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

**IN THE MATTER OF AN APPLICATION BY
THE CONSUMERS ASSOCIATION OF CANADA, THE COUNCIL OF
SENIOR CITIZENS' ORGANIZATIONS OF BRITISH COLUMBIA, AND
THE PUBLIC INTEREST ADVOCACY CENTRE**

(APPLICANTS)

**REGARDING MOBILE WIRELESS DATA BILLING PRACTICES
PURSUANT TO SECTIONS 24, 27, 34, 48, 55, 56 and 60
of the *TELECOMMUNICATIONS ACT***

and

**PART 1 and SECTION 3 of the *CRTC RULES OF PRACTICE AND
PROCEDURE***

DIRECTED TO

QUEBECOR MEDIA INC., VIDEOTRON LTD. and VIDEOTRON G.P.

(RESPONDENTS)

9 January 2014

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TABLE OF CONTENTS

1. NATURE OF APPLICATION	1
2. FACTS	3
(a) Videotron's Illico.tv	3
(b) How Videotron charges different rates for different data.....	6
3. GROUNDS OF APPLICATION.....	9
4. NATURE OF DECISION SOUGHT	13
5. SERVICE LIST.....	14
6. NOTICE.....	14

1. NATURE OF APPLICATION

1. The Consumers' Association of Canada ("**CAC**"), the Council of Senior Citizens' Organizations of British Columbia ("**COSCO**"), and the Public Interest Advocacy Centre ("**PIAC**", collectively with CAC and COSCO, "**CAC-COSCO-PIAC**") file this Application under sections 24, 27, 34, 48, 55, 56 and 60 of the *Telecommunications Act*¹, as well as Part 1 and section 3 of the *CRTC Rules of Practice and Procedure*², regarding the billing practices of Videotron G.P. ("**Videotron**" or the "**Respondent**"), in respect of access by Videotron's mobile wireless customers to mobile over-the-top ("**OTT**") TV services such as TELUS's Optik TV or Netflix.
2. CAC is an independent, non-profit, volunteer-based charitable organization with a mandate to inform and educate consumers on marketplace issues, to advocate for consumers with government and industry, and work with government and industry to solve marketplace problems.³ COSCO is the largest federation of senior citizens' organizations in the province of British Columbia and is the umbrella organization of 79 seniors' organizations and a significant number of individual associate members.⁴ PIAC is a non-profit organization that provides legal and research services on behalf of consumer interests, and, in particular, vulnerable consumer interests, concerning the provision of important public services.⁵
3. Videotron's illico.tv service allows Videotron's wireless customers to access television content from their smartphones through a proprietary mobile application.
4. Videotron offers its illico.tv service to its wireless customers at the following rates. 5 hours of content are free (with at least a 2 GB data plan); \$10 per month for 15 hours of illico.tv content; and \$15 per month for 30 hours of content. Customers are charged an additional \$1.50 per hour when they exceed the time allotted in their package plan.

¹ S.C. 1993, c. 38.

² SOR/2010-277.

³ See Consumers' Association of Canada, online: <http://www.consumer.ca/index.php4>.

⁴ See Council of Senior Citizens' Organizations of BC, online: <http://coscobc.ca/>.

⁵ See Public Interest Advocacy Centre, online: <http://www.piac.ca>.

5. The consequences of Videotron's data billing practices for its mobile illico.tv service are such that Videotron appears to be preferring its own mobile OTT service by exempting customers from their normal wireless plan's data charges and monthly data allotment.
6. A consequence of this preference is that the pricing of illico.tv is at an effective rate that is significantly less than the rate charged for other data, including data for competing OTT services. As a consequence, Videotron wireless customers who wish to consume mobile OTT services can either pay for the illico.tv service add-on, or pay significantly higher data and overage rates for consuming competitors' OTT service.
7. A further consequence is that Videotron's wireless customers, when presented with competitive choices for other OTT services, may avoid consuming those services, not on the basis of the content or of other attributes of these competitors' services, but on the basis that Videotron has made mobile consumption of its own illico.tv service much more attractive by exempting the first fifteen hours of data consumption from the customer's monthly data allotment and by making the effective rate of that data significantly lower than the rate for other data.
8. As a further consequence of this preference, the rates charged by Videotron for mobile wireless customers to consume data to view competing OTT services are significantly higher than rates Videotron applies to consume data to view Videotron's own OTT offering. Videotron therefore unjustly discriminates against competing OTT services.
9. Videotron is not alone in this practice. This application is being submitted concurrently with our comments in relation to an application filed 20 November 2013 against Bell Mobility⁶ regarding its treatment of competitive OTT services. We are also filing an application today against Rogers regarding its treatment of access by its mobile wireless customers to competitive OTT services.⁷

