

August 27, 2021

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

By: GCKey

Dear Mr. Doucet:

Subject: 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 comments to the Canadian Radio-television Telecommunications Commission (the “Commission” or the “CRTC”) on behalf of 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. Our industry shares the commitment of access to wireless services for all persons, including persons with disabilities.
4. 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.
5. Most recently this included engagement with CRTC and Employment and Social Development Canada (“ESDC”) concerning their respective regulations under the Accessible Canada Act (“ACA”), namely the CRTC Accessibility Reporting Regulations and ESDC’s Accessible Canada Regulations.

6. As an industry, we are supportive of the principles enshrined in the ACA and of its overall objective to remove and prevent barriers to accessibility. We consider the work that is underway as part of the implementation of the ACA to be of fundamental importance, and ultimately leading to beneficial impacts on wireless products and services.
7. The wireless industry has been a collaborative and willing partner in these discussions, as well as in numerous consultations and joint initiatives, both historically and those currently underway.
8. For example, the wireless industry has:
 - been involved in accessibility initiatives such as the development of Text with 9-1-1 (T9-1-1),¹ including the development of the consumer facing website,² the current ongoing activities related to the evolution from T9-1-1 to RTT,³
 - provided access to Video Relay⁴ and IP Relay services and consulted with accessibility groups concerning the requirements for MRS;⁵
 - consulted with Deaf, Deaf-Blind and Hard of Hearing (DDBHH) groups concerning the development of ASL & LSQ videos in relation to both the Wireless Code⁶ and the Internet Code;⁷ and
 - worked collaboratively on various consumer facing initiatives, including the development of ASL & LSQ videos concerning Canada's public alerting system and recent upgrades to the Wireless Accessibility website.⁸
9. In addition to the above wireless industry initiatives, individual WSPs have also implemented a number of measures that reduce barriers for persons with disabilities, including:
 - offering accessible formats for bills and other documents;⁹
 - providing additional access to key information in alternative formats;
 - providing time to assess wireless devices and services via extended trial periods;¹⁰
 - publishing dedicated accessibility web pages setting out information about accessible products and services;¹¹
 - offering wireless accessibility plans, discounts, and add-ons to accommodate unique needs;¹² and
 - making available a variety of wireless devices that offer accessibility features and functionality.¹³

¹ Telecom Decision CRTC 2013-22, CISC Emergency Services Working Group – Consensus report regarding Text Messaging with 9-1-1 trial and service implementation, issued 24 January 2013, and Broadcasting and Telecom Regulatory Policy CRTC 2009-430, Accessibility of telecommunications and broadcasting services, issued 21 July 2009.

² Text with 9-1-1 website link is <https://www.textwith911.ca/en/home/>

³ Telecom Regulatory Policy CRTC 2017-182, Next-generation 9-1-1 – Modernizing 9-1-1 networks to meet the public safety needs of Canadians, issued 1 June 2017.

⁴ Telecom Regulatory Policy CRTC 2014-187, Video relay service, issued 22 April 2014.

⁵ Telecom Regulatory Policy CRTC 2018-466, Review of the regulatory framework for text-based message relay services, issued 14 December 2018.

⁶ Telecom Regulatory Policy CRTC 2017-200, Review of the Wireless Code, issued 15 June 2017.

⁷ Telecom Regulatory Policy CRTC 2019-269, The Internet Code, issued 31 July 2019.

⁸ Wireless Accessibility website link is <https://wirelessaccessibility.ca/>

⁹ BTRP 2009-430, and Telecom Regulatory Policy CRTC 2013-271, The Wireless Code, issued 3 June 2013.

¹⁰ TRP 2017-200.

¹¹ BTRP 2009-430.

¹² TRP 2016-496.

10. Many of these industry and WSP initiatives have been developed collaboratively with the benefit of feedback from a variety of stakeholders. 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.
11. In order to better understand how WSPs formulated their accessibility plans, discounts, and add-ons, plus what thinking informed their respective approaches, it is useful to understand how the industry got “here”. To that end, the CWTA would like to provide some important background and context concerning the work that was undertaken by WSPs and accessibility groups in relation to accessibility plans, discounts, and add-ons that are currently offered.

