



TINA TATTO <tina.tatto@cbc.ca>

---

## Performance Evaluations for CBC English Services

1 message

---

**Regulatory Affairs - Affaires reglementaires Regulatory Affairs - Affaires reglementaires**  
<regulatoryaffairs@cbc.ca>  
To: Catherine Blais <catherine.blais@crtc.gc.ca>, Tvlogs <tvlogs@crtc.gc.ca>  
Cc: TINA TATTO <tina.tatto@cbc.ca>

Wed, Sep 28, 2016 at  
2:14 PM

Good afternoon Ms. Blais,

Please find attached CBC/Radio-Canada's response to the CRTC Performance Evaluations for CBC English Services & French Services for the Broadcast Year 2014-2015; also submitted via GC Key September 28, 2016.

Thank you

Danielle Brunet

---

 **CBCSR Response to CRTC Performance Evaluation 2014-15 Sept 28, 2016.pdf**  
113K

September 28, 2016

Filed via GC Key

Ms. Catherine Blais  
Manager, TV Logs Examination  
Canadian Radio-television and  
Telecommunications Commission  
Ottawa, Ontario  
K1A 0N2

**Re: Annual CRTC Performance Evaluations CBC/Radio-Canada English Services - Broadcast Year 2014-15**

Dear Ms. Blais,

- 1 On August 25, 2016 CBC/Radio-Canada received CRTC Performance Evaluations for the 2014-15 Broadcast Year for all of its English-language conventional television stations and specialty services.
- 2 The Performance Evaluations demonstrate that CBC is in compliance with all conditions of licence, with the exception of 2 issues explained further below:
  - 1) CBXT-TV Edmonton – The condition of licence requires CBC Edmonton to broadcast 14 hours of local programming per broadcast week. The report shows CBXT-TV at 13.56 hours. The reasons for the discrepancy are the following:
    - September 5, 2014 – Calgary local news was broadcast on CBC Edmonton for 1 hour due to a technical malfunction in Edmonton;
    - October 22, 2014 – Local news was 46 minutes short due to breaking news coverage of the Parliament Hill shooting;
    - November 10, 2014 – 1 minute of local programming aired past midnight due to the Giller Prize Award show running over; and

- July 10, 2015 – 30 minutes of local news was pre-empted due to Pan Am Opening Ceremonies running over.
- 2) Documentary Channel – The condition of licence requires that the Documentary Channel licence from independent production companies no less than 75% of its original, first-run Canadian content hours. The Commission's calculation in the Performance Evaluation is 66.72%. Our analysis shows Documentary at 97%.

It appears that the Commission may have calculated the percentage based on all original first run programs as opposed to all Canadian original first-run programs as stipulated in the decision.

The attached chart provides a list of all Canadian original first-run programming for the broadcast year 2014-15. This chart demonstrates which programs were independent, in-house and licensee produced. Based on this report, the percentage of Canadian original first-run programs by independent producers is 97.02%.

- 3 We appreciate CRTC staff's cooperation in this matter and trust that the next Performance Evaluations for 2014-15 will demonstrate CBC Edmonton's compliance with local programming (with the exception of a few instances as discussed above) and Documentary Channel's compliance with its original-first run requirements.

Regards,



Bev Kirshenblatt  
Executive Director  
Corporate & Regulatory Affairs

Enc.

c.c. [tvlogs@crtc.gc.ca](mailto:tvlogs@crtc.gc.ca)

DOCS Support for Independent Production (first run) 2014-2015

|                                 |                 |  | Duration in hours - CRTC day (6 to 24) | 2014-2015                             |  |                             |      |
|---------------------------------|-----------------|--|--|---------------------------------------|--|-----------------------------|------|
| Canadian                        | Independent     | 7-Any other source - Canadian program                                  | City of Gold                           | 0.50                                  |  |                             |      |
|                                 |                 |  | Bryan Adams: Bare Bones                | 0.09                                  |  |                             |      |
|                                 |                 |  | The Coca-Cola Case                     | 1.00                                  |  |                             |      |
|                                 |                 |  | Peggy Baker: Four Phrases              | 0.09                                  |  |                             |      |
|                                 |                 |  | John McCree's War: In Flanders Fields  | 1.00                                  |  |                             |      |
|                                 |                 |  | Fort McMoney                           | 1.00                                  |  |                             |      |
|                                 |                 |  | Stories From Our Land 2.0              | Strength, Flexibility, and Endurance  | 0.25                                     |                             |      |
|                                 |                 |  |  | The Vending Machine                   | 0.15                                     |                             |      |
|                                 |                 |  |  | Taking Shape                          | 0.22                                     |                             |      |
|                                 |                 |  |  | Everything Will Be                    | 2.00                                     |                             |      |
|                                 |                 |  |  | Farewell Touch                        | 0.18                                     |                             |      |
|                                 |                 |  |  | Secretariat's Jockey, Ron Turcotte    | 1.50                                     |                             |      |
|                                 |                 |  |  | Bad Coyote                            | 1.00                                     |                             |      |
|                                 |                 |  |  | Fields of Sacrifice                   | 0.91                                     |                             |      |
|                                 |                 |  |  | A Short History of the Highrise       | A Short History of the Highrise (20 min) | 0.50                        |      |
|                                 |                 |  |  | Stories From Our Land 1.5             | Ingruit: The Thing That Sings!           | 0.08                        |      |
|                                 |                 |  |  | Cinema Verite: Defining the Moment    |  | 2.00                        |      |
|                                 |                 |  |  | Prosecutor                            |  | 1.00                        |      |
|                                 |                 |  |  | 54 Hours                              |  | 0.26                        |      |
|                                 |                 |  |  | Home Cooked Music                     |  | 0.21                        |      |
|                                 |                 |  |  | Uyghurs: Prisoners of the Absurd      |  | 2.00                        |      |
|                                 |                 |  |  | Weather Report (NFB)                  |  | 1.00                        |      |
|                                 |                 |  |  | When You Give Of Yourself             |  | 0.10                        |      |
|                                 |                 |  |  | Island Green                          |  | 0.50                        |      |
|                                 |                 |  |  | Music Is Not A Luxury                 |  | 0.08                        |      |
|                                 |                 |  |  | Danny                                 |  | 2.00                        |      |
|                                 |                 |  |  | Unheralded                            |  | 0.50                        |      |
|                                 |                 |  |  | Pink Ribbons Inc.                     |  | 2.00                        |      |
|                                 |                 |  |  | Klondike Promises                     |  | 1.00                        |      |
|                                 |                 |  |  | 5-Canadian indep. producer (C-Number) | Into the Weeds                           | 1-01 Pheasantback Mushrooms | 0.25 |
|                                 |                 |  |  |                                       |  | 1-06 Lobster Mushrooms      | 0.25 |
|                                 |                 |  |  |                                       |  | 1-04 Chanterelles           | 0.25 |
|                                 |                 |  |  |                                       |  | 1-03 Choisdecheries         | 0.25 |
|                                 |                 |  |  |                                       |  | 1-05 Fiddleheads            | 0.25 |
|                                 |                 |  |  |                                       |  | 1-02 Mulberries             | 0.25 |
|                                 |                 |  |  |                                       | Toller Cranston: In Tolerance            |                             | 1.00 |
|                                 |                 | Fennario - The Good Fight  |  | 1.00                                  |  |                             |      |
|                                 |                 | Behind the Red Carpet  |  | 2.00                                  |  |                             |      |
|                                 |                 | In A Cobweb  |  | 1.00                                  |  |                             |      |
|                                 |                 | Inside Her Sex   |  | 1.50                                  |  |                             |      |
|                                 |                 | Hearts of Tango  |  | 1.00                                  |  |                             |      |
|                                 |                 | Eva, Ruda, Leo and I   |  | 1.00                                  |  |                             |      |
|                                 |                 | Two of a Kind (Feature length version)                                 |  | 2.00                                  |  |                             |      |
|                                 |                 | Highway Gospel   |  | 2.00                                  |  |                             |      |
|                                 |                 | The Seducer  |  | 2.00                                  |  |                             |      |
|                                 |                 | Human Harvest: Inside China's Illegal Organ Trade                      |  | 1.00                                  |  |                             |      |
|                                 |                 | LINDA! Not Anytime Soon  |  | 1.00                                  |  |                             |      |
|                                 |                 | Chasing Fortune  |  | 1.50                                  |  |                             |      |
|                                 |                 | Grassroots In Dry Land   |  | 0.00                                  |  |                             |      |
|                                 |                 | Girl Inside  |  | 1.00                                  |  |                             |      |
|                                 |                 | A Woman's Story  |  | 1.00                                  |  |                             |      |
|                                 |                 | The Story of Furious Pete  |  | 1.00                                  |  |                             |      |
|                                 |                 | Munezza in the Middle  |  | 1.00                                  |  |                             |      |
|                                 |                 | Finding Edge Road  |  | 1.00                                  |  |                             |      |
|                                 |                 | Grey Ambition  |  | 1.00                                  |  |                             |      |
|                                 |                 | Art of Darkness  |  | 1.50                                  |  |                             |      |
|                                 |                 | Empire of the Scent  |  | 0.00                                  |  |                             |      |
|                                 |                 | Bighorns At The Junction   |  | 1.50                                  |  |                             |      |
|                                 |                 | The Hand of Franklin   |  | 1.00                                  |  |                             |      |
|                                 |                 | Blind Spot, Moments Unseen   |  | 0.00                                  |  |                             |      |
|                                 |                 | Grey Glory   |  | 1.00                                  |  |                             |      |
|                                 |                 | Dress Rehearsal For An Execution                                       |  | 1.00                                  |  |                             |      |
|                                 |                 | Healey's Hideaway  |  | 1.50                                  |  |                             |      |
|                                 |                 | A Good Madness   |  | 1.50                                  |  |                             |      |
|                                 |                 | Vann "Piano Man" Walls: The Spirit of R&B                              |  | 1.50                                  |  |                             |      |
|                                 |                 | Shekinah   |  | 1.50                                  |  |                             |      |
|                                 |                 | Bring Her On Home: The Return of the SS Keewatin                       |  | 1.00                                  |  |                             |      |
|                                 |                 | Hotel Cambodia   |  | 0.00                                  |  |                             |      |
|                                 |                 | Neurons to Nirvana   |  | 1.50                                  |  |                             |      |
|                                 |                 | I Married My Family's Killer   |  | 1.00                                  |  |                             |      |
|                                 |                 | The Moving Star  |  | 1.00                                  |  |                             |      |
|                                 |                 | <b>Total</b>   |  | <b>65.12</b>                          |  |                             |      |
|                                 | Non Independent | 4-Over the air television network (includes network Return To Ukraine) |  | 1.00                                  |  |                             |      |
|                                 |                 |  | 1-In-house (Licensee)                  | Secrets of Sibir                      | 1.00                                     |                             |      |
|                                 |                 | <b>Total</b>   |  | <b>2.00</b>                           |  |                             |      |
|                                 | <b>Total</b>    |  |  | <b>67.12</b>                          |  |                             |      |
| <b>Total(Country of Origin)</b> |                 |  |  | <b>67.12</b>                          |  |                             |      |

|   |        |
|---|--------|
| Percentage of Canadian independent production first run | 97.02% |
| Percentage of Non Independent production first run      | 2.98%  |

**RE: SRC/CBC - Évaluation du rendement annuelle 2014-15 - Annual Performance Evaluation 2014-15**

1 message

**Blais, Catherine** <catherine.blais@crtc.gc.ca>  
To: TINA TATTO <tina.tatto@cbc.ca>  
Cc: Tvlogs <tvlogs@crtc.gc.ca>

Wed, Sep 14, 2016 at 10:43 AM

Sorry my mistake these numbers were for Documentary not CBXT-DT

---

**From:** Blais, Catherine  
**Sent:** Wednesday, September 14, 2016 10:21 AM  
**To:** 'TINA TATTO' <tina.tatto@cbc.ca>  
**Cc:** Tvlogs <tvlogs@crtc.gc.ca>  
**Subject:** RE: SRC/CBC - Évaluation du rendement annuelle 2014-15 - Annual Performance Evaluation 2014-15

Hello Tina,

We verified the logs for CBXT-DT Edmonton and our evaluation was done with the numbers we had at the time. On 1 June 2016 the numbers were the following:

Total : **62:11:53** - Original first-run CND et **41 :30 :05** - Original first-run CND Ind. Donc le total de = **66.72%**

Someone resubmitted logs after the evaluation was done and the numbers have now changed.

We will put this email on file, but as noted in all the CRTC's recent decision :

**Program logs**

79. Section 10(3) of the Regulations states that, except as otherwise provided under a condition of its licence,<sup>[7]</sup> a licensee shall furnish to the Commission, within 30 days after the end of each month, the program log or machine-readable record of its programming for the month.

80. The Commission reminds licensees that, according to the Regulations, the logs shall at all times be kept in an acceptable form, which means that they must be accurate, exact and precise.

81. The Commission will provide an annual assessment of the licensee's compliance with its regulatory requirements. This evaluation will be sent to the licensee before the end of the broadcast year following the year being evaluated. This will allow the licensee to verify that it is in compliance with its requirements for the year being evaluated.

82. It is important that licensees ensure that their program logs are in compliance throughout the year because the Commission will not re-evaluate the licensee's compliance for the year in question.

If you have any other questions please contact me

Catherine Blais

**From:** TINA TATTO [mailto:tina.tatto@cbc.ca]

**Sent:** September-12-16 11:24 AM

**To:** Tvlogs <tvlogs@crtc.gc.ca>; Blais, Catherine <catherine.blais@crtc.gc.ca>

**Subject:** Re: SRC/CBC - Évaluation du rendement annuelle 2014-15 - Annual Performance Evaluation 2014-15

Hi Catherine,

Could you please provide us with week CBXT-DT Edmonton was not in compliance so we can review the logs.

With respect to the Documentary non-compliance issue regarding first-run Canadian independent productions, I believe there may be an error in the calculation.

The condition of licence reads as follows:

4. The licensee shall license from independent production companies no less than 75% of its original, first-run Canadian content hours.

The Commission's calculation in the Performance Evaluation for 2014-15 is 66.72%. Our analysis shows Documentary at 97%.

We believe that the Commission calculated the percentage based on all first run programs as opposed to all Canadian first-run programs as stipulated in the decision. A similar situation arose for ARTV in 2013-14 which was quickly corrected.

Thanks in advance for looking into these discrepancies.

Regards,

Tina-Marie Tatto

Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
tina.tatto@cbc.ca

----- Forwarded message -----

From: **Tvlogs** <tvlogs@crtc.gc.ca>

Date: Thu, Aug 25, 2016 at 9:39 AM

Subject: SRC/CBC - Évaluation du rendement annuelle 2014-15 - Annual Performance Evaluation 2014-15

To: "bev.kirshenblatt@cbc.ca" <bev.kirshenblatt@cbc.ca>

Cc: "regulatoryaffairs@cbc.ca" <regulatoryaffairs@cbc.ca>, "Blais, Catherine" <catherine.blais@crtc.gc.ca>

(English follows)

Bonjour,

Vous trouverez ci-joint vos évaluations des registres de télévision pour l'année de radiodiffusion 2014-2015. Prière de consulter ces documents.

Si vous avez des questions, veuillez contacter [catherine.blais@crtc.gc.ca](mailto:catherine.blais@crtc.gc.ca) ou [tvlogs@crtc.gc.ca](mailto:tvlogs@crtc.gc.ca).

-----  
Hello,

You will find enclosed your television logs evaluation for the 2014-2015 broadcast year. Please consult these documents.

If you have any questions do not hesitate to contact [catherine.blais@crtc.gc.ca](mailto:catherine.blais@crtc.gc.ca) or [Tvlogs@crtc.gc.ca](mailto:Tvlogs@crtc.gc.ca).

Bev Kirshenblatt  
Executive Director, Corporate and Regulatory Affairs  
Directrice générale, Affaires institutionnelles et réglementaires  
CBC/Radio-Canada

tel: 613.288.6191  
cell: 613.697.4139  
[bev.kirshenblatt@cbc.ca](mailto:bev.kirshenblatt@cbc.ca)



Conseil de la radiodiffusion et des  
télécommunications canadiennes

Canadian Radio-television and  
Telecommunications Commission

Ottawa, Canada  
K1A 0N2

**By Email:**

[bev.kirschenblatt@cbc.ca](mailto:bev.kirschenblatt@cbc.ca)

25 August 2016

Mrs. Bev Kirshenblatt  
Senior Director, Regulatory Affairs  
Canadian Broadcasting Corporation

**Re: CBAT-DT Fredericton  
Annual Performance Evaluation  
Broadcast Year 2014/15**

Dear Mrs. Kirshenblatt:

This letter is intended to provide you with your annual performance evaluation as explained in the broadcasting information bulletin CRTC 2013-515.

We would like to remind you that under the *Television Broadcasting Regulations, 1987*, the *Specialty Services Regulations, 1990* and the *Pay Television Regulations, 1990*, logs must be kept in an acceptable form at all times, and that except as otherwise provided under conditions of licence, a licensee shall, **within 30 days after the end of each month**, provide to the Commission its program log or machine-readable record for that month, together with a certificate signed by or on behalf of the licensee attesting to the accuracy of the contents of the log or record.

It would be beneficial for you to make corrections as logs are filed. This would help you save time and avoid having log accuracy letters added to your files.

From now on, applicants will receive an annual performance evaluation after they have corrected their program logs for the previous broadcast year. This new approach will ensure that licensees always meet their regulatory requirements and never have to revise several years' worth of logs, which is a time-consuming process.

.../2

Canada



Accordingly, the attached report sets out the results of our annual performance evaluation for the programming broadcast by your undertaking in the 2014/15 broadcast year. This report is based on the program logs that you submitted to the Commission, which were filed together with a certificate attesting to the accuracy of their content.

A copy of this letter and all other relevant correspondence will be added to your undertaking's public record and will be used by the Commission to evaluate your service's compliance with the regulations and requirements in effect at the time of your next licence renewal.

For more information, feel free to contact me at 819-997-4721.

Sincerely,

A handwritten signature in cursive script, appearing to read "Catherine Blais".

Catherine Blais  
Manager, TV Monitoring Management  
Broadcasting

Encl.

CC.: [regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca)

**CBC Network  
2014/15 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 92.10                 | 86.61  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Closed captioning – Advertising materials<sup>1</sup>**

|  |               |
|--|---------------|
| C.O.L. # 5 (by the 4th year of the license term) | Broadcast day |
| Result   | 97.90         |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |  |
|------------------------------|--|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) | Independent productions<br>5.25 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | 11:20  | 2:41   | 8:39   | 10:08  |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |                                |
|-------------|----------------------------|--------------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours | Independent productions<br>75% |
| Results     | N/A*                       | N/A*                           |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | No concerns   |

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*

\* Due to the change in target audience key figures following Broadcasting Regulatory Policy 2015-323 we will not evaluate this condition of licence for the 2014-2015 broadcast year.

**CBUT-DT Vancouver  
2014/15 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 92.07                 | 86.90  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Closed captioning – Advertising materials<sup>1</sup>**

|  |               |
|--|---------------|
| C.O.L. # 5 (by the 4th year of the license term) | Broadcast day |
| Result   | 97.85         |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |  |
|------------------------------|--|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) | Independent productions<br>5.25 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | 12:09  | 2:57   | 9:12   | 10:48  |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |                                |
|-------------|----------------------------|--------------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours | Independent productions<br>75% |
| Results     | N/A*                       | N/A*                           |

**Canadian Local programming<sup>1 & 2</sup>**

|             |                            |                          |
|-------------|----------------------------|--------------------------|
| C.O.L. # 21 | Broadcast week<br>14 hours | Broadcast week<br>1 hour |
| Results     | 14:16                      | 3:29                     |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | No concerns   |

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*

\* Due to the change in target audience key figures following Broadcasting Regulatory Policy 2015-323 we will not evaluate this condition of licence for the 2014-2015 broadcast year.

**CBRT-DT Calgary  
2014/15 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 92.10                 | 86.52  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Closed captioning – Advertising materials<sup>1</sup>**

|  |               |
|--|---------------|
| C.O.L. # 5 (by the 4th year of the license term) | Broadcast day |
| Result   | 98.18         |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |  |
|------------------------------|--|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) | Independent productions<br>5.25 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | 11:43  | 2:49   | 8:55   | 10:28  |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |                                |
|-------------|----------------------------|--------------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours | Independent productions<br>75% |
| Results     | N/A*                       | N/A*                           |

**Canadian Local programming<sup>1 & 2</sup>**

|             |                            |
|-------------|----------------------------|
| C.O.L. # 21 | Broadcast week<br>14 hours |
| Result      | 16:56                      |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | No concerns   |

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*

\* Due to the change in target audience key figures following Broadcasting Regulatory Policy 2015-323 we will not evaluate this condition of licence for the 2014-2015 broadcast year.

**CBXT-DT Edmonton  
2014/15 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 92.10                 | 86.52  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Closed captioning – Advertising materials<sup>1</sup>**

|  |               |
|--|---------------|
| C.O.L. # 5 (by the 4th year of the license term) | Broadcast day |
| Result   | 98.27         |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |  |
|------------------------------|--|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) | Independent productions<br>5.25 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | 11:49  | 2:52   | 8:58   | 10:28  |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |                                |
|-------------|----------------------------|--------------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours | Independent productions<br>75% |
| Results     | N/A*                       | N/A*                           |

**Canadian Local programming<sup>1 & 2</sup>**

|             |                            |                          |
|-------------|----------------------------|--------------------------|
| C.O.L. # 21 | Broadcast week<br>14 hours | Broadcast week<br>1 hour |
| Results     | 13:56                      | 3:28                     |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | No concerns   |

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*

\* Due to the change in target audience key figures following Broadcasting Regulatory Policy 2015-323 we will not evaluate this condition of licence for the 2014-2015 broadcast year.

**Comment (s) / Concern (s)**

Apparent non-compliance

- C.O.L. # 21

**CBKT-DT Regina  
2014/15 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 92.03                 | 86.47  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Closed captioning – Advertising materials<sup>1</sup>**

|  |               |
|--|---------------|
| C.O.L. # 5 (by the 4th year of the license term) | Broadcast day |
| Result   | 97.87         |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |  |
|------------------------------|--|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) | Independent productions<br>5.25 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | 11:48  | 2:53   | 8:55   | 10:29  |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |                                |
|-------------|----------------------------|--------------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours | Independent productions<br>75% |
| Results     | N/A*                       | N/A*                           |

**Canadian Local programming<sup>1 & 2</sup>**

|             |                           |
|-------------|---------------------------|
| C.O.L. # 21 | Broadcast week<br>7 hours |
| Result      | 8:43                      |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | No concerns   |

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*

\* Due to the change in target audience key figures following Broadcasting Regulatory Policy 2015-323 we will not evaluate this condition of licence for the 2014-2015 broadcast year.

**CBWT-DT Winnipeg  
2014/15 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 92.07                 | 86.64  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Closed captioning – Advertising materials<sup>1</sup>**

|  |               |
|--|---------------|
| C.O.L. # 5 (by the 4th year of the license term) | Broadcast day |
| Result   | 97.33         |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |  |
|------------------------------|--|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) | Independent productions<br>5.25 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | 11:22  | 2:48   | 8:34   | 10:03  |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |                                |
|-------------|----------------------------|--------------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours | Independent productions<br>75% |
| Results     | N/A                        | N/A                            |

**Canadian Local programming<sup>1 & 2</sup>**

|             |                           |
|-------------|---------------------------|
| C.O.L. # 21 | Broadcast week<br>7 hours |
| Result      | 8:39                      |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | No concerns   |

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*

<sup>\*</sup> Due to the change in target audience key figures following Broadcasting Regulatory Policy 2015-323 we will not evaluate this condition of licence for the 2014-2015 broadcast year.



**CBET-DT Windsor  
2014/15 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 92.12                 | 90.58  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Closed captioning – Advertising materials<sup>1</sup>**

|  |               |
|--|---------------|
| C.O.L. # 5 (by the 4th year of the license term) | Broadcast day |
| Result   | 94.80         |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |  |
|------------------------------|--|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) | Independent productions<br>5.25 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | 12:24  | 2:41   | 9:43   | 11:12  |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |                                |
|-------------|----------------------------|--------------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours | Independent productions<br>75% |
| Results     | N/A*                       | N/A*                           |

**Canadian Local programming<sup>1 & 2</sup>**

|             |                           |
|-------------|---------------------------|
| C.O.L. # 21 | Broadcast week<br>7 hours |
| Result      | 8:11                      |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | No concerns   |

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*

\* Due to the change in target audience key figures following Broadcasting Regulatory Policy 2015-323 we will not evaluate this condition of licence for the 2014-2015 broadcast year.

**CBLT-DT Toronto  
2014/15 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 92.10                 | 86.61  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Closed captioning – Advertising materials<sup>1</sup>**

|  |               |
|--|---------------|
| C.O.L. # 5 (by the 4th year of the license term) | Broadcast day |
| Result   | 98.29         |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |  |
|------------------------------|--|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) | Independent productions<br>5.25 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | 11:19  | 2:41   | 8:38   | 10:06  |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |                                |
|-------------|----------------------------|--------------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours | Independent productions<br>75% |
| Results     | N/A*                       | N/A*                           |

**Canadian Local programming<sup>1 & 2</sup>**

|             |                            |                          |
|-------------|----------------------------|--------------------------|
| C.O.L. # 21 | Broadcast week<br>14 hours | Broadcast week<br>1 hour |
| Results     | 15:35                      | 4:57                     |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | No concerns   |

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*

\* Due to the change in target audience key figures following Broadcasting Regulatory Policy 2015-323 we will not evaluate this condition of licence for the 2014-2015 broadcast year.

**CBOT-DT Ottawa  
2014/15 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 92.13                 | 86.67  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Closed captioning – Advertising materials<sup>1</sup>**

|  |               |
|--|---------------|
| C.O.L. # 5 (by the 4th year of the license term) | Broadcast day |
| Result   | 97.25         |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |  |
|------------------------------|--|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) | Independent productions<br>5.25 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | 11:20  | 2:38   | 8:42   | 10:04  |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |                                |
|-------------|----------------------------|--------------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours | Independent productions<br>75% |
| Results     | N/A*                       | N/A*                           |

**Canadian Local programming<sup>1 & 2</sup>**

|             |                            |                          |
|-------------|----------------------------|--------------------------|
| C.O.L. # 21 | Broadcast week<br>14 hours | Broadcast week<br>1 hour |
| Results     | 14:15                      | 3:41                     |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | No concerns   |

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*

\* Due to the change in target audience key figures following Broadcasting Regulatory Policy 2015-323 we will not evaluate this condition of licence for the 2014-2015 broadcast year.

**CBMT-DT Montreal  
2014/15 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 92.12                 | 86.67  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Closed captioning – Advertising materials<sup>1</sup>**

|  |               |
|--|---------------|
| C.O.L. # 5 (by the 4th year of the license term) | Broadcast day |
| Result   | 97.12         |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |  |
|------------------------------|--|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) | Independent productions<br>5.25 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | 11:23  | 2:42   | 8:42   | 10:08  |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |                                |
|-------------|----------------------------|--------------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours | Independent productions<br>75% |
| Results     | N/A*                       | N/A*                           |

**Canadian Local programming<sup>1 & 2</sup>**

|             |                            |                          |
|-------------|----------------------------|--------------------------|
| C.O.L. # 21 | Broadcast week<br>14 hours | Broadcast week<br>1 hour |
| Results     | 14:42                      | 3:40                     |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | No concerns   |

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*

\* Due to the change in target audience key figures following Broadcasting Regulatory Policy 2015-323 we will not evaluate this condition of licence for the 2014-2015 broadcast year.

**CBAT-DT Fredericton  
2014/15 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 92.15                 | 85.12  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Closed captioning – Advertising materials<sup>1</sup>**

|  |               |
|--|---------------|
| C.O.L. # 5 (by the 4th year of the license term) | Broadcast day |
| Result   | 96.86         |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |  |
|------------------------------|--|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) | Independent productions<br>5.25 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | 11:17  | 2:11   | 8:43   | 10:15  |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |                                |
|-------------|----------------------------|--------------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours | Independent productions<br>75% |
| Results     | N/A*                       | N/A*                           |

**Canadian Local programming<sup>1 & 2</sup>**

|             |                           |
|-------------|---------------------------|
| C.O.L. # 21 | Broadcast week<br>7 hours |
| Result      | 17:03                     |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | No concerns   |

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*

\* Due to the change in target audience key figures following Broadcasting Regulatory Policy 2015-323 we will not evaluate this condition of licence for the 2014-2015 broadcast year.

**CBHT-DT Halifax  
2014/15 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 92.15                 | 85.21  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Closed captioning – Advertising materials<sup>1</sup>**

|  |               |
|--|---------------|
| C.O.L. # 5 (by the 4th year of the license term) | Broadcast day |
| Result   | 98.70         |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |  |
|------------------------------|--|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) | Independent productions<br>5.25 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | 11:24  | 2:34   | 8:50   | 10:19  |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |                                |
|-------------|----------------------------|--------------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours | Independent productions<br>75% |
| Results     | N/A*                       | N/A*                           |

**Canadian Local programming<sup>1 & 2</sup>**

|             |                           |
|-------------|---------------------------|
| C.O.L. # 21 | Broadcast week<br>7 hours |
| Result      | 14:48                     |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | No concerns   |

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*

\* Due to the change in target audience key figures following Broadcasting Regulatory Policy 2015-323 we will not evaluate this condition of licence for the 2014-2015 broadcast year.

**CBCT-DT Charlottetown  
2014/15 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 92.15                 | 85.28  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Closed captioning – Advertising materials<sup>1</sup>**

|  |               |
|--|---------------|
| C.O.L. # 5 (by the 4th year of the license term) | Broadcast day |
| Result   | 91.70         |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |  |
|------------------------------|--|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) | Independent productions<br>5.25 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | 11:20  | 2:11   | 8:46   | 10:17  |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |                                |
|-------------|----------------------------|--------------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours | Independent productions<br>75% |
| Results     | N/A*                       | N/A*                           |

**Canadian Local programming<sup>1 & 2</sup>**

|             |                           |
|-------------|---------------------------|
| C.O.L. # 21 | Broadcast week<br>7 hours |
| Result      | 10:59                     |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | No concerns   |

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*

\* Due to the change in target audience key figures following Broadcasting Regulatory Policy 2015-323 we will not evaluate this condition of licence for the 2014-2015 broadcast year.

**CBNT-DT St. John's  
2014/15 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 92.14                 | 80.54  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Closed captioning – Advertising materials<sup>1</sup>**

|  |               |
|--|---------------|
| C.O.L. # 5 (by the 4th year of the license term) | Broadcast day |
| Result   | 97.12         |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |  |
|------------------------------|--|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) | Independent productions<br>5.25 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | 12:51  | 2:35   | 10:16  | 11:47  |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |                                |
|-------------|----------------------------|--------------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours | Independent productions<br>75% |
| Results     | N/A*                       | N/A*                           |

**Canadian Local programming<sup>1 & 2</sup>**

|             |                           |
|-------------|---------------------------|
| C.O.L. # 21 | Broadcast week<br>7 hours |
| Result      | 14:44                     |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | No concerns   |

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*

\* Due to the change in target audience key figures following Broadcasting Regulatory Policy 2015-323 we will not evaluate this condition of licence for the 2014-2015 broadcast year.



**CFYK-DT Yellowknife  
2014/15 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 92.10                 | 90.42  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Closed captioning – Advertising materials<sup>1</sup>**

|  |               |
|--|---------------|
| C.O.L. # 5 (by the 4th year of the license term) | Broadcast day |
| Result   | 95.19         |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |  |
|------------------------------|--|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) | Independent productions<br>5.25 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | 12:52  | 2:49   | 10:02  | 11:31  |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |                                |
|-------------|----------------------------|--------------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours | Independent productions<br>75% |
| Results     | N/A*                       | N/A*                           |

**Canadian Local programming<sup>1 & 2</sup>**

|             |                           |
|-------------|---------------------------|
| C.O.L. # 21 | Broadcast week<br>7 hours |
| Result      | 9:30                      |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | No concerns   |

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*

\* Due to the change in target audience key figures following Broadcasting Regulatory Policy 2015-323 we will not evaluate this condition of licence for the 2014-2015 broadcast year.

**Documentary  
2014/15 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |               |                          |
|------------|---------------|--------------------------|
|            | Broadcast day | Evening broadcast period |
| C.O.L. # 3 | 75%           | 75%                      |
| Results    | 92.62         | 78.84                    |

**Canadian first-run programs<sup>1</sup>**

|            |                         |
|------------|-------------------------|
|            | Independent productions |
| C.O.L. # 4 | 75%                     |
| Result     | 66.72                   |

**Independent productions<sup>1</sup>**

|            |               |
|------------|---------------|
|            | Broadcast day |
| C.O.L. # 5 | 25%           |
| Result     | 79.04         |

**Closed captioning<sup>2</sup>**

|            |               |
|------------|---------------|
|            | Broadcast day |
| C.O.L. # 4 | 100%          |
| Result     | 100           |

**Closed captioning – Advertising materials<sup>2</sup>**

|  |               |
|--|---------------|
| C.O.L. # 5 (by the 4th year of the license term) | Broadcast day |
| Result   | 98.59         |

**Comment (s) / Concern (s)**

Apparent non-compliance

- C.O.L. # 4

<sup>1</sup> Decision 2013-263

<sup>2</sup> Regulatory Policy 2011-443

**CBC News Network  
2014/15 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Nature of service<sup>1&2</sup>**

|              |             |
|--------------|-------------|
| C.O.L. # 1c) | No concerns |
|--------------|-------------|

**Canadian programs<sup>1</sup>**

|            |                      |
|------------|----------------------|
| C.O.L. # 2 | Broadcast day<br>90% |
| Results    | 95.86                |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 5 | Broadcast day<br>100% |
| Result     | 100                   |

---

<sup>1</sup> Decision 2009-562-2

<sup>2</sup> Decision 2013-263

**RE: CRTC Decisions that have lapsed**

1 message

**Oakley, Tim** <tim.oakley@crtc.gc.ca>  
To: TINA TATTO <tina.tatto@cbc.ca>

Fri, Jan 13, 2017 at 2:28 PM

Thank you very much for the Tina

And a very Happy New Year to you as well. Hope it is fantabulous.

Tim

**Tim Oakley**

Planification et processus / Planning and Process

Conseil de la radiodiffusion et des télécommunications canadiennes

Canadian Radio-television and Telecommunications Commission

1 Promenade du Portage, Gatineau, QC K1A 0N2

tim.oakley@crtc.gc.ca

Téléphone | Telephone 819-997-9354

Télécopieur | Facsimile 819-994-0218

Gouvernement du Canada | Government of Canada

[www.crtc.gc.ca](http://www.crtc.gc.ca) Suivez-nous sur Twitter |  Follow us on Twitter

**From:** TINA TATTO [mailto:tina.tatto@cbc.ca]  
**Sent:** January-13-17 2:27 PM  
**To:** Oakley, Tim <tim.oakley@crtc.gc.ca>  
**Cc:** VERONIQUE JEGGO <veronique.jeggo@cbc.ca>  
**Subject:** Re: CRTC Decisions that have lapsed

Hi Tim,

CBTK-FM-2 Grand Forks was launched August 23rd 2016. The AM transmitter, CBRJ, was shut off August 11, 2016.

CBLA-FM-5 Bancroft was launched May 17th 2016. CBLV was shut off May 11, 2016.

My apologies for not advising the Commission. Letters for both will be forthcoming.

I am also taking this opportunity to introduce you to Veronique Jeggo who is handling all of our transmitter application... She has been a wonderful addition to the team. Don't hesitate to reach out to either one of us if you have any further questions.

Cheers,

Tina-Marie Tatto

Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
tina.tatto@cbc.ca

On Thu, Jan 12, 2017 at 2:57 PM, Oakley, Tim <tim.oakley@crtc.gc.ca> wrote:

Hi Tina

Long time, no chat.

You are about to dislike what I am about to say. Ready!!!!

For the following Decision, there has been no application for an extension, no evidence of On Air testing with ISED and no confirmation of On Air.

Decision 2013-577

CBTK-FM Kelowna – New FM transmitter at Grand Forks

FM transmitter at Grand Forks to replace its AM transmitter CBRJ

CBTK-FM-2

Due Date to be operational **31 October 2016**. After extension of time was granted.

For the following Decision, there has been no application for an extension, no evidence of On Air testing with ISED and no confirmation of On Air.

Decision 2014-488

CBTK-FM Kelowna – New transmitter in New Denver; CBLA-FM Toronto – New transmitter in Bancroft

FM transmitters in New Denver and Bancroft, respectively, to replace the AM transmitters CBUI New Denver and CBLV Bancroft.

CBLA-FM-5

Due Date to be operational **23 September 2016**.

I saw the extension for CBTK-FM-3 until **23 March 2017** but not for any of the others.

Am I missing something?

Tim

Tim Oakley

Planification et processus / Planning and Process

Conseil de la radiodiffusion et des télécommunications canadiennes

Canadian Radio-television and Telecommunications Commission

1 Promenade du Portage, Gatineau, QC K1A 0N2

[tim.oakley@crtc.gc.ca](mailto:tim.oakley@crtc.gc.ca)

Téléphone | Telephone 819-997-9354

Télécopieur | Facsimile 819-994-0218

Gouvernement du Canada | Government of Canada

[www.crtc.gc.ca](http://www.crtc.gc.ca)

 Suivez-nous sur Twitter |  Follow us on Twitter

**Re: Due Immediately - CBET TVLOGS NON-SUBMITTED OR INVALID LOGS - ENGLISH**

1 message

**TINA TATTO** <tina.tatto@cbc.ca>

Mon, Dec 12, 2016 at 10:56 AM

To: Tvlogs &lt;tvlogs@crtc.gc.ca&gt;

Cc: Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires &lt;regulatoryaffairs@cbc.ca&gt;

Hello,

Please be advised that the logs for all CBC stations for the month of October were originally submitted in mid November. Unfortunately, there must be a problems with the logging system.

In light of your notice, they were resubmitted this morning.

Should you have any questions, please do not hesitate to contact me.

Regard,

Tina-Marie Tatto  
Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473

tina.tatto@cbc.ca

On Mon, Dec 12, 2016 at 9:08 AM, Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires <regulatoryaffairs@cbc.ca> wrote:

----- Forwarded message -----

From: &lt;TVLOGS@crtc.gc.ca&gt;

Date: 2016-12-11 14:27 GMT-05:00

Subject: CBET TVLOGS NON-SUBMITTED OR INVALID LOGS - ENGLISH

To: regulatoryaffairs@cbc.ca, bev.kirsenblatt@cbc.ca

Cc: TVLOGS@crtc.gc.ca

English will follow...

