

**BEFORE THE CANADIAN RADIO-TELEVISION AND
TELECOMMUNICATIONS COMMISSION**

**Broadcasting and Telecommunications
Notice of Consultation CRTC 2015-239**

*Review of the structure and mandate of the Commissioner for Complaints for
Telecommunications Services Inc.*



FINAL SUBMISSION

OF

TELUS COMMUNICATIONS COMPANY

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Table of Contents

Introduction.....	1
CCTS' mandate	2
The CCTS' Mandate Is Defined by the Order in Council	2
The Commission Remains the Applicable Body to Receive Accessibility Complaints	3
The CCTS Should Not Handle Complaints About Regulated Services or Wholesale Services .	5
The CCTS Does Not Have the Power to Re-Write Defined Codes of Conduct.....	6
Public awareness of the CCTS.....	8
Service Provider Participation in the CCTS	10
Compensation for Complaints.....	12
CCTS' Corporate and Governance Structure	12
CCTS' funding model	13
Conclusion	15

Introduction

1. TELUS Communications Company (“TELUS” or the “Company”) files this Final Submission in the proceeding initiated by *Review of the structure and mandate of the Commissioner for Complaints for Telecommunications Services Inc.*,¹ Broadcasting and Telecom Notice of Consultation CRTC 2015-239, as amended, (“Notice 2015-239”). In this Final Submission, the failure by TELUS to address any particular comment made by any party should not be construed as agreement or acquiescence with that comment, where such agreement or acquiescence would be inconsistent with TELUS’ interests.
2. Positive comments about the CCTS were heard from most, if not all of the parties, during the Oral Hearing and during the Commission’s online discussion from some customers. This stems from the fact that CCTS provides a valuable service because it acts as an independent agency to resolve complaints, dedicated to working with consumers and small businesses and their telecommunications service providers (“TSPs”) on an impartial basis to resolve customer service issues relating to forborne telecommunications services.
3. This role of the CCTS is consistent with its mandate, as defined by the originating Order in Council, where the Governor in Council ordered the Commission to approve the creation of an independent Consumer Agency and to report on customer complaints.² The success of the CCTS is evidenced by the fact that even as public awareness of the CCTS has increased, the number of complaints to the CCTS has gone down, showing that service providers are taking proactive steps to reduce complaints to the CCTS.
4. In its Final Submission, TELUS will focus its comments within the following general categories:
 - i. CCTS’ Mandate;
 - ii. Public awareness of the CCTS;

¹ Commissioner for Complaints for Telecommunications Services Inc. is referred to as “CCTS” in the remainder of this Final Submission.

² See *Order Requiring the Canadian Radio-television and Telecommunications Commission to report to the Governor in Council on Consumer Complaints*, P.C. 2007- 0533 (the “Order in Council”), where the Governor in Council stated that the mandate of an effective Consumer Agency should include the resolution of complaints.

- iii. Service provider participation in the CCTS;
- iv. CCTS' corporate governance structure;
- v. CCTS' funding model.

CCTS' mandate

The CCTS' Mandate Is Defined by the Order in Council

5. As TELUS mentioned earlier and in its Oral presentation at the Commission's hearing, the CCTS plays an important role by acting as an independent and objective body for resolving consumer complaints where service providers' attempts to do so have not been successful.³ The CCTS is an independent agency with a process that is generally efficient for both complainants and service providers. Its Procedural Code affords it sufficient jurisdiction to handle key issues such as compliance with contract terms, billing disputes and errors, service delivery, collection practices and complaints related to codes of conduct.⁴ Moreover, this defined mandate as set out in the Procedural Code is compliant with intent of the Governor in Council's Order P.C. 2007-533.
6. Some parties do not recognize that the Order in Council strictly defines the mandate of the CCTS, with the paramount objective being that the CCTS is to be an independent consumer agency. Independence means separate from both industry and complainants. This role ensures objectivity when the CCTS is resolving consumer complaints.
7. Therefore, positions such as the one put forward by the Forum for Research and Policy in Communications ("FRPC")⁵ would push the CCTS far beyond the Governor in Council's intent. FRPC would like to see the CCTS become a consumer agency, acting as a consumer advocate. Because acting as a consumer advocate is contrary to the directions in the Order in Council and their intent for an independent consumer agency, FRPC's position would contravene CCTS' Bylaws and Procedural Codes, which have been drafted to be consistent with the Order in Council.

