

October 12, 2021

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

By: Intervention Comment Form

Dear Mr. Doucet:

Subject: Reply Comments - Telecom Notice of Consultation CRTC 2020-178-5 – *Call for comments – Accessibility – mobile wireless service plans that meet the needs of Canadians with various disabilities* (Public Record: 1011-NOC2020-0178)

1. The Canadian Wireless Telecommunications Association (“CWTA”) is the authority on wireless issues, developments and trends in Canada. Its membership is comprised of companies that provide services and products across the wireless industry, including wireless carriers and manufacturers of wireless equipment, who combine to deliver Canada’s world-class wireless services, one of the key pillars on which Canada’s digital and data-driven economy is built.
2. CWTA is pleased to participate in this important proceeding and to submit the following reply comments to the Canadian Radio-television Telecommunications Commission (the “Commission” or the “CRTC”) on behalf of member wireless service providers (“WSPs”) that have participated in collaborative industry activities to further wireless services that meet the needs of Canadians with disabilities.

Introduction

3. Through various consultations and meetings, the wireless industry has strived to better understand the needs of Canadians with disabilities and has used the feedback provided to address these identified needs, including via the introduction of accessibility plans and services, discounts, and add-ons that are in-market today. Working collaboratively, the wireless industry has been a willing and open partner in these discussions.
4. CWTA and WSPs value the stakeholder relationships that have been established. The feedback provided via consultations, as well as through paid consulting work, has been important, meaningful and has led to positive improvements to better support people with disabilities. We

recognize that the work done by many of the groups included in this proceeding has advanced the discussion around accessibility, and this is something we applaud.

5. The participants in this proceeding all have the same end goal: to reduce barriers to products and services for people with disabilities. Where some participants differ is on how to best achieve this goal.
6. As the Commission reviews these divergent views, we strongly urge it to take a balanced approach that is evidence-based and supported by the facts on the record in this proceeding.
7. The facts established in this proceeding demonstrate that the current flexible and market-driven approach delivers plans and discounts that meet the needs of persons with disabilities and has yielded the widest range of offerings possible. This has allowed customers with disabilities to select a plan that meets their own needs, while it has also enabled brand differentiation among WSPs.
8. As a result, further regulatory intervention is unnecessary and could limit the current breadth of choices available to customers with disabilities.

Interventions

9. Along with its intervention, Deaf Wireless Canada Consultative Committee, Canadian Association of the Deaf-Association des Sourds du Canada and the Canadian National Society of Deaf-Blind (collectively “DWCC et al.”) provided a number of documents. However, DWCC et al. did not provide submissions in respect of Appendix 1 Responses from WSPs, RFI response from WSPs, or other submissions.¹
10. The direction from Commission was clear that interested parties were to reply based on RFI answers provided by WSPs. The CRTC processes are based on fairness to all participants, allowing each to equitably provide information on record within clearly identified parameters. The approach that was taken by DWCC et al., without procedural consultation or approval, effectively gives them an opportunity to provide comment on WSP RFIs (much of which have been available for more than a year) without allowing WSPs the ability to provide additional information or clarity.
11. As we have identified issues with material already put on record (below), this raises significant concerns about the accuracy and validity of this new material.

¹ DWCC et al. Intervention at paragraph 5.

DWCC et al.'s Survey Report

12. One of the documents provided by DWCC et al. is a survey conducted by DWCC et al. (“survey report”).² CWTA does not intend to provide a review and analysis of each question contained within DWCC et al.’s survey report. Rather, our feedback focusses on some of the general themes of the survey report and identifies our broad concerns with the methodology and accuracy of the survey and the analysis put forward.

Approach to Accessibility Plans:

13. As identified in our Intervention, CWTA, on behalf of the industry, undertook consultation with advocacy groups that represent persons with disabilities. These industry-level consultations provided WSPs with a common view of the challenges and needs of persons with disabilities, as expressed by participants through several phases (written and in-person).
14. From this consultation process we were able to identify several principles that informed the development of plans: primarily that there was no one-size-fits-all solution³ and that individual needs varied. From this, WSPs developed approaches that allowed persons with disabilities, including those that were Deaf, Deaf-Blind and Hard of Hearing, to access plans that included carrier-specific discounts or add-ons.⁴ These accessibility discounts allowed consumers to pick plans that were most suitable, from the carrier that met their needs, at a reduced price.
15. At paragraphs 40, 41 and 42 of the survey report, DWCC et al. state:

Typically there is one discount plan for all customers requesting accommodation for disability (that is, no special accommodation for one disability versus another), generally known as the industry-wide titled “Accessibility Plan.”

