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Chair: Mr. Joël Lightbound





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Monday, March 6, 2023

• (1545)

[*Translation*]

**The Chair (Mr. Joël Lightbound (Louis-Hébert, Lib.)):** Good afternoon.

I call the meeting to order.

Welcome to meeting number 60 of the House of Commons Standing Committee on Industry and Technology.

Pursuant to the order of reference of Wednesday, November 30, 2022, we are studying Bill C-288, an act to amend the Telecommunications Act (transparent and accurate broadband services information).

Today's meeting is taking place in a hybrid format, pursuant to the House order of Thursday, June 23, 2022.

We are fortunate to have with us today the member for Dauphin—Swan River—Neepawa, Dan Mazier, who is here to discuss Bill C-288, which he is the sponsor of.

Thank you for being here today, Mr. Mazier.

Without further ado, I will turn the floor over to you. You have 10 minutes.

[*English*]

**Mr. Dan Mazier (Dauphin—Swan River—Neepawa, CPC):** Thank you, Chair.

I want to thank the committee for inviting me to discuss my private member's bill, Bill C-288.

As you know, Bill C-288 passed second reading with unanimous support. I was proud to see us come together, put politics aside and put consumers first in an important issue for Canadians.

As I've said before, many Canadians, especially those living in rural, remote and indigenous communities, don't feel they are receiving the Internet speeds and quality they are paying for. The speeds that customers see when they go to purchase an Internet speed are not guaranteed speeds. They are rarely minimum speeds or average speeds. Instead, Internet companies advertise maximum theoretical speeds. Words such as "up to" are used in these advertisements and lead consumers to believe that an Internet service is better than it is.

Technically, Canadians receive what they pay for as long as their speeds are lower than the maximum theoretical speed, but this information does not accurately reflect the service quality that potential consumers can expect. That's why it is no surprise that data re-

leased by the Canadian Internet Registration Authority revealed that only one-third of Canadians believe their household receives the "up to" speed included in their home Internet package all or most of the time.

Bill C-288 addresses this by providing potential customers with accurate and transparent information, a concept that we can all get behind.

The first pillar of this legislation will mandate Internet companies to provide Canadians with typical download and upload speeds, not just maximum theoretical speeds. Instead of providing customers with best-case scenarios, let's give them a realistic expectation so they can decide if the service fits their needs and their budget.

Secondly, this legislation will provide Canadians with quality metrics during the time when they are most likely to use the service. Of course, service quality will be better when no one is using the Internet, but knowing what the speeds are at 7 p.m. is more relevant than knowing what the speeds are at three o'clock in the morning.

Finally, this legislation will initiate a consultation process that allows industry, advocacy groups and the public to develop a model in the public's best interest.

Canadians need to trust the information given to them. These proposals will help close the gap between what Canadians expect to receive and what they actually receive.

For those who say these decisions should be entirely left to the CRTC and policy directives, I say that the issues relating to connectivity are too important to be kept away from legislators. Yes, there are technical aspects to be left to the regulator, as Bill C-288 does, but I believe that as parliamentarians we have a duty to improve connectivity for Canadians. This includes legislating clear guidelines and requirements on this matter, as Bill C-288 does.

The proposals in this bill are not new and have been successfully implemented in other countries.

Since my bill was introduced, the United States Federal Communications Commission announced that they will mandate a broadband service label, an initiative that reflects the content of Bill C-288. This was a direct result of a legislated bipartisan Infrastructure Investment and Jobs Act. Australia implemented clear standards for advertising with typical speeds during peak periods. In the United Kingdom, Internet service providers state the average speed that at least 50% of the customers receive during the highest usage hours.

I think we can all agree that more competition is needed in our telecom sector. To improve competition, we must allow Canadians to compare accurate information.

In closing, I want to remind the committee that, in June of 2021, this committee published its seventh report and recommended the following:

That the [CRTC] require Internet service providers to make information available to consumers on the usual download and upload speeds they can expect during peak periods so they can make more informed purchasing decisions based on accurate and transparent information, thereby improving the industry's competitiveness overall.

Not one party dissented on this report. The committee now has the opportunity to act on the recommendation and codify it into law. Canadians deserve to know what they are paying for.

Thank you, Mr. Chair.

• (1550)

**The Chair:** Thank you very much, Mr. Mazier. It's much appreciated.

We'll now start the discussion with MP Perkins for six minutes.

**Mr. Rick Perkins (South Shore—St. Margarets, CPC):** Thanks, Mr. Chair.

Thank you, Mr. Mazier. To help all of us, including me, understand the purpose of this bill, one of the things I did was to go to the websites of the Internet service providers, the big guys—Rogers, Bell and Telus—to try to find out how they market this. I think this is obviously what you're trying to get at.

When I go to Rogers, for example, on this 2.5 gigabit package for \$135 a month, they say, “up to 2.5 Gbps download speed”, and when I go further on to their other packages that cost less, they say, “up to 500 Mbps download speed”. I went to Bell's, and they use similar but different terminology throughout their various options. They talk about maximum download speed, and Telus does the same.