³ Transcripts, Volume 1, paragraph 988 and paragraphs 1011 to 1013.

⁴ CCTS Procedural Code, section 3 and CCTS website: <http://www.ccts-cprst.ca/complaints/mandate>.

⁵ Transcripts, Volume 3, paragraphs 2922 to 2933.

8. From a practical perspective, the CCTS itself noted that FRPC's proposed change would directly affect CCTS' efficiency and disregards that existing bodies already act as consumer advocates.

However, our value would be greatly diminished if the Commission were to stray from the foundational principles that shaped our current mandate. We therefore urge the Commission to reject proposals that call for the addition of responsibilities that are more fittingly carried out by consumer protection agencies or other bodies that have more specific experience and expertise. Failure to do so will detract from our core work, add to our cost structure, complicate our mandate, and dilute our ability to quickly and effectively resolve customer complaints and administer codes of conduct. [emphasis added]⁶

9. TELUS agrees with the CCTS that this change would jeopardize its overall effectiveness, to the direct detriment of customers. This is why this proposal from FRPC has no merit and should be rejected by the Commission.

The Commission Remains the Applicable Body to Receive Accessibility Complaints

10. During the course of this proceeding, including the Oral Hearing, the Commission has sought comments from the various interested parties on whether services currently excluded from the scope of the CCTS, such as accessibility services and services that are not forborne from the Commission's regulations, should be included on a going forward basis in the CCTS' mandate.⁷
11. Regarding accessibility, the Canadian National Institute of the Blind and the Alliance for Equality of Blind Canadians (collectively, the "CNIB/AEBC") have advocated that accessibility complaints should be handled by the CCTS. However, all parties, including groups representing persons living with accessibility issues, have acknowledged that the nature of complaints related to

⁶ Transcripts, Volume 1, paragraph 60.

⁷ It is important to distinguish between a complaint about accessibility of a service versus a complaint from a customer with special needs about a service related issue. It is TELUS' position that the former should be handled by the Commission while the latter should be handled by the CCTS, if the complaint concerns a customer service issue for a forborne telecommunications service.

- accessibility of telecommunications and broadcasting services requires must be handled by an expert agency.⁸
12. The Commission, and not the CCTS, has the statutory mandate to handle complaints about accessibility of telecommunications services.⁹ The same is true for television services. The Commission also has a duty to ensure that its actions are consistent with the *Canadian Charter of Rights and Freedoms* and any applicable human rights legislation. Because of this mandate, the Commission has a long history in handling accessibility complaints, and has also issued major decisions that define service providers' responsibilities when it comes to accessible telecommunications and television services.¹⁰ As such, the Commission has developed a strong expertise in human rights issues, for which the Commission has a concurrent statutory mandate, meaning that accessibility complaints should continue to be handled by the Commission.
13. It is also important that issues about accessibility of telecommunications or television services require remedies that the CCTS cannot provide. The CCTS' remedial powers are limited to compensation for sums directly arising out of a customer service issues. In contrast, remedies for a lack of accessibility might require an order that a service provider make available a type of service or add functionality to a service to make it accessible. These are not remedies that the CCTS has the jurisdiction to order or the technical expertise to investigate.
14. Therefore, the line between what the CCTS and the Commission can do must be clearly drawn. TELUS agrees with the following statement made by Media Access Canada ("MAC"), an advocacy group for customers with special-needs, during the hearing.

⁸ As an example, Transcripts, Volume 2, paragraphs 1615 to 1620.