⁶ See Part 1 Application by Benjamin Klass requesting fair treatment of Internet services by Bell Mobility, Inc., pursuant to CRTC 2010-445 and CRTC 2009-657, and *The Telecommunications Act*, s.24 & subsection 27(2), dated 20 November 2013.

⁷ See Part I application by CAC-COSCO-PIAC regarding the mobile wireless data billing practices of Rogers, dated 9 January 2013.

10. CAC-COSCO-PIAC therefore request that the Commission:
 - (i). Declare that Videotron's practice of offering preferential rates to subscribers of its own mobile OTT service compared to consumers of OTT services offered by competitors constitutes an undue preference, and subjects Videotron's retail mobile wireless customers who wish to have access to competing OTT services, and competing OTT service providers, to an undue and unreasonable disadvantage, in violation of section 27(2) of the *Telecommunications Act*; and
 - (ii). Direct Videotron to change its mobile wireless data billing rates to remove the discrimination and preference.
11. In light of the apparently widespread character of the unjust discrimination engaged in by major telecommunications service providers against their mobile wireless customers and competing OTT service providers, we encourage the Commission to consider initiating a public notice, as recommended in an intervention we filed today in relation to an application⁸ by Benjamin Klass on 20 November 2013 against the Bell companies, and as previously requested.⁹

2. FACTS

(a) Videotron's Illico.tv

12. At issue in this Application are terms and conditions associated with access by Videotron's mobile wireless customers to OTT services.
13. "Illico mobile" allows consumers the ability to watch television programming based on: (i) the services to which they already subscribe through their cable package from Videotron; (ii) Videotron mobile channels offered up for free to illico mobile customers; and (iii) additional for-fee services from illico mobile.
14. As an iPad application aimed mainly at cable subscribers Videotron launched a mobile illico application first in December 2012 in the form of "illico.tv".¹⁰ This was

⁸ Application No. No. 2013-1664-6; Commission File No. 8622-B92-201316646.

⁹ PIAC procedural letter, 22 November 2013.

¹⁰ Videotron, "illico.tv now available on iPad – A new way for Videotron customers to access the most popular channels and programs," press release from Videotron, 21 December 2012.

expanded in April 2013 to include an Android-compatible application.¹¹ This service included a mobile component, and “supports all the illico.tv functionalities that Digital TV subscribers appreciate, including live streaming TV and video on demand.”¹² The strategy of linking mobile applications exclusively with cable offerings changed in the summer of 2013, when exclusive film content began to be marketed to illico mobile customers.¹³

15. Videotron offers various packages and pricing for this service. Recent offers (detailed in Figure 1) include 5 hours of content for free (with at least a 2 GB data plan); \$10 per month for 15 hours of illico TV content; and \$15 per month for 30 hours of content. Listed conditions of service note that customers are charged an additional \$1.50 per hour when they exceed the time allotted in their package plan.
16. On 7 January 2014 Videotron announced in a press release¹⁴ that “for a limited time at the exceptional price of \$79.95” Videotron would be offering unlimited data. This offer, Videotron notes in the press release, may be discontinued at any time, and thus for the purposes of this application CAC-COSCO-PIAC assume that Videotron’s recent pricing, depicted below, will continue after Videotron ends the unlimited data promotion.

