to the *Wireless Code* that is a condition of the service that WSPs provide. In mid-August 2026 the CRTC called on Bell to explain why the Commission should not penalize the company for locking the wireless devices it provides to customers, contrary to the *Wireless Code* that is a condition of wireless telecommunications service. Telecom Notice of Consultation CRTC 2026-210 also invites the public to comment on whether Bell breached the Code and the appropriate penalty, if any.
- 3 Wireless devices have been in use since before Parliament assigned responsibility over telecommunications to the CRTC. The first public cellphone call was made in 1973;¹ Parliament transferred jurisdiction over telecommunications to the CRTC in 1975.²
- 4 Data from wireless service providers and the CRTC (in conjunction with Statistics Canada) show that Canadians have come to rely on wireless devices: Figure 1.

¹ CBC News, “5 major moments in cellphone history: Motorola engineer Martin Cooper made first public cellphone call on April 3, 1973”, (3 April 2013) <http://www.cbc.ca/news/technology/5-major-moments-in-cellphone-history-1.1407352>: “Cooper made the call on a New York City street in front of reporters from a device weighing about 1½ kilograms. Motorola spent almost \$1 million producing the phone, Cooper later told the BBC. Cost of the phone for a consumer — when it became available 10 years later — would have been equal to almost \$9,970 in today's currency.”

² The *Canadian Radio-television and Telecommunications Commission Act* (Bill C-5) was passed in April 1975 and promulgated by Order-in-Council 1 April 1975. The *Act* stipulated that the CRTC “shall exercise the powers and perform the duties and functions in relation to telecommunications ... vested ... in the Canadian Transport Commission” (I, s. 14(2)).

Figure 1 Wireless subscribers in Canada, 1985-2026

Wireless subscribers in Canada (millions), 1985-2026



Sources: Canadian Wireless Telecommunications Association (1985-2016); Joint CRTC-Statistics Canada quarterly survey (2017 Q1 to 2026 Q1)

- 5 Bell is one of Canada's four largest WSPs, serving 27.4% of retail mobile subscribers in Canada in 2024,³ including 48% of subscribers in New Brunswick, 52% in Nova Scotia, 60% in Newfoundland and Labrador and 75% of subscribers in the North.⁴
- 6 The CRTC has refrained from regulating wireless services⁵ for the past forty years. WSPs are not required, for instance, to apply for approval of the rates they charge for shipping, statements of accounts or other items.

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³ CRTC, [Open Data, data-retail-mobile-sector.xls](#), Tab MB-S1 [accessed 23 September 2026].

⁴ *Ibid.*, Tab MB-F5.

⁵ In 1989 the Federal Court held that the CRTC lacked jurisdiction to forbear from regulating telecommunications companies: *Telecommunications Workers' Union v. Canada (Canadian Radio-television and Telecommunications Commission)* (1989), 2 F.C. 280; in 1993 Parliament explicitly granted the Commission the power to forbear from regulating telecommunications services if refraining "would be consistent" with Parliament's *Canadian Telecommunications Policy* objectives and where competition suffices to protect users' interests (subsections 34(1) and (2)).

- 7 Rather, and following a consultation in 2012 that included a public hearing, the CRTC imposed a condition⁶ on all mobile wireless service providers (WSPs) that they “abide by a mandatory code ... to ensure that consumers have the information and protection they need”⁷ in Canada’s competitive wireless market.
- 8 The CRTC formally announced the *Wireless Code* in 2013⁸ and invited Canadians’ comments on the code just three years later.⁹
- 9 In 2017 the Commission changed the *Code* to include, among other things, a new prohibition on device locking, defined as the practice of providing subscribers with devices that only work on the network that provided the devices. This provision is set out in section F.1 of the *Wireless Code*.

The Wireless Code, simplified

F. Mobile device issues

1. Unlocking

Any device provided by a service provider to the customer for the purpose of providing wireless services must be provided unlocked.

If a device is, or becomes, locked to a service provider’s network, that service provider must unlock the device, or give the customer the means to unlock the device, upon request, at no charge.

⁶ *Decision on whether the conditions in the mobile wireless market have changed sufficiently to warrant Commission intervention with respect to mobile wireless services*, [Telecom Decision CRTC 2012-556](#) (Ottawa, 11 October 2012), at paragraph 22:

The Commission notes that while it forbore from regulation of the mobile wireless market, it retains its regulatory powers under section 24 of the Act. Section 24 of the Act enables the Commission to impose any conditions on the offering and provision of any telecommunications service by a Canadian carrier, such as the requirement to be a member of the industry self-regulatory agency, the CCTS.

Sections 24 and 24.1 apply to Canadian carriers and persons other than Canadian carriers, respectively:

24 The offering and provision of any telecommunications service by a Canadian carrier are subject to any conditions imposed by the Commission or included in a tariff approved by the Commission.

24.1 The offering and provision of any telecommunications service by any person other than a Canadian carrier are subject to any conditions imposed by the Commission, including those relating to

- (a) service terms and conditions in contracts with users of telecommunications services;
- (b) protection of the privacy of those users;
- (c) access to emergency services; and
- (d) access to telecommunications services by persons with disabilities.

⁷ *Decision on whether the conditions in the mobile wireless market have changed sufficiently to warrant Commission intervention with respect to mobile wireless services*, [Telecom Decision CRTC 2012-556](#) (Ottawa, 11 October 2012), at paragraph 27.

⁸ *The Wireless Code*, [Telecom Regulatory Policy CRTC 2013-271](#) (Ottawa, 3 June 2013).

⁹ *Review of the Wireless Code*, [Telecom Notice of Consultation 2016-293](#) (Ottawa, 28 July 2016).

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- 10 Bell began to sell devices locked to its network for two months¹⁰ in early April 2025.
- 11 The CRTC issued TNoC 2026-210 almost a year and a half later, requiring the company “to show cause” why its decision to sell devices that are locked does not breach the code established by the Commission more than a decade ago to protect consumers, in Telecom Notice of Consultation CRTC 2026-210.
- 12 The Commission also ‘stayed’ the locked-devices prohibition of the *Wireless Code* for all WSPs.¹¹ 2026-210 directed service providers to file information about its locked devices by 30 October 2026,¹² and invited “comments that address the issues set out” in the -210 consultation by Monday, September 14, 2026.¹³ On Friday, September 11, 2026, the CRTC extended the deadline for comments by ten days to Thursday, 24 September.
- 13 FRPC’s comments are set out in the pages that follow.
- 14 In brief the Forum considers that the public record establishes that Bell violated two provisions of the *Wireless Code* from early April 2025 to mid-August 2026 and that Bell disregarded the CRTC’s explicit ‘direction’ to stop locking devices from 28 November 2025 to 13 August 2026.
- 15 That said, the two-year-long, informal approach of the CRTC to this matter has created procedural problems that will likely prevent it from taking any but token action regarding these breaches.
- 16 The Forum’s comments on the issues raised by TNoC 2026-210 are set out in the pages that follow. **Part II** summarizes the current law on device locking, reviewing the

¹⁰ Brad Bennett, “Bell starts locking new phones to its network for 60 days: Bell is taking us back to 2016, sort of ...” *MobileSyrup* (24 April 2025, 3:59 PM EDT):

...