⁹ See, for example, *Telecommunications Act*, section 47, which requires the Commission to exercise its powers and perform its duties with a view to implementing the Canadian telecommunications policy objectives and section 7(b) where one telecommunications policy objective is to "render reliable and affordable telecommunications services of high quality accessible to Canadians in both urban and rural areas in all regions of Canada" and in section 3(1)(p) of the *Broadcasting Act*, which states, as part of the broadcasting policy for Canada, that "programming accessible by disabled persons should be provided within the Canadian broadcasting system as resources become available for the purpose."

¹⁰ As an example, see *Accessibility of telecommunications and broadcasting services*, Broadcasting and Telecommunications Regulatory Policy CRTC 2009-430.

We therefore respectfully request all enforcement...as it relates to accessibility, remain under the direct control and be strictly enforced by the CRTC...we need a clear definition of accessibility issues separate from...issues which would fall under the CCTS mandate.

...
We ask that the CRTC work with CCTS to clearly define what constitutes a disability related complaint and that the CRTC directs CCTS to put in place procedures to properly direct the consumer with the disability complaint to the CRTC. [emphasis added]¹¹

The CCTS Should Not Handle Complaints About Regulated Services or Wholesale Services

15. Parties such as the National Pensioners Federation, Council of Senior Citizens' Organisations of British Columbia and Public Interest Advocacy Centre (together "NPF-COSCO-PIAC") and Canadian Internet Policy and Public Interest Clinic ("CIPPIC") were of the view that complaints related to regulated services be handled by the CCTS. These proposals must be dismissed.
16. Complaints about regulated services remain within the Commission's purview and its duties under the *Telecommunications Act*. As such, complaints related to regulated services must be handled by the Commission. For the CCTS to handle complaints about regulated services would constitute an improper delegation of the Commission's statutory duties. In addition, to expand the CCTS' mandate to include regulated services would be redundant and highly ineffective, overlapping with the jurisdiction of the Commission's statutory mandate which has attached important statutory accountabilities.
17. TELUS also opposes TekSavvy Solutions Inc. ("TekSavvy's") proposal that would enable the CCTS¹² to investigate a customer complaint against both the retail provider and the wholesale provider that provisions a portion of the network access structure. The CCTS is body that handles consumer and small business complaints about a retail provider. As a result, the CCTS' powers extend to resolving the complaint between the complainant and the retail provider. Whether a wholesale service was somehow related to the customer service issue is not

¹¹ Transcripts, Volume 2, paragraphs 1620 and 1624.

¹² Transcripts, Volume 3, paragraphs 3660 to 3662.

- relevant for the CCTS' decision-making. What is relevant is whether the retail provider has failed in its customer service responsibilities.
18. Wholesale services are still subject to the Commission's regulation, including reporting requirements, and to wholesale agreements. As such, service providers that rely on wholesale services should deal with their respective network provider to resolve any potential service issues. TekSavvy's proposal would only add an unnecessary additional level of analysis for the CCTS, negatively impacting the complaint process and results in delays. This proposal has no merit and should be rejected.

The CCTS Does Not Have the Power to Re-Write Defined Codes of Conduct

19. Another aspect of the CCTS' mandate that has been discussed during the Oral Hearing is the acceptable degree of interpretation of the different Codes that the CCTS has been granted the authority to administer and enforce. As other parties have voiced during the hearing, TELUS understands that, in order to fulfill its mandate, the CCTS has to perform a certain level of interpretation of the Commission's decisions and industry Codes, because it is the job of the CCTS to apply a Code of Conduct to a specific circumstance. As such, TELUS recognizes that a reasonable level of interpretation of the Codes is necessary.
20. However, TELUS does raise an issue when the CCTS moves from interpretation of Codes to re-writing the language contained within a Code. The CCTS does not have the authority to go from mere interpretation to re-writing an existing provision of any Commission decisions or Codes. This level of interpretation of the Codes should not be allowed by the CCTS.
21. Recently there was a proceeding initiated as a result of the CCTS re-defining disconnection provisions under the Wireless Code as to apply to suspension.¹³ TELUS disagreed with this, given the Commission had stated in the Wireless Code that a suspension is different than a disconnection and the disconnection provision did not apply to suspension. As such, the CCTS had taken it upon itself

¹³ Rogers' Part 1 Application for clarification under the Wireless Code.

to re-write a provision, even though the provisions were clear and despite the Commission's own guidelines.