Currently, even the rebates or “discounts” have challenges for the DDBHH customers, because there is still not enough data within their data plans provided to them for their video calling communication needs.

² DWCC et al. **A Stark Reality: Wireless Accessibility Issues and Challenges for Deaf, Deaf-Blind, and Hard of Hearing Canadians.**

³ CWTA comments paragraph 34, **Telecom Notice of Consultation CRTC 2020-178-5 – Call for comments – Accessibility – mobile wireless service plans that meet the needs of Canadians with various disabilities** (“CRTC TNC 2020-178):

Feedback received from accessibility groups during the consultation process made clear that there was no single solution or ‘one size fits all’ plan which would address the needs of all persons with disabilities and which would be possible to implement in a practical way. What would be considered an excellent plan for one person or group might still lack important elements for another. Flexibility in approaches was identified to be both necessary and desirable so that individual consumers could determine what plan, and what carrier, would best meet their individual needs.

⁴ CWTA comments paragraph 35, (“CRTC TNC 2020-178):

[Continued from previous page]: In developing their respective plans, discounts, and add-ons, WSPs were well-intentioned and acted in good-faith. Each took the information provided to them and developed an approach that met the requirements that were identified. The underlying focus was to allow for the greatest choice to meet the individual needs of Canadians with disabilities.

It is important to know how much data a typical sign language user needs per month. Survey results, as well as opinions, differ and vary within the DHH community. Individual use varies depending upon how much one travels outside the home (thus using mobile data rather than residential wifi), and how much one uses their phone to communicate in general. Interviews with Canadian leaders in the Deaf community suggested between 8GB and 20GB. Past DWCC et al. survey results provide evidence of these data plan choices of DDBHH wireless consumers.

16. The plans that were introduced as a result of the initial consultations have, as a result of feedback and consumer behaviours, changed over time.⁵ The overall trends in the industry have also changed with a move toward larger data buckets at reduced price-points. This trend, as identified by both the Commission and Statistics Canada, continues.⁶
17. Indeed, much of what is currently in market today is, as a result of competitive and market forces, already an improvement over the initial “accessibility plans” and provides the consumer with a variety of options beyond the 8GB-20GB estimate noted.
18. While DWCC et al. characterize the current approach as “one discount plan for all customers” this is not the case. Simply put, there are as many potential “accessibility plans” as there are market offerings. Customers that require additional data allocation, or different plan and service options, have the ability to identify a plan that is sufficient to their needs.
19. If one is to consider that each person with a disability has their own unique needs, and that data continues to be important but to varying degrees, the current approach that relies on competitive market forces remains the best approach to providing choice and meeting the needs of persons with disabilities. Additional regulatory intervention is not necessary or warranted.
20. Separately, as a point of procedure, much of the commentary made by DWCC et al., in paragraphs 38-52 of the survey report reference a report titled ***Technology Accessibility for Canadians with Communication Disabilities***. We note that no party has submitted this report on

⁵CWTA comments paragraph 36, (“CRTC TNC 2020-178):

The CWTA submits that it is important for WSPs to have flexibility in the way they accommodate persons with disabilities, and that consumer behaviour be the course corrector. For example, of those carriers that initially developed a static accessibility plan, all have since moved to the more flexible approach noted above simply because the static accessibility plans were not widely chosen by persons with disabilities once they were introduced. In addition, since there is variance across carriers on multiple fronts – ranging from market offerings to culture – consumers will shop around and determine the best plan, as well as the best carrier fit, for them.

⁶ CWTA comments paragraph 43 and 44, (“CRTC TNC 2020-178):

In addition, according to the *CRTC Communications Monitoring Report 2020*⁶ (“CMR”), while data usage has continued to increase, the CMR shows that service plan prices continued to decline in 2019. For example, 5GB plans averaged \$48.82⁶/month, and 10GB plans averaged \$65.50⁶/month.