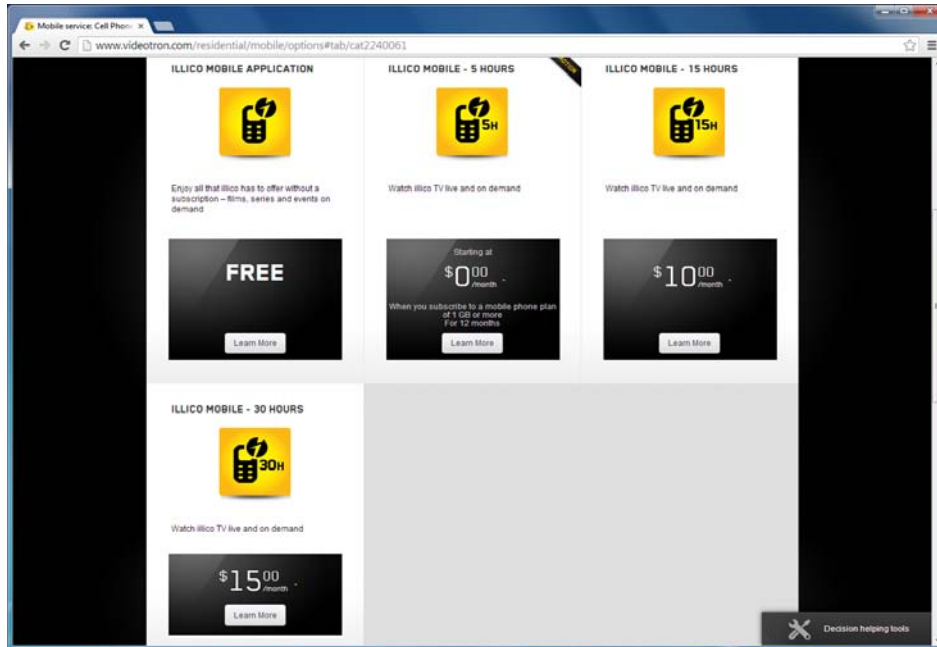
¹¹ Videotron, “Now available on Android tablets: Videotron customers now have illico.tv at their fingertips,” press release of Videotron, 24 April 2013.

¹² *Ibid.*

¹³ Videotron, “Only God Forgives will be available to Videotron customers on the same day it opens in theatres,” press release from Videotron, 17 July 2013. “Starting July 19, Videotron customers will therefore be able to watch the latest thriller from Danish director/screenwriter Nicolas Winding-Refn on illico TV (channel 900), illico.tv or *illico mobile*. The movie stars two big-name actors, Ryan Gosling and Kristin Scott-Thomas.” [Emphasis added]

¹⁴ Videotron, “Available to Videotron customers starting January 8: The first Québec-wide unlimited mobile data plan” press release, 07 January 2014.

Figure 1 – illico mobile packaging and pricing



17. It appears, based on Videotron's marketing materials above and below (see in particular Figure 2), that data used to consume illico.tv is treated differently in terms of pricing and effect on the customer's regular monthly data allotment. Specifically, it appears as though illico.tv usage is not subject to the customer's monthly data allotment or regular data rate. In contrast, customers who want to access competitive OTT services must pay Videotron's regular data rates and are subject to regular monthly data allotments (and the resulting overage fees when these allotments are exceeded).

Figure 2 – Illico.tv "Frequently Asked Questions"¹⁵

Frequently Asked Questions :

Are there fees for watching channels on my mobile phone?

No, only viewing time is taken into account. You are not charged data or airtime fees when you use the illico mobile service.

¹⁵

Online: <http://www.videotron.com/residential/mobile/options/illico-mobile/illico-mobile-15-hours#tab/support>

18. Additional conditions include the requirement to have a compatible mobile phone device for the service.¹⁶ In order to access illico mobile channels, it is necessary to have a cable subscription and purchase viewing hours. It is also noted that it may not be possible to access all channel content (as might be seen through a traditional television service) through illico mobile.
19. In the Question and Answer section of the illico website (excerpted in Figure 2 above), further details are provided about the cost implications on a customer's data plan for accessing the service. The question is asked: "Are there fees charged for watching channels on my mobile phone?" The reply to which is: "No, only viewing time is taken into account. *You are not charged data or airtime fees when you use the illico mobile service.*"¹⁷
20. Further, promotional websites for the service state that "With the illico mobile app, you can watch all the shows aired by the channels included in your TV package, live, on demand by ordering an illico block of viewing hours at an affordable price, *in order to avoid using the data included in your mobile plan.*"¹⁸
21. Based on these statements it seems apparent that a promoted selling feature of the service is the ability to avoid data charges on a mobile phone by purchasing this service and using the appropriate application.

