



TELUS COMMUNICATIONS INC.

**COMMENTS TO CONSULTATION ON AMENDING CPC-2-0-03,
RADIOCOMMUNICATION AND BROADCASTING
ANTENNA SYSTEMS**

GAZETTE NOTICE NO. DGSO-002-21 PUBLISHED 17 MARCH 2021

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Introduction

1. These comments are filed by TELUS Communications Inc. (“TELUS”) in response to Innovation, Science and Economic Development’s (“ISED”) Consultation on Amending CPC-2-0-03 — Radiocommunication and Broadcasting Antenna Systems (the “Consultation Document”).¹ In the Consultation Document, ISED is proposing amendments to the existing *Radiocommunication and Broadcasting Antenna Systems*, Client Procedures Circular CPC-2-0-03, Issue 5, 15 July 2014, (the “CPC”), that would implement an official languages requirement for the public consultation process in order to “improve the accessibility of the consultation process for Canadians across the country.”² These changes would amend the communications procedures for the siting of antenna systems outlined in the CPC.
2. TELUS thanks ISED for the opportunity to provide comments on these proposed amendments. The demand for access to mobile broadband services and the growing demand for support structures to meet current and future demands has never been more important than it is now. Needless to say, wireless service providers must therefore be able to deploy network infrastructure efficiently and effectively to expand their networks, shore up existing coverage gaps and increase broadband network capacity to meet consumer demand.
3. Importantly, antenna tower siting, and in particular the consultation requirements to notify and consult with applicable land-use authorities, including addressing public concerns, are an important part of a proponent’s plan to install or modify an antenna system. Currently there are no explicit official languages requirements for this process.
4. TELUS provides its comments to ISED’s proposed amendments detailed in the Consultation Document.

¹ Gazette Notice DGSO-002-21, March 2021, publication date in Canada Gazette: 17 March 2021.

² Consultation Document, para 6 and 11.

TELUS' Response to consultation on amending CPC-2-0-03, Radiocommunication and Broadcasting Antenna Systems in DGSO-002-21

Section 6.1 - Proposed implementation of official languages requirements for the public consultation process.

6.1: ISED is proposing the following two options for official languages requirements for public consultations.

Option 1:

Whether the proponent follows the land-use authority's consultation process or ISED's default public consultation process, initial communications with the public (including but not limited to notification packages and public notices) must be made in both official languages. If a member of the public provides written or verbal public comments or public reply comments, the proponent must respond in the official language in which the comments were made.

Option 2:

Whether the proponent follows the land-use authority's consultation process or ISED's default public consultation process, consultation with communities located in the census subdivisions listed in annex A, as amended from time to time, being those that have an official (English or French) linguistic minority population of 5% or higher, must be conducted in both official languages. If a member of the public provides written or verbal public comments or public reply comments, the proponent must respond in the official language in which the comments were made. Proponents must follow the consultation process established by the land-use authority, where one exists. In the event that a land-use authority's existing process requires bilingual communications with the public, proponents must follow those public consultation requirements regardless of the linguistic minority population figures.

5. The Consultation Document proposes to add wording to the CPC regarding official languages requirements for public consultations, through either:
 - a. a broad national approach requiring all initial communications with the public to be conducted in both official languages; *or*
 - b. a localised approach requiring consultations conducted in both official languages only in communities where the English or French linguistic minority population meets a minimum threshold of 5%.