22. If the CCTS disagreed with how the Commission defined suspension, its chosen course of conduct should have been to approach the Commission directly. It should not have found service providers in breach on this point until such interpretation was obtained from the Commission. As TELUS stated during the hearing, cases such as these should be referred back to the Commission, by the CCTS itself or by service providers, for resolution on a timely basis, following a transparent process in which all interested parties can provide comments.¹⁴
23. Finally, TELUS' view is that the CCTS is to resolve complaints within the scope of complaints as filed by customers. During its investigation, should the CCTS find any other potential breaches that are outside the scope of the initial complaint, it should inform both the customer and the service provider. This way, both parties would get the opportunity to reach an agreement before the CCTS gets involved on those specific issues. TELUS is of the view that this would be compliant with section 8.1 of CCTS Procedural Code in which it is stated that:

The Commissioner shall take no action with respect to a complaint unless the Commissioner is satisfied that the Customer has previously brought the matter to the attention of the Participating Service Provider and that the Participating Service Provider has been afforded a reasonable opportunity to investigate and resolve the matter. [emphasis added]

24. This change would increase the CCTS' effectiveness and ensure greater fairness for service providers by providing them with an opportunity to resolve these potential issues.
25. In light of the above, TELUS submits that nothing on the record of this proceeding would justify a major change to the CCTS' current mandate for telecommunications services. Having said that, TELUS repeats its past position that it supports the expansion of the CCTS' mandate to include the administration of the provisions of the future TVSP Code of Conduct.

¹⁴ Transcripts, Volume 1, paragraphs 1178 to 1183.

Public awareness of the CCTS

26. The Commission has sought comments from parties as to whether the current public awareness measures employed by the CCTS and the participating service providers (“PSPs”) are appropriate. Some parties have argued that additional general public awareness activities should be undertaken to increase public awareness of the CCTS.
27. TELUS understands the importance of public awareness of the CCTS. However, awareness of CCTS is of most importance at the time when customers need to use the CCTS’ complaint resolution mechanisms. This was referred to during the hearing as “timely awareness”, as opposed to “general awareness” of the CCTS.
28. CCTS’ made the same point as TELUS in its Oral Presentation.

...it’s clear that consumers need to be aware of CCTS if they are to benefit from our services. Our strategy is to make sure that we are easily accessible to customers that need our services, when they need them... our focus has not been on promoting broad general awareness of CCTS. The main reason is that we really don’t think this would be particularly effective, and the cost of such activities can be substantial... our position’s been abroad promotion of general awareness can be both expensive and not particularly effective [emphasis added]¹⁵

29. Several parties also noted that general awareness is expensive and potentially not beneficial, thereby not being a good use of resources. As an example, the Consumers Council of Canada (“CCC”) stated the following:

...Our concern, though, is that we do not believe that the effectiveness of those efforts by the TSPs is what it should be, and we're also not certain that those are the best efforts to be made. So back to the general awareness, I think it's important but, to me, it's less important and I would put more dollars toward the TSPs doing it at the time.¹⁶ [emphasis added].

30. The reality is that the CCTS is readily discoverable via Internet search tools and social medias. As the CCTS confirmed, the Internet is the most common way its

¹⁵ Transcripts, Volume 1, paragraph 44, 45 and 509.

¹⁶ Transcripts, Volume 1, paragraphs 1459 to 1461.