(b) How Videotron charges different rates for different data

22. According to Videotron's "How does Internet usage work?" webpage, 1 GB of data is the equivalent of 1 hour and 50 minutes of illico.tv viewing.¹⁹ This implies a per hour data consumption rate of ~0.54 GB per hour.
23. Although Videotron's illico.tv subscribers are not charged data or airtime fees when they use the illico mobile service, applying the implied data consumption rate to Videotron's different packages noted above therefore results in the following effective price per GB.

¹⁶ Videotron, "*Certain conditions apply" tab on webpage illico Mobile: The Power to be Entertained on Demand, online: Videotron, <http://www.videotron.com/residential/illico/mobile>

¹⁷ Videotron, illico Mobile – 5 Hours, Support section of webpage, online: Videotron, <http://www.videotron.com/residential/mobile/options/illico-mobile/illico-mobile-5-hours#tab/support> (emphasis added).

¹⁸ Videotron, illico Mobile: The Power to be Entertained on Demand, Download illico Mobile, online: <http://www.videotron.com/residential/illico/mobile> (emphasis added).

¹⁹ Online: <http://support.videotron.com/residential/internet/usage/how-does-internet-usage-work>.


Figure 3 – Effective Price per GB of illico.tv consumed

Amount of Time Purchased	Data	Price	Effective \$ per GB
5 hours	2.7 GB	Free (with at least a 2 GB data plan)	\$0.00
15 hours	8.1 GB	\$10	\$1.24
30 hours	16.2 GB	\$15	\$0.93
Overage (per hour)	0.54 GB	\$1.50 / hour	\$3.00

24. To determine what non-illico.tv data would cost a Videotron customer, reference must be made to Videotron's voice and data plans (Figure 4, below), and mobile data rates (Figures 5 and 6 below). To have access to a comparable amount of data on a voice and data plan, customers would need a voice and data plan that provided at least 1 GB of data. As Figure 4 below illustrates, such a voice and data plan would cost \$49.95.

Figure 4 – Excerpt: Voice and Data Plans

VOICE AND DATA




- 250 local anytime minutes in Québec and the Greater Ottawa region
- Unlimited evening and weekend calls from 6 p.m.
- Unlimited messages (text, photo, video)
- Call Display, Voicemail 35
- 500 MB of data

\$ 39⁹⁵
/month

[Learn More](#)

UNLIMITED VOICE + DATA



- Unlimited local and long-distance calls within Québec and greater Ottawa region
- Unlimited messages (text, photo, video)
- Call Display, Voicemail 35
- 2 GB of data

\$ 49⁹⁵
/month

[Learn More](#)

25. For data plans alone, as the excerpts from Videotron's website below illustrate, it would cost a Videotron subscriber \$20 for a one-GB mobile data or a tablet data


add-on; \$25 for the first GB in a flexible-rate mobile data plan and for a flexible tablet data plan.

Figure 5 – Videotron’s Mobile Data Rates (Fixed and Flexible)²⁰

COMPARATIVE TABLE OF INTERNET ON YOUR MOBILE DATA BLOCKS						
Fixed rate						
Data blocks	200 MB	500 MB	1 GB	2 GB	5 GB	6 GB
Monthly price	\$10*	\$15*	\$20*	\$25*	\$40*	\$45*
Price of excess use	\$0.10/MB		\$0.05/MB			
Flexible-rate						
Tier	0 MB - 50 MB	50 MB - 100 MB	100 MB - 200 MB	200 MB - 500 MB	500 MB - 1 GB	1 GB - 2 GB
Monthly price	\$5*	\$10*	\$15*	\$20*	\$25*	\$30*
Price of excess use	Does not apply					\$0.05/MB