6. While telecommunications, radiocommunications and broadcasting are matters of federal jurisdiction, certain aspects of a Canadian carrier's services require a local approach, as in the case of consultation processes, in order to address related concerns that a community may have. Particularly, the Consultation Document proposes to address the uniqueness of municipalities and communities across Canada as it relates to official languages preference.
7. It is TELUS' practice to participate in the consultation process in the official language of a land-use authority's choice and the public's. In fact, TELUS has always respected the official language choice required or requested by either land-use authorities, stakeholders or members of the public participating in a consultation. This is achieved by ensuring communications are in the official language of their choice. For these reasons, TELUS submits that amendments to the CPC are not necessary to ensure widespread participation.
8. While it is important to ensure that both French and English populations are able to participate in the consultation process, instituting a national approach requiring all initial and responding communications with the public be conducted in both official languages is not necessary. TELUS, like some other telecoms, already considers and meets requests for official language preference.
9. TELUS has a thorough and comprehensive consultation process that meets many land-use authority's public consultation processes or ISED's default public consultation process. In fact, TELUS already ensures that when a member of the public provides written comments or replies in one of the official languages, responses are addressed in the official language in which comments were received.
10. Currently, where there is no land-use authority consultation process, TELUS provides initial communication in either French, English or both, depending on factors such as existing bilingual requirements and TELUS' historical experience within the community. Where TELUS has only provided communications in one of the official languages and in the event a member of the community requires communications in the alternative official language, TELUS provides that

individual with the communications in the official language of their choice. Furthermore, TELUS ensures that these individuals are granted the same length of time to provide comments in the official language of their choice.

11. While it is TELUS' view that an amendment to the CPC is not necessary to address official language choice, the implementation of Option 1 is not a preferred option. Option 1 assumes that both languages are necessary to facilitate consultations, when in reality this has not been the case. It is TELUS' experience that local land-use authorities are better equipped to inform proponents of the necessity of providing initial communications in either official language, or both.
12. Option 1 presumes that both languages are necessary regardless of whether a local land-use authority has already determined otherwise. Land-use authorities are knowledgeable in their community profiles and language preferences. They have experience communicating important information with their members and can determine which language is most effective. Where a land-use authority has already determined the preferred language for consultation documents, it would be an inefficient use of resources to provide the initial communications contrary to the local policy.
13. Option 2 allows for a more targeted approach where the bilingual requirements may be more applicable. While a more targeted approach is preferred over the general application of Option 1, Option 2 still assumes that a local land-use authority has not already determined the language requirements of its community. Where a land-use authority has created a consultation process that addresses which official language should be used or if both are necessary, the local approach should be followed for the same reasons explained earlier.
14. Additionally, adopting a targeted approach that uses a five percent threshold to determine a language preference, is not necessarily indicative of actual language preferences. In other words, it may be that the five percent of a community, in fact, are not requiring communications in both languages, thereby unnecessarily creating additional work.

15. In the event ISED adopts the official language requirement, TELUS recommends the official language requirements be limited to ISED's default public consultation process. This ensures that there would be no conflict for communities in which a land-use authority has already established a consultation process and language(s) preference.
16. In order to limit the application to ISED's default public consultation process, TELUS recommends the following changes to Option 2.

*Where ~~Whether~~ the proponent follows ~~the land-use authority's consultation process or~~ ISED's default public consultation process, **initial** consultation with communities located in the census subdivisions listed in annex A, as amended from time to time, being those that have an official (English or French) linguistic minority population of 5% or higher, must be conducted in both official languages. If a member of the public provides written or verbal public comments or public reply comments, the proponent must respond in the official language in which the comments were made. Proponents must follow the consultation process established by the land-use authority, where one exists. In the event that a land-use authority's existing process requires bilingual communications with the public, proponents must follow those public consultation requirements regardless of the linguistic minority population figures.*

17. The recommended changes recognise a land-use authority's expertise regarding a community's language needs in addition to limiting the requirement to the initial consultation. Limiting the application to the initial consultation allows proponents to determine whether both languages are required for the consultation process based on the community's response to the initial communications.
18. This approach aligns with TELUS' current practice - meeting local requirements and recommendations regarding language, and addressing the rare occurrences when a community member requires the information in the alternative official language.
19. Finally, with respect to implementation of the proposed amendments to the CPC, should they be adopted, TELUS submits that the proposed implementation timeline is feasible.

20. Canadians should be provided communications in the official language of their choice. TELUS has carried out numerous consultations and encourages an inclusive and robust consultation process. Part of this consultation process has been to ensure that when requested by community members to provide consultation documents in the alternative official language, TELUS meets such requests. It has been TELUS' experience that these requests are rare, and when they arise, that they are immediately addressed by providing materials in the preferred official language.

21. TELUS respectfully submits these comments as of 16 April 2021.

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