A notice sent to Bell customers shared with *MobileSyrup* states that this change will affect postpaid consumers and small business customers who buy a new phone from Bell or upgrade their old phone. ...

....

¹¹ *Show cause and call for comments – Device unlocking and related procedural matters*, [Telecom Notice of Consultation CRTC 2026-210](#) (Gatineau, 14 August 2026), paragraph 36.

¹² *Show cause and call for comments – Device unlocking and related procedural matters*, [Telecom Notice of Consultation CRTC 2026-210](#) (Gatineau, 14 August 2026), at paragraphs 39-40.

¹³ 2026-155, at paragraph 46.

relevant sections of the [Telecommunications Act](#), Cabinet's [2023 telecommunications policy Direction to the CRTC](#) and the CRTC's approach to administrative monetary penalties (AMPs).

17 **Part III** then sets out the facts relevant to the device-locking practice reinstated by Bell, including as well individual consumers' perspectives as presented in the interventions submitted in this proceeding at the time of writing.

18 **Part IV** sets out FRPC's conclusions and recommendations.

II. Current Law on Device Locking and Unlocking

19 Parliament established the Canadian Radio-Television Commission in 1968¹⁴ to implement a new *Broadcasting Policy for Canada*. Seven years later Parliament added telecommunications to its responsibilities.¹⁵ Parliament requires the CRTC to perform the duties set out in the *Telecommunications Act*.¹⁶

20 The Canadian Radio-television and Telecommunications Commission today consists of nine Cabinet-appointed members¹⁷ whose work is assisted by staff under the direction

¹⁴ Through Part II of the 1968 *Broadcasting Act*.

¹⁵ Initially by enacting the *Canadian Radio-television and Telecommunications Commission Act*, 23 & 24 Eliz. 2, c. 49, (19 June 1975). Subsection 14(2) empowered the then-Executive Committee and Chairman to “exercise the powers and perform the duties in relation to telecommunication ... vested by the *Railway Act*, the *National Transportation Act* or any other Act of Parliament in the Canadian Transport Commission thereof”

¹⁶ [Canadian Radio-television and Telecommunications Commission Act](#), subsection 12(2): “The full-time members of the Commission and the Chairperson shall exercise the powers and perform the duties vested in the Commission and the Chairperson, respectively, by the *Telecommunications Act*”
[Telecommunications Act](#), section 47:

The Commission must exercise its powers and perform its duties under this Act and any special Act — in accordance with any orders made by the Governor in Council under section 8 or any standards prescribed by the Minister under section 15, and taking into account any orders made under section 15.1 or 15.2 and any regulation made under paragraph 15.8(1)(a) — with a view to implementing the Canadian telecommunications policy objectives and ensuring that Canadian carriers provide telecommunications services and charge rates in accordance with section 27.

¹⁷ Through the *Canadian Radio-television and Telecommunications Commission Act* Parliament established “a Commission ... consisting of not more than 13 members ... appointed by the Governor in Council” or Cabinet (subsection 3(1)). The Commission — not the staff necessary for its business (see section 8) — makes decisions under the *Telecommunications Act*.

CRTC, [Our leadership](#), [Date modified: 2026-06-12] lists nine members including the Chairperson.

of the CRTC's Chairperson.¹⁸ In 2024-25 the CRTC employed 691 staff and in 2025-26 forecast that it would employ 740 "full-time equivalents".¹⁹

- 21 CRTC decisions are defined explicitly as those "made by the Commission",²⁰ rather than those made by its staff. The 1993 *Telecommunications Act* establishes that "a quorum of the Commission consists of two members"²¹ while CRTC [By-Law No. 10](#) enables any three Commissioners to make decisions on behalf of the Commission.²² Though neither the *Canadian Radio-television and Telecommunications Commission Act* nor the *Telecommunications Act* sets specific criteria for identifying the Commission's decisions, CRTC decisions are issued by the CRTC's Secretary General

18 *Canadian Radio-television and Telecommunications Commission Act*, subsection 6(2):
The Chairperson is the chief executive officer of the Commission, has supervision over and direction of the work and staff of the Commission and shall preside at meetings of the Commission.

Section 8:

The officers and employees necessary for the proper conduct of the Commission's business shall be appointed in accordance with the Public Service Employment Act.

CRTC, [Departmental Results Report 2024-25, Cat. No. BC9-27E-PDF](#), "Table 14: Actual human resources for core responsibility and internal services".

19 [Canadian Radio-television and Telecommunications Commission 2026-27 Departmental Plan](#), Catalogue no. BC9-26E-PDF, "Table 11: Actual human resources for core responsibility and internal services".

20 *Telecommunications Act*, subsection 2(1): "decision includes a determination made by the Commission in any form; (décision)".

21 Section 49, adding that "in uncontested matters a quorum consists of one member."

22 See CRTC By-Law No. 10:

WHEREAS The Canadian Radio-television and Telecommunications Commission is empowered by section 12 of the Canadian Radio-television and Telecommunications Act, R.S.C. 1985, c.C-22, as amended, to establish special and standing committees of the members and to delegate powers, duties and functions of the members to such committees.

NOW THEREFORE Be it, and is hereby enacted, that:

(c) the Telecommunications Committee is delegated the authority;

(i) to inquire into and dispose of applications that may be resolved within a regulatory framework already established by the Commission at the time of the application, that:

- (1) are contemplated by Part 1 of the Rules of Procedure;
- (2) relate to compliance with, or the interpretation, application, implementation or extension of, decisions of the Commission, tariffs, agreements or arrangements, or otherwise relate to the offering or provision of telecommunications services in a manner that is inconsistent with the Telecommunications Act; and
- (3) do not seek to stay or to review or vary a Commission decision pursuant to section 62 of the Telecommunications Act;

...

...

(d) A quorum for meetings of the Telecommunications Committee shall be any three members thereof and notice that such a meeting will be held shall be provided electronically at least two hours in advance;

(e) Any act or thing done by the Telecommunications Committee shall be deemed to be an act or thing done by the members; ...

....

and are not signed (except for dissenting opinions); this practice makes it unclear which or how many Commissioners have decided any given matter.²³

22 As a quasi-judicial tribunal, the CRTC's approach to the regulation of telecommunications is based in law. Parliament's current telecommunications legislation consists of an enabling statute enacted more than 30 years ago, a 2023 direction by Cabinet to the CRTC on implementing the 1993 statute and the *Wireless Code*, a condition imposed on wireless service providers. The CRTC has also issued guidelines on its approach to addressing non-compliance by telecommunications service providers but unlike statutes such guidelines do not bind the Commission.²⁴

A. **1993 Telecommunications Act**

23 Parliament directs²⁵ the CRTC to implement²⁶ the policy for Canada's telecommunications system set out in section 7 of the *Telecommunications Act*.

