



7 April 2011

Sylvie Julien
Senior Distribution Analyst
Television Policy and Applications, Broadcasting
Canadian Radio-television and
Telecommunications Commission
Ottawa, Ontario
K1A 0N2

Subject: **Application 2011-0203-7**

Dear Ms. Julien:

Pursuant to your letter of 30 March 2011, Bell Canada (Bell or the Company) provides the following responses to the Commission's questions regarding its application to renew the Class regional licence for its terrestrial broadcasting distribution undertaking (BDU) serving Toronto, Hamilton/Niagara, Oshawa, Kitchener, London, Windsor and Ottawa, and surrounding areas of each location.

DISTRIBUTION:

1. We note that you requested the addition of three service areas to your Class 1 regional licence in Ontario, i.e., to serve Stratford, Peterborough and Kingston. Please resubmit your map so that it clearly reflects the service areas that are currently authorized and the proposed service area extensions. For this purpose, a map in a standard image or PDF file format such as the one available on the Bell Canada website would be preferable. However, this map should only reflect the service areas under your Class 1 regional licence in Ontario. Also, we remind you that, as required in Information Bulletin 2009-384, it must be submitted in a scale that is proportionate to the size of the authorized service areas, i.e., it must depict the location of each service area in relation to its surrounding areas. This map must also contain a level of detail comparable to that contained in the 1:50,000 NTS topographical paper maps.

Bell Canada's response, i.e. the map in question, will be submitted to the Commission no later than Tuesday, 12 April 2011. The Company apologizes for the delay.

2. Please confirm that all priority programming services will be offered in the proposed service areas.

Bell Canada confirms that all priority programming services will be distributed in each of the proposed new serving areas, consistent with the *Broadcasting Distribution Regulations*.

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3. In your supplementary brief, you indicated that Bell Canada deployed its new cable service on a limited basis. You also indicated that the service was officially launched in Toronto and in Montréal neighbourhoods on 13 September 2010.

- a. Please indicate whether the service area in Toronto is still the only one under your Class 1 regional licence that is in operation in Ontario, and if not, please list the other service areas currently in operation in this province.

Bell Canada confirms that the service area in Toronto is still the only one under our Class 1 regional licence that is in operation in Ontario.

- b. Should other service areas be in operation at this time, please provide the number of basic subscribers for each of these areas.

Not applicable.

4. In Broadcasting Information Bulletin CRTC 2009-384, the Commission announced its requirements for filing distribution grids. It noted, among other things, that when filing an application for licence renewal (individual or regional), an existing BDU must provide a website address where its distribution grid(s) is/are listed, **according to licensed location**. Although there are currently seven service areas under your Class 1 regional licence in Ontario, the Fibe TV channel list available on the Bell Canada website does not specify the undertaking location. Further, the link to bell.ca/fibechannels referenced in this document only contains distribution packages according to province.

- a. Please indicate whether the distribution grid on your website applies to Toronto and to your other licensed service areas in operation, if any. Also, please ensure that the licensed service area locations are clearly indicated on your website and in the document.

Bell Canada confirms that the distribution grid on its Web site applies only to Bell Fibe TV in Toronto. When Bell Fibe TV becomes available in other licensed areas, the posted channel grids will be identified according to licensed location.

- b. Should the currently authorized service areas share the same distribution grid, in the event that there are priority signals specific to any of the licensed service areas, confirm that **ALL** priority signals are being distributed or will be distributed.

Distribution grids for the other currently-authorized areas under Bell Canada's regional licence were provided as part of Bell Canada's original licence application in 2004. Bell Canada confirms that all priority programming services are distributed in Toronto, and will be distributed in each of the existing licensed serving areas and proposed new serving areas, consistent with the *Broadcasting Distribution Regulations*.

5. In Broadcasting Regulatory Policy 2009-546, the Commission set out general authorizations for broadcasting distribution undertakings. In particular, Broadcasting Regulatory Policy 2009-546 authorizes a licensee:

- a) to distribute at its option and subject to specific provisions, the audio programming service of any licensed satellite subscription radio undertaking on a digital basis; and
- b) to insert, at its option, certain promotional material as a substitute for the "local availabilities" (i.e., non-Canadian advertising material) of non-Canadian satellite services.