First of all, a consumer is required to have a basic understanding of what the heck that means at that speed, which I'm not sure most average everyday people do, but it does impact the price they're charging.

Second, the maximum speed is probably in a perfect world. Is this what you're trying to get at—the fact that Internet companies market using terminology like “up to”, which is sort of like saying “almost” or “perhaps”?

**Mr. Dan Mazier:** Yes, that's exactly what I'm trying to get at. This bill directly addresses this idea of “up to” speeds and has very clear language indicating that the CRTC has to actually define what

typical upload and download speeds consumers can expect rather than “up to” speeds. Really when you stop and think about it, one is below 10, so if it's “up to 10”, then, according to that contract and according to that wording, one is acceptable. That is exactly what we're trying to get away from so that consumers can make an informed decision.

**Mr. Rick Perkins:** Yes. The “up to” could be anything from zero up to that level, which means they're charging you increasing amounts of money but really have made no commitment to meet that speed level.

**Mr. Dan Mazier:** That's correct.

**Mr. Rick Perkins:** In the past we used to see maximum and minimum speeds on the Trans-Canada Highway. That even used to be advertised on the highway when you were driving, but nowhere that I can find does it say that you can expect between this and this speed, but in a perfect world, there is this speed.

Have you looked at the idea that there should be some minimums in these packages, or how do you see that working?

**Mr. Dan Mazier:** I think simply telling consumers what they're buying would be a huge step forward here in Canada. When I go out and talk about this bill, people can't believe that this is actually legal in Canada, that they can actually sell you a service in theory.

I was racking my brains last night trying to figure out where else in the world you would buy this kind of service. Can you imagine going up to a gas station and saying, “Okay, I'm going to get up to 50 litres,” and then you only end up with 35 but you pay for 50? That was what the language said, and you agreed—yes, I'm going to get up to 50 litres.

This is the same kind of thing we're talking about. It's very misleading, and it's time for the Canadian industry to step up and start doing what it can do.

• (1555)

**Mr. Rick Perkins:** The only comparable I would have to that perhaps would be the theoretical gas mileage on your car. When I read about the telephone and the Internet companies, they seem to be operating in the same way with a theoretical thing. I've heard that they'll push back and say that one of the reasons they can't do that is that they're not in control of the kind of router you have or they're not in control of the number of people who are on at one time. They have a lot of “the dog ate my homework” types of excuses as to why they're not delivering.

Is that what you are hearing—that it's in a perfect world? Do we know anything about what the average or normal speed is that you would get in a normal household with these packages, or do we even have that kind of information for consumers?

**Mr. Dan Mazier:** This is the other part this bill addresses. They have to report to the consumer, to the user. Right now, they report that information to ISED, but they don't report it to the actual user or the person buying that service. Under this bill, they have to actually say, "Here's what you can expect", even if it's the average or expected typical upload and download speeds during peak hours. If a consumer was armed with that information, they could clearly decide what kind of service they needed.

**Mr. Rick Perkins:** If I'm a Rogers customer buying this 2.5-gigabyte package at \$135 a month, that's a lot of money. I should be able to expect 2.5 gigabytes of speed whenever I need and use that. Is that your contention?

**Mr. Dan Mazier:** Does it have upload and download speeds? It says that the upload is 10 or 50 or 2.5 or whatever the number you're referring to—

**Mr. Rick Perkins:** Yes, it has upload and download options. When they market it that way, that's what I should expect, but it isn't necessarily what I get.

**Mr. Dan Mazier:** That's correct. It's when it's good for them.

**Mr. Rick Perkins:** I might be paying \$135 a month and getting an \$89-a-month package, essentially.

**Mr. Dan Mazier:** That is where we talk about the clear language, so that a consumer is informed about that decision. Maybe they don't need that much service. It helps in terms of what price point or how much speed they actually need for their usage.

**Mr. Rick Perkins:** That's great.

[Translation]

**The Chair:** Thank you.

Go ahead, Mr. Fillmore.

[English]

**Mr. Andy Fillmore (Halifax, Lib.):** Thank you very much, Mr. Mazier, for joining us today and for the hard work you've put into this bill. I think we all understand the hours it takes and the conversations and the collaborations, so thank you for all of that.

Just to start, I'm sure you know that earlier this year Minister Champagne announced a policy direction to the CRTC that has a lot of attributes similar to your bill. For example, the policy direction is a binding policy direction. It covers a range of issues: to put in place new rules to improve competition; to enhance the rights of consumers and their access to information; to speed up the deployment of high-quality broadband networks; and to promote lower prices and better services. Specifically, the direction also requires the CRTC to implement broadband performance testing requirements.

I'm just wondering if you could characterize the coexistence or the overlap of any conflict between the two—between the policy direction and your bill.

**Mr. Dan Mazier:** The problem with the policy directive is that it doesn't go far enough. There is no mention of typical download and upload speeds. That is a huge issue. As Mr. Perkins has just exhibited, consumers need that information to make an accurate decision.

