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October 12, 2018

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

Dear Mr. Doucet:

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”)

1. TELUS has reviewed the final Reply of TNW Wireless Inc. (“TNW Wireless” or “TNW”) in the above-noted application (the “Application”). In its Reply, TNW Wireless has made several unfounded allegations that TELUS denies and rebuts. Given the serious and personal nature of the allegations, TELUS is compelled to object to their inclusion on the record of this proceeding.
2. In particular, TNW has made serious accusations against a TELUS employee (the “TELUS Employee”) who was previously employed at Innovation Science and Economic Development Canada (“ISED”). Without limitation, these new allegations are found in paragraphs 69-74 of the Reply. The allegations are reckless and without merit.
3. First, TNW’s allegations that TELUS has “suddenly” made the deemed transfer issue the most prominent point are exaggerated and entirely inaccurate. The issue *has been consistently raised* by TELUS as one of several valid justifications for denying roaming to TNW in its submissions throughout this proceeding, including in TELUS’ Answer¹ and in TELUS’ Supplementary Comments.² Both

¹ Answer of TELUS, dated August 4, 2017 (TELUS’ Answer”), at paras. 7 and 77-79.

TELUS' Answer and TELUS' Supplementary Comments were filed well in advance of the TELUS Employee joining TELUS. Indeed, TELUS' Answer was filed over a year before the commencement of the TELUS Employee's employment at TELUS. This matter was again addressed in TELUS' comments to TNW's RFI responses ("TELUS' Comments")³ because the Commission specifically posed a question concerning the deemed transfer to TNW in its RFIs⁴ and because TNW still could not provide evidence of any ISED approval in its RFI responses. TELUS' questioning of the deemed transfer of the licences is not new and has been addressed throughout this proceeding, as is obvious to anyone who bothers to read the submissions.

4. Second, the information provided by TELUS in all of its submissions on the licence transfer issue, including TELUS' Comments, is derived entirely from publicly available information, such as the applicable licence transfer framework, and the ISED database of current licence holders, as already emphasized in TELUS' Answer⁵ and TELUS's Supplementary Comments.⁶ There is clearly no use of any confidential information in or behind any of TELUS' comments on this point. TNW's allegations to the contrary are wholly unsubstantiated and entirely and transparently without any merit.
5. Third, for the avoidance of any doubt, the TELUS Employee has had absolutely no involvement in the preparation of any of TELUS' submissions in this proceeding whatsoever, and has not otherwise violated any confidences or conflict of interest obligations. For TNW to suggest that the TELUS Employee has in some way violated any rules or acted with any impropriety is a baseless attack on an individual and is not supported by the facts, as discussed above.

² Supplemental comments of TELUS, dated May 3, 2019 (TELUS' Supplementary Comments), at paras. 28-30.

³ Comments of TELUS to TNW's RFI responses, dated October 1 2018.

⁴ See RFI 6 in Telecom Procedural Letter Addressed to Mr. Lawry Trevor-Deutsch (TNW Wireless Inc.), dated 13 July 2018.

⁵ TELUS' Answer, para. 79.

⁶ TELUS' Supplementary Comments, para. 30.

Conclusion

6. TNW has made serious and baseless accusations against a TELUS employee. For the reasons discussed above, these claims do not have any merit, and have no bearing on this proceeding. TELUS respectfully requests that the Commission strike TNW's gratuitous allegations from the record of the proceeding, or in the alternative, afford them no weight.

Yours truly,

{Original signed by Stephen Schmidt}

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