



5 October 2026

Vicky Eatrides
Chairperson
Canadian Radio-television and
Telecommunications Commission
Ottawa, ON K1A 0N2

Filed by e-mail

Dear Madame Chairperson,

Re: CRTC decisions to reimburse public- and consumer-interest groups' telecom costs

The Forum for Research and Policy in Communications (FRPC) has participated in the CRTC's broadcasting and telecommunications proceedings for more than a decade, making evidence-based, legal and public-policy arguments focussed on Parliament's objectives for Canada's telecommunications and broadcasting systems.

Last month you stated that the CRTC's "work is about the public – the people who rely on communications services every day".¹ Earlier this past April the CRTC's *Red Tape Reduction Report* noted that it is "ensuring that through public consultations, its rules are efficient, proportionate, and responsive to the needs of Canadians."² In September 2024 you told a Parliamentary Committee that the Commission is "always listening to what Canadians need"³ and a year before that you told another audience that "paying attention to Canadians' needs is at the heart" of the CRTC's work.⁴

The CRTC's willingness to listen to Canadians is important because, as the courts have noted, its role is to balance many different, often competing interests of which the public interest is just one.⁵

¹ Vicky Eatrides, Chairperson and Chief Executive Officer, CRTC, "[Answering the call: Ten years of Video Relay Service in Canada](#)", Speech (Ottawa, 26 September 2026).

² CRTC, [Red Tape Reduction Progress Report](#), (Gatineau, Updated: April 23, 2026).

³ Vicky Eatrides, "[Vicky Eatrides to the Standing Committee on Industry and Technology](#)", Speech (Ottawa, 24 September 2025).

⁴ Vicky Eatrides, Chairperson and Chief Executive Officer, CRTC, "[Taking action on what Canadians care about](#)", Speech to the Public Interest Advocacy Centre (Ottawa, 28 November 2024).

⁵ [Federation of Canadian Municipalities v. AT & T Canada Corp. \(C.A.\)](#), 2002 FCA 500 (CanLII), per Létourneau J.A., at paragraph 28:

In fact when Parliament mandated the CRTC to regulate telecommunications companies in 1975, it also authorized the reimbursement of public-interest participants' costs of hiring specialized expertise – lawyers, accountants and other professionals⁶ – to enable them to challenge telecommunications companies' positions on behalf of the public interest including consumer interests.

Canada's highest courts have upheld the CRTC's cost-awards process, pointing out that public- and consumer-interest organizations would otherwise be unable to "properly prosecute their cases".⁷

While participating in the CRTC's May 2025 consultation on funding public-interest participation, FRPC created a dataset detailing the CRTC's costs decisions and orders from 2000 to 2025. We have since updated those data to include applications and determinations up to mid-September 2026. They show that 12 public- and consumer-interest organizations that had made detailed submissions in 19 of the CRTC telecom consultations held since April 2025⁸ continue to wait for the CRTC to decide whether to reimburse \$760,000 of their costs for those submissions. Excluding applications filed in September, the same groups have been waiting an average of 7.5 months for decisions regarding participation costs totalling more than \$600,000.

This past June the Commission invited five public- and consumer-interest organizations including FRPC to meet with you and the CRTC's two Vice-Chairpersons (initially) along with eight CRTC staff for a virtual "Formal CRTC Consumer Discussion Group". At that meeting we enquired about the

[28] ... [s]ubsection 43(4) gives the CRTC a wide discretion, based on its expertise, to fix conditions of access so as to implement the objectives of the Act contained in section 7, one being "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". In so doing, the CRTC has to strike a delicate balance between public, private and municipal interests.

⁶ *CRTC Procedures and Practices in Telecommunications Regulation*, Telecom Decision CRTC 78-4 (Ottawa, 23 May 1978, at page 37:

... if the objective of informed participation is to be met, some form of financial assistance must be made available to responsible interveners, both active and potential, who do not have sufficient funds to properly prosecute their cases, particularly where such interveners represent the interests of a substantial number or class of subscribers.

⁷ *Bell Canada v. Consumers' Assoc. of Canada*, 1986 CanLII 49 (SCC), [1986] 1 SCR 190, paragraph 16, citing CRTC Taxation Order 1980-1:

... [i]n my opinion, the Commission's position in 78-4 and the Draft Rules can be summarized as follows: informed participation in public hearings should be encouraged; the awarding of costs is a necessary, or at least desirable, method of so doing; the costs awarded shall not exceed those necessarily and reasonably incurred by the intervener and, more particularly, those parties who have received some form of public funding to participate before the CRTC should not receive a double recovery by means of an award of costs.