24 The *Canadian Telecommunications Policy* requires

- (a) ... 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) ... reliable and affordable telecommunications services of high quality accessible to Canadians in both urban and rural areas in all regions of Canada;

23 An exception exists in that, as a matter of practice, members who dissent from a CRTC decision may set out their reasons in the final decision, and these reasons identify the dissenting Member.

24 *Telecommunications Act*, section 58:

Guidelines

58 The Commission may from time to time issue guidelines and statements with respect to any matter within its jurisdiction under this Act or any special Act, but the guidelines and statements are not binding on the Commission.

25 *Interpretation Act*, s. 10, "Law always speaking":

The law shall be considered as always speaking, and where a matter or thing is expressed in the present tense, it shall be applied to the circumstances as they arise, so that effect may be given to the enactment according to its true spirit, intent and meaning.

26 Section 47:

The Commission must exercise its powers and perform its duties under this Act and any special Act — in accordance with any orders made by the Governor in Council under section 8 or any standards prescribed by the Minister under section 15, and taking into account any orders made under section 15.1 or 15.2 and any regulation made under paragraph 15.8(1)(a) — with a view to implementing the Canadian telecommunications policy objectives and ensuring that Canadian carriers provide telecommunications services and charge rates in accordance with section 27.

(c) ... the efficiency and competitiveness, at the national and international levels, of Canadian telecommunications;

(d) ... the ownership and control of Canadian carriers by Canadians;

...

(f) ...increased reliance on market forces for the provision of telecommunications services and to ensure that regulation, where required, is efficient and effective;

(g) ... innovation in the provision of telecommunications services;

(h) [responsiveness] to the economic and social requirements of users of telecommunications services;

... and

(j) [promotion of] the security of the Canadian telecommunications system.

25 Parliament also empowered the Commission to penalize those who decide not to comply with its decisions by establishing a process for imposing general administrative monetary penalties, while taking care to explain that the purpose of an administrative monetary penalty is to promote compliance rather than to punish.²⁷ Parliament also decided that companies' officers, directors, agents or mandatories may be liable for the violation if they directed, authorized, assented to, acquiesced in or participated in the commission of the violation, whether or not the corporation is proceeded against.²⁸

26 Section 72.001 of the *Telecommunications Act* provides that every contravention of a provision of the *Act* – including constitutes a violation, and the person who commits the violation is liable. If found to have breached the *Act*, Bell could face an administrative monetary penalty of up to \$10,000,000 and penalties of up to \$15,000,000 for subsequent violations. Subsection 72.002(1) lists the factors the CRTC must take into account in determining the amount of AMP: 1) the company's history of compliance; 2) any benefit the company obtained from the commission of the violation; 3) the company's ability to pay; 4) factors established by any regulations; and 5) any other relevant factor.

²⁷ S. 72.002(2): "The purpose of the penalty is to promote compliance with this Act, the regulations or the decisions made by the Commission under this Act, and not to punish."

²⁸ S. 72.008.

B. 2023 Policy Direction

- 27 The *Telecommunications Act* requires the CRTC to follow directions “of general application” from the Governor in Council – Cabinet – “on broad policy matters with respect to the Canadian Telecommunications policy objectives.”²⁹
- 28 Seven years ago Cabinet directed the Commission “to consider competition, affordability, consumer interests and innovation in all of its telecommunications decisions and demonstrate to Canadians that it has done so.”³⁰ This 2019 *Direction* did not, apparently, achieve its purposes because it was replaced four years later (by a new government).
- 29 Cabinet’s 2023 [*Order Issuing a Direction to the CRTC on a Renewed Approach to Telecommunications Policy*](#)³¹ clarifies seven “Key objectives”. Among other things these have to do with
- a) encouraging competition and investment;
 - b) fostering “affordability and lower prices, particularly when telecommunications service providers exercise market power”;
 - c) ensuring affordable access to telecommunications services in all regions of Canada;
 - d) protecting and strengthening “the rights of consumers in their relationships with telecommunications service providers”;
 - e) reducing barriers to entry into the market and to competition for new telecommunications service providers; and
 - f) facilitating “differentiated service offerings”.
- 30 Cabinet’s *Order* also states that “[t]he Commission should” base its decisions on “sound and recent evidence”,³² ensure the transparency, predictability and coherence of its proceedings³³ and ensure that the measures it imposes “are efficient and

²⁹ Section 8.

³⁰ Innovation, Science and Economic Development Canada, [*Government directs CRTC to place consumer interests and innovation at the forefront of telecom decisions*](#), News release (Ottawa, 18 June 2019).

³¹ *Order Issuing a Direction to the CRTC on a Renewed Approach to Telecommunications Policy*, [SOR/2023-23](#), (2023) Can Gaz II, Vol 157, No 5.

³² *Order*, s. 6.

³³ *Order*, s. 3.

proportionate to their purpose”.³⁴ The *Order* also directs the Commission to balance “consumer choice” with “competition”, “investment” and innovation.³⁵

31 Cabinet specifically states that the “Commission **must** enhance and protect” consumers’ rights by protecting “consumers from unacceptable sales practices”, amending its consumer Codes only when “doing so would be advantageous to consumers” and taking steps “to ensure that consumers can promptly, affordably and easily cancel, ... transfer or otherwise change their services”.³⁶

32 The 2023 Direction broadens the recognition and relevance of consumer rights in CRTC policy, and requires the Commission to implement the *Canadian Telecommunications Policy* with this emphasis in mind.

C. *CRTC’s Wireless Code in 2013 and 2017*

33 The idea of ‘locking’ aspects of telecommunications subscribers’ services to limit their propensity to switch providers is at least thirty years old.³⁷ For much of this time the Commission argued that “market forces will discipline rates under which [competitive local exchange carriers] offer local telephone service to customers at the retail level.”³⁸

34 By 2011, however, the public’s complaints about cellphone pricing practices had grown to the point that the Commission began to consider how to “simplify customers’ experience when switching service providers”

2013 *Wireless Code*, being Appendix 1 to 2013-271

F. Mobile device issues

1. Unlocking

i. A service provider that provides a locked device to the customer as part of a contract must

a. for subsidized devices: unlock the device, or give the customer the means to unlock the device, upon request, at the rate specified by the service provider, no later than 90 calendar days after the contract start date.

b. for unsubsidized devices: unlock the device, or give the customer the means to unlock the device, at the rate specified by the service provider, upon request.

³⁴ *Order*, s. 4.

³⁵ *Order*, s. 8.

³⁶ *Order*, s. 17(b)(i), (ii) and (iv) [bold font added].

³⁷ In 1997 two parties expressed concern to the Commission “concerns about ILECs locking up customers with long term contracts prior to the start of competition”: *Local Competition*, [Telecom Decision CRTC 97-8](#) (Ottawa, 1 May 1997), at paragraph 200.

