



# Radio Amateurs of Canada Radio Amateurs du Canada

*Member Society of the International Amateur Radio Union*

April 14, 2021

Re: Consultation on Amending CPC-2-0-03 — Radiocommunication and Broadcasting Antenna Systems (DGSO-002-21), dated March 17, 2021, and published in the Canada Gazette, Part I, Volume 155, Number 12 (March 20, 2021)

Our comments apply only to Q1, on the introduction of official language requirements.

Radio Amateurs of Canada Inc. is a non-profit membership organization representing the interests of amateur radio operators in Canada. While we are primarily making our comments on behalf of amateur radio operators, we also wish to point out that there may be other individuals wishing to install antenna systems for personal use to whom our comments below could also apply.

Paragraphs 8 to 11 of the consultation document DGSO-002-21 clearly identify the growing demand for mobile broadband and wireless network systems as the primary motivation for proposing amendments to CPC 2-0-03 regarding official language requirements. We note that the existing CPC 2-0-03 recognizes a distinction between "telecommunications carriers, broadcasting undertakings or third party tower owners" and other proponents. This distinction is made in Section 6 of the CPC, in the exemptions for new antenna systems under 15 metres in height and for modifications to existing antenna systems. However, the present consultation document does not make any such distinction. We believe it should have.

The majority of amateur and other personal antenna systems fall within the 15 metre height exemption in Section 6 of the CPC, but there are some such systems that exceed this height and would therefore require public consultation under the default consultation process described in CPC 2-0-03, Section 4. The majority of these systems are in semi-rural or rural areas where lot sizes are large, and the number of neighbours within a radius of three times the tower height is often very small, in many cases only one, two or three neighbours. If none of those neighbours is a minority-language speaker, as is particularly likely in regions that do not meet the 5% criterion for linguistic minority population, the task of preparing consultation materials in both languages would represent an unnecessary and wasteful expense and burden on the proponent.

For telecommunications carriers, broadcasting undertakings and third party tower owners, and perhaps to some extent for other enterprises proposing to install antenna systems for business use, such expenses may be part of the normal cost of doing business, a cost which is ultimately

recovered from customers. This is not the case for an individual proposing to install an antenna system for personal use. Telecommunications carriers, broadcasting undertakings and third party tower owners quite likely have multiple locations that can use similar consultation materials, thus helping to defray the costs of translation and preparation, but this savings is not available to individual proponents proposing to install antennas for personal use on their own residential properties. The burden on individual proponents of the proposed requirement would therefore be proportionally heavier than on mobile broadband and wireless network service providers.

With respect to the two options proposed: In regions with minority language populations below the 5% threshold, someone receiving consultation materials from a neighbour is unlikely to expect to see such materials in both official languages. Presentation of materials in both languages may result in confusion over who is carrying out the consultation and why. The recipient might assume that the contents were prepared by a federal agency, or that by presenting materials in both languages the proponent is somehow trying to imply that they have federal government support. Such misunderstandings are more likely if the proponent is an individual, as compared to a large regional or national service provider who might reasonably be expected to prepare consultation materials in both official languages as a matter of routine business practice.

As between the two options presented, our preference is therefore for Option 2.

However, we also believe that even in designated bilingual areas, further changes are appropriate to recognize the differences between individual proponents and the large corporations that the proposed changes clearly had in mind. We certainly respect the rights of those being consulted to have information in the language of their choice, but would prefer something that allows this to happen without requiring needless translation of information as a result of a blanket requirement.

Therefore, we would recommend changing the proposed requirements using the distinction already made in Section 5 of the current CPC. Under our proposal, telecommunications carriers, broadcasting undertakings and third party tower owners would be required to provide initial communications in both official languages, as in Option 2, but unless established land-use authority processes required otherwise, other proponents would only be required to offer to provide information in the minority official language, and if a request is received in response to this offer, to provide the requested information in the minority language. In many cases, we believe this would avoid unnecessary expense and burden on proponents resulting from a blanket requirement to prepare materials that end up never actually being requested or read.

Respectfully submitted,

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