

The logo for Rothschild & Co. features the company name in a white serif font centered within a teal square background.

rothschild&co.

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February 11, 2019

Mr. Claude Doucet
Secretary General
Canadian Radio-Television and
Telecommunications Commission
Ottawa, Ontario
K1A 0N2

Re: Telecom Notice of Consultation CRTC 2018-459; Show cause proceeding and call for comments – Applicability of the Commission’s determinations set out in Telecom Decision 2018-458 to Cogeco Communications Inc., Rogers Communications Canada Inc., Shaw Cablesystems G.P., and Videotron Ltd.

Mr. Doucet:

1. These comments are filed by Rothschild & Co. Limited in response to Telecom Notice of Consultation CRTC 2018-459 in which the Commission requested comments on the applicability of its determinations set out in Telecom Decision 2018-458 to Cogeco Communications Inc. (“Cogeco”), Rogers Communications Canada Inc. (“Rogers”), Shaw Cablesystems G.P. (“Shaw”) and Videotron Ltd. (“Videotron”).
2. From 2002 until 2011 Rothschild & Co. was an owner of the Brockville, Ontario based independent Internet Service Provider known as RipNET Limited (“RipNET”) and I served as Managing Director.
3. RipNET was an Internet pioneer that began offering customers dial-up in 1995 and, in 1998, was one of the first resellers of Bell DSL HSA. In 2002 RipNET built a wireless network using licensed spectrum to provide high speed Internet service to rural customers living beyond the reach of DSL. Our primary service area was the United Counties of Leeds and Grenville (“United Counties”) but we also served rural residents living in surrounding counties in Eastern Ontario.
4. My partners and I sold RipNET in 2011 but our experiences as ISP owners are relevant to the current proceedings.
5. The Commission has requested comment on the applicability of the wording in Paragraph 47 of Decision CRTC 2018-458 to Cogeco, Rogers, Shaw and Videotron.

“47. In light of the above, the Commission determines that Frontier’s interpretation of the Tariff is correct, and makes the interim relief granted to Frontier final. Further, the Commission directs Eastlink to file for approval revised Tariff pages that include a specific term permitting customers to resell HSA service on a wholesale basis and

remove any terms that limit the services an HSA customer can offer to only retail Internet and VoIP services. The revised Tariff pages are to be filed for Commission approval within 30 days of the date of this decision.”

6. In their submissions to this consultation the large cable operators (Cogeco, Rogers, Shaw and Videotron) have each said their agreements already include language and terms to address resale of HSA. They claim there’s no need for the Commission to impose specific language and terms as included in Paragraph 47 of Decision CRTC 2018-458. We respectfully disagree.
7. In our experience, regardless of the Commission’s policy on the re-sale, cable carriers and incumbent local exchange carriers proved to be reluctant suppliers when it came to providing independent ISPs with HSA service. They were very creative in finding ways to delay the installation of HSA service and to delay providing support for installed HSA service. A delay tactic cited more than once was the claim that there was lack of clarity in the obligations established by the Commission.
8. In today’s on-line environment, the ability to offer reliable HSA is vital to the viability of any ISP. And the systems needed to support, bill and provision HSA can be expensive. It makes sense for independent ISPs to work together to re-sell, bill and support HSA service.
9. Consistency in the language and provisions of the tariffs and contracts used by all large cable operators would be very helpful. Clarity and uniformity regarding the obligations of cable operators should help to prevent unnecessary delays in the provisioning and maintenance of HSA service going forward. This would benefit consumers as well as independent ISPs.
10. Based on our experience as an independent ISP, echoed in the experiences related by Frontier Networks, we agree that the provisions detailed by the Commission in Paragraph 47 of Decision CRTC 2018-458 are necessary and should be applicable to Cogeco, Rogers, Shaw and Videotron.

Yours truly,



Eric W. Rothschild
President

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