



RAC WIRELESS COMMUNICATIONS COMMITTEE MEETING

June 21, 2021

**People. Goods.
Canada moves by rail.**



Railway Association
of Canada

Competition Law Compliance Policy

STATEMENT

The RAC is committed to compliance with all **competition laws** applicable in Canada, including Canada's *Competition Act*.

Under the leadership of its Board of Directors, the RAC carries out its activities in strict compliance with all **competition laws**, provides guidance to its committees and its employees on how to comply with these laws, and promotes with them the importance and value to the RAC of complying with them.

The RAC Corporate Secretary ensures that RAC, its committees and its staff are familiar and comply with this policy.

COMPETITION LAW

Competition laws are designed to maintain and encourage competition in the marketplace. Non-compliance with the **competition laws** relating to improper coordination among competitors could constitute a criminal offence to which significant fines and prison terms can be attached, and for which significant damages can be awarded in private lawsuits, including large class actions.

RAC is a forum for railway members to exchange information and views on the railway sector. Particularly because RAC is an association that represents most of the players in the rail sector in Canada, including many that compete with one another, any activity it conducts must be in strict accordance with the **competition laws**, and avoid even the perception of possible improper conduct.

PROHIBITED ACTIVITIES

Due to the presence of multiple competing entities in RAC, any activity, including discussions or agreements that relate, directly or indirectly, to the following "**Prohibited Topics**" are strictly prohibited:

- ☐ Prices (rates) charged to shippers for services provided by members of the RAC
- ☐ Prices (costs) paid to suppliers for services provided to members of the RAC
- ☐ Any other conditions associated with services provided to shippers or received from suppliers of RAC members, including discounts, rebates, etc. and level of service provisions
- ☐ Customer or territory allocation
- ☐ Limitation of supply of services provided by RAC members to their customers

GUIDANCE

Any activity, including discussions or agreements that could even remotely be construed as relating to the above Prohibited Topics, cannot take place at the RAC or any of its committees or any meeting organized or attended by RAC staff, or otherwise among RAC members.

To ensure compliance with these rules, when meeting, members of a RAC committee or of the Board of Directors must:

- ☐ Have a pre-set agenda and take minutes, recording resolutions adopted and summarizing the essentials of conversations that took place.
- ☐ Limit themselves to issues identified on the agenda, except if circumstances call for other issues to be addressed, in which case careful notes of the additional issues discussed must be recorded.
- ☐ If any participant believes that Prohibited Topics have been raised or discussed, they must advise all participants of their concern and any discussion relating to that issue be ceased immediately pending legal advice.
- ☐ Require legal advice if any issue to be discussed might cause the members to believe that **competition laws** could be infringed.
- ☐ Suspend or even postpone to a later date discussions on such issues if legal advice cannot be sought in a timely manner.

Staff of the RAC shall in their duties ensure the confidentiality of information brought to their attention by members, avoid conflict of interest or situations that would discredit the RAC, unless doing so could violate the **competition laws**.

RAC WIRELESS COMMUNICATIONS COMMITTEE MEETING

June 21, 2021; 15:00 – 17:00 HOURS (EDT)

MICROSOFT TEAMS MEETING

AGENDA

	SCHEDULE	DISCUSSION LEADER	TIME
1.	Welcome, Call to Order, Roll Call	Kevin Waldern (Chair)	15:00
1.1	Competition Law Compliance Policy – Forward Statement	Enzo De Benetti (RAC)	15:05
2.	RAC WCC Chair Retirement Kevin Waldern, CP, Chair of the RAC Wireless Communications Committee will be retiring at the end of June 2021	Enzo De Benetti (RAC)	15:10
3.	Nomination of Chair	ALL	15:15 D
4.	ONDAS 802.16S/T Standard	Henry McReary (Ondas)/ Robert Burchard.(Ondas)/ Omer Metel (Siemens)	15:20
5.	CN LTE Proof of Concept	Antonio Aranibar (CN)	16:00
6.	Enhanced Train Control Update	Norbert Chan (CP)	16:15
7.	Metrolinx NXDN Update	Pavel Danshin (Metrolinx)	16:30
8.	TV White Spaces	Enzo De Benetti (RAC)	16:45
9.	Miscellaneous / Adjournment	Simon Béliveau (Chair)	16:50
9.1	Review of Terms of Reference	Enzo De Benetti (RAC)	16:55

D Decision Required

Railway Association of Canada
Wireless Communication Committee

TERMS OF REFERENCE

1. Name

The organization shall be known as the Wireless Communication Committee (WCC), reporting to the Safety & Operations Management Committee (SOMC) of the Railway Association of Canada (RAC).

2. General Mandate

The general mandate for this Committee is to provide the RAC, its sub-committees and its members with direction, guidance and resources to address all matters related to the management and usage of the radio spectrum as well as keeping them informed on emerging technologies that are or could be applied to railway radiocommunications.

3. Officers

There shall be a Chair and Vice-Chair, elected by its membership. Their terms of office shall normally be 2 years. The positions can alternate or new officers elected after each 2 year term.

The RAC will provide permanent secretarial services for the committee. The Secretary will record the events of the proceedings including but not limited to discussion topics, resolutions, action items and responsibilities. The Secretary will draft minutes of the meeting and forward them to the Chair for approval/distribution within 30 calendar days

An officer from the RAC, generally the Director, Spectrum and Telecommunications, will be appointed to the Committee as a member and will assist in the management of the Committee.

4. Duties of Officers

The Chair shall be responsible for the general supervision of the affairs of the Committee, preside at meetings and be empowered to call special meetings as conditions warrant. The Chair will act as Committee spokesperson to the RAC SOMC and other organizations as required. The Vice-Chair shall perform duties of the Chair whenever the Chair is unable to perform the duties of his/her office.

5 Duties of the Wireless Communication Committee

5.1 Monitor and direct the development and implementation of various technologies, rules and regulations with respect to radiocommunications in Canada.

- 5.2 Monitor US regulations and technology standards in order to develop appropriate strategies for efficient cross-border operations. This includes the preparation of common Canada-U.S. frequency plans for operation within border area.
- 5.3 Develop, frequency assignment plans for the various bands managed by the RAC.
- 5.4 Ensure that regulators overseeing railway activities and other agencies with an interest in the WCC mandate are made sufficiently aware of railway activities and strategies.
- 5.5 Provide direct support to shortline railways with respect to radiocommunication licensing, technologies and good practices.

6. Membership

- 6.1 Membership is open to the all RAC member companies. Persons shall be appointed by their respective companies or recommended by the Director, Spectrum and Telecommunication of the RAC.
- 6.2 Decisions will be made on a consensus basis. Non-consensus will be addressed by the RAC SOMC.

7. Frequency of Meetings

- 7.1 The WCC shall meet on an annual basis or on a schedule to be determined by the Committee. Special meetings may be called in response to significant developments. Meetings may be held by telephone or video conference at the discretion of the members.

December 2015