

Liberal Party of Canada
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October 7, 2008

Michael Janigan
Executive Director
Public Interest Advocacy Centre
1201 - ONE Nicholas St.
Ottawa, ON K1N 7B7

Dear Mr. Janigan,

Enclosed, please find the Liberal Party response to your questionnaire.

For more information on the Liberal Party of Canada's vision for Canada, please take a moment to review our platform online at www.liberal.ca. This document provides details on Liberal goals and priorities.

On behalf of our Leader, Stéphane Dion, and the entire Liberal team, thank you for writing to identify the major concerns of your membership. We appreciate your interest in the Liberal Party's policies as they relate to the issues which affect you.

Sincerely,

Doug Ferguson, President
Liberal Party of Canada



A Liberal Response to the Public Interest Advocacy Centre

Question 1

Complaints about telecommunications services are on the rise. Three class action law suits are currently underway regarding system access fees, late payment charges, and the use of "traffic shaping" technologies to filter out and delay the delivery of certain types of broadband traffic. The Commissioner for Complaints for Telecommunications Services was recently created to handle complaints regarding deregulated services, but its mandate is extremely narrow and its powers to order redress are very limited.

Is it fair to place on consumers of telecommunications services the responsibility and financial burden of policing and pursuing in the courts and elsewhere anti-competitive, price-gouging, and other unfair practices of telecommunications firms? If not, how does your party intend to reverse the current situation that places this onus on consumers?

Regarding recent deregulation in the telecommunications sector, The Liberal Party would welcome the opportunity to debate ways to improve the efficiency of bodies such as The Commissioner for Complaints for Telecommunications Services, to make sure that consumers' rights are respected.

Question 2

Last spring, Senator Oliver introduced Bill S-242, *An Act to Amend the Telecommunications Act*. This Bill would give the CRTC clear powers to establish and operate an independent agency to handle consumer complaints about telecom services. It would therefore resolve outstanding jurisdictional issues that have plagued the new agency, and would give the CRTC and the new agency the powers they need to handle consumer telecom complaints effectively.

Will your party support Senator Oliver's bill if it is re-introduced?

The Liberal Party is always ready to support consumers' right. We welcome questions raised by S-242, which is not a government bill, and we will ensure that, if reintroduced, the bill will be studied closely, as should any matter of such great importance.

Question 3

Under the policy direction from former Industry Minister Maxime Bernier, the CRTC has been directed to make deregulation a priority and puts the onus on stakeholders to prove that consumer protection is a priority. Would you support restoring consumer protection as the priority concern and make stakeholders prove that is not needed?

What is your party's response to recent actions by the CRTC to further deregulate telecom markets? Is the CRTC doing enough to protect the interests of consumers?

Foreign ownership in Telecommunications as well as any other sector is a complex question with many undefined impacts. A Liberal government would not rush to a decision on this issue and would respect the opinions and positions of all stakeholders in any negotiations or decisions on the foreign ownership question. We would also seriously consider important questions such as national security or the impact of foreign investments on the Canadian identity.

Question 4

It has recently come to light that Bell Canada and several large cable companies are “throttling” peer-to-peer (P2P) traffic in order apparently to ease congestion on their networks. The U.S. Federal Communications Commission has found that similar “traffic shaping” practices of a U.S. ISP were discriminatory, arbitrary and anticompetitive practices and do not constitute reasonable network management.”¹

Does your party stand behind the principle of net neutrality, namely that a telecommunications carrier must not discriminate against or interfere with the traffic traversing its network on the basis of the traffic's nature, content, origin or destination? What specific policy proposals would your party pursue to enforce and protect net neutrality?

The internet is not regulated in Canada. The Liberal Party understands the many problems posed by the coming of new technologies and is committed to addressing them. The CRTC is due to look into new media and what regulations could be applied. A new Liberal Government would follow these deliberations closely and act accordingly upon any conclusions reached.

What is your party's position on traffic shaping practices of Canadian ISPs? If elected, what actions would your party take in response to these practices?

As with net neutrality, results of CRTC reviews of new technology will be an important element for consideration. The Liberal Party agrees that consumers' rights are important and we will continue to monitor any propositions and arguments on this issue. Rest assured that if any decision is made on traffic shaping, net neutrality, or any other decisions related to the internet it will be done in an open, transparent and respectful way.
