



NCRA-ANREC
180 Metcalfe St,
Suite 608
Ottawa, Ontario,
K2P 1P5

June 28, 2016

Danielle May-Cuconato
Secretary General
Canadian Radio-television and Telecommunications Commission
Ottawa, Ontario, K1A 0N2

Dear Secretary General:

Re.: Telecom Notice of Consultation CRTC 2016-192 Examination of differential pricing practices related to Internet data plans

1. We are writing on behalf of the National Campus and Community Radio Association/ l'Association nationale des radios étudiantes et communautaires ("NCRA/ANREC") to comment on **Telecom Notice of Consultation CRTC 2016-192, Examination of differential pricing practices related to Internet data plans**. The NCRA/ANREC requests to appear at the public hearing, commencing on the 31st of October, 2016 to further discuss the issues raised below.

2. The NCRA/ANREC is a not-for-profit national association working to recognize, support, and encourage volunteer-based, non-profit, public-access campus and community-based broadcasters in Canada. We provide advice and advocacy for individual campus and community ("c/c") stations, and conduct lobbying and policy development initiatives for the sector with a view to advancing the role and increasing the effectiveness of our sector. Our goals are to ensure stability and support for individual stations, and to promote the long-term growth and effectiveness of the sector. We currently represent 94 member radio stations, including 83 terrestrial stations that are licensed to broadcast by the CRTC.

3. We are writing to comment on the lack of availability of free FM radio on most Android mobile phones and all iPhones. In April 2016, the NCRA/ANREC began a nationwide awareness campaign (freeradioonmyphone.org) to inform Canadian consumers about the fact that many telecommunications service providers and cell phone manufacturers in Canada are currently blocking access to already installed FM Radio receivers (“FM chips”) in android phones. If unblocked, these phones could work as radio receivers with the simple addition of a pair of headphones to act as an antenna. A similar campaign was launched in the United States in 2015, and over 2 million American consumers convinced four major American telecommunications companies (Sprint, T-Mobile, Blu and AT&T) to enable the FM chips for use in their phones since the launch of the campaign¹.

4. The NCRA/ANREC has partnered in this campaign with a number of organizations, including CBC Canada / Radio-Canada, Association Des Radiodiffuseurs Communautaires Du Québec, and Alliance des Radio Communautaires Du Canada, amongst others²). We hope the Commission will recognize the importance of ensuring that the FM chip is enabled in Canadian cell phones. FM radio is a widely-available, locally-focussed, and free source of entertainment, education, and news. It is one of the best ways to communicate with people during an emergency. Unblocking the FM chip would provide these benefits to people who may not be able to afford data plans. It would also provide a free, available alternative to data streaming in times of emergency where data may not be available because of environmental or capacity issues, or restricted due to cost.

5. With respect to paragraph 25, 7(a) and (b) in CRTC Notice of Consultation 2016-192, the FM chip works exactly as an FM radio does, allowing listeners to connect at any time with no need for data plans and a savings of at least three times longer battery life³. This is a system that will allow users to access emergency information when needed at any time, in both urban and rural settings, irrespective of whether there is cellular service nearby.

6. We believe enabling FM chips would advance the Commission’s recently enacted National Public Alerting System requirements (CRTC 2014-444). For example, if the FM chip was enabled during the evacuation of Fort McMurray⁴, more cell phone users would have had improved access to free information. Instead, some encountered overloaded cellular networks,⁵ and anyone streaming radio on their phones would have incurred high data-roaming charges. We cannot rely on telecommunications providers to respond to emergencies on a case-by-case basis by providing users with certain discounted or free services.⁶ By blocking access to the FM chip,

¹ Numbers received from NextRadio from the United States via Email - June 27 2016th

² <http://freeradioonmyphone.ca/about/>

³

https://www.google.com/url?q=http://byrnesmedia.com/2016/01/29/why-getting-the-fm-chip-activated-in-smartph-ones-is-critical-to-radios-future/&sa=D&ust=1467054910576000&usg=AFQjCNEtExZg0L-svJnShHv__uidr63ruA

⁴ <http://www.630ched.com/2016/05/19/broadcasters-push-for-fm-smartphone-chips-to-be-unlocked/>

⁵ <http://www.macleans.ca/fort-mcmurray-fire-the-great-escape/>

⁶

<http://mobilesyrup.com/2016/05/03/canadian-carriers-waiving-cost-of-calls-and-texts-to-fort-mcmurray-customers/>

telecommunications service providers and manufacturers may be preventing financially vulnerable mobile phone users from accessing readily available and stable emergency services.

7. As of June 15, 2016 over 1350 individuals have signed up on our change.org campaign asking for these chips to be enabled, and we have seen over 12,000 hits to the campaign website and observed hundreds of social media interactions directed at the telecommunications providers' accounts⁷.

8. With respect to Q.7 in the Notice of Consultation, the NCRA/ANREC believes that by blocking the use of an already free and generally available service, telecommunications service providers and manufacturers are acting as gatekeepers, thereby restricting the ability of low-income individuals and groups to access emergency services that can be accessed by others with expensive data plans. We acknowledge this is not differential pricing *per se*, but blocking consumers' use of FM chips does constitute a disadvantage to a large group of consumers, and we believe some regulatory action may be required to ensure that access to FM radio by Android smartphone users is fair and not unduly discriminatory.

9. With respect to Q.13 in the Notice of Consultation, we note that FM chips are already installed on over 1 million phones in the country⁸. They already meet current Innovation, Science and Economic Development Canada's regulatory requirements. We believe that telecommunications service providers will enable the FM chips if they face sufficient pressure from both consumers and regulatory bodies. As explained in paragraph 6 above, we believe enabling FM chips will also further the goals laid out in **CRTC 2014-444, Provisions requiring the mandatory distribution of emergency alert messages**.

10. The FM Chip is a free, accessible alternative to data streaming. We therefore encourage the Commission to recognize the importance of enabling these chips on Canadian cell phones and take this issue into consideration in its exploration of internet pricing practices.

Sincerely,



Barry Rooke
NCRA/ANREC Executive Director

*** End of Document ***

⁷ Numbers received from NextRadio from the United States via Email - June 27 2016th

⁸ Numbers received from NextRadio from the United States via Email - June 27 2016th