Veuillez ne pas répondre à ce courriel.

Veuillez consulter le document ci-joint, vous pouvez répondre au besoin par le biais du courriel suivant :

tvlogs@crtc.gc.ca

Notez qu'un registre soumis qui échoue la validation initiale est automatiquement rejeté par le système, ce qui signifie que le registre soumis est inadmissible.

---

Please do not reply to this email.

Please consult the enclosed document, if needed you may reply to [tvlogs@crtc.gc.ca](mailto:tvlogs@crtc.gc.ca).

Please note that a log file that has failed IMD (initial) validation is automatically rejected by the system, resulting in an invalid log submission.

2/6/2017

CBC Radio-Canada Mail - Re: Due Immediately - CBET TVLOGS NON-SUBMITTED OR INVALID LOGS - ENGLISH

---

TV logs group.

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and  
Telecommunications Commission Ottawa, Ontario K1A 0N2

Gouvernement du Canada | Government of Canada





Conseil de la radiodiffusion et des  
télécommunications canadiennes

Canadian Radio-television and  
Telecommunications Commission

Ottawa, Canada  
K1A 0N2

**BY EMAIL:**

anne-marie.migneault@radio-canada.ca,james.francois@radio-  
canada.ca,tina.tatto@cbc.ca,affaires.reglementaires@radio-canada.ca

11 December 2016

Ms. Bev Kirsensblatt  
Senior Director, Regulatory Affairs

**Re: CBXT  
Non-submitted Program Log  
October 2016**

Dear Ms. Kirsensblatt,

A review of our records indicates that CBXT's program log has not been provided for the month of October 2016.

Section 7.(2) of the Speciality Service Regulations, 1990 (the Regulations) states that except as otherwise provided under a condition of its licence, a licensee shall furnish to the Commission, within 30 days after the end of each month, a program log or machine-readable record of its programming for the month, with a certificate by or on behalf of the licensee attesting to the accuracy of the contents of the log or record.

Failure to comply with this requirement constitutes a violation of the Regulations, and this station or service could be subject to the regulatory sanctions mentioned in Information Bulletin 2011-650. We ask that you please give this matter your complete attention and submit the program log for the above-noted month immediately.

Should you have any questions regarding this request, please feel free to contact me at 819-997-4721.

A copy of this letter and all other related correspondence will be placed on the station's public file.

Yours truly,

Catherine Blais  
Manager, TV Logs Examination  
Broadcasting

Canada

**RE: Licence Renewals**

1 message

**Pagani, Raffaele** <raffaele.pagani@crtc.gc.ca>  
To: TINA TATTO <tina.tatto@cbc.ca>

Fri, Nov 18, 2016 at 10:18 AM

My pleasure 😊

**Raffaele Pagani**

Analyste principal | Senior Analyst

CRTC | Point de service unique aux petites entreprises – Câble, télé, radio : Vos questions, nos réponses! 1-866-781-1911

CRTC | Single Point of Contact for Small Undertakings – Cable, TV and Radio: Your Questions, Our Answers! 1-866-781-1911

Learn more about your CRTC  
Follow us on Twitter (@CRTCeng)  
Like us on Facebook**From:** TINA TATTO [mailto:tina.tatto@cbc.ca]  
**Sent:** November-18-16 10:17 AM  
**To:** Pagani, Raffaele <raffaele.pagani@crtc.gc.ca>  
**Subject:** Re: Licence Renewals

Thanks.

Cheers,

Tina-Marie Tatto

Director Regulatory Affairs/  
Directrice Affaires réglementairesTel: 416-205-3473  
tina.tatto@cbc.ca

On Fri, Nov 18, 2016 at 9:50 AM, Pagani, Raffaele &lt;raffaele.pagani@crtc.gc.ca&gt; wrote:

Hi Tina-Marie,

Please see Broadcasting Decision CRTC 2016-7 – Administrative renewals. Appendix 2 to this Decision indicates that several (if not all) independently owned services have already been administratively renewed until 31

August 2018.

Cheers,

raf

**Raffaele Pagani**

Analyste principal | Senior Analyst

CRTC | Point de service unique aux petites entreprises – Câble, télé, radio : Vos questions, nos réponses! 1-866-781-1911

CRTC | Single Point of Contact for Small Undertakings – Cable, TV and Radio: Your Questions, Our Answers! 1-866-781-1911

Learn more about your CRTC  
Follow us on Twitter (@CRTCeng)  
Like us on Facebook

**From:** TINA TATTO [mailto:tina.tatto@cbc.ca]  
**Sent:** November-17-16 3:24 PM  
**To:** Pagani, Raffaele <raffaele.pagani@crtc.gc.ca>  
**Subject:** Re: Licence Renewals

No rush.

Thanks

Tina-Marie Tatto

Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
tina.tatto@cbc.ca

On Thu, Nov 17, 2016 at 3:08 PM, Pagani, Raffaele <raffaele.pagani@crtc.gc.ca> wrote:

Hi Tina-Marie,

They should but I'll confirm that with our TV group and get back to you tomorrow. They're all at a meeting right now.

raf

**Raffaele Pagani**

Analyste principal | Senior Analyst

CRTC | Point de service unique aux petites entreprises – Câble, télé, radio : Vos questions, nos réponses! 1-866-781-1911

CRTC | Single Point of Contact for Small Undertakings – Cable, TV and Radio: Your Questions, Our Answers! 1-866-781-1911

Learn more about your CRTC

Follow us on Twitter (@CRTCeng)

Like us on Facebook

**From:** TINA TATTO [mailto:tina.tatto@cbc.ca]**Sent:** November-17-16 2:55 PM**To:** Pagani, Raffaele <raffaele.pagani@crtc.gc.ca>**Subject:** Re: Licence Renewals

Hi Raf,

One more quick question. What happens if the independent's licence expires August 31, 2017. Will they be administratively renewed for 1 year?

Cheers,

Tina-Marie Tatto

Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473

tina.tatto@cbc.ca

On Thu, Nov 17, 2016 at 12:31 PM, Pagani, Raffaele &lt;raffaele.pagani@crtc.gc.ca&gt; wrote:

Hi Tina-Marie,

As per our conversation of this morning, the renewal of licence for independent specialty services will be treated as a Part 1 Process starting next year.

A Notice of Consultation (NoC) outlining this process to services whose licence is due to expire in 2017 is supposed to be issued in early June 2017. The Part 1 renewal process will be explained in that NoC.

2/6/2017

CBC Radio-Canada Mail - RE: Licence Renewals

This is a link for the Broadcasting Notice of Consultation CRTC 2016-212 (for RADIO) which was issued on 1 June 2016. The NoC for independent specialty services should be similar to this.

I trust that this addresses your concerns.

Cheers,

raf

**Raffaele Pagani**

Analyste principal | Senior Analyst

CRTC | Point de service unique aux petites entreprises – Câble, télé, radio : Vos questions, nos réponses! 1-866-781-1911

CRTC | Single Point of Contact for Small Undertakings – Cable, TV and Radio: Your Questions, Our Answers! 1-866-781-1911

Learn more about your CRTC

Follow us on Twitter (@CRTCeng)

Like us on Facebook

---

**Accuracy log submissions 2015-2016/ Précision des registres 2015-2016**

1 message

---

**Blais, Catherine** <catherine.blais@crtc.gc.ca>  
To: "Blais, Catherine" <catherine.blais@crtc.gc.ca>

Wed, Nov 16, 2016 at 10:20 AM

Hello,

We would like to remind you that you must ensure that your logs have been revised for the 2015-2016 broadcast year. We ask that this be done by the **19th of December, 2016**; at this time we will begin conducting our annual performance evaluations for your stations.

Please note that a log file must pass initial (IMD) validation in order to be considered a valid submission. We will only keep on file the last log submitted.

Here are the definitions of the two validation processes:

**IMD-** Initial minimum data: **rejected file** (the log needs to be resubmitted)

**TOA-** Temporary omission acceptable: **accepted file**

If you have any questions please do not hesitate to contact us.

Regards,

TV Logs Group

---

Bonjour,

Nous aimerions vous rappeler que vous devez vous assurer que vos registres ont été révisés pour l'année de radiodiffusion 2015-2016. Nous vous demandons que ceci soit fait avant le **19 décembre 2016**, à ce moment nous exécuterons votre évaluation annuelle pour votre service.

Prière de noter que votre registre doit passer la validation initiale (IMD) pour être considéré comme une soumission valide. Seulement la dernière soumission de registre sera conservée.

Voici les définitions des deux processus de validation :

**IMD- Initial minimum data:** registre rejeté (le registre doit être resoumis)

**TOA- Temporary omission acceptable:** registre accepté

Si vous avez des questions, n'hésitez pas à nous contacter.

Sincèrement,

Le groupe des registres de télévision

**Catherine Blais**

Gestionnaire, Examen des registres de télévision.

Manager, TV Logs Examination.

Tel: 819-997-4721 | [catherine.blais@crtc.gc.ca](mailto:catherine.blais@crtc.gc.ca)

Conseil de la radiodiffusion et des télécommunications canadiennes /

Canadian Radio-television and Telecommunications Commission

Aimez-nous sur Facebook

Like us on Facebook

 Suivez-nous sur Twitter @CRTCfra |  Follow us on Twitter @CRTCeng



---

**CRTC Decision 2013-672**

1 message

**CRTC - PROCESSUS-PROCESS - DONOTRESPOND/NEPASREPOINDRE**

&lt;CRTC\_PROCESS\_DNR@crtc.gc.ca&gt;

To: "tina.tatto@cbc.ca" &lt;tina.tatto@cbc.ca&gt;

Fri, Nov 4, 2016 at 2:13

PM

**A NOTER:****CETTE ADRESSE COURRIEL N'EST PAS SURVEILLÉE. VEUILLEZ SUIVRE LES INSTRUCTIONS CI-DESSOUS****PLEASE NOTE:****THIS IS A "DO NOT RESPOND" EMAIL ADDRESS. PLEASE FOLLOW THE INSTRUCTIONS BELOW.**

In Broadcasting Decision CRTC 2013-672 dated 11 December 2013, the Commission approved your application for a broadcasting licence to amend the broadcasting licence for the English-language radio programming undertaking CBYK-FM Kamloops, British Columbia, in order to operate a new FM transmitter in Williams Lake to replace the existing AM transmitter CBRL Williams Lake.

This is to remind you that you must provide a written confirmation of your on-air date or you must submit a request for an extension of time no later than 12 November 2016.

The Commission reminds the applicant that pursuant to section 22(1) of the *Broadcasting Act*, no licence may be issued until the Department of Industry notifies the Commission that its technical requirements have been met and that a broadcasting certificate will be issued.

Please ensure that On Air testing is done with Industry Canada.

The Commission requires that your application or other documents be submitted electronically by using the secured service "My CRTC Account" (Partner Log In or GCKey) and filling the "Broadcasting Cover page" or the "Broadcasting Online Form and Cover Page" located on this web page. Also on this web page you will find information on the submission of applications to the Commission "Submitting applications and other documents to the CRTC using My CRTC Account".).

Also on this web page you will find information on the submission of applications to the Commission "Submitting applications and other documents to the CRTC using My CRTC Account".

For more information, please visit the FAQ on our website.

**Emily Rose Thompson**

Agente de fonds de renseignement | Information Holding Officer

Planification et processus | Planning & Process

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission

Édifice Central | Central Building Les Terrasses de la Chaudière

1 Promenade du Portage, Gatineau, Quebec K1A 0N2

Gouvernement du Canada | Government of Canada

[www.crtc.gc.ca](http://www.crtc.gc.ca)

---

**RE: Captioning of Advertising and Promos**

1 message

---

**Blais, Catherine** <catherine.blais@crtc.gc.ca>  
To: TINA TATTO <tina.tatto@cbc.ca>

Thu, Oct 27, 2016 at 10:25 AM

Yes that is correct.

**Catherine Blais**

Gestionnaire, Examen des registres de télévision.

Manager, TV Logs Examination.



Tel: 819-997-4721 | [catherine.blais@crtc.gc.ca](mailto:catherine.blais@crtc.gc.ca)

Conseil de la radiodiffusion et des télécommunications canadiennes /

Canadian Radio-television and Telecommunications Commission

Aimez-nous sur Facebook

Like us on Facebook

 Suivez-nous sur Twitter @CRTCfra |  Follow us on Twitter @CRTCeng

**From:** TINA TATTO [<mailto:tina.tatto@cbc.ca>]  
**Sent:** October-27-16 10:24 AM  
**To:** Blais, Catherine <catherine.blais@crtc.gc.ca>  
**Subject:** Re: Captioning of Advertising and Promos

Thanks Catherine,

To clarify, in order to meet our requirement, the CRTC looks at all content broadcast to ensure that each element is captioned including station IDs. Is that correct?

Thanks for your patience on this matter. I want to make sure I understand how the Commission is evaluating our closed captioning obligations.

Regards,

Tina-Marie Tatto

Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
tina.tatto@cbc.ca

On Thu, Oct 27, 2016 at 9:43 AM, Blais, Catherine <catherine.blais@crtc.gc.ca> wrote:

Hello Tina.

Everything needs to be captioned if you want it to count.

### Catherine Blais

Gestionnaire, Examen des registres de télévision.

Manager, TV Logs Examination.


Tel: 819-997-4721 ↓ [catherine.blais@crtc.gc.ca](mailto:catherine.blais@crtc.gc.ca)

Conseil de la radiodiffusion et des télécommunications canadiennes /

Canadian Radio-television and Telecommunications Commission

Aimez-nous sur Facebook

Like us on Facebook

 Suivez-nous sur Twitter @CRTCfra |  Follow us on Twitter @CRTCeng

**From:** TINA TATTO [<mailto:tina.tatto@cbc.ca>]  
**Sent:** October-27-16 9:30 AM  
**To:** Blais, Catherine <catherine.blais@crtc.gc.ca>  
**Subject:** RE: Captioning of Advertising and Promos

Thanks Catherine,

I understand that advertising, promos and sponsorships messages need to be captioned to be in compliance with COL #5. My question is how the CRTC assesses compliance. Do you calculate the percentage based on what is logged as commercial message (COM) and promos (PRC). Or do you look at all the logs to see if everything that goes to air is captioned. The reason why I'm asking is because our station IDs are not logged as captioned even though they technically are since the logo appears on the screen. The concern is if you are calculating captioning based on all content broadcast, then we would have to change our logging system to ensure they are coded as captioned.

Don't hesitate to call if you have any questions.

Regards,

Tina-Marie Tatto

Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
tina.tatto@cbc.ca

On Oct 27, 2016 9:12 AM, "Blais, Catherine" <catherine.blais@crtc.gc.ca> wrote:

Hello Tina

As mentioned in your evaluations Closed captioning – Advertising materials is C.O.L.#5 in the Broadcasting Decision CRTC 2013-263:

Consistent with *Accessibility of telecommunications and broadcasting services*, Broadcasting and Telecom Regulatory Policy CRTC 2009-430, 21 July 2009, as amended from time to time and approved by the Commission, the licensee shall:

- ensure that advertising, sponsorship messages and promos in the English and French languages are closed captioned by no later than the fourth year of the licence term;

hope this helps

**Catherine Blais**

Gestionnaire, Examen des registres de télévision.

Manager, TV Logs Examination.



Tel: 819-997-4721 | catherine.blais@crtc.gc.ca

Conseil de la radiodiffusion et des télécommunications canadiennes /

Canadian Radio-television and Telecommunications Commission

Aimez-nous sur Facebook

Like us on Facebook

 Suivez-nous sur Twitter @CRTCfra |  Follow us on Twitter @CRTCeng

**From:** TINA TATTO [mailto:tina.tatto@cbc.ca]

**Sent:** October-26-16 1:34 PM

**To:** Blais, Catherine <catherine.blais@crtc.gc.ca>

**Subject:** Captioning of Advertising and Promos

Hi Catherine,

2/6/2017

CBC Radio-Canada Mail - RE: Captioning of Advertising and Promos

Hope you are well.

Further to my voicemail message, in order to determine if advertising and promos are captioned, does the CRTC's system look at the captioning of PRCs and COMs? Are there other logging codes we should be aware of?

Thanks in advance for your kind cooperation.

Regards,

Tina-Marie Tatto

Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
tina.tatto@cbc.ca

**FW: Form 1231 - Television - Locally relevant and locally reflective programming**

1 message

**Labelle, Lyne** <lyne.labelle@crtc.gc.ca>  
To: "tina.tatto@cbc.ca" <tina.tatto@cbc.ca>  
Cc: "Blais, Marianne" <marianne.blais@crtc.gc.ca>

Thu, Sep 1, 2016 at 3:28 PM

Hello Tina,

As discussed by phone form "1231 – Television – Locally relevant and locally reflective programming" will not be part of CBC/SRC group 2016 Broadcast Year survey.

My apologies for any confusion this may have cause when including the template of form 1231 in my email to Diane Boucher on what's new for the 2016 BY.

Best regards,

Lyne Labelle

Returns Database Analyst, Economic and financial analysis

Canadian Radio-television and Telecommunications Commission - Government of Canada

Tel.: 819-934-4725

Analyste de base de données et de rapports, Analyse économique &amp; financière

Conseil de la radiodiffusion et des télécommunications canadiennes

Tél.: 819-934-4725

**From:** Labelle, Lyne  
**Sent:** August-31-16 11:37 AM  
**To:** 'tina.tatto@cbc.ca' <tina.tatto@cbc.ca>  
**Cc:** Blais, Marianne <marianne.blais@crtc.gc.ca>  
**Subject:** Form 1231 - Television - Locally relevant and locally reflective programming

Hello Tina,

Form 1231 was created to capture information on locally relevant and locally reflective programming as per BRP CRTC 2016-224 following "Let's talk TV". This form is being assigned to all private conventional television stations as part of this year's Broadcasting survey so that information is available prior to licence renewals. Currently there are discussions on whether this information will be required from the CBC/SRC.

2/6/2017

CBC Radio-Canada Mail - FW: Form 1231 - Television - Locally relevant and locally reflective programming

I will get back to you as soon as I receive an answer.

Regards,

Lyne Labelle

Returns Database Analyst, Economic and financial analysis

Canadian Radio-television and Telecommunications Commission - Government of Canada

Tel.: 819-934-4725

Analyste de base de données et de rapports, Analyse économique & financière

Conseil de la radiodiffusion et des télécommunications canadiennes

Tél.: 819-934-4725



---

## Radio 2 and ICI Musique - Licence amendments - published today.

1 message

Allison, Cathy <cathy.allison@crtc.gc.ca>

Wed, Aug 31, 2016 at 11:43 AM

To: "bev.kirshenblatt@cbc.ca" <bev.kirshenblatt@cbc.ca>, TINA TATTO <tina.tatto@cbc.ca>

You have probably already seen this, but if not:

<http://crtc.gc.ca/eng/archive/2016/2016-353.htm>

---

### *Cathy Allison*

Gestionnaire, politiques et surveillance de la radio | Manager, Radio Policy and Monitoring

Radiodiffusion | Broadcasting

Conseil de la radiodiffusion et des télécommunications canadiennes | Canada Radio-television and Telecommunications Commission

Ottawa, Ontario K1A 0N2

Tel. 819-997-4689 | Fax. 819-997-9351

[cathy.allison@crtc.gc.ca](mailto:cathy.allison@crtc.gc.ca)

Government du Canada | Government of Canada

<http://www.crtc.gc.ca>

Suivez-nous sur Twitter [@CRTCfra](#) | Follow us on Twitter [@CRTCeng](#)

Like us on Facebook: <https://www.facebook.com/crtceng>

Learn more about your CRTC: <https://youtu.be/PweJmI9ZHFk>

---

**Voicemail - Digital TV "As-builts"**

1 message

---

**Pagani, Raffaele** <raffaele.pagani@crtc.gc.ca>  
To: TINA TATTO <tina.tatto@cbc.ca>

Fri, Aug 12, 2016 at 3:08 PM

Hi Tina,

Got your voicemail. If you are submitting a technical amendment to ISED, you must also complete your application form to the Commission. Our engineering group would have to take a look at the submission.

Not sure what your issue is with form 302 (Application for a technical amendment to a broadcasting licence for an analog or digital television programming undertaking (including rebroadcasting transmitters)), but you should complete it as you would for a technical amendment for Radio.

If you're having a technical problem with the form, please call our IT department at 1-866-893-0932.

I'm leaving for the weekend but please give me a call next week if you have further questions.

Happy weekend.

raf

**Raffaele Pagani**

CRTC | Point de service unique aux petites entreprises – Câble, télé, radio : Vos questions, nos réponses! 1-866-781-1911

CRTC | Single Point of Contact for Small Undertakings – Cable, TV and Radio: Your Questions, Our Answers! 1-866-781-1911

Learn more about your CRTC  
Follow us on Twitter (@CRTCeng)  
Like us on Facebook

---

**RE: Application 2016-0594-0 - Technical Amendment - Victoria, B.C. (Radio 2)**

1 message

---

**Pagani, Raffaele** <raffaele.pagani@crtc.gc.ca>  
To: TINA TATTO <tina.tatto@cbc.ca>

Wed, Jun 15, 2016 at 2:07 PM

My pleasure – raf ☺

**Raffaele Pagani**

CRTC | Point de service unique aux petites entreprises – Câble, télé, radio : Vos questions, nos réponses! 1-866-781-1911

CRTC | Single Point of Contact for Small Undertakings – Cable, TV and Radio: Your Questions, Our Answers! 1-866-781-1911

Learn more about your CRTC  
Follow us on Twitter (@CRTCeng)  
Like us on Facebook

**From:** TINA TATTO [mailto:tina.tatto@cbc.ca]  
**Sent:** June-15-16 1:30 PM  
**To:** Pagani, Raffaele <raffaele.pagani@crtc.gc.ca>  
**Subject:** Re: Application 2016-0594-0 - Technical Amendment - Victoria, B.C. (Radio 2)

Thanks for your guidance ... This will be done today.

Cheers

Tina-Marie Tatto

Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
tina.tatto@cbc.ca

On Tue, Jun 14, 2016 at 11:26 AM, Pagani, Raffaele <raffaele.pagani@crtc.gc.ca> wrote:

Hi Tina,

Sorry for the late response. I had to take yesterday off.

You should in fact respond "yes" to s. 4.2 and provide a letter for site availability from the landlord. For s. 5, answer "Leasing" which will allow you to proceed in the application.

However, since you are both "leasing the land" and "purchasing" equipment, please clearly explain this in section 2 or 3.1 (Description of application).

Therefore, please:

- 1) Re-submit, via GCKey, form 303 with the revised information (and appropriate letter from landlord) and
- 2) Indicate on your cover page or application form that this version will replace the original application submitted for application 2016-0594-0.

This way, the previous incorrect version can be deleted.

Please let me know if you have further questions.

Cheers,

raf

### **Raffaele Pagani**

CRTC | Point de service unique aux petites entreprises – Câble, télé, radio : Vos questions, nos réponses! 1-866-781-1911

CRTC | Single Point of Contact for Small Undertakings – Cable, TV and Radio: Your Questions, Our Answers! 1-866-781-1911

Learn more about your CRTC

Follow us on Twitter (@CRTCeng)

Like us on Facebook

**From:** TINA TATTO [mailto:tina.tatto@cbc.ca]

**Sent:** June-13-16 4:06 PM

**To:** Pagani, Raffaele <raffaele.pagani@crtc.gc.ca>

**Subject:** Re: Application 2016-0594-0 - Technical Amendment - Victoria, B.C. (Radio 2)

Hi Raf

In response to your email, I was under the impression that section 4.2 referred to a brand new transmission site which is why I responded no. We are moving the antenna from to an existing site - which is not a new site but new to us that CBC does not own. So I guess I should have responded yes and provided a letter from the landlord.

If that's the case then in response to section 5 am I to provide leasing or purchasing information? We are purchasing the equipment and leasing the site. But the form does not allow me to enter info for both.

Please let me know how to proceed.

Cheers,

Tina-Marie Tatto

Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
tina.tatto@cbc.ca

On Fri, Jun 10, 2016 at 10:06 AM, Pagani, Raffaele <raffaele.pagani@crtc.gc.ca> wrote:

Hi Tina – CBU-FM-1 Victoria, B.C. (mother is CBU-FM Vancouver, B.C.) – Radio 2.

Cheers,

raf

**Raffaele Pagani**

CRTC | Point de service unique aux petites entreprises – Câble, télé, radio : Vos questions, nos réponses! 1-866-781-1911

CRTC | Single Point of Contact for Small Undertakings – Cable, TV and Radio: Your Questions, Our Answers! 1-866-781-1911

Learn more about your CRTC  
Follow us on Twitter (@CRTCeng)  
Like us on Facebook

**From:** TINA TATTO [mailto:tina.tatto@cbc.ca]  
**Sent:** June-10-16 10:03 AM  
**To:** Pagani, Raffaele <raffaele.pagani@crtc.gc.ca>  
**Cc:** Lafontaine, Johanne <johanne.lafontaine@crtc.gc.ca>  
**Subject:** Re: Application 2016-0594-0 - Technical Amendment - Victoria, B.C. (Radio 2)

2/6/2017

CBC Radio-Canada Mail - RE: Application 2016-0594-0 - Technical Amendment - Victoria, B.C. (Radio 2)

Hi Raf,

Thanks for the heads up. I don't know what application this is. I have not received any application numbers for a while and it hasn't been made public. Could you please tell me the site so I can look into it.

Cheers,

Tina-Marie Tatto

Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
tina.tatto@cbc.ca

On Fri, Jun 10, 2016 at 9:29 AM, Pagani, Raffaele <raffaele.pagani@crtc.gc.ca> wrote:

Hi Tina,

I was reviewing application 2016-0594-0 for a technical amendment. You indicate on the form in section 4.2 that you are not proposing a "new" transmission site although the transmitter will be moved a distance of two kilometres from the existing site.

I believe that this is actually a relocation of the transmitter site. If CBC owns the "new" existing transmitter site, please submit a letter (reference the application number) indicating that CBC owns it. Also, please indicate in the letter that the site of the original transmitter is being moved. This will correct question 4.2 of the original application form.

This is not the first application from CBC where a transmitter is being moved to a "new" site that is owned by CBC. Even though CBC owns a "new" site, you should include in ALL similar applications a letter indicating such. This will be included as "proof" of availability of the "new" transmitter site.

Feel free to give me a call if you require further clarification.

Thanks very much,

raf

**Raffaele Pagani**

CRTC | Point de service unique aux petites entreprises – Câble, télé, radio : Vos questions, nos réponses! 1-866-781-1911

CRTC | Single Point of Contact for Small Undertakings – Cable, TV and Radio: Your Questions, Our Answers! 1-866-781-1911

2/6/2017

CBC Radio-Canada Mail - RE: Application 2016-0594-0 - Technical Amendment - Victoria, B.C. (Radio 2)

Learn more about your CRTC  
Follow us on Twitter (@CRTCeng)  
Like us on Facebook

2/6/2017

CBC Radio-Canada Mail - RE: Application 2016-0594-0 - Technical Amendment - Victoria, B.C. (Radio 2)

CBC  Radio-Canada

TINA TATTO &lt;tina.tatto@cbc.ca&gt;

**RE: Application 2016-0594-0 - Technical Amendment - Victoria, B.C. (Radio 2)**

1 message

**Pagani, Raffaele** <raffaele.pagani@crtc.gc.ca>  
To: TINA TATTO <tina.tatto@cbc.ca>

Tue, Jun 14, 2016 at 11:26 AM

Hi Tina,

Sorry for the late response.

You should in fact respond "yes" to s. 4.2 and provide a letter for site availability from the landlord. For s. 5, answer "Leasing" which will allow you to proceed in the application.

However, since you are both "leasing the land" and "purchasing" equipment, please clearly explain this in section 2 or 3.1 (Description of application).

Therefore, please:

- 1) Re-submit, via GCKey, form 303 with the revised information (and appropriate letter from landlord) and
- 2) Indicate on your cover page or application form that this version will replace the original application submitted for application 2016-0594-0.

This way, the previous incorrect version can be deleted.

Please let me know if you have further questions.

Cheers,

raf

**Raffaele Pagani**

CRTC | Point de service unique aux petites entreprises – Câble, télé, radio : Vos questions, nos réponses! 1-866-781-1911

CRTC | Single Point of Contact for Small Undertakings – Cable, TV and Radio: Your Questions, Our Answers! 1-866-781-1911



Learn more about your CRTC  
Follow us on Twitter (@CRTCeng)  
Like us on Facebook

**From:** TINA TATTO [mailto:tina.tatto@cbc.ca]  
**Sent:** June-13-16 4:06 PM  
**To:** Pagani, Raffaele <raffaele.pagani@crtc.gc.ca>  
**Subject:** Re: Application 2016-0594-0 - Technical Amendment - Victoria, B.C. (Radio 2)

Hi Raf

In response to your email, I was under the impression that section 4.2 referred to a brand new transmission site which is why I responded no. We are moving the antenna from to an existing site - which is not a new site but new to us that CBC does not own. So I guess I should have responded yes and provided a letter from the landlord.

If that's the case then in response to section 5 am I to provide leasing or purchasing information? We are purchasing the equipment and leasing the site. But the form does not allow me to enter info for both.

Please let me know how to proceed.

Cheers,

Tina-Marie Tatto

Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
tina.tatto@cbc.ca

On Fri, Jun 10, 2016 at 10:06 AM, Pagani, Raffaele <raffaele.pagani@crtc.gc.ca> wrote:

Hi Tina – CBU-FM-1 Victoria, B.C. (mother is CBU-FM Vancouver, B.C.) – Radio 2.

Cheers,

raf

**Raffaele Pagani**

CRTC | Point de service unique aux petites entreprises – Câble, télé, radio : Vos questions, nos réponses! 1-866-781-1911

CRTC | Single Point of Contact for Small Undertakings – Cable, TV and Radio: Your Questions, Our Answers! 1-866-781-1911

Learn more about your CRTC  
Follow us on Twitter (@CRTCeng)  
Like us on Facebook

**From:** TINA TATTO [mailto:tina.tatto@cbc.ca]  
**Sent:** June-10-16 10:03 AM  
**To:** Pagani, Raffaele <raffaele.pagani@crtc.gc.ca>  
**Cc:** Lafontaine, Johanne <johanne.lafontaine@crtc.gc.ca>  
**Subject:** Re: Application 2016-0594-0 - Technical Amendment - Victoria, B.C. (Radio 2)

Hi Raf,

Thanks for the heads up. I don't know what application this is. I have not received any application numbers for a while and it hasn't been made public. Could you please tell me the site so I can look into it.

Cheers,

Tina-Marie Tatto

Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
tina.tatto@cbc.ca

On Fri, Jun 10, 2016 at 9:29 AM, Pagani, Raffaele <raffaele.pagani@crtc.gc.ca> wrote:

Hi Tina,

I was reviewing application 2016-0594-0 for a technical amendment. You indicate on the form in section 4.2 that you are not proposing a "new" transmission site although the transmitter will be moved a distance of two kilometres from the existing site.

I believe that this is actually a relocation of the transmitter site. If CBC owns the "new" existing transmitter site, please submit a letter (reference the application number) indicating that CBC owns it. Also, please indicate in the letter that the site of the original transmitter is being moved. This will correct question 4.2 of the original application form.

This is not the first application from CBC where a transmitter is being moved to a "new" site that is owned by CBC. Even though CBC owns a "new" site, you should include in ALL similar applications a letter indicating such. This will be included as "proof" of availability of the "new" transmitter site.

Feel free to give me a call if you require further clarification.

2/6/2017

CBC Radio-Canada Mail - RE: Application 2016-0594-0 - Technical Amendment - Victoria, B.C. (Radio 2)

Thanks very much,

raf

**Raffaele Pagani**

CRTC | Point de service unique aux petites entreprises – Câble, télé, radio : Vos questions, nos réponses! 1-866-781-1911

CRTC | Single Point of Contact for Small Undertakings – Cable, TV and Radio: Your Questions, Our Answers! 1-866-781-1911

Learn more about your CRTC  
Follow us on Twitter (@CRTCeng)  
Like us on Facebook

**RE: Application 2016-0511-4 - CBNZ Nain and CFGB-FM Goose Bay, NL**

1 message

**Poirier, Caroline** <caroline.poirier@crtc.gc.ca>  
To: TINA TATTO <tina.tatto@cbc.ca>  
Cc: "danielle.brunet@cbc.ca" <danielle.brunet@cbc.ca>

Fri, May 20, 2016 at 8:34 AM

Good morning Tina,

I'll add your e-mail to the record of the application given that we need this information on record. For future reference, in cases where CBC/Radio-Canada owns the transmitter site, you only need to indicate that in the application by submitting a short statement to that effect as Appendix C.

Thank you for the follow-up.

Caroline

**Caroline Poirier**

Analyste principale | Senior Analyst

Processus en radiodiffusion et relations externes | Broadcasting Process &amp; External Liaison

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-Television and Telecommunications Commission

Ottawa ON K1A 0N2

Téléphone | Telephone 819-953-4405

caroline.poirier@crtc.gc.ca

Apprenez-en davantage à propos de votre CRTC | Learn more about your CRTC

Suivez-nous sur Twitter (@CRTCfra) | Follow us on Twitter (@CRTCeng)

Aimez-nous sur Facebook | Like us on Facebook

---

**From:** TINA TATTO [mailto:tina.tatto@cbc.ca]  
**Sent:** May-20-16 7:47 AM  
**To:** Poirier, Caroline <caroline.poirier@crtc.gc.ca>; danielle.brunet@cbc.ca  
**Subject:** Re: Application 2016-0511-4 - CBNZ Nain and CFGB-FM Goose Bay, NL

Hi Caroline. CBC/Radio-Canada owns the transmitter site. As such a letter of availability is not necessary. Please don't hesitate to contact me if you have any further questions. Regards. Tina.Tatto.

2/6/2017

CBC Radio-Canada Mail - RE: Application 2016-0511-4 - CBNZ Nain and CFGF-FM Goose Bay, NL

Sent from my BlackBerry 10 smartphone on the Rogers network.

---

**From:** Poirier, Caroline

**Sent:** Thursday, May 19, 2016 5:04 PM

**To:** danielle.brunet@cbc.ca

**Reply To:** Poirier, Caroline

**Cc:** tina.tatto@cbc.ca

**Subject:** FW: Application 2016-0511-4 - CBNZ Nain and CFGF-FM Goose Bay, NL

Bonjour Madame Brunet,

---

In the absence of Tina Tatto, could you please let me know if we'll be able to provide the information requested in my e-mail below tomorrow by 10 a.m. or you prefer waiting upon Ms. Tatto's return to the office to provide this information?

I am looking forward to your response.

Best regards,

**Caroline Poirier**

CRTC | Point de service unique aux petites entreprises - Câble, télé, radio : Vos questions, nos réponses!

1-866-781-1911

CRTC | Single Point of Contact for Small Undertakings - Cable, TV and Radio: Your Questions, Our Answers!

1-866-781-1911

---

**From:** Poirier, Caroline

**Sent:** May-19-16 4:22 PM

**To:** 'TINA TATTO' <tina.tatto@cbc.ca>

**Subject:** Application 2016-0511-4 - CBNZ Nain and CFGF-FM Goose Bay, NL

**Importance:** High

Hello Tina,

We have noticed that you have not provided the documentation supporting the availability of the proposed transmitter site (Appendix C) for the application mentioned above. We will consider this application incomplete until you provide this

2/6/2017

CBC Radio-Canada Mail - RE: Application 2016-0511-4 - CBNZ Nain and CFGB-FM Goose Bay, NL

information to the Commission. Should you be able to provide an Appendix C before 10 a.m. tomorrow, we should be able to publish this application tomorrow at 11 a.m. Otherwise, the publication of this application will be postponed until next week. Please send the document via your CRTC Account but please also send it to me by e-mail so I know right away that you have provided an Appendix C.

Should you have any questions regarding this request, please do not hesitate to contact me.

Best regards,

**Caroline Poirier**

CRTC | Point de service unique aux petites entreprises - Câble, télé, radio : Vos questions, nos réponses!

1-866-781-1911

CRTC | Single Point of Contact for Small Undertakings - Cable, TV and Radio: Your Questions, Our Answers!

1-866-781-1911

---

**RE: CBC Application - New FM Transmitter in Jasper, AB**

1 message

---

**Pagani, Raffaele** <raffaele.pagani@crtc.gc.ca>  
To: TINA TATTO <tina.tatto@cbc.ca>

Wed, May 18, 2016 at 11:28 AM

Thanks, Tina – cheers, raf

**Raffaele Pagani**

CRTC | Point de service unique aux petites entreprises – Câble, télé, radio : Vos questions, nos réponses! 1-866-781-1911

CRTC | Single Point of Contact for Small Undertakings – Cable, TV and Radio: Your Questions, Our Answers! 1-866-781-1911

Learn more about your CRTC  
Follow us on Twitter (@CRTCeng)  
Like us on Facebook

---

**From:** TINA TATTO [mailto:tina.tatto@cbc.ca]  
**Sent:** May-18-16 11:27 AM  
**To:** Pagani, Raffaele <raffaele.pagani@crtc.gc.ca>  
**Cc:** Lafontaine, Johanne <johanne.lafontaine@crtc.gc.ca>; Lavergne, Simon <Simon.Lavergne@crtc.gc.ca>; Poirier, Caroline <caroline.poirier@crtc.gc.ca>  
**Subject:** Re: CBC Application - New FM Transmitter in Jasper, AB

Hi all,

It was announced today... So you can post the application tomorrow or anytime after.

Once again, thanks for your patience.

Cheers

Tina-Marie Tatto

Director Regulatory Affairs/  
Directrice Affaires réglementairesTel: 416-205-3473  
tina.tatto@cbc.ca

On Fri, May 13, 2016 at 7:53 AM, Pagani, Raffaele &lt;raffaele.pagani@crtc.gc.ca&gt; wrote:

[https://mail.google.com/mail/u/0/?ui=2&ik=67dd01b7b3&view=pt&as\\_from=crtc.gc.ca&as\\_sizeoperator=s\\_sl&as\\_sizeunit=s\\_smb&as\\_subset=all&as\\_within=1d&s...](https://mail.google.com/mail/u/0/?ui=2&ik=67dd01b7b3&view=pt&as_from=crtc.gc.ca&as_sizeoperator=s_sl&as_sizeunit=s_smb&as_subset=all&as_within=1d&s...) 1/3

No problem – raf ☺

**Raffaele Pagani**

CRTC | Point de service unique aux petites entreprises – Câble, télé, radio : Vos questions, nos réponses! 1-866-781-1911

CRTC | Single Point of Contact for Small Undertakings – Cable, TV and Radio: Your Questions, Our Answers! 1-866-781-1911

Learn more about your CRTC  
Follow us on Twitter (@CRTCeng)  
Like us on Facebook

---

**From:** TINA TATTO [mailto:tina.tatto@cbc.ca]

**Sent:** May-13-16 7:51 AM

**To:** Pagani, Raffaele <raffaele.pagani@crtc.gc.ca>; Lafontaine, Johanne <johanne.lafontaine@crtc.gc.ca>

**Cc:** Lavergne, Simon <Simon.Lavergne@crtc.gc.ca>; Poirier, Caroline <caroline.poirier@crtc.gc.ca>

**Subject:** Re: CBC Application - New FM Transmitter in Jasper, AB

Hi Raf.