In its renewal application, Bell Canada noted that the conditions of licence replicating these authorizations would be applicable for the new licence term. However, by virtue of the new general condition of licence (i.e., condition of licence #7 for terrestrial BDUs) stated in Broadcasting Regulatory Policy 2009-547, which is applicable to all BDUs, these general authorizations are now incorporated by reference into the licences of BDUs. Therefore, they will not be reiterated in the Commission's licence renewal decision.

Bell Canada acknowledges the general authorizations granted in Broadcasting Regulatory Policy CRTC 2009-546, and has revised Appendix A accordingly.

- 6. Appendices A and B include a condition of licence that authorizes the licensee to distribute, on a discretionary basis, any of the Canadian television signals set out in the List of Part 3 eligible satellite services contained in Revised lists of eligible satellite services, as amended from time to time. However, in the event that the *Broadcasting Distribution Regulations* (the *Regulations*) are amended as proposed by the Commission in Notice of Consultation 2010-931, i.e., as in section 20 of the draft *Regulations*, this condition of licence would no longer be necessary as of 1 September 2011. Therefore, please confirm whether you agree that the Commission not reiterate this condition of licence in the licence renewal decision if the *Regulations* are amended to reflect such an amendment.

Bell Canada confirms that it agrees that the Commission need not reiterate this condition of licence in the licence renewal decision if the *Regulations* are amended to reflect such an amendment.

- 7. In appendix B, you proposed a new condition of licence for authorization to distribute, on a discretionary basis, a second set of 4+1 U.S. signals received from a licensed SRDU: KOMO-TV (ABC), KING-TV (NBC), KIRO-TV (CBS), KCPQ (FOX) and KCTS-TV (PBS) Seattle. However, in appendix A, you requested that the clause "received from a licensed SRDU" be deleted from certain similar conditions of licence pursuant to Broadcasting Regulatory Policy CRTC 2009-639. Please confirm that the clause should be deleted in this instance as well.

Bell Canada confirms that the clause in question, "received from a licensed SRDU", should be deleted in this instance as well. The deletion is reflected in its revised Appendix B.

- 8. Section 17 of the current *Regulations* lists all the television programming services that must be distributed as part of the basic service, including all local television stations. Therefore, please provide your rationale as to why, in Appendix B, you are requesting the authorization to distribute local signals as part of the basic service in your Kingston

proposed service area, i.e., CKWS Kingston (CBC-IND), and in your Peterborough proposed service area, i.e., CHEX Peterborough (CBC-IND).

Bell Canada acknowledges the requirement as set out in section 17 of the *Regulations*, and therefore withdraws its request for authorization to distribute local signals as part of the basic service in our Kingston proposed service area, i.e., CKWS Kingston (CBC-IND), and in our Peterborough proposed service area, i.e., CHEX Peterborough (CBC-IND). Bell's withdrawal is reflected in its revised Appendix B.

9. Pursuant to section 20(2) of the current *Regulations*, if a licensee distributes in a licensed area a programming service consisting of the proceedings of the legislature of the province in which the licensed area is located, the licensee shall include that service as part of its basic service, unless the operator of the programming service agrees in writing to the distribution of its service as a discretionary service. Therefore, please provide your rationale as to why, in Appendix B, you are requesting the authorization to distribute the Ontario Legislative Assembly as part of the basic service in Kingston, Stratford and Peterborough.

Bell Canada acknowledges the requirement set out in section 20(2) of the current *Regulations*, and therefore withdraws its request for authorization to distribute the Ontario Legislative Assembly as part of the basic service in Kingston, Stratford and Peterborough. Bell's withdrawal is reflected in its revised Appendix B.

10. Pursuant to section 27 of the current *Regulations*, if a licensee elects to distribute community programming under paragraph 19(f) or if a community programming undertaking is licensed in the licensed area, the licensee shall distribute the community programming as part of the basic service. Therefore, please provide your rationale as to why, in Appendix B, you are requesting the authorization to distribute the Bell Community Channel as part of the basic service in Kingston, Stratford and Peterborough.

Bell Canada acknowledges the requirement set out in section 27 of the current *Regulations*, and therefore withdraws its request for authorization to distribute the Bell Community Channel as part of the basic service in Kingston, Stratford and Peterborough. Bell's withdrawal is reflected in its revised Appendix B.