Also, the directive doesn't mention public hearings, and that's a very important part of this bill. It's an opportunity for industry, for consumers and even the CRTC to get together, as a group of users, on the subject of Internet service providers in this country. That will actually offer and maybe elevate the discussion for Canadians and ultimately for the consumer.

Ultimately, while the policy directive is a good step in the right direction, it doesn't go far enough, and it doesn't legislate this. Whatever the CRTC and industry decide, these are just directions, and I think it's too important a subject to really leave it to industry to figure out. If this could have been figured out, if they would have stepped up before, this all would have been done. The government wouldn't have had to put in a directive, and we wouldn't have to be talking about this today. The bill would have been fixed. That's the fundamental problem with the directive.

• (1600)

**Mr. Andy Fillmore:** It's a bit of a double-edged sword—isn't it? When you put something in legislation, it becomes very rigid, and it's difficult and time-consuming to make changes, especially in a bill that has to do with a very rapidly evolving industry. It seems to me, at first read, that a policy directive has that nimbleness and that ability to change and react. I mean, AI is barreling at us and God knows what's going to happen when quantum arrives, so I'm sympathetic to the notion of a policy directive being more nimble.

If you wanted to respond to that, I'd love to hear it.

**Mr. Dan Mazier:** This legislation, as well, does have a proposed subsection (3), and something in there about exemptions. It does talk about that nimbleness, because we didn't want to handcuff the industry, the CRTC or the discussion. We don't know what kinds of technologies are coming at us. Like you said on the AI, it's amazing what is actually coming at us for connectivity.

Fundamentally, every Canadian I ask should know what kind of service they are buying at the end of the day, and the directive does not go far enough. When we put it in legislation, it's ironclad. It's a very clear signal by parliamentarians, by the House of Commons, saying, "Do you know what, industry? This is important to Canadians, so let's get it together and let's do this." Then, for the CRTC, they have very clear direction on what they can do too.

**Mr. Andy Fillmore:** I want to go a little bit into the reaction of industry to your bill. I started by saying you've had a lot of conversations with folks. How would you characterize the reaction of industry? Specifically, did they talk about this—I'm going to use the word again—nimbleness and reactivity?

**Mr. Dan Mazier:** We consulted with different professionals and tech experts around this.

Industry being industry, they have to change all of a sudden and they have to report something else. I don't think it looks very good for them when they're saying, "Well, we don't have to tell consumers what kind of service we're selling them." How is that making them a worse service? They are one of the most expensive services in all of the world when it comes to telecommunications. They have a little bit of room to work on this.

I think if we put this kind of language in there, it's the sheer fact that now the consumer is getting clear information and they can actually decide based on that information. That in itself would instill more competition and hopefully, at the end of the day, drive down the price for the consumer.

**Mr. Andy Fillmore:** Okay.

You've been talking about the content or the impact of the bill. I want to come back, if I may, to this flexibility piece. How receptive would you be if this committee came up with some proposed amendments that would help the bill to be more reactive to changes as they come?

**Mr. Dan Mazier:** I'm open to amendments that would make the carriers more accountable and make them more transparent about the kind of service they're selling to Canadians. That's the kind of amendment I'd be open to.

**Mr. Andy Fillmore:** That's going back more to the content of the bill and less to the flexibility or the ability of the bill to evolve responsively and quickly.

**Mr. Dan Mazier:** When the CRTC actually launches these hearing processes, that's where there is an opportunity to be flexible as well. There's lots of latitude in this. It is a discovery process to figure out how Internet service providers are going to display or transmit their services for Canadians.

This is what this bill does that's different. Again, it's back to the policy directive path. The other thing is that it's a very transparent process as well. The directive policy did come from government. It came from cabinet. It's a few people in a back room saying, "Here—this is a good idea. Look at this." Then they have a headline. This is legislation. As the House of Commons, we are all accountable for this.

Personally, I've heard very positive feedback from smaller Internet service providers, interestingly enough. I've had more positive feedback from them because it takes that noise away. I've called it false advertising. They can be very transparent and certain about what service they, as the smallest Internet service provider, are offering, which might be lots, especially in rural and sparsely populated areas. It does actually level the playing field for not only the consumer but the industry as well.

• (1605)

**Mr. Andy Fillmore:** Thanks very much, Dan.

I have a feeling we're probably out of time.

**The Chair:** You are right, Mr. Fillmore. Thank you very much.

[*Translation*]

Over to you, Mr. Lemire.

**Mr. Sébastien Lemire (Abitibi—Témiscamingue, BQ):** Thank you, Mr. Chair.

Thank you, Mr. Mazier. It's nice to see you again and to have you here, at the Standing Committee on Industry and Technology.

As you know, the committee adopted a report entitled "Affordability and Accessibility of Telecommunications Services in Canada: Encouraging Competition to (Finally) Bridge the Digital Divide" back in 2021. I was on the committee then, as were a num-

ber of my fellow members. It's no secret that the report was inspired by the first iteration of your bill.