Figure 6 – Videotron’s Fixed Tablet Plan²¹

500 MB TABLET DATA ADD-ON




Enjoy a monthly data transfer capacity of 500 MB at a fixed rate

\$15⁰⁰
/month

[Learn More](#)

1 GB TABLET DATA ADD-ON




Enjoy a monthly data transfer capacity of 1 GB at a fixed rate

\$20⁰⁰
/month

[Learn More](#)

3 GB TABLET DATA ADD-ON



Enjoy a monthly data transfer capacity of 3 GB at a fixed rate

\$30⁰⁰
/month

[Learn More](#)

²⁰ Online: <http://www.videotron.com/residential/mobile/data-add-ons/flexible-rate-mobile/flexible-rate-mobile#/internetMobile>

²¹ Online: <http://www.videotron.com/residential/mobile/data-add-ons#tab/cat2360063>

Figure 7 – Videotron’s Flexible Tablet Plan²²

USE THE INTERNET FREELY

Opt for flexibility with an add-on that adjusts monthly to your actual usage.

Browse as you like: emails, Web pages, [illicoweb.tv](#), videos, applications, songs. The tier you reach is always the right tier for you.

Tier 1	0 - 500 MB	\$20/month
Tier 2	500 MB - 1 GB	\$25/month
Tier 3	1 GB - 3 GB	\$35/month
Last Tier	3 GB - 6 GB	\$45/month

Excess data use will be charged at \$0.05 per extra megabyte used (1 MB = 1,024 KB). The amount is rounded up to the nearest cent. Data transfer charges may apply while roaming. Go to the [Pay-Per-Use Services](#) page to find out more.

To better assess your data needs, see the [Mobile data estimator](#).

26. As Figures 4 through 7 show, 1 GB of wireless data costs anywhere from \$20-\$25 / month, depending on the customer's plan, unless the data being consumed is part of illico.tv, in which case 1 GB is free (up to 5 hours), then \$1.24 / GB in a 15-hour plan; and \$0.93 / hour for a 30-hour plan). Those Videotron customers who do not wish to subscribe to illico.tv but consume other data (including OTT content), would have to pay at least \$20-25 month for tablet or mobile internet plan, or \$49.95 for a voice and data plan.
27. It is that price differential, and different effect on the customer's monthly data allotment, that gives rise to an undue preference by Videotron to its illico.tv customers and to itself, and unjustly discriminates against competing OTT services.

3. GROUNDS OF APPLICATION

28. The offering and provision by Canadian carriers of mobile wireless data services are subject to the Commission's powers and duties under section 24 and subsections 27(2), 27(3), and 27(4) of the *Telecommunications Act*.²³

²² Online: <http://www.videotron.com/residential/mobile/data-add-ons/flexible-rate-tablet/flexible-rate-tablet>.

²³ Telecom Decision CRTC 2010-445 - *Modifications to forbearance framework for mobile wireless data services* (30 June 2010) at para. 8; see also Telecom Decision CRTC 2012-556 – Decision on whether the conditions in the mobile wireless market have changed sufficiently to warrant Commission intervention with respect to mobile wireless services (11 October 2012).

29. Section 27(2) *Telecommunications Act* prohibits unjust discrimination and undue preference.

(2) No Canadian carrier shall, in relation to the provision of a telecommunications service or the charging of a rate for it, unjustly discriminate or give an undue or unreasonable preference toward any person, including itself, or subject any person to an undue or unreasonable disadvantage.

30. The Commission's subsection 27(2) analysis is conducted in two phases²⁴:

The Commission has stated that "two essential elements must be present. The first is discrimination, preference, advantage, prejudice or disadvantage... and the second is the absence of justification... The burden of proof with respect to the first element rests with the Applicant, and the second with the respondent."