11. In light of your responses to all of the questions above, please revise your proposed conditions of licence in Appendix B in which you are requesting the authorization to distribute certain signals as part of the basic service so as to ensure that you are not already authorized, pursuant to the *Regulations*, to distribute any of these signals and resubmit your requests, if necessary.

Bell has reviewed its proposed conditions of licence and requests for specific authorizations, and has amended Appendix A and Appendix B accordingly.

12. In your application form, you indicate that certain information is filed on a confidential basis and that you provided confidential and redacted versions of your application form. Please specify which sections of the application form you are requesting confidentiality for.

Bell Canada is requesting confidentiality for section 6.2 of the application form.

TELEVISION:

13. Please provide information on which video-on-demand (VOD) licence you will be using to offer your outlet for local expression.

Bell Canada will use the video-on-demand service licensed to the partners of Bell ExpressVu Limited Partnership.

14. Please confirm that you will abide by the requirements outlined in Community Television Policy, Broadcasting Regulatory Policy CRTC 2010-622.

Bell Canada confirms that it will abide by the requirements outlined in *Community Television Policy, Broadcasting Regulatory Policy CRTC 2010-622.*

ACCESSIBILITY:

Described video

15. Access to described video

- i) Pursuant to paragraph 118 in Regulatory Policy 2009-430, the applicant accepts as a condition of licence to provide one or more simple means of accessing described programming, whether in an open or embedded format, that requires little or no visual acuity.

YES () NO ()

If YES, describe the measures the licensee will undertake to ensure that this requirement is fulfilled.

Bell Canada currently provides a relatively straightforward method to activate described video (DV) settings on its digital receivers. If a consumer needs help with the settings, the Bell installer will activate the DV setting before leaving the premises. If the consumer needs assistance after the installation is complete, the customer service representatives in Bell's special-need call centre will talk the consumer through the process. Bell's hand-held remote controls feature buttons of distinctive shapes so that consumers with little or no visual acuity can readily find the buttons they need to press in order to activate the feature. Once the setting is activated, it remains in the memory of the receiver, even if the power is turned off. Hence, there is no need, once the setting has been activated, to change it from program to program or day to day.

Bell initiated a third-party study to report on the accessibility of its IPTV service and to make recommendations on improvements. One of the recommendations was to develop a more simplified process for activating DV settings on its digital receivers. Bell is developing a solution that will allow a person with little or no visual acuity to activate the DV setting with a press of a single button on the remote control. In order to accomplish this, Bell is requesting that its middleware vendor, Microsoft, develop appropriate software. Microsoft adds

features to its software based on demands from its world-wide base of customers. The need for this enhancement is a high priority for Bell, but may not be a high priority for Microsoft's major customers. Nevertheless, Bell is confident that it can have a one-button solution available in the near future. In a parallel process, Bell is working with vendors to develop a simplified accessible remote control, which among other things will feature the one-button DV switch. Bell plans to introduce the new remote coincident with the availability of the one-button software enhancement.

If NO, provide reasons, including why resources are not available pursuant to section 3(1)p of the *Broadcasting Act*.

16. Awareness of described programming

- i) As stated in Regulatory Policy 2009-430, paragraph 122, the Commission expects BDUs to develop one or more means of identifying programming with described video in their electronic program guides. This could include an audio tone, a visual indicator, or the offer of an audio electronic program guide.

Please describe how the licensee has fulfilled/will fulfill this expectation.

The alphanumeric program description in the built-in electronic programming guide features a "DV" code that will alert a sighted person in the household that an audio description is available. In addition, the source broadcasters provide an audio voice-over at the beginning of each program that includes an audio description.

The authors of the third-party study that reviewed the accessibility of Bell's IPTV service made a number of suggestions, similar to those made by the Commission, as to how to make its program guide more accessible. Bell is currently reviewing the recommendations and will develop a plan as its resources allow, given its relatively small customer base.

17. Accessibility of the set-top box

- i) Consistent with Regulatory Policy 2009-430, paragraph 120, please describe efforts to procure and offer set-top boxes accessible to subscribers with vision and fine motor skill disabilities.

As described in response to Q15, Bell is working with vendors to develop a simplified accessible remote control, which among other things will feature the one-button DV switch. The objective is to provide consumers with limited vision or motor skills a remote that will allow for full functionality of the standard set-top boxes.