The CMR relies on data from 2019, however more recent data shows that the cost of mobile wireless services has continued to decline. For example, while Statistics Canada *All Items Consumer Price Index* shows that the price of many goods and services continues to increase, its *Cellular Services Index* has declined by 24.2% between January 2020 and June 2021.⁶ In addition, Innovation, Science and Economic Development Canada’s *Telecom quarterly report: Price collection data* shows that prices for most 2GB to 6G plans have decreased by as much as 25% compared to benchmark prices collected in early 2020

the record in this proceeding, and so its contents, along with its validity, accuracy, and methodological soundness, cannot be assumed in this proceeding.

Network Management:

21. At paragraph 46 of the survey report, DWCC et al. reference network management practices as a concern for sign language users, while also identifying at paragraph 48, that the use of these practices eliminates consumer anxiety.
22. As the Commission is aware, network management policies are employed to ensure all customers receive fair access to the internet, enjoy a consistent and reliable online experience, and so that WSPs can preserve the integrity of their networks. These policies can include measures to slow a user's traffic, to prioritize traffic, or limit bandwidth where necessary, and do not target DDBHH consumers specifically.
23. Network management policies are implemented in accordance with the Commission's Internet traffic management practices (ITMP) framework.
24. As identified in *Telecom Regulatory Policy CRTC 2009-657, Review of the Internet traffic management practices of Internet service providers*, the commission established "*a principled approach that appropriately balances the freedom of Canadians to use the Internet for various purposes with the legitimate interests of ISPs to manage the traffic thus generated on their networks, consistent with legislation, including privacy legislation.*"
25. The commission further notes, among other things, that where network management is employed that it must be transparent so that consumers can make informed decisions, be designed to address a defined need, and are not 'unjustly discriminatory nor unduly preferential'.
26. All WSPs disclose their network management policies to consumers in accordance with this framework.
27. In addition, to provide additional consumer support, WSPs provide tools that will allow users to understand their usage, manage their usage, as well as to decide whether they wish to increase their data limits as they approach them. Information concerning these topics is captured in ASL and LSQ videos⁷, and within WSP documentation.

Survey Analysis Highlights:

28. CWTA has limited its comments in this section to concerns about the methodology and accuracy of the Survey Analysis Highlights section of the survey report. As noted, CWTA will not be providing a question-by-question analysis of what has been put forward.

⁷ In addition to WSP websites, information can be found: <https://wirelessaccessibility.ca/mediavideo/> and <https://wirelessaccessibility.ca/fr/page-des-medias/>.

29. Survey Analysis Highlights are generally provided as a summary of key points that identify relevant trends captured within the survey itself. In a typical research study, a summary like this should provide the reader with enough information that they have confidence in the data itself and in the subsequent conclusions/recommendations. In many instances, the Survey Analysis Highlights forms information that is provided publicly, and for many readers it may be the only content they review. Therefore, factual accuracy and clear information is essential.
30. Unfortunately, since the Survey Analysis Highlights is put forward without any clear parameters, and often expressed in a percentage with no additional context, one needs to carefully refer to each question independently to understand the true nature of the results. This is true of even basic questions around the demographics of the survey respondents and the total number of respondents.⁸ For example, throughout the analysis, it is difficult to understand what the data points actually refer to, and where linkages to questions are presented, if those links actually exist.
31. This is especially concerning given that infographics, tables and charts were produced to visually tell the story based on what appears to be random groupings of information with nothing to anchor them to the survey results presented by DWCC et al.
32. CWTA provides a few examples of this inconsistent description of survey data and the corresponding analysis provided to highlight this problem.
33. Demographics (Paragraph 115): in presenting information on data for gross income, DWCC et al. has combined the answers of those reporting a gross income of less than \$24,999 with those stating “I prefer not to provide information”, ultimately presenting a total percentage of 52%. This skews the result for this data point and potentially inflates the portion of respondents who actually reported a gross income that is less than \$24,999. Given that pricing is often identified as a financial barrier, it is important to understand what portion of respondents actually have a gross income of less than \$24,999. Unfortunately, that information is not available in the survey report.
34. WSP Companies and Devices (Paragraph 117): if one were to review this paragraph alone, the conclusion would be that survey respondents only subscribed to three WSPs (TELUS, Rogers, and Bell). It is not until paragraph 137 that the report identifies that TELUS, Rogers and Bell accounts for a combined 301 respondents, and not until Appendix A (Question 17) that the full list of WSPs⁹ is included although the degree to which they form any part of the analysis is unclear. Even here the data is problematic since it totals 486 respondents identifying their WSP, which is short of the ~591 respondents for the survey.