I put forward a motion at that time. It was adopted by my fellow members and gave rise to this recommendation:

That the Canadian Radio-television and Telecommunications Commission require Internet service providers to make information available to consumers on the usual download and upload speeds they can expect during peak periods so they can make more informed purchasing decisions based on accurate and transparent information, thereby improving the industry's competitiveness overall.

I would like to hear your thoughts on the recommendation. I'd also like to know whether you were satisfied with the government's response after the report was adopted.

[*English*]

**Mr. Dan Mazier:** Thank you very much for pointing that out. That's exactly what I was referring to.

That was the first iteration of this bill, Bill C-299. The committee did see the importance of that. They're the typical upload and download speeds. I think that's a very important thing to remember. The committee nailed it. They did say, "Government, you need to look at this." Unfortunately, this government chose to go the policy directive type of way. Industry did not step up and say that there was a problem here, so here we are. We're back here and introducing legislation.

I honestly believe that legislation is the way to go. It is more transparent. I think it's a chance for all of us as parliamentarians to really wrap our arms around this and tell the Canadian people that this is important to Canadians and we recognize that. We don't do that enough here—this whole non-partisan way—and we get stuck in these different conversations that trap us. This is one that I think Canadians are really hoping that we pay attention to, especially when it comes down to the transparency on what service you are being offered and what service you get at the end of the day.

[*Translation*]

**Mr. Sébastien Lemire:** Under section 37 of the Telecommunications Act, Internet service providers are required to submit a variety of information to the CRTC, including download and upload speeds. That means Internet service providers already have that information and would probably have no trouble making it available to their customers.

Can you explain how that works, technically speaking? Is it as easy as it sounds? Do telecommunications companies actually have the data, and could they really bill customers in accordance with those download speeds?

[English]

**Mr. Dan Mazier:** They could, but they choose to put in language like “up to”. It's very misleading. I think Mr. Perkins referred to another word they use. That is the problem. We need to get rid of that language. What is the typical or average speed you could expect during peak periods? That would be the ideal.

When you want the Internet and you're paying for the service—and good money for that service—you expect that service to work. Meanwhile, you have this other little clause that says “up to” speeds, and do you know what? If Joe down the road needs it a little more than you do, or someone over there does, and they're going to control it a little more, you don't get to get on and talk to your kids tonight, or you don't get to go to that course when you're in a remote area and you're trying to better yourself. Those are the kinds of things they're stopping by not addressing what kinds of speeds you can expect while you're using it.

[Translation]

**Mr. Sébastien Lemire:** It's very clear that the technology exists to bring the industry in line with what you're proposing.

[English]

**Mr. Dan Mazier:** Yes, it does. They report. This is the ironic thing. They report this information every year to ISED and their management. It asks for that and they say, “Here it is”, but they don't tell the consumer. This is the really ironic thing about this. I don't know how a telecom company can sit here and say, “Well, we don't have to.” I don't understand that.

[Translation]

**Mr. Sébastien Lemire:** We've discussed this issue before, especially how the service affects people in rural areas. Companies advertise rates based on maximum service speeds, but in reality, people in the regions don't get those speeds. Until Videotron came along, it's safe to say that our region paid some of the highest prices in Canada for low-quality service. That's in a country where people already pay a lot for little.

How would your bill provide a satisfactory response in terms of creating a more competitive telecom environment in resource regions, as we like to call them in Quebec, or more rural regions? Greater competition would mean lower prices for consumers.

• (1610)

[English]

**Mr. Dan Mazier:** Any time that you can signal to a consumer what actual service they're buying.... You might realize that, hey, 50/10 is fine, and you don't need 100 by 100. Is that a cheaper service? The problem is that you don't even know what you're buying, and you don't know when it's being controlled. You don't know what to expect. It's like a game of Russian roulette. You do not have the information to make that informed decision.

When you do, you'll be able to make that decision, and you might not pick the highest package because it's so expensive or because you just simply don't need it.

When you're looking at different countries, it's quite interesting to see how they pan it all out and say that, if you're a gamer, you need this, and if you're just on Netflix in the evening watching

movies, this is what you need. There are ways of doing it. The industry describes it all the time. It is there. They just have to start doing it.

[Translation]

**Mr. Sébastien Lemire:** Thank you.

**The Chair:** Thank you, Mr. Lemire.

Over to you, Mr. Masse, for six minutes.

[English]

**Mr. Brian Masse (Windsor West, NDP):** Thank you, Mr. Chair.

Thank you to MP Mazier for bringing this forward.

There are a couple of things to note.

With regard to the policy directive, you've highlighted a bit of it, but it really is subjective to any minister who provides that directive at any point in time and then to the interpretation of the CRTC. For such simple information that should be provided, I don't understand why it's difficult to get.

Maybe you can impress upon us the concerns about letting that vagrancy exist when, really, people should know what they're getting when they buy.

**Mr. Dan Mazier:** That's a very good question.

The more I go over this, the more I don't understand why they're not simply providing this information when they do so to the CRTC and everybody like that.