- clients learn about the CCTS. Also, PSPs currently have the obligation to publish information about the CCTS in various means that reach every customer and, most importantly, making this information available to customers at the time they need it. As TELUS stated in its Initial Comments¹⁷, the Commission should first focus on ensuring that all service providers are fulfilling their requirements to advise their customers of the CCTS before considering any further general awareness mechanisms.
31. However, TELUS recognizes that its customers that have various types of disabilities may benefit from receiving the information about the CCTS in a more targeted way. This is why, following a suggestion made by Commissioner Simpson during the Oral Hearing¹⁸, TELUS updated the Accessibility sections of its website. They now include information on how to file suggestions, compliments or complaints about TELUS. These instructions include information about the CCTS, for complaints that are not directly related to accessibility issues.
32. Regarding public service announcements (“PSAs”), throughout this proceeding, the Commission has heard from the vast majority of parties that the benefits of airing PSAs to promote general awareness of the CCTS would be limited. For example, as TELUS pointed out at the Oral Hearing, not all TVSPs have the ability to air PSAs¹⁹, which means that not all consumers would have the opportunity to learn about the CCTS through PSAs.
33. Many parties also pointed out the danger that new public awareness measures could result in customers contacting the CCTS prior to contacting their service providers,²⁰ which would be burdensome for the CCTS and undermine the relationship of the service provider with its customers. Moreover, the few parties in favour of PSAs have failed to provide compelling evidence demonstrating that PSAs are necessary in light of the CCTS’ existing public awareness plan, or that

¹⁷ TELUS’ Initial Comments, paragraph 49.

¹⁸ Transcripts, Volume 1, paragraphs 1271 to 1316.

¹⁹ See TELUS’ comments in lines 1251-1253 of the Volume 1 of the transcripts.

²⁰ For example, see line 1831 in Volume 2 of the transcripts, where a Rogers’ representative stated additional public awareness measures “will simply serve to oversaturate the message, which could wrongly drive customers to contact the CCTS as a first resort and undermine positive relationship-building between customers and their service providers.”

- they would be more effective than existing measures for ensuring that consumers are able to find and contact the CCTS at the time of an actual complaint.
34. As such, requiring PSAs would not be the best use of the CCTS' resources; rather, public awareness measures should target consumers at the time of need, and apply in a symmetrical manner to all CCTS members. Nevertheless, should the Commission decide that PSAs are necessary it can reduce the asymmetrical burden on TVSPs by permitting them to air PSAs in the proportion of local availabilities that is now reserved for use by licensed Canadian broadcasters to promote first-run, original Canadian programs.²¹ This would also be in keeping with how BDUs were historically authorized to use local availabilities prior to the *Create* Policy, as BDUs were permitted to air Canadian public service announcements in the 75% envelope that was otherwise dedicated to the promotion of licensed Canadian programming services and community channels.²²

Service Provider Participation in the CCTS

35. TELUS' position is that the participation in the CCTS should be mandatory for all TSPs, including resellers, who provide services within the CCTS' mandate. As such, participation should not be triggered only when a valid complaint is filed by a customer of a provider. Similarly, when the CCTS begins to administer the future TVSP Code, all licensed and exempt TVSPs should be required to participate in the CCTS.
36. Most parties agreed with TELUS' position. In fact, Shaw has changed its initial position on that matter to support TELUS' position, saying that it first believed that participation should be voluntary, but agreed that "mandatory participation for all TSPs and TVSPs is reasonable."²³ [emphasis added].

²¹ Following the Commission's determinations in *Let's talk TV: The way forward – Creating compelling and diverse Canadian programming* Broadcasting Regulatory Policy 2015-86 (the "Create Policy"), 75% of local availabilities in each broadcast day must be made available to licensed Canadian broadcasters to promote first-run, original Canadian programs, and BDUs can use the remaining 25% of local availabilities to promote their services. See paragraphs. 71 to 77 of the Create Policy.

²² See paragraph 71 of the Create Policy.

