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- Q. Given that the first 10 hours of Bell Mobile TV app usage does not count toward the Bell Mobility subscriber's wireless data plan and costs \$5, the offer seems more advantageous for the Bell Mobile TV app compared to other third party apps.**
- a) Explain how Bell Mobility subscribers are not subject to an undue preference in regard to their data usage when they access the Bell Mobile TV app.**
 - b) Explain how competing content providers (e.g. the National Film Board or the Canadian Broadcasting Corporation) are not unjustly discriminated against or subject to an undue disadvantage.**
- A.**
- a) As further described in section 4.1 of our 9 January 2014 Answer to Mr. Klass' Application and our response to Bell Mobility(CRTC)4Apr14-7 Klass, Mobile TV is a broadcasting service whereas other apps such as Netflix, YouTube or CTV News Go are over-the-top (OTT) services which rely on the Internet for the distribution of their services. In other words, the fact that the service is accessed through an "app" does not alter the fact that a broadcast service is a broadcast service or an Internet service is an Internet service. In fact, some "apps", such as games or productivity apps without Internet connectivity, are neither. Bell Mobility subscribers are treated equally with regards to their respective use of these broadcast and telecommunications services. Moreover, as we have indicated in our response to Bell Mobility(CRTC)4Apr14-3 Klass, a subscriber of Bell Mobile TV does not require a wireless data plan regardless of whether Bell Mobile TV is accessed via Wi-Fi or Bell Mobility's 3G or 4G networks, and in no case will TV viewing impact a customer's wireless data plan. A customer pays \$5 for the first 10 hours of viewing and \$3 for each additional hour thereafter, and hours which exceed 10 hours of viewing will not count towards a customer's wireless data plan. Accordingly, Bell Mobility's data plans are irrelevant to subscribers of Mobile TV.
 - b) Bell Mobility does not discriminate against any competing content providers. A Bell Mobility user wishing to access online content via their mobile device incurs exactly the same data charges regardless of whether they access content from the National Film Board, the CBC, at ctv.ca, tsn.ca or from YouTube or Netflix.

By paying \$5 for Mobile TV, a subscriber obtains access solely to Mobile TV whereas an Internet data user has access to the entire public Internet. Content owners can choose whether to distribute their content over the public Internet and/or through broadcasting undertakings, and in fact negotiate different distribution rights depending on whether the content is distributed over the Internet or through a BDU (including for mobile BDUs such as Mobile TV).

CBC is a broadcaster whose content is available linearly through the public Internet and over mobile BDUs. As such, the CBC is carried by our Mobile TV product. There is no unjust discrimination. The National Film Board's (NFB) content is or will be carried, from time to time, by broadcasters wishing to broadcast Canadian content owned by the NFB should the NFB be willing to negotiate distribution rights with these broadcasters.

Bell Mobility currently treats all OTT content equally. Just like Bell customers will incur data charges if they access Bell-affiliated sites over the Internet, such as www.ctv.ca or the CTV News Go app, Bell Mobility customers will also incur the very same data usage charges if they choose to access www.cbc.ca or NFB content over their phones' Internet connections.

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