⁸ DWCC et al. identify 606 participants in the survey however they also note that 591 gave permission for their responses to be used. It is unclear what pool is used as the base for the survey, and whether those that did not give permission are still included in some manner.

⁹ TELUS, Rogers, Bell, Videotron Koodo, Virgin, Freedom, Bell MTS, SaskTel, Eastlink, Public and “my provider is not listed”.

35. Monthly Wireless Data Costs (Paragraph 118): It is difficult to understand the analysis provided in this section. For example:

- the first bullet¹⁰ (% of respondents and how much they are paying at identified levels) equals a combined total of 45% of respondents;
- the second bullet¹¹ that identifies the data buckets¹² (including those that don't know what size their bucket is) equals a combined total of 58%; and
- The third bullet (identifies respondents not satisfied with what they pay) is a single number of 69%.

36. It is not clear what the linkages are, if any, between these elements, and who and what these buckets consist of is also not identified. Since there is no clear correlation between the various elements (how much respondents are paying for listed payment levels; % of respondents with specific data buckets) it is impossible to draw any inferences as to cost or value, or a level of dissatisfaction. Moreover, with respect to pricing summarized in paragraph 118 and the corresponding survey question, it is also unclear if responses reflect the cost of devices when those devices are included with the contract. However, Question 24 indicates that 52% of respondents have a contract with the device provided by their WSP. This fact is important to note to help understand what the respondents have agreed to pay for, per their response in Question 22.

37. Interestingly, in their analysis of pricing in Appendix A, Question 22¹³ and 23¹⁴, which also deals with topic of pricing but is not included in the highlights, DWCC et al. note:

“Of the 422¹⁵ total respondents to these questions, 148 have been overpaying on their bills, 57 have had cost-savings, while 237 had neither meaning they had been paying exactly what they agreed to with the companies.”

38. DWCC et al. note *“With Question 22 and Question 23, we wanted to do a comparison between what people had agreed to pay with their contracts versus what they had been paying in reality, and captured it from both the overpayment and cost savings perspectives.”* It is not clear to CWTA how this analysis could have been made since there does not appear to be a way to identify the

¹⁰ Following data included in bullet: 15% of respondents are paying \$66.00 - \$ 75.99/month, 12% are paying \$56.00 - \$65.99/month, 11% are paying \$96.00 - \$ 105.99/month, 7 % are paying \$ 106.00- \$115.99/month.

¹¹ Following data included in bullet: 19% of respondents have 10GB data plans, 14% have 20GB data plans, 12% have 5GB data plans while 13% don't even know how many G B data they are paying for in a month.

¹² It's not until paragraph 148, that additional information is provided that gives the bucket breakdowns, but it isn't until Appendix A (Question 21) that the full breakdown is identified. However, this data is included in two different tables (one that includes combined buckets but not “don't know”) and one that includes individual buckets (plus “don't know”) so it is unclear which has been, or should be, used. For example, assuming that the data in the full table is correct, the total respondents that don't know how large their bucket is should be 9.4% and not 13%; these discrepancies also seem to exist for data bucket totals as well.

¹³ Appendix A, Question 22: how much did you agree to pay for your phone bill cost per month, according to your contract/plan (including taxes)? (Q22 table identified a total of 477 responses.)

¹⁴ Question 23: how much do you actually pay for your phone bill per month (including any data add-ons and taxes)? (Q23 table identified a total of 167 responses.)

¹⁵ While the analysis identifies 422 respondents, the table identifies 442. It is unclear which is correct.

contractual obligation for each respondent or the amount that they identified as an “overpayment”, or what that “overpayment” actually related to.