³⁸ *Local Competition*, [Telecom Decision CRTC 97-8](#) (Ottawa, 1 May 1997), at paragraph 262.

so that they are “in a position to always take advantage of the best deal that the service providers offer”.³⁹

35 The CRTC very clearly heard consumers’ frustration about locked devices from 2012 to 2013 when it first considered the substance of its new wireless-services code. It noted that “[t]he provision of locked devices was one of the most significant sources of consumer frustration with wireless services”⁴⁰ and consumers’ comments that “device locking makes it difficult to take advantage of competitive offers available in the Canadian marketplace.”⁴¹

36 Though asked to prohibit device locking the CRTC accepted WSPs’ claims that device-locking “may be necessary at the start of the customer’s contractor to limit subscription fraud, in some circumstances”. The 2013 *Wireless Code* did, however, require WSPs to unlock devices within 90 days, for a fee (section F.1.i).

37 The CRTC reviewed the *Wireless Code* relatively quickly after imposing it as a condition on service providers. Consumers identified device-unlocking fees as a ‘key frustration’.⁴² The Commission decided in mid-2017⁴³ to revise aspects of the *Code* to prohibit WSPs from locking consumers’ devices, writing that “any costs associated with unlocking these devices should be considered a cost of doing business and borne by WSPs.”⁴⁴

The Wireless Code, simplified [2017]

F. Mobile device issues

1. Unlocking

(i) Any device provided by a service provider to the customer for the purpose of providing wireless services must be provided unlocked.

(ii) If a device is, or becomes, locked to a service provider’s network, that service provider must unlock the device, or give the customer the means to unlock the device, upon request, at no charge.

³⁹ *The customer transfer process and related competitive issues*, [Broadcasting and Telecom Regulatory Policy CRTC 2011-191](#) (Ottawa, 18 March 2011), at paragraph 24.

⁴⁰ *The Wireless Code*, [Telecom Regulatory Policy CRTC 2013-271](#) (Ottawa, 3 June 2013), at paragraph 152.

⁴¹ *The Wireless Code*, [Telecom Regulatory Policy CRTC 2013-271](#) (Ottawa, 3 June 2013), at paragraph 154.

⁴² *Review of the Wireless Code*, [Telecom Regulatory Policy CRTC 2017-200](#) (Ottawa, 15 June 2017) [initiated by *Review of the Wireless Code*, [Telecom Notice of Consultation 2016-293](#) (Ottawa, 28 July 2016)], at paragraph 262.

⁴³ *Review of the Wireless Code*, [Telecom Regulatory Policy CRTC 2017-200](#) (Ottawa, 15 June 2017), at paragraph 306.

⁴⁴ *Ibid.*, at paragraph 308.

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- 38 The Commission’s 2017 decision addressed concerns about fraud. It stated that “WSPs have confirmed that they verify the identity and credit history of customers through credit checks or by requiring security deposits.”⁴⁵ It also noted “evidence of unregulated, third-party unlocking services in the market, and [the fact that] locked devices can be sold second-hand to buyers who may not be aware that the devices are locked, leaving those buyers to unlock the devices.”⁴⁶
- 39 The CRTC’s 2017 decision was based on the technology generally available in Canada at the time. For example, “Subscriber Identity Module” (SIM) cards did not then generally offer ‘dual functionality’ permitting a wireless device to access more than one network – one as a default for making calls, and another (for example) for data.⁴⁷ Satellite-to mobile device communications were not taking place, and dual SIM cards were novel: the first reference to dual SIMs on the CRTC’s website was in 2025.⁴⁸
- 40 In late 2017 the Public Interest Advocacy Centre (PIAC) asked the Commission to clarify that WSPs “must unlock all devices locked to their network, not just those associated with ongoing monthly service plans.”⁴⁹ While denying PIAC’s application (more than a year later) in May 2019, the CRTC clarified its approach to interpreting the *Code*’s provisions. It noted “that the majority of WSPs, representing a significant majority of the market, are currently unlocking the devices of former customers” and encouraged “WSPs to continue this best practice going forward, since it further fosters consumer choice and a dynamic marketplace.”⁵⁰
- 41 Although the Commission has not reviewed the *Wireless Code* since 2017, Parliament’s approach to consumer protection has changed since then.

⁴⁵ *Ibid.*, at paragraph 301.

⁴⁶ *Ibid.*, at paragraph 301.

⁴⁷ See Wikipedia, “[Dual Sim](#)” [accessed 23 September 2026].

⁴⁸ *Call for comments – Development of a regulatory policy on measures to improve the resiliency of telecommunications networks and the reliability of telecommunications services*, [Telecom Notice of Consultation CRTC 2025-226](#) (Gatineau, 4 September 2025), at Appendix 2, recommendation 35.

⁴⁹ PIAC, *Part 1 Application by the Public Interest Advocacy Centre: Device unlocking for former customers and notification of interpretations of consumer protections*, Application 8620-P8-201711630 (Ottawa, 6 December 2017), at paragraph 1.

⁵⁰ CRTC, *Wireless Code – Request to clarify the device unlocking rules*, [Telecom Decision CRTC 2019-169](#) (Ottawa, 23 May 2019), at paragraph 28.

D. Caselaw on CRTC enforcement in telecommunications matters

- 42 Where decisions of Canadian courts stand as precedents in matters related to the same or similar situations, decisions of the CRTC are not binding. That said, Parliament empowered the CRTC in 2014 to issue “General” AMPs to promote compliance with the *Telecommunications Act* and other regulatory requirements such as conditions of service.
- 43 The Commission may impose AMPs of up to \$10,000,000 for an initial contravention of the provisions of the *Telecommunications Act*, and an additional \$5,000,000 for subsequent contraventions.⁵¹ From 2017 to 2022 it levied at least five AMPs on different parties, including a penalty of \$7.5 million in the case of Bell: [Table 1](#).

Table 1 General administrative monetary penalties levied by the CRTC, 2017-2022

Decision	Violating Party	Provisions violated	AMP
2017-115	VOIS Inc.	24.1 <i>Telecommunications Act</i> - Failure to join CCTS	\$15,000
2018-279	VOIS Inc. Harpreet Randhawa	37(2) <i>Telecommunications Act</i> - Failure to provide information to the Commission	\$25,000 -
2021-338	Net2Web Naved Ashraf	24.1 <i>Telecommunications Act</i> - Failure to join CCTS	\$50,000 - Net2Web \$15,000 - Naved Ashraf
2021-179	William Robert John McQuaid (operating as MySignal.ca)	24.1 <i>Telecommunications Act</i> - Failure to join CCTS	\$15,000 - William Robert John McQuaid
2022-160	Bell Canada	24 and 25(1) and 27(2) <i>Telecommunications Act</i> - Denial of access and unreasonable delays in processing Videotron’s permit applications.	\$7,500,000 - Bell Canada

- 44 Each of these cases related to consumer protection issues or anti-competitive behaviour.

III. This proceeding's confusing facts

45 The Forum has set out the law governing Bell's device-locking practice, and TNoC 2026-210 presents Bell's device-locking as its central issue.

46 In our view, however, the CRTC's approach to large companies' breach of the *Wireless Code* and other Codes – all imposed as conditions on the companies – has been characterized by obscurity and an overall unwillingness to enforce Parliament's legislation and the conditions it has imposed on WSPs and ISPs.

