

Info Policy News: Fake News, Facts about Usage-Based Billing, and More

By Joseph Haigh.

Canadian Telecom regulation debate heats up

From an information policy perspective, the New Year started with a bang. Much of the policy activity in the last few months has centered around CRTC decisions, including those on usage-based billing, truth in broadcasting, and the merger of Bell and CTV. The first two in particular have sparked large-scale public debate around not only the decisions themselves but also broader policy questions, including the nature of Canadian telecom regulation.

Fake news

In January, the CRTC called for comments on an amendment to regulations governing truth in broadcasting. The [amendment](#) would have revised rules against broadcasting false news "that endangers or is likely to endanger the lives, health or safety of the public." After much criticism and public outcry, the CRTC has dropped the proposal. (The *Vancouver Sun's* account can be found [here](#).)

As noted by Michael Geist, the revised rule would have made it much easier to broadcast false news, since to be in violation one would have to demonstrably endanger a person's life, health, or safety. First of all, this could be hard to demonstrate; secondly, the new rules would not cover other types of misinformation, such as that leading to financial harm ([Toronto Star](#), January 16, 2011).

As teachers of information literacy and providers of reliable information sources to patrons, librarians can breathe a sigh of relief that this proposal to lower standards was ultimately rejected.

Census

Readers of this column will be well aware of the switch to a voluntary long-form method of data collection for this year's Canadian Census. This change sacrifices data quality and comparability

with previous censuses and was justified as providing stronger protection for individuals' right to privacy.

Thus it was perhaps surprising to learn that Statistics Canada's new Chief Statistician, Wayne Smith, has been tasked with studying the feasibility of a register-based census (among other methods) in future census years. (An interview with Smith can be read [here](#).)

A register-based census draws on the full spectrum of government records for each individual, rather than using a survey to collect data. While such data may produce a census of high quality, having the ability to collocate health, income tax, education, travel, and other records for an individual presents concerns about privacy and potential abuse of power.

A vivid example of the harm that can result when private records are accessed beyond the scope for which they were originally collected was recently seen in the case of Sean Bruyeau. Bruyeau, a critic of Veteran Affairs, was humiliated when confidential medical and psychiatric records were circulated within Veteran Affairs as part of a smear campaign. (More information on Bruyeau's case can be found in the [Globe and Mail](#).)

Bearing in mind the risk of such abuse, librarians—advocates for the public with expertise in protecting the privacy of patrons—should monitor this issue closely.

Bill C-32 (Copyright)

The Information Policy Committee and the Health Libraries Association of BC (HLABC) organized an update from retired Vancouver City Librarian and copyright expert Paul Whitney and SFU Communication professor Meera Nair on Bill C-32 and associated copyright issues on Thursday, March 3rd at the Metrotown branch of Burnaby Public Library. For details of this discussion, see the separate write-up by Ursula Ellis in this issue of the *BCLA Browser*.

Usage-based billing

The issue most in the public eye of late has been usage-based billing (UBB). Thanks to the virally-promoted [Stop the Meter](#) campaign by OpenMedia.ca, a great deal of public attention has been paid to UBB. Hundreds of thousands have signed the petition against internet service providers (ISPs) billing for internet service based on the amount of data uploaded and downloaded.

One confusing element of this story is that the CRTC approved usage-based billing (internet service plans with monthly download limits and overage fees) for the major ISPs some time ago. Their most recent decision is much narrower; it applies to the discounted wholesale rates these ISPs charge smaller independent ISPs. Currently the CRTC is reviewing its decision to allow the major ISPs to charge these smaller providers usage-based rates.

The CRTC's rulings on UBB raise a number of concerns from the point of view of the public good. UBB may stifle innovation and favour certain formats over others. For example, data-heavy media such as video can quickly push a user over the cap on monthly usage and lead to extra charges. There is also concern that UBB will make it impossible for smaller ISPs to compete, leading to monopolistic pricing of internet access by the large ISPs and a widening of the digital divide. Overall, this may be an issue of media concentration more than anything else, especially given Bell Canada's recent acquisition of CTV. (More information is available from [The Tyee](#).)

As of this writing, not only is the CRTC's hearing on its most recent UBB decision still underway, but the framing of the hearing itself is also being intensely debated.

5 facts about usage-based billing (UBB)

1. The CRTC approved usage-based billing by large ISPs (such as Bell Canada) in May 2010.
2. The latest CRTC decision concerns the wholesale rates at which large ISPs sell small ISPs internet services, which are in turn sold to retail customers.
3. An [OECD survey](#) reports that among OECD countries, only Canada and Australia do not offer unlimited internet service plans.

4. The CRTC is currently conducting a hearing reconsidering the decision on UBB rates charged by large ISPs to independent ISPs.
5. OpenMedia.ca has launched a campaign against UBB in general, starting with the Stop the Meter petition.

More on usage-based billing:

- The CBC's overview of UBB regulation and its significance for internet users:
<http://www.cbc.ca/news/technology/story/2011/01/31/f-faq-usage-based-billing.html>
- Journalist Peter Nowak's "10 Myths From Usage-Based Billing Supporters":
<http://wordsbynowak.com/2011/02/22/10-myths-from-usage-based-billing-supporters/>
- OpenMedia.ca's Stop the Meter Campaign FAQ: <http://openmedia.ca/meter/faq>
- Michael Geist's "The Real Reason We Pay So Much for Internet":
<http://tinyurl.com/4qvla4c>
- CRTC decisions on UBB and the latest Notice of Consultation:
<http://www.crtc.gc.ca/eng/archive/2010/2010-255.htm>
<http://www.crtc.gc.ca/eng/archive/2011/2011-44.htm>
<http://www.crtc.gc.ca/eng/archive/2011/2011-77.htm>

About the Information Policy Committee

The BCLA Information Policy Committee (IPC), a standing committee of the British Columbia Library Association, aims to advance and preserve access to information, and to advocate for the public interest in government decisions relating to information policy.

Any BCLA member is welcome to join the IPC's activities. For more information, join our listserv by using the BCLA website [listserv management tool](#).

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