I will keep you posted. Thank you very much for understanding our dilemma and helping us out on this issue.

Tina.

Sent from my BlackBerry 10 smartphone on the Rogers network.

---

**From:** Pagani, Raffaele

**Sent:** Friday, May 13, 2016 7:28 AM

**To:** Lafontaine, Johanne; TINA TATTO

**Reply To:** Pagani, Raffaele

**Cc:** Lavergne, Simon; Poirier, Caroline

**Subject:** CBC Application - New FM Transmitter in Jasper, AB

Good morning folks,

FYI, Tina-Marie from CBC left me a voicemail yesterday indicating that she has recently submitted a technical amendment application for a new FM rebroadcasting transmitter in Jasper, AB.



Due to the sensitivity of the possible consequences of approval of this application and a press release scheduled for the end of next week by local stakeholders, she asked that we hold off posting the Part 1 until after the 18<sup>th</sup> or 19<sup>th</sup> of May. She will let me know when the press release has occurred and when the application will be able to be posted.

**Tina- Marie,**

Please let me know when the application (i.e. after the press release) will be ready to be posted to the CRTC website.

Thanks very much,

raf

**Raffaële Pagani**

CRTC | Point de service unique aux petites entreprises – Câble, télé, radio : Vos questions, nos réponses! 1-866-781-1911

CRTC | Single Point of Contact for Small Undertakings – Cable, TV and Radio: Your Questions, Our Answers! 1-866-781-1911

Learn more about your CRTC  
Follow us on Twitter (@CRTCeng)  
Like us on Facebook

---

**RE: NO APPL. as of 2016-03-07 -FW: Ottawa, ON - Mémoire tel que construit CBOFT-DT ca.33**

1 message

---

**Pagani, Raffaele** <raffaele.pagani@crtc.gc.ca>  
To: TINA TATTO <tina.tatto@cbc.ca>

Fri, May 6, 2016 at 10:53 AM

Hi Tina – thx very much – happy weekend to you too! raf

**Raffaele Pagani**

CRTC | Point de service unique aux petites entreprises – Câble, télé, radio : Vos questions, nos réponses! 1-866-781-1911

CRTC | Single Point of Contact for Small Undertakings – Cable, TV and Radio: Your Questions, Our Answers! 1-866-781-1911

Learn more about your CRTC  
Follow us on Twitter (@CRTCeng)  
Like us on Facebook

---

**From:** TINA TATTO [mailto:tina.tatto@cbc.ca]  
**Sent:** May-06-16 10:24 AM  
**To:** Pagani, Raffaele <raffaele.pagani@crtc.gc.ca>  
**Subject:** Re: NO APPL. as of 2016-03-07 -FW: Ottawa, ON - Mémoire tel que construit CBOFT-DT ca.33

Hi Raf.

You are correct. We forgot to file the as-built. I will file it next week.

My apologies.

Have a nice weekend. Tina.

Sent from my BlackBerry 10 smartphone on the Rogers network.

---

**From:** Pagani, Raffaele**Sent:** Friday, May 6, 2016 7:09 AM**To:** TINA TATTO

2/6/2017

CBC Radio-Canada Mail - RE: NO APPL. as of 2016-03-07 -FW: Ottawa, ON - Mémoire tel que construit CBOFT-DT ca.33

**Reply To:** Pagani, Raffaele

**Subject:** RE: NO APPL. as of 2016-03-07 -FW: Ottawa, ON - Mémoire tel que construit CBOFT-DT ca.33

No worries. Thanks, raf

**Raffaele Pagani**

CRTC | Point de service unique aux petites entreprises – Câble, télé, radio : Vos questions, nos réponses! 1-866-781-1911

CRTC | Single Point of Contact for Small Undertakings – Cable, TV and Radio: Your Questions, Our Answers! 1-866-781-1911

Learn more about your CRTC

Follow us on Twitter (@CRTCeng)

Like us on Facebook

---

**From:** TINA TATTO [mailto:tina.tatto@cbc.ca]

**Sent:** May-05-16 3:30 PM

**To:** Pagani, Raffaele <raffaele.pagani@crtc.gc.ca>

**Subject:** Re: NO APPL. as of 2016-03-07 -FW: Ottawa, ON - Mémoire tel que construit CBOFT-DT ca.33

Hi Raf

I'm at a conference and will get back to you next week. Cheers. Tina.

Sent from my BlackBerry 10 smartphone on the Rogers network.

---

**From:** Pagani, Raffaele

**Sent:** Thursday, May 5, 2016 12:34 PM

**To:** TINA TATTO

**Reply To:** Pagani, Raffaele

**Cc:** Lafontaine, Johanne

**Subject:** FW: NO APPL. as of 2016-03-07 -FW: Ottawa, ON - Mémoire tel que construit CBOFT-DT ca.33

Hi Tina,

2/6/2017

CBC Radio-Canada Mail - RE: NO APPL. as of 2016-03-07 -FW: Ottawa, ON - Mémoire tel que construit CBOFT-DT ca.33

As per the emails below, is it possible that CBC forgot to submit a technical amendment application for CBOFT-DT Ottawa, Ontario in the spring of 2015 (April-June)?

It appears that a CBC engineer was corresponding with an IC engineer on 15 June 2015. It looks like it might be and "as-built" technical amendment.

Could you please confirm this is the case? If yes, you will have to submit the appropriate application form

Thanks very much,

raf

---

### Raffaele Pagani

CRTC | Point de service unique aux petites entreprises – Câble, télé, radio : Vos questions, nos réponses! 1-866-781-1911

CRTC | Single Point of Contact for Small Undertakings – Cable, TV and Radio: Your Questions, Our Answers! 1-866-781-1911

Learn more about your CRTC

Follow us on Twitter (@CRTCeng)

Like us on Facebook

---

**From:** Pagani, Raffaele

**Sent:** May-05-16 12:30 PM

**To:** Lacharité, Yannick <Yannick.Lacharite@crtc.gc.ca>; Oakley, Tim <tim.oakley@crtc.gc.ca>

**Cc:** Lafontaine, Johanne <johanne.lafontaine@crtc.gc.ca>

**Subject:** RE: NO APPL. as of 2016-03-07 -FW: Ottawa, ON - Mémoire tel que construit CBOFT-DT ca.33

Hi folks,

After doing some research in APP, I believe that the information below is in relation to application 2011-1522-0 posted on the Commission website 28 November 2011.

Decision CRTC 2012-207 was issued 5 April 2012, which approved the technical amendment application. This includes changing the channel from 9 to 33.

Perhaps it is an application for an "as-built" transmitter and possibly fell through the cracks with IC?

2/6/2017

CBC Radio-Canada Mail - RE: NO APPL. as of 2016-03-07 -FW: Ottawa, ON - Mémoire tel que construit CBOFT-DT ca.33

If that's the case, we'll have to address a Part 1 or an Admin letter.

I will contact CBC to see if they forgot to submit an application with the Commission.

Thanks,

raf

**Raffaele Pagani**

CRTC | Point de service unique aux petites entreprises – Câble, télé, radio : Vos questions, nos réponses! 1-866-781-1911

CRTC | Single Point of Contact for Small Undertakings – Cable, TV and Radio: Your Questions, Our Answers! 1-866-781-1911

Learn more about your CRTC  
Follow us on Twitter (@CRTCeng)  
Like us on Facebook

---

**From:** Lacharité, Yannick  
**Sent:** May-05-16 9:11 AM  
**To:** Oakley, Tim <tim.oakley@crtc.gc.ca>  
**Cc:** Lafontaine, Johanne <johanne.lafontaine@crtc.gc.ca>; Pagani, Raffaele <raffaele.pagani@crtc.gc.ca>  
**Subject:** RE: NO APPL. as of 2016-03-07 -FW: Ottawa, ON - Mémoire tel que construit CBOFT-DT ca.33

Bonjour Tim,

I think that the CBC needs to be contacted about this file before it falls into the cracks. They should have filed a corresponding Part-1 by now.

-Yannick

---

**From:** Oakley, Tim  
**Sent:** March-17-2016 1:05 PM  
**To:** Lacharité, Yannick  
**Cc:** Foran-Kelly, Sheila  
**Subject:** FW: NO APPL. as of 2016-03-07 -FW: Ottawa, ON - Mémoire tel que construit CBOFT-DT ca.33

Hi Yannick

2/6/2017

CBC Radio-Canada Mail - RE: NO APPL. as of 2016-03-07 -FW: Ottawa, ON - Mémoire tel que construit CBOFT-DT ca.33

can anyone help.

Trying to find out what application this is for. There is nothing current in APP.

Thanks

Tim

Tim Oakley

Superviseur par intérim, Processus des audiences électroniques et des licences en radiodiffusion /

Acting Supervisor, Electronic Hearings and Broadcasting Licences

Planification et processus / Planning and Process

Conseil de la radiodiffusion et des télécommunications canadiennes

Canadian Radio-television and Telecommunications Commission

1 Promenade du Portage, Gatineau, QC K1A 0N2


tim.oakley@crtc.gc.ca

Téléphone | Telephone 819-997-9354

Télécopieur | Facsimile 819-994-0218

Gouvernement du Canada | Government of Canada

www.crtc.gc.ca

 Suivez-nous sur Twitter |  Follow us on Twitter

**From:** ICDOC

**Sent:** March-17-16 11:42 AM

**To:** Oakley, Tim <tim.oakley@crtc.gc.ca>

**Subject:** FW: NO APPL. as of 2016-03-07 -FW: Ottawa, ON - Mémoire tel que construit CBOFT-DT ca.33

Hi Tim:

Do you the file #? Thank you again.

Sheila Foran-Kelly

Adjointe, Planification et processus

Assistant, Planning and processes

4th Floor - 4ième plancher - CRTC

(819) 684-6049

---

**From:** Gwen.Buck@ic.gc.ca [mailto:Gwen.Buck@ic.gc.ca]  
**Sent:** Friday, July 03, 2015 12:51 PM  
**To:** ICDOC  
**Subject:** NO APPL. as of 2016-03-07 -FW: Ottawa, ON - Mémoire tel que construit CBOFT-DT ca.33

**From:** Julie Bergeron [mailto:julie.bergeron@radio-canada.ca]  
**Sent:** June-15-15 3:14 PM  
**To:** Lê, Khiem: DGSO-DGOGS; Delisle, Sylvie: DGSO-DGOGS  
**Subject:** Ottawa, ON - Mémoire tel que construit CBOFT-DT ca.33

Bonjour,

Voici le mémoire tel que construit pour la station TVN CBOFT-DT ca.33 à Ottawa, ON. Les paramètres sont à l'intérieur des paramètres autorisés à l'exception d'un mini-dépassement dans un azimut vers le Nord, simplement à cause de la forme du patron final.

Veuillez communiquer avec moi pour toute question.

[Redacted]

Julie Bergeron, ing., M. Ing.

Ingénieure, Ingénierie du spectre

Engineer, Spectrum Engineering

CBC/Radio-Canada Transmission

Tel: (514) 597-3894

Cell: (514) 214-7633

[julie.bergeron@radio-canada.ca](mailto:julie.bergeron@radio-canada.ca)



Canada

---

**RE: CBC, Doc and CBCNN CRTC Log Submittal**

1 message

---

**Tvlogs** <tvlogs@crtc.gc.ca>

Fri, Apr 29, 2016 at 1:24 PM

To: Christian Weller <christian.weller@cbc.ca>

Cc: TINA TATTO <tina.tatto@cbc.ca>, Audrey James <audrey.james@cbc.ca>, "Blais, Catherine" <catherine.blais@crtc.gc.ca>

Hello Christian,

The update on the Tvlogs servers is completed. You can submit your logs now.

Sorry for this inconvenient,

Regards,

TV Logs Group

**From:** Christian Weller [mailto:christian.weller@cbc.ca]

**Sent:** April-29-16 12:17 PM

**To:** Tvlogs <tvlogs@crtc.gc.ca>

**Cc:** TINA TATTO <tina.tatto@cbc.ca>; Audrey James <audrey.james@cbc.ca>

**Subject:** CBC, Doc and CBCNN CRTC Log Submittal

The new CRTC log submittal website has been down all week.

This outage is preventing the submitting of the March 2016 logs for CBC, Doc and CBCNN.

The support line suggested contacting the TV logs group for help.

Is there some alternative method for submitting the logs before the 30th deadline, or has the deadline been extended?

thanks.

--

Christian Weller  
Business Systems Analyst  
CBC - Programming Office  
416.205.8642



2/6/2017

CBC Radio-Canada Mail - RE: CBC, Doc and CBCNN CRTC Log Submittal

---

**Broadcasting Decision CRTC 2014-468 CBAC Tuktoyaktuk NWT (Radio One)**

1 message

---

TINA TATTO <tina.tatto@cbc.ca>  
To: "Oakley, Tim" <tim.oakley@crtc.gc.ca>

Wed, Apr 13, 2016 at 3:34 PM

Hi Tim,

Please be advised that CBAC Tuktoyaktuk has permanently been decommissioned and that CBAC-FM Tuktoyaktuk has been launched.

Regards,

Tina-Marie Tatto  
Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
tina.tatto@cbc.ca

2/6/2017

CBC Radio-Canada Mail - Re: questions re: submission

CBC Radio-Canada

TINA TATTO <tina.tatto@cbc.ca>

Re: questions re: submission

1 message

Wed, Apr 13, 2016 at 3:05 PM

TINA TATTO <tina.tatto@cbc.ca>  
To: "Desjardins, Josée" <josée.desjardins@crtc.gc.ca>

Any time...

Tina-Marie Tatto  
Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
tina.tatto@cbc.ca

On Wed, Apr 13, 2016 at 3:05 PM, Desjardins, Josée <josée.desjardins@crtc.gc.ca> wrote:

Thank you very much Tina!!!

From: TINA TATTO [mailto:tina.tatto@cbc.ca]  
Sent: 13 avril 2016 3:04  
To: Desjardins, Josée <josée.desjardins@crtc.gc.ca>  
Subject: Re: questions re: submission

Yes. Both documents are the same.

Cheers

Tina-Marie Tatto

Director Regulatory Affairs/  
Directrice Affaires réglementaires



Tel: 416-205-3473  
tina.tatto@cbc.ca

On Wed, Apr 13, 2016 at 2:54 PM, Desjardins, Josée <josée.desjardins@crtc.gc.ca> wrote:

Hi Tina

Can you confirm that is the same document though?

I just don't want to miss anything in your application and because the size are different

|  |       |         |
|--|-------|---------|
|  Doc 2 - Annexe 2 - Memoire technique Premiere Chaîne -La Baie, QC    | False | 3.81 MB |
|  Doc 2 - Annexe 2 - Me'moire technique Premie're Chaî'ne -La Baie, QC | False | 11.4 MB |

Thank you

From: TINA TATTO [mailto:tina.tatto@cbc.ca]  
Sent: 12 avril 2016 3:53  
To: Desjardins, Josée <josée.desjardins@crtc.gc.ca>  
Cc: Hutchison, Sylvain <Sylvain.Hutchison@crtc.gc.ca>  
Subject: Re: questions re: submission

Hi Josée and Sylvain

I just filed an application for CBJ-FM-6 La Baie, QC for Ici Radio-Canada Première in which I attached 2 versions of the technical Brief: one with the title with French accents and another without. Attached is a screen shot. Please let me know if there is still a problem opening the one with accents.

Cheers,

Tina-Marie Tatto

Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
tina.tatto@cbc.ca

On Fri, Apr 8, 2016 at 2:02 PM, Desjardins, Josée <josée.desjardins@crtc.gc.ca> wrote:

Perfect thank you Tina

Josée

From: TINA TATTO [mailto:tina.tatto@cbc.ca]  
Sent: 8 avril 2016 1:58  
To: Desjardins, Josée <josée.desjardins@crtc.gc.ca>  
Subject: Re: questions re: submission

Hi Josée

Next time I file an application in French I will send an engineering brief with the name in french and take a screen shot before submitting.

I use Chrome..

2/6/2017

CBC Radio-Canada Mail - Re: questions re: submission

Cheers

Tina-Merie Tatto

Director Regulatory Affairs/  
Directrice Affaires réglementaires

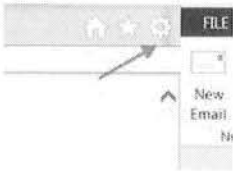
Tel: 416-205-3473  
tina.tatto@cbc.ca

On Fri, Apr 8, 2016 at 1:19 PM, Desjardins, Josée <josée.desjardins@crtc.gc.ca> wrote:

Hi Tina,

I was talking with Sylvain in IT and we would like to know if it can be possible for you to send us a screen shot of your submission before clicking "submit" if in order for us to know the problem.

Also, would it be possible to confirm which browser you are using ?



Fredericton/Saint John,  
Application: CBAF-FM  
- contours  
- plus détails.



| loaded File   | Size    | Confidentiality |
|---|---------|-----------------|
| comparaison - e^metteurs principal et de rC,serve_s.pdf | 1.07 MB |                 |
| rayonnement.pdf   | 1.12 MB |                 |

From: tina.tatto@cbc.ca [mailto:tina.tatto@cbc.ca] On Behalf Of Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires  
Sent: 8 avril 2016 11:59  
To: Desjardins, Josée <josée.desjardins@crtc.gc.ca>  
Cc: bevrishenblat.regaffairs@cbc.ca; Pagan, Raffaele <raffaele.pagan@crtc.gc.ca>  
Subject: Re: questions re: submission

Hi Josée,

The file was not supposed to be attached to the application.

2/6/2017

CBC Radio-Canada Mail - Re: questions re: submission

We have learned that there are problems uploading documents that contain french accents in the name. I tried to remove it, but could not. I spoke with Raf Paganí (cced) who suggested that I leave it and that his team would delete it once the application was filed.

Please let me know if there is anything further I can do.

Regards,

Tina-Marie Tatto

Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
tina.tatto@crtc.ca

2016-04-08 11:31 GMT-04:00 Desjardins, Josée <josée.desjardins@crtc.gc.ca>

Hi Bev or Tina,

In order to do some test and to know why the document cannot be open from us, can you please send that specific document by email please??

Doc 5 - Annexe B - CBAF-FM-1 - Carte de comparaison - e\*mettouts principal et de rC,serve\_s

Thank you veryyy much!!!

**Josée Desjardins**

Superviseure, Processus du CRTC  
Supervisor, CRTC Processes  
Planification et processus - Planning and Process  
Conseil de la radiodiffusion et des télécommunications canadiennes  
Canadian Radio-television and Telecommunications Commission

Ottawa, Ont K1A 0N2

josee.desjardins@crtc.gc.ca / Téléphone: 819-994-3088  
(d) / josee.desjardins@planingapp.html

<http://josee.desjardins/planingapp.html>

Apprenez-en davantage à propos de votre CRTC  
Suivez-nous sur Twitter (@CRTCfra)  
Aimez-nous sur Facebook

2/6/2017

CBC Radio-Canada Mail - RE: Application 2016-325-9 - CBC - Fredericton/Saint John, New Brunswick (Radio 2)

CBC  Radio-Canada

TINA TATTO <tina.tatto@cbc.ca>

---

**RE: Application 2016-325-9 - CBC - Fredericton/Saint John, New Brunswick (Radio 2)**

1 message

Pagani, Raffaele <raffaele.pagani@crtc.gc.ca>  
To: TINA TATTO <tina.tatto@cbc.ca>

Fri, Apr 8, 2016 at 11:35 AM



Raffaele Pagani

CRTC | Point de service unique aux petites entreprises – Câble, télé, radio | Vos questions, nos réponses! 1-866-781-1911

CRTC | Single Point of Contact for Small Undertakings – Cable, TV and Radio: Your Questions, Our Answers! 1-866-781-1911

Learn more about your CRTC  
Follow us on Twitter (@CRTCEng)  
Like us on Facebook

**From:** TINA TATTO [mailto:tina.tatto@cbc.ca]  
**Sent:** April-08-16 11:34 AM  
**To:** Pagani, Raffaele <raffaele.pagani@crtc.gc.ca>  
**Subject:** Re: Application 2016-325-9 - CBC - Fredericton/Saint John, New Brunswick (Radio 2)

You too.

Tina-Marie Tatto

Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
tina.tatto@cbc.ca

On Fri, Apr 8, 2016 at 11:29 AM, Pagani, Raffaele <raffaele.pagani@crtc.gc.ca> wrote:

No worries and thx! Happy weekend - raf

Raffaele Pagani

CRTC | Point de service unique aux petites entreprises – Câble, télé, radio | Vos questions, nos réponses! 1-866-781-1911

CRTC | Single Point of Contact for Small Undertakings – Cable, TV and Radio: Your Questions, Our Answers! 1-866-781-1911

Learn more about your CRTC  
Follow us on Twitter (@CRTCEng)  
Like us on Facebook

**From:** TINA TATTO [mailto:tina.tatto@cbc.ca]  
**Sent:** April-08-16 11:29 AM  
**To:** Pagani, Raffaele <raffaele.pagani@crtc.gc.ca>  
**Subject:** Re: Application 2016-325-9 - CBC - Fredericton/Saint John, New Brunswick (Radio 2)

Any time. Sorry for the typos. I have reminded the engineers that you are very thorough. :-). Cheers, Tina.

Sent from my BlackBerry 10 smartphone on the Rogers network.

---

**From:** Pagani, Raffaele

**Sent:** Friday, April 8, 2016 11:27 AM

**To:** TINA TATTO

**Reply To:** Pagani, Raffaele

**Subject:** RE: Application 2016-325-9 - CBC - Fredericton/Saint John, New Brunswick (Radio 2)

Hi Tina,

That's perfect. Thanks very much for the prompt reply @.

raf

Raffaele Pagani

CRTC | Point de service unique aux petites entreprises – Câble, télé, radio : Vos questions, nos réponses! 1-866-781-1911

CRTC | Single Point of Contact for Small Undertakings – Cable, TV and Radio: Your Questions, Our Answers! 1-866-781-1911

Learn more about your CRTC

Follow us on Twitter (@CRTCeng)

Like us on Facebook

**From:** TINA TATTO [mailto:tina.tatto@cbc.ca]**Sent:** April-08-16 11:00 AM**To:** Pagani, Raffaele <raffaele.pagani@crtc.gc.ca>**Cc:** Lacharité, Yannick <Yannick.Lacharite@crtc.gc.ca>**Subject:** Re: Application 2016-325-9 - CBC - Fredericton/Saint John, New Brunswick (Radio 2)

Hi Raf,

Further to your email, we wish to confirm the following:

1. The call sign is CBZ-FM and location of the transmitter is Fredericton/St. John New Brunswick; and
2. The maximum and average ERP is 81,000 watts and not 80,000 as provided in table 4.1 of the application form, page 4 of the Engineering Brief and on the Comparison map.

This email contains the correct information and should replace previously submitted information for this application.

Regards,

Tina-Marie Tatto

Director Regulatory Affairs/  
Directrice Affaires réglementairesTel: 416-205-3473  
tina.tatto@cbc.ca

On Thu, Apr 7, 2016 at 12:18 PM, Pagani, Raffaele &lt;raffaele.pagani@crtc.gc.ca&gt; wrote:

Hi Tina,

We have noticed that some of your information is incorrect in the technical amendment application for CBZ-FM Fredericton/Saint John, New Brunswick (2016-325-9):

- 1) The rebroadcasting transmitter is actually called CBZ-FM Fredericton/Saint John, New Brunswick as per decision CRTC 2001-530 (<http://www.crtc.gc.ca/eng/archiver/2001/01/2001-530.htm>)



**Nova Scotia****CBI-FM Sydney (2001-0172-5)**

Most of CBI-FM's programming originates with the Radio Two network. The station also broadcasts local arts billboard information.

**CBH-FM Halifax and its transmitters (2001-0173-3)**

CBH-FM-1 Middleton

CBH-FM Charlottetown, Prince Edward Island

~~CBZ-FM Fredericton/Saint John, New Brunswick~~

CBA-FM Moncton, New Brunswick

Most of CBH-FM's programming originates with the Radio Two network.

**Quebec****CBM-FM Montréal and its transmitter (2001-0191-5)**

CBM-FM-1 Sherbrooke

Most of CBM-FM's programming originates with the Radio Two network. The station also broadcasts local arts billboard information.

**Ontario**

2) Table 4.1 shows Maximum and Average ERP as 80,000 watts. It should read 81,000 watts for both, as per Decision CRTC 2001-441 <http://www.crtc.gc.ca/eng/archives/2001/DB2001-441.htm>. The Industry Canada database also show 81,000 watts.

3) Page 4 of the Engineering Brief also show 80,000 watts. It should read 81,000 watts for both. The title page of the Engineering Brief is correct.

4) The Comparison map also shows 80,000 watts for the authorized Maximum and Average ERP. It should read 81,000 watts.

Therefore, in order to correct these "typographical errors", please submit to me directly (as soon as possible) an email showing the correct rebroadcasting transmitter name and the correct values for Maximum and Average ERP. Please indicate that the email contains the correct information which will replace previously submitted information for this application.

I will ensure that your email will be added to the application.

Thanks very much,

ref

**Raffaele Pagani**

CRTC | Point de service unique aux petites entreprises – Câble, télé, radio : Vos questions, nos réponses! 1-866-981-1911

CRTC | Single Point of Contact for Small Undertakings – Cable, TV and Radio: Your Questions, Our Answers! 1-866-981-1911

Learn more about your CRTC  
Follow us on Twitter (@CRTCeng)  
Like us on Facebook



**Re: Application re: Ads on Radio 2 and Ici Musique**

1 message

TINA TATTO <tina.tatto@cbc.ca>  
To: "Allison, Cathy" <cathy.allison@crtc.gc.ca>

Mon, Apr 4, 2016 at 2:20 PM

Hi Cathy,

All good. No changes necessary. You can use either the [regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca) or [bevkirshenblatt.regaffairs@cbc.ca](mailto:bevkirshenblatt.regaffairs@cbc.ca). Both end up in the regulatory affairs email box.

Cheers,

Tina-Marie Tatto  
Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
[tina.tatto@cbc.ca](mailto:tina.tatto@cbc.ca)

On Mon, Apr 4, 2016 at 2:02 PM, Allison, Cathy <cathy.allison@crtc.gc.ca> wrote:

Thanks, Tina.

A few more things to check with you on (apologies, I should have thought of this before) --

Address, fax #, and website to view the application: Is the following still the correct info, or are there changes? If so, please provide the details.

181 Queen Street  
P.O. Box 3220  
Station C  
Ottawa, Ontario  
K1Y 1E4

Fax: 613-288-6257

Website to view application: <http://www.cbc.radio-canada.ca/en/reporting-to-canadians/reports/submissions/>

Also, I noticed on some previous files, the e-mail address was:

Email: [RegulatoryAffairs@cbc.ca](mailto:RegulatoryAffairs@cbc.ca)

However, you provided a different e-mail address in your message, below – just wanted to check to make sure that the one you provided, i.e., (bevkirshenblatt.regaffairs@cbc.ca) was correct.

Thanks,

-- Cathy

---

**From:** TINA TATTO [mailto:tina.tatto@cbc.ca]  
**Sent:** March-31-16 4:03 PM  
**To:** Allison, Cathy <cathy.allison@crtc.gc.ca>  
**Subject:** Application re: Ads on Radio 2 and Ici Musique

Hi Cathy,

Further to our conversation, the contact information for the publication of the application is as follows:

English:  
Bev Kirshenblatt, Executive Director, Regulatory Affairs

Phone number: 613-288-6191

email address: bevkirshenblatt.regaffairs@cbc.ca

French:  
Bev Kirshenblatt, Directrice générale, Affaires réglementaires

Téléphone: 613-288-6191

Courriel: bevkirshenblatt.regaffairs@cbc.ca

Chat soon.

Tina-Marie Tatto  
Director Regulatory Affairs/  
Directrice Affaires réglementaires

2/6/2017

CBC Radio-Canada Mail - Re: Application re: Ads on Radio 2 and Ici Musique

Tel: 416-205-3473  
tina.tatto@cbc.ca

**RE: CBLN-FM Nakina, Ontario**

1 message

**Oakley, Tim** <tim.oakley@crtc.gc.ca>

Mon, Apr 4, 2016 at 11:47 AM

To: "Pagani, Raffaele" &lt;raffaele.pagani@crtc.gc.ca&gt;, TINA TATTO &lt;tina.tatto@cbc.ca&gt;

Cc: "Lafontaine, Johanne" &lt;johanne.lafontaine@crtc.gc.ca&gt;

Good morning All

CBLN-FM has been added in APP.

Tim

Tim Oakley

Planification et processus / Planning and Process

Conseil de la radiodiffusion et des télécommunications canadiennes

Canadian Radio-television and Telecommunications Commission

1 Promenade du Portage, Gatineau, QC K1A 0N2

tim.oakley@crtc.gc.ca

Téléphone | Telephone 819-997-9354

Télécopieur | Facsimile 819-994-0218

Gouvernement du Canada | Government of Canada

www.crtc.gc.ca

 Suivez-nous sur Twitter |  Follow us on Twitter**From:** Pagani, Raffaele**Sent:** April-04-16 11:35 AM**To:** TINA TATTO <tina.tatto@cbc.ca>**Cc:** Oakley, Tim <tim.oakley@crtc.gc.ca>; Lafontaine, Johanne <johanne.lafontaine@crtc.gc.ca>**Subject:** CBLN-FM Nakina, Ontario

Hi Tina-Marie,

Just spoke to our Process group. Typically, for a new call sign, Industry Canada updates its list and then they contact the CRTC after which we add it to our database.

However, our Process analyst indicated that, in this case, he is able to update the database with the new transmitter. It will be done in the next day or two.

2/6/2017

CBC Radio-Canada Mail - RE: CBLN-FM Nakina, Ontario

Thanks very much,

raf

**Raffaele Pagani**

**CRTC | Point de service unique aux petites entreprises – Câble, télé, radio : Vos questions, nos réponses! 1-866-781-1911**

**CRTC | Single Point of Contact for Small Undertakings – Cable, TV and Radio: Your Questions, Our Answers! 1-866-781-1911**

Learn more about your CRTC  
Follow us on Twitter (@CRTCeng)  
Like us on Facebook

---

**RE: Application re: Ads on Radio 2 and Ici Musique**

1 message

---

Allison, Cathy <cathy.allison@crtc.gc.ca>  
To: TINA TATTO <tina.tatto@cbc.ca>

Thu, Mar 31, 2016 at 7:13 PM

Thanks, Tina

**From:** TINA TATTO [mailto:tina.tatto@cbc.ca]  
**Sent:** March-31-16 4:03 PM  
**To:** Allison, Cathy <cathy.allison@crtc.gc.ca>  
**Subject:** Application re: Ads on Radio 2 and Ici Musique

Hi Cathy,

Further to our conversation, the contact information for the publication of the application is as follows:

English:  
Bev Kirshenblatt, Executive Director, Regulatory Affairs

Phone number: 613-288-6191

email address: bevkirshenblatt.regaffairs@cbc.ca

French:

Bev Kirshenblatt, Directrice générale, Affaires réglementaires

Téléphone: 613-288-6191

Courriel: bevkirshenblatt.regaffairs@cbc.ca

Chat soon.

Tina-Marie Tatto

Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
tina.tatto@cbc.ca

---

**RE: CBC Applications: 2016-0280-6, 2016-0284-7 and 2016-0288-9**

1 message

---

**Pagani, Raffaele** <raffaele.pagani@crtc.gc.ca>  
To: TINA TATTO <tina.tatto@cbc.ca>

Thu, Mar 31, 2016 at 12:56 PM

Hi Tina-Marie,

Thanks very much for all of that. I'll get it once it's been profiled by our Process group.

Cheers,

raf

**Raffaele Pagani**

CRTC | Point de service unique aux petites entreprises – Câble, télé, radio : Vos questions, nos réponses! 1-866-781-1911

CRTC | Single Point of Contact for Small Undertakings – Cable, TV and Radio: Your Questions, Our Answers! 1-866-781-1911

Learn more about your CRTC  
Follow us on Twitter (@CRTCeng)  
Like us on Facebook

**From:** TINA TATTO [mailto:tina.tatto@cbc.ca]  
**Sent:** March-31-16 12:54 PM  
**To:** Pagani, Raffaele <raffaele.pagani@crtc.gc.ca>  
**Subject:** Re: CBC Applications: 2016-0280-6, 2016-0284-7 and 2016-0288-9

Hi Raf,

All the maps have been revised and resubmitted.

Regarding application 2016-0288-9 - CBN St. John's NFLD, we own the site, which is why there is no need for a letter authorizing the use of the site.

Please let me know if there's anything else needed.

Regards

Tina-Marie Tatto

Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
tina.tatto@cbc.ca

On Tue, Mar 29, 2016 at 1:02 PM, Pagani, Raffaele <raffaele.pagani@crtc.gc.ca> wrote:

Hi Tina,

As discussed, the following application had some errors. Could you please resubmit the following revised information via GCKEY for the appropriate application #?:

2016-0280-6 – APP - Doc 4 – Appendix B – Comparative Map - Map 6 Legend - The “Authorized” ERP should read 3,000 watts and NOT 2,400 watts;

2016-0284-7 – APP - Doc 4 – Appendix 3 CBBL-FM Comparison Map Legend - The “Authorized Station” EHAAT should read 215.5 m and NOT 218.2;

2016-0288-9 – APP - Doc 5 – Appendix C – Availability of the transmitter site – A letter from the site owner authorizing the use and availability of the site is required to be attached to the application.

Don't forget to include the application number in the text box on the cover page in GCKKey. That's it for now but I'll keep you posted should we require anything further ☺.

Thanks very much,

raf

**Raffaele Pagani**

CRTC | Point de service unique aux petites entreprises – Câble, télé, radio : Vos questions, nos réponses! 1-866-781-1911

CRTC | Single Point of Contact for Small Undertakings – Cable, TV and Radio: Your Questions, Our Answers! 1-866-781-1911

Learn more about your CRTC  
Follow us on Twitter (@CRTCeng)  
Like us on Facebook



2/6/2017

CBC Radio-Canada Mail - RE: CBC Applications: 2016-0280-6, 2016-0284-7 and 2016-0288-9

---

**RE: FW: CRTC Form 400 - HD Radio Experimentation Information**

1 message

---

**Fernandez, John** <John.Fernandez@crtc.gc.ca>

Tue, Mar 22, 2016 at 12:11 PM

To: Regulatory Affairs - Affaires reglementaires Regulatory Affairs - Affaires reglementaires <regulatoryaffairs@cbc.ca>

Cc: "Lacharité, Yannick" <Yannick.Lacharite@crtc.gc.ca>, TINA TATTO <tina.tatto@cbc.ca>

Hi again Tina-Marie,

The attached versions should allow you to complete the form without the brackets appearing.

---

Let me know if this resolves the issue.

John Fernandez

(819)-997-2882

**From:** tina.tatto@cbc.ca [mailto:tina.tatto@cbc.ca] **On Behalf Of** Regulatory Affairs - Affaires reglementaires  
Regulatory Affairs - Affaires reglementaires

**Sent:** March-22-2016 11:58 AM

**To:** Fernandez, John <John.Fernandez@crtc.gc.ca>

**Cc:** Lacharité, Yannick <Yannick.Lacharite@crtc.gc.ca>; TINA TATTO <tina.tatto@cbc.ca>

**Subject:** Re: FW: CRTC Form 400 - HD Radio Experimentation Information

Thanks John,

Don't know why my email didn't work. That's odd...

Also odd is that I can't now can't remove the square brackets in the form. Can you please remove them and resend.

Thanks in advance.

Tina-Marie Tatto

Director Regulatory Affairs CBC

416-205-3473

On Tue, Mar 22, 2016 at 11:47 AM, Fernandez, John <John.Fernandez@crtc.gc.ca> wrote:

Good morning,

The original message below was intended for Ms. Tina-Marie Tatto, but prompted a "Failed to Deliver" response shortly after it was sent.

We'd like to kindly ask for the message below and the attached documents to be forwarded to Ms. Tatto at her appropriate email address.

Thank you,

John Fernandez

(819)-997-2882

---

**From:** Fernandez, John  
**Sent:** March-22-2016 11:30 AM  
**To:** 'tina.tatto@cbc.ca.' <tina.tatto@cbc.ca.>  
**Cc:** Lacharité, Yannick <Yannick.Lacharite@crtc.gc.ca>  
**Subject:** CRTC Form 400 - HD Radio Experimentation Information

Hello Tina,

My name is John Fernandez and I work at the CRTC as a Radio Analyst.

My colleague Yannick Lacharité mentioned that you were experiencing some compatibility issues with the CRTC's new HD Radio Information Form.

Please find attached unprotected copies of the form, which should resolve any issues you are experiencing.

If you have any other issues or concerns with the form, please let one of us know.

Kind regards,

John Fernandez

Analyste de la radio | Radio Analyst

Politiques et demandes relatives en matière de la radio | Radio Policy and Applications

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission

2/6/2017

CBC Radio-Canada Mail - RE: FW: CRTC Form 400 - HD Radio Experimentation Information

[john.fernandez@crtc.gc.ca](mailto:john.fernandez@crtc.gc.ca)

Téléphone | Telephone 1-(819)-997-2882

Gouvernement du Canada | Government of Canada

[www.crtc.gc.ca](http://www.crtc.gc.ca)

 Suivez-nous sur Twitter |  Follow us on Twitter

---

## 2 attachments

 **CRTC - HD Radio Experimentation Information - Form 400.DOC**  
203K

 **CRTC - Renseignement sur l'essai technique de la radio numérique hybride (HD Radio) - Formulaire 400.DOC**  
249K



Conseil de la radiodiffusion et des  
télécommunications canadiennes

Canadian Radio-television and  
Telecommunications Commission

Ottawa, Canada  
K1A 0N2

## **HD Radio Experimentation Information – Form 400**

*Information to be submitted to the Commission from licensees intending to experiment with HD Radio technology in Canada*

In *A targeted policy review of the commercial radio sector*, Broadcasting Regulatory Policy [CRTC 2014-554](#), 28 October 2014, the Commission released a targeted review of certain aspects of its commercial radio policy. Included in this review was a flexible approach for introducing HD Radio technology in Canada, designed to allow for innovation and experimentation.

