

Reply comments of Broadband Communications North (BCN) to Indigenous Priority Window Policy Framework.

BCN is pleased to submit its reply comments in this proceeding. These are to be considered in conjunction with BCN's initial comments filed with ISED April 20,2024.

Broadband Communications North is a not-for-profit incorporated entity, governed by a Board of Directors that is made up of representatives from tribal councils, territorial political organizations, and independent First Nation communities. BCN was incorporated in 2002, initially targeting 28 unserved and under-served communities in Manitoba's North. Since then, BCN has been actively improving and expanding its network to serve more communities to facilitate equitable high-speed broadband.

BCN now services over 62 rural, northern, and remote communities in Manitoba. The BCN network is one of the largest Indigenous community networks in Canada, spanning over 1000 km, encompassing a large portion of the province of Manitoba.

Importance of timely implementation of IPW

BCN understands the deferral of the comment deadline from July 30 to October 1, 2024.

BCN wishes, however, to underline the importance of rapid implementation of IPW.

A number of communities are presently either unserved or underserved in Manitoba North. The IPW policy and subsequent licensing will allow BCN to build and offer services to these communities.

The building season will of course be affected by winter weather conditions and we are hopeful a late 2024 or early 2025 access to a licensing process will allow rapid service deployment.

BCN acknowledges the statements by ISED officials of the intention to accelerate, as much as possible, the finalization of the IPW policy and licensing process.

We look forward to a timely conclusion of this process and commend ISED officials for their diligent efforts in establishing IPW.

Policy objectives

BCN applauds the general policy objectives set out in the January 2024 ISED document initiating the Indigenous Priority Window (IPW) consultation process.

These include collaboration, engagement, knowledge sharing and awareness and fostering and building relationships.

BCN wishes to underline and support the presence and participation of ISED officials at the June 2024 Indigenous Connectivity Summit in Membertou as a demonstration of ISED's commitment to these policy objectives.

BCN also wishes to supplement these general policy objectives with specific policy goals applicable to spectrum availability and development.

These are :

Recognition of Indigenous Peoples as more than stakeholders but as rights holders;

Indigenous communities should have first Access to unused spectrum over their land;

Indigenous priority over spectrum should be recognized on an ongoing basis.

Eligibility criteria

BCN had stated its preference to use Applicant-based criteria as an eligibility factor. Specifically, registration in the Indigenous Business Directory was suggested by ISED and endorsed by BCN as the relevant criteria.

Other parties either preferred Project-based or Community-support based criteria while in some cases, allowing the coexistence of more than one criterion.

BCN reiterates its support for Applicant-based criteria given its administrative simplicity and the operational relevance of the Indigenous Business Directory.

BCN has no objection to the coexistence of other criteria as proposed in recognition of the differing circumstances of other parties.

Time-limited Window

ISED had proposed a 12-month window wherein Indigenous Peoples would have priority access to the licence application process.

BCN had suggested a 24-month window in recognition of the delays and difficulties in managing applications and planning activities in the North.

A number of parties also proposed a 24-month window and there was also a proposal for a 5-year window.

BCN suggests 24 months as a reasonable window reflecting the operational constraints of the North and the objective of delivering spectrum to communities in a timely manner.

Conditions of licence

In keeping with the objective of increasing and facilitating spectrum access for Indigenous Peoples, BCN supports the position of Huwilt Communications Inc. that telecom companies be obliged to grant subordinate licences on unused spectrum to Indigenous Peoples.

Conclusion

BCN thanks ISED for its consideration of these comments and looks forward to the publication of the IPW and more importantly, to its delivery of state of the art communications services to the communities of Manitoba North as well as the greater availability and expansion of full connectivity to all Indigenous Peoples across Canada.