



Canadian
Transportation
Agency

Office
des transports
du Canada

Canadian Transportation Agency

2011-12

Report on Plans and Priorities

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Minister of Transport, Infrastructure and Communities

Canada

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Message from the Chair and Chief Executive Officer

I am pleased to present the Canadian Transportation Agency's Report on Plans and Priorities for 2011-2012. This document highlights how the Agency intends to continue to enhance its valuable contribution to the efficiency and accessibility of the Canadian transportation system.

With its first multi-year Strategic Plan coming to a close, the Agency will roll out a new corporate Strategic Plan that will guide the organization's work for the next three years, up to and including fiscal year 2013-2014. This plan has been developed through an unprecedented amount of input and engagement on the part of staff from all levels within the Agency.

As outlined in Section I of this report, the Agency will be operating under a modified and streamlined program activity architecture (PAA). The new PAA clarifies the relationship between the Agency's main activities and the overall strategic outcome of transparent, fair and timely resolution and economic regulation of the national transportation system. The Agency's Performance Measurement Framework has also been adjusted to reflect the new PAA.

The Agency also remains committed to the ongoing improvement of its processes and services in order to make them more efficient and effective. Its focus on maintaining and enhancing the use of sound management practices and ensuring optimal resource allocation will continue to guide its work in 2011-2012 and beyond.

Open dialogue, both internally and externally, is one of the Agency's overarching corporate priorities. Expanded external outreach efforts will help the organization better understand the needs and concerns of stakeholders and clients. In 2011-2012, these actions will be guided by, among other things, a broadened pool of client satisfaction survey data covering the full range of dispute resolution and economic regulation activities.

The Agency will also be addressing the recommendations of an internal employee working group that looked at how to make the organization an even better place to work. Agency senior management responded very positively to the group's recommendations on trust, conflict resolution, new employee orientation and career development.

The Agency has pursued an ambitious agenda to improve its services and be responsive to changing environments, and 2011-2012 will be no exception, as it strives to reinforce and build on its reputation as a respected and trusted tribunal and economic regulator. For the transportation sector, the Agency's plans and priorities for 2011-2012 will contribute to the achievement of a fair and secure marketplace – a key Government of Canada objective. More specifically, its dispute resolution and economic regulation work help make the national transportation system competitive, efficient and accessible, in addition to meeting the needs of those who use, provide or are affected by the sector's services and activities.

Geoffrey C. Hare
Chair and Chief Executive Officer

SECTION I: OVERVIEW

Raison d'être and Responsibilities

The Canadian Transportation Agency is an independent administrative body of the Government of Canada. It performs two key functions within the national transportation system:

- as a quasi-judicial tribunal, the Agency, informally and through formal adjudication, resolves a range of commercial and consumer transportation-related disputes, including accessibility issues for persons with disabilities. It operates like a court when adjudicating disputes; and
- as an economic regulator, the Agency makes determinations and issues authorities, licences and permits to transportation carriers under federal jurisdiction.

By administering transportation regulations and providing dispute resolution services, the Agency ensures that transportation users, commercial shippers and individual travellers receive the protection provided for them in the legislation where market forces alone do not result in fair, reasonable services, and ensures that carriers meet regulatory requirements before engaging in transportation activities. In doing so, the Agency continuously sets and strives to achieve high performance standards.

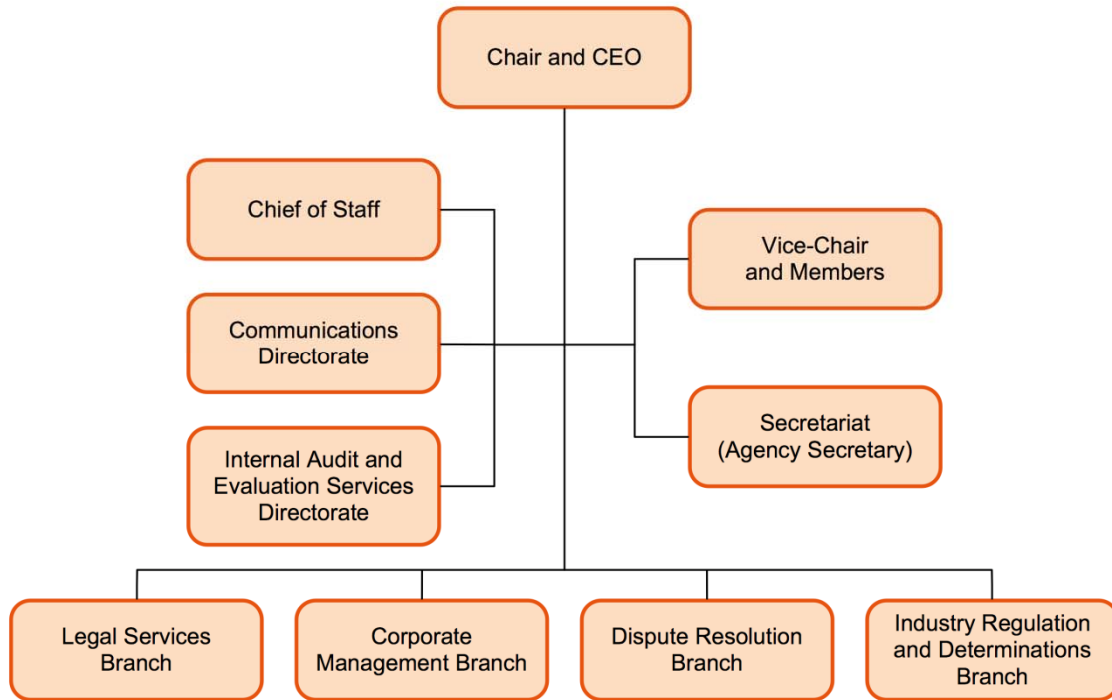
Education and consultation are integral to the Agency's effectiveness in carrying out its mandate. The Agency works closely with transportation service users and providers in Canada, and with other directly affected stakeholders. It helps travellers, shippers, carriers, and others to fully understand not only their rights and obligations under the *Canada Transportation Act*, but also the Agency's roles and responsibilities.