39. However, if we were to accept this analysis, it is relevant to note that somewhere between 67-70%¹⁶ of respondents have contracts that, based on the reasoning put forward by DWCC et al., were what they expected (and arguably met the respective needs of the customer).
40. At a basic level, it is difficult to understand the various data points in the survey report, as the number of respondents that is reflected in the various sections varies considerably. When one reviews in detail, the numbers and percentages expressed often do not align with the analysis or even add up.
41. Highly subjective language is also introduced in order to explain discrepancies in the numbers. In addition, what is characterized as “noteworthy occurrences” are not endemic issues but represent one-off or WSP-specific situations that should be addressed directly with the carrier, or by lodging a complaint with the Commission for Complaints for Telecom-television Services or the Commission, as appropriate.
42. Based on this brief snapshot, it is difficult to understand the conclusions put forward by DWCC et al., and even more difficult to understand how to develop pragmatic workable solutions when the proposed recommendations are not supportable by survey results.

DWCC et al.’s Mystery Shopper Report

43. As described in its mystery shopper report (“mystery shopper report”), DWCC et al. conducted a secret shopping exercise that involved 30 individuals conducting 100 store visits.¹⁷
44. While some of the anecdotal results in the mystery shopper report may provide some insights to the qualitative experiences of the participating shoppers, like the survey report above, data is not clear and the actual methodology employed is not consistent with a reliable mystery shopping experience.
45. For example:
 - Sample size:
 - a) the small sample size (100 responses from 30 shoppers) provides what is, at best, a very narrow view of experiences.
 - b) of the 30 shoppers, the inclusion of four members of DWCC et al. also brings potential bias to, at minimum, 12 of the interactions.

¹⁶ Based on CWTA understanding of the respondent pool (422) and the number of responses (57 with a savings; 237 paying “as agreed”), this results in 70%. It is further unclear how the remaining 148 account for 34%. However, CWTA would note that while the analysis identifies 422, the table includes 442 respondents.

¹⁷ DWCC et al. ***Unlocking the Mystery Shopping Experiences of Deaf, Deaf-Blind and Hard of Hearing Canadians in Wireless Retail Stores***

- Targeted WSPs:
 - c) while the results imply that the experiences are universal, it is not clear which WSPs were included as the analysis differs from data tables.¹⁸
- Discrepancies between the analysis and what is contained in the data tables:
 - d) such as the percentages contained in paragraph 65(c) and the data tables in the back from which this information seems to be drawn (Questions 15).¹⁹
 - e) survey questions combine responses, such as in paragraph 93, where the responses for *No* and *Not Sure* are lumped together (resulting in a combined “57%”) and as such don’t provide a transparent breakdown of the responses for each.

It is not until one reviews Question 25 (Did they encourage you to have a data plan that contains more than 10GB for an affordable price?), that the breakdown is identified: Yes = 43; No = 49; and Not sure = 8.

The resulting analysis for this question is based on the combined data, and leads to what appears to be an intentional misidentification on the part of DWCC et al.²⁰

46. In its analysis, DWCC et al. attribute failure or negative motivations to actions of front-line staff when the behaviour falls outside of the DWCC et al.’s expectations. For example, DWCC faults customer service representatives for not recommending larger data packages, citing that they *“don’t seem to grasp the concept that Deaf, Deaf-Blind or Hard of hearing customers’ primary needs are ample amounts of data packages with plenty of GB available for their video calling needs”*. This is misleading when based on a review of the actual numbers.²¹
47. Moreover, DWCC et al.’s critique here about a failure to recommend large data buckets is contrary to the feedback that WSPs received during consultations with persons with disabilities.

¹⁸ Paragraph 64 (b) notes “The Top 3 company stores visited were: Bell at 25%, Rogers at 23%, Telus at 18%, with the flanker companies at 7% each: Fido, Koodo, Virgin Mobile and Freedom Mobile.” However, the data tables at the back include additional WSPs with no indication included as to whether this forms part of the analysis. It is not clear why the discrepancy exists.

¹⁹ Paragraph 65 (c) notes: “56% reported they communicated with sales staff by writing back and forth notes with pen and paper, while 24% used other creative methods with modern ways of interactive communication. Such examples include typing back and forth on either smartphone devices or computers/laptops or turning on live transcribe apps for recording spoken words into text.” However, data tables in the back seem to indicate this was 36% and 9% respectively. In addition, the data table for question 15 provides a fuller range of responses which included on-site interpreter (4 respondents), and VRI interpreter (2 respondents), as well as a category called “other” which included IP relay (8 respondents), ASL interpreter (unclear number), VRS (6 respondents), voice to text applications (unclear number).