Consultations Undertaken by Industry in Development of Plans

12. At paragraph 212 of *Telecom Regulatory Policy CRTC 2016-496, Modern telecommunications services – The path forward for Canada’s digital economy* the CRTC directed “all WSPs to offer mobile wireless service packages that meet the needs of Canadians with disabilities. These include people who are Deaf or hard of hearing, and primarily use video to communicate, as well as people with visual disabilities who use way-finding and Global Positioning System (GPS) apps. WSPs must make these packages available no later than **six months** from the date of this decision.” The decision was issued on December 21, 2016 which meant that consultation with impacted groups, and subsequent development and delivery of WSP accessibility plans, would need to occur by June 21, 2017.
13. Given the tight timelines, CWTA was asked to undertake the necessary work regarding the consultation process. It was felt that a collaborative effort was the most effective and efficient way to manage consultations that each carrier would otherwise need to undertake individually.
14. CWTA worked with WSPs¹⁴ to define how the consultation process should be structured in order to gather the necessary information for plan development. Ultimately, it was determined to first focus on a written process that would allow accessibility groups to respond to a set of questions as this would provide the most relevant, consistent and concrete information. In addition, in-person meetings were scheduled in order to allow for additional information and clarification.

A. Written consultation

Process:

15. The objective of the written consultation was to ensure that all relevant data outlining specific accessibility needs was collected in a consistent manner from all participants.

¹³ BTRP 2009-430.

¹⁴ This included: Bell, Eastlink, Freedom, Rogers, SaskTel, Tbaytel, TELUS, and Videotron.

16. CWTA developed a questionnaire with input from WSPs to add structure and focus comments to the areas that the CRTC consultation specifically identified (i.e., data associated with apps).

The questionnaire included:

- Group Information – including whom the group represented;
- Texting and Voice – including identification of monthly usage for text and voice;
- Apps and Programs – including identification of apps most widely used, the nature of the apps, and amount of data the apps use;
- Data Usage – including identification of monthly average data consumption;
- Consumer Identification – including identification of best practices for communicating with accessibility users concerning specific offerings; and
- Other – including identification of any other additional information that the group felt was important to include.

17. The questions that were asked were intended to distill a more precise understanding of *how* consumers with accessibility requirements use devices (including relevant apps and programs) and what that translated into from an *actual usage* perspective (be that data, text, etc.). This type of information was not readily available and was helpful to WSPs as they worked through the development of appropriate plans.

18. The questionnaire was translated into French in order to take into account participation of Quebec-based organizations, and it was also provided in a word and plain text format.

19. The information collected during the written consultation was aggregated and shared with WSPs and was used internally to educate and instruct relevant departments in the development of their respective accessibility plans.

Identification of participants:

20. CWTA contacted 24 organizations that represented DDBHH and Blind Canadians. The groups were both regional and national in scope in order to allow for the greatest amount of participation, and greatest consideration for regional requirements.

21. Organizations included: Alliance for Equality of Blind Canadians, Association Ontarienne des Sourd(e)s francophones, Canadian Association of Educators of the Deaf and Hard of Hearing, Canadian Association of the Deaf-Association des Sourds du Canada, Canadian Council of the Blind, Canadian Deafblind Association National, Canadian Federation of the Blind, Canadian Hard of Hearing Association, Canadian Hearing Society, Canadian National Society of the Deaf-Blind, Centre québécois de la déficience auditive, CNIB, Confédération des organismes de personnes handicapées du Québec, Deaf and Hard of Hearing Youth Association of Nova Scotia, Deaf Wireless Canada Consultative Committee, Deaf Youth Canada, Manitoba Deaf Association, Media Access Canada, Newfoundland and Labrador Association of the Deaf, Regroupement des aveugles et amblyopes du Québec, Société culturelle québécoise des Sourds, Society of Deaf and Hard of Hearing Nova Scotians, South-East Deaf & Hard of Hearing Services, and VOICE for Deaf and Hard of Hearing Children.

B. In-person meeting

Process:

22. The objective of the in-person meeting was two-fold: (1) to provide a venue where groups could provide feedback on the plans that were being developed, and (2) to foster a closer relationship with the various groups.
23. Separate sessions were planned for groups representing DDBHH and Blind Canadians to provide feedback that was specific to their respective needs and experiences, and to effectively plan for required meeting accommodations.
24. Meetings were scheduled for Ottawa in September 2017 (morning session in English for Blind participants; afternoon session in English and ASL for DDBHH participants), and in Montreal for December 2017 (morning session in French for Blind participants; afternoon session in French and LSQ for DDBHH participants).
25. The agenda was developed in consultation with participating groups and included a variety of topics including feedback on the plans developed as a result of *TRP CRTC 2016-496*. In addition, consultation also began concerning the newly identified requirements as identified in the *Telecom Regulatory Policy CRTC 2017-200, Review of the Wireless Code*.

