



Mr. Claude Doucet
Secretary General
Policy Framework
Telecommunications Sector
Canadian Radio-television and
Telecommunications Commission
1 Promenade du Portage
Ottawa ON K1A 0N2

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Filed by GCKey

Your reference: 8620-R63-201705675

RE: Part 1 Application by TNW Wireless Inc. relating to wholesale roaming agreements required under Telecom Regulatory Policy 2015-177, CRTC file no: 8620-R63-201705675 – Procedural Request of TELUS Communications Inc. (“Telus”)

Dear Mr. Doucet,

We are in receipt of the *Procedural Request* sent to the Commission by Telus on October 12, 2018.

We note that Telus felt obliged to respond and rebut three specific items regarding TNW’s Responses to Intervenor dated October 9, 2018. TNW does not intend to respond to this communication in great detail but would like to provide the Commission with certain important points and comments.

First and most importantly is that TNW Wireless Inc. (“TNW Wireless”) has not made any accusations/allegations in its most recent filing of October 9th other than stating certain facts that the Company recently became aware of, for the Commission’s consideration. Telus has chosen to qualify these as “*unfounded allegations that TELUS denies and rebuts.*” and further states that “*TELUS is compelled to object to their inclusion on the record of this proceeding*”

Regarding the TELUS employee, other than stating that “*The allegations are reckless and without merit*”, it fails to address and provide a clear answer as to the core issues regarding the potential of conflict of interest as raised.

Telus states:

“First, TNW’s allegations that TELUS has “suddenly” made the deemed transfer issue the most prominent point are exaggerated and entirely inaccurate”.

Telus erred in its understanding TNW Wireless’ comments. TNW Wireless’ comments were very clear and did not suggest that Telus was bringing up the issue for the first time but rather that:

*“ . . . it suddenly made the issue of transfer **its first and most prominent point, shifting the emphasis** of their arguments **to this topic.** ” [Emphasis Added]*

Telus further states:

“Second, TNW’s allegations to the contrary are wholly unsubstantiated and entirely and transparently without any merit.” and;

“Third, for the avoidance of any doubt no involvement in the preparation of any of TELUS’ submissions”

Telus does not however comment as whether any Government of Canada’s post-employment rules were violated. Furthermore it is unclear from the letter if Telus has in any way consulted with Mr. Mulvihill regarding anything to do with TNW Wireless.

On the flip side, Telus in its own responses during the application process, has made numerous allegations against TNW Wireless that are completely subjective interpretations of unrelated situations and furthermore where such allegations have been unsupported by facts. We believe these bold and unsubstantiated statements were an attempt to taint TNW Wireless in the mind of the Commission by leaving out key and material information.

In its procedural request, Telus has not informed the Commission as of why it did not feel the need to disclose this particular hiring in light of Mr. Mulvihill’s responsibility over TNW Wireless’ file and Telus’ strong opposition to the TNW Wireless Part 1 Application and using at least in part, this file as part of its opposition to the Application.

Interestingly this is supported by the fact that Telus has neither denied the fact that Mr. Mulvihill was overseeing the TNW Wireless file nor that he was a person with considerable knowledge of current regulatory issues nor have they commented on the likelihood that he would have known that Telus was opposing TNW Wireless’ Application, at least in part based on the “transfer issue”.

Nevertheless, at any level, common sense would dictate that there is certainly potential for conflict of interest and it is in no way unreasonable for TNW Wireless to be concerned and to bring this information to the Commission. At very least this should have been pre-emptively addressed accordingly by Telus.

TNW Wireless respectfully submits to the Commission that Telus has omitted to disclose certain important facts in its procedural request and has felt necessary to address only very selective information. Furthermore we believe that the information contained in the procedural letter leaves more questions unanswered than resolved.

We are confident that the Commission is fully capable of drawing its own conclusions from all the information provided by all parties during this entire application process and that nothing should be stricken from this file unless deemed appropriate by the Commission.

Sincerely,



Lawry Trevor-Deutsch
President

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