²⁰ “93. In Question 25, at a combined 57%, it is evident that the Store staff don’t seem to grasp the concept that Deaf, Deaf-Blind or Hard of hearing customers’ primary needs are ample amounts of data packages with plenty of GB available for their video calling needs. The same for Deaf-Blind with their GPS wayfinding needs. The employees couldn’t even manage to encourage the Shoppers to get a minimum of 10GB, and even better offering 15GB, 20GB, or greater GB data buckets with the consideration of accessibility being a reason for the suggestions.”

²¹ See footnote 20. Paragraph 93 indicates that responses for Question 25 were No (57%) and Yes (43%), however at Appendix A (Question 25), it becomes clear that actual responses are far closer: Yes (43), No (49) and Not sure (8). DWCC et al. go on to assume that the 8% unsure were “possibly due to barriers with miscommunications or not clear communication with the sales staff.”

In those discussions it was identified that the needs of persons with disabilities are as broad and diverse as those of the general population. Using this as a starting point, the customer interaction is intended to draw out the individual needs of the customer and that may or may not result in a large data bucket.

48. Even when a sign language interpreter is not present (as most or all of the respondents did not request a sign language interpreter), the responses to Question 23²² identify an overall willingness on the part of customer service representatives to find ways to communicate with DDBHH customers to address their needs. While these methods of communication do not provide an optimal or elegant solution, they did result in the provision of information to the customer (based on 88 responses) as identified in question 29.²³ Store staff, in the face of difficult and frustrating situations for DDBHH customers, will generally take the steps to work toward a positive outcome.
49. To be clear, CWTA is not suggesting that experiences identified in the mystery shopper report should be disregarded. While the “consumer” in these instances was able to receive the necessary information, CWTA and WSPs acknowledge that there were barriers to clear communication. Indeed, CWTA and WSPs agree that each customer should have the ability to effectively communicate their needs, and that this will only occur with the removal of barriers. However, commission should not use the experiences captured in these reports when deciding if any new retail market intervention is necessary.

Awareness and Promotional Materials

50. In both its survey report and mystery shopper report, DWCC et al. identify what they perceive as a need for additional awareness activities at the store level in the form of training, and in general terms for DDBHH consumers (education on services and WSP offerings, etc.).
51. CWTA will not be providing comments on training as those activities are specific to each WSP, and form part of their specific service offering. In addition, CWTA does not have any insight in to these areas from a practical or operational perspective.

²² Q23. What was the reaction of salespeople when you said you were Deaf or Deaf-Blind? Choose the experience you had (can choose more than one) – Did the salesperson or staff person: Immediately search for pen and some paper (41 respondents); Did you have to be assertive and initiate the communication yourself and have to explain to them how to be accessible? (34 respondents); Try to pantomime what they were saying? (8 respondents); Immediately offer you a device so the two of you could text back and forth on It (8 respondents); Back a way or avoid you? (5 respondents); Immediately steer you toward a remote interpreting screen? (0 respondents). Total Respondents: 100

²³ Q29. Did you get the information you needed? If yes, in what format? Please choose what format you received the information: 74% agreed that yes, they got the information they needed from their store visit, and how they received this information was most commonly from the direct communication with the salesperson. Whether it was the specific information they wanted or needed, depends on the responses in the other questions they were asked in this project. 22% received the information through printed material they were given in the stores, while 5 % received their information from referrals to online information.