Identification of participants:

26. Meeting invitations were extended to those groups that had provided feedback to the written consultation as it was felt they were the most likely to attend. In addition, since they had provided the initial feedback on which plans were built, they would be in a position to discuss the outcomes.
27. Participants at the in-person meeting included: Alliance for Equality of Blind Canadians, Association du syndrome de Usher du Québec, Canadian Association of the Deaf-Association des Sourds du Canada, Canadian Council of the Blind, Canadian Hearing society, Canadian National Society of the Deaf Blind, CNIB, Confédération des organismes de personnes handicapées du Québec, Deafness Advocacy Association NS, Deaf Wireless Canada Consultative Committee, Regroupement aveugles et amblyopes du Québec, and Society of Deaf and Hard of Hearing Nova Scotians.

What We Learned

A. Written consultation

28. The key takeaway from the written consultation was that the wireless device usage of persons with disabilities was similar in nature to that of any other Canadian: how a device was used was based heavily on the individual's specific needs and circumstances.

29. For instance, during the proceeding that led to TRP 2016-496, there was evidence placed on the record that Deaf and hard of hearing (DHH) users did not want to pay for voice minutes. During the CWTA consultation, it became clear that this was not a uniform opinion of DHH users. Many DHH users wanted to have voice minutes included with the rate plan because they lent their phone to others who made voice calls. The individual needs of each user were unique and varied, and not necessarily representative.
30. While it was clear that the features that were important to Canadians with disabilities were varied and unique between individuals, access to data was identified by participating groups as being important for their ability to function in society. Data allowed for access to a variety of information and services, from way-finding and video apps to vlogs, and enabled participation. However, the amount of data usage that any individual required was difficult to determine, as it was heavily tied to many things including the type of apps being used, the specific behaviour of the app, and how often it was used. Depending on the individual user, data usage could be anywhere from 1GB to 12GB or more.
31. Affordability was also cited as an obstacle to accessing wireless services, with users purchasing plans that were not necessarily suitable to needs but that were budget friendly.
32. Only one participating group included a specific recommendation for wireless data package offerings: at 4GB (low data user), 6GB, 8GB (medium data user), 10GB and 12GB (high data user), with packages all being under \$100.00.
33. Given the feedback provided concerning the broad range of needs, it became obvious that flexibility of choice was an important element when persons with disabilities sought plans.

B. Approach to plan development

34. 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.
35. 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.
36. A common approach adopted by a number of carriers in the development of an accessible plan was to provide persons with disabilities with a discount/data add-on to available eligible in-market rate plans instead of developing a new and static accessibility-specific plan offering. This flexible discount/add-on option was widely adopted because it addressed many of the concerns

that were heard during the consultation process. For example, this approach provided persons with disabilities with a maximum amount of choice in plans, as it allowed persons with disabilities to choose from many diverse plans offered by a provider. Providing a discount or data add-on allowed persons with disabilities to subscribe to a plan that provided a greater level of functionality than a standard plan and in that manner accommodated the higher data requirements that many users with disabilities may have.

37. 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.

C. Feedback from in-person meeting

38. As noted earlier, the in-person meeting was scheduled to occur after the introduction of carrier’s accessibility plans in order to allow for discussion concerning the plans themselves.
39. Initial reactions to the new accessibility plans were generally favourable.
40. Participants reiterated that a one-size-fits-all plan didn’t make sense because of the wide range of potential accommodation needs, and that they were counting on carriers to be creative in order to show the options that are available, and the value of their plans.
41. Discussions with DDBHH participants focused on suggestions for how to promote the plans and communicate with DDBHH customers. The majority of the conversation focused on other formal CRTC consultations and next steps associated with those.

Post-TRP CRTC 2016-496

A. Wireless plans in-market

42. Since the initial consultations were undertaken there has been an overall trend in the industry toward larger data buckets for in-market plans. These higher data plans meet the increased need for more data by Canadians, including persons with disabilities as identified during the consultation.
43. In addition, according to the *CRTC Communications Monitoring Report 2020*¹⁵ (“CMR”), while data usage has continued to increase, the CMR shows that service plan prices continued to

¹⁵ Source: <https://crtc.gc.ca/eng/publications/reports/policymonitoring/2020/index.htm>.

decline in 2019. For example, 5GB plans averaged \$48.82¹⁶/month, and 10GB plans averaged \$65.50¹⁷/month.