31. The initial burden is on the applicant to demonstrate that the conduct is preferential or disadvantages a person.²⁵ Pursuant to subsection 27(4) of the *Telecommunications Act*, the respondent Canadian carrier then has the burden of proving that any such preference or disadvantage is not undue or unreasonable.²⁶
32. The manner in which Videotron bills its mobile wireless service customers for wireless data for services which compete with its illico.tv:
- (i). unduly or unreasonably disadvantages competing OTT services; and
 - (ii). unduly or unreasonably disadvantages Videotron mobile wireless service customers who may wish to avail themselves of alternative mobility TV.
33. A consequence of Videotron's preferential mobile wireless data rate scheme is that competing OTT service providers who wish to offer their OTT services to Videotron's 478,000²⁷ wireless customers and customers who wish to consume in a similar manner OTT services from a different service provider face a significant price difference, therefore impairing competition.

²⁴ The Commission's approach in relation to allegations that a Canadian carrier has breached what is now section 27(2) was set out in Telecom Decision CRTC 77-16 (*Challenge Communications Ltd. v. Bell Canada*). More recently, See e.g., Telecom Decision CRTC 2013-40 - *Ice Wireless Inc. and Iristel Inc. – Request for a cease and desist order in Northwestel Inc.'s serving territory* (1 February 2013) at para. 14.

²⁵ Telecom Regulatory Policy CRTC 2009-657 - *Review of the Internet traffic management practices of Internet service providers* (21 October 2009) at para. 48.

²⁶ *Telecommunications Act*, s. 27(4).

²⁷ Figures obtained from CWTA website, as of 3Q 2013, available at <http://cwta.ca/facts-figures/>, see table titled "Number of subscribers".

34. A further consequence is that Videotron mobile wireless customers, when presented with competitive choices for other OTT services, are likely to be discouraged from consuming those services, not on the basis of deficiencies in relation to the content or of other attributes of these competitors' services, but because the relative price of the data to view those services is significantly higher than Videotron's own mobile OTT content. In so doing Videotron unduly favours its own service, which discourages its mobile customers from using competing sources of content.

Canada's telecommunications policy objectives

35. As the Commission is aware, Parliament in the *Telecommunications Act* has directed the Commission to exercise its powers and perform its duties "with a view to implementing the Canadian telecommunications policy objectives".²⁸
36. Canada's telecommunications policy objectives are set out in section 7 of the Act. These objectives include the following:

- | |
|--|
| <p>(a) 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;</p> <p>b) to render reliable and affordable telecommunications services of high quality accessible to Canadians in both urban and rural areas in all regions of Canada</p> <p>c) to enhance the efficiency and competitiveness, at the national and international levels, of Canadian telecommunications</p> <p>[...]</p> <p>f) to foster increased reliance on market forces for the provision of telecommunications services and to ensure that regulation, where required, is efficient and effective;</p> <p>g) to stimulate research and development in Canada in the field of telecommunications and to encourage innovation in the provision of telecommunications services;</p> <p>h) to respond to the economic and social requirements of users of telecommunications services</p> |
|--|

37. Videotron's mobile wireless data rate scheme appears to be designed to favour its own illico.tv OTT service to the detriment of its customers, its competitors and, more generally, of competition in the OTT marketplace. This is inconsistent with several of Canada's telecommunications policy objectives.

²⁸ *Telecommunications Act*, section 47.

38. Videotron's practice harms consumer choice regarding OTT services and imposes unreasonable barriers on the development of competitive alternatives to Videotron's own OTT service. In doing so Videotron's policy does not promote the orderly development throughout Canada of a telecommunications system that serves to safeguard, enrich and strengthen the social and economic fabric of Canada. Instead, Videotron's practice promotes Videotron's own economic interests and programming service choices, to the detriment of other voices.
39. By preferring its own content by its offering, Videotron's mobile wireless data rate scheme undermines the deployment of affordable telecommunications services of high quality accessible to Canadians in both urban and rural areas in all regions of Canada. By making its own mobile OTT service less expensive than it would be under its data plans, Videotron shields its mobile OTT service from competitive forces and undermines the affordability of mobile OTT services for consumers.
40. Similarly, Videotron's practice does not enhance, and indeed undermines the efficiency and competitiveness of Canadian telecommunications services. For Videotron's OTT competitors, the substantial obstacles – notably in the form of significantly higher data charges for Videotron's 478,000 wireless subscribers face if they want to obtain OTT services from competitors - result in reduced competitiveness and a less efficient marketplace. The harm to competitiveness of the marketplace of such discrimination is multiplied if one also considers these price differences in light of the fact that substantial and increasing numbers of consumers are bound by long term contracts and bundling schemes imposed by service providers such as Videotron.
41. Videotron's practice of preferentially pricing its own illico.tv service discriminates against users of competing OTT services. This does not foster increased reliance on market forces for the provision of telecommunications services and, if allowed to continue, would undermine the efficiency and effectiveness of regulation. While the *Telecommunications Act* directs the Commission to promote competitiveness in the marketplace for telecommunications services, Videotron's practice imposes a significant barrier on choice in relation to OTT services and produces precisely the opposite effect the Commission has been directed to pursue: less competition for Videotron's mobile wireless customers' OTT business and less choice for these consumers. This is not effective or efficient regulation.