A. The 'confidential' 22 April 2025 Bell letter not marked as confidential

47 For example, while the TNoC 2026-210 proceeding was formally launched on 14 August 2026, Bell had written the CRTC's staff on 22 **April 2025** to advise that it would re-introduce 60-day device-locking on 23 April 2025. The CRTC's staff then referred to this letter when it wrote to Bell on 9 May 2025, referring to the "letter sent in confidence" to the CRTC on 22 April 2025.⁵²

48 Bell's letter – reproduced in Appendix 1 – was not marked as confidential, does not mention that it is confidential and does not request confidential treatment by the Commission. The letter may only have become public because an intervener in this proceeding (Mr. Nanni) asked for its disclosure. Even then, when the CRTC posted the 22 April 2025 letter on the public record, it added the document to its 2016 *Wireless Code* proceeding, a proceeding that ended nine years earlier. Effectively hiding key documents does not encourage public participation.

49 Months of sporadic correspondence between Bell, the CRTC's staff and the Commission⁵³ then ensued: see Appendix 2. And even as the Commission was apparently considering its response to Bell's breach of the *Wireless Code* through

⁵² Vice-President, Consumer, Analytics and Strategy, *Subject: Wireless Code Compliance - Apparent non-compliance of Bell's device locking practices*, (Gatineau, 9 May 2025), Reference: 1-11-NOC2016-0293.

⁵³ Through the *Canadian Radio-television and Telecommunications Commission Act* Parliament established "a Commission ... consisting of not more than 13 members ... appointed by the Governor in Council" or Cabinet (subsection 3(1)). The Commission – not the staff necessary for its business (see section 8) – makes decisions under the *Telecommunications Act*.



Table 2 Two years of CRTC correspondence related to non-compliance with the Codes

Year	Additional fees	Device financing	Device locking	Consumer protection codes
2024 – <i>Telecom Act</i> amended to prohibit activation/modification fees	30 Oct/24 – CRTC staff letter to dist'n list re "Unexpected increases in fees charged to customers" - "The Consumer Protection Codes are designed to rebalance the relationship between customers and their service providers – to empower them in these relationships." ⁵⁴ [2019-269 file]			
		5 Nov/24: CRTC letter to WSPs reminding them of Wireless Code and device financing plans [1011-NOC2016-0293 ; 1011-NOC2019-0309]		
2025				
		14 Mar/25: CRTC staff letter to service providers re annual compliance reports by 31 March; Appendix 1 sets out the questions to answer for the 2025 <i>Wireless Code</i> compliance report, due 30 April 2025		
			Bell – 22 Apr/25 letter advising that it will begin locking devices effective devices locked for 60 days beginning the next day - posted on 2016-293 record	

⁵⁴ VP, Consumer, Analytics and Strategy, CRTC, "If the actions of service providers negatively impact the price certainty that customers deserve and that the Consumer Protection Codes are designed to ensure, as the Vice President, Consumer, Analytics and Strategy of the CRTC, I will be directing CRTC staff to determine what regulatory processes need to be launched to create safeguards that will limit these actions on a going forward basis."



Year	Additional fees	Device financing	Device locking	Consumer protection codes
			CRTC staff letter of 9 May/25 – Bell apparently remains in non-compliance by selling phones with 60-day locks, noting that in the 2019-169 proceeding, “Bell automatically unlocked devices as part of the activation process.”	
			17 Jun/25 staff letter to Bell , re filing its 22 Apr/25 letter by 27 Jun/25 [1011-NOC2016-0293]	
30 Oct/25 – <i>Telecom Act</i> changes now prohibit barrier-to-switching fees				
		CRTC staff – 26 Nov/25 – new Bell plan that rents device for commitment to be paid off over 1 year – the VoIP Consumer, Analytics and Strategy’s hope is “that this situation can be resolved at this stage and will not require more formal regulatory action on the part of the CRTC.	CRTC – orders Bell to stop locking devices in CRTC Letter of 28 Nov/25	
		26 Nov/25 – CRTC staff letter to Bell asking it to answer 8 questions including about device financing (Appendix 1, “Inextricable link”), noting also “Bell’s Flex Option website notes that “[a]t any point within the additional 12 months, you may choose to end your service and either return the phone, pay the remaining balance in full, or continue with the scheduled device payments”. Please respond to the following’ [1011-NOC2019-0309]	9 Dec/25 Staff letter to TELUS re sales of cell phones locked for 60 days after purchase – “The Commission determined that this practice is non-compliant with the Wireless Code’s device unlocking rules as set out in the 28 November 2025 Secretary General letter to Bell” – so stop immediately Bell – 22 Dec/25 letter asking CRTC to vary its decision or hold a public hearing on this issue	



Year	Additional fees	Device financing	Device locking	Consumer protection codes
2026	4 Feb/26: CRTC to WSPs and ISPs – your “.... annual reports measure compliance with the current Codes, which the Commission is poised to start streamlining and simplifying. In light of the impending streamlining of the codes, the amount of information the Commission expects to gather during that public proceeding, and a desire to reduce redundancy and reduce administrative burden, the Commission hereby suspends the existing compliance reporting requirements for the Wireless Code and the Internet Code, until a decision has been rendered in that proceeding.”			
	12 Mar/26 TRP 2026-43 – prohibits switching-barrier fees			
	6 May/26 – CRTC staff to Bell re new \$40 device handling fee ⁵⁵		9 Jun/26 – CRTC staff to TELUS re new \$15 SIM fee for physical and e-SIM cards ⁵⁶	
12 Jun/26: CRTC begins to enforce amendments to <i>Codes</i> re barrier-switching fees (2026-43, ¶132)				
	9 Jun/26 – CRTC staff to TELUS re \$15 SIM fee 12 Jun/26 – CRTC staff to Bell re \$40 device-handling charge addressed by CRTC staff letter of 6 May 2026 ⁵⁷ 12 Jun/26 – CRTC staff to TELUS re SIM purchase fee			12 Jun/26 – CRTC issues NOC 2026-134 “9. ... The Commission has also taken measures to provide administrative relief for the industry by announcing the temporary suspension of compliance reporting requirements for the Wireless Code and the Internet Code until a decision has been rendered as an outcome of this proceeding.”

⁵⁵ VP, Consumer, Analytics and Strategy, CRTC: “It is my hope that this situation can be resolved at this stage and will not require more formal regulatory action on the part of the Commission once the prohibition comes into effect.”

⁵⁶ VP, Consumer, Analytics and Strategy, CRTC: “It is my hope that this situation can be resolved at this stage and will not require more formal regulatory action on the part of the Commission once the prohibition comes into effect.”

⁵⁷ Director, Social and Consumer Policy, CRTC: “As noted in Mr. Hutton’s letter, he had hoped that this situation could be resolved before the Commission takes more formal regulatory action now that the prohibition has come into effect. Commission staff will consider all available compliance options to ensure that fees that are a barrier to switching cellphone and Internet plans are prohibited as intended by the Act.”



