



612 St-Jacques Street
Montreal, QC H3C 4M8

Direct line: 514 380-4792
Email: dennis.beland@quebecor.com
Internet: www.quebecor.com

4 August 2017

Ms. Danielle May-Cuconato
Secretary General
Canadian Radio-television and
Telecommunications Commission
Ottawa, ON K1A 0N2

RE : CRTC File No. 8620-R63-201705675 – Part 1 application by TNW Wireless Inc. (TNW) against Bell Mobility Inc. (Bell Mobility) and TELUS Communications Company (TELUS) regarding access to mandated wholesale roaming services – Intervention of Quebecor Media Inc. (Quebecor Media) on behalf of its affiliate Videotron G.P. (Videotron)

Dear Ms. May-Cuconato,

1. Quebecor Media, on behalf of its affiliate Videotron, hereby files its intervention on the above-noted application.
2. In its application, TNW is seeking access to Bell Mobility's and TELUS' Commission-mandated wholesale roaming services, on both an interim and final basis. TNW states that Bell Mobility and TELUS have refused to provide such access, in alleged contravention of Telecom Regulatory Policy CRTC 2015-177, *Regulatory framework for wholesale mobile wireless services* (TRP 2015-177). The application also refers to Telecom Decision CRTC 2017-56, *Wholesale mobile wireless roaming service tariffs – Final terms and conditions* (Decision 2017-56) and contains assertions related to the "regulatory compliance" of TNW's iPCS technology.
3. The question facing the Commission in considering the application is straightforward: Does TNW satisfy the conditions of access to mandated wholesale roaming services, as prescribed in TRP 2015-177 and Decision 2017-56.
4. We respectfully submit that the answer is no.

5. Our answer is founded on an assessment of the network presence and services offered and planned to be offered by TNW, as best these can be determined from the information filed by TNW on the public record.
6. First, we note that TNW has presented no evidence that it operates a mobile wireless network in Canada. Operation as a Canadian wireless carrier, however, is a threshold condition for accessing mandated wholesale roaming services.¹ TNW does appear to hold one or more mobile wireless spectrum licences in the northwest region of British Columbia and parts of Yukon, yet no facts are available to suggest that the company has deployed network coverage in those areas.
7. Second, even if TNW were to initiate operation of a mobile wireless network in the northwest region of British Columbia or parts of Yukon, it is evident that the company has no intention to comply with the Commission's requirement that the use of mandated wholesale roaming services in other parts of Canada be incidental rather than permanent.² A typical TNW subscriber in Eastern Canada, for example, will always be (a) on a roaming partner's mobile wireless network or (b) on a Wi-Fi network operated by someone other than TNW. Stated another way, the only time such a subscriber will be on a mobile wireless network is when he or she is on a roaming partner's network. This is permanent roaming, pure and simple.
8. TNW has attempted to obscure this reality with claims that its iPCS technology involves "remote access" to its northwest BC / Yukon spectrum through the use of "cloud spectrum technology". Buzz phrases aside, what this appears to suggest is that TNW plans to backhaul at least some of its customer traffic from the rest of Canada to its spectrum licence territory.³
9. Backhauling of traffic, however, is nothing new. Moreover, the act of backhauling from a given location does not make one a network operator in that location. Videotron, for example, backhauls data traffic from its customers as they roam in all thirteen Canadian provinces and territories and over 200 other countries around the globe. Under TNW's engineering logic, Videotron could today claim to be a network operator in all these locations. Such a claim would, of course, be nonsense.

¹ TRP 2015-177, paragraph 129: "In light of the above, the Commission **directs** Bell Mobility, RCP, and TCC to provide GSM-based wholesale roaming to Canadian wireless carriers other than Bell Mobility, RCP, and TCC, subject to the rates, terms, and conditions established by the Commission in this decision" (underlining added).

² Decision 2017-56, paragraph 31: "Accordingly, the Commission confirms that mandated wholesale roaming: provides incidental, and not permanent, access to the incumbents' networks ..." (underlining added).

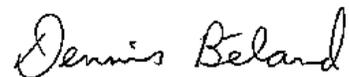
³ Some statements made by TNW in its application even go so far as to suggest that once this traffic has been backhauled to its spectrum licence territory, it will be retransmitted over TNW's radio access network (assuming one is ultimately deployed) in that territory. This is hardly a credible statement. Retransmission of the traffic from a Canada-wide customer base through a handful of localized cell sites would be an astonishingly wasteful use of resources.

10. In any event, the Commission has already determined that public Wi-Fi access points do not form part of a wholesale roaming customer's home network.⁴ This well-founded determination is intended to ensure that proper incentives for facilities-based investment are maintained for wholesale roaming customers. TNW's application, if approved, would scuttle these incentives.

11. In conclusion, there is nothing in the Commission's rules to prevent TNW from securing access to mandated wholesale roaming services to supplement the offering of mobile wireless services in its own licence territory, provided TNW is indeed offering services in its own licence territory and provided it is prepared to ensure that its use of mandated wholesale roaming services will be incidental in nature. Nothing indicates that Bell Mobility or TELUS have done anything to offend these rules. TNW's application must be rejected.

12. Trusting this is satisfactory, we remain,

Yours truly,



Dennis Béland
Vice-President, Regulatory Affairs
Telecommunications

cc: TNW (regulatory@tnwcorp.com)
Bell Mobility (bell.regulatory@bell.ca)
TELUS (regulatory.affairs@telus.com)

End of document

⁴ Decision 2017-56, paragraph 31: “Accordingly, the Commission ... clarifies that public Wi-Fi does not form part of a wireless carrier's home network for the purpose of establishing what constitutes incidental use of the visited network pursuant to the relevant wholesale roaming tariff ...” (underlining added).