Pursuant to [CRTC 2014-554](#), the Commission determined that it was too early to develop a policy for HD radio technology and would allow for continued experimentation, voluntarily participation and monitor developments accordingly.

Licensees are required to inform the Commission in writing of any experimentation with HD Radio, or other digital radio technologies, that they undertake, including the type of service they intend to provide.

The information requested herein is to be submitted from licensees when informing the Commission of an intention to experiment with HD Radio technology.

This information should be submitted to the Commission using the secured service "[My CRTC Account](#)" ([Partner Log In](#) or [GCKey](#)) and filling the "Broadcasting and Telecom Cover page".

Licensees will be responsible for notifying the Commission of any changes to the information submitted herein.

Licensees that have any questions related to this information form may contact a Commission specialist at 1-866-781-1911.

Canada 



Ottawa, Canada  
K1A 0N2

## 1. General Information

### 1.1 Identification of licensee

Name of legal entity who is authorized by the Commission to operate this undertaking:

Province / Territory: | (-----) ▾

999-9999): Ext:

99-9999):

### 1.2 Designated representative

Is there a designated representative?

Yes     No

### 1.3 Contact person representing the licensee (if there is no designated representative under 1.2)

@yourdomain.com):

999-9999): Ext:

### 1.4 Sent By

999-9999): Ext:

@yourdomain.com):

Canada



Ottawa, Canada  
K1A 0N2

## 1.5 Declaration of the licensee or its designated representative

### I, solemnly declare that:

- a. I am the designated representative of the licensee named in this form and as such have knowledge of all matters declared therein.
- b. The statements made in this form, or any document filed pursuant to any request for further information by the Commission, are (will be) to the best of my knowledge and belief true in all respects.
- c. The opinions and estimates given in this form, or any document filed pursuant to any request for further information by the Commission, are (will be) based on facts as known to me.
- d. I have examined the provisions of the *Broadcasting Act*, the broadcasting regulations and policies relevant to this application.

Signature (a signature is not required when submitting electronically)

 (dd):

### Witnessed by:

Signature (a signature is not required when submitting electronically)

 (dd): (city, province)

## 2. Notice of Experimentation

- 1.1 Provide a description of the proposed experimentation and type of service to be provided:

- 2.1 Indicate the start date and duration of the proposed experimentation as sought with the Department of Industry.



Conseil de la radiodiffusion et des  
télécommunications canadiennes

Canadian Radio-television and  
Telecommunications Commission

Ottawa, Canada  
K1A 0N2

Date (yyyy-mm-dd):

tion:

**Note:** The Commission also requests your notification in the event the proposed experimentation ends prior to the date and duration provided herein.

- 3.1 Provide proof that technical documents pertaining to HD Radio experimentation were filed with the Department of Industry.

ate the date of filing: (yyyy-mm-dd):

Canada 





### 3. Technical Information

1.1 Provide the following technical details:

|  | <b>Proposed Digital Radio Operation</b> | <b>Notes</b>   |
|--|---|----------------|
| <b>Call Sign</b>   |   |                |
| <b>Channel and Class</b>                                     |   |                |
| <b>Hybrid Mode Type (Main or Extended)</b>                   |   |                |
| <b>Absolute Maximum ERP (watts) of the digital component</b> |   |                |
| <b>Absolute Average ERP (watts) of the digital component</b> |   |                |
| <b>Relative power of the digital component (dB)</b>          |   |                |
| <b>Digital signals (HD1, HD2, HD3, HD4)</b>                  |   |                |
| <b>Antenna and transmitter site coordinates</b>              | N.                                      | North Latitude |
|  | W.                                      | West Longitude |

2.1 Provide a list of all Canadian stations operating on the first adjacent channel that is short spaced relative to the FM station intending to carry the HD signal:

3.1 Please provide a description of the proposed digital coverage:



Ottawa, Canada  
K1A 0N2

#### 4. Programming

- 1.1 In the table below, please identify each digital channel to be used during the proposed experimentation period (HD1, HD2, HD3, etc.) and provide a detailed description of the type of service to be provided on each channel.

| HD Digital Channels | Type of Service Proposed<br>E.g., digital simulcast of analog signal, time-shifted programming, data services (including traffic information services), ethnic programming (third-language programming), music programming, spoken-word programming (sports, talk, entertainment), advertising material, etc. | Notes |
|---------------------|---|-------|
| HD1                 |   |       |
| HD2                 |   |       |
| HD3                 |   |       |
| HD4                 |   |       |
| HD5                 |   |       |

#### 5. Ownership

- 1.1 Please confirm whether the HD Radio technology equipment will be purchased or leased for use during the proposed experimentation period:

Purchased

Leased

- 2.1 Please confirm how you will maintain control over the operation of this technology throughout the entire experimentation period:

- 3.1 Please confirm whether use of all the digital channels will be reserved for the originating station's operations:

Yes

No

If **no**, will any channels be used by third-party operators?

operating the proposed service and the specific digital channel(s) they would be making use of in the table below.

Third Party Operator  
**Canada**

Canadian <sup>1</sup>




## 6. Annual Report

- 1.1 Please note that, if authorization is granted from the Department of Industry, the Commission will request the submission of an annual report to detail findings and developments from the proposed experimentation. Information in the report will include findings on technical matters, programming information, financial information, information on consumer demand and listener reception and any other relevant information from experimentation with the technology.

The Commission will require this report to be submitted on an annual basis, as per the period of time authorized by the Department of Industry. This report will be included as part of the Annual Broadcasting Survey using the Commission's web-based [Data Collection System \(DCS\)](#) (see Appendix A).

**1 Canadian:** Specify if Canadian or Non-Canadian. If a person, CANADIAN means a Canadian citizen, ordinarily resident in Canada, and as defined in the *Direction to the CRTC (Ineligibility of Non-Canadians)* P.C. 1997-486 as amended by P.C. 1998-1268. If a corporation, CANADIAN means a "qualified corporation" as defined in the *Direction to the CRTC (Ineligibility of Non-Canadians)* P.C. 1997-486 as amended by P.C. 1998-1268.

|  |  |                           |
|--|--|---------------------------|
| Canada  |  | <b>HD Digital Channel</b> |
|  |  | <b>HD1</b>                |



Ottawa, Canada  
K1A 0N2

## **Appendix A "Form 1181: HD Radio Technology – Annual Report"**

### **Authority**

Filed under the authority of the Broadcasting Act

### **Filed in Confidence**

Have any changes been made with respect to the information provided in the initial notification or previous report regarding the HD Radio experimentation for this undertaking (i.e., the technical, programming or ownership information of the HD Radio experimentation)?

Yes  No

**Technical:** Please comment on the technical performance of the experimentation with HD Radio technology on this undertaking, including details on signal quality, reception, interference issues, equipment maintenance and upgrades, etc.

programming or other types of services, including any increase to the diversity of programming available to listeners.

Radio technology:

- a) Advertising revenues;
- b) Other Revenues;
- c) Total Revenues;
- d) Investment Expenses;
- e) Operational Expenses;
- f) Licensing fees paid to iBiquity;
- g) Other Expenses; and
- h) Total Expenses.

Supporting financial documents can be attached.

Yes  No

If yes, provide that service's call sign:

reception associated with the undertaking's experimentation with HD Radio technology.

experimentation with HD Radio technology.



## **Renseignements sur l'essai technique de la radio numérique hybride (HD Radio) – Formulaire 400**

*Renseignements à soumettre au Conseil par les titulaires qui ont l'intention  
de faire l'essai technique de la technologie radio numérique hybride (HD  
Radio) au Canada*

Dans la Politique réglementaire de radiodiffusion [CRTC 2014-554](#) du 28 octobre 2014 intitulée *Révision ciblée des politiques relatives au secteur de la radio commerciale*, le Conseil a publié une révision ciblée de certains aspects de ses politiques relatives à la radio commerciale. Cette révision comprend une approche souple quant à la mise en place de la technologie HD Radio au Canada, laquelle laisse place à l'innovation et à l'expérimentation.

Conformément à la politique réglementaire [CRTC 2014-554](#), le Conseil a déterminé qu'il était prématuré d'élaborer une politique à l'égard de la technologie HD Radio et a indiqué qu'il permettrait la poursuite de l'expérimentation, la participation volontaire et en surveillerait le développement.

Les titulaires doivent informer le Conseil par écrit de toute expérimentation de la technologie HD Radio ou d'autres technologies de radio numérique, y compris le type de service qu'ils offrent.

Les titulaires doivent soumettre les renseignements demandés dans le présent document au moment où ils avisent le Conseil de leur intention de faire l'essai de la technologie HD Radio.

Vous devez soumettre ces renseignements au Conseil en ligne au moyen du système sécurisé « [Mon compte CRTC \(Clé GC ou partenaires de connexion\)](#) » en remplissant la Page couverture de radiodiffusion et de télécom.

Les titulaires de licences seront tenus d'informer le Conseil de tout changement aux renseignements soumis en l'espèce.

Les demandeurs qui ont des questions concernant ce formulaire de renseignements peuvent s'adresser à un spécialiste du Conseil au 18667811911.



## 1. Renseignements généraux

### 1.1 Identification du titulaire

Nom de la personne morale autorisée par le Conseil à exploiter cette entreprise :

Province/Territoire :

-999-9999) :  Poste :

9-999-9999) :

### 1.2 Représentant autorisé

Y a-t-il un représentant autorisé?

Oui

Non



Conseil de la radiodiffusion et des  
télécommunications canadiennes

Canadian Radio-television and  
Telecommunications Commission

Ottawa, Canada  
K1A 0N2

### 1.3 Personne-ressource qui représente le demandeur (s'il n'y a pas de représentant autorisé à la question 1.2)

h@votredomaine.com):

-999-9999) :  Poste :

### 1.4 Envoyé par

-999-9999) :  Poste :

h@votredomaine.com):

### 1.5 Déclaration du titulaire ou de son représentant autorisé

**Je, soussigné(e), \_\_\_\_\_ déclare solennellement que :**

(représentant autorisé) de la société titulaire désignée dans le présent document et j'ai, à ce titre, connaissance de tout ce qui y est énoncé.

b. À ma connaissance, tout ce qui est énoncé dans le présent document ou tout document déposé conformément à des lettres du Conseil sollicitant des renseignements supplémentaires est (sera) véridique à tout égard.

c. Les opinions et les estimations qui sont données dans le présent formulaire ou dans tout document déposé conformément à des lettres du Conseil sollicitant des renseignements supplémentaires reposent (reposeront) sur des faits tels qu'ils me sont connus.

d. J'ai pris connaissance des passages pertinents de la *Loi sur la radiodiffusion* et des politiques et règlements afférents qui s'appliquent à la présente demande.

signature (aucune signature n'est requise pour une soumission électronique)

):

**Témoin de la déclaration :**

Canada



Conseil de la radiodiffusion et des  
télécommunications canadiennes

Canadian Radio-television and  
Telecommunications Commission

Ottawa, Canada  
K1A 0N2

signature (aucune signature n'est requise pour une soumission électronique)

): ville, province)

## 2. Avis d'expérimentation

**2.1** Veuillez fournir une description de l'essai technique proposé et du type de service qui sera fourni :

se et la  
durée de l'essai, telles que vous les avez soumises au ministère de  
l'Industrie.

de début (AAAA-MM-JJ):

e:

**Note :** Le Conseil vous demande également de l'aviser si l'essai technique se termine avant la date indiquée dans le présent formulaire.

**2.3** Veuillez fournir une preuve confirmant le dépôt des documents techniques relatifs à l'essai de la technologie HD Radio auprès du ministère de l'Industrie.

uez la date de dépôt (AAAA-MM-JJ):

## 3. Renseignements techniques

**3.1** Veuillez fournir les renseignements techniques suivants.

|  | <b>Exploitation de la station<br/>de radio numérique<br/>proposée</b> | <b>Notes</b> |
|--|---|--------------|
| <b>Indicatif d'appel</b>   |   |              |
| <b>Canal et classe</b>   |   |              |
| <b>Type de mode hybride<br/>(principal ou élargi)</b>                  |   |              |
| <b>PAR maximale absolue<br/>(watts) de la<br/>composante numérique</b> |   |              |

Canada





Ottawa, Canada  
K1A 0N2

|  |    |                 |
|--|----|-----------------|
| <b>PAR moyenne absolue (watts) de la composante numérique</b>  |    |                 |
| <b>Puissance relative de la composante numérique (dB)</b>      |    |                 |
| <b>Signaux numériques (HD1, HD2, HD3, HD4)</b>                 |    |                 |
| <b>Coordonnées géographiques de l'émetteur et de l'antenne</b> | N. | Latitude nord   |
|  | O. | Longitude ouest |

**3.2** Veuillez fournir la liste de toutes les stations canadiennes qui sont exploitées dans le canal premier-adjacent et qui présentent un espacement insuffisant par rapport à la station radio FM qui a l'intention d'émettre le signal HD :

|  |
|--|
|  |
|--|

proposée :

|  |
|--|
|  |
|--|

#### 4. Programmation

**4.1** Dans le tableau qui suit, veuillez indiquer chaque canal numérique qui sera utilisé durant la période d'essai proposée (HD1, HD2, HD3, etc.) et fournir une description détaillée du type de service qui sera fourni sur chaque canal.

| <b>Canaux numériques HD</b> | <b>Type de service proposé</b>  | <b>Notes</b> |
|-----------------------------|---|--------------|
|                             | P. ex., diffusion simultanée numérique du signal analogique, programmation en différé, services de données (y compris des services d'information routière), programmation ethnique (programmation en langue tierce), programmation musicale, programmation de créations orales (émissions de sports, à prépondérance verbale, de divertissement), matériel publicitaire, etc. |              |
| <b>HD1</b>                  |   |              |
| <b>HD2</b>                  |   |              |
| <b>HD3</b>                  |   |              |
| <b>HD4</b>                  |   |              |
| <b>HD5</b>                  |   |              |

## 5. Propriété

Canada



Ottawa, Canada  
K1A 0N2

**5.1** Veuillez indiquer si l'équipement avec technologie HD Radio sera acheté ou loué pour la période d'essai technique proposé :

Acheté

Loué

**5.2** Veuillez indiquer comment vous allez conserver la propriété et le contrôle de l'exploitation de cette technologie pendant toute la durée de la période d'essai technique :

sera réservée aux activités de la station source :

Oui

Non

Si **non**, est-ce que des canaux seront utilisés par de tierces parties opérateurs?

veuillez indiquer le nom des tierces parties opérateurs et les canaux numériques qu'ils utiliseront dans le tableau qui suit :

| Tierce partie opérateur | Canadien <sup>1</sup> | Canal numérique HD |
|-------------------------|-----------------------|--------------------|
|                         |                       | HD1                |
|                         |                       | HD2                |
|                         |                       | HD3                |
|                         |                       | HD4                |
|                         |                       | HD5                |

## 6. Rapport annuel

**6.1** Veuillez prendre note que, si l'autorisation est accordée par le ministère de l'Industrie, le Conseil demandera le dépôt d'un rapport

<sup>1</sup> **Canadien:** Préciser si Canadien ou non-Canadien. Si une personne, CANADIEN désigne un citoyen, un résident habituel du Canada, et telles que définies dans la *Instructions au CRTC (inadmissibilité de non-Canadiens)* C.P. 1997-486 tel que modifié par P.C. 1998-1268. Si une personne morale, CANADIEN désigne «personne morale qualifiée» telles que définies dans la *Instructions au CRTC (inadmissibilité de non-Canadiens)* C.P. 1997-486 tel que modifié par P.C. 1998-1268.



Conseil de la radiodiffusion et des  
télécommunications canadiennes

Canadian Radio-television and  
Telecommunications Commission

Ottawa, Canada  
K1A 0N2

annuel dans lequel seront présentés en détail les résultats et développements de l'essai technique proposé. Les renseignements inclus dans le rapport peuvent comprendre des observations relatives aux questions techniques, des renseignements sur la programmation, des renseignements financiers, des renseignements sur la demande des consommateurs, sur la réception du signal par les auditeurs et tout autre renseignement pertinent relatif à l'essai de la technologie.

Vous devrez déposer ce rapport sur une base annuelle, selon la période d'essai autorisée par le ministère de l'Industrie. Le rapport sera inclus dans le sondage annuel sur la radiodiffusion au moyen du système de collecte de données (SCD) du CRTC (voir l'annexe A).

Canada



**L'annexe A « Form 1181 : La technologie HD radio – Rapport Annuel »**

**Authority**

Déposé en vertu de la *Loi sur la radiodiffusion*

**Déposé à titre confidentiel**

Des changements ont-ils été apportés relativement aux renseignements fournis dans le premier avis ou dans le rapport précédent concernant l'expérimentation de la technologie de HD radio pour cette entreprise (c.-à-d. les renseignements liés à la technique, à la programmation ou au titre de propriété de cette expérimentation)?

Oui  Non

**Technique** : Veuillez décrire la performance technique de l'expérimentation de la technologie de HD radio, notamment des détails sur la qualité du signal, la réception, les problèmes d'interférence, l'entretien du matériel et les mises à niveau, etc.

... fournir des programmes ou d'autres types de services, notamment tout accroissement de la diversité des programmes proposés aux auditeurs.

... par l'entreprise :

- a) Recettes publicitaires;
- b) Autres recettes;
- c) Total des recettes;
- d) Dépenses d'investissement;
- e) Charges d'exploitation;
- f) Droits de licence payés à iBiquity;
- g) Autres dépenses;
- h) Total des dépenses.

Il est possible de joindre des documents financiers à l'appui.

... des données financières d'exploitation?

Oui  Non

Dans l'affirmative, veuillez fournir l'indicatif d'appel de ce service :

... les consommateurs et le niveau de réception des auditeurs associés à l'expérimentation de la technologie de HD radio par l'entreprise.



Conseil de la radiodiffusion et des  
télécommunications canadiennes

Canadian Radio-television and  
Telecommunications Commission

Ottawa, Canada  
K1A 0N2

**Divers** : Veuillez fournir tout autre renseignement pertinent ou tout nouveau développement visant l'expérimentation de la technologie de HD radio par l'entreprise.

Canada

2/6/2017

CBC Radio-Canada Mail - Re: Public Alerting Slides &amp; Map

CBC  Radio-Canada

TINA TATTO &lt;tina.tatto@cbc.ca&gt;

---

**Re: Public Alerting Slides & Map**

1 message

TINA TATTO &lt;tina.tatto@cbc.ca&gt;

Thu, Mar 10, 2016 at 4:13 PM

To: "Meyer, Stephan" &lt;Stephan.Meyer@crtc.gc.ca&gt;, Dave Rainnie &lt;dave.rainnie@radio-canada.ca&gt;

Yikes. Fingers cross you find it. Cheers. Tina

Sent from my BlackBerry 10 smartphone on the Rogers network.

---

**From:** Meyer, Stephan  
**Sent:** Thursday, March 10, 2016 4:11 PM  
**To:** Dave Rainnie; TINA TATTO  
**Reply To:** Meyer, Stephan  
**Subject:** Re: Public Alerting Slides & Map

Hey Dave,

Thanks very much for this and the great chat and tour today. It was greatly appreciated and good to meet you.

As a side note,

please let me know.

Thanks,  
Steve

---

**From:** Dave Rainnie  
**Sent:** Thursday, March 10, 2016 10:47  
**To:** TINA TATTO; Meyer, Stephan  
**Subject:** Public Alerting Slides & Map

Hi Steve,

Here are the slides I quickly went through today, as well as the Montreal DTV map in case you were interested. I hope you and Greg enjoyed your visit. I am glad to hear the CRTC has a public alerting team.

Tina is copied on this email, so you now have her address.

Have a good day,  
Dave

**Dave Rainnie, P.Eng., M.Eng.**  
Senior Manager - Operations - Ontario & West  
Premier chef de l'exploitation - Ontario et l'Ouest



dave.rainnie@cbc.ca  
C: (647) 972-8269  
T: (416) 205-3031  
F: (416) 205-2420

2/6/2017

CBC Radio-Canada Mail - Re: Public Alerting Slides & Map

---

## CRTC Logging Concerns and Recommendations

1 message

---

TINA TATTO <tina.tatto@cbc.ca>  
To: "Craig, Michael" <michael.craig@crtc.gc.ca>

Wed, Jun 15, 2016 at 10:05 AM

Hi Michael,

As mentioned during recent discussions, below is a list of concerns and recommendations regarding the CRTC's logging system which are based on CBC/RC's observations and informal discussions with other broadcasters.

Concern - The logging system is sometimes off-line and the system does not indicate when these outages will occur or the duration.

Recommendation - When the system is off-line, would it be possible to either post a notification on the website or send an email to users to notify them that the system is down and when it is estimated to be back online?

Concern - There appears to be failure rate of approximately 30% when logs are submitted. Unfortunately, the broadcaster is not notified and has to resubmit logs sometimes multiple times. In addition some users experience failures while others submitting the same logs have no issues.

Recommendation - As an interim solution, could the CRTC send each broadcaster a monthly status report (a list of call signs and month/year of each logs for the current broadcast year) to confirm which logs are in the system so no logs are missed until a technical solution can be found?

Concern - Broadcasters receive "official" notification that they may be out of compliance when logs are not submitted. These notifications form part of the broadcaster's public record. Unfortunately, in many cases the logs were in fact submitted and the broadcaster has received confirmation.

Recommendation - There appears to be a miscommunication in the logging system where it does not always recognize submissions. While a solution is being investigated, could the CRTC send an informal notification to advise the broadcaster that there may be a problem with the filing of specific logs?

Additional recommendation: When logging into the system, it would be helpful if each broadcaster could have access to the call signs/channels for their ownership group. Currently, each broadcaster has access to all call signs/channels and has to scroll through hundreds, or enter their channel name until they find the correct ones to submit their logs.

We would also like to suggest that the industry be included when changes to the system are being considered. It's much easier working together before, than trying to resolve issues after changes are implemented.

Thanks in advance for being so open to our feedback. I understand these are complex systems. That said, it would be great if we could work together to resolve some of the ongoing issues.

Don't hesitate to contact me if you have any questions.



2/7/2017

CBC Radio-Canada Mail - CRTC Logging Concerns and Recommendations

Regards,

Tina-Marie Tatto  
Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
tina.tatto@cbc.ca

From: **TINA TATTO** [tina.tatto@cbc.ca](mailto:tina.tatto@cbc.ca)  
Subject: Re: Urgent - CBC Presentation Friday January 29  
Date: January 27, 2016 at 2:37 PM  
To: Roy, Jade [jade.roy@crtc.gc.ca](mailto:jade.roy@crtc.gc.ca)

Merci :-)

Tina-Marie Tatto  
Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
[tina.tatto@cbc.ca](mailto:tina.tatto@cbc.ca)

On Wed, Jan 27, 2016 at 2:36 PM, Roy, Jade <[jade.roy@crtc.gc.ca](mailto:jade.roy@crtc.gc.ca)> wrote:

---

**From:** TINA TATTO [<mailto:tina.tatto@cbc.ca>]  
**Sent:** Wednesday, January 27, 2016 2:36 PM  
**To:** Roy, Jade  
**Subject:** Re: Urgent - CBC Presentation Friday January 29

Sure. but only if you have the time.

Thanks a million..

Tina-Marie Tatto  
Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
[tina.tatto@cbc.ca](mailto:tina.tatto@cbc.ca)

On Wed, Jan 27, 2016 at 2:32 PM, Roy, Jade <[jade.roy@crtc.gc.ca](mailto:jade.roy@crtc.gc.ca)> wrote:

Yes we had a problem. It will be up in the next 15-30 minutes. Do you want me to send you an electronic version

---

**From:** TINA TATTO [<mailto:tina.tatto@cbc.ca>]  
**Sent:** Wednesday, January 27, 2016 2:25 PM  
**To:** Roy, Jade  
**Subject:** Re: Urgent - CBC Presentation Friday January 29

hi Jade,

One more question please. Is there a problem uploading the SMITs presentation? ICTV has been posted already but the SMITs isn't on the list yet.

Regards

Tina-Marie Tatto  
Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
[tina.tatto@cbc.ca](mailto:tina.tatto@cbc.ca)

On Wed, Jan 27, 2016 at 11:38 AM, Roy, Jade <[jade.roy@crtc.gc.ca](mailto:jade.roy@crtc.gc.ca)> wrote:

Hi Tina-Marie,

I confirm to you that we will start the hearing at 8h30 on Friday for CBC to appear.

Please confirm that you have receive this email.

Thanks

jade

---

**From:** TINA TATTO [<mailto:tina.tatto@cbc.ca>]  
**Sent:** Wednesday, January 27, 2016 11:19 AM  
**To:** Roy, Jade  
**Subject:** Urgent - CBC Presentation Friday January 29

Hi Jade,

Looks like the hearing is running smoothly.

Based on the number of parties appearing on Friday, is it realistic to expect

that our  
appearance  
w  
ould

be around  
an hour  
?

Unfortunately, w

e can't be up Thursday afternoon because one of our witnesses will be in union negotiations that cannot be rescheduled.

We also note that Thursday is already long day with 9 parties appearing. Given these exceptional circumstances and the Commission's agenda, we would also be willing to commence earlier on Friday if that would be preferable to the CRTC.

Hope all is well. Let's catch up next time I'm in town..

Regards

Tina-Marie Tatto

Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: [416-205-3473](tel:416-205-3473)  
[tina.tatto@cbc.ca](mailto:tina.tatto@cbc.ca)

From: **TINA TATTO** tina.tatto@cbc.ca  
Subject: Re: Accuracy log submissions 2014-2015  
Date: January 13, 2016 at 9:29 AM  
To: Tvlogs tvlogs@crtc.gc.ca  
Cc: bev.kirshenblatt@cbc.ca, regulatoryaffairs@cbc.ca, **Blais, Catherine** catherine.blais@crtc.gc.ca, **Audrey James** audrey.james@cbc.ca, **Christian Weller** christian.weller@cbc.ca, **Anne-Marie Migneault** anne-marie.migneault@radio-canada.ca

Hello

Further to an email exchange with Catherine Blais dated December 4, CBC was granted an extension to January 22, 2016 to revise and resubmit the logs.

Regards,

Tina-Marie Tatto  
Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
tina.tatto@cbc.ca

On Wed, Jan 13, 2016 at 9:09 AM, Tvlogs <tvlogs@crtc.gc.ca> wrote:

Bonjour,

suite à notre courriel envoyé le 4 décembre, 2016, nous aimerions vous rappeler que vous devez vous assurer que vos registres ont été révisés pour l'année de radiodiffusion 2014-2015. Prière d'envoyer un courriel à l'adresse suivante, [tvlogs@crtc.gc.ca](mailto:tvlogs@crtc.gc.ca) pour confirmer que toutes les corrections nécessaires ont été apportées. Cela doit être fait avant le 20 janvier 2016, à ce moment nous exécuterons notre évaluation pour votre service. Voir une liste des mois manquants ci-bas.

Prière de noter que votre registre doit passer la validation initiale (IMD) pour être considéré comme une soumission valide. Seulement la dernière soumission de registre sera conservée.

Voici les définitions des deux processus de validation :

**IMD- Initial minimum data:** registre rejeté (le registre doit être resoumis)

**TOA- Temporary omission acceptable:** registre accepté

Quand un registre n'est pas lisible par notre système, il en résulte un registre « reçu ». Cela se produit quand un registre contient des dates et des temps incorrects. Un registre qui est seulement « reçu » n'est pas une soumission valide, et doit être resoumis.

| CBC  |         |      |
|------|---------|------|
| CBMT | 2015-03 | Reçu |

Si vous avez des questions, n'hésitez pas à nous contacter.

Sincèrement,

Le groupe des registres de télévision

Hello,

As per our email to you on 4 December, 2015, we would like to remind you again that you must ensure that your logs have been revised for the 2014-2015 broadcast year. Please send an email to [tvlogs@crtc.gc.ca](mailto:tvlogs@crtc.gc.ca) when all necessary corrections have been made. This must be done by the 20<sup>th</sup> of January, 2016, as we are beginning the annual performance evaluations of your stations. Please see a list of all log months missing below.

We would like to remind you that a log file that has failed IMD (initial) validation is not considered a valid submission. When a log file fails IMD (initial) validation, the log file data is not retained by our system. Please note that we only keep the *last version* of a log file that was submitted to our system.

Here are the definitions of the two validation processes:

**IMD-** Initial minimum data: **rejected file** (the log needs to be resubmitted)

**TOA-** Temporary omission acceptable: **accepted file**

When a log file is not readable by our system, it will not be validated and will be identified as "received". This occurs when a log file is submitted with invalid dates or times. A "received" log is also not considered a valid submission, and needs to be re-submitted.

| CBC  |         |                          |
|------|---------|--------------------------|
| CBMT | 2015-03 | Received (not validated) |

Please contact [tvlogs@crtc.gc.ca](mailto:tvlogs@crtc.gc.ca) if you have any questions concerning the above.

Regards,

TV Logs group

**From:** Tvlogs  
**Sent:** December-04-2015 9:09 AM  
**To:** [bev.kirshenblatt@cbc.ca](mailto:bev.kirshenblatt@cbc.ca)  
**Cc:** [tina.tatto@cbc.ca](mailto:tina.tatto@cbc.ca); [regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca); Blais, Catherine <[catherine.blais@crtc.gc.ca](mailto:catherine.blais@crtc.gc.ca)>  
**Subject:** Accuracy log submissions 2014-2015

Hello,

We would like to remind you that you must ensure that your logs have been revised for the 2014-2015 broadcast year. Please send an email to [Tvlogs@crtc.gc.ca](mailto:Tvlogs@crtc.gc.ca) to confirm when all necessary

corrections have been made. We ask that this be done by the 18<sup>th</sup> of December, 2015; at this time we will begin conducting our annual performance evaluations for your stations.

Please note that a log file must pass initial (IMD) validation in order to be considered a valid submission. We will only keep on file the last log submitted.

Here are the definitions of the two validation processes:

**IMD-** Initial minimum data: **rejected file** (the log needs to be resubmitted)

**TOA-** Temporary omission acceptable: **accepted file**

If you have any questions please do not hesitate to contact us.

Regards,

TV Logs Group

Bonjour,

Nous aimerions vous rappeler que vous devez vous assurer que vos registres ont été révisés pour l'année de radiodiffusion 2014-2015. Prière d'envoyer un courriel à l'adresse suivante, [Tvlogs@crtc.gc.ca](mailto:Tvlogs@crtc.gc.ca) pour confirmer que toutes les corrections nécessaires ont été apportées. Nous vous demandons que ceci soit fait avant le 18 décembre 2015, à ce moment nous exécuterons notre évaluation annuelle pour votre service.

Prière de noter que votre registre doit passer la validation initiale (IMD) pour être considéré comme une soumission valide. Seulement la dernière soumission de registre sera conservée.

Voici les définitions des deux processus de validation :

**IMD-** *Initial minimum data*: registre rejeté (le registre doit être resoumis)

**TOA-** *Temporary omission acceptable*: registre accepté

Si vous avez des questions, n'hésitez pas à nous contacter.

Sincèrement

Le groupe des registres de télévision



From: **Blais, Catherine** catherine.blais@crtc.gc.ca  
Subject: RE: Accuracy log submissions 2014-2015  
Date: December 4, 2015 at 10:46 AM  
To: TINA TATTO tina.tatto@cbc.ca, Tvlogs tvlogs@crtc.gc.ca  
Cc: bev.kirshenblatt@cbc.ca, regulatoryaffairs@cbc.ca

---

Hello Tina,

We will grant you the extension until January 22, 2016 to revise the 2014-15 logs.

Thank you

**Catherine Blais**

Gestionnaire, Examen des registres de télévision.

Manager, TV Logs Examination.

Tel: 819-997-4721 | [catherine.blais@crtc.gc.ca](mailto:catherine.blais@crtc.gc.ca)

Conseil de la radiodiffusion et des télécommunications canadiennes /

Canadian Radio-television and Telecommunications Commission

[Aimez-nous sur Facebook](#)

[Like us on Facebook](#)

 [Suivez-nous sur Twitter @CRTCfra](#) |  [Follow us on Twitter @CRTCeng](#)

---

**From:** TINA TATTO [mailto:tina.tatto@cbc.ca]  
**Sent:** December-04-15 10:45 AM  
**To:** Tvlogs; Blais, Catherine  
**Cc:** bev.kirshenblatt@cbc.ca; regulatoryaffairs@cbc.ca  
**Subject:** Re: Accuracy log submissions 2014-2015

Hi Catherine,

Further to our conversation, CBC is requesting an extension to January 22, 2016 to revise the 2014-15 logs.

Could you please confirm that this timing s acceptable.

Thanks in advance.

Tina-Marie Tatto  
Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473

[tina.tatto@cbc.ca](mailto:tina.tatto@cbc.ca)

2015-12-04 9:09 GMT-05:00 Tvlogs <[tvlogs@crtc.gc.ca](mailto:tvlogs@crtc.gc.ca)>:

Hello,

We would like to remind you that you must ensure that your logs have been revised for the 2014-2015 broadcast year. Please send an email to [Tvlogs@crtc.gc.ca](mailto:Tvlogs@crtc.gc.ca) to confirm when all necessary corrections have been made. We ask that this be done by the 18th of December, 2015; at this time we will begin conducting our annual performance evaluations for your stations.

Please note that a log file must pass initial (IMD) validation in order to be considered a valid submission. We will only keep on file the last log submitted.

Here are the definitions of the two validation processes:

**IMD-** Initial minimum data: **rejected file** (the log needs to be resubmitted)

**TOA-** Temporary omission acceptable: **accepted file**

If you have any questions please do not hesitate to contact us.

Regards,

TV Logs Group

---

Bonjour,

Nous aimerions vous rappeler que vous devez vous assurer que vos registres ont été révisés pour l'année de radiodiffusion 2014-2015. Prière d'envoyer un courriel à l'adresse suivante, [Tvlogs@crtc.gc.ca](mailto:Tvlogs@crtc.gc.ca) pour confirmer que toutes les corrections nécessaires ont été apportées. Nous vous demandons que ceci soit fait avant le 18 décembre 2015, à ce moment nous exécuterons notre évaluation annuelle pour votre service.

Prière de noter que votre registre doit passer la validation initiale (IMD) pour être considéré comme une soumission valide. Seulement la dernière soumission de registre sera conservée.

Voici les définitions des deux processus de validation :

**IMD-** *Initial minimum data*: registre rejeté (le registre doit être resoumis)

**TOA- *Temporary omission acceptable*: registre accepté**

Si vous avez des questions, n'hésitez pas à nous contacter.

Sincèrement,

Le groupe des registres de télévision

From / De: Speigel, Tracy  
To / À: michael.craig@crtc.gc.ca,  
Cc / Cc: sheehan.carter@crtc.gc.ca,  
Date / Date: Fri, 21 Aug 2015 17:09:04 +0000  
Subject / Objet: Points of clarification

Hi there,

Following several discussions with broadcasters, staff were made aware of several common questions or issues surrounding Policy 2015-323.

Please find attached a one-pager that addresses these issues. Hopefully this helps clear up some of your questions and concerns.

Once again, it is not these points we will be discussing on Monday, but rather the technical issues arising from the policy.

Have a great weekend,

*Tracy Speigel*

**Analyste principale en Radiodiffusion (par interim) /Acting Senior Broadcasting Analyst**

Programmation de langue anglaise et tierce / English and third-language programming

Téléphone | Telephone: (819) 997-5984 Télécopieur | Facsimile: (819) 994-0218

E-mail: [tracy.speigel@crtc.gc.ca](mailto:tracy.speigel@crtc.gc.ca)

Gouvernement du Canada | Government of Canada

[www.crtc.gc.ca](http://www.crtc.gc.ca)

 [Suivez-nous sur Twitter](#) |  [Follow us on Twitter](#)

[Aimez-nous sur Facebook](#) / [Like us on Facebook](#)

This email is a follow-up to Broadcasting Regulatory Policy 2105-323, **New methods to monitor the amount of Canadian children's and youth television programming and the expenditures on such programming in the Canadian broadcasting system**, 21 July 2015.

There have been several questions since the policy was gazetted and this email will hopefully help to clear up some of these issues.

#### POLICY AND PROGRAMMING QUESTIONS:

##### ***What are the goals of this policy?***

During Let's Talk TV, the Commission was told by interveners, both from the industry and by consumers alike, that Canadian-made children's programming is of the utmost importance to the Canadian broadcasting system. The Commission noted that it had few tools to track the amount produced and the expenditures made on this type of programming. The new policy has been put in place to better track Canadian-made children's and youth programming in the system. This data will assist the Commission in determining whether or not any regulatory action is needed to ensure the creation, exhibition or expenditures on programming for children and youth.

##### ***Why are there no longer any categories for "family" and "general"?***

As explained above, the Commission's focus is on the age group to which a particular program is targeted rather than for what demographic type the programming may be suitable. The "family" or "general" target audiences are catch-all categories that include a wide variety of programming that may be produced for and targeted at various audiences. While this programming may be suitable for a variety of age groups, in the Commission's view, the "family" category did not capture the age of the targeted demographic and was therefore not a useful tool to monitor the amounts of children's and youth programming available in the system. The same can be said for the general category, which did not provide the Commission with any useful demographic data.

##### ***18+ Demographic Category***

The 18+ target audience category is programming that is generally targeted to audiences over the age of 18 – anyone who is not a child or a youth. It should not be confused with "adult" programming. Generally speaking, **unless a program is made with a specific children's or youth demographic in mind, it should be logged as 18+.**

##### ***Appropriateness vs. Target Audience***

These new target demographic key figures should not be confused with provincial ratings systems. While a program may be rated as appropriate to be viewed by 14+, it may not be made *specifically* for that age group. For example, a police procedural drama may be rated 14+ and may be appropriate for children of that age to watch, but the program is not made with children or youth foremost in mind. Conversely, in the case of a program such as "Degrassi" while an adult may also enjoy "Degrassi", it is still made for teenagers. The Commission expects that broadcasters will use their best judgement when considering the target demographics of programs.

As always, Commission staff are here to answer any further questions you may have about the policy, and while not tech wizards, we will do our best to answer your technical questions as well.