When appropriate, the Agency encourages parties to resolve disputes informally before issues escalate and impact the transportation system. The Agency consults broadly on issues that are important to the transportation industry. By remaining open and by listening to all affected parties, the Agency ensures that its decisions are both responsive and responsible.

The Agency exercises its powers through its Members, who are appointed by the Governor in Council (GIC): the GIC may appoint up to five full-time Members, including the Chair and Chief Executive Officer (CEO), and the Vice-Chair. The Minister of Transport, Infrastructure and Communities can also appoint up to three temporary Members.

The Chair and CEO is accountable for the Agency's three program activities. The Vice-Chair replaces the Chair and CEO during his absence. All Agency Members, as independent decision-makers, are accountable for making quasi-judicial decisions on matters before the Agency.

Agency Organizational Chart



The Agency's organizational structure is composed of four branches: the Dispute Resolution Branch, the Industry Regulation and Determinations Branch, the Legal Services Branch and the Corporate Management Branch. The heads of each branch, as well as the Communications Directorate, the Internal Audit and Evaluation Services Directorate, and the Secretariat Directorate, report directly to the Chair.

The Agency's headquarters are located in the National Capital Region. Agency personnel working in field offices in six cities across Canada carry out air and accessibility enforcement activities. The Agency's [role and structure](#)¹ are described on its Web site.

Parliament funds the Agency through an operating expenditures vote. The Agency operates within the context of the very large and complex [Canadian transportation system](#).²

Strategic Outcome and Program Activity Architecture

The Agency reports its plans, priorities and expected results to Parliament on the basis of its Program Activity Architecture (PAA). The PAA explains how the program activities and allocation of resources contribute to the Agency's strategic outcome of *transparent, fair and timely dispute resolution and economic regulation of the national transportation system*.

This is achieved through three program activities:

| Program Activities | Expected Results |
|---|---|
| Economic Regulation | Economic and other interests of transportation users, service providers and other affected parties are protected through timely and effective intervention |
| | Service providers (air, rail and marine) comply with regulatory requirements |
| | The Canadian National Railway Company (CN) and the Canadian Pacific Railway Company (CP) are provided with the information required to ensure they do not exceed the maximum grain revenue entitlements for the shipment of Western grain |
| Adjudication and Alternative Dispute Resolution | Access to a specialized dispute resolution system that is transparent, fair and timely |
| Internal Services | Support the needs of programs and other corporate obligations of the Agency |

PAA Crosswalk

The Agency modified its PAA for 2011-2012 in order to streamline its reporting structure to clarify the relationship between the program activities and its strategic outcome by removing the sub-activities from its PAA. There were significant overlaps between the expected results and the outputs at the sub-activity level.

This change resulted in adjustments to the Agency’s Performance Measurement Framework. The program activities’ expected results were updated to incorporate elements from the removed sub-activities. To reflect the diversity of certain activities within Economic Regulation and to provide more accurate reporting, this program activity identifies three expected results.

Also, “Adjudication and Alternative Dispute Resolution” was renamed in French to better reflect the program’s activities.

Program Activity Architecture 2010-2011

| Strategic Outcome | | |
|---|---|--|
| Transparent, fair and timely dispute resolution and economic regulation of the national transportation system | | |
| Program Activities | | |
| Economic Regulation | Adjudication and Alternative Dispute Resolution | Internal Services |
| Sub-activities • Air Transportation • Accessible Transportation • Rail Transportation • Marine Transportation | Sub-activities • Air Transportation • Accessible Transportation • Rail Transportation • Marine Transportation | Sub-activities • Governance and Management Support • Resource Management • Asset Management |

Program Activity Architecture 2011-2012

| Strategic Outcome | | |
|---|---|-------------------|
| Transparent, fair and timely dispute resolution and economic regulation of the national transportation system | | |
| Program Activities | | |
| Economic Regulation | Adjudication and Alternative Dispute Resolution | Internal Services |