52. However, as CWTA has participated in the development of many accessibility-related materials on behalf of WSPs (ASL and LSQ videos), and for general use (wirelessaccessibility.ca), we are disappointed with the approach used during the mystery shopping exercise.
53. Shopping for devices and plans can be both complex and overwhelming because of the wealth of offerings. It is for this reason that WSPs have developed robust websites and alternate mechanisms for customer contact. Many consumers find it helpful to review information in advance of their in-person experiences to better understand what is available and to narrow their options. The Commission has specifically noted that Canadians generally use WSPs' websites as the initial and primary source of information, prior to engaging customer service, for choosing suitable products/services. Accordingly, it directed all WSPs to publicize all of their disability specific products/service on their websites, which WSPs have done.²⁴ Therefore, CWTA considers it highly unusual that DWCC et al. did not recommend this approach to their mystery shoppers. Rather, when noting that 72% of shoppers did not prepare for the store visits by visiting the company's website, DWCC et al. stated that "they should not have to."
54. CWTA is disappointed that the mystery shoppers (mystery shopper report) were not encouraged to take advantage of the available resources (i.e., WSP websites, wirelessaccessibility.ca, ASL/LSQ videos concerning the Wireless Code) to educate themselves in advance of the exercise. CWTA views this as a missed opportunity that would have provided a more balanced overview, in addition to providing further concrete feedback on ways that WSPs could improve their information.
55. This is especially concerning given that DWCC et al. is well aware of the consumer information that has been developed, since they participated in much of its development. It is equally concerning since they continue to put forward recommendations that would obligate numerous stakeholders to develop additional consumer materials. If, as DWCC et al. contend, consumers should not be expected to do their own research and due diligence and avail themselves of existing information, it is difficult to understand why they would propose the development of extensive new materials.
56. CWTA would again note that the information and resources that have been developed, and are currently available, provide useful information to consumers in order to optimize the shopping experience. The competitive nature of the wireless industry results in a variety of different offerings being available and the ability to peruse this information is helpful in advance of shopping in person.
57. The WSP's accessibility websites help customers with disabilities by identifying available services (such as interpreters, and the ability to make appointments), as well as information about various plans and offerings.

²⁴ *Telecom Regulatory Policy 2016-496 Modern telecommunications services – The path forward for Canada's digital economy, paragraph 213-214.*

58. The existence of these resources – WSP websites, WirelessAccessibility.ca, and ASL/LSQ videos for the Wireless Code²⁵ (and Internet Code) – are intended to help reduce barriers for customers with disabilities. However, these resources are only helpful if they are consulted.
59. CWTA would highlight that these resources are available to any organization that would like to make use of these materials, at no cost. To further the common objectives identified by all stakeholders, we believe that the Commission could also assist by providing these resources on its own website page dedicated to accessible services and promote those resources through its own channels.

Consultations

60. As identified in our initial comments, and as further confirmed within the interventions of DWCC et al. and the Deaf and Hard of Hearing Coalition (“DHH Coalition”), the wireless industry has a history of consulting with groups on topics of common interest. We expect that as an industry, and as individual WSPs, that our consultation with persons with disabilities and the various advocacy groups that represent them will continue.
61. While DHH Coalition in their intervention, at paragraph 85, states that “*DHH Coalition does not believe consultations between WSPs and DHH consumers would be useful. It does not believe WSPs would consider the feedback from DHH consumers and their groups.*” and go on to identify proceedings where they felt Commission and WSPs ignored feedback.²⁶, it is clear that the industry has taken many steps to act on consultations and feedback from persons with disabilities and will continue to do so.
62. Feedback that is received through the various consultation processes (whether written or in-person, general or specific to a formal proceeding, group or individual) provides WSPs with information that continues to be added to the foundation that has been developed, and in many cases builds on the in-house expertise of relevant teams.
63. Specific to claims that recommendations concerning IP Relay apps were mostly ignored, CWTA would note that WSPs made significant changes to IP Relay services and that this was a result of the feedback provided to service providers²⁷ at the April 30, 2019 consultation.

²⁵ The ASL and LSQ videos include transcripts, including time-marks, so that the customer may also identify the specific terms they would like to information for and access it easily.

²⁶ DHH Coalition, paragraph 85, bulleted content:

- Groups of, for and by DHH consumers made a very strong recommendation at the April 30, 2019 consultation regarding IP Relay apps for mobile devices. This recommendation was mostly ignored.
- As mentioned earlier, there used to be two major WSPs which zero rated their SRV CAV VRS app on mobile devices. Now there is just one. To the best of DHH Coalition’s knowledge this was not done in consultation with groups of, for and by DHH consumers.

²⁷ Service providers that attended the consultation: Bell, Cogeco, Eastlink, Freedom (and Shaw), Rogers, SaskTel, TELUS, Videotron and Xplore Mobile.