Customer information, service and support

18. Websites

- i) According to Regulatory Policy 2009-430, paragraph 68, the Commission requires Class 1 and DTH BDUs to make accessible any customer service

functions that are **available solely over the service providers' websites, by 23 July 2012.**

Have you met or will you meet this requirement?

YES () NO ()

If YES, describe the measures the licensee has undertaken/will undertake to ensure that this requirement is/will be fulfilled.

Bell Canada does not offer any customer service functions that are available solely over our Web site, i.e. there are no functions on our Web site (internet.bell.ca) that cannot otherwise be accessed via a Bell Canada customer service agent at our call centre.

If NO, provide reasons, including why resources are not available pursuant to section 3(1)p of the *Broadcasting Act*.

- ii) Please note that, as stated in Regulatory Policy 2009-430, paragraph 68, where customer service functions on websites are not accessible, persons with disabilities must not incur a charge or otherwise be disadvantaged if they use an alternate channel of customer service to access those functions.

Have you met this requirement?

YES () NO ()

If NO, provide reasons, including why resources are not available pursuant to section 3(1)p of the *Broadcasting Act*.

19. General call centres

- i) According to Regulatory Policy 2009-430, paragraph 69, the Commission requires Class 1 and DTH BDUs to make their general call centres accessible to the point of providing a reasonable accommodation to persons with disabilities by a) training customer service representatives in handling enquiries from persons with disabilities, and familiarizing them with the service providers' products and services for persons with disabilities, and b) making Interactive Voice Response systems accessible, by 21 July 2011.

Have you met or will you meet this requirement?

YES () **Bell Canada has met the requirement.** NO ()

If YES, describe the measures the licensee has undertaken/will undertake to ensure that this requirement is/will be fulfilled.

The Company notes that the full text of paragraph 69 of Regulatory Policy 2009-430 reads:

The Commission requires the TSPs and Class 1 and DTH BDUs to make their general call centres accessible to the point of providing a reasonable accommodation to persons with disabilities by a)

training customer service representatives in handling enquiries from persons with disabilities, and familiarizing them with the service providers' products and services for persons with disabilities, by 21 July 2010; and b) making Interactive Voice Response systems accessible, by 21 July 2011. However, the Commission considers that a service provider with a disability call centre could meet this requirement by developing and implementing protocols for the appropriate transfer of calls to the call centre. [emphasis added]

Bell has met the requirements of paragraph 69. As noted in the Company's 2011 Report of the Status of Accessibility Initiatives, filed 31 March 2011, the Company has enhanced Bell Home Phone customer service which is accessed via 310-BELL. Specifically, Bell Canada has provided awareness briefings to the agents that will permit them to identify that a caller would benefit from assistance from the Accessibility Services Centre, and, if so, to then route the call to a live CSR in that Centre. The transfer is a "warm transfer", wherein the CSR will remain on the line with the caller until the transfer to the Centre is completed. Bell Canada also established a dedicated number for the Accessibility Services Centre so that customers can call the Centre directly, which is the most convenient and effective way to access the Centre. This activity was completed in late 2009. Bell Canada is also planning to implement further training, in the form of disability awareness training for all customer-facing employees by the end of 2011.

Within the Accessibility Services Centre itself, Bell Canada has implemented changes that now enable dedicated customer service representatives (CSRs) in its Accessibility Services Centre to handle, on a live-answer basis, inquiries across all of the Company's consumer lines of business (LOB) – Bell Home Phone (wireline), Bell Mobility (wireless), Bell Internet and Bell TV, which was not previously available. Additionally, the Accessibility Services Centre CSRs' stations have been equipped with updated Textnet software, which provides for smoother handling of dedicated TTY calls from the agent's desktop. Bell Canada has also doubled the number of Accessibility Services Centre CSRs from five to ten agents in order to effectively and efficiently respond to customers' inquiries across all consumer LOBs. CSRs in the Accessibility Services Centre have been given comprehensive disability awareness training as well.

If NO, provide reasons, including why resources are not available pursuant to section 3(1)p of the *Broadcasting Act*.

Yours truly,

[Original signed by B. Chapman]

Barry Chapman

Vice President - Regulatory Affairs

Attachments

JG/es

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