Planning Summary

Financial Resources (\$ thousands)

| 2011-2012 | 2012-2013 | 2013-2014 |
|-----------|-----------|-----------|
| 27,170 | 27,148 | 27,148 |

Human Resources (full-time equivalents or FTEs)

| 2011-2012 | 2012-2013 | 2013-2014 |
|-----------|-----------|-----------|
| 264 | 263 | 263 |

Strategic Outcome: Transparent, fair and timely dispute resolution and economic regulation of the national transportation system

| Performance Indicators | Targets |
|--|---|
| Percentage of overall satisfaction with the quality of Agency service delivery | Baseline to be established in 2011-2012 |
| Percentage of discretionary rulings overturned by the Federal Court of Appeal or the Supreme Court of Canada on the basis of procedural fairness | 0% |
| Percentage of formal decisions published on the Agency's Web site within one business day | 95% |

| Program Activity | Forecast Spending 2010-2011 | Planned Spending | | | Alignment to Government of Canada Outcomes |
|---|-----------------------------|------------------|---------------|---------------|--|
| | | 2011-2012 | 2012-2013 | 2013-2014 | |
| Economic Regulation | 13,415 | 11,992 | 11,963 | 11,870 | A fair and secure marketplace |
| Adjudication and Alternative Dispute Resolution | 7,311 | 7,886 | 7,869 | 7,976 | |
| Internal Services | 7,874 | 7,292 | 7,316 | 7,302 | |
| Total Spending | 28,600 | 27,170 | 27,148 | 27,148 | |

Contribution of Priorities to Strategic Outcome

| Operational Priority | Type | Link to Strategic Outcome | Description |
|--|---|---|--|
| Client service and stakeholder relations Clients and stakeholders are well informed and efficiently served in a reliable, timely, innovative, transparent and responsive manner. The Agency is trusted and its services are independent, fair, innovative, effective and continuously improving | New | Transparent, fair and timely dispute resolution and economic regulation of the national transportation system | <ul style="list-style-type: none"> Agency must be able to adapt and respond to client needs to maintain trust in its services Agency must remain current and relevant by reaching out to stakeholders, and increasing collaboration and information exchange with other tribunals and regulators |
| | Supporting Program Activities | | |
| | Economic Regulation Adjudication and Alternative Dispute Resolution Internal Services | | |
| Plans for Meeting the Priority | | | |
| <ul style="list-style-type: none"> Enhance the Agency's service delivery through ongoing process and service improvements Continue to develop client and stakeholder relations through ongoing communication and dialogue in order to understand client needs and respond in a timely, transparent and fair manner | | | |

| Operational Priority | Type | Link to Strategic Outcome | Description |
|---|------------------------------------|---|--|
| Regulatory regime renewal The Agency's regulatory regime is up-to-date, relevant and responsive to transportation users, service providers and other affected parties | New | Transparent, fair and timely dispute resolution and economic regulation of the national transportation system | <ul style="list-style-type: none"> • The Agency's regulatory regime is relevant and reflects industry reality • Transparent regulatory instruments increase Agency's credibility as an economic regulator |
| | Supporting Program Activity | | |
| | Economic Regulation | | |
| Plans for Meeting the Priority | | | |
| <ul style="list-style-type: none"> • Continue to review, renew and implement a relevant regulatory regime composed of essential regulations and a comprehensive suite of information and compliance guidance tools that are responsive to the needs of transportation users, service providers and other affected parties • Provide transportation users, service providers and other affected parties with clear and relevant guidelines, interpretation bulletins, regulations and rules that meet their needs • Leverage technology to more efficiently deliver Agency services | | | |
| Management Priority | Type | Link to Strategic Outcome | Description |
| People The Agency has employees who are engaged, innovative, knowledgeable and client-oriented. They have the necessary tools and technology to enable them to conscientiously and competently fulfill the Agency's mandate | Ongoing | Transparent, fair and timely dispute resolution and economic regulation of the national transportation system | <ul style="list-style-type: none"> • Agency's credibility and reputation rely on experienced, professional and talented employees • Competent, knowledgeable staff able to adapt and respond to client needs |
| | Supporting Program Activity | | |
| | Internal Services | | |
| Plans for Meeting the Priority | | | |
| <ul style="list-style-type: none"> • Foster engagement, values, ethics, responsiveness, change and innovation in the workplace • Support and create opportunities for employee growth • Ensure staff recruitment, retention, expertise and capacity to meet changing service requirements | | | |

Risk Analysis

The Agency’s corporate risk profile is a critical step in implementing an integrated approach to risk management. The Agency has developed a three-year corporate risk profile which describes the three key risk areas that impact its service delivery. These risks are directly related to the Agency’s two activities and three strategic priorities.

| Risk | Link to Strategic Priorities | | |
|---|--|---------------------------|--------|
| | Client service and stakeholder relations | Regulatory regime renewal | People |
| Loss of reputation as a respected and trusted tribunal and economic regulator | X | X | |
| Resource reductions and constraints | X | X | X |
| Loss of business critical knowledge, information and expertise | X | X | X |

Loss of reputation as a respected and trusted tribunal and economic regulator

The Agency wants to maintain its reputation as a respected and trusted tribunal and economic regulator that contributes to a competitive and accessible national transportation system. This reputation is based on the Agency’s independence from outside influence, its impartiality, the integrity and timeliness of its procedures, its expertise in transportation and human rights matters, and the deference that the Federal Court of Appeal and the Supreme Court of Canada have given to its past decisions. In order to maintain its reputation, the Agency must continue to be attentive to these aspects in its role as a quasi-judicial administrative tribunal.

