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Kent Thomson Quoted in *The Globe and Mail* on Telecom Rates Appeal

The Globe and Mail quoted Davies partner Kent Thomson in an article published last week following a request by Canada's large cable carriers that the Federal Court of Appeal hold an in-person hearing of their pending appeal in that Court.

The companies are appealing an August ruling of the CRTC that dramatically reduced the wholesale rates they can charge resellers of their high speed internet services and ordered them to make significant retroactive payments to the resellers.

While Canadian courts have begun moving at least some of their hearings online amid the COVID-19 pandemic, the cable carriers submit that such an approach would not be suitable for their appeal because the record, underlying facts and numerous legal issues at stake in this appeal are "exceedingly complex."

"Given that this is a 'high stakes' appeal, the disposition of which will affect hundreds of millions of dollars that are directly at issue and significantly impact the future of internet infrastructure investment in Canada, it is vitally important that the court have ready and efficient access to all of the information it requires to address the numerous matters at issue," wrote Kent on behalf of the cable companies.

"We respectfully submit that this will only be possible if an in-person hearing is held."