Fundamentally, the consumer needs, for information, the typical download and upload speeds, which is what the bill directs. However, it's the legislation part of it. It's the actual directing, clearly directing the CRTC on what it needs to do. The other part of this, as well, is the public hearings process, listening and working with industry and consumers to understand their needs.

One of the biggest complaints we hear is cost, but it's also service. People just want to get the service, and there's nothing more frustrating than that. I think that setting expectations.... If you are in rural and remote areas, what are those expectations? They won't look the same as in infrastructure downtown or in some suburban, highly populated area, but what do they look like factually, not just theoretically? This bill will address that, and those conversations will be forced by the legislation.

**Mr. Brian Masse:** Part of this, we have to understand, is that, when you're making a purchase-point decision for higher speed, it could be because you make your living, for example, by moving information quickly and faster, and it's an investment. When you look at electronic gaming, it's a huge industry. In fact, there's a South Korean cabinet minister for just e-gaming alone, and people make a living from that. There are even college courses at St. Clair College here in Windsor and at other places, where they compete internationally and so on. You could even cross that into my area, the tool and die mould-making sector, and other places, where they want to purchase the best service possible for not only the business but also when they work from home.

Doesn't it seem like a counterproductive move to not allow people to have the right to be fully informed about how they want to invest and what they want to spend their money on?

**Mr. Dan Mazier:** Yes, I completely agree. "Counterproductive" is a good word, Mr. Masse.

There is a simple fix to this. Just tell Canadians what kind of service you're offering. It's that easy.

• (1615)

**Mr. Brian Masse:** I have another quick question.

The highlight is that the FCC.... This is interesting because I've often said that—as consumers—Canada is treated as a colony when it comes to some of the large corporations and the information that we get from the United States and other companies. When you look at the auto sector, we are actually in full regulation compliance with regard to safety, maintenance and emissions. At the same time, when there are recalls.... Some good examples are the Prius and Toyota recalls where the consumers benefited way more and they even had investment in their companies in the United States, because they were treated as a different element.

I don't understand why we would expect Canadians to have less, especially if the government is saying that we can't. With regard to Bill C-244, there were concerns over following CUSMA. In the meantime, we wouldn't have cross-comparison realities over here because it won't actually violate our trade obligations.

**Mr. Dan Mazier:** Part of the issue when you go down this policy directive is that it really doesn't have any teeth. At the end of the day, it's up to the CRTC to move it forward, so there's really no clear direction. This is part of the reason why we end up with policies like this in Canada. The government just washes its hands and is done.

This is why I, as a parliamentarian, brought this bill forward: to make a clear direction that Canadians expect better and that parliamentarians expect better and more from our industries, and that they should treat consumers better. I'm wholeheartedly agreeing that we need better legislation when it comes to this and what kinds of Internet services they are selling to Canadians.

**Mr. Brian Masse:** Thank you, Mr. Chair.

**The Chair:** Thank you very much.

Mr. Williams, the floor is yours.

**Mr. Ryan Williams (Bay of Quinte, CPC):** Thank you, Chair.

Mr. Mazier, thank you for bringing this bill forward. I think it's a very important one.

There are a couple of lines I've heard you talk about and certainly I've seen in some of the paperwork for this bill. The most important one is to improve connectivity for Canadians. I think that's really important. I think all of us, as parliamentarians, have to agree that is our number one goal.

Certainly as we see more advancement in the digital era of communications, I think everyone knows they need Internet now. It's essential. It's not just something that's nice to have. We need to have it. Certainly one of the biggest problems we have in Canada is connectivity and making sure all Canadians are connected to the Internet. Second, Canadians need the speeds to be able to go to school, to work or to just communicate as a whole, be that using their cellphone or through the Internet in some way.

A word I know you have used—and I want to re-emphasize it—is "trust". When we look at trust, it seems the number one thing is perhaps what you're talking about, which may be perceived as false advertising. It's about being able to trust that when you're buying something, you're getting what you've paid for. The second part of that is trust in performance, meaning we have to be able to trust that we can get the speeds we need to do the work or connect or watch TV or do anything we need to, essentially, operate in this 21st century and beyond.

There are a lot of smaller Internet providers that are trying to enter the space in Canada. We have a problem with competition, and certainly there are three companies that dominate the Canadian landscape. How would this bill impact smaller Internet service providers?

**Mr. Dan Mazier:** It would level the playing field when it comes to information as to the kinds of Internet services companies are selling to consumers. For example, we've talked about how right now there are "up to" speeds. As big corporations, they can send a bunch of noise out there. They, at some point in time, can offer 10 by 50 sometimes, whenever it works for them and whenever their infrastructure will allow it.

Meanwhile, a smaller Internet service provider might be eight by 40. That might be all someone needs, and that's all they can really offer. They can't signal that out to the consumer and tell the consumer that this is all they need. It's pretty much an uphill battle to say that the consumer doesn't need all that service. It might have the same price, but someone doesn't need that much service. That's a pretty poor sales position.

This would actually take away a lot of the noise that the big players are sending out right now, so that the consumer could actually look at the real data instead of the theoretical data and decide what they actually need.