Providing the highest quality of service is a core value of the Agency and it demonstrates this commitment through the expertise and professionalism of its staff and by being responsive to its clients and stakeholders. To ensure this is continuously achieved, the Agency must measure client satisfaction to improve service delivery; promote ongoing dialogue with employees, clients and stakeholders to address their concerns; uphold standards for client service; ensure decisions are well-documented, drafted and supported; and ensure regulations, guidelines and codes of practice remain current and responsive to changing needs.

Resource reduction and constraints

As a demand-driven organization with a mandate dependent upon supporting and advancing an efficient, accessible and economically viable national transportation system, the Agency must also ensure it is able to respond in a timely manner to changes in government policy, the external environment, as well as the legislative mandate.

Significant changes in these areas could impact the Agency's ability to respond quickly to meet client and stakeholder expectations because of limited resources and capacity.

The Agency continues to adjust to the full implications of additional responsibilities related to legislative amendments, which include the hearing of complaints concerning rail noise and vibration and increased focus on alternative dispute resolution. The Agency closely monitors shifting workload demands and reallocates its staff and budget resources where needed.

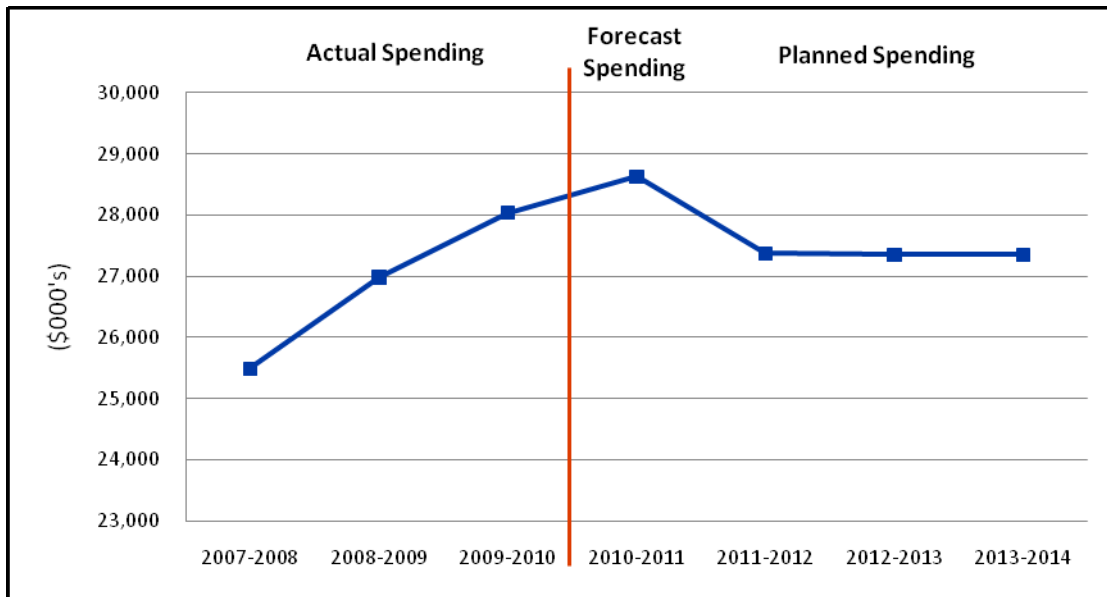
Loss of business critical knowledge, information and expertise

The retention of knowledge and expertise is critical to maintaining the level of service already provided, and to adapting to additional responsibilities. The changing demographics of the Agency's workforce present a significant human resource management challenge. Over the next few years, the Agency risks losing significant corporate knowledge and specialized expertise as many long-term and key employees retire. In order to continue supporting its mandate, the Agency will focus its efforts on recruiting, retaining and developing highly competent staff with the capabilities to ensure that knowledge and expertise is retained and transferred.

The competitiveness of today's labour market requires employees to acquire and update a skill set that allows them to reach their full employment potential. This may create a movement of human resources away from the Agency, and can result in the loss of invaluable and sometimes irreplaceable corporate knowledge and expertise. The Agency continues to emphasize the development of a wide range of skills, abilities and knowledge among its employees to minimize the loss when employees leave the organization. It has identified areas where the Agency is most vulnerable to the loss of critical business knowledge and expertise, and ensures knowledge transfer and succession planning, and develops and maintains comprehensive procedures/manuals for retention of corporate knowledge.