42. As Videotron mobile wireless service customers are disincented from considering competitive alternatives for OTT services by the rating barriers created by Videotron, we expect that such practices could stifle innovation in the growing smartphone sector.
43. Finally, it is clear in our view that mobile wireless practices such as that which is the subject of this application do not respond to the economic and social requirements of users of telecommunications services. The scheme at issue in this proceeding may advance the interests of Videotron but it does so at the detriment of competitors, competitors in the OTT marketplace and, ultimately, of consumers.

4. NATURE OF DECISION SOUGHT

44. In offering preferential rates to subscribers of its own mobile OTT service, In charging higher rates for access to competing OTT services, Videotron has granted an undue preference to itself, and unjustly and unreasonably discriminated against these competitors and their customers, in violation of Section 27(2) of the *Telecommunications Act*.
45. Videotron's practice regarding access by its mobile wireless customers to competing OTT services is inconsistent with several of the objectives of Canada's telecommunications policy and is contrary to the directives issued to the Commission in the Policy Direction.
46. Therefore, CAC-COSCO-PIAC request that the Commission:
 - (i). Declare that Videotron's practice of offering preferential rates to subscribers of its own mobile OTT service compared to consumers of OTT services offered by competitors constitutes an undue preference, and subjects Videotron's retail mobile wireless customers who wish to have access to competing OTT services, and competing OTT service providers, to an undue and unreasonable disadvantage, in violation of section 27(2) of the *Telecommunications Act*; and
 - (ii). Direct Videotron to change its mobile wireless data billing rates to remove the discrimination and preference.
47. In light of what appears to be a widespread practice, among wireless service providers, of unjust discrimination against these wireless service providers'

customers and competing OTT service providers, we repeat our request for a notice of consultation, as described in paragraph 11 above.

48. Finally, we request our costs of making this Part 1 application in accordance with s. 56 of the *Act*.

5. SERVICE LIST

49. Electronic service of this application has been made to the respondent, Videotron, as well as the following parties, by electronic service:
- (i). Rogers
 - (ii). Bell

6. NOTICE

50. This application is made by the Public Interest Advocacy Centre, c/o Geoffrey White, c/o Public Interest Advocacy Centre, One Nicholas Street, Suite 1204, Ottawa, Ontario K1N 7B7.
51. A copy of this application may be obtained by sending a request to piac@piac.ca. A copy of this application has also been posted to PIAC's website at <http://www.piac.ca>.
52. TAKE NOTICE that pursuant to section 25, and, as applicable section 26 of the *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure*, any respondent or intervener is required to mail or deliver or transmit by electronic mail its answer to this application to the Secretary General of the Canadian Radio-television and Telecommunications Commission ("Commission"), Central Building, 1 Promenade du Portage, Gatineau (Québec) J8X 4B1, and to serve a copy of the answer on the applicant within 30 days of the date that this application is posted on the Commission's website or by such other date as the Commission may specify.

53. Service of the copy of the answer on the applicant may be effected by personal delivery, by electronic mail, or by ordinary mail. In the case of service by personal delivery, it may be effected at the address set out above.
54. If a respondent does not file or serve its answer within the time limit prescribed, the application may be disposed of without further notice to it.

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