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Claude Doucet
Secretary General
Canadian Radio-television and Telecommunications Commission
Gatineau, QC
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June 6, 2023

Re: CRTC 2023-56 Review of the wholesale high-speed access service framework

1. National Capital FreeNet (NCF) submits the following reply to interventions:
2. As a not-for-profit Internet Service Provider committed to digital equity that operates as a wholesale-based competitor, NCF continues to support the Commission's preliminary view that the provision of FTTP facilities over aggregated wholesale HSA services should be mandated on a temporary and expedited basis, until the Commission reaches a decision as to whether such access is to be provided indefinitely.
3. We believe this decision would support many of the key objectives of the Policy Direction to the CRTC on a Renewed Approach to Telecommunications Policy ("Policy Direction"). These include fostering affordability, promoting all kinds of competition as well as social and technological innovation, and reducing some of the barriers to competition and entry into the market for smaller ISPs, including more not-for-profits, municipalities and Indigenous communities, and co-operatives.
4. NCF would like to support the intervention of the Public Interest Advocacy Centre (PIAC), including their work to amplify the voices of individual consumers who made interventions about limited choice and high prices, except in those instances where the incumbents offer aggressive discounts on FTTP services to undercut independent ISPs without access to comparable FTTP services.
5. NCF would also like to support the intervention of TekSavvy, particularly the way they showed that granting temporary expedited access to aggregated FTTP meets the standards of the Essentiality Test used to determine whether a service should be mandated, as well as those of the Policy Direction.
6. NCF is experiencing firsthand the crisis of competition outlined in the submission by the Competitive Network Operators Consortium. After years of slow and steady growth, NCF has been losing members since 2019, with many former NCF members no longer able to get adequate speeds

through the degrading of FTTN networks or because they have moved into FTTP-only neighbourhoods. This has affected our ability to expand our lower-cost offerings and invest in community services central to our mission.

7. In a recent interview with Bloomberg TV, Bell CEO Mirko Bibic identified that Bell has 7.2 million residential and business locations connected with fibre, “the very best broadband technology”.

8. And yet despite this market penetration, Bell argued in its intervention, as they before in relation to expanding wholesale access, that a decision in favour of mandating wholesale temporary aggregated FTTP access in addition to their retail sales could impact their investment in under-connected communities. This sets up a false dichotomy that continually pits greater affordability against universal access — particularly as Bell has received the largest share of the Universal Broadband Fund to date, earmarked for increasing connectivity in under-served areas.

9. We believe that every Canadian should have access to the best broadband technology from the provider of their choice.

10. Bell further suggested in its intervention that if the Commission granted temporary aggregated FTTP access, it will have ‘pre-judged’ the outcome of its consultation. And yet in CRTC 2019-288 the Commission established much lower HSA rates that it then largely reversed in the incumbents’ favour in CRTC 2021-288.

11. We believe mandating temporary aggregated access to FTTP services on an expedited basis would help counter some of the incumbents’ outsized market power, while allowing the Commission time during the hearing to evaluate and analyze more deeply.

Thank you,
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