Expenditure Profile

Departmental Spending Trend



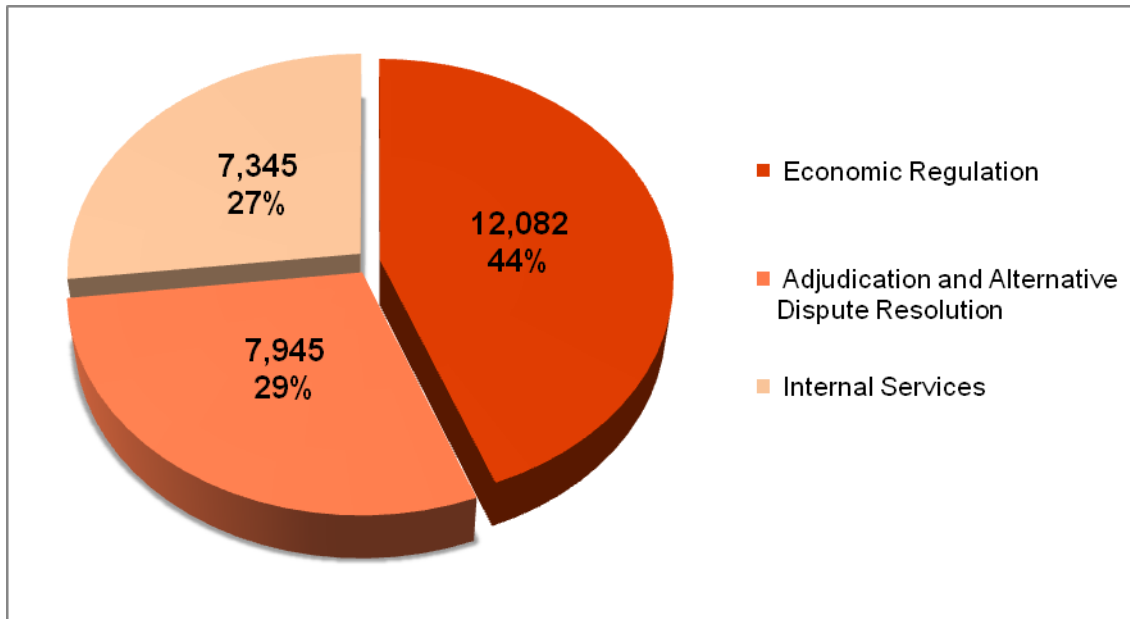
Actual spending increased from \$25.5 million in 2007-2008 to \$27 million in 2008-2009. The increase is due to the \$1.1 million carry-forward from 2007-2008 and \$0.6 million for costs associated with the implementation of the new organization structure.

From 2008-2009 to 2009-2010, actual spending increased from \$27 million to \$28 million due to the cost of collective bargaining for various employee groups.

Forecast spending in 2010-2011 is \$0.5 million higher than 2009-2010 actual expenditures due to the 2009-2010 carry-forward and the negotiation of collective agreements for the Law employee group.

Planned spending for 2011-2012 and future years is lower than the 2010-2011 forecast spending by \$1.4 million as it does not include an amount for a carry-forward (\$1.1 million) and has been reduced to reflect the government's Budget 2010 Cost Containment Measures.

2011-2012 Allocation of Financial Resources by Program Activityⁱ



The Agency's total planned spending for 2011-2012 is \$27.1 million. The Agency's two program activities that directly support the strategic outcome receive 73% of planned spending, while the balance (27%) is allocated to internal services.

The Agency will continue to increase the efficiency and effectiveness of its activities in maintaining sound management practices and ensuring optimal use of its resources.

Estimates by Vote

Estimates by vote are presented in the 2011-2012 Main Estimates, which are available here: <http://www.tbs-sct.gc.ca/est-pre/20112012/me-bpd/info/info-eng.asp>.

ⁱ In addition to corporate functions, Internal Services includes a portion of financial resources for common services, Internal Audit, Communications, Secretariat and Legal Services.

**SECTION II:
ANALYSIS OF PROGRAM ACTIVITIES BY
STRATEGIC OUTCOME**

Strategic Outcome

Transparent, fair and timely dispute resolution and economic regulation of the national transportation system

The Agency has two mandates set out by legislation and reflected in its strategic outcome. On one hand, it acts as an economic regulator of the national transportation system, making determinations and issuing authorities, licences and permits to transportation service providers under federal jurisdiction. In this function, the Agency strives to achieve a high degree of excellence in the timeliness of its decisions, the transparency and consistency of its decision-making process, and high quality and responsive services.

On the other hand, the Agency acts as a quasi-judicial tribunal in commercial and consumer disputes related to transportation, including accessibility issues for persons with disabilities. In this function, the Agency strives to achieve a high degree of independence from outside influence, impartiality, integrity and timeliness in its procedures, as well as expertise in transportation and human rights matters.

For both of these functions, the Agency measures client satisfaction on an ongoing basis. It uses client satisfaction surveys and consultations with the industry to achieve high performance standards.