From / De: Speigel, Tracy  
To / À: michael.craig@crtc.gc.ca,  
Cc / Cc: sheehan.carter@crtc.gc.ca,  
Date / Date: Thu, 20 Aug 2015 15:18:23 +0000  
Subject / Objet: Meeting to discuss Policy 2015-323

In light of the technical issues brought up as a result of Broadcasting Regulatory Policy 2015-323, Commission staff, including representatives from IT, would like to hold a conference call with the concerned parties. The goal of this call is to find the best possible solution to these technical issues.

Please inform me ASAP as to your availability either for 11am or 1 pm on Monday, August 24th.

Best,

*Tracy Speigel*

**Analyste principale en Radiodiffusion (par interim) /Acting Senior Broadcasting Analyst**

Programmation de langue anglaise et tierce / English and third-language programming

Téléphone | Telephone: (819) 997-5984 Télécopieur | Facsimile: (819) 994-0218

E-mail: [tracy.speigel@crtc.gc.ca](mailto:tracy.speigel@crtc.gc.ca)

Gouvernement du Canada | Government of Canada

[www.crtc.gc.ca](http://www.crtc.gc.ca)

 [Suivez-nous sur Twitter](#) |  [Follow us on Twitter](#)

[Aimez-nous sur Facebook](#) / [Like us on Facebook](#)

2/6/2017

Conference call details.html

From / De: Spiegel, Tracy  
To / À: michael.craig@crtc.gc.ca, sheehan.carter@crtc.gc.ca,  
Date / Date: Thu, 20 Aug 2015 16:20:27 +0000  
Subject / Objet: Conference call details

Thank you for your speedy responses to my meeting inquiry.

The meeting will take place on Monday, August 24<sup>th</sup> at 1 pm.

The phone number for the call is:  
613-960-7515 or 1-877-413-4791.

The password is:

Just a reminder that the focus of this call is on the logging technology/coding.

Thanks!

*Tracy Spiegel*

**Analyste principale en Radiodiffusion (par interim) /Acting Senior Broadcasting Analyst**

Programmation de langue anglaise et tierce / English and third-language programming

Téléphone | Telephone: (819) 997-5984 Télécopieur | Facsimile: (819) 994-0218

E-mail: [tracy.speigel@crtc.gc.ca](mailto:tracy.speigel@crtc.gc.ca)

Gouvernement du Canada | Government of Canada

[www.crtc.gc.ca](http://www.crtc.gc.ca)

 [Suivez-nous sur Twitter](#) |  [Follow us on Twitter](#)

[Aimez-nous sur Facebook](#) / [Like us on Facebook](#)

2/7/2017

Policy 2015-323.html

From / De: Speigel, Tracy  
To / À: tina.tatto@cbc.ca,  
Date / Date: Tue, 4 Aug 2015 12:56:26 +0000  
Subject / Objet: Policy 2015-323

Hi Tina,

My colleague Catherine Blais mentioned that you had questions about policy 2015-323 (monitoring children's programming). Please feel free to give me a call anytime and I'll do my best to answer all your questions.

Best,

*Tracy Speigel*

**Analyste principale en Radiodiffusion (par interim) / Acting Senior Broadcasting Analyst**

Programmation de langue anglaise et tierce / English and third-language programming

Téléphone | Telephone: (819) 997-5984 Télécopieur | Facsimile: (819) 994-0218

E-mail: [tracy.speigel@crtc.gc.ca](mailto:tracy.speigel@crtc.gc.ca)

Gouvernement du Canada | Government of Canada

[www.crtc.gc.ca](http://www.crtc.gc.ca)

 [Suivez-nous sur Twitter](#) |  [Follow us on Twitter](#)

[Aimez-nous sur Facebook](#) / [Like us on Facebook](#)



From / De: TINA TATTO  
To / À: catherine.blais@crtc.gc.ca,  
Cc / Cc: tvlogs@crtc.gc.ca,  
Date / Date: Tue, 9 Jun 2015 15:47:22 -0400  
Subject / Objet: Fwd: Nouveau systeme de registres de télé

Hi Catherine,

Further to our conversation this morning, please be advised that CBC/Radio-Canada will have all the logs submitted, from September 2014 to the most current month, for both French- and -English language services, by June 30, 2015. Could you please respond by confirming this request for an extension.

Also, could you please advise when we will no longer have to file logs through the old system. We would appreciate lots of advanced notice.

Thanks in advance for your kind cooperation.

Regards,

Tina-Marie Tatto  
Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
[tina.tatto@cbc.ca](mailto:tina.tatto@cbc.ca)

From: **Tvlogs** <[tvlogs@crtc.gc.ca](mailto:tvlogs@crtc.gc.ca)>  
Date: 2015-06-04 15:47 GMT-04:00  
Subject: Nouveau systeme de registres de télé  
To: "[anne-marie.migneault@radio-canada.ca](mailto:anne-marie.migneault@radio-canada.ca)" <[anne-marie.migneault@radio-canada.ca](mailto:anne-marie.migneault@radio-canada.ca)>  
Cc: "[tina.tatto@cbc.ca](mailto:tina.tatto@cbc.ca)" <[tina.tatto@cbc.ca](mailto:tina.tatto@cbc.ca)>, James Francois <[james.francois@radio-canada.ca](mailto:james.francois@radio-canada.ca)>, "[affaires.reglementaires@radio-canada.ca](mailto:affaires.reglementaires@radio-canada.ca)" <[affaires.reglementaires@radio-canada.ca](mailto:affaires.reglementaires@radio-canada.ca)>, "Blais, Catherine" <[catherine.blais@crtc.gc.ca](mailto:catherine.blais@crtc.gc.ca)>

Bonjour,

Suite au courriel précédent et les conversations téléphoniques, nous vous avisons que certains registres n'ont toujours pas été reçus dans le nouveau système. Nous n'avons pas reçu vos registres pour vos services. S'il vous plait voir plus bas pour une liste des mois que nous **n'avons pas** reçus dans le nouveau système. Le soutien de notre équipe de l'information et de la technologie est limité, il est donc important que vous vous familiarisiez avec le nouveau processus de soumission dès que possible.

Si les registres (de septembre 2014 jusqu'au le mois le plus récent) n'ont pas été reçus dans le nouveau système avant le 12 juin 2015 vous serez considéré en situation apparente de non-conformité. Si vous avez des questions, vous pouvez nous contacter à l'adresse de courriel suivante : [tvlogs@crtc.gc.ca](mailto:tvlogs@crtc.gc.ca).

Veillez noter que les registres soumis qui n'ont pas été acceptés dans la validation initiale sont considérés incomplets et non soumis.

Veillez noter que ce courriel est le dernier rappel avant de vous considérer en non-conformité selon les dates susmentionnées.

Nous vous remercions pour votre collaboration habituelle et du travail effectué afin de nous aider à vous offrir un système précis qui répond à vos attentes.

| <b>Services</b> | <b>Mois manquant(s)/IMD échoué</b>          |
|-----------------|---|
| CBAFT           | 2014-12, 2015-01, 2015-02, 2015-03, 2015-04 |
| CBFT            | 2014-12, 2015-01, 2015-02, 2015-03          |
| CBKFT           | 2014-12, 2015-01, 2015-02, 2015-03          |
| CBLFT           | 2014-12, 2015-01, 2015-02, 2015-03          |
| CBOFT           | 2014-12, 2015-01, 2015-02, 2015-03          |
| CBUFT           | 2014-12, 2015-01, 2015-02, 2015-03          |
| CBVT            | 2014-12, 2015-01, 2015-02, 2015-03          |
| CBWFT           | 2014-12, 2015-01, 2015-02, 2015-03          |
| CBXFT           | 2014-12, 2015-01, 2015-02, 2015-03          |
| CJBRT           | 2014-12, 2015-01, 2015-02, 2015-03          |
| CKSH            | 2014-12, 2015-01, 2015-02, 2015-03          |
| CKTM            | 2014-12, 2015-01, 2015-02, 2015-03          |
| CKTV            | 2014-12, 2015-01, 2015-02, 2015-03          |
| SRC             | 2014-10, 2014-12, 2015-01, 2015-02          |
| ARTV            | 2014-12, 2015-01, 2015-02, 2015-04          |
| EXP             | 2014-12, 2015-01, 2015-02, 2015-03          |
| RDI             | 2014-12, 2015-01, 2015-02, 2015-03          |

Cordialement,

L'équipe des register de télévision

From / De: Scullion, Cindy-Lee  
To / À: tina.tatto@cbc.ca,  
Date / Date: Thu, 21 May 2015 19:03:37 +0000  
Subject / Objet: RE: Stakeholder - Thunder Bay - June 4, 2015 from 3:00pm to 4:00pm - CBC (CBQT-FM)



Thank you Tina, yes I was able, so meeting will be on June 4 from 3:00pm to 4:00pm

## Cindy-Lee Scullion

Executive Assistant to the Vice-President Telecommunications  
Adjointe exécutive au Vice-président télécommunications  
Conseil de la radiodiffusion et des télécommunications canadiennes/  
Canadian Radio-television and Telecommunications Commission  
Ottawa, Ontario  
K1A 0N2

Téléphone / Telephone: 819-997-4644  
Courriel / E-mail: [cindy-lee.scullion@crtc.gc.ca](mailto:cindy-lee.scullion@crtc.gc.ca)

Gouvernement du Canada | Government of Canada  
[www.crtc.gc.ca](http://www.crtc.gc.ca)

 [Suivez-nous sur Twitter](#) |  [Follow us on Twitter](#)

---

**From:** TINA TATTO [mailto:tina.tatto@cbc.ca]  
**Sent:** May-21-15 11:19 AM  
**To:** Scullion, Cindy-Lee  
**Subject:** Re: Stakeholder - Thunder Bay - June 4, 2015 from 3:00pm to 4:00pm - CBC (CBQT-FM)

Hi Cindy,

The address is:

CBC  
213 Miles Street East  
Thunder Bay, Ontario

Phone: (807) 625-5000

Were you able to change the date?

Cheers,

Tina-Marie Tatto  
Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
[tina.tatto@cbc.ca](mailto:tina.tatto@cbc.ca)

On Thu, May 21, 2015 at 11:10 AM, Scullion, Cindy-Lee <[Cindy-lee.scullion@crtc.gc.ca](mailto:Cindy-lee.scullion@crtc.gc.ca)> wrote:  
Good morning Tina,

2/7/2017

RE\_ Stakeholder - Thunder Bay - June 4, 2015 from 3\_00pm to 4\_00pm - CBC (CBQT-FM).html

Can you please send me the address of the station?. I will send you shortly an invitation.

Have a great day!

## Cindy-Lee Scullion

Executive Assistant to the Vice-President Telecommunications  
Adjointe exécutive au Vice-président télécommunications  
Conseil de la radiodiffusion et des télécommunications canadiennes/  
Canadian Radio-television and Telecommunications Commission  
Ottawa, Ontario  
K1A 0N2

Téléphone / Telephone: [819-997-4644](tel:819-997-4644)

Courriel / E-mail: [cindy-lee.scullion@crtc.gc.ca](mailto:cindy-lee.scullion@crtc.gc.ca)

Gouvernement du Canada | Government of Canada

[www.crtc.gc.ca](http://www.crtc.gc.ca)

 [Suivez-nous sur Twitter](#) |  [Follow us on Twitter](#)

From / De: Laflamme, Annie  
To / À: tina.tatto@cbc.ca,  
Cc / Cc: cathy.allison@crtc.gc.ca,  
Date / Date: Thu, 16 Apr 2015 16:41:50 +0000  
Subject / Objet: RE: Visite à Toronto

We were thinking 2 hours, so until 11:30 am. Does that work for you?

---

**From:** TINA TATTO [mailto:tina.tatto@cbc.ca]  
**Sent:** 15 avril 2015 5:05  
**To:** Laflamme, Annie  
**Cc:** Anne-Marie Migneault; Allison, Cathy  
**Subject:** Re: Visite à Toronto

Hi Annie,

It's all set for May 6. How much time do you have to spend with us?

Regards,

Tina-Marie Tatto  
Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
[tina.tatto@cbc.ca](mailto:tina.tatto@cbc.ca)

On Tue, Apr 14, 2015 at 4:05 PM, Laflamme, Annie <[annie.laflamme@crtc.gc.ca](mailto:annie.laflamme@crtc.gc.ca)> wrote:  
Perfect. Looking forward to visiting your facilities in Toronto. I had the chance to visit the Montreal one a few times and now is the time I visit the Toronto ones.

I will be accompanied by one of my manager, Cathy Allison who is relatively new to the team. She has taken over from Mike Amodeo.

I will be flying on the Wednesday morning on the 6<sup>th</sup> of May (8 am flight to the Island) which means that we could be at the CBC building around 9:30. And yes if it was possible to visit your television and news facilities, even though we do not work in television, I think given the importance of the CBC, it is worth the visit.

Let us know if this works for you and your colleagues.

Looking forward to seeing you soon in Toronto.

---

**From:** TINA TATTO [mailto:[tina.tatto@cbc.ca](mailto:tina.tatto@cbc.ca)]  
**Sent:** 14 avril 2015 1:01  
**To:** Laflamme, Annie  
**Cc:** Anne-Marie Migneault  
**Subject:** Re: Visite à Toronto

Hi Annie,

CBC would be more than happy to provide you and your colleague with a tour of the facilities. What would you like to see and who would you like to meet? Safe to say you want to see our radio facilities. But do you also want a tour of television and news?

Let me know when you're available and I will set it up.

Looking forward to it.

Tina-Marie Tatto  
Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: [416-205-3473](tel:416-205-3473)  
[tina.tatto@cbc.ca](mailto:tina.tatto@cbc.ca)

2015-04-14 11:35 GMT-04:00 Anne-Marie Migneault <[anne-marie.migneault@radio-canada.ca](mailto:anne-marie.migneault@radio-canada.ca)>:  
Bonjour Annie,

C'est super cette occasion de voir Tina et de visiter CBC ! Tina m'a confirmé qu'elle est disponible ces jours-là. I am copying her on this email and will let you, as you suggest contact each other directly.

Anne-Marie Migneault  
Directrice Affaires réglementaires/  
Director Regulatory Affairs  
CBC/Radio-Canada  
Tel: [514-597-6285](tel:514-597-6285)  
[anne-marie.migneault@radio-canada.ca](mailto:anne-marie.migneault@radio-canada.ca)

CBC  Radio-Canada

Le 14 avril 2015 09:07, Laflamme, Annie <[annie.laflamme@crtc.gc.ca](mailto:annie.laflamme@crtc.gc.ca)> a écrit :  
Allô Anne-Marie,



J'espère que tu vas bien et je suis vraiment désolée de vous avoir manqué Tina (j'oublie son nom de famille) et toi lorsque vous étiez à nos bureaux.

Je compte assister (à confirmer) au Canadian Music Week (CMW) les 7 et 8 mai avec une de mes gestionnaires, Cathy Allison. Nous aurions aimé aller rencontrer Tina et faire une courte visite des installations de CBC à Toronto. Je n'y suis jamais allé et j'aimerais profiter du fait que nous soyez à Toronto pour le faire.

Serait-il possible pour toi de me donner les coordonnées de Tina et je pourrai faire les arrangements directement avec elle.

Merci de me revenir à ce sujet.

Annie Laflamme  
Directrice / Director  
Politiques et demandes relatives à la radio / Radio Policy & Applications  
CRTC  
Téléphone : [\(819\) 994-1752](tel:(819)994-1752)  
Télécopieur : [\(819\) 997-9351](tel:(819)997-9351)  
Gouvernement du Canada | Government of Canada  
[www.crtc.gc.ca](http://www.crtc.gc.ca)

 [Suivez-nous sur Twitter](#) |  [Follow us on Twitter](#)

From / De: Tvlogs  
To / À: christian.weller@cbc.ca,  
Cc / Cc: tina.tatto@cbc.ca, catherine.blais@crtc.gc.ca,  
Date / Date: Wed, 20 May 2015 19:08:09 +0000  
Subject / Objet: RE: Questions regarding election advertising

Christian,

While it is preferable that ELE be used for election purposes only, we understand how it poses issues in this instance. You can use ELE for all political advertisements.

Regards,  
TV Logs Group

---

**From:** Christian Weller [mailto:christian.weller@cbc.ca]  
**Sent:** May-20-15 2:56 PM  
**To:** Tvlogs  
**Cc:** tina.tatto@rci.rogers.com; Blais, Catherine  
**Subject:** Re: Questions regarding election advertising

Would it be okay if we added the ELE to all political advertisements, even when it is or is not for election purposes?

It would be very hard to do a system change that would only add the ELE to commercials in specific time ranges and limited channels.

Thanks.

On Wed, May 20, 2015 at 2:15 PM, Tvlogs <tvlogs@crtc.gc.ca> wrote:

Hello,

This is the information we have regarding the use of ELE in subtitles:

### 1. (b) Partisan political advertising

Any paid program, advertisement or announcement of a partisan political character including the partisan identification of the sponsor and the party, if any, that is two minutes or less in duration must be logged as advertising material.

**Code:** Enter the code **COM**. However, to distinguish election advertising from other commercials, ELE must be entered at the beginning or the end of the field entitled "Title/Advertiser".

### Logging notes

- The duration must be entered in the field entitled "Duration"
- "KEY FIGURES" do not need to be completed for this programming class.

Therefore, political advertising need not be logged with ELE in the subtitle of partisan political advertisements *if it is not for election purposes.*

Regards,  
TV Logs Group

---

**From:** TINA TATTO [<mailto:tina.tatto@cbc.ca>]  
**Sent:** May-15-15 12:08 PM  
**To:** Blais, Catherine  
**Cc:** Christian Weller  
**Subject:** Questions regarding election advertising

Hi Catherine,

Could you please let me know if the code "ELE" for political advertising is required before all political advertising or only during the election periods.

Thanks in advance for your kind cooperation.

Have a great long weekend.

Tina-Marie Tatto  
Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: [416-205-3473](tel:416-205-3473)  
[tina.tatto@cbc.ca](mailto:tina.tatto@cbc.ca)

--

Christian Weller  
Business Systems Analyst  
CBC - Programming Office  
416.205.8642

CBC  Radio-Canada

</





# Recommandations visant à simplifier le processus de traitement des plaintes adressées par le CRTC

CBC/Radio-Canada  
6 Novembre 2015

# Aperçu

---

- **Objectif :** Simplifier le processus de traitement des plaintes adressées par le CRTC afin d'y intégrer les ombudsmans de CBC/Radio Canada, ainsi que les bureaux chargés d'évaluer si les politiques journalistiques de la Société sont respectées dans toutes les émissions qui relèvent de la compétence des ombudsmans.
- **Avantages de cette simplification :**
  - ✓ Accroître pour le public la transparence quant à la manière dont les plaintes sont traitées.
  - ✓ Réduire le volume de la correspondance avec le CRTC dans ce domaine.
  - ✓ Permettre à l'ombudsman de terminer son examen avant que toute autre mesure soit prise.
  - ✓ Maintenir la compétence du CRTC pour l'examen de ces questions et pour prendre une décision, s'il y a lieu.

# Le rôle des ombudsmans de CBC/Radio-Canada

---

- La Société a deux ombudsmans : un pour les Services anglais et un autre pour les Services français.
- Les ombudsmans sont complètement indépendants de la direction et du personnel de la programmation de CBC/Radio-Canada et relèvent directement du président-directeur général de CBC/Radio-Canada et, par l'entremise de ce dernier, ils rendent des comptes au Conseil d'administration de la Société.

**Les ombudsmans ne traitent que des questions liées aux émissions de nouvelles et d'information.**

# Le processus de traitement des plaintes

---

- Le public formule des commentaires ou des plaintes sur les émissions de nouvelles et d'information en écrivant au Bureau de l'ombudsman.
- La plainte initiale est dirigée vers le gestionnaire responsable de l'émission, pour qu'une réponse soit donnée. Le gestionnaire doit répondre au plaignant dans un délai de 20 jours ouvrables, avec copie à l'ombudsman. L'ombudsman peut toutefois, à sa discrétion, commencer une révision en tout temps.
- La plus grande partie des plaintes est résolue de cette manière à la satisfaction du plaignant, sans que l'ombudsman ait besoin d'intervenir davantage.

# Le processus de traitement des plaintes

---

- La Société a pour pratique, dans ses réponses aux plaintes relatives aux émissions de nouvelles et d'information (et seulement pour celles-ci), d'indiquer que, si le plaignant n'est pas satisfait de la réponse, il peut soumettre de nouveau la question au Bureau de l'ombudsman pour demander une révision indépendante.
- Si une question est soumise de nouveau au Bureau de l'ombudsman, celui-ci détermine si une révision de la plainte est justifiée.

# Le processus de traitement des plaintes

---

- Dans sa révision, l'ombudsman détermine si le processus journalistique ou la diffusion faisant l'objet de la plainte a effectivement contrevenu aux politiques et aux normes journalistiques de la Société.
  - Dans le cadre de l'enquête sur la plainte, l'ombudsman peut procéder à toute consultation qu'il juge nécessaire et déterminer s'il y a eu manquement à la politique journalistique.
- Les révisions des ombudsmans sont communiquées aux plaignants et aux responsables de la programmation, et affichées dans le site web de l'ombudsman.
  - Cela permet à l'ombudsman de faire connaître à un plus vaste auditoire des cas particuliers qui sont source de préoccupation, ou entraînent des conséquences, pour d'autres parties que le plaignant lui-même.

# Processus actuel de traitement des plaintes adressées par le CRTC

## ÉTAPE 1

Avant la réception d'une plainte, le CRTC conseille aux auditeurs et aux téléspectateurs de communiquer en premier avec le radiodiffuseur. De nombreuses plaintes sont réglées à cette étape.



## ÉTAPE 2

Après la réception d'une plainte, le CRTC la traite de la manière suivante :

Le radiodiffuseur est membre du Conseil canadien des normes de la radiotélévision (CCNR).

- Le CRTC fait suivre la plainte immédiatement au CCNR et en informe le plaignant.
- Si le plaignant n'est pas satisfait de la réponse du CCNR, une partie peut demander, par écrit, que le CRTC étudie le dossier complet et prenne une décision.

Le radiodiffuseur est CBC/Radio-Canada (non membre du CCNR).

- Le CRTC fait immédiatement suivre les plaintes au sujet des *émissions de nouvelles et d'information* de CBC/Radio-Canada au Bureau de l'ombudsman approprié et en informe le plaignant.
- Le CRTC fait suivre toutes les autres plaintes à CBC/Radio-Canada, supervise le processus et détermine si une intervention réglementaire est nécessaire.
- Si le plaignant n'est pas satisfait de la réponse à la plainte traitée par la Société ou l'ombudsman, une partie peut demander, par écrit, que le CRTC étudie le dossier complet et prenne une décision.

# Bureau de l'ombudsman

---

## Services français - CBC/Radio-Canada Statistiques 2014-2015

### Plaintes reçues

|   |              |
|---|--------------|
| <b>Total de plaintes reçues</b>                 | <b>1 846</b> |
| Relatives à l'information                       | 1 373        |
| Relatives à d'autres sujets                     | 473          |
| Plaintes transmises aux directions pour réponse | 611          |

### Révisions de l'ombudsman

|   |           |
|---|-----------|
| <b>Total de révisions</b>                     | <b>35</b> |
| Dans lesquelles plaintes non justifiées       | 23        |
| Dans lesquelles plaintes justifiées en partie | 3         |
| Dans lesquelles plaintes justifiées           | 9         |





# Recommendations to Streamline the CRTC Complaint Process

CBC/Radio-Canada  
November 6, 2015

# Overview

---

- **Objective:** Streamline the CRTC's complaint process to incorporate CBC/Radio Canada's Ombudsmen, the offices responsible for evaluating compliance with the Corporation's journalistic policies in all programs under its jurisdiction.
- **Benefits to streamlining:**
  - ✓ Increase transparency to the public about how complaints are handled;
  - ✓ Reduce the level of correspondence to the CRTC in this area;
  - ✓ Permit the Ombudsman to complete their review before any further action is taken; and
  - ✓ Maintain the CRTC's jurisdiction to review these matters and issue a decision, if required.

# CBC/Radio-Canada's Ombudsmen

---

- The Corporation has two Ombudsmen: one for English media and one for English media.
- Independent of CBC/Radio-Canada program staff and management, the Ombudsmen report directly to the President of CBC/Radio-Canada and, through the President, to the Corporation's Board of Directors.

**Ombudsmen deal only with questions relating to news and information programming**

# The Complaint-handling Process

---

- The public sends comments or complaints about news and information programming in writing to the Office of the Ombudsman.
- The initial complaint is referred to the manager responsible for the programming for response. They are requested to respond to the complainant within twenty working days and copy the Ombudsman. The Ombudsman has the discretion, however, to commence a review at any time.
- The vast majority of complaints are resolved in this manner to the satisfaction of the complainant without the need for the Ombudsman to become involved further.

# The Complaint-handling Process

---

- In its responses to complaints about news and information programs (only), it is the Corporation's practice to indicate that if the complainant is dissatisfied with the reply, they may refer the matter to the Office of the Ombudsman again to request an independent review.
- If a matter is referred back to the Office of the Ombudsman, the Ombudsman then determines whether a review of the complaint is warranted.

# Complaint-handling Process

---

- In making a review, the Ombudsman determines whether the journalistic process or the broadcast involved in the complaint did, in fact, violate the Corporation's journalistic policies and standards.
  - During the investigation of the complaint, the Ombudsman may conduct whatever consultation deemed necessary and determine if there is a violation of journalistic policy.
- The Ombudsman's reviews are shared with the complainant and the programmers and posted on the Ombudsman's website.
  - These measures permit the Ombudsman to convey to a wider audience particular cases of concern or consequence to others than the complainant alone.

# Current CRTC Complaint Handling Process

## STEP 1

Before any complaint is received, the CRTC advises viewers/listeners to contact their broadcaster first. Many potential complaints are resolved at this stage.



## STEP 2

Once a complaint is received, the CRTC addresses it in the following manner.



### Broadcaster is a member of the CBSC

- CRTC forwards the complaint to the CBSC right away and lets the complainant know it has been forwarded.
- If the complainant is not satisfied with the response handled by the CBSC, a party can ask, in writing, that the CRTC review the complete file and issue a decision.

### Broadcaster is CBC/Radio-Canada (non-CBSC member)

- CRTC forwards complaints about news and information programming on CBC/Radio-Canada to the appropriate Office of the Ombudsman right away and lets the complainant know it has been forwarded.
- CRTC forwards all other complaints to CBC/Radio-Canada, oversees the process and determines whether any regulatory action is required; and
- If the complainant is not satisfied with the response to the complaint handled by the Corporation or the Ombudsman, a party can ask, in writing, that the CRTC review the complete file and issue a decision.

# Ombudsman Office

---

## English services - CBC/Radio-Canada Statistics 2014-2015

### Complaints Received

|  |             |
|--|-------------|
| <b>Total Complaints Received</b>               | <b>2877</b> |
| Relating to information                        | 1706        |
| Relating to other subjects                     | 1171        |
| Complaints forwarded for departmental response | 894         |

### Reviews by the Ombudsman

|                              |           |
|------------------------------|-----------|
| <b>Total Reviews</b>         | <b>70</b> |
| Unfounded Complaints         | 45        |
| Partially founded complaints | 13        |
| Founded complaints           | 12        |



---

**Are you free for a 5 minute call this afternoon?**

1 message

---

**Bev Kirshenblatt** <bev.kirshenblatt@cbc.ca>  
To: Scott Hutton <scott.hutton@crtc.gc.ca>

Wed, Aug 31, 2016 at 1:43 PM

Hi Scott:

I'd like to give you a heads up.

Thx,  
Bev

---

**Canadian Program Certification, CRTC - Advertising Material**

1 message

---

**Legendre, Michelle** <michelle.legendre@crtc.gc.ca>  
To: "bev.kirshenblatt@cbc.ca" <bev.kirshenblatt@cbc.ca>

Mon, Jun 13, 2016 at 3:49 PM

Hello Ms. Kirshenblatt,

As discussed on Friday, the following information in regards to advertising material is found in the certification letters sent to applicants. Please also refer to Circular No. 350. Any additional information and/or to discuss specific questions, please feel free to contact me directly. My contact information is in my signature below.

**Advertising Material**

It is the responsibility of the broadcaster, as the licensee, to ensure that any advertising material included in a production or any episodes thereof is identified and, in addition to the advertising in the commercial breaks, is logged as advertising (COM) and counted as part of the maximum amount per clock hour of advertising material currently permitted. The terms "advertising material" and "commercial message" are defined in section 2 of the *Television Broadcasting Regulations, 1987* as amended from time to time.

Advertising material includes any form of endorsement, message, advertisement, solicitation, product review, sponsorship (beyond corporate name/logo) or the use of addresses, telephone numbers or website addresses, where the purpose of the endorsement, message, etc. is intended, directly or indirectly, to sell or promote a product or service, etc.

Subject to the paragraph below, where it can be demonstrated that within the mention or display of a product or service there is clearly no intention to sell or promote the product or service and that the mention or display is necessary for the "bona fide" information reporting of the subject matter in the program, the mention or display will not be considered advertising material, (e.g. an unbiased, objective product review or "expert" commentary in the context of information programming).

Subject matter presented in the context of information programming is not normally considered advertising material. However, (a) where there are elements within the discussion or display of the subject matter in the program which, directly or indirectly, serve to sell or promote a product or service or (b) where the presentation of the subject matter and its relationship to the products or services advertised during the commercial breaks is such that the impact of the commercial break is significantly enhanced by the subject matter in the program, the entire program segment related to the product or service may be considered advertising material. This is particularly the case where the provider of the product or service is also a sponsor of the program, an advertiser in the program's commercial breaks or provides products or services to the production in exchange for commercial exposure on the program.

Advertising material, infomercials, as well as promotional and corporate videos are not eligible for certification as Canadian programs. For more information on what constitutes "advertising material" and "commercial messages"

please refer to the *Television Broadcasting Regulations, 1987* and consult the Circular No. 350 for a description of "informercials". These documents are available on our web site, [www.crtc.gc.ca](http://www.crtc.gc.ca), under Consumers, Canadian Content and Canadian Program Certification.

Thank you,

Michelle

**Michelle Legendre**

Analyst/Analyste

Canadian Program Certification/Certification des émissions canadiennes

Canadian Radio-television and Telecommunications Commission/Conseil de la radiodiffusion et des télécommunications canadiennes

1 Promenade du Portage, Gatineau, QC K1A 0N2

Tel. 819-997-4699

[michelle.legendre@crtc.gc.ca](mailto:michelle.legendre@crtc.gc.ca)

[www.crtc.gc.ca](http://www.crtc.gc.ca)

**Confidential - Rio Olympics**

1 message

**Bev Kirshenblatt** <bev.kirshenblatt@cbc.ca>  
 To: Scott Hutton <scott.hutton@crtc.gc.ca>

Wed, Feb 17, 2016 at 12:06 PM

Hi Scott:

Further to our call this morning, here are some additional details about the arrangement we discussed for the upcoming Rio Olympics. I'd like to make sure that this would be acceptable from a regulatory perspective. Please don't hesitate to contact me if you require further information.

**Olympics Golf Proposal:**

- The 2016 Summer Olympics will be the first time golf has been played at the Olympics since the 1904 (112 years). We are trying to come up with a creative way to ensure there is optimum coverage for Canadian viewers.
- CBC is the exclusive holder of all Olympic rights in Canada. Due to scheduling constraints, we do not have the capacity to distribute Olympic golf coverage during the 2016 Olympic Games on our conventional network.
- NBCUniversal is the exclusive holder of all Olympic rights in the U.S. and intends to distribute Olympic golf coverage in the U.S. through Golf Channel, which is wholly owned by NBCUniversal.
- NBCUniversal is also the exclusive producer of the world feed for all Olympic golf coverage.
- CBC recognizes that golf is an important sport in Canada and intend to sublicense the right to exhibit Olympic golf coverage in Canada to
- Simulcasting the Olympic golf coverage on \_\_\_\_\_ will be accomplished in the following manner:

- Absent the arrangement described above, since \_\_\_\_\_ does not have the Canadian rights to Olympic golf coverage, \_\_\_\_\_ would be required to provide alternative and less attractive programming to its Canadian BDUs during Olympic golf coverage ( i.e. no Olympic golf coverage). Canadian viewers/consumers would not be happy.
- This arrangement allows Canadian viewers to choose between watching Olympic golf coverage on a Canadian specialty service \_\_\_\_\_ with CBC benefitting from the advertising revenues derived from viewership to both services. We believe that this approach serves the interests of Canadians.

As we discussed, this proposal is consistent with section 7(e) of the *Broadcasting Distribution Regulations* which provides that a BDU cannot alter the content or format of a programming service \_\_\_\_\_ except to prevent the breach of programming rights of a third party (CBC), in accordance with an agreement entered into with the operator of the service

I look forward to hearing from you.

Regards,

Bev

----

Bev Kirshenblatt  
 Executive Director, Regulatory Affairs  
 Directrice générale, Affaires réglementaires  
 CBC/Radio-Canada

tel: 613.288.6191  
 cell: 613.697.4139  
 bev.kirshenblatt@cbc.ca

---

## Federal Court of Appeal Decision, File A-231-15, A-63-16, A-67-16

1 message

---

**Frenette, Rachelle** <rachelle.frenette@crtc.gc.ca>  
To: Bev Kirshenblatt <bev.kirshenblatt@cbc.ca>

Tue, Sep 6, 2016 at 9:03 AM

Good Morning Bev :

I thought you might be interested in the following Federal Court of Appeal decision denying Bell's appeal on the Simultaneous Substitution Regulations. The Court seems to chip-away at the *Reference re Broadcasting* decision, essentially reaffirming the Commission's jurisdiction in relation to section 3 of the *Broadcasting Act*.

### **Rachelle Frenette**

Conseillère juridique | Legal Counsel

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission

Les Terrasses de la Chaudière

1 Promenade du Portage, Gatineau, QC J8X 4B1

rachelle.frenette@crtc.gc.ca

Téléphone | Telephone 819-639-2721

Télécopieur | Fax 819-953-0589

[www.crtc.gc.ca](http://www.crtc.gc.ca)

Le présent courriel contient de l'information privilégiée et confidentielle. Il est interdit de l'utiliser ou de la divulguer sans autorisation.

This e-mail message may contain solicitor-client privileged and confidential information. Any unauthorized use or disclosure is prohibited.

---

**From:** CAS-SATJ DECISIONS [mailto:cas-satj-decisions@cas-satj.gc.ca]

**Sent:** Friday, September 02, 2016 4:09 PM

**To:** jlaskin@torys.com; vberditchevski@torys.com; Morris, Michael (ORO) <Michael.Morris@justice.gc.ca>; Flaim, Roger <Roger.Flaim@justice.gc.ca>; Tausky, Laura <Laura.Tausky@justice.gc.ca>; christopher.rootham@nelligan.ca; nfinkelstein@mccarthy.ca; bkain@maccarthy.ca; rlizius@mccarthy.ca;

smason@mccarthy.ca

**Subject:** Federal Court of Appeal Decision, File A-231-15, A-63-16, A-67-16



Federal Court of Appeal

Dear Madam/Sir:

Please find attached a true copy of the Judgment – Reasons for Judgment, rendered by the Court (Gauthier, Boivin, de Montigny J.J.A.)

Dated: September 2, 2016

PLEASE CONFIRM RECEIPT OF THIS E-MAIL AND ATTACHED DOCUMENT(S),  
BY REPLY E-MAIL, WITHIN TWO (2) DAYS.

Regards,

Martin Vaillancourt

Agent du greffe – Registry Officer

Cour d’appel fédérale – Federal Court of Appeal

Ottawa

613-996-6795

Anything sent to this e-mail address, other than confirmation of receipt of a decision, will not be considered as having been received by the Registry.

*Pursuant to section 20 of the Official Languages Act all **final** decisions, orders and judgments, including any reasons given therefore, issued by the Court are issued in both official languages. In the event that such documents are issued in the first instance in only one of the official languages, a copy of the version in the other official language will be forwarded on request when it is available.*

---

 **A-231-15 A-63-16 A-67-16 Judgment and Reasons.pdf**  
2891K

---

## FW: Implementation and Monitoring of Wholesale Code and related matters

1 message

---

**Differends-disputes** <Differends-disputes@crtc.gc.ca>  
To: "Bev Kirshenblatt (bev.kirshenblatt@cbc.ca)" <bev.kirshenblatt@cbc.ca>

Tue, Mar 22, 2016 at 1:58 PM

Hi Bev,

Just wanted to touch base with a gentle reminder, as it doesn't appear that you have responded to the attached letter yet. Let me know if this is incorrect.

I'm also attaching an excel version of the table, in case that makes it easier for you to complete.

Cheers,

**Tandy Yull**

Senior Manager | Gestionnaire principale

Règlement extrajudiciaire des différends | Alternative Dispute Resolution

Radiodiffusion | Broadcasting

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission

tandy.yull@crtc.gc.ca

Téléphone | Telephone 819-997-4381

Gouvernement du Canada | Government of Canada

www.crtc.gc.ca

 Suivez-nous sur Twitter |  Follow us on Twitter

Apprenez-en davantage à propos de votre CRTC | Learn more about your CRTC

Apprenez-en davantage à propos de la résolution des différends au CRTC

Learn more about dispute resolution at the CRTC

-----Original Message-----

From: Differends-disputes

Sent: February-24-16 10:16 AM

To: 'bev.kirshenblatt@cbc.ca' <bev.kirshenblatt@cbc.ca>

Subject: Implementation and Monitoring of Wholesale Code and related matters



Dear Bev Kirshenblatt,

Attached to this letter is a list of dispute resolution cases currently before the Commission, as identified by you, or another party. At your earliest convenience, please review the attached document and advise us of any corrections or additions that need to be made, completing the column marked "Status."

Regards,

Tandy Yull

Senior Manager

Alternative Dispute Resolution, Broadcasting

---

**2 attachments**

 **Document.pdf**  
712K

 **Book2.xlsx**  
11K

---

**Fwd: Ads on Radio March 3, 2016 - final copy**

1 message

---

**Bev Kirshenblatt** <bev.kirshenblatt@cbc.ca>  
To: "joe.aguiar@crtc.gc.ca" <joe.aguiar@crtc.gc.ca>

Fri, Mar 4, 2016 at 12:33 PM

Hi Joe:


As promised, attached is a copy of our application to amend ICI Musique and CBC Radio 2's licences so as to permit these radio services to continue to broadcast paid national advertising in accordance with our COLs. This application has been filed with the Commission. A French version will follow shortly.