You were talking about trust and building that. In my opening remarks, I kind of alluded to other countries. Australia is probably the global leader when it comes to connectivity and Internet regulations and legislation. They implemented original legislation and regulations in 2017, updated them in 2019 and then did an assessment of the results of the changes and of making things more transparent, much like what we want to do here with Bill C-288. Overall, the report concluded that increased transparency resulted in Internet service providers offering better-quality services in addition to better consumer understanding of expected service performance.

• (1620)

**Mr. Ryan Williams:** I think that's my point. Performance is really important.

To your earlier point, you could have a company advertising maximum speeds of up to 50 megabytes while they might be performing at only 12 megabytes.

What I'm getting to also is that in government we're looking at performance as well. If the government's goals are 50 megabytes per second download and 10 upload, yet some of these companies are hitting only 12 and eight, does that perhaps change how the government views these companies, how we look at regulations and how we look at competition to ensure that we have as many players as we can competing to provide the best speeds and service to customers?

**Mr. Dan Mazier:** The key to competition is being transparent about what service you offer. If you're offering a bunch of smoke and mirrors, how can the consumer even know how to make...? What market signal are you sending? Yes, we have the best. We can do anything. We can sell up to those levels.

I think this bill actually enshrines in legislation the clear mandate that Canadians expect better from their industry.

[Translation]

**The Chair:** Thank you.

Mr. Dong, you have five minutes. Go ahead.

[English]

**Mr. Han Dong (Don Valley North, Lib.):** Thank you very much, Chair.

First of all, I want to thank the member for bringing forward this bill and for his persistent advocacy for more transparency of service providers and in fighting for the rights of consumers.

My first question is whether you are familiar with the CRTC project called "Measuring Broadband Canada". If so, what do you think of it?

**Mr. Dan Mazier:** What do I think of it?

**Mr. Han Dong:** Yes. Do you have any thoughts on it? Is it effective? Does it serve the purpose?

**Mr. Dan Mazier:** It's not very good. It doesn't satisfy the purpose at all for this.

If you talk about the CRTC report, it's funny. The headlines, when you first look at first flush at this thing, are that there are no problems here or issues, that we're all good and that everybody is

getting the service they want. If you look deeper into what they sampled, there were just over 2,000 people who were actually sampled. This only applied to fixed-line Internet service, so this would be a person who has fibre to their house or fixed wire, not wireless. That was the other little thing: Rural Canada has many, many times more, as far as being wireless goes.

The biggest thing in the study and the biggest major flaw in it was that it was only done in large urban centres. Ironically enough, it was right in the fine print—"located in major Canadian metropolitan areas"—so it has nothing to do even with suburbia. This report is not very good, in my opinion.

**Mr. Han Dong:** I get the point that it's not as inclusive as it could be. That probably makes a point for the second part of your bill, which is calling for a more public hearing.

I represent an urban area, if you will. As you know, a lot of areas, big urban centres like Toronto, are undergoing a lot of growth. When the population doubles or sometimes even triples—I can think of the downtown district—the requirement for bandwidth sometimes doesn't get reflected or the feedback to the service provider isn't quick enough.

I remember having a conversation with a technician on the street. I asked how one would know whether the bandwidth was sufficient or not, given the growth of the population. He said, "We don't. We just depend on consumers to call back and tell us about disruptions and their dissatisfaction with the service. Then we come back and run a test."

Maybe your bill will help to better inform consumers on what kind of service they're getting. Do you have any comments on that?

• (1625)

**Mr. Dan Mazier:** It would absolutely help out the consumer by giving them accurate information on not only what kind of service they are buying, factual information, but the whole process around the hearing procedure and the CRTC actually performing that right across Canada.

I was looking back. It's hard to say. I don't think Canadians have ever been offered this kind of ability or opportunity to talk to industry. Obviously the CRTC hasn't had this kind of initiative either.

In the U.S., for example, it is quite interesting that they are far ahead of us. They've implemented many of the conditions that Bill C-288 would do as well. Actually, they just had a major announcement out of the FCC that they are moving to more of a nutrition label sort of way—and this is kind of it right here—to explain to consumers, but there is lots of... The FCC gets it in the U.S., and I would really be happy if the CRTC would wrap its arms around this legislation, as they did in the U.S., and go with it, because I think consumers would win and Canada would win.

**Mr. Han Dong:** You just answered my next question, so I'll move on.

In your view, how will the transparency come about in practice? Are we talking about real-time updates on perhaps their websites or monthly updates on disruptions or whatnot? After consulting with the industry, what do you think that real-world feedback will look like?

**Mr. Dan Mazier:** They will come up with the set of criteria Canadians need to make an informed decision on what kind of Internet service they are buying. That is the biggest win for everybody: more transparency, and what their options are versus what they actually need.

The outcomes of those hearings can be very positive if the CRTC and the industry decide to go down that path, but at least it will be legislated. We know what the expectations are. It's very clear in the bill, and that's why it needs to be passed in legislation instead of a policy directive.