²³ Transcripts, Volume 3, paragraph 3452.

37. This means that virtually all parties acknowledge that customers will benefit from mandatory participation of all providers. TELUS agrees with Shaw that such a change in providers' participation will also increase the CCTS effectiveness, by allowing the CCTS to spend more time on its core mandate, which is to resolve customers' complaints, rather than shouldering the administrative burden of chasing down formerly exempt service providers upon receipt of a complaint. As such, the Commission should mandate participation in the CCTS by all telecommunications and broadcasting service providers and ensure compliance in such participation.
38. As TELUS noted in its answer to an undertaking²⁴, should the Commission choose to maintain the current "trigger" requirement and not to impose mandatory participation of service providers under a certain revenue threshold, the Commission should still require these non-participating service providers ("non-PSPs") to comply with the current requirements to promote awareness of the CCTS. TELUS requests the Commission impose this requirement based on its powers under section 24.1 of the *Telecommunications Act* and that the service provider sends out the requirements related to CCTS for any company that registers as a reseller with the Commission. Similarly, should the Commission decide that a trigger-based mechanism should apply to exempt BDUs, TELUS proposes that the Commission amend the exemption order²⁵ to require that such exempt BDUs promote awareness of the CCTS in accordance with the CCTS' existing public awareness plan. This would ensure that customers of exempt BDUs would have the same access to the CCTS as customers of BDUs. Having imposed such conditions to promote awareness of the CCTS, the Commission would then be in a position to encourage compliance, through follow up communications or otherwise.

²⁴ Refer to TELUS' Undertaking CRTC3Nov15-2, filed on November 12, 2015.

²⁵ See *Terms and conditions of the exemption order for terrestrial broadcasting distribution undertakings serving fewer than 20,000 subscribers*, Broadcasting Order CRTC 2014-445.

Compensation for Complaints

39. Another aspect of this proceeding is the current remedies that the CCTS can provide to customers. It can impose compensation to up to \$5,000 per complaint, excluding billing dispute amounts.²⁶ This exclusion is important because the CCTS has the power to order full restitution of the billing amount, even in excess of \$5,000, for any billing dispute that is resolved in the complainant's favour. It did not appear that NPF-COSCO-PIAC understood this important qualification on the compensation limit.²⁷
40. The CCTS itself acknowledges that the compensation limits currently in place have proved ample to address the complaints that CCTS has dealt with to date.²⁸ The Commission should reject any proposal to raise this compensation limit, simply because there is no justification to support such change to the current compensation regime. It is currently appropriate, effective and meets the needs of customers and, is considered as a reasonable measure by service providers.

CCTS' Corporate Governance Structure

41. On the issue of CCTS' governance structure, TELUS is supportive of the current composition of the CCTS' board and its bylaws. The record of the proceeding shows that this structure is effective and has the right balance to adequately represent the interests of the parties involved, and that there is independence between the Board and the operations of the CCTS by the Commissioner and his staff. Notably, the CCTS agreed with TELUS' position when it stated at the hearing, saying that the "operating rules within the Board have not had a direct negative impact on the operations of the organization."²⁹
42. Therefore, TELUS submits that there is nothing on the record of this proceeding that would justify a change in the current remedies or in the CCTS' governance model at this point in time.

²⁶ CCTS' Procedural Code, Section 12.

²⁷ Transcripts, Volume 1, paragraphs 884 to 889.

²⁸ Initial Comments of CCTS, paragraph 44.

²⁹ Transcripts, Volume 1, paragraph 467.