Thank you,  
Bev

---

**2 attachments**

 **CBCSRC\_Application\_ICIM-R2\_2-Mar-2016\_ABRIDGED.pdf**  
763K

 **CBCSRC\_Application\_ICIM-R2\_2-Mar-2016\_CONFIDENTIAL.pdf**  
762K

---

**Fwd: Bell/CRTC**

1 message

---

**Bev Kirshenblatt** <bev.kirshenblatt@cbc.ca>  
To: "Frenette, Rachelle" <rachelle.frenette@crtc.gc.ca>

Thu, Sep 1, 2016 at 9:43 AM

Hi Rachelle:

Here is a complete record for your files.

Thanks,  
Bev





--

Bev Kirshenblatt  
Executive Director, Corporate and Regulatory Affairs  
Directrice générale, Affaires institutionnelles et réglementaires  
CBC/Radio-Canada

tel: 613.288.6191  
cell: 613.697.4139  
bev.kirshenblatt@cbc.ca

---

**4 attachments**

-  **Fasken Respondents' Factum (July 29, 2016) (A-51-16).pdf**  
5523K
-  **Cogeco Communications Factum (August 1, 2016) (A-51-6).PDF**  
453K
-  **Bell Factum (June 16, 2016) (A-51-16).PDF**  
1145K
-  **Telus Factum - (July 25, 2016) (A-51-16).PDF**  
1270K

---

**Fwd: Under Embargo until 2 p.m. Tuesday November 29th: CBC/Radio-Canada Submission to the Minister's Consultation**

1 message

---

Bev Kirshenblatt <bev.kirshenblatt@cbc.ca>  
To: Scott Hutton <scott.hutton@crtc.gc.ca>

Mon, Nov 28, 2016 at 1:08 PM

\*\*\*\* Revised timeline \*\*\*\*\* We will now be making this public at approximately 4 pm today.

----- Forwarded message -----

From: "Bev Kirshenblatt" <bev.kirshenblatt@cbc.ca>

Date: Nov 28, 2016 12:52 PM

Subject: Under Embargo until 2 p.m. Tuesday November 29th: CBC/Radio-Canada Submission to the Minister's Consultation

To: "Scott Hutton" <scott.hutton@crtc.gc.ca>

Cc:

Hi Scott:

CBC/Radio-Canada will be submitting a paper to the Minister's consultation. It will be publicly released Tuesday at 2 p.m. November 29th.

Top line: We believe Canada can become a cultural powerhouse that fuels innovation and strengthens the creative economy. We also believe a strong public broadcaster has a central role to play in making this happen. We think the UK's "Creative Britain" and the role played by the BBC are a good example of what is possible.

We're recommending that government and the creative sector develop a cohesive Canadian culture strategy with a modernized policy framework.

We're also recommending an investment in CBC/Radio-Canada that will allow us to remove advertising from all of our platforms. We have a study from Nordicity which shows that such an investment would have benefits to the entire Canadian cultural economy. We believe removing advertising would allow us to focus squarely on the cultural impact of our mandate; allow us to partner more closely with other Canadian creators; and it would free up advertising revenue to help private media with their transition to the digital environment.

(For CBC/Radio-Canada to become an ad-free public broadcaster, we recommend increasing per person funding to CBC/Radio-Canada to \$46 – an increase of \$12 per Canadian. This would enable CBC/Radio-Canada to remove advertising from its services, complete its transformation, and strengthen Canada's creative economy. This amount reflects the (inflation adjusted) per person funding increase recommended by the Standing Committee on Canadian Heritage in 2008.)

We'd be happy to sit down and discuss with you.

Thanks,  
Bev

Bev Kirshenblatt  
Executive Director, Corporate and Regulatory Affairs  
Directrice générale, Affaires institutionnelles et réglementaires  
CBC/Radio-Canada

tel: 613.288.6191  
cell: 613.697.4139  
bev.kirshenblatt@cbc.ca

---

## **FYI: Government Reinvestment - Announcement today at 12:30**

1 message

---

**Bev Kirshenblatt** <bev.kirshenblatt@cbc.ca>

Mon, Apr 25, 2016 at 9:51 AM

To: Scott Hutton <scott.hutton@crtc.gc.ca>, Claude Doucet <claudedoucet@crtc.gc.ca>

Hi Scott and Claude:

FYI. Hubert will be updating employees on the government reinvestment today at 12:30. This will be an internal meeting, further to a commitment Hubert made after the budget to come back to employees with some more information when we had it.

The government has promised \$75 million this year, followed by \$150 million a year for the following 4 years. This will not be a complete accounting of the reinvestment, which is contingent on government approval. It will provide employees with a better idea of what they'll have to work with this year, the priorities and some of the proportions of our reinvestment.

After the event, we'll post a summary article on iO! and on our corporate website.

We'll be sharing more information with Canadians in the weeks ahead. Hubert will be at the Economic Club, May 5th.

Don't hesitate to contact me if you'd like more information.

Cheers,  
Bev

--  
Bev Kirshenblatt  
Executive Director, Corporate and Regulatory Affairs  
Directrice générale, Affaires institutionnelles et réglementaires  
CBC/Radio-Canada

tel: 613.288.6191  
cell: 613.697.4139  
bev.kirshenblatt@cbc.ca

---

## Groupe de discussion CRTC/CLOSM discussion group

1 message

---

**Janelle, Frédéric** <frederic.janelle@crtc.gc.ca>  
To: "Kirshenblatt, Bev" <bev.kirshenblatt@cbc.ca>  
Cc: "Janelle, Frédéric" <frederic.janelle@crtc.gc.ca>

Thu, Sep 22, 2016 at 3:13 PM

Bonjour Bev,

Scott asked me to contact you to talk about the CRTC/OLMC discussion group that has been operating for about 10 years with very good results. Can you tell me when would be a good time to call you (or Anne-Marie) on this subject.

Regards,

Frédéric

PS: I also have some interesting documents I can provide on the CRTC/OLMC discussion group.

Me Frédéric B. Janelle

B.A.A., LL.L.

Analyste principal / Télévision de langue française / Radiodiffusion

Coordonateur national de l'article 41 de la *Loi sur les langues officielles* (p.i.)  
Conseil de la radiodiffusion et des télécommunications canadiennes (CRTC) / Gouvernement du Canada  
frederic.janelle@crtc.gc.ca / Tél. : 819-997-4608  
Apprenez-en davantage à propos de votre CRTC  
Suivez-nous sur Twitter (@CRTCfra)  
Aimez-nous sur Facebook

Senior analyst / French-language television / Broadcasting

National Coordinator, Section 41 of the *Official Languages Act* (a.)  
Canadian Radio-television and Telecommunications Commission (CRTC) / Government of Canada  
frederic.janelle@crtc.gc.ca / Tel: 819-997-4608  
Learn more about your CRTC  
Follow us on Twitter (@CRTCeng)

Like us on Facebook

---

## Implementation and Monitoring of Wholesale Code and related matters

1 message

---

**Differends-disputes** <Differends-disputes@crtc.gc.ca>  
To: "bev.kirshenblatt@cbc.ca" <bev.kirshenblatt@cbc.ca>

Wed, Feb 24, 2016 at 10:16 AM


Dear Bev Kirshenblatt,

Attached to this letter is a list of dispute resolution cases currently before the Commissions, as identified by you, or another party. At your earliest convenience, please review the attached document and advise us of any corrections or additions that need to be made, completing the column marked "Status."

Regards,

Tandy Yull  
Senior Manager  
Alternative Dispute Resolution, Broadcasting

---

 **Document.pdf**  
712K

---

## Kit pour la SRC/CBC CLOSM

1 message

---

**Janelle, Frédéric** <frederic.janelle@crtc.gc.ca>  
To: "Kirshenblatt, Bev" <bev.kirshenblatt@cbc.ca>  
Cc: "Janelle, Frédéric" <frederic.janelle@crtc.gc.ca>

Fri, Sep 23, 2016 at 11:23 AM

Bonjour Bev,

1. As discussed yesterday, you will find enclosed documents pertaining to relations between OLMC and the CBC/SRC.
2. Also, I spoke with Scott. He told me that it is better if I personally go the your offices in Montreal to give my presentation on how to deal with the COL investigations on complaints. As I told you, I already gave this presentation to senior managers of Heritage and Justice Canada a few months ago, so I can give the same presentation with some adaptation. Please let me know when would be a good time for me come to your offices in Montreal.
3. I will send you the Excel file (that we created to evaluate your reports on OLMC) that I was taking about in a second email.

Regards,

Frédéric

PS : links to useful pages in our Web site

Contexte, mandat, activités

Membres du groupe de discussion

Priorités et mandat

Procès verbal : [http://www.crtc.gc.ca/fra/5000/lo\\_ol/rp151113.htm](http://www.crtc.gc.ca/fra/5000/lo_ol/rp151113.htm)

*Peggy Nebout*

**Analyste, Programmation de langue française, Politique et demandes relatives à la télévision / Analyst, French Language Programming, Television Policy and Applications**

Conseil de la radiodiffusion et des télécommunications canadiennes/

Canadian Radio-television and Telecommunications Commission

Ottawa, Ontario K1A 0N2

Tel. 819-635-6029



Gouvernement du Canada | Government of Canada  
<http://www.crtc.gc.ca>

 Suivez-nous sur Twitter @CRTCfra |  Follow us on Twitter @CRTCeng

Aimez-nous sur Facebook Like us on Facebook

---

**3 attachments**



**DOCS-#2458093-v3-lentille\_41\_CLOSM.DOC**  
70K



**Groupe de discussion CRTC-CLOSM procédure d'adhésion au groupe.doc**  
33K



**-Document\_at\_a\_Glance\_Aperçu\_du\_document.doc**  
55K

---

## L'intervention du gouvernement canadien dans le marché du sans fil n'a pas augmenté la concurrence

1 message

---

**Blais, Jean-Pierre** <Jean-Pierre.Blais@crtc.gc.ca>  
To: Bev Kirshenblatt <bev.kirshenblatt@cbc.ca>

Fri, May 6, 2016 at 2:58 PM

Another fine example. Journalism or retweeting an opinion?

<http://www.rcinet.ca/fr/2016/05/06/lintervention-du-gouvernement-canadien-dans-le-marche-du-sans-fil-na-pas-augmente-la-concurrence/>

Envoyé de mon iPad

---

## Merci pour votre participation - Sommet de la découvrabilité

1 message

---

**Blais, Jean-Pierre** <Jean-Pierre.Blais@crtc.gc.ca>  
To: "bev.kirshenblatt@cbc.ca" <bev.kirshenblatt@cbc.ca>  
Cc: "Cloutier, Caroline" <caroline.cloutier@crtc.gc.ca>

Mon, May 30, 2016 at 3:37 PM

Bonjour M.

Veillez trouver ci-joint, une lettre de la part de M. et moi-même.

Au plaisir,

### Jean-Pierre Blais

Président et premier dirigeant | Chairman and Chief Executive Officer

Conseil de la radiodiffusion et des télécommunications canadiennes |



Canadian Radio-television and Telecommunications Commission

1, prom. du Portage, Édifice central, Les Terrasses de la Chaudière, Gatineau QC J8X 4B1

Jean-Pierre.Blais@crtc.gc.ca

Téléphone | Telephone 819-997-3430 - Télécopieur | Facsimile 819-953-1555

Gouvernement du Canada | Government of Canada

[www.crtc.gc.ca](http://www.crtc.gc.ca)  Suivez-nous sur Twitter |  Follow us on Twitter

Aimez-nous sur Facebook | Like us on Facebook

---

 Remerciements à  
73K

**Rapport de la SRC au CRTC : fichier Excel**

1 message

Janelle, Frédéric &lt;frederic.janelle@crtc.gc.ca&gt;

Mon, Nov 14, 2016 at 11:35 AM

To: Bev Kirshenblatt &lt;bev.kirshenblatt@cbc.ca&gt;, Anne-Marie Migneault &lt;anne-marie.migneault@radio-canada.ca&gt;

Cc: "Janelle, Frédéric" &lt;frederic.janelle@crtc.gc.ca&gt;

Bonjour Mesdames,

Avec un peu de retard, voici le fichier Excel dont je parlais... Tel que mentionné mardi dernier, il s'agit des informations que vous avez soumises dans votre dernier rapport au CRTC dans un format différent.

On peut en discuter à votre convenance

Salutations,

Frédéric

PS : je ne retrouve pas le fichier Excel pour la SRC, alors j'ai copié le tableau pour la SRC provenant d'un document Word.

**Appendix: SRC programs of national interest****Origins of SRC PNI productions (hours)**

|                            | Hours  | Percentage |
|----------------------------|--------|------------|
| Montreal                   | 448.72 | 86.2%      |
| QC excluding Montreal      | 58.82  | 11.3%      |
| Ontario                    | 7.48   | 1.4%       |
| Western Canada             | 2.50   | 0.5%       |
| Atlantic Provinces         | 2.98   | 0.6%       |
| Subtotal – Other provinces | 12.96  | 2.5%       |
| Total                      | 520.5  | 100%       |

**Program categories (hours)**

|                        | Hours        | Equiv./week | Percentage  |
|------------------------|--------------|-------------|-------------|
| Documentaries (2B)     | 66.74        | 1.3         | 12.8%       |
| Dramatic series (7A)   | 205.40       | 4.0         | 39.5%       |
| Comedy series (7B)     | 42.98        | 0.8         | 8.3%        |
| Made-for-TV films (7C) | 1.98         | 0.0         | 0.4%        |
| Feature films (7D)     | 12.27        | 0.2         | 2.4%        |
| Animation (7E)         | 18           | 0.3         | 3.5%        |
| Sketches (7F)          | 5.93         | 0.1         | 1.1%        |
| Subtotal – category 7  | 286.56       | 5.5         | 55.1%       |
| Music and dance        | 81.97        | 1.6         | 15.7%       |
| Variety                | 74.98        | 1.4         | 14.4%       |
| Award shows            | 10.49        | 0.2         | 2.0%        |
| <b>Total</b>           | <b>520.5</b> | <b>10.0</b> | <b>100%</b> |

**Independent/internal PNI production (hours)**

|              | Hours        | Percentage  |
|--------------|--------------|-------------|
| Independent  | 469.77       | 90.3%       |
| Internal     | 50.73        | 9.7%        |
| <b>Total</b> | <b>520.5</b> | <b>100%</b> |

**Original language of PNI (hours)**

|              | Hours        | Percentage  |
|--------------|--------------|-------------|
| French       | 515.02       | 98.9%       |
| English      | 5.48         | 1.1%        |
| <b>Total</b> | <b>520.5</b> | <b>100%</b> |

Me Frédéric B. Janelle

B.A.A., L.L.L.

Analyste principal / Télévision de langue française / Radiodiffusion

Conseil de la radiodiffusion et des télécommunications canadiennes (CRTC) / Gouvernement du Canada  
frederic.janelle@crtc.gc.ca / Tél. : 819-997-4608  
Apprenez-en davantage à propos de votre CRTC  
Suivez-nous sur Twitter (@CRTCfra)  
Aimez-nous sur Facebook

Senior analyst / French-language television / Broadcasting

Canadian Radio-television and Telecommunications Commission (CRTC) / Government of Canada  
frederic.janelle@crtc.gc.ca / Tel: 819-997-4608  
Learn more about your CRTC  
Follow us on Twitter (@CRTCeng)

Like us on Facebook

---

 \_Annexe\_Analyse\_rapports\_annuels\_SRC-CBC\_ENG.xls  
66K

---

**Re: 2015 radio summation**

1 message

---

**Diane Boucher** <diane.boucher@cbc.ca>

Wed, Mar 9, 2016 at 11:00 AM

To: "Labelle, Lyne" <lyne.labelle@crtc.gc.ca>

Cc: "Blais, Marianne" <marianne.blais@crtc.gc.ca>, Annie Milanese <annie.milanese@cbc.ca>, Michael Downey <michael.downey@cbc.ca>, Bev Kirshenblatt <bev.kirshenblatt@cbc.ca>

Hello Lyne,

We do have some concerns regarding the changes you propose to the revenue and salary sections of the comparative reports for CBC/Radio-Canada.

As you know, all of the private broadcaster information is grouped together to arrive at the comparative reports for the private broadcasters; therefore, these types of changes will not divulge much more information regarding any particular private broadcaster. However, since the information for CBC/Radio-Canada is presented by itself, it means that information that has been confidential so far ('Sales/syndication of programs', 'Production services sold' and Fringe Benefits, which could be easily determined if you publish the "Avg Remuneration excl. Benefits (\$)") would now be available.

Are you proposing to apply the same changes to the comparative Radio report for the privates? Are you proposing to apply the same changes to the comparative TV reports for the privates and CBC/Radio-Canada? If so, we will need more time to discuss the implications of these changes.

Regards,

Diane

On Mon, Mar 7, 2016 at 11:23 AM, Diane Boucher <diane.boucher@cbc.ca> wrote:

Hello Lyne,

As agreed during our telephone conversation, I will have to confer with our Regulatory Affairs department and with our Network directors before agreeing to your proposal to:

a) add two pages to the CBC section of the Radio report to show the English-language (CBC) and French-language (SRC) breakdown

b) to replace the "Remuneration/Total Expenses (%)" with "Avg Remuneration excl. Benefits (\$)"

We will try to get back to you before the end of the week.

Regards,

Diane

On Fri, Mar 4, 2016 at 4:24 PM, Labelle, Lyne <lyne.labelle@crtc.gc.ca> wrote:

Hello Diane,

We have found the missing stations in the English section of the comparative report. This was due to the exclusion of the English/Native stations CFYK, CHAK and CBQR-FM in 2011 to 2013 and station CFYK in 2014. Attached is the revised radio data by language.

Thank you.

Lyne Labelle

CRTC

Tel.: 819-934-4725

---

**From:** Diane Boucher [mailto:diane.boucher@cbc.ca]  
**Sent:** March-04-16 11:04 AM  
**To:** Labelle, Lyne  
**Cc:** Blais, Marianne; Annie Milanese; Michael Downey  
**Subject:** Re: 2015 radio summation

Hello again,

I should re-phrase my first statement: When I compare the historical data 2011 to 2014 in the report for English Radio and for French Radio that you have attached to last year's 'Commercial Radio Financial Summary 2010-2014' published on the CRTC website (which did balance to our aggregate reports), and to our aggregate reports for English Radio and French Radio, I get totally different numbers for English Radio. You are not picking up the numbers from 3 stations in 2011, 2012 and 2013 and from 1 station in 2014; I have not yet determined which stations are not being picked up.

The numbers in the 'Canada' folder do balance (except for small rounding differences) to our aggregate reports for Radio; however, those numbers are not the sum of the report for English Radio and for French Radio.

Please do not hesitate to give me a call to discuss the differences.

Thanks,

Diane

On Fri, Mar 4, 2016 at 10:56 AM, Diane Boucher <diane.boucher@cbc.ca> wrote:

Hello Lyne,



When I compare the historical data 2011 to 2014 in the report you have attached to last year's 'Commercial Radio Financial Summary 2010-2014' published on the CRTC website (which did balance to our aggregate reports), and to our aggregate reports for Radio, I get totally different numbers for all those years. That is because for English Radio, you are not picking up the numbers from 3 stations in 2011, 2012 and 2013 and from 1 station in 2014; I have not yet determined which stations are not being picked up.

As for BY2015, the numbers in the report you have attached do balance (except for small rounding differences) to our aggregate reports for Radio.

Please fix the prior years to pick up all of the Radio stations and resend the draft comparative report to me so that I can confirm the numbers before the report gets published.

Thanks,

Diane

On Thu, Mar 3, 2016 at 3:20 PM, Labelle, Lyne <lyne.labelle@crtc.gc.ca> wrote:

Bonjour Diane,

I have included a summation of CBC/SRC radio financial and statistical data for publishing as part of the 2015 Commercial Radio report on the CRTC's website. As in the past, can you confirm that the information is accurate for the Broadcast Year 2015 (number of units and financial data)?

I have verified the historical data 2011 to 2014 included in CBC's section and this has not changed from last year's publishing.

I have noticed that CBC/SRC does not have the English/French split in our Radio Commercial report. We are considering adding two pages to the CBC section of the Radio report to show the English-language (CBC) and French-language (SRC) breakdown as per National statistical and financials (Canada). We have yet to see whether or not we will be able to do it this year, but do you foresee any issue should we publish such a breakdown?

New to this year, we intend on including the Network Payments in with "Other revenue" and will be replacing "Remuneration/Total Expenses (%)" with "Avg Remuneration excl. Benefits (\$)" for CBC section to match the Canada section of the report.

We intend on publishing the Commercial Radio Statistical and Financial Summaries report for around the end of March and therefore we would greatly appreciate receiving your input by Monday.

Best regards,

Lyne Labelle

CRTC

Tel.: 819-934-4725

--

Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

--

Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

--

Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

--

Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

---

**RE: Appeal Book - Wholesale Code**

1 message

---

**Frenette, Rachelle** <rachelle.frenette@crtc.gc.ca>  
To: Bev Kirshenblatt <bev.kirshenblatt@cbc.ca>  
Cc: "Leblanc, Christian" <cleblanc@fasken.com>

Thu, Mar 10, 2016 at 2:39 PM

Thank you Bev, I will take a look at this very shortly.

**Rachelle Frenette**

Conseillère juridique | Legal Counsel

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and  
Telecommunications Commission

Les Terrasses de la Chaudière

1 Promenade du Portage, Gatineau, QC J8X 4B1

rachelle.frenette@crtc.gc.ca

Téléphone | Telephone 819-639-2721

Télécopieur | Fax 819-953-0589

[www.crtc.gc.ca](http://www.crtc.gc.ca)

Le présent courriel contient de l'information privilégiée et confidentielle. Il est interdit de l'utiliser ou de la divulguer sans autorisation.

This e-mail message may contain solicitor-client privileged and confidential information. Any unauthorized use or disclosure is prohibited.

---

**From:** Bev Kirshenblatt [mailto:bev.kirshenblatt@cbc.ca]  
**Sent:** March-09-16 6:44 PM  
**To:** Frenette, Rachelle

**Cc:** Leblanc, Christian  
**Subject:** Appeal Book - Wholesale Code

Hi Rachelle:

Glad we connected today.

As discussed, attached is a copy of the latest official Appeal Book list as revised and prepared by Bell, with our requests.

As I mentioned on our call, we (and the other independent broadcasters) continue to be represented by Faskens. Please copy Christian Leblanc from Fasken (who is cced on this email) with any comments/suggestions you may have.

Cheers,


Bev

--

Bev Kirshenblatt  
Executive Director, Regulatory Affairs  
Directrice générale, Affaires réglementaires  
CBC/Radio-Canada

tel: 613.288.6191  
cell: 613.697.4139  
bev.kirshenblatt@cbc.ca

---

 **DM#1900799 - 2013-0244-7 - Astral Media Inc. - Undertakings - Abridged Version dated 8 May 2013.pdf**  
5530K

---

**RE: CBC/Radio-Canada Application (ICI Musique and Radio 2) filed on March 2, 2015 at 15:55**

1 message

---

Lafontaine, Johanne <johanne.lafontaine@crtc.gc.ca>  
To: Bev Kirshenblatt <bev.kirshenblatt@cbc.ca>

Thu, Mar 3, 2016 at 10:28 AM

Bev,

The documents have been deleted.

Have a good day.

Johanne

**From:** Bev Kirshenblatt [mailto:bev.kirshenblatt@cbc.ca]  
**Sent:** March-03-16 10:20 AM  
**To:** Lafontaine, Johanne  
**Subject:** CBC/Radio-Canada Application (ICI Musique and Radio 2) filed on March 2, 2015 at 15:55

Dear Johanne:

Please return the above-referenced application.

Thank you,

Bev

--

Bev Kirshenblatt  
Executive Director, Regulatory Affairs  
Directrice générale, Affaires réglementaires  
CBC/Radio-Canada

tel: 613.288.6191  
cell: 613.697.4139  
bev.kirshenblatt@cbc.ca

---

**Re: EMBARGO - CRTC decision**

1 message

---

**Bev Kirshenblatt** <bev.kirshenblatt@cbc.ca>  
To: "Rancourt, Eric" <eric.rancourt@crtc.gc.ca>

Wed, Aug 31, 2016 at 10:38 AM

Thanks Eric!

On Wed, Aug 31, 2016 at 10:38 AM, Rancourt, Eric <eric.rancourt@crtc.gc.ca> wrote:

Good morning Bev,

You will find attached a copy of the decision, which is under embargo until 11 a.m. today.

Regards,  
Eric

Eric Rancourt

Director, Sector Services, Media Relations and Outreach | Directeur, services aux secteurs, relations avec les médias et sensibilisation

Communications Sector | Secteur des Communications

Canadian Radio-television and Telecommunications Commission |



Conseil de la radiodiffusion et des télécommunications canadiennes

Telephone | Téléphone 613-220-4899

Government of Canada | Gouvernement du Canada

[www.crtc.gc.ca](http://www.crtc.gc.ca)

Learn more about your CRTC | Apprenez-en davantage à propos de votre CRTC

 Suivez-nous sur Twitter |  Follow us on Twitter

Like us on Facebook | Aimez-nous sur Facebook

--

Bev Kirshenblatt  
Executive Director, Corporate and Regulatory Affairs  
Directrice générale, Affaires institutionnelles et réglementaires  
CBC/Radio-Canada

tel: 613.288.6191  
cell: 613.697.4139  
bev.kirshenblatt@cbc.ca

---

**Re: FW: Canadian Program Certification, CRTC - Advertising Material**

1 message

---

Bev Kirshenblatt <bev.kirshenblatt@cbc.ca>  
To: "Arseneau, Patrick" <patrick.arseneau@crtc.gc.ca>

Tue, Jul 12, 2016 at 4:09 PM

Thanks Patrick!

On Fri, Jul 8, 2016 at 4:19 PM, Arseneau, Patrick <patrick.arseneau@crtc.gc.ca> wrote:

Good afternoon Bev,

I am following up regarding your correspondence with Michael Craig on June 28th.

The document entitled "Advertising, Promotion & Commercial Messages" is not an official Commission document.

As mentioned in our previous email, Circular No. 350, the definition of Infomercial and the "Advertising Material Appendix" available behind every certification letter issued by the Commission, form the fundamental framework within which we conduct our analysis.

We received over 1,500 applications per year and we aim to be consistent from one production to another and year over year. The content is key. Often we need to view the production to be able to judge what is or is not advertising material. Productions that focus on product reviews are typically at risk and, as described in the documents cited above, these programs should focus on information and/or entertainment rather than promotion.

While we will not do a pre-analysis of any application, we are nevertheless available to producers to discuss our approach. When productions are denied because of advertising it is often because a producer lacked knowledge of our guidelines. Education is key and we do our best to offer our expertise in that regard.

I hope these clarifications to our process regarding advertising and promotional material will help. Feel free to contact me directly with any questions or inquiries.

Have a great week-end,



**Patrick Arseneau**

Analyste principal, Certification des émissions canadiennes | Senior Analyst, Canadian Program Certification

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission

Téléphone | Telephone 819-994-7993

Gouvernement du Canada | Government of Canada

 Suivez-nous sur Twitter |  Follow us on Twitter



**From:** Bev Kirshenblatt [mailto: ]  
**Sent:** June-28-16 1:40 PM  
**To:** Craig, Michael <michael.craig@crtc.gc.ca>  
**Subject:** Fwd: Canadian Program Certification, CRTC - Advertising Material

Hi Michael:

This is the email from your "extremely-prompt-replying-team-member", Michelle. I thought that the CRTC's guidelines for the privates were outlined in a document entitled "Advertising, Promotion & Commercial Messages". Do you have a copy of that document ?

The CRTC's document is referenced in two places. Links below:

[http://www.cab-acr.ca/english/research/06/sub\\_apr2406.pdf](http://www.cab-acr.ca/english/research/06/sub_apr2406.pdf)

<http://www.cmf-fmc.ca/uploads/reports/39-branded-entertainment-canadian-experience.pdf>

Thanks for your help,

Bev

----- Forwarded message -----

**From:** Legendre, Michelle <michelle.legendre@crtc.gc.ca>  
**Date:** Mon, Jun 13, 2016 at 3:49 PM  
**Subject:** Canadian Program Certification, CRTC - Advertising Material  
**To:** "bev.kirshenblatt@cbc.ca" <bev.kirshenblatt@cbc.ca>

Hello Ms. Kirshenblatt,

As discussed on Friday, the following information in regards to advertising material is found in the certification letters sent to applicants. Please also refer to Circular No. 350. Any additional information and/or to discuss specific questions, please feel free to contact me directly. My contact information is in my signature below.

#### **Advertising Material**

It is the responsibility of the broadcaster, as the licensee, to ensure that any advertising material included in a production or any episodes thereof is identified and, in addition to the advertising in the commercial breaks, is logged as advertising (COM) and counted as part of the maximum amount per clock hour of advertising material currently permitted. The terms "advertising material" and "commercial message" are defined in section 2 of the *Television Broadcasting Regulations, 1987* as amended from time to time.

Advertising material includes any form of endorsement, message, advertisement, solicitation, product review, sponsorship (beyond corporate name/logo) or the use of addresses, telephone numbers or website addresses, where the purpose of the endorsement, message, etc. is intended, directly or indirectly, to sell or promote a product or service, etc.

Subject to the paragraph below, where it can be demonstrated that within the mention or display of a product or service there is clearly no intention to sell or promote the product or service and that the mention or display is necessary for the "bona fide" information reporting of the subject matter in the program, the mention or display will not be considered advertising material, (e.g. an unbiased, objective product review or "expert" commentary in the context of information programming).

Subject matter presented in the context of information programming is not normally considered advertising material. However, (a) where there are elements within the discussion or display of the subject matter in the program which, directly or indirectly, serve to sell or promote a product or service or (b) where the presentation of the subject matter and its relationship to the products or services advertised during the commercial breaks is such that the impact of the commercial break is significantly enhanced by the subject matter in the program, the entire program segment related to the product or service may be considered advertising material. This is particularly the case where the provider of the product or service is also a sponsor of the program, an advertiser in the program's commercial breaks or provides products or services to the production in exchange for commercial exposure on the program.

Advertising material, infomercials, as well as promotional and corporate videos are not eligible for certification as Canadian programs. For more information on what constitutes "advertising material" and "commercial messages" please refer to the *Television Broadcasting Regulations, 1987* and consult the Circular No. 350 for a description of "infomercials". These documents are available on our web site, [www.crtc.gc.ca](http://www.crtc.gc.ca), under Consumers, Canadian Content and Canadian Program Certification.

Thank you,

Michelle

**Michelle Legendre**

Analyst/Analyste

Canadian Program Certification/Certification des émissions canadiennes

Canadian Radio-television and Telecommunications Commission/Conseil de la radiodiffusion et des télécommunications canadiennes

1 Promenade du Portage, Gatineau, QC K1A 0N2

Tel. 819-997-4699

[michelle.legendre@crtc.gc.ca](mailto:michelle.legendre@crtc.gc.ca)

[www.crtc.gc.ca](http://www.crtc.gc.ca)

Bev Kirshenblatt  
Executive Director, Corporate and Regulatory Affairs  
Directrice générale, Affaires institutionnelles et réglementaires  
CBC/Radio-Canada

tel: 613.288.6191  
cell: 613.697.4139  
bev.kirshenblatt@cbc.ca

--

Bev Kirshenblatt  
Executive Director, Corporate and Regulatory Affairs  
Directrice générale, Affaires institutionnelles et réglementaires  
CBC/Radio-Canada

tel: 613.288.6191  
cell: 613.697.4139  
bev.kirshenblatt@cbc.ca

---

**RE: Lettre de Louis Lalande**

1 message

---

**Yull, Tandy** <tandy.yull@crtc.gc.ca>  
To: Bev Kirshenblatt <bev.kirshenblatt@cbc.ca>

Thu, May 19, 2016 at 8:53 PM

Thank you.

Tandy

**Tandy Yull**

Senior Manager | Gestionnaire principale

Règlement extrajudiciaire des différends | Alternative Dispute Resolution

Radiodiffusion | Broadcasting

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission

tandy.yull@crtc.gc.ca

Téléphone | Telephone 819-997-4381

Gouvernement du Canada | Government of Canada

www.crtc.gc.ca

 Suivez-nous sur Twitter |  Follow us on Twitter

Apprenez-en davantage à propos de votre CRTC | Learn more about your CRTC

Apprenez-en davantage à propos de la résolution des différends au CRTC

Learn more about dispute resolution at the CRTC

Tandy

**From:** Bev Kirshenblatt [mailto:bev.kirshenblatt@cbc.ca]

**Sent:** May-19-16 3:42 PM

**To:** Yull, Tandy <tandy.yull@crtc.gc.ca>

**Subject:** Lettre de Louis Lalande

Hi Tandy:

As promised, attached is a copy of Radio-Canada's response dated 19 May 2016 to Mr. \_\_\_\_\_ and Mr. \_\_\_\_\_ letter dated 18 May 2016. Our letter provides our position on CRTC staff-assisted mediation in this matter.

Thank you,

Bev

--

Bev Kirshenblatt

Executive Director, Corporate and Regulatory Affairs

Directrice générale, Affaires institutionnelles et réglementaires

CBC/Radio-Canada

tel: 613.288.6191

cell: 613.697.4139

bev.kirshenblatt@cbc.ca

----- Message transféré -----

De : **Louis Lalande** <louis.lalande@radio-canada.ca>

Date : 19 mai 2016 à 14:51

Objet : Lettre de Louis Lalande

À :

Cc : Hubert T Lacroix <ht.lacroix@cbc.ca>

Bonjour,

Vous trouverez en annexe une lettre de Louis Lalande en date d'aujourd'hui.

Veuillez prendre note que l'exemplaire original vous sera envoyé par messenger.

Salutations,

*Jocelyne J. Brûlé*

Adjointe exécutive, Bureau du vice-président principal de Radio-Canada



1400, boul. René-Lévesque Est

Montréal, Québec H2L 2M2

T: 514-597-4779

@: [louis.lalande@radio-canada.ca](mailto:louis.lalande@radio-canada.ca)

[www.radio-canada.ca](http://www.radio-canada.ca)

Devez-vous vraiment imprimer ce courriel?

---

*L'information contenue dans ce document est confidentielle et privilégiée*

---

**Re: Local and National Time sales breakdown**

1 message

---

**Diane Boucher** <diane.boucher@cbc.ca>

Wed, Oct 19, 2016 at 12:56 PM

To: "Forsey, Thomas" <Thomas.Forsey@crtc.gc.ca>

Cc: "Blais, Marianne" <marianne.blais@crtc.gc.ca>, Michael Downey <michael.downey@cbc.ca>, Bev Kirshenblatt <bev.kirshenblatt@cbc.ca>

Hi Thomas,

We no longer have any concerns with a breakdown of advertising revenues into 'Local Time Sales' and 'National Time Sales', as the revenues are reported separately in the aggregate returns.

Regards,

Diane

On Mon, Oct 17, 2016 at 2:54 PM, Forsey, Thomas <Thomas.Forsey@crtc.gc.ca> wrote:

Hello Diane,

Myself and the CRTC's financial analysis team are currently reviewing the annual return templates for the next publication period. I've noted that for commercial television, we break down advertising revenues into 'Local Time Sales' and 'National Time Sales', however for CBC television services, only the aggregated 'Time Sales' is provided.

Upon speaking to a colleague, it's been deduced that this was requested by the CBC a number of years ago and has been done the same this way ever since.

Do you know if it is still the wish of the CBC for the advertising revenue to be reported in this way?

Thanks!

**Thomas Forsey**

Analyst, Economic and financial analysis

Canadian Radio-television and Telecommunications Commission - Government of Canada

thomas.forsey@crtc.gc.ca

Telephone 819-997-4956

Analyste, Analyse économique et financière

Conseil de la radiodiffusion et des télécommunications canadiennes - Gouvernement du Canada

thomas.forsey@crtc.gc.ca

Téléphone 819-997-4956

--  
Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration

Tel: 613-288-6122  
Fax: 613-288-6132



---

**Re: May we enjoy less Interesting Times in the year ahead**

1 message

---

**Bev Kirshenblatt** <bev.kirshenblatt@cbc.ca>  
To: "Simpson, Stephen" <Stephen.simpson@crtc.gc.ca>

Wed, Dec 21, 2016 at 3:56 PM

Happy holidays to you too Steve. Love your Christmas card! Just wondering whether that "road" leads us into the river?!!  
Note to self - buy a paddle.

On Wed, Dec 21, 2016 at 3:32 PM, Simpson, Stephen <Stephen.simpson@crtc.gc.ca> wrote:

Happy holidays all - from our house to yours.

**Stephen Simpson**

Commissioner | BC & Yukon Regions

Conseiller | Régions de CB et Yukon

Canadian Radio-television and Telecommunications Commission

Conseil de la radiodiffusion et des télécommunications canadiennes

stephen.simpson@crtc.gc.ca

Telephone | Téléphone 604-666-29145

Facsimile | Télécopieur 604-666-8322

Government of Canada | Gouvernement du Canada

[www.crtc.gc.ca](http://www.crtc.gc.ca)

Follow us on Twitter | [Suivez-nous sur Twitter](#)

--

Bev Kirshenblatt  
Executive Director, Corporate and Regulatory Affairs  
Directrice générale, Affaires institutionnelles et réglementaires  
CBC/Radio-Canada

tel: 613.288.6191  
cell: 613.697.4139  
bev.kirshenblatt@cbc.ca

---

**RE: Passez 2017 avec nous/Spend 2017 with us**

1 message

---

**Bev Kirshenblatt** <bev.kirshenblatt@cbc.ca>  
To: "Foster, Peter" <peter.foster@crtc.gc.ca>

Thu, Jan 26, 2017 at 4:33 PM

There is a premiere on Tuesday night January 31 across from Parliament Hill at Sir John A. McDonald building, 2nd floor. It was organized by the producers. We are airing it on CBC.

Cocktails at 5:30, screening from 6:30 to 7:15. You can be home in your PJs by 8. You are welcome to join me.

Bev

On Jan 26, 2017 4:25 PM, "Foster, Peter" <peter.foster@crtc.gc.ca> wrote:

Thanks Bev! Not aware of the Bellevue premiere next week – is it just a coincidence that it's happening the same week as Primetime?

Cheers ~ Peter

**From:** Bev Kirshenblatt [mailto:bev.kirshenblatt@cbc.ca]  
**Sent:** January-26-17 2:23 PM  
**To:** Hutton, Scott <scott.hutton@crtc.gc.ca>; Foster, Peter <peter.foster@crtc.gc.ca>  
**Subject:** Passez 2017 avec nous/Spend 2017 with us

Hi Scott and Peter:

Happy (belated) new year! I hope you are well. I'm sharing a message from Hubert. It contains an update on what we've been doing and links to some of our Winter programming on CBC/Radio-Canada. Please don't hesitate to share it with Commissioners and staff.

