



January 31, 2019

RE: Apportioning of costs in the Public Interest Advocacy Centre’s Application for costs arising from the review of the reseller registration obligation, Telecom Notice of Consultation CRTC 2017 – 450

Enclosed is Cybera’s response to the Commission’s January 21, 2019 Telecommunications Procedural Letter, file # 1011-NOC2017-0450.

The Commission requested responses to the following question;

“If the Commission decided to award costs in this proceeding, should the costs be apportioned solely among the participating telecommunications service providers (TSPs) in proportion to each TSPs’ telecommunications operating revenues? If yes, should those TSPs that only responded to the 1 March 2018 procedural letter also be included in the apportionment?”

Indicate, with supporting rationale, whether or not you support this approach to apportionment of costs in this proceeding.”

Cybera is a not-for-profit organization providing key digital services and support to post-secondary institutions, local business incubators and K-12 school divisions. Cybera encourages the Commission to support a cost award structure that does not disincentivize broad participation by non-TSP organizations in its public consultation process.

Cybera supports the Commission’s usual cost apportionment practices as defined in CRTC Regulatory Policy 2010-963. Cybera submits that if the Commission should award costs for this proceeding, they should be apportioned solely among the participating telecommunications service providers (TSP) in proportion to their telecommunications operating revenues (TOR).

As non-TSPs may include organizations without significant operating revenues, such as other not-for-profits, consumer advocacy groups, and including public sector bodies such as post-secondary institutions, Cybera argues that the obligation of non-TSPs to share in the cost of the Commission’s public proceedings would be unduly burdensome and may disincentive participation by non-TSP’s in future public proceedings.

In addition, Cybera argues that those TSPs who only responded to the Commission’s March 1, 2018 letter should not be included in the cost apportionment. As these TSPs were responding to a request for information initiated by the Commission, Cybera feels that including them in the cost apportionment may disincentivize compliance with such requests in further proceedings.

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