Year	Additional fees	Device financing	Device locking	Consumer protection codes
	16 Jun/26 – CRTC staff to Rogers re \$40 setup fee, \$25 shipping fee and unspecified SIM fee ⁵⁸ 23 Jun/26 – CRTC staff to Rogers re \$5 addition to monthly fee (“Wireless Plan Rate Adjustment”) - potential breach of <i>Wireless Code</i> , s. D.1 30 Jun/26 – NOC 2026-155 – Show cause requiring Bell to explain why its device-handling fees did not breach Act			15. ... the CCTS administers the existing Codes, while the Commission addresses systemic or serious compliance issues.
			8 Jul/26: CRTC posts 8665-T66-202603464 requesting device-locking for 60 days; CRTC staff to TELUS – device-locking Rules remain in effect => make suggestions for permanent changes in 2026-134 (30 Aug/26)	
			14 Aug/26 – 2026-210 – Show cause on Bell’s device-locking and related procedural matters - CRTC temporarily stays F.1.i of <i>Wireless Code</i> until it decides 2026-134: so that service providers may lock devices if they unlock the devices within 2 business days, and if the providers file information for 2026-134	2026-134-1 – Intervention deadline

⁵⁸ Director, Social and Consumer Policy, CRTC: “If Rogers does not cease this practice, explain why and provide supporting rationale as to why Rogers considers this practice to be in compliance with the exemption for optional services and products set out in the above-noted policy, or in compliance with the policy more generally.”



Year	Additional fees	Device financing	Device locking	Consumer protection codes
			¶43: “The Commission invites TELUS to address, in the context of the proceeding initiated by its application, whether it wishes to proceed with that application. The Commission will, to this effect, accept an additional reply from TELUS no later than 21 August 2026.” [bold font dropped]	
			21 Aug/26 – TELUS final reply in 2026-210	
	31 Aug/2026 – 2026-155-2 – interventions due			
	10 Sep/26 – 2026-155-2 – Bell’s reply due (“a greater degree of procedural fairness is owed to the Companies given the nature of the proceeding”)		24 Sep/26 – replies due in 2026-210-1	
			5 Oct/26 – replies due in 2026-210	
				30 Nov/26 2026-134 public hearing begins
2027				

-
- device-locking, Bell began in November 2025 to rent devices to subscribers while requiring them to “pay off” the device for twelve months after the rental period ended⁵⁹ -- a practice the CRTC had already ‘directed’ WSPs to end by 4 April 2021.⁶⁰
- 50 The CRTC then launched another proceeding to address fees charged by Bell, TELUS and Rogers in another possible violation of the *Wireless Code* at the end of June 2026.⁶¹
- 51 Table 2 lists half a dozen or more attempts by the Commission or its staff in the past several years to persuade service providers – and especially large service provider such as Bell, Rogers and TELUS – to please, *please*, please follow its Rules.
- B. February 2026: CRTC suspends compliance reports for 2025**
- 52 The stream of CRTC and CRTC-staff correspondence detailing alleged breaches of the CRTC’s consumer Codes throughout 2025 - and pleading for compliance - makes it all the more difficult to understand why the CRTC decided in early February 2026 to suspend its requirements for service providers to file their 2026 annual compliance reports.⁶² It wrote

.... the annual reports measure compliance with the current Codes, which the Commission is poised to start streamlining and simplifying.

In light of the impending streamlining of the codes, the amount of information the Commission expects to gather during that public proceeding, and a desire to reduce redundancy and reduce administrative burden, the Commission hereby suspends the existing compliance reporting requirements for the *Wireless Code* and the *Internet Code*, until a decision has been rendered in that proceeding.

⁵⁹ Vice-President, Consumer, Analytics and Strategy, *Subject: Wireless Code Compliance – Apparent non-compliance of Bell’s device financing practices*, (Gatineau, 26 November 2025), References: 1011-NOC2016-0293, 1011-NOC2019-0309.

⁶⁰ *Wireless Code – Application to device financing plans*, [Telecom Decision CRTC 2021-98](#) (Ottawa, 4 March 2021), Public record: 1011-NOC2019-0309, at paragraph 52.

⁶¹ *Show cause and call for comments – Compliance with the prohibition of fees that are a barrier to switching cellphone and Internet plans*, [Telecom Notice of Consultation CRTC 2026-155](#) (Gatineau, 30 June 2026).

⁶² *Subject: Suspension of compliance reporting requirements for the Wireless Code and the Internet Code*, [Telecom - Secretary General Letter addressed to the Distribution List](#), (Gatineau, 4 February 2026).

The Commission will continue to rely on other tools to monitor providers' adherence to the Codes and reminds all service providers that the requirement to comply with the Codes and their related policies remains in effect.

- 53 The CRTC repeated its view that asking the industry to report on their own compliance is burdensome when it called for comments on 'harmonizing' its consumer Codes in Broadcasting and Telecom Notice of Consultation CRTC 2026-134, saying it "... has also taken measures to provide administrative relief for the industry by announcing the temporary suspension of compliance reporting requirements for the Wireless Code and the Internet Code until a decision has been rendered as an outcome of this proceeding" (paragraph 9).

C. Utility of the 2026-134 consultation – to consumers

- 54 The allure of the 2026-134 proceeding is that it invites the hope that the CRTC will grant consumers the protection it has been promising since 2012: "protection", after all, appears 102 times in the notice of consultation.
- 55 What 2026-134 does not mention, however, is the number of times Canada's largest service providers openly flouted their conditions of service in 2024 and 2025, without any penalty from the Commission (see Table 2).
- 56 Nor does 2026-134 mention that the Commission explicitly directed Bell in late November 2025 – seven months after the company told the CRTC's staff it was going to lock devices – to stop locking the devices it was selling, to notify any affected customers that their devices were now unlocked, and to unlock any locked devices without charge.⁶³ Yet, the practice apparently continued.

63 CRTC, [*Subject: Bell's non-compliance with the Wireless Code, Secretary General Letter \(Gatineau, 28 November 2025\)*](#), page 3:

...

In light of the above, the Commission

...

iii. **directs** Bell to immediately cease selling locked cellphones and ensure that all future cellphone sales comply with this direction and the Code;

iv. **directs** Bell to unlock, free of charge, any cellphone still locked to its network because of this practice, and to notify the affected customers that Bell has done so;

....

-
- 57 Nor does 2026-134 mention that Bell sent the Commission a 13-page redacted response on 22 December 2025.⁶⁴ Bell stated that “the Commission should vary its decision”, enabling Bell to continue to sell locked devices.⁶⁵ In the alternative, Bell said, if the CRTC does not vary its decision it should “commence” a “Proposed Proceeding” to enable devices to be unlocked.⁶⁶ It also requested a proceeding to amend the *Wireless Code* and grant a stay of any decision.
- 58 Two months later the CRTC told service providers [on 4 February 2026](#) the CRTC that it did not expect them to file their compliance reports measuring compliance with the current *Codes* over the preceding year, or even until the CRTC issued the decision in 2026-134. The CRTC announced a proceeding to change the *Codes* six months later.⁶⁷ The Commission also effectively abandoned the *Wireless Code* device-locking prohibition in 2026-210⁶⁸ by granting an interim stay on enforcement of the prohibition in the case of 2-business-day locks.
- 59 The fact that the CRTC required Bell “to show cause” in August 2026 why its decision to sell locked devices” does not negate the fact that Bell largely achieved the goals it listed in December 2025 – and all without a public process in which the public could evaluate the evidence and provide the Commission with their views. The CRTC’s claim in 2026-210 that Bell effectively prevented “any real opportunity to properly evaluate and test Bell Canada’s claims openly in a public proceeding prior to implementation” is simply misleading⁶⁹ – as the Commission could have initiated a public proceeding at any time.