Are either of you planning to attend the premiere of Bellevue next week? Hope to see you there!

Cheers,

Bev

+++++



Bonjour,

Une autre saison remarquable d'émissions canadiennes vous attend à CBC/Radio-Canada. Cliquez sur les liens ci-dessous pour découvrir les émissions dont les Canadiens parlent cet hiver. J'ai aussi des nouvelles pour vous concernant le travail que fait votre diffuseur public pour les Canadiens. Nous aimerions savoir ce que vous en pensez.

**Hubert T. Lacroix**  
Président-directeur général

Hello,

We have an exciting new line-up of Canadian programs at CBC/Radio-Canada waiting for you. Click on the links below and enjoy some of the shows Canadians are talking about this winter. I also have an update on the work your public broadcaster is doing for Canadians. We'd love to hear what you think.

**Hubert T. Lacroix**  
President and CEO



**CBC/Radio-Canada at the heart of your  
2017 celebrations!**

We launched our interactive 2017  
Programming Guide where Canadians can  
find all the ways that CBC/Radio-Canada is at  
the heart of their Canada 150 celebrations.  
Check back for regular  
updates: [2017guide.cbc.ca](http://2017guide.cbc.ca)

**CBC/Radio-Canada au cœur de vos  
célébrations de 2017!**

Nous avons lancé notre guide de  
programmation interactif pour 2017. Les  
Canadiens peuvent y découvrir comment  
CBC/Radio-Canada est au cœur du  
150<sup>e</sup> anniversaire du Canada de mille façons.  
Consultez notre page régulièrement pour  
connaître toutes les  
nouvelautés : [guide2017.radio-canada.ca](http://guide2017.radio-canada.ca)



**Our 2016 holiday charity drives in  
numbers**

Throughout December, CBC/Radio-Canada  
produced an incredible array of programming,  
events and fundraisers across the country in  
an effort to give back to our communities in  
need. Thanks to the dedication of our  
volunteers and the generosity of Canadians,  
we were able to bring the holiday spirit home  
to families in need across Canada! **More  
details here.**

**Nos campagnes de charité des fêtes  
2016 en chiffres**

En décembre, CBC/Radio-Canada a produit un incroyable éventail d'émissions, d'événements et d'activités de financement afin de redonner aux communautés dans le besoin à travers le pays. Grâce au dévouement de nos bénévoles et à la générosité des Canadiens, nous avons pu insuffler l'esprit des fêtes dans les foyers de familles démunies partout au Canada. **Tous les détails ici.**

\_\_\_\_\_

□

\_\_\_\_\_

**A creative Canada: strengthening  
Canadian culture in a digital world**

We shared with Canadians and the Government our vision for a vibrant Canadian cultural sector in the digital world. We believe that having a strong national public broadcaster at the centre of a creative hub could make Canada a cultural powerhouse, with benefits for Canadians and for the Canadian economy. **Take a look.**

**Propulser la culture canadienne :  
renforcer la place du Canada dans  
l'univers numérique**

Nous avons présenté aux Canadiens et au gouvernement notre vision d'avenir pour un secteur culturel canadien vibrant. Nous croyons qu'un diffuseur public national au cœur d'une plaque tournante de la création pourrait faire du Canada un incontournable, avec tous les avantages que cela représente pour les Canadiens et l'économie du pays. **Consultez notre mémoire.**



**PBI Montréal 2016**

We were very proud to host over 60 public broadcasters in Montreal for the 25th annual Public Broadcasters International conference. Worldwide, public services media have been transforming to serve citizens in the digital age. This year's discussions focused on how public media connect with younger generations. Highlights of the conference and panels can be viewed [online](#).

**PBI Montréal 2016**

Nous sommes très fiers d'avoir reçu à Montréal plus de 60 diffuseurs publics à l'occasion de la 25<sup>e</sup> conférence annuelle de Public Broadcasters International. Partout dans le monde, les médias de service public se transforment pour servir les citoyens à l'ère numérique. Cette année, les participants se demandaient comment les médias de service public pouvaient interpeler les jeunes. Les faits saillants de la conférence et des discussions en groupe [ici](#).



### **Showcasing Canada's athletes**

Rio 2016 was the most-watched Summer Olympic Games in Canadian history: 32 million Canadians cheered our athletes. Now we're looking to the future. We want to encourage more young Canadians to pursue their dreams of a spot on the podium. In partnership with RBC, the Canadian Olympic Committee and Canadian Olympic Foundation, the second instalment of **RBC Training Ground** launched January 12th. Any athletes between the ages of 14 and 25 can sign up. Qualifying events will be held in 24 communities. Please check out our website for details.

### **Offrir une vitrine aux athlètes canadiens**

Les Jeux Olympiques de Rio 2016 ont été les Jeux d'été les plus regardés de l'histoire du Canada : 32 millions de Canadiens ont encouragé nos athlètes. Maintenant, nous contemplons l'avenir. Nous voulons encourager plus de jeunes Canadiens à poursuivre leur rêve olympique. Pour ce faire, en partenariat avec RBC, le Comité olympique canadien et la Fondation olympique canadienne, nous avons lancé le deuxième **Camp des recrues RBC** le 12 janvier. Tous les athlètes de 14 à 25 ans peuvent poser leur candidature. Les épreuves de qualifications seront tenues dans 24 communautés. Consultez notre site web pour connaître tous les détails.



### **Indigenous-language digital archive project**

CBC's Indigenous language collection is a rich record of diverse regional and cultural perspectives in eight Indigenous languages across the North. We want to preserve this record and make it more accessible to more Canadians.

Later this year, members of each language community, with educational and cultural organizations will begin helping us catalogue and digitize this unique collection. We're beginning in Yellowknife, with Slavey language content. As we build this new content library, Canadians will be able to experience these stories of Canada.

### **Projet d'archivage numérique des contenus en langues autochtones**

L'importante collection de contenus en langues autochtones de CBC présente un large éventail de perspectives régionales et culturelles en huit langues autochtones parlées partout dans le Nord. Nous voulons préserver cet héritage et le rendre plus accessible aux Canadiens.

Plus tard cette année, des membres de chacune de ces communautés linguistiques, avec le soutien d'établissements d'enseignement et d'organismes culturels, nous aideront à commencer à cataloguer et à numériser cette collection unique. Nous allons démarrer ce projet à Yellowknife avec des contenus en langue slave. Au fil de la réalisation de ce projet, les Canadiens pourront découvrir toutes ces histoires résolument canadiennes.

**Vous avez manqué un épisode de votre émission préférée?**

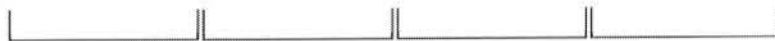
Venez regarder notre programmation sur nos plateformes :

**Missed an episode of your favourite show?**

Check out our programming available on our platforms:







[Click here to unsubscribe.](#) Cliquez ici pour vous désabonner.

--  
**Bev Kirshenblatt**  
Executive Director, Corporate and Regulatory Affairs  
Directrice générale, Affaires institutionnelles et réglementaires  
CBC/Radio-Canada

tel: 613.288.6191  
cell: 613.697.4139  
bev.kirshenblatt@cbc.ca

---

**RE: PBI Conference**

1 message

---

**Bev Kirshenblatt** <bev.kirshenblatt@cbc.ca>  
To: Peter Menzies <peter.menzies@crtc.gc.ca>

Thu, Sep 1, 2016 at 11:22 AM

Thanks for the quick follow up Peter.

On Sep 1, 2016 11:15 AM, "Menzies, Peter" <peter.menzies@crtc.gc.ca> wrote:

Hi Bev. Any invitations for events or meetings would have been forwarded for a decision on who, if anyone, will attend. I expect other folks will be there though.

**From:** Bev Kirshenblatt [mailto:bev.kirshenblatt@cbc.ca]  
**Sent:** September-01-16 11:08 AM  
**To:** Menzies, Peter <peter.menzies@crtc.gc.ca>  
**Subject:** PBI Conference

Hi Peter:

Hope you had a great summer. Just following up on Hubert's invite to you for the upcoming Public Broadcasters International (PBI) Conference in Montreal September 14 to 16. Are you planning to attend?

Cheers,  
Bev

---

**Re: previous email**

1 message

---

**Bev Kirshenblatt** <bev.kirshenblatt@cbc.ca>  
To: "Moore, Dale" <Dale.Moore@crtc.gc.ca>

Fri, Feb 5, 2016 at 4:23 PM

No problem!

On Feb 5, 2016 4:19 PM, "Moore, Dale" <Dale.Moore@crtc.gc.ca> wrote:

Hi Bev,

I am sorry for cc'ing you on the email I sent to Jared at Fifth Element. I wanted to copy you email address and then remove your name.

Again, sorry.

Have a great weekend

dale

*Dale Moore*

Gestionnaire principale de projet | Senior Project Manager

Sommet de la découvrabilité | Discoverability Summit

Bureau du Président | Office of the Chairman

**Conseil de la radiodiffusion et des télécommunications canadiennes |**

**Canadian Radio-television and Telecommunications Commission**

1, prom. du Portage, Édifice central, Les Terrasses de la Chaudière, Gatineau QC J8X 4B1

dale.moore@crtc.gc.ca



**Téléphone | Telephone 819.997.9380**

**Céllulaire | Mobile 819.639.5651**

**Télécopieur | Facsimile 819.953.1555**

Gouvernement du Canada | Government of Canada

www.crtc.gc.ca

 Suivez-nous sur Twitter |  Follow us on Twitter

---

**Re: Rio Olympics**

1 message

---

**Bev Kirshenblatt** <bev.kirshenblatt@cbc.ca>  
To: "Gill, Donna" <donna.gill@crtc.gc.ca>  
Cc: "Hulley, Crystal" <crystal.hulley@crtc.gc.ca>, Scott Hutton <scott.hutton@crtc.gc.ca>

Wed, Mar 2, 2016 at 9:31 AM

Perfect. Thank you.

On Mar 2, 2016 8:58 AM, "Gill, Donna" <donna.gill@crtc.gc.ca> wrote:  
Hi Bev - we are available at 10:30. We'll give you a call then.

Sent from my BlackBerry 10 smartphone on the Rogers network.

---

**From:** Gill, Donna  
**Sent:** Tuesday, March 1, 2016 6:05 PM  
**To:** Bev Kirshenblatt  
**Cc:** Hulley, Crystal; Hutton, Scott  
**Subject:** Re: Rio Olympics

I think so Bev depending on how traveling is with the snow. I'll confirm tomorrow.

Sent from my BlackBerry 10 smartphone on the Rogers network.

---

**From:** Bev Kirshenblatt  
**Sent:** Tuesday, March 1, 2016 5:51 PM  
**To:** Gill, Donna  
**Cc:** Hulley, Crystal; Hutton, Scott  
**Subject:** Re: Rio Olympics

Hi Donna:

Thank you for following up. Would 10:30 am tomorrow work for you and Crystal?

Regards,  
Bev

On Mar 1, 2016 4:59 PM, "Gill, Donna" <donna.gill@crtc.gc.ca> wrote:

Hi Bev – Scott passed along your e-mail to me regarding CBC's plans for broadcasting golf coverage during the Rio Olympics. I was wondering if you would be available to have a telephone conversation tomorrow with me and Crystal Hulley, who works in our legal branch. If so, please let me know when you are available, if not tomorrow, then another time, to have this discussion.

Regards,

Donna

**Donna Gill**  
Politiques et demandes relatives à la distribution | Distribution policy and applications  
Gestionnaire principale | Senior Manager  
Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and

Telecommunications Commission

1, promenade du Portage, Gatineau (Québec) J8X 4B1 | 1 Promenade du Portage, Gatineau, Quebec, J8X 4B1  
donna.gill@crtc.gc.ca

Téléphone | Telephone 819-953-4467

Télécopieur | Facsimile 819-994-0218

Gouvernement du Canada | Government of Canada

www.crtc.gc.ca



Suivez-nous sur Twitter |



Follow us on Twitter

---

**Re: Wholesale Code**

1 message

---

**Bev Kirshenblatt** <bev.kirshenblatt@cbc.ca>  
To: **Rachelle Frenette** <rachelle.frenette@crtc.gc.ca>

Thu, Sep 1, 2016 at 9:01 AM

Absolutely. I will follow up today.

On Sep 1, 2016 8:59 AM, "Frenette, Rachelle" <rachelle.frenette@crtc.gc.ca> wrote:

Hi Bev:

Hope you had a good summer - I know it was probably quite busy with the litigation underway. I was wondering if I could ask you a favour. We have been trying to get our hands on both your memorandum of fact and law as well as Cogeco's with the court registrar for a number of days now, without success. Would it be possible to obtain copies from you?

**Rachelle Frenette**  
Conseillère juridique | Legal Counsel

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and  
Telecommunications Commission

Les Terrasses de la Chaudière

1 Promenade du Portage, Gatineau, QC J8X 4B1

rachelle.frenette@crtc.gc.ca  
Téléphone | Telephone 819-639-2721

Télécopieur | Fax 819-953-0589

[www.crtc.gc.ca](http://www.crtc.gc.ca)

Le présent courriel contient de l'information privilégiée et confidentielle. Il est interdit de l'utiliser ou de la divulguer sans autorisation.

This e-mail message may contain solicitor-client privileged and confidential information. Any unauthorized use or disclosure is prohibited.

---

## Re: Wholesale Code Appeal

1 message

---

Bev Kirshenblatt <bev.kirshenblatt@cbc.ca>  
To: "Frenette, Rachelle" <rachelle.frenette@crtc.gc.ca>

Tue, Jun 28, 2016 at 2:11 PM

Hi Rachelle:

Here you go! Perfect cottage reading ;)

Cheers,  
Bev

2016-06-28 13:14 GMT-04:00 Frenette, Rachelle <rachelle.frenette@crtc.gc.ca>:

Hello Bev,

I hope things are well. I was doing a quick search on the Federal Court website and noticed that Bell has filed its memorandum of fact and law. Do you think it would be possible for me to obtain a copy from you?

Thanks in advance,

**Rachelle Frenette**  
Conseillère juridique | Legal Counsel

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and  
Telecommunications Commission

Les Terrasses de la Chaudière

1 Promenade du Portage, Gatineau, QC J8X 4B1

rachelle.frenette@crtc.gc.ca  
Téléphone | Telephone 819-639-2721

Télécopieur | Fax 819-953-0589

[www.crtc.gc.ca](http://www.crtc.gc.ca)

Le présent courriel contient de l'information privilégiée et confidentielle. Il est interdit de l'utiliser ou de la divulguer sans autorisation.

This e-mail message may contain solicitor-client privileged and confidential information. Any unauthorized use or disclosure is prohibited.


---

Bev Kirshenblatt  
Executive Director, Corporate and Regulatory Affairs

Directrice générale, Affaires institutionnelles et réglementaires  
CBC/Radio-Canada

tel: 613.288.6191  
cell: 613.697.4139  
bev.kirshenblatt@cbc.ca

---

 **93559084\_v(1)\_Bell Factum CRTC Appeal (A-51-16).pdf**  
1145K



---

## Re-issued 1230 forms for ARTV - 2011 to 2015 BY

1 message

---

Labelle, Lyne <lyne.labelle@crtc.gc.ca>

Thu, Nov 10, 2016 at 9:40 AM

To: Diane Boucher <diane.boucher@cbc.ca>

Cc: Annie Milanese <annie.milanese@cbc.ca>, Michael Downey <michael.downey@cbc.ca>, "Blais, Marianne" <marianne.blais@crtc.gc.ca>, Bev Kirshenblatt <bev.kirshenblatt@cbc.ca>, "Forsey, Thomas" <Thomas.Forsey@crtc.gc.ca>, "Bouthillier, Marie-Claire" <Marie-Claire.Bouthillier@crtc.gc.ca>

Hello Diane,

1230 forms for ARTV service have been re-issued in the 2011, 2012, 2013, 2014 and 2015 BY under ARTC inc. in the Data Collection System (DCS) for your further corrections.

Regards,

### Lyne Labelle

Analyste de base de données et de rapports, Analyse économique & financière | Returns Database Analyst, Economic and financial analysis

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission - Government of Canada

1 Promenade du Portage

Lyne.labelle@crtc.gc.ca

Téléphone | Telephone 819-934-4725

Télécopieur | Facsimile 819-997-0218

Gouvernement du Canada | Government of Canada

www.crtc.gc.ca

**From:** Diane Boucher [mailto:diane.boucher@cbc.ca]

**Sent:** November-10-16 9:10 AM

**To:** Labelle, Lyne <lyne.labelle@crtc.gc.ca>

**Cc:** Annie Milanese <annie.milanese@cbc.ca>; Michael Downey <michael.downey@cbc.ca>; Blais, Marianne <marianne.blais@crtc.gc.ca>; Bev Kirshenblatt <bev.kirshenblatt@cbc.ca>

**Subject:** ARTV

Hi Lyne,

We have new people preparing the CRTC forms for ARTV since Gilbert Morin's retirement a few months ago. They looked into the amounts that were being entered at line 20 Canadian Media Fund Credit, in the Form 1230 'Programming Expenses' (by genre), and realized that this line should have been at zero every year for the past few years.

ARTV has never been the 'Applicant' for CMF funding; the amounts that Gilbert was showing were related to programs that we acquired from independent producers who received CMF funds for these programs.

Please confirm whether you would like us to re-submit the form 1230 for ARTV for the past few years (where an amount was shown on line 20 in error); if so, please re-issue the forms in DCS and we will correct them.

Regards,

Diane

--

Diane Boucher, CPA, CGA

Director, CRTC Reporting

Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

---

## Rio Olympics

1 message

---

**Gill, Donna** <donna.gill@crtc.gc.ca>

Tue, Mar 1, 2016 at 4:59 PM

To: "bev.kirshenblatt@cbc.ca" <bev.kirshenblatt@cbc.ca>

Cc: "Hulley, Crystal" <crystal.hulley@crtc.gc.ca>, "Hutton, Scott" <scott.hutton@crtc.gc.ca>

Hi Bev – Scott passed along your e-mail to me regarding CBC's plans for broadcasting golf coverage during the Rio Olympics. I was wondering if you would be available to have a telephone conversation tomorrow with me and Crystal Hulley, who works in our legal branch. If so, please let me know when you are available, if not tomorrow, then another time, to have this discussion.

Regards,

Donna

**Donna Gill**

Politiques et demandes relatives à la distribution | Distribution policy and applications

Gestionnaire principale | Senior Manager

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission

1, promenade du Portage, Gatineau (Québec) J8X 4B1 | 1 Promenade du Portage, Gatineau, Quebec, J8X 4B1

donna.gill@crtc.gc.ca

Téléphone | Telephone 819-953-4467

Télécopieur | Facsimile 819-994-0218

Gouvernement du Canada | Government of Canada

www.crtc.gc.ca



Suivez-nous sur Twitter |



Follow us on Twitter

---

**Tr: Enchères dans le marché du sans-fil : les consommateurs n'en ont pas profité | ICI.Radio-Canada.ca**

1 message

---

**Blais, Jean-Pierre** <Jean-Pierre.Blais@crtc.gc.ca>  
To: Bev Kirshenblatt <bev.kirshenblatt@cbc.ca>

Fri, May 6, 2016 at 1:08 PM

Jean-Pierre Blais  
Président et premier dirigeant / Chairperson & Chief Executive Officer  
CRTC  
819.997.3430

Message d'origine

De: Blais, Jean-Pierre <Jean-Pierre.Blais@crtc.gc.ca>

Envoyé: Friday, May 6, 2016 7:56 AM

À: Hubert Lacroix

Objet: Enchères dans le marché du sans-fil : les consommateurs n'en ont pas profité | ICI.Radio-Canada.ca

Peut on se parler a un moment concernant la qualité du journalisme sur votre service en ligne? Ceci n'est pas un événement isolé. Par un désir d'aller trop vite, la qualité en souffre.

<http://ici.radio-canada.ca/nouvelles/economie/2016/05/05/004-telephonie-consommateur-spectre-frequence-2013-rapport.shtml>

Envoyé de mon iPad

---

## ADR-120 CBC due for an update

1 message



**Yull, Tandy** <tandy.yull@crtc.gc.ca>

Thu, Oct 6, 2016 at 12:14 PM

To: "Bev Kirshenblatt (bev.kirshenblatt@cbc.ca)" <bev.kirshenblatt@cbc.ca>

Good afternoon, Bev – hope all is well in your world!

Could I ask that you provide the Commission with an update on the status of your affiliation negotiations, by completing the status column in the attached Excel spreadsheet. Please return to my attention by the end of next week (Oct 14<sup>th</sup>) and then each month after that.

Thank you,

*Tandy Yull*

Senior Manager | Gestionnaire principale

Règlement extrajudiciaire des différends | Alternative Dispute Resolution

Radiodiffusion | Broadcasting

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission

tandy.yull@crtc.gc.ca

Téléphone | Telephone 819-997-4381

Gouvernement du Canada | Government of Canada

www.crtc.gc.ca

 Suivez-nous sur Twitter |  Follow us on Twitter

Apprenez-en davantage à propos de votre CRTC | Learn more about your CRTC

Apprenez-en davantage à propos de la résolution des différends au CRTC

Learn more about dispute resolution at the CRTC

---

 **Book2.xlsx**  
12K

s.18(b)  
s.20(1)(b)  
s.21(1)(b)  
s.21(1)(c)

| Party A (BDU) | Party B (Programmer) | Expiry    | Opened    | Remarks | Status |
|---------------|----------------------|-----------|-----------|---------|--------|
|               | CBC/SRC              |           | 22-Jan-16 |         |        |
|               | CBC/SRC              |           | 22-Jan-16 |         |        |
|               | CBC/SRC              | 30-Apr-16 | 22-Jan-16 |         |        |
|               | CBC/SRC              | n/a       | 22-Jan-16 |         |        |
|               | CBC/SRC              |           | 22-Jan-16 |         |        |
|               | CBC/SRC              |           | 22-Jan-16 |         |        |
|               | CBC/SRC              |           | 22-Jan-16 |         |        |
|               | CBC/SRC              |           | 22-Jan-16 |         |        |

s.18(b)  
s.20(1)(b)  
s.21(1)(b)  
s.21(1)(c)

|         |           |           |  |
|---------|-----------|-----------|--|
| CBC/SRC |           | 22-Jan-16 |  |
| CBC/SRC |           | 22-Jan-16 |  |
| CBC/SRC |           | 22-Jan-16 |  |
| CBC/SRC | 31-May-15 | 22-Jan-16 |  |
| CBC/SRC | 31-May-16 | 22-Jan-16 |  |
| CBC/SRC | 31-Aug-16 | 2-May-16  |  |
| CBC/SRC |           | 22-Jan-16 |  |
| CBC/SRC |           | 22-Jan-16 |  |
| CBC/SRC |           | 22-Jan-16 |  |

s.18(b)  
s.20(1)(b)  
s.21(1)(b)  
s.21(1)(c)

|  |         |  |           |  |
|--|---------|--|-----------|--|
|  | CBC/SRC |  | 22-Jan-16 |  |
|  | CBC/SRC |  | 22-Jan-16 |  |





Bev Kirshenblatt <bev.kirshenblatt@cbc.ca>

---

**ADR 120**

1 message

2

---

Bev Kirshenblatt <bev.kirshenblatt@cbc.ca>  
To: "Yull, Tandy" <tandy.yull@crtc.gc.ca>  
Bcc: "Kirshenblatt, Bev" <bev.kirshenblatt@cbc.ca>

Tue, Dec 13, 2016 at 3:27 PM

Hi Tandy:

As promised. An update on the status of our negotiations with BDUs. No regulatory intervention is requested at this time.

Thank you,  
Bev

---

 **CRTC\_Update\_December 5 2016.xlsx**  
12K

s.18(b)  
s.20(1)(b)  
s.21(1)(b)  
s.21(1)(c)

| Party A (BDU) | Party B (Programmer) | Expiry    | Opened    | Remarks | Status                 |
|---------------|----------------------|-----------|-----------|---------|------------------------|
|               | CBC/SRC              |           | 22-Jan-16 |         | No update.             |
|               | CBC/SRC              | 27-Feb-17 |           |         | Discussions continue.  |
|               | CBC/SRC              |           | 22-Jan-16 |         | No update.             |
|               | CBC/SRC              | 30-Apr-16 | 22-Jan-16 |         | Negotiations continue. |
|               | CBC/SRC              | n/a       | 22-Jan-16 |         | Agreement executed.    |

s.18(b)  
s.20(1)(b)  
s.21(1)(b)  
s.21(1)(c)

|         |           |           |  |                        |
|---------|-----------|-----------|--|------------------------|
| CBC/SRC |           | 22-Jan-16 |  | Agreements executed.   |
| CBC/SRC |           | 22-Jan-16 |  | No update.             |
| CBC/SRC |           | 22-Jan-16 |  | No update.             |
| CBC/SRC |           | 22-Jan-16 |  | No update.             |
| CBC/SRC |           | 22-Jan-16 |  | No update.             |
| CBC/SRC |           | 22-Jan-16 |  | Agreement executed.    |
| CBC/SRC |           | 22-Jan-16 |  | Agreement executed.    |
| CBC/SRC | 31-May-15 | 22-Jan-16 |  | Negotiations continue. |

|         |           |           |                           |
|---------|-----------|-----------|---------------------------|
| CBC/SRC | 31-May-16 | 22-Jan-16 | Negotiations continue.    |
| CBC/SRC | 31-Aug-16 | 2-May-16  | Negotiations continue.    |
| CBC/SRC |           | 22-Jan-16 | Agreement executed.       |
| CBC/SRC |           | 22-Jan-16 | Negotiations continue.    |
| CBC/SRC |           | 22-Jan-16 | Covered in the agreement. |
| CBC/SRC |           | 22-Jan-16 | No update.                |
| CBC/SRC |           | 22-Jan-16 | No update.                |



Bev Kirshenblatt <bev.kirshenblatt@cbc.ca>

3

**Fwd: ADR-120 CBC due for an update**

1 message

Bev Kirshenblatt <bev.kirshenblatt@cbc.ca>

Tue, Oct 11, 2016 at 2:37 PM

To: "Yull, Tandy" <tandy.yull@crtc.gc.ca>

Cc: "Heurtelou, Anne-Elizabeth" <elizabeth.heurtelou@radio-canada.ca>

Bcc: "Kirshenblatt, Bev" <bev.kirshenblatt@cbc.ca>

Hi Tandy:

As requested, attached is an update on the status of our affiliation negotiations. Changes are in yellow.

Cheers,

Bev

Bev Kirshenblatt  
Executive Director, Corporate and Regulatory Affairs  
Directrice générale, Affaires institutionnelles et réglementaires  
CBC/Radio-Canada

tel: 613.288.6191  
cell: 613.697.4139  
bev.kirshenblatt@cbc.ca

 **CRTC\_Update\_11oct2016.xlsx**  
12K

| Party A (BDU) | Party B (Programmer) | Expiry    | Opened    | Remarks | Status                 |
|---------------|----------------------|-----------|-----------|---------|------------------------|
|               | CBC/SRC              |           | 22-Jan-16 |         | No update.             |
|               | CBC/SRC              |           | 22-Jan-16 |         | No update.             |
|               | CBC/SRC              | 30-Apr-16 | 22-Jan-16 |         | Negotiations continue. |
|               | CBC/SRC              | n/a       | 22-Jan-16 |         | Negotiations continue. |
|               | CBC/SRC              |           | 22-Jan-16 |         | Agreements executed.   |
|               | CBC/SRC              |           | 22-Jan-16 |         | No update.             |
|               | CBC/SRC              |           | 22-Jan-16 |         | No update.             |
|               | CBC/SRC              |           | 22-Jan-16 |         | No update.             |

|         |           |           |                        |
|---------|-----------|-----------|------------------------|
| CBC/SRC |           | 22-Jan-16 | No update.             |
| CBC/SRC |           | 22-Jan-16 | Agreement executed.    |
| CBC/SRC |           | 22-Jan-16 | Terms agreed.          |
| CBC/SRC | 31-May-15 | 22-Jan-16 | Negotiations continue. |
| CBC/SRC | 31-May-16 | 22-Jan-16 | Negotiations continue. |
| CBC/SRC | 31-Aug-16 | 2-May-16  | Negotiations continue. |
| CBC/SRC |           | 22-Jan-16 | Negotiations continue. |
| CBC/SRC |           | 22-Jan-16 | Negotiations continue. |
| CBC/SRC |           | 22-Jan-16 |                        |
| CBC/SRC |           | 22-Jan-16 | No update.             |

|  |         |  |           |  |            |
|--|---------|--|-----------|--|------------|
|  | CBC/SRC |  | 22-Jan-16 |  | No update. |
|--|---------|--|-----------|--|------------|

s.18(a)  
s.18(b)  
s.20(1)(b)  
s.21(1)(b)  
s.21(1)(c)





## Presentation par le CRTC

Created by: danielle.brunet@cbc.ca · Your response: ✓ Yes, I'm going

### Time

2pm - 3pm (Eastern Time - Toronto)

### Date

Mon Nov 7, 2016

### Where

Salle 2228/2230 au 22e étage à  
Montréal

### Guests

- ✓ anne-julie.perrault@radio-canada.ca
- ✓ Anne-Marie Migneault
- ✓ Bev Kirshenblatt
- ✓ frederic.janelle@crtc.gc.ca
- ✓ Helene Lamarre
- ✓ JOVANE DROUIN
- ✓ Marco Dube
- ✓ Meredith Dellandrea
- ✓ Sylvie Gadoury
- ✓ danielle.brunet@cbc.ca
- ✓ Bruno Martin
- ✓ Ginette DeGuisse

### Description

Une présentation du CRTC sur la façon de traiter les enquêtes sur les plaintes menées par le commissaire aux langues officielles, et tirée d'un exposé donné par le CRTC aux représentants des ministères du Patrimoine canadien et de la Justice. Devant la très bonne feuille de route du CRTC dans ce domaine, d'autres ministères fédéraux ont demandé à cet organisme de leur donner des conseils à cet égard.

L'expérience du CRTC pourrait aider CBC/Radio-Canada à répondre à ce type de plaintes.

03/02/2017

Discoverability Summit - <https://livelink.cbrc.ca/livelink/livelink.exe?func=ll&objId=145933881&objAction=viewheader>

**From:** "Rancourt, Eric" <eric.rancourt@crtc.gc.ca> **Sent Date:** 7/31/2015 7:30:45 PM  
**To:** "Bev Kirshenblatt (bev.kirshenblatt@cbc.ca)" <bev.kirshenblatt@cbc.ca> **Received Date:** 7/31/2015 7:30:47 PM  
**Cc:**  
**Subject:** Discoverability Summit **Attachments:** [image001.jpg](#) 828.0 bytes

Hi Bev,

I just wanted to give you a quick update about the two moderators, and

We are currently drafting the letters to formally ask them if they would be willing to act as moderators for the pre-events in December. The letters will likely go out the week of August 10, when our Chairman is I'll give you a heads up before they are sent, as you had requested.

When we last spoke, you had mentioned that no one had a chance to informally approach due to the Pan Am Games (congratulations on the excellent coverage!). Now that the dust has settled a bit, I'm wondering if that conversation has taken place?

in the office on August 10.

Regards,

Eric

Eric Rancourt  
 Director, Sector Services, Media Relations and Outreach | Directeur, services aux secteurs, relations avec les médias et sensibilisation  
 Communications Sector | Secteur des Communications  
 Canadian Radio-television and Telecommunications Commission |  
 Conseil de la radiodiffusion et des télécommunications canadiennes  
 Telephone | Téléphone 613-220-4999  
 Government of Canada | Gouvernement du Canada  
[www.crtc.gc.ca](http://www.crtc.gc.ca)  
[Learn more about your CRTC](#) | [Apprenez-en davantage à propos de votre CRTC](#)  
 [Suivez-nous sur Twitter](#) |  [Follow us on Twitter](#)  
[Like us on Facebook](#) | [Aimez-nous sur Facebook](#)

**From:** "Frenette, Rachelle" <rachelle.frenette@crtc.gc.ca>  
**Sent Date:** 11/13/2015 4:02:37 PM  
**To:** "Bev.Kirshenblatt@CBC.CA" <Bev.Kirshenblatt@CBC.CA>  
**Received Date:** 11/13/2015 4:03:08 PM  
**Cc:**  
**Subject:** Wholesale Code - Summary of Interventions of the record  
**Attachments:** [Image001.jpg](#) 828.0 bytes  
[DOCS-#2470192-v1-NOT WEB - Wholesale Code proceeding NoC 2015-97 - Jurisdiction issue - Leave to appeal.DOC](#) 75.0 KB

Hi Bev:

Hope that things are progressing well on your end. You will find attached a summary of the interventions received on the record regarding the Commission's jurisdiction. I trust that this is helpful. Any luck obtaining an extension to file?

**Rachelle Frenette**

Conseillère juridique | Legal Counsel  
Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission  
Les Terrasses de la Chaudière  
1 Promenade du Portage, Gatineau, QC J8X 4B1  
[rachelle.frenette@crtc.gc.ca](mailto:rachelle.frenette@crtc.gc.ca)  
Téléphone | Telephone 819-639-2721  
Télécopieur | Fax 819-953-0589  
[www.crtc.gc.ca](http://www.crtc.gc.ca)

 Suivez-nous sur Twitter |  Follow us on Twitter

This e-mail message may contain solicitor-client privileged and confidential information. Any unauthorized use or disclosure is prohibited. Le présent courriel contient de l'information privilégiée et confidentielle. Il est interdit de l'utiliser ou de la divulguer sans autorisation.

03/02/2017 Discoverability Summit - Letters for moderators - <https://livelink.cbrc.ca/livelink/livelink.exe?func=ll&objId=145933966&objAction=viewheader>

**From:** "Rancourt, Eric" <[eric.rancourt@crtc.gc.ca](mailto:eric.rancourt@crtc.gc.ca)>  
**To:** "Bev Kirshenblatt (bev.kirshenblatt@cbc.ca)" <[bev.kirshenblatt@cbc.ca](mailto:bev.kirshenblatt@cbc.ca)>  
**Cc:**  
**Subject:** Discoverability Summit - Letters for moderators  
**Sent Date:** 8/25/2015 7:41:49 PM  
**Received Date:** 8/25/2015 7:41:52 PM  
**Attachments:** [image001.jpg](#) 828.0 bytes

Hi Bev,

I hope you are enjoying the last few weeks of summer.

The letters for \_\_\_\_\_ and \_\_\_\_\_ will be sent via email before the end of the day to formally ask them to serve as moderators for the events in Vancouver and Montreal.

Do not hesitate to contact me if you have any questions.

Regards,  
Eric

Eric Rancourt  
Director, Sector Services, Media Relations and Outreach | Directeur, services aux secteurs, relations avec les médias et sensibilisation  
Communications Sector | Secteur des Communications  
Canadian Radio-television and Telecommunications Commission |  
Conseil de la radiodiffusion et des télécommunications canadiennes  
Telephone | Téléphone 613-220-4999  
Government of Canada | Gouvernement du Canada  
[www.crtc.gc.ca](http://www.crtc.gc.ca)  
[Learn more about your CRTC](#) | [Apprenez-en davantage à propos de votre CRTC](#)  
 [Suivez-nous sur Twitter](#) |  [Follow us on Twitter](#)  
[Like us on Facebook](#) | [Aimez-nous sur Facebook](#)

03/02/2017 RE\_Discoverability Summit - Letters for moderator... - <https://livelink.cbrc.ca/livelink/livelink.exe?func=ll&objId=145933880&objAction=viewheader>

**From:** "Rancourt, Eric" <eric.rancourt@crtc.gc.ca> **Sent Date:** 10/23/2015 12:22:47 PM  
**To:** "Bev Kirshenblatt" <bev.kirshenblatt@cbc.ca> **Received Date:** 10/23/2015 12:22:49 PM  
**Cc:**  
**Subject:** RE: Discoverability Summit - Letters for moderators **Attachments:** [image001.jpg](#) 828.0 bytes

Hi Bev,

An invitation for the pre-events will soon be sent to Mr. Lacroix. There will be the possibility for a limited number of people from CBC/SRC to attend.

Have a good day,  
Eric

---

**From:** Bev Kirshenblatt [mailto:bev.kirshenblatt@cbc.ca]  
**Sent:** October-22-15 1:35 PM  
**To:** Rancourt, Eric  
**Subject:** Re: Discoverability Summit - Letters for moderators

Hi Eric:

Just wondering if anyone from CBC or Radio-Canada will be invited to the December pre-summit (not as a moderator).

Thanks,  
Bev

On Tue, Aug 25, 2015 at 3:41 PM, Rancourt, Eric <[eric.rancourt@crtc.gc.ca](mailto:eric.rancourt@crtc.gc.ca)> wrote:  
Hi Bev,



I hope you are enjoying the last few weeks of summer.

The letters for \_\_\_\_\_ and \_\_\_\_\_ will be sent via email before the end of the day to formally ask them to serve as moderators for the events in Vancouver and Montreal.

Do not hesitate to contact me if you have any questions.

Regards,  
Eric

Eric Rancourt  
 Director, Sector Services, Media Relations and Outreach | Directeur, services aux secteurs, relations avec les médias et sensibilisation  
 Communications Sector | Secteur des Communications  
 Canadian Radio-television and Telecommunications Commission |  
 Conseil de la radiodiffusion et des télécommunications canadiennes  
 Telephone | Téléphone 613-220-4999  
 Government of Canada | Gouvernement du Canada  
[www.crtc.gc.ca](http://www.crtc.gc.ca)  
[Learn more about your CRTC](#) | [Apprenez-en davantage à propos de votre CRTC](#)

 [Suivez-nous sur Twitter](#) |  [Follow us on Twitter](#)  
 [Like us on Facebook](#) |  [Aimez-nous sur Facebook](#)

**Bev Kirshenblatt**  
**Executive Director, Regulatory Affairs**  
**Directrice générale, Affaires réglementaires**  
**CBC/Radio-Canada**

tel: 613.288.6191  
cell: 613.697.4139  
[bev.kirshenblatt@cbc.ca](mailto:bev.kirshenblatt@cbc.ca)

**From:** "Janelle, Frédéric" <frederic.janelle@crtc.gc.ca> **Sent Date:** 10/26/2015 1:35:59 PM  
**To:** "Anne-Marie Migneault" <anne-marie.migneault@radio-canada.ca> **Received Date:** 10/26/2015 1:36:25 PM  
**Cc:** "Patricia Pleszczynska" <patricia.pleszczynska@radio-canada.ca>, "Shelagh Kinch" <shelagh.kinch@radio-canada.ca>, "Noemie Dansereau-Lavoie" <noemie.dansereau-lavoie@radio-canada.ca>, "Debbie Hynes" <debbie.hynes@cbc.ca>, "Tina-Marie Tatto" <tina.tatto@cbc.ca>, "Kirshenblatt, Bev" <bev.kirshenblatt@cbc.ca>, "Janelle, Frédéric" <frederic.janelle@crtc.gc.ca>  
**Subject:** RE: Représentantes de CBC/RC à la réunion CRTC-CLOSM du 13 novembre **Attachments:**  
Bonjour Anne-Marie,

Merci pour ton courriel. Voici les informations pour vous rendre à la réunion qui aura lieu le 13 novembre 2015 :  
CRTC est situé : 1 promenade du Portage à Gatineau (Hull). Salle SRT, 7e étage.