64. In its submission to the Commission, *Carrier requirement to report to CRTC regarding Minimum Requirements outlined in Telecom Regulatory Policy CRTC 2018-466, Review of the regulatory framework for text-based message relay services*, CWTA outlined the feedback that was provided as a result of the industry consultation that was undertaken.
65. Further to the filing of this report, the IP Relay service provider undertook the development of an app. This app is available for both Apple and Android devices. This is further recognized in DWCC et al.'s intervention at paragraph 124 (d) where it is noted "second meeting was good, the discussion was fruitful and revealing, the wireless service companies listened and they did implement IP Relay Apps."
66. While DWCC goes on to note at paragraph 124 of their intervention that "[b]eyond the MRS Face to Face consultation meeting, the activities of the wireless service providers did not progress further than the pre-design phase", it is difficult for CWTA to provide any additional insight as the development of products and services – including the development of the IP Relay app – would fall to the purview of the respective carriers and their own internal development processes and cycles. However, even with this limited visibility to the process, CWTA would note that it is erroneous for disability groups to assume that because they were not personally asked to provide additional guidance or feedback that this did not occur in some other manner.
67. DHH Coalition also identifies that "there used to be two major WSPs which zero rated their SRV CAV VRS app on mobile devices. Now there is just one. To the best of DHH Coalition's knowledge this was not done in consultation with groups of, for and by DHH consumers." In fact, DHH Coalition is inaccurate, and more than one WSP provides zero-rating, which is further identified by DWCC et al.'s survey report, at paragraph 57 "... in 2021, and the most recent scan identified that the following companies now offer this unique offering of unlimited high-speed data when accessing the Canada VRS service: Rogers, Telus, Bell, Fido (Rogers), Koodo (Telus), and Virgin Mobile (Bell)."
68. For clarity, zero-rating of VRS data is an additional service to DDBHH consumers, provided by some WSPs, where the data used to access SRV Canada VRS ("VRS") does not count against a consumer's data allowance and usage.
69. Given the growth in the number of WSPs that now offer this service, the zero-rating of VRS data would point to the dynamic nature of feedback and WSP response to that feedback. In fact, as zero-rated access to VRS is WSP specific, customers would be able to use this as a criteria when choosing the plan and provider meets their respective needs.
70. Both of the initiatives identified demonstrate that consultations have produced positive improvements, WSPs engage with groups representing people with disabilities in good-faith and adapt their services and offerings based on this feedback, without any need for the Commission to introduce additional mandates.

71. CWTA notes that the implementation of CRTC Accessibility Reporting Regulations,²⁸ further to the *Accessible Canada Act*, will only lead to additional beneficial impacts on wireless products and services, as well as the provision of these services at retail locations, and the overall reduction of barriers for people with disabilities with the continued consultation that is expected to occur.

Summary

72. CWTA and its member WSPs have actively participated in a variety of activities, both formally and informally, that were intended to make wireless products and services more available to a broader range of Canadians.

73. Many of these industry and WSP initiatives have been developed collaboratively with the benefit of feedback from a variety of stakeholders. And, as identified within this submission, the consultations have resulted in products and services that persons with disabilities agree are beneficial. In fact, the wireless industry has strived to better understand the needs of Canadians with disabilities and has used the feedback provided to better address identified needs, including via the introduction of accessibility plans, discounts, and add-ons that are in-market today.

74. Feedback received from accessibility groups during the consultation process, as well as during this proceeding, made clear that there was no single solution or 'one size fits all' plan. Flexibility in approaches is necessary and desirable so that individual consumers can determine what plan, and what WSP, would best meet their individual needs.

75. The interventions put on record do not provide a basis for a change in approach, and further underline the work done by WSPs to meet many of the already identified requirements. Further, owing to the methodological flaws in the DWCC et al.'s survey report and mystery shopper report, the Commission should not rely on the content of these reports when deciding if any new retail market intervention is necessary.

76. Facts on record of this proceeding demonstrate that flexibility continues to be paramount in delivering plans and discounts that meet the needs of persons with disabilities and that the current market-driven approach has yielded the widest range of offerings possible. This has allowed customers with disabilities to select a plan that meets their own needs, while it has also enabled brand differentiation among WSPs.

77. As a result, further regulatory intervention is unnecessary and could limit the current breadth of choices available to customers with disabilities.

²⁸ *Telecom and Broadcasting Regulatory Policy CRTC 2021-215 The Canadian Radio-television and Telecommunications Commission Accessibility Reporting Regulations*

Conclusion

78. CWTA appreciates the opportunity to provide its input to this important proceeding and looks forward to continuing its work with WSPs, Commission and interested stakeholders, including those representing persons with disabilities.

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