For a comprehensive overview of its activities, the Agency's [logic model](#)³ can be found on its Web site.

Benefits for Canadians

The Agency's strategic outcome is aligned with the Government of Canada's outcome, which is *a fair and secure marketplace*. Agency programs are designed to resolve economic issues, remove transportation barriers and protect the rights of consumers, carriers and other parties interested in transportation matters. It contributes to a national transportation system that is competitive, efficient and accessible, and that meets the needs of transportation users and providers.

Economic Regulation

| Economic Regulation | | | | | |
|---|------------------|--|------------------|-------------------------------|------------------|
| Human Resources (FTEs) and Planned Spending (\$ thousands) | | | | | |
| 2011-2012 | | 2012-2013 | | 2013-2014 | |
| FTEs | Planned Spending | FTEs | Planned Spending | FTEs | Planned Spending |
| 119 | 11,992 | 118 | 11,963 | 118 | 11,870 |
| Expected Results | | Performance Indicators | | Targets | |
| Economic and other interests of transportation users, service | | Percentage of satisfaction with economic regulation services | | Baseline to be established by | |

| | | |
|--|--|--------------|
| providers and other affected parties are protected through timely and effective intervention | | 2012-2013 |
| Service providers (air, rail and marine) comply with regulatory requirements | Percentage of air carriers found to be non-compliant with essential market-entry requirements | Less than 1% |
| | Level of compliance with targeted regulatory and voluntary accessibility requirements | 100% |
| CN and CP are provided with the information required to ensure they do not exceed the maximum grain revenue entitlements for the shipment of Western grain | Number of times that either CN or CP have not exceeded their Western grain revenue cap entitlement by more than 1% over the last three years | 5 out of 6 |

Summary

This program activity is responsible for the economic regulation of the national transportation system. It is responsible for a wide range of matters involving air, rail and marine modes of transportation under the legislative authority of Parliament and, for certain accessibility matters, extra-provincial bus transportation. The program derives its authority from the *Canada Transportation Act*, as well as other laws and regulations that it is mandated to administer.

Its role can be best depicted along a continuum, in which the transportation policies, including policies related to the accessibility of the national transportation system, emanating from the legislative and executive branches of the Government of Canada are implemented in an impartial and sound manner by the Agency.

The scope of responsibilities of the Economic Regulation program is broad and varied. Within the context of a pro-competitive transportation policy framework, responsibilities extend to targeted aspects of the national transportation system:

- **market entry:** ensures that entrants into the Canadian transportation marketplace meet basic public policy requirements;
- **market behaviour:** protects the interests of transportation users, service providers and other affected parties; and
- **market exit:** determines conditions under which carriers can or must exit certain markets.

Applications handled by the program vary greatly in complexity and volume. However, the vast majority of applications involves only one party seeking an authorization or determination from the Agency. Further information regarding this program can be found on the [Agency's Web site](#).⁴

Planning Highlights

The Agency will focus on achieving results in two critical areas, which are the improvement of services and relationships with client and stakeholders, and the continued

modernization of its regulatory regime. A critical underpinning of these objectives is to enhance relationships through communications.

To further develop relationships with its clients and stakeholders and optimize its performance, the Agency plans to:

- continue to increase the transparency of its decisions by ensuring versions of important decisions are made available to the public in a timely manner;
- continue to focus on improving management of its caseload by reviewing and implementing measures to streamline its internal procedures; and
- continue its outreach activities with its clients and stakeholders in order to address issues in a timely fashion, and to facilitate the implementation of new initiatives.

To modernize its regulatory regime, the Agency plans to:

- finalize the review and update of the *Air Transportation Regulations* sections dealing with air charters in order to align the regulations with the current policy framework and the evolution of the air industry;
- develop regulations to increase foreign ownership limits in Canadian air carriers, in conjunction with Transport Canada, and building upon earlier industry consultations;
- develop information bulletins to better inform its clients and stakeholders on how the Agency makes determinations on “operators” of an air service and what “publicly available air service” is;
- finalize guidelines on the processing of applications for extra-bilateral applications;
- continue working with domestic and international air carriers to ensure full compliance with the requirement that the terms and conditions of carriage be posted on their Web sites and be available at their business offices;
- promote its new Sample Tariff, which provides a comprehensive tariff document written in plain language, which builds upon industry practices and Agency decisions;
- complete the review of its cost of capital methodology for federal railway companies, finalize guidelines on the determination of net salvage value for railway lines, and streamline the Uniform Classification of Accounts;
- work towards updating certain aspects of its costing model for Class 1 railway companies;
- work towards the development of a new online delivery channel (client portal), which will act as a catalyst for re-examining its business processes; and
- review and update its application guides so they remain current and provide the information needed by its clients and stakeholders.

Benefits for Canadians

Through the initiatives focused on improving services to and relationships with its clients and stakeholders, the Agency is striving to enhance the timeliness and the transparency of its decisions. The Agency’s plans to modernize the regulatory regime will contribute to aligning it with the evolution of the policy framework and the air industry, improve the transparency of the decision-making process, reduce the need for unnecessary

applications, facilitate the efficient processing of applications and offer new and more effective service delivery channels that utilize internal resources more efficiently.