**Mr. Han Dong:** In the development of your private member's bill, I'm sure the industry engaged with you as well to provide their feedback. What is their feedback? What's their attitude towards your private member's bill?

**Mr. Dan Mazier:** It depends. If they're a smaller player, they're actually quite in favour of this—finally, someone is talking about these misleading statements about “up to”.

When you talk to the bigger players, it's a mixed bag. They're going to look at it.... As you know, any time you're in industry and you're the controlling part of it, would you look positively at change, at being more accountable? I don't know how they take it. They can take it any way they please, but I think Canadians expect them to be more accountable and more transparent in what kind of service they're providing.

Like I said, as I've mentioned before, in numerous conversations that I've had, at times people don't believe me that this is actually legal in Canada.

**Mr. Han Dong:** All right. What—

**The Chair:** Thank you very much, Mr. Dong.

**Mr. Han Dong:** Thank you, Chair.

**The Chair:** Thank you very much as well, Mr. Mazier.

[*Translation*]

We now go to Mr. Lemire for two and a half minutes.

**Mr. Sébastien Lemire:** Thank you, Mr. Chair.

In light of the circumstances, I have just one question for you, Mr. Mazier. It's about the comparative work you did to see what other countries were doing.

Did you model your bill after legislation passed in Australia, the U.K. or countries in the European Union, for instance?

I'd especially like to know how those laws were received. How successful have bills like yours been in other countries?

[*English*]

**Mr. Dan Mazier:** Thank you for the question.

Yes. Australia, as was mentioned before, is probably the industry's world leader when it comes to regulations and not so much forcing telecoms to be transparent but actually setting up a process whereby consumers—and everybody—benefit from it. It's very consumer focused.

In Australia they have this whole process. They introduced these regulations in 2017 and 2019, and then they actually reviewed them. I did read from the report earlier. I think I read this out before, but according to the ACCC report on the effectiveness of the policy, the changes have promoted more competitive and efficient markets for the supply of broadband services, even five years after the changes and all of that. Therefore, changes like those Bill C-288 would implement would be very positive. That's in Australia.

In the U.S., they've actually done some work and very quickly. What happened there is that they passed legislation. Their regulator down there, the FCC—the CRTC up here—grabbed a hold of it, and they've had two hearings with it, two round table sessions. They're progressing very quickly.

Here are just some of the statements out of the commission. They've gone to a nutrition label type of way: “Broadband nutrition labels are designed to make it simpler for consumers to know what they are getting, hold providers to their promises, and benefit from greater competition—which means better service and prices for everyone.” That was from the chairwoman Jessica Rosenworcel.

This statement is on the affordability: “I fully expect that this transparency will increase competition and hopefully result in lower prices for consumers.” That's from FCC commissioner Geoffrey Starks. Those kinds of statements are coming from a regulator.

I can't imagine the CRTC holding up a piece of legislation and saying, “This is what this legislation will do”, when in fact Bill C-288 could result in the same thing. I would be very pleased to see that kind of stuff come out of it.

This is the potential that Bill C-288 has. Other countries have recognized that. It's time for the Canadian government to step up and for us as MPs to pass this bill so we can get to work on that.

● (1630)

[*Translation*]

**Mr. Sébastien Lemire:** I had to ask, since you, of course, had an answer.

Thank you.

**The Chair:** Clearly.

Thank you, Mr. Lemire.

We now go to Mr. Masse for two and a half minutes.

[English]

**Mr. Brian Masse:** I have just a quick question with regard to the frustration that consumers have. I don't know what's worse: understanding a car warranty, a life insurance policy or our Internet broadband service and phone service.

The process that is being proposed now is still going to have some more public components and involvement. Is that not correct? I just want to clarify that to ensure again that this is actually opening the door for more opportunities to understand the situation.

That's my last question. Thank you, Mr. Chair.

**Mr. Dan Mazier:** Yes. This bill would, definitely. There's a public hearings component of it that is basically refereed by the CRTC. It handles that, but it goes out to do public hearings where it consults with the public, NGOs and anybody who wants to comment on it, as well as industry.

This is where you get into these technicalities. We could have written a bill that was very technical, and it wouldn't have done much good, because there are aspects of our connectivity in this country that as legislators we don't understand. It's not really our job, quite frankly, to understand the inner workings of it, but it is our job to make good legislation for Canadians. I think Bill C-288 and the steps that come through it would definitely provide better service for Canadians at the end of the day, and more transparent service, so that all can benefit.

[Translation]

**The Chair:** Thank you, Mr. Masse.

Go ahead, Mr. G n reux.

**Mr. Bernard G n reux (Montmagny—L'Islet—Kamouraska—Rivi re-du-Loup, CPC):** Thank you, Mr. Chair.

I'd like to thank my fellow Conservative Mr. Mazier for being with us today.

