



PUBLIC INTEREST ADVOCACY CENTRE
LE CENTRE POUR LA DEFENSE DE L'INTERET PUBLIC

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January 18, 2013

The Honourable Christian Paradis, P.C. M.P.
Minister of Industry
Office of the Minister of Industry
C.D. Howe Building
235 Queen Street, Room 1138D
Ottawa, Ontario K1A 0H5

BY E-MAIL and FAX

Re: Shaw-Rogers Option to Acquire Set-Aside AWS Spectrum

Dear Minister Paradis:

The Public Interest Advocacy Centre, Consumers' Association of Canada, OpenMedia.ca, Samuelson-Glushko Canadian Internet Policy and Public Interest Clinic and Council of Senior Citizens Organizations of British Columbia are writing to you regarding the recent announcement by Shaw Communications Inc. ("Shaw") that it has, as part of media deals with Rogers Communications Inc. ("Rogers"), agreed to provide an option to Rogers to buy set-aside spectrum won by Shaw in the AWS auction.

We are all of the view that such a proposed sale runs contrary to the original AWS auction rules of the set-aside and most importantly, contradicts your Ministry's clear policy to preserve that spectrum for new wireless entrants.

The Shaw-Rogers announcement seeks to return that spectrum to an incumbent wireless provider, in conflict with both the letter and spirit of the AWS auction rules. This brazen announcement in our view should immediately be countered by your ministry. We call upon you to assure Canadian wireless consumers that this Government is committed to advancing real competition that lowers prices and increases consumers' choices of wireless providers.

Given the proposed structure of the imminent 700 MHz spectrum auction - which does not in our view provide sufficient advancement of wireless competition due to the lack of set-asides - the "legacy" AWS spectrum at issue now is key to opening an alternate path to competition in the latest LTE wireless space. LTE is critical to support consumer demand for data using wireless services. LTE permits consumers and citizens to fully use the Internet and benefit from its empowering access to media and communications. Yet the proposed "deal" removes even this limited avenue for competition from new entrants.

Your government took bold steps to initiate market entry with set-asides in the AWS auction. The result was credible new entrant wireless providers who already are offering positive plans and market discipline leading to lower wireless prices for consumers. Canadians expect this Government to require all wireless providers to abide by the clear rules when auctioning off the public resource of spectrum. Canadian wireless consumers look to this Government to continue its extensive efforts to promote real competition in wireless services. We call for your immediate response to preserve this consumer-friendly policy.

Sincerely,

[original signed]

John Lawford
Executive Director/General Counsel
Public Interest Advocacy Centre

[original signed]

Bruce Cran
President, Consumers' Association
of Canada

[original signed]

Steve Anderson
Executive Director, OpenMedia.ca

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David Fewer
Director, Samuelson-Glushko
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Arthur Kube
President, Council of Senior Citizens
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