44. 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 2021.¹⁸ 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 2020.¹⁹
45. All of this, coupled with the expectations identified at paragraph 525-559 of *Telecom Regulatory Policy CRTC 2021-130*, Review of mobile wireless services, concerning low cost and occasional use plans make it is clear that the market will continue to offer a broad range of plans, as well as flexibility that meets consumer needs.
46. For these reasons CWTA respectfully submits that no additional mandated requirements are necessary concerning "accessibility" plans.

B. Future Consultations

47. CWTA has engaged accessibility groups in consultation on various items as identified earlier in this submission. Much of the feedback garnered from these various consultations has been instrumental in helping CWTA shape the approach it uses in developing its own consultations and in the development of consumer facing initiatives that CWTA leads on behalf of its members.
48. For example, as part of CWTA's 2019 MRS consultation, accessibility groups noted value in meeting with the industry outside of the context of a formal proceeding. CWTA committed to hosting an annual meeting between accessibility groups and WSPs that would allow for the discussion of relevant items.
49. CWTA expects that this type of engagement will continue with the ongoing processes related to the Accessible Canada Act (via CRTC and via ESDC). This consultation will be of specific importance to WSPs as they continue the important work of barrier identification and elimination.
50. Unfortunately, with the advent of COVID-19 the meeting that was planned between accessibility groups for September 2020 was put on-hold, similar to the approach used by CRTC with many of its proceedings, as well as other businesses who needed to pivot their operations.

¹⁶ This is a drop of 36.98% between 2016 and 2019.

¹⁷ 10GB plans were newly added to the data collection regime in 2019.

¹⁸ The Cellular Services Index and CMR price study use different methodologies. Source: [Statistics Canada. Table 18-10-0004-01. Consumer Price Index, monthly, not seasonally adjusted.](#)

¹⁹ Source: https://www.ic.gc.ca/eic/site/143.nsf/eng/h_00005.html.

51. CWTA is investigating the possibility of holding virtual meetings on specific topics. While the new virtual meeting applications appear to provide some flexibility for hosting meetings with diverse groups, it is not yet clear if this will provide a suitable platform for inclusive and efficient collaboration. What is clear however is that COVID-19 requires all organizations to become nimble in their approaches and expectations.
52. In order to maintain momentum, CWTA has continued to work on industry level initiatives related to accessibility in collaboration with disability consultants. The Wireless Accessibility website (wirelessaccessibility.ca) has been fully updated to include clear and simple language and accessible navigation in both mobile and desktop formats. This website is intended to provide consumers with a one-stop resource to improve the usability of their devices.
53. The expanded range of information on the Wireless Accessibility website includes:
- a searchable database of devices based on functionality requirements;
 - links to various resources (MRS, VRS and Text with 9-1-1);
 - links to services provided by carriers (accessible devices that they sell; types of accessible services that are available; information on accessible plans, discounts or add-ons; information concerning how to make appointments);
 - links to ASL and LSQ videos (including voiceover and transcripts) for Wireless Public Alerting, as well as the Wireless and Internet Codes; and
 - a resources page that includes additional information on topics of interest including apps, how to make video calls using apps, and links to accessibility groups that are available to persons with disabilities to help connect with relevant programs and services, provide advocacy help, or support.
54. CWTA has also accepted invitations to speak about the Text with 9-1-1 service for consumers that are Deaf, deafened or hard of hearing and continues to discuss work related to the transition from T-9-1-1 to RTT with stakeholders.
55. CWTA and the industry believe that this community engagement helps to promote the various work undertaken by carriers, highlights momentum on various projects and initiatives, and opens the discussion on items that are of specific interest or concern to the various communities.

Summary

56. 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.
57. Many of these industry and WSP initiatives have been developed collaboratively with the benefit of feedback from a variety of stakeholders. 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.

58. 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.
59. Since the initial consultations were undertaken there has been an overall trend in the industry toward larger data buckets for in-market plans. These higher data plans meet the increased need for more data by Canadians, including persons with disabilities as identified during the consultation.
60. In addition, while data usage has continued to increase, the CMR shows that service plan prices continued to decline.
61. For these reasons CWTA respectfully submits that no additional mandated requirements are necessary concerning "accessibility" plans.

Conclusion

62. The wireless industry has worked collaboratively on multiple initiatives and services that are intended to respond to the unique needs of Canadians with disabilities. The CWTA is pleased to provide some background on the important work that was undertaken to develop the accessibility plans that are offered by WSPs today.
63. WSPs continue to support initiatives for joint industry consultations as these serve an important function in moving the industry forward, in building relationships with groups, and in ensuring truly accessible services for all Canadians.

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