Adjudication and Alternative Dispute Resolution

| Adjudication and Alternative Dispute Resolution | | | | | |
|--|------------------|--|------------------|---|------------------|
| Human Resources (FTEs) and Planned Spending (\$ thousands) | | | | | |
| 2011-2012 | | 2012-2013 | | 2013-2014 | |
| FTEs | Planned Spending | FTEs | Planned Spending | FTEs | Planned Spending |
| 71 | 7,886 | 71 | 7,869 | 71 | 7,976 |
| Expected Result | | Performance Indicator | | Target | |
| Access to specialized transportation dispute resolution that is transparent, fair and timely | | Percentage of satisfaction with Agency dispute resolution services | | Baseline to be established by 2011-2012 | |

Summary

The Agency has the jurisdiction to resolve transportation issues affecting air, rail and marine modes of transportation under the legislative authority of Parliament, as well as matters relating to the accessibility of the national transportation system to persons with disabilities.

Applicants presenting their issues to the Agency include affected users, such as passengers and shippers, transportation service providers, municipalities, road authorities, landowners and other affected parties. Applications cover a wide variety of matters. Some matters are relatively simple and can be dealt with quickly while others are more complex and may take a lengthy period of time to resolve. The Agency is guided by various Acts and regulations. In all cases, the Agency rigorously applies rules of natural justice and ensures that it issues balanced, fair and clear decisions that take into consideration Agency precedents, and that respect the decisions of the Federal Court of Appeal and the Supreme Court of Canada.

Disputes are resolved by a variety of methods: through informal facilitation by Agency staff, through Agency-appointed mediators, through an arbitration process administered by the Agency or through the Agency's formal adjudicative process.

Resolving disputes in a fair, transparent and timely manner helps achieve a competitive, efficient and accessible transportation system, and helps meet the needs of users, service providers and other affected parties. Further information regarding this program can be found on the [Agency's Web site](#).⁵

Planning Highlights

The Agency aims to resolve disputes using alternative dispute resolution methods which are generally faster, more effective and less costly than formal adjudication. For cases

that go to adjudication, the Agency will continue to work on improving the timeliness for resolving formal disputes through ongoing process and service improvements.

To improve services and relationships with its clients and stakeholders, the Agency plans to:

- continue to actively promote the use of alternate dispute resolution mechanisms such as facilitation and mediation where possible, in order to optimize the timeliness of the resolution process;
- improve the efficiency of caseload management in order to deliver timely decisions;
- streamline internal procedures and establish a better triaging of cases on the basis of complexity;
- continue its outreach activities with the clients and stakeholders to facilitate a better understanding and accessibility of the Agency's dispute resolution processes;
- develop communication materials explaining how the Agency deals with accessibility-related complaints filed by persons with disabilities, and the resolution of air traveller complaints;
- develop an action plan in response to feedback from the client service survey;
- issue a methodology, through its Technical Advisory Committee, for measuring and assessing railway noise;
- release decisions on whether certain applicants with allergies encountered undue obstacles to their mobility;
- provide continuous training to case officers, including cross-training on dispute resolution between transportation modes; and
- monitor performance through the case management system so that appropriate modifications and adjustments can be made.

There will also be a focus on the following initiatives in 2011-2012:

- review the Agency's *General Rules* to focus clarifying procedures for dispute resolution, as well as the development of guidelines for processing determination cases and guidelines for oral hearings;
- implement the Sound Study Methodology in noise and vibration disputes;
- complete the review of and publish new interswitching rates;
- educate the industry on the revised *Coasting Trade Guidelines*;
- undertake the examination of the Agency's policy regarding section 32 applications (requests for review of decisions based on a subsequent change of facts or circumstances), with a view to developing clear and easily understood procedures;
- review and update the Agency's regulations, codes of practice and guidelines that pertain to accessible transportation to ensure that they remain relevant, current and responsive to the transportation system users and providers, government policy and the public interest;
- develop guidance material to communicate the rights and responsibilities of transportation service providers and persons with disabilities with regards to the

- Agency's accessibility standards, to ensure that the federal transportation system remains accessible and free of undue obstacles; and
- monitor compliance with the Agency's regulations, codes of practice and guidelines that pertain to accessible transportation and take appropriate follow-up action.

Benefits for Canadians

Resolving disputes in a fair, transparent and timely manner helps achieve a competitive, efficient and accessible transportation system that meets the needs of users, service providers and other affected parties. Effective dispute resolution ensures that individual Canadians have access to a fair and open process on matters pertaining to transportation. The Agency offers a dispute resolution process that is a faster and more cost-effective way to resolve differences than through traditional court processes.

Improved and updated communications products, which clarify the processes for both informal and formal dispute resolution, will ensure that our clients and stakeholders are well informed and well served. As a result, the Agency is viewed as a respected and trusted tribunal, its decision are seen as independent and fair, and its services considered innovative, effective and continuously improving.