As Mr. Lemire said, people in Quebec are dealing with real challenges when it comes to Internet service, especially those who live in the regions. I can attest to that, myself, with my home Internet. The service speed you get from a provider varies greatly depending on where you live. Personally, I pay about \$150 a month, which I think is exorbitant. I don't have a land line at home anymore. All I have is the Internet and a very limited TV package. In other words, the bulk of my bill is for Internet service. I pay for high-speed Internet, but I regularly notice that the speed isn't consistent, and my service provider isn't telling me that. I find out indirectly that the speed I'm getting from my service provider isn't up to par at certain times, when I have trouble downloading simple things like photos.

Basically, thanks to your bill, users would be better informed. You said this, and it's my understanding as well: not all the companies are exactly sold on your bill. I don't know whether that reflects a desire not to be transparent, because they don't want to be forced to provide the information, or whether they feel a bit threatened by the bill.

Have you talked to any telecom carriers in Canada that are examining your bill as we speak?

• (1635)

[English]

**Mr. Dan Mazier:** I've talked to them, or they've talked to me about my bill. I guess we'll put it that way. I think they're waiting. I believe they're coming to committee, and I think that's a good question for them.

I don't understand how... If an Internet service provider is sitting in front of you and is not telling you what kind of service it's offering you, what is that? How can they justify that and sit here and say that's okay?

That isn't acceptable for Canadians. You wonder why people are so mad at the telecom industry. This is actually a very good opportunity for the telecom industry to build some trust, to build those bridges back with—

[Translation]

**Mr. Bernard G n reux:** I'm going to play devil's advocate for a moment and pretend I'm the CEO of a telecom company. Given the volume of data traffic, it's inevitable that customers at the end of the line, road or street won't have the same speed as customers at the beginning of the line. Take telephone service, for example. Back in the day, seven people could be on the same line. Eventually, the service quality wasn't the same when you got to the end of the circuit. That's the sort of answer you might get from the telecom industry.

Companies sell customers a specific service at a specific price, but the quality of that service actually depends on overall customer demand. What do you make of that?

How do you think the carriers might respond?

[English]

**Mr. Dan Mazier:** They have the information. They are reporting this information to the CRTC anyway. All they have to do is tell the consumer. That's all they have to do.

When I first started down this path with this bill, that was the first red flag: "Oh, we can't do this. This is too much information." It's not too much information. They provide it to the CRTC, and it will vary. Canadians are well aware of that. They know they're not going to get the same type of service or the same speeds in a rural area, but they want some service and they want to know what they're paying for.

[Translation]

**Mr. Bernard G n reux:** How often should companies be required to provide the information to customers?

Let's say my service provider charges me \$100 a month for Internet service, but the service speed varies throughout the month. Should I get a discount at the end of the month to make up for it? Would you go that far?

[English]

**Mr. Dan Mazier:** I'll read something from a statement by the chairwoman. They're borrowing from a model for food products:

Going forward, our rules will require that broadband nutrition labels are fully displayed when a consumer is making a purchasing decision. That means consumers will have simple, easy-to-read facts about price, speed, data allowances, and other aspects of high-speed internet service up front. Plus, by requiring that providers display introductory rates clearly, we are seeking to end the kind of unexpected fees and junk costs that can get buried in the long and mind-numbingly confusing statements of terms and conditions.

The U.S. is tackling these types of things. They see how industry can do better, and they're telling them, "Get your act together."

We need to do the same thing in Canada. It starts with legislation like Bill C-288.

• (1640)

[Translation]

**The Chair:** Thank you, Mr. Généreux.

That concludes the question and answer period.

[English]

Thank you very much, Mr. Mazier. Congratulations on moving forward with this private member's bill. It's quite an accomplishment for any parliamentarian. We appreciate your being here and answering our questions.

**Mr. Dan Mazier:** Thank you, Mr. Chair and committee members.

**The Chair:** On that note, I'll suspend briefly, so that we can continue for the second hour.

Thanks again, Mr. Mazier.

• (1640)

(Pause)

• (1640)

• (1645)

**The Chair:** Welcome back, friends and colleagues.

We're now entering the second hour of this meeting, where we are studying Bill C-244, an act to amend the Copyright Act regarding diagnosis, maintenance and repair. As you know, it is due to be reported back to the House on Wednesday.

Given the short time frame, I would seek the consent of the committee to agree to a motion asking for a 30-day delay for us to report back to the House.

Is there unanimous consent for such a motion?

**Some hon. members:** Agreed.

**The Chair:** It's duly recorded with the clerk.

I recognize Mr. Fillmore.

**Mr. Andy Fillmore:** Thanks very much, Mr. Chair.

I thank our fellow committee members for agreeing to this extension of 30 days. I think it will get us to a better product. Part of that, I think, is having an opportunity to ask some probing questions of the officials from ISED who are here today.

After some discussions with opposition members, I think there's also agreement that we will now go in camera, rather than do clause-by-clause, for the remainder of today's hour and have a chance to have a very good, frank conversation with our officials.

I would move that.

**The Chair:** There is a motion to go in camera.

(Motion agreed to)

**The Chair:** I will suspend the meeting so we can go in camera.

[Proceedings continue in camera]







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