64

65 Assistant General Counsel, Bell, *Subject: Bell’s non-compliance with the Wireless Code – Response*, Reference: 1011-NOC21016-0293 (Ottawa, 22 December 2025), at paragraph 72, under the [“Responses to requests for information”](#) folder of Telecom Notice of Consultation CRTC 2026-210, identified as DM#5038796.

66 *Ibid.*, at paragraph 73.

67 *Harmonizing the consumer protection codes*, [Broadcasting and Telecom Notice of Consultation CRTC 2026-134](#) (Gatineau, 12 June 2026).

68 *Show cause and call for comments – Device unlocking and related procedural matters*, [Telecom Notice of Consultation CRTC 2026-210](#) (Gatineau, 14 August 2026), at paragraph 19.

69 CRTC, *Show cause and call for comments – Device unlocking and related procedural matters*, [Telecom Notice of Consultation CRTC 2026-210](#) (Gatineau, 14 August 2026) at paragraph 13.

- 60 What actually prevented the CRTC from immediately scheduling a Telecom show-cause hearing within a week of Bell's 22 April 2025 letter? What prevented the Commission from requiring Bell to appear at the CRTC's Gatineau Office by Tuesday 29 April 2025 to answer questions and show cause as to why its actions did not breach the *Wireless Code* and did not warrant an AMP?
- 61 Whatever stopped the Commission from taking steps it has taken in the past (it called Quebecor to appear before it, for example, in April 2019, over [a dispute involving Bell and the TVA Sports service](#)), the result is an incoherent, obscure record⁷⁰ manifesting contradictory and untimely⁷¹ behaviour by the regulator.⁷² Bell's rationale for locking devices did not permit it to breach the *Wireless Code* – the CRTC managed to do that by failing to act to prevent the breach from continuing.
- 62 The CRTC's current record simply does not provide any meaningful certainty that the Commission wants to enforce the *Telecommunications Act* as clarified by the 2023 *Direction*, or that it will do so either in the current (2026-210) proceeding or in the 2026-134 proceeding (where changes to the Codes – including device-locking- will be in play).

⁷⁰ The [public record of the 2016-293 consultation](#) initiating a review of the *Wireless Code*: correspondence about Bell's 2025 device-locking practices is set out under "Commission Letters" and links to a folder entitled "[Hearing 6 February 2017, Gatineau, Quebec: Commission letters related to Notice of Hearing 2016-293](#)". Why would anyone regularly check a ten-year old file to check whether the file contains material about non-compliance in 2025?

⁷¹ TNoC 2026-210 does not explain the CRTC's decision to wait 16 months after Bell told the Commission that it would be breaching the *Wireless Code* before considering – through TNoC 2026-210 – whether to enforce the *Code* by imposing penalties on the company.

⁷² For example, in 2017 the CRTC wrote that "both a plain and a contextual reading lead the Commission to conclude that WSPs are required to unlock, upon request and at no charge, the locked device of a current customer": CRTC, *Wireless Code – Request to clarify the device unlocking rules*, [Telecom Decision CRTC 2019-169](#) (Ottawa, 23 May 2019), at paragraph 29.

In the same decision the Commission wrote (¶31) that,

[t]he Preamble to the *Wireless Code* states that any ambiguity in the *Code* is to be resolved in favour of customers. The Commission considers that the device unlocking rules are not ambiguous. However, even if there were ambiguity that needed to be resolved, **the Commission would not interpret Rule F.1.(ii) so expansively as to contradict a plain reading of the term "customer" to include individuals who are not currently or never were customers.**

[bold font added]

D. *Untimeliness matters*

- 63 FRPC notes the Commission’s late-2025 statement that “when a company is seeking relief from its regulatory obligations, they should engage the Commission sooner.”⁷³ (One might assume that the reason the Commission was notified one day before Bell began to implement its interpretation of the device-locking prohibition was specifically to forestall a rapid regulatory response: yet it remains unclear, more than a year later, what specifically prevented the Commission late in April 2025 from gathering on an urgent basis in a Teams Call to discuss Bell’s imminent challenge to the CRTC’s authority – and to call Bell to a show-cause hearing.)
- 64 Yet tellingly, when TELUS in fact specifically applied in May 2026 for interim and permanent permission to begin locking devices⁷⁴ and pointed out that its losses increased “partly due to the fact that Bell Canada (“Bell”) began locking devices in early 2025”,⁷⁵ the CRTC did not publish its application for two months (8 July 2026). Then, in mid-August 2026, it granted all service provider the right to sell locked devices – provided the lock was removed within two business days. The CRTC has still not decided TELUS’ application – or, for that matter, Bell’s review-and-vary application of 22 December 2025.
- 65 While the companies may want device-locks to last longer than two business days, they have managed in just 16 months to overturn a regulatory condition that it took consumers years to obtain in 2017 (nine years ago).

IV. *Conclusions and recommendations*

- 66 The lack of clarity by the CRTC in ‘clarifying’ the *Wireless Code* and process it followed in this matter since 22 April 2025 makes it difficult to understand how a decision to impose a serious administrative monetary penalty would scrutiny by the Federal Court of Appeal.

⁷³ CRTC, [Subject: Bell’s non-compliance with the Wireless Code, Secretary General Letter \(Gatineau, 28 November 2025\)](#), page 3.

⁷⁴ TELUS, [Part 1 Application 8665-T66-202603464](#) (Ottawa, 22 May 2026).

⁷⁵ *Ibid.*, paragraph 8.



- 67 FRPC had recommended and still recommends that the Commission begin to establish deadlines for completing its work. We also now recommend that – when faced by statements by those it regulates alerting the Commission to potential breaches of the *Telecommunications Act* – the Commission immediately launch a public consultation, gather evidence for that current consultation to provide a clear and coherent record, and by enabling itself to make decisions within three months of the end of that public record.
- 68 Delayed, drawn-out decision-making is not serving the CRTC's interests, the public interest or Parliament's interest.