Internal Services

| Internal Services | | | | | |
|---|-------------------------|------------------|-------------------------|------------------|-------------------------|
| Human Resources (FTEs) and Planned Spending (\$ thousands) | | | | | |
| 2011-2012 | | 2012-2013 | | 2013-2014 | |
| FTEs | Planned Spending | FTEs | Planned Spending | FTEs | Planned Spending |
| 71 | 7,292 | 74 | 7,316 | 74 | 7,302 |

SECTION III: SUPPLEMENTARY INFORMATION

Financial Highlights

The future-oriented financial highlights presented in this report are intended to serve as a general overview of the Agency's operations. They have been prepared on an accrual basis to strengthen accountability as well as to improve transparency and financial management. The future-oriented statement of operations and its notes can be found on the Agency's Web site under [Financial Statements](#)⁶.

| Condensed Statement of Operations for the Year (Ended March 31) (\$ millions) | % Change | Future- oriented 2011- 2012 | Future- oriented 2010- 2011ⁱⁱ |
|--|---------------------|--|---|
| EXPENSES | | | |
| Total Expenses | | 31,0 | n/a |
| REVENUES | | | |
| Total Revenues | | (0,1) | n/a |
| NET COST OF OPERATIONS | | 30,9 | n/a |

Supplementary Information Tables

All electronic supplementary information tables in the 2011-2012 Report on Plans and Priorities can be found on the [Treasury Board of Canada's Secretariat Web site](#)⁷:

- Greening Government Operations
- Upcoming Internal Audits and Evaluations over the next three fiscal years
- Sources of Respendable and Non-Respendable Revenue

ⁱⁱ Data not available.

SECTION IV: OTHER ITEMS OF INTEREST

Annual Reports

The Agency's annual reports from 1997 to 2010 are available on its [Web site](#).⁸

Contacts for Further Information

| Area of Responsibility | Contact Name | Title | Telephone Number and E-mail Address |
|--|----------------------|------------------------|--|
| Legal Services | Liz Barker | Acting General Counsel | 819-997-9325 liz.barker@otc-cta.gc.ca |
| Dispute Resolution | Nina Frid | Director General | 819-953-5074 nina.frid@otc-cta.gc.ca |
| Industry Regulation and Determinations | Ghislain Blanchard | Director General | 819-953-4657 ghislain.blanchard@otc-cta.gc.ca |
| Corporate Management | | Director General | 819-997-6764 |
| Finance, Administration and Planning | Michel LeBlanc | Director | 819-953-2829 michel.leblanc@otc-cta.gc.ca |
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Ottawa, Ontario, Canada K1A 0N9

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Legislation and Regulations

The Agency is responsible for the following Act:

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| <i>Canada Transportation Act</i> | <i>S.C., 1996, c. 10, as amended</i> |
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The Agency shares responsibility for the following Acts:

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| <i>Canada Marine Act</i> | <i>S.C., 1998, c. 10</i> |
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| <i>Canadian Environmental Assessment Act</i> | <i>S.C., 1992, c. 37</i> |
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| <i>Civil Air Navigation Services Commercialization Act....</i> | <i>S.C., 1996, c. 20</i> |
| <i>Coasting Trade Act</i> | <i>S.C., 1992, c. 31</i> |
| <i>Energy Supplies Emergency Act</i> | <i>R.S.C., 1985, c. E-9</i> |
| <i>Pilotage Act.....</i> | <i>R.S.C., 1985, c. P-14</i> |
| <i>Railway Relocation and Crossing Act</i> | <i>R.S.C., 1985, c. R-4</i> |
| <i>Railway Safety Act</i> | <i>R.S.C., 1985, c. 32 (4th Supp.)</i> |
| <i>Shipping Conferences Exemption Act, 1987.....</i> | <i>R.S.C., 1985, c. 17 (3rd Supp.)</i> |

A list of acts and regulations for which the Agency has sole or shares responsibility is accessible through the [Legislation and Regulations](#)⁹ section of the Agency’s Web site.

List of Hyperlinks

- ¹ <http://www.otc-cta.gc.ca/eng/aboutus>
- ² <http://www.tc.gc.ca/eng/menu.htm>
- ³ <http://www.otc-cta.gc.ca/doc.php?did=2379&lang=eng>
- ⁴ <http://www.otc-cta.gc.ca/doc.php?sid=4&lang=eng>
- ⁵ <http://www.otc-cta.gc.ca/doc.php?sid=3&lang=eng>
- ⁶ <http://www.otc-cta.gc.ca/doc.php?sid=2070&lang=eng>
- ⁷ <http://www.tbs-sct.gc.ca/rpp/2011-2012/info/info-eng.asp>
- ⁸ <http://www.otc-cta.gc.ca/doc.php?sid=1117&lang=eng>
- ⁹ <http://www.otc-cta.gc.ca/doc.php?sid=40&lang=eng&lb=laws-regulations>