

January 28, 2019
Filed via GCKey

Mr. Claude Doucet
Secretary General
Canadian Radio-television and
Telecommunications Commission
Gatineau, QC
K1A 0N2

Dear Mr. Doucet

Re: Telecom Notice of Consultation CRTC 2018-422 – Call for comments – Proceeding to establish a mandatory code for Internet services – Reply of Distributel Communications Limited

1. Following a review of the submissions filed by interveners to Telecom Notice of Consultation CRTC 2018-422, *Proceeding to establish a mandatory code for Internet services* (“TNC 2018-422”), Distributel Communications Limited (“Distributel”) maintains the positions set out in its 19 December 2018 intervention.
2. Regarding Distributel’s central position in this proceeding, Distributel continues to be of the view that the primary objective of an Internet Code should be to ensure that customers have access to key information associated with an Internet service offering in a manner that is clear and easily understandable.
3. Such an outcome will address one of the most significant challenges faced by consumers when they shop for Internet services. In this context, and as described by the Competition Bureau¹, shopping for Internet services is often not a simple or straightforward process for consumers. Instead, it involves attempting to compare numerous items such as service characteristics, installation costs, equipment requirements, contractual obligations, the availability of other services required, bundling and discount structures, terms, conditions and other information.
4. Ensuring that key information is available to consumers in a clear and easily understandable manner during the information gathering and evaluation stages of the purchasing process will therefore enable customers to better understand and compare offers from different service providers. This, in turn, will greatly increase a customer’s ability to select the service provider that offers services and associated terms that are acceptable to them, and inversely, reject those that do not.

¹ Competition Bureau, 19 December 2018 Intervention to TNC 2018-422, at paras. 17 to 24.

5. In Distributel's view, this approach to the Internet Code will accrue the greatest benefits for customers by providing them with the tools they require to leverage their power of choice in a competitive market.
6. Finally, work beyond the scope of this proceeding is required to address certain challenges and barriers that are impeding the operation of a competitive market². However, neither this fact nor the concerns identified in TNC 2018-422 should lead to the adoption of a prescriptive Internet Code that dictates how certain terms may be applied to an Internet service by a service provider. Instead, Distributel firmly believes that the correct approach is to work to remove barriers to competition in the market and, at the same time, work to ensure that consumers can better access the benefits brought by competitive choice.

All of which is respectfully submitted,

Original signed by

Christopher Hickey
Director, Regulatory Affairs

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² See for example: Concerns expressed by the Competition Bureau regarding switching costs at paragraphs 9 to 16 of its 19 December 2018 intervention to TNC 2018-422 and the concerns raised in Canadian Network Operator Consortium Inc.'s 13 November 2018 Part 1 Application to Review and Vary Telecom Regulatory Policy 2015-326 and Telecom Decision 2016-379.