Appendices

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Appendix 1 Bell's 22 April 2025 letter to CRTC regarding intention to breach *Wireless Code*

Attachment
Page 1 of 2



22 April 2025

Mr. Douglas Heath
Director General, Telecommunications Policy
Canadian Radio-television and
Telecommunications Commission
Gatineau, Quebec
K1A 0N2

Via email: Douglas.Heath@crtc.gc.ca

Subject: **New initiative regarding an urgent safety issue**

Dear Mr. Heath,

1. We are writing to advise the Commission of an urgent safety issue impacting employees in the telecommunications industry and the broader Canadian public, and certain steps that we are taking to address it.
2. There has recently been a dramatic increase in armed robberies and other criminality and fraud involving wireless devices in Canada. Already in 2025 there have been more attempted robberies at Bell stores than in all of 2024. Other carriers are equally affected: in a single week in March, firearms were drawn on employees in wireless stores in both Ontario¹ and Quebec.² The GSMA has recently noted that "mobile device theft is becoming a global safety crisis."
3. Despite extensive measures already put in place by wireless carriers, these types of robberies and other criminality and fraud cost the North American wireless industry approximately \$1 billion every year, cause significant fear and frustration for consumers whose accounts are implicated in fraud, and pose an imminent safety risk for our employees and the public.
4. To address these concerns, consistent with the Wireless Code, beginning tomorrow new wireless devices provided to our customers will be unlocked after 60 days without further action required by or cost to the customer. We will also cause the device to be unlocked sooner (still at no cost) if requested, and upon taking the necessary steps from a security perspective.

¹ Cassie Apperloo, "No injuries reported after armed robbery at Freedom Mobile in Burlington," *CHCH News*, 20 March 2025, <https://www.chch.com/chch-news/no-injuries-reported-after-armed-robbery-at-freedom-mobile-in-burlington/>.

² "Un cambriolage hors normes dans une boutique Vidéotron à Montréal," *Radio Canada*, 24 March 2025, <https://ici.radio-canada.ca/nouvelle/2150240/cambriolage-boutique-vidéotron-montreal>.



5. This change will help protect our customers and Canadians by deterring further robberies and fraud, and is not expected to have any negative impact for consumers, as fewer than 1% of our non-fraudulent customers port out or cancel in the first 60 days after acquiring a new device.

6. We wanted to ensure you were aware of this important safety initiative for our customers and employees. We would be happy to meet with your team to provide more details as required.

Best regards,

[Original signed by P. Gauvin]

Philippe Gauvin
Assistant General Counsel

*** End of Document ***



Appendix 2 CRTC-Bell Correspondence

Date	References	Location
22 Apr 2025	Bell to CRTC staff: 2. There has recently been a dramatic increase in armed robberies and other criminality and fraud involving wireless devices in Canada. Already in 2025 there have been more attempted robberies at Bell stores than in all of 2024. Other carriers are equally affected: in a single week in March, firearms were drawn on employees in wireless stores in both Ontario¹ and Quebec.² The GSMA has recently noted that "mobile device theft is becoming a global safety crisis." 3. Despite extensive measures already put in place by wireless carriers, these types of robberies and other criminality and fraud cost the North American wireless industry approximately \$1 billion every year, cause significant fear and frustration for consumers whose accounts are implicated in fraud, and pose an imminent safety risk for our employees and the public. 4. To address these concerns, consistent with the Wireless Code, beginning tomorrow new wireless devices provided to our customers will be unlocked after 60 days without further action required by or cost to the customer. We will also cause the device to be unlocked sooner (still at no cost) if requested, and upon taking the necessary steps from a security perspective. 5. This change will help protect our customers and Canadians by deterring further robberies and fraud, and is not expected to have any negative impact for consumers, as fewer than 1% of our non-fraudulent customers port out or cancel in the first 60 days after acquiring a new device. 6. We wanted to ensure you were aware of this important safety initiative for our customers and employees. We would be happy to meet with your team to provide more details as required. ¹ Cassie Apperloo, "No injuries reported after armed robbery at Freedom Mobile in Burlington," <i>CHCH News</i>, 20 March 2025, https://www.chch.com/chch-news/no-injuries-reported-after-armed-robbery-at-freedom-mobile-inburlington/. ² "Un cambriolage hors normes dans une boutique Vidéotron à Montréal," <i>Radio Canada</i>, 24 March 2025, https://ici.radio-canada.ca/nouvelle/2150240/cambriolage-boutique-videotron-montreal.	https://applications.crtc.gc.ca/portail-portal/eng/listes-lists/public-proceedings/18#2026-210 DM#5039918-Réponse-Response-28 November 2025.pdf
9 May 2025	CRTC staff to Bell: Through a letter sent in confidence to Douglas Heath, Director General, Telecommunications Policy, Telecommunications, Bell Canada and its flanker brand Virgin Plus (Bell) informed the CRTC that they intend to start selling locked wireless devices to address an increase in crime at its points of sale. This change was made public through notifications sent to Bell's customers as reported by Mobile Syrup on 24 April 2025. While I appreciate the need to take action, your current approach is in apparent breach of the Wireless Code and Bell has demonstrated in the past that there are other ways to ensure the security of Canadians, including employees and customers, that remain in compliance with the Wireless Code.	1011-NOC2016-0293



Date	References	Location
	 [footnote omitted]	
16 May 2025	Bell letter to CRTC (DM# 5038169) 2. We have introduced an updated approach to complying with the Wireless Code provisions regarding unlocking of devices to continue to ensure consumers can easily switch wireless service providers (WSPs) while also protecting our employees, wireless customers, and all Canadians from a recent and alarming increase in criminality and fraud that puts them at risk. ...	1011-NOC2026-0210 (DM# 5039918 – Réponse-Response- 28 November 2025-26019- Bell Mobility ABR)
22 May 2025	Bell Letter to CRTC DM	
17 Jun 2025	CRTC staff to Bell: In a letter sent in confidence to Commission staff, Bell Canada and its flanker brand Virgin Plus (Bell) informed the Commission that they intend to start selling locked wireless devices to address an increase in crime at its points of sale. ... I am therefore writing to request that you file your initial letter on the public record of the above-referenced proceeding by 27 June 2025 .	1011-NOC2016-0293 & 2026-210
24 Jun 2024	Bell to CRTC: submits the letter it sent to CRTC staff on 22 April 2025 “for the public record”, without requesting confidentiality	1011-NOC2016-0293
28 Nov 2025	CRTC to Bell: ... Bell has not demonstrated that the practice of locking cellphones for up to 60 days after purchase is a necessary and proportionate response in this case. Specifically, Bell has not demonstrated that this practice is effective, nor that it has exhausted alternative solutions that comply with the Wireless Code (the Code). The Commission is concerned that Bell has opted to disregard a key consumer protection outlined in the Code, which is not in the best interest of consumers.	1011-NOC2016-0293 & 2026-210
9 Dec 2025	CRTC staff to TELUS: It has come to my attention that TELUS has been selling its customers cellphones that are locked for up to 60 days after purchase. As you are likely aware, Bell Canada and its flanker brand Virgin Plus (collectively, Bell) have also been engaging in this practice since April 2025. The Commission determined that this practice is non-compliant with the Wireless Code’s device unlocking rules as set out in the 28 November 2025 Secretary General letter to Bell. I would remind you that all wireless service providers are responsible for remaining compliant with the Wireless Code at all times. TELUS should take immediate action to come into compliance with the Wireless Code. This includes ceasing to sell locked cellphones and unlocking, free of charge, any cellphone still locked to TELUS’ network, and notifying the affected customers that it has done so.	1011-NOC2016-0293