CCTS' funding model

43. Consistent with its previous comments both prior to and during the hearing, TELUS maintains the position that the CCTS should transition to a funding formula in which Members fees would be 60% complaint-based fees (“CBF”) and 40% revenue-based fees (“RBF”). This proposed model is based on increasing the incentive for service providers to resolve complaints quickly and efficiently while balancing revenue stability for the CCTS. This would not affect the overall funding of the CCTS as the budget is determined independently of the funding. This was supported by CCTS’ comments that “(t)he budget is based on the assessment of need for the upcoming fiscal year. The funding model is designed to allocate who pays what proportion of it.”³⁰
44. TELUS’ view is supported by other industry parties. However, some members of the CCTS, such as MTS Inc. on behalf of itself and MTS Allstream Inc. (collectively “MTS Allstream”), Quebecor Media Inc. on behalf of its affiliate Videotron S.E.N.C (“Quebecor”), Rogers Communications (“Rogers”) and Shaw Communications Inc. (“Shaw”) suggested a more moderate approach of 50% CBR and 50% RBF. This move is consistent with the concept that companies that are subject to more complaints should pay more for the CCTS’ services. However, a 50% split would not go far enough in encouraging a substantive change in behaviour in reducing complaints by service providers.
45. Saskatchewan Telecommunications (“SaskTel”) suggested going further and submitted in their testimony at the hearing that “the funding model should be transitioned over a three year period to a 70 percent case-based, 30 percent revenue-based funding model”³¹. TELUS does not oppose to this proposal, however TELUS asks that consideration be given to ensure revenue stability for the CCTS. Having such a large proportion of the funding rely on accurate

³⁰ Transcripts, Volume 1, paragraph 492.

³¹ Transcripts, Volume 2, paragraph 2523.

- forecasting of complaints and costs³² could introduce more significant risk of revenue deficiencies should the forecasts not be accurate.
46. Particularly with the proposed inclusion of the administration of the future TVSP Code in CCTS' mandate and the changes to the forecasting of complaints that will be necessitated, a transition period would allow for additional data on expected TV complaints to be gathered. A transition period would be appropriate for a change of the magnitude proposed by SaskTel and would be complementary to TELUS' suggested model as well.
 47. TELUS also addresses Canadian Network Operators Consortium Inc. ("CNO") proposal to remove the escalating price levels and replace it with a proportion-based system applied on an annual basis determined by the previous fiscal years complaints. As stated by the CCTS, "The CBF contains a series of escalating price levels, which are designed to incent early resolution of complaints, and to compensate CCTS for the additional resources required to deal with the complaint as it proceeds through the CCTS process."³³
 48. Removing the escalating price levels would remove the incentive for PSPs to resolve complaints earlier. They would be indifferent to how long the resolution takes under the proposed proportional model because a complaint resolved at the Pre-Investigation stage would have the same cost as one that continues through to the Decision stage.
 49. The escalating price levels also align the increased effort required by the CCTS at each consecutive stage of complaint resolution to the fee and results in an efficient use of funding. Eliminating this could drive inefficiencies where both complainants and PSPs are unconcerned with the resources required to resolve a complaint and this may result in complaints progressing further than truly needed with valuable CCTS resources wasted. The escalating approach also ensures that

³² See Initial Comments of CCTS, 25 August 2015, para 48-49. The CCTS makes projections on the number of complaints expected as well as resourcing and other costs and uses that information to set a budget and calculate the revenues required from CBF which then determines the CBF rates. At the end of the year an "annual adjustment" is done but significant deviance from original estimates would result in operating losses that could be deemed problematic.

³³ See Initial Comments of CCTS, para 45.

the PSPs are paying for the CCTS resources that they use based on both quantity of complaints and duration of resolution. Therefore, CNOC's proposal should be rejected by the Commission as it would have negative impacts to CCTS' effectiveness.

Conclusion

50. Customer satisfaction is a central part of TELUS' customer service culture. While TELUS works very hard so that all of its customers are happy with its services, it knows that there might be some situations where a customer wants an independent body to review an issue. Therefore, the CCTS provides a valuable service to resolve complaints in an independent and objective fashion relating to forborne telecommunications services between customer and their service providers. Only minor changes, as suggested by TELUS in this proceeding, are required to increase CCTS' effectiveness and ensure a greater fairness for all, to the direct benefits of customers.

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