⁸ [BTNoC 2025-94](#) [funding public-interest participation], [TBNOC 2025-180](#) [emergency alerts], [TNoC 2025-226](#) [Resiliency and reliability], [BTNoC 2025-274](#) [ensuring awareness of the CCTS], [TNoC 2026-9](#) [reporting standards for mobile services], [TNoC 2026-31](#) [CCTS dispute mechanism fee structure], [CENOC 2026-132](#) [unsolicited telecom rules], [BTNoC 2026-134](#) [Consumer protection Codes], [TNoC 2026-155](#) [Barriers to switching plans], [8622-N147-202603977](#) [backhaul pricing], [8622-N181-202601335](#) [third-party interconnection re wholesale FTTP], [8622-v3-202603068](#) [mobile virtual network operator eligibility], [8662-E119-202600189](#) [MVNO barriers], [8662-J64-202404119](#) [Request for relief], [8662-M78-2026-4058](#) [review and vary order 2026-77], [8663-B2-202505545](#) [obligation to serve], [8665-E124-202506212](#) [automated processing payments and fees], [8665-T8-202604040](#) [extension to implement 2026-78] and [8665-T66-202603464](#) [device unlocking].

status of outstanding cost applications filed in the previous two years and then worth just over \$558,000 – and were told that the Commission had been undertaking ‘streamlining activities’ “to make sure that those decisions come out in a more timely manner but” the CRTC’s decisions “take time to do properly”.

FRPC estimates that from 2000 to 2009 the CRTC decided about half of public- and -consumer interest organizations’ cost applications within 4.4 months of receiving them, with the other half taking more time to address. From 2010 to 2022, half the cost applications filed with the Commission took 6.9 months or more to decide. (In comparison, the Broadcasting Participation Fund / Fonds de Participation à la Radiodiffusion – whose creation the CRTC approved in 2012 to support public- and consumer-interest participation in its broadcasting consultations – makes nearly all of its reimbursement decisions *as well as payments* within three months of receiving the related applications.)

Since 2023, however, it has taken the CRTC 7.9 months after receiving cost applications to issue decisions in about half of them – with the remainder taking up to twice as long. If the Commission is streamlining its costs-decision process, why are public- and consumer-interest organizations waiting longer, and how does this strengthen the legitimacy of the CRTC as a federal institution?

It appears that any streamlining at the CRTC has not reduced but increased the time that public- and consumer-interest organizations wait – *not to be paid*, as payments are only made after the decisions – but to learn if their costs will be reimbursed at all.

Meanwhile, since December 2023 a new law passed by Parliament requires contractors working on any federal construction projects – of which there are many – to be paid within a month (specifically, 28 days) of their submitting a written invoice.⁹

Some may think that public- and consumer-interest organizations in the communications sector operate thanks to donations. That has not been the case for several decades. Others may assume these organizations should just budget more carefully for rainy days – and they would, except that until this past August they could only charge the rates that the CRTC last set in 2007: the cumulative 19 years of inflation since then have consumed any spare resources we had long ago.

⁹

[Federal Prompt Payment for Construction Work Act](#), (S.C. 2019, c. 29, s. 387), section 9:

(1) A contractor must, on a monthly basis or as specified by its contract, submit a proper invoice in writing to Her Majesty or a service provider, as the case may be, with respect to any construction work that was performed by the contractor, or performed and invoiced by any subcontractor in the subcontracting chain, up to the date of the proper invoice and not yet paid for by Her Majesty or that service provider.

Duty to pay

(2) Her Majesty or the service provider must pay the contractor for all of the construction work referred to in subsection (1) no later than the 28th day after the day on which the proper invoice is received.

....



Of course, as the CRTC's chief executive officer responsible for supervising and directing the Commission's work and staff,¹⁰ you know that bills must be paid, usually monthly.

But as well as the standard bills that all Canadians face for their telephones, for the Internet, electricity and heating, public- and consumer-interest organizations that submit evidence-based comments must sometimes pay others to undertake surveys, financial analyses or other specialized work for CRTC proceedings: like most businesses, these contractors expect payment within 30 days – and cannot survive on the hope of payment in the next one or two years.

More to the point: if such bills – such as the \$246,380 the CRTC paid for one public-opinion research contract two years ago¹¹ – are not paid in a timely, businesslike manner, why would those companies want to work with Canadian public- and consumer-interest organizations in telecommunications matters again? Paying our organizations at the speed of molasses dripping in sub-zero temperatures has wide-ranging implications not just for our ability to participate in the Commission's consultations now, but also in future.

Had we been able to meet as we have requested on several occasions in recent weeks, these issues could have been reviewed. As these concerns are becoming more critical by the day, FRPC remains very interested in meeting with you to discuss them and their implications for the contemporary regulatory process.

Sincerely,

Monica Auer, M.A., LL.M.

Executive Director

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cc. (as of 6 October 2026):

The Honourable Mélanie Joly
Minister of Industry
and Minister responsible for Canada Economic
Development for Quebec Regions

The Honourable Marc Miller
Minister of Canadian Identity and Culture
and Minister responsible for Official
Languages

¹⁰ *Canadian Radio-television and Telecommunications Commission Act*, s. 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."

¹¹ IPSOS LIMITED PARTNERSHIP, [Contract Details: 8061033](#), Standing Offer Number CW2230192.