Aussi, puisque votre présentation est prévue à 13h30 (heure normale de l'Est), je vous invite à arriver plus tôt (un peu avant 13h), si vous avez le temps, afin de vous permettre d'assister aux présentations suivantes :

**13h 13h10**

Présentation du plan triennal du CRTC **Julie Fairweather**, Directrice politique et recherche.

**13h10-13h30**

Suivis du processus Parlons télé. **Claude Brault et Jean-François Lecompte**, analystes.

- ✓ Code pour les services de télévision; télévision locale et communautaire;
- ✓ condition de licences pour les services de nouvelles; mise à jour du règlement sur la distribution; exemption des services hybride (tels que Shomi); 30 jours pour se déconnecter; etc.
- ✓ Période de questions et d'échanges.

Salutations,

Frédéric

---

**From:** Anne-Marie Migneault [mailto:anne-marie.migneault@radio-canada.ca]  
**Sent:** October-23-15 4:42 PM  
**To:** Janelle, Frédéric  
**Cc:** Patricia Pleszczynska; Shelagh Kinch; Noemie Dansereau-Lavoie; Debbie Hynes; Tina-Marie Tatto; Kirshenblatt, Bev  
**Subject:** Représentantes de CBC/RC à la réunion CRTC-CLOSM du 13 novembre

Bonjour Frédéric, pour donner suite à notre discussion, je te confirme qu'il y aura deux personnes de CBC/Radio-Canada qui accompagneront Patricia et Shelagh. Il y aura donc 4 personnes:

**Patricia Pleszczynska**  
Directrice générale, Services régionaux  
Radio-Canada

**Shelagh Kinch**  
Managing Director  
CBC Quebec

**Noémie Dansereau-Lavoie**  
Chef, Planification stratégique  
Radio-Canada

**Debbie Hynes**  
Regional Manager - Communications  
CBC Quebec

Il n'y aura pas de représentant des Affaires réglementaires de CBC/RC, vu la nature de la rencontre. Je comprends que quelques jours avant la réunion, tu nous enverras des précisions sur l'adresse, la salle, l'heure à laquelle tu leur recommandes d'arriver, qui elles doivent demander de voir quand elles donneront leurs noms au gardien dans le lobby, etc.

Bon weekend,

Anne-Marie Migneault  
Directrice Affaires réglementaires/  
Director Regulatory Affairs  
CBC/Radio-Canada  
Tel: 514-597-6285  
[anne-marie.migneault@radio-canada.ca](mailto:anne-marie.migneault@radio-canada.ca)

 **Radio-Canada**

Le 1 octobre 2015 14:39, Anne-Marie Migneault <[anne-marie.migneault@radio-canada.ca](mailto:anne-marie.migneault@radio-canada.ca)> a écrit :  
Bonjour Fred, parfait, bien noté, Patricia (R-C) et Shelagh (CBC) ont toutes les deux confirmé leur disponibilité. Je te contacte bientôt au sujet de l'appel. Les titres de Patricia et Shelagh:

Shelagh Kinch  
Managing Director  
CBC Quebec

Patricia Pleszczynska  
Directrice générale, Services régionaux  
Radio-Canada

Anne-Marie Migneault  
Directrice Affaires réglementaires/  
Director Regulatory Affairs  
CBC/Radio-Canada  
Tel: 514-597-6285  
[anne-marie.migneault@radio-canada.ca](mailto:anne-marie.migneault@radio-canada.ca)

 **Radio-Canada**

Le 30 septembre 2015 08:44, Janelle, Frédéric <[frederic.janelle@crtc.gc.ca](mailto:frederic.janelle@crtc.gc.ca)> a écrit :  
Salut Anne-Marie,

Je t'écris ce courriel pour confirmer que nous allons attendre la délégation de la SRC le 13 novembre prochain en début d'après-midi. Présentement, je vous ai mis tentativement de 13h30 à 15h30 dans mon ordre du jour. J'ai mis beaucoup de temps car je sais que votre présentation va susciter beaucoup d'intérêt.

Aussi, je crois que ce serait une bonne idée de discuter de la réunion par téléphone pour vous aider à vous préparer. Tu me laisseras savoir...

Salutations,

Me Frédéric B. Janelle  
B.A.A., LL.L.

Analyste principal / Télévision de langue française / Radiodiffusion  
Conseil de la radiodiffusion et des télécommunications canadiennes (CRTC) / Gouvernement du Canada



[frederic.janelle@crtc.gc.ca](mailto:frederic.janelle@crtc.gc.ca) / Tél. : 819-997-4608

[Apprenez-en davantage à propos de votre CRTC](#)

[Suivez-nous sur Twitter \(@CRTCfr\)](#)

[Aimez-nous sur Facebook](#)

Senior analyst / French-language television / Broadcasting

Canadian Radio-television and Telecommunications Commission (CRTC) / Government of Canada

[frederic.janelle@crtc.gc.ca](mailto:frederic.janelle@crtc.gc.ca) / Tel: 819-997-4608

[Learn more about your CRTC](#)

[Follow us on Twitter \(@CRTCeng\)](#)

[Like us on Facebook](#)

**From:** "Frenette, Rachelle" <rachelle.frenette@crtc.gc.ca>  
**To:** "Bev Kirshenblatt" <bev.kirshenblatt@cbc.ca>  
**Cc:**  
**Subject:** Re: Wholesale Code - Summary of interventions of the record

**Sent Date:** 11/13/2015 5:02:03 PM  
**Received Date:** 11/13/2015 5:02:07 PM  
**Attachments:** [image001.jpg](#) 828.0 bytes

Hi Bev:

That's very good news. I would very much like to have lunch on Monday. There is a small chance that I have a meeting on Monday at 1130, but let's proceed on the assumption that I don't. :)

12? A couple of suggestions: Zeste, les Vilains Garçons or Pizzaza.

Rachelle

---

**De:** Bev Kirshenblatt  
**Envoyé:** vendredi 13 novembre 2015 11:21 AM  
**À:** Frenette, Rachelle  
**Objet:** Re: Wholesale Code - Summary of interventions of the record

---

Thanks very much Rachelle!

We filed an unopposed motion to extend deadline to December 4 yesterday. 10 other independent broadcasters will be joining us. I'm coming to the CRTC on Monday for a meeting at 1 on another matter. Do have time for a quick lunch before?

Cheers,

Bev

2015-11-13 11:02 GMT-05:00 Frenette, Rachelle <[rachelle.frenette@crtc.gc.ca](mailto:rachelle.frenette@crtc.gc.ca)>:

Hi Bev:

Hope that things are progressing well on your end. You will find attached a summary of the interventions received on the record regarding the Commission's jurisdiction. I trust that this is helpful. Any luck obtaining an extension to file?

**Rachelle Frenette**

Conseillère juridique | Legal Counsel

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission

Les Terrasses de la Chaudière



1 Promenade du Portage, Gatineau, QC J8X 4B1

[rachelle.frenette@crtc.gc.ca](mailto:rachelle.frenette@crtc.gc.ca)

Téléphone | Telephone [819-639-2721](tel:819-639-2721)

Télécopieur | Fax [819-953-0589](tel:819-953-0589)

[www.crtc.gc.ca](http://www.crtc.gc.ca)

 [Suivez-nous sur Twitter](#) |  [Follow us on Twitter](#)

This e-mail message may contain solicitor-client privileged and confidential information. Any unauthorized use or disclosure is prohibited. Le présent courriel contient de l'information privilégiée et confidentielle. Il est interdit de l'utiliser ou de la divulguer sans autorisation.

--

Bev Kirshenblatt  
Executive Director, Regulatory Affairs  
Directrice générale, Affaires réglementaires  
CBC/Radio-Canada

tel: 613.288.6191  
cell: 613.697.4139  
[bev.kirshenblatt@cbc.ca](mailto:bev.kirshenblatt@cbc.ca)

03/02/2017

RE\_FW\_ Invitation à Radio-Canada 2 - <https://livelink.cbrc.ca/livelink/livelink.exe?func=ll&objId=145933963&objAction=viewheader>

**From:** "Doucet, Claude" <Claude.Doucet@crtc.gc.ca>  
**To:** "Bev Kirshenblatt" <bev.kirshenblatt@cbc.ca>  
**Cc:** "Moore, Dale" <Dale.Moore@crtc.gc.ca>  
**Subject:** RE: FW: Invitation à Radio-Canada

**Sent Date:** 11/20/2015 2:17:19 PM  
**Received Date:** 11/20/2015 2:17:25 PM

**Attachments:** [image001.jpg](#) 24.0 KB  
[image002.png](#) 23.0 KB  
[image003.png](#) 22.0 KB  
[image004.png](#) 21.0 KB  
[image005.png](#) 22.0 KB  
[image006.png](#) 19.0 KB  
[image007.png](#) 20.0 KB  
[image008.jpg](#) 4.0 KB  
[image009.png](#) 22.0 KB  
[image010.png](#) 22.0 KB  
[image011.png](#) 21.0 KB  
[image012.png](#) 23.0 KB  
[image013.png](#) 19.0 KB  
[image014.png](#) 21.0 KB  
[image015.jpg](#) 4.0 KB

Bev – I'll see what we have in terms of space. Who would you be planning to send to Montreal?

Claude

---

**From:** Bev Kirshenblatt [mailto:bev.kirshenblatt@cbc.ca]  
**Sent:** November-19-2015 2:40 PM  
**To:** Doucet, Claude  
**Subject:** Re: FW: Invitation à Radio-Canada

Hi Claude:

Is it possible to have 2 additional spots for the Montreal French markets summit? Ideally we would send 5 people in total.

Cheers,  
Bev

On Tue, Nov 17, 2015 at 10:15 AM, Doucet, Claude <Claude.Doucet@crtc.gc.ca> wrote:  
Bev,

We sent this invite to your CEO Hubert Lacroix, approximately two weeks ago. It is an invite for the Discoverability Summits being held in Vancouver (December 1<sup>st</sup>) and Montreal (December 3<sup>rd</sup>) and we have reserved three spots at each event for CBC employees.

We have yet to receive a response and therefore, I'm following up with you. I'm sure this event will be of great interest to those in your company that tackle the challenge of how to get their content discovered.

Could you please let me know who will join us.

Happy to discuss – [819 997 9372](tel:819-997-9372)

Thanks,  
Claude

----- Forwarded message -----

From: "Sommet de la découvrabilité / Discoverability Summit" <[Decouvrabilite-Discoverability@crtc.gc.ca](mailto:Decouvrabilite-Discoverability@crtc.gc.ca)>

To: "[ht.lacroix@cbc.ca](mailto:ht.lacroix@cbc.ca)" <[ht.lacroix@cbc.ca](mailto:ht.lacroix@cbc.ca)>

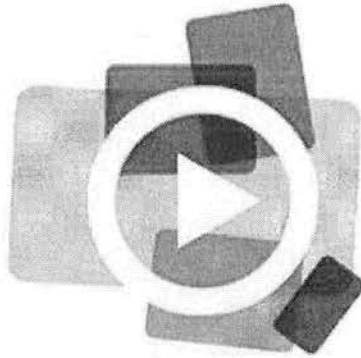
Cc:

Date: Tue, 3 Nov 2015 20:56:47 +0000

Subject: INVITATION - En route vers le Sommet de la découvrabilité/En route to the Discoverability Summit

*English follows*

EN ROUTE VERS LE  
**SOMMET**  
DE LA DÉCOUVRABILITÉ  
LE CONTENU À L'ÈRE  
DE L'ABONDANCE



EN ROUTE TO THE  
**DISCOVERABILITY**  
**SUMMIT**  
CONTENT IN THE AGE  
OF ABUNDANCE

**Hubert Lacroix,**

## PARTICIPEZ À CES ÉVÉNEMENTS UNIQUES ET EXCLUSIFS!

Nous vivons dans une ère d'abondance. Le contenu est partout. La découvrabilité est essentielle. Le monde de l'audiovisuel d'aujourd'hui connaît un essor fulgurant avec des centaines de canaux de télévision et d'innombrables options en ligne.

Comment porte-t-on le contenu à l'attention des auditoires?

Comment établir des liens qui les mèneront au contenu qu'ils veulent regarder?

Les algorithmes, les moteurs de recherche, les médias sociaux : sont-ils les bons outils pour améliorer la découverte de contenu? Sont-ils suffisants?

## CO-PRÉSIDENTS

Les co-présidents, MM. Jean-Pierre Blais et Claude Joli-Cœur, ont le plaisir de vous inviter aux événements *En route vers le Sommet de la découvrabilité : le contenu à l'ère de l'abondance*.



**Jean-Pierre Blais**

Président et premier dirigeant

Conseil de la radiodiffusion et des télécommunications canadiennes



## **Claude Joli-Cœur**

Commissaire du gouvernement à la cinématographie et président

Office national du film du Canada

### **À propos des événements**

Ces événements exclusifs mettront en vedette des spécialistes internationaux, des penseurs clés et d'éminents innovateurs en vue d'explorer de nouveaux outils et de nouvelles techniques qui pourraient aider les auditoires à trouver le contenu qu'ils veulent et à relever le défi mondial de la découvrabilité du contenu audiovisuel. L'événement de Vancouver sera axé sur les marchés anglophones alors que l'événement de Montréal sera axé sur les marchés francophones.

### **Pourquoi y participer?**

Vous repartirez avec de nouvelles idées et des solutions réalisables et, à votre tour, votre expertise contribuera à explorer de nouveaux outils et de nouvelles approches en cette ère d'abondance et à bâtir et structurer la conversation en vue du Sommet de la découvrabilité du mois de mai 2016!

### **Quand? Où?**

Le 1<sup>er</sup> décembre 2015

De 8 h 30 à 12 h 30 (HNP)

Chan Centre for the Performing Arts

University of British Columbia

6265 rue Crescent

Vancouver, C.-B. V6T 1Z1

Le 3 décembre 2015

De 8 h 30 à 12 h 30 (HNE)

Centre Phi

407, rue Saint Pierre

Montréal, QC H2Y 2M3

**Nous réservons 3 places par événement pour votre organisation!**

Les événements sont sur invitation seulement. Assurez-vous de bien utiliser ces places! Veuillez confirmer votre participation en remplissant le formulaire ci-joint et en nous le retournant

**au plus tard le 10 novembre 2015.**

Les événements seront aussi diffusés en direct. Abonnez-vous à notre [chaîne YouTube](#) si vous souhaitez les visionner les 1<sup>er</sup> et 3 décembre!

**EN VEDETTE...**

**(à Vancouver)**



Nora Young, Modératrice de l'événement

Journaliste en technologie et culture. Animatrice de Spark sur CBC Radio. Auteur de *The Virtual Self*.



Tony Chapman, Conférencier principal

Penser, créer et agir autrement. Contribue à la conversation dans les médias, conférencier, consultant en innovation et un fier papa et Canadien.

## (à Montréal)



Matthieu Dugal, Modérateur de l'événement

Journaliste, animateur et chroniqueur depuis 20 ans et diplômé en journalisme et en sciences politiques.



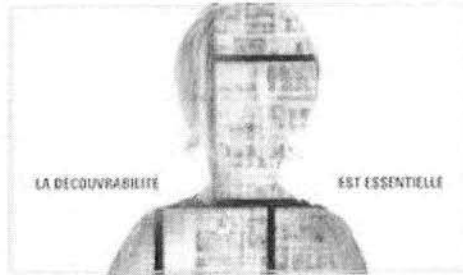
Pascal Lechevallier, Conférencier principal

CEO de What's Hot - Consultant Digital : #TV #VOD #SVOD #EST #OTT #MCN #FTTH - Blogueur  
SUI [@zdnetfr](https://twitter.com/zdnetfr).

# Et plusieurs autres!

[www.decouvrabilite.ca](http://www.decouvrabilite.ca)

Besoin de plus de détails? Communiquez avec l'équipe du Sommet de la découvrabilité!



\*\*\*\*\*

**Hubert Lacroix,**

## **PARTICIPATE IN THESE EXCLUSIVE AND UNIQUE EVENTS!**

We live in an age of abundance. Content is everywhere. Discoverability is key. Today's audiovisual world has exploded into hundreds of TV channels and countless online options.

How do we bring the content to viewers?

How do we create links that connect them with the content they want to watch?

Algorithms, search engines, social media: are they the right tools to further the discovery of content? Are they enough?

### **CO-HOSTS**

Co-hosts, Jean-Pierre Blais and Claude Joli-Coeur, are pleased to invite you to the events *En route to the Discoverability Summit: Content in the Age of Abundance.*



**Jean-Pierre Blais**

Chairman and Chief Executive Officer

Canadian Radio-television and Telecommunications Commission





## Claude Joli-Coeur

Government Film Commissioner and Chairperson

National Film Board of Canada

### What are the events?

These exclusive events will feature international experts, thought leaders and high-profile innovators to explore how new tools and techniques can be used to help viewers find the content they want and help solve the global challenge of audiovisual content discoverability. The Vancouver event will focus on English-language markets while the Montreal event will focus on French-language markets.

### Why attend?

Not only will you leave the events with new ideas and implementable solutions, but, in turn, your expertise will help explore new tools and approaches in this Age of Abundance and frame the conversation for the upcoming Discoverability Summit in May 2016!

### When? Where?

December 1, 2015

8:30 a.m. - 12:30 p.m. (PST)

Chan Centre for the Performing Arts

University of British Columbia

6265 Crescent Road

Vancouver, B.C. V6T 1Z1

December 3, 2015

8:30 a.m. - 12:30 p.m. (EST)

Phi Centre

407 Saint Pierre Street

Montreal, QC H2Y 2M3

## We reserved 3 seats per event for your organization!

The events are by invitation only. Make sure you make the most out of these seats!

Please complete the attached registration form to confirm your participation and return it

**no later than November 10, 2015.**

The events will also be live streamed. Make sure to subscribe to our [YouTube channel](#) to tune in on

December 1<sup>st</sup> and 3<sup>rd</sup>!

## FEATURING...

## (in Vancouver)



**Nora Young, Event Moderator**

Technology and culture journalist. Host of CBC Radio's Spark. Author of *The Virtual Self*.



**Tony Chapman, Keynote speaker**

Re-imagine, Re-Create, Re-act. Contributor to the Conversation in Media, Keynote speaker, Innovation Consultant, proud Dad and Canadian.

**(in Montreal)**



**Matthieu Dugal, Event Moderator**

Journalist, host and columnist for the last 20 years; holds a degree in journalism and political science.



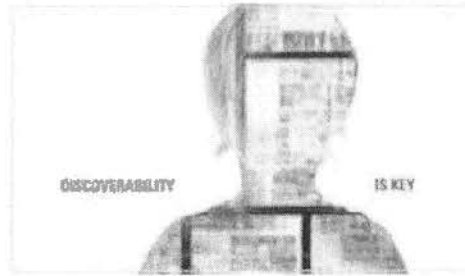
**Pascal Lechevallier, Keynote speaker**

CEO of What's Hot - Digital Consultant: #TV #VOD #SVOD #EST #OTT #MCN #FTTH – Blogger  
[on@zdnnet.fr](mailto:on@zdnnet.fr).

**And many others!**

[www.discoverability.ca](http://www.discoverability.ca)

**Need more information? Contact the Discoverability Summit team!**



---

**CRTC Performance Evaluations for CBC English Services for the Broadcast Year 2013-2014.**

1 message

---

**Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires**  
<regulatoryaffairs@cbc.ca>  
To: Catherine Blais <catherine.blais@crtc.gc.ca>  
Cc: Tvlogs <tvlogs@crtc.gc.ca>

Wed, Dec 30, 2015 at  
10:13 AM


Hello Catherine,

Please find attached CBC/Radio-Canada's response to the CRTC Performance Evaluations for CBC English Services for the Broadcast Year 2013-2014; also submitted via GC Key this morning.

Thank you,

Chantal Leger  
Regulatory Affairs Coordinator  
613-288-6254

---

 **CBCSRC\_PerformanceEvaluations-20132014\_28-Dec-2015.pdf**  
131K

December 29, 2015

Ms. Catherine Blais  
Manager, TV Logs Examination  
CRTC  
Ottawa, Ontario

**Re: Annual CRTC Performance Evaluations CBC English Services  
Broadcast Year 2013-14**

Dear Ms. Blais,

On September 30, 2015 CBC received CRTC Performance Evaluations for the 2013-14 Broadcast Year for all of its conventional television stations and specialty services.

Some of the Performance Evaluations raised compliance concerns with respect to local programming that needed further analysis. As such, CBC requested additional details from CRTC staff on the non-compliance of CBOT-DT Ottawa, CBMT-DT Montreal, CBRT-DT Calgary, CBUT-DT Vancouver and CBXT-TV Edmonton with respect to local programming. Staff then kindly provided us with a list of instances of non-compliance for each station.

Upon review of the list, it quickly became apparent that there was an issue with the coding of local programming. Under "Production Source", local Canadian independent productions were logged as category 6 (Canadian independent production) as opposed to category 1 (local station). Category 1 consolidates all local programming broadcast on a station. As such, none of the local Canadian independent productions were captured in the Performance Evaluations, resulting in the appearing of non-compliance in a number of markets. These logging codes have since been revised and the logs are in the process of being resubmitted which will correct this misconception.

As the Commission is aware, it is consistent with logging practices to code local Canadian independent programming as Category 1 instead of 6. Radio-Canada has been logging their independent local programming in this manner for a number of years, as it is the only way to demonstrate compliance with local programming conditions of licence.

Attached is the Commissions list of instances of non-compliance with an additional column that reflects total local programming based on the revised logs. As you will see, almost all of the issues have been resolved. That said, there are a few instances when certain stations fell short. Most of these shortfalls were due to sporting events running long which delayed the start of late night local programming. A few others related to technical issues.

We appreciate CRTC staff's cooperation in this matter and trust that the next Performance Evaluation for 2013-14 will demonstrate compliance with local programming with the exception of a few instances as discussed above.

Regards,

Bev Kirshenblatt



Executive Director, Regulatory Affairs  
P.O. Box 3220, Station C  
Ottawa, ON  
K1Y 1E4

Enc.

**Performance Evaluation Analysis  
CBC Non-Compliance  
Re: Local Programing  
2013-14**

|                              | Weeks in non-compliance (under 14 hours) | CRTC Results        | CBC Resubmission/Notes                       |
|------------------------------|--|---------------------|--|
| CBOT                         | 8-14 September 2013                      | 12:00:00            | 14:00:00                                     |
|                              | 15-21 September 2013                     | 11:00:00            | 14:00:00                                     |
|                              | 22-28 September 2013                     | 13:30:00            | 14:30:00                                     |
|                              | 13-19 October 2013                       | 13:00:01            | 14:00:01                                     |
|                              | 1-7 December 2013                        | 13:55:20            | 14:55:20                                     |
|                              | 29 December 2013 – 4 January 2014        | 13:59:58            | 14:00:00                                     |
|                              | 2-8 February 2014                        | 13:00:00            | 14:00:00                                     |
|                              | 2-8 March 2014                           | 13:55:59            | 13:55:59<br>4:01 short due to hockey runover |
|                              | 13-19 April 2014                         | 13:45:01            | 15:00:02                                     |
|                              | 20-26 April 2014                         | 12:30:00            | 14:30:00                                     |
|                              | 1-7 June 2014                            | 13:59:59            | 14:00:00                                     |
|                              | 15-21 June 2014                          | 10:59:59            | 14:00:00                                     |
|                              | 22-28 June 2014                          | 13:59:59            | 14:00:00                                     |
|                              | 29 June – 5 July 2014                    | 10:55:59            | 13:55:59<br>4:01 short due to FIFA runover   |
|                              | 3-9 August 2014                          | 13:59:59            | 14:00:00                                     |
|                              | 10-16 August 2014                        | 13:30:00            | 13:30:00<br>30:00 short due to FIFA runover  |
|                              | CBMT                                     | 8-14 September 2013 | 12:30:00                                     |
| 15-21 September 2013         |  | 13:30:00            | 14:30:00                                     |
| 22-28 September 2013         |  | 13:00:00            | 15:00:00                                     |
| 29 Sept – 5 October 2013     |  | 11:30:00            | 14:30:00                                     |
| 6-12 October 2013            |  | 13:30:00            | 14:30:00                                     |
| 13-19 October 2013           |  | 13:10:01            | 14:10:01                                     |
| 8-14 December 2013           |  | 13:59:59            | 14:59:59                                     |
| 22-28 December 2013          |  | 12:00:00            | 14:00:00                                     |
| 29 Dec 2013 – 4 January 2014 |  | 13:59:58            | 14:00:00                                     |
| 2-8 February 2014            |  | 13:30:00            | 14:30:00                                     |
| 13-19 April 2014             |  | 13:15:01            | 15:15:01                                     |
| 20-26 April 2014             |  | 11:30:00            | 14:30:00                                     |
| 27 Apr – 3 May 2014          |  | 13:00:01            | 15:00:01                                     |
| 18-24 May 2014               |  | 13:30:00            | 14:30:00                                     |
| 25-31 May 2014               |  | 12:00:00            | 14:00:00                                     |
| 8-14 June 2014               |  | 12:00:01            | 14:00:01                                     |

|      | Weeks in non-compliance (under 14 hours) | CRTC Results | CBC Resubmission/Notes                                 |
|------|--|--------------|--|
|      | 15-21 June 2014                          | 08:59:59     | 14:00:00   |
|      | 22-28 June 2014                          | 11:59:58     | 14:00:00   |
|      | 29 June – 5 July 2014                    | 09:55:59     | 13:55:59<br>4:01 short due to FIFA runover             |
|      | 6-12 July 2014                           | 12:00:01     | 14:00:01   |
|      | 20-26 July 2014                          | 13:00:01     | 15:00:00   |
|      |  |              |  |
| CBRT | 1-7 September 2013                       | 11:00:00     | 14:00:00   |
|      | 8-14 September 2013                      | 11:00:00     | 14:00:00   |
|      | 15-21 September 2013                     | 10:56:00     | 13:56:00<br>04:00 minutes short due to technical error |
|      | 22-28 September 2013                     | 11:00:00     | 14:30:00   |
|      | 29 Sept – 5 October 2013                 | 09:00:00     | 14:00:00   |
|      | 6-12 October 2013                        | 12:00:00     | 14:00:00   |
|      | 3-9 November 2013                        | 13:00:02     | 14:00:02   |
|      | 22-28 December 2013                      | 12:00:00     | 14:00:00   |
|      | 29 Dec – 4 January 2014                  | 12:00:00     | 14:00:00   |
|      | 5-11 January 2014                        | 13:59:59     | 14:00:00   |
|      | 2-8 February 2014                        | 12:00:00     | 14:00:00   |
|      | 23 Feb – 1 March 2014                    | 13:00:00     | 14:00:00   |
|      | 2-8 March 2014                           | 12:30:00     | 14:00:00   |
|      | 30 Mar – 5 April 2014                    | 13:00:00     | 14:00:00   |
|      | 13-19 April 2014                         | 11:00:12     | 15:00:12   |
|      | 20-26 April 2014                         | 10:35:00     | 15:05:00   |
|      | 27 Apr – 3 May 2014                      | 11:21:00     | 14:51:00   |
|      | 4-10 May 2014                            | 11:00:05     | 15:00:05   |
|      | 11-17 May 2014                           | 12:00:10     | 14:00:10   |
|      | 8-14 June 2014                           | 12:00:00     | 14:00:00   |
|      | 15-21 June 2014                          | 11:29:54     | 14:29:54   |
|      | 22-28 June 2014                          | 13:59:59     | 14:00:00   |
|      | 29 Jun – 5 July 2014                     | 13:30:00     | 14:30:00   |
|      | 6-12 July 2014                           | 13:59:58     | 14:00:00   |
|      | 27 Jul – 2 August 2014                   | 13:00:00     | 14:30:00   |
|      | 3-8 August 2014                          | 13:00:00     | 14:00:00   |
|      | 10-16 August 2014                        | 13:00:00     | 14:00:00   |
|      | 24-30 August 2014                        | 13:00:00     | 14:00:00   |
|      |  |              |  |
| CBUT | 1-7 September 2013                       | 11:00:00     | 14:00:00   |
|      | 8-14 September 2013                      | 11:00:00     | 14:00:00   |
|      | 15-21 September 2013                     | 12:59:59     | 14:59:59   |
|      | 22-28 September 2013                     | 12:30:00     | 14:30:00   |
|      | 29 Sept- 5 October 2013                  | 12:00:00     | 14:00:00   |



|      | Weeks in non-compliance (under 14 hours) | CRTC Results | CBC Resubmission/Notes                                     |
|------|--|--------------|--|
|      | 3-9 November 2013                        | 13:00:00     | 14:00:00   |
|      | 24-30 November 2013                      | 13:56:27     | 13:56:27<br>3:33 short due to technical error              |
|      | 29 Dec – 4 January 2014                  | 12:30:00     | 14:30:00   |
|      | 2-8 February 2014                        | 12:00:00     | 13:00:00<br>1:00:00 short due to technical error           |
|      | 2-8 March 2014                           | 13:00:00     | 14:00:00   |
|      | 27 April – 3 May 2014                    | 13:38:00     | 14:38:00   |
|      | 18-24 May 2014                           | 13:51:36     | 14:51:36   |
|      | 8-14 June 2014                           | 12:27:00     | 12:27:00<br>1:33:00 short due to Stanley Cup final runover |
|      | 15-21 June 2014                          | 12:59:59     | 14:00:00   |
|      | 22-28 June 2014                          | 13:59:59     | 14:00:00   |
|      | 10-16 August 2014                        | 13:59:59     | 14:00:00   |
|      |  |              |  |
| CBXT | 1-7 September 2013                       | 11:00:00     | 14:00:00   |
|      | 8-14 September 2013                      | 13:00:00     | 14:00:00   |
|      | 15-21 September 2013                     | 12:00:00     | 14:00:00   |
|      | 22-28 September 2013                     | 11:00:00     | 14:30:00   |
|      | 29 Sept – 5 October 2013                 | 09:54:00     | 13:54:00<br>6:00 short due to technical error              |
|      | 6-12 October 2013                        | 12:00:00     | 14:00:00   |
|      | 3-9 November 2013                        | 13:00:01     | 14:00:01   |
|      | 29 Dec – 4 January 2014                  | 12:00:00     | 14:00:00   |
|      | 2-8 February 2014                        | 13:00:00     | 14:00:00   |
|      | 2-8 March 2014                           | 13:30:00     | 14:00:00   |
|      | 30 March – 5 April 2014                  | 13:00:00     | 14:00:00   |
|      | 13-19 April 2014                         | 12:00:12     | 15:00:12   |
|      | 20-26 April 2014                         | 12:39:00     | 15:05:00   |
|      | 27 Apr – 3 May 2014                      | 13:21:00     | 14:51:00   |
|      | 15-21 June 2014                          | 12:29:54     | 14:29:54   |
|      | 22-28 June 2014                          | 13:59:59     | 14:00:00   |
|      | 6-12 July 2014                           | 13:59:58     | 14:00:00   |

From / De: Tvlogs  
To / À: tina.tatto@cbc.ca,  
Cc / Cc: catherine.blais@crtc.gc.ca,  
Date / Date: Tue, 27 Oct 2015 17:16:43 +0000  
Subject / Objet: RE: CBC Performance Evaluations 2013-14

Good afternoon,

Here is the list of weeks that are in non-compliance.

Thank you,  
TV Logs Group

---

**From:** Tvlogs  
**Sent:** 27 octobre 2015 09:22  
**To:** TINA TATTO  
**Cc:** Blais, Catherine; Tvlogs  
**Subject:** RE: CBC Performance Evaluations 2013-14

Good morning,  
Thank you for your email. We will look into this matter and get back to you shortly.

Thank you,  
TV Logs Group

---

**From:** TINA TATTO [<mailto:tina.tatto@cbc.ca>]  
**Sent:** 26 octobre 2015 16:08  
**To:** Tvlogs  
**Cc:** Blais, Catherine  
**Subject:** CBC Performance Evaluations 2013-14

Hello,

Further to a voicemail exchange between myself and Catherine, could you please advise which weeks the following stations were out of compliance on local programming, as our logs do not reflect any compliance issues:

CBOT-DT Ottawa - 13.5 hours  
CBMT-DT Montreal - 13.43 hours  
CBRT-DT Calgary - 13 hours  
CBUT-DT Vancouver - 13.48 hours  
CBXT-DT Edmonton - 13.33 hours

In addition, could you please advise as to the process. I recognize that we will not be receiving another evaluation once corrections are made to the logs and they are resubmitted. That said, I would assume we be receiving another performance evaluation before licence renewal to update the previous report. Could you please advise.

Thanks in advance.

2/7/2017

RE\_CBC Performance Evaluations 2013-14 (1).html

Tina-Marie Tatto  
Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
[tina.tatto@cbc.ca](mailto:tina.tatto@cbc.ca)

|                              | <b>Weeks in non-compliance (under 14 hours)</b> | <b>Results</b>      |
|------------------------------|---|---------------------|
| CBOT                         | 8-14 September 2013                             | 12:00:00            |
|                              | 15-21 September 2013                            | 11:00:00            |
|                              | 22-28 September 2013                            | 13:30:00            |
|                              | 13-19 October 2013                              | 13:00:01            |
|                              | 1-7 December 2013                               | 13:55:20            |
|                              | 29 December 2013 – 4 January 2014               | 13:59:58            |
|                              | 2-8 February 2014                               | 13:00:00            |
|                              | 2-8 March 2014                                  | 13:55:59            |
|                              | 13-19 April 2014                                | 13:45:01            |
|                              | 20-26 April 2014                                | 12:30:00            |
|                              | 1-7 June 2014                                   | 13:59:59            |
|                              | 15-21 June 2014                                 | 10:59:59            |
|                              | 22-28 June 2014                                 | 13:59:59            |
|                              | 29 June – 5 July 2014                           | 10:55:59            |
|                              | 3-9 August 2014                                 | 13:59:59            |
|                              | 10-16 August 2014                               | 13:30:00            |
|                              | CBMT  | 8-14 September 2013 |
| 15-21 September 2013         |   | 13:30:00            |
| 22-28 September 2013         |   | 13:00:00            |
| 29 Sept – 5 October 2013     |   | 11:30:00            |
| 6-12 October 2013            |   | 13:30:00            |
| 13-19 October 2013           |   | 13:10:01            |
| 8-14 December 2013           |   | 13:59:59            |
| 22-28 December 2013          |   | 12:00:00            |
| 29 Dec 2013 – 4 January 2014 |   | 13:59:58            |
| 2-8 February 2014            |   | 13:30:00            |
| 13-19 April 2014             |   | 13:15:01            |
| 20-26 April 2014             |   | 11:30:00            |
| 27 Apr – 3 May 2014          |   | 13:00:01            |
| 18-24 May 2014               |   | 13:30:00            |
| 25-31 May 2014               |   | 12:00:00            |
| 8-14 June 2014               |   | 12:00:01            |
| 15-21 June 2014              |   | 08:59:59            |
| 22-28 June 2014              |   | 11:59:58            |
| 29 June – 5 July 2014        |   | 09:55:59            |
| 6-12 July 2014               |   | 12:00:01            |
| 20-26 July 2014              | 13:00:01  |                     |
| CBRT                         | 1-7 September 2013                              | 11:00:00            |
|                              | 8-14 September 2013                             | 11:00:00            |
|                              | 15-21 September 2013                            | 10:56:00            |
|                              | 22-28 September 2013                            | 11:00:00            |

|      |                          |          |
|------|--------------------------|----------|
|      | 29 Sept – 5 October 2013 | 09:00:00 |
|      | 6-12 October 2013        | 12:00:00 |
|      | 3-9 November 2013        | 13:00:02 |
|      | 22-28 December 2013      | 12:00:00 |
|      | 29 Dec – 4 January 2014  | 12:00:00 |
|      | 5-11 January 2014        | 13:59:59 |
|      | 2-8 February 2014        | 12:00:00 |
|      | 23 Feb – 1 March 2014    | 13:00:00 |
|      | 2-8 March 2014           | 12:30:00 |
|      | 30 Mar – 5 April 2014    | 13:00:00 |
|      | 13-19 April 2014         | 11:00:12 |
|      | 20-26 April 2014         | 10:35:00 |
|      | 27 Apr – 3 May 2014      | 11:21:00 |
|      | 4-10 May 2014            | 11:00:05 |
|      | 11-17 May 2014           | 12:00:10 |
|      | 8-14 June 2014           | 12:00:00 |
|      | 15-21 June 2014          | 11:29:54 |
|      | 22-28 June 2014          | 13:59:59 |
|      | 29 Jun – 5 July 2014     | 13:30:00 |
|      | 6-12 July 2014           | 13:59:58 |
|      | 27 Jul – 2 August 2014   | 13:00:00 |
|      | 3-8 August 2014          | 13:00:00 |
|      | 10-16 August 2014        | 13:00:00 |
|      | 24-30 August 2014        | 13:00:00 |
|      |                          |          |
| CBUT | 1-7 September 2013       | 11:00:00 |
|      | 8-14 September 2013      | 11:00:00 |
|      | 15-21 September 2013     | 12:59:59 |
|      | 22-28 September 2013     | 12:30:00 |
|      | 29 Sept- 5 October 2013  | 12:00:00 |
|      | 3-9 November 2013        | 13:00:00 |
|      | 24-30 November 2013      | 13:56:27 |
|      | 29 Dec – 4 January 2014  | 12:30:00 |
|      | 2-8 February 2014        | 12:00:00 |
|      | 2-8 March 2014           | 13:00:00 |
|      | 27 April – 3 May 2014    | 13:38:00 |
|      | 18-24 May 2014           | 13:51:36 |
|      | 8-14 June 2014           | 12:27:00 |
|      | 15-21 June 2014          | 12:59:59 |
|      | 22-28 June 2014          | 13:59:59 |
|      | 10-16 August 2014        | 13:59:59 |
|      |                          |          |
| CBXT | 1-7 September 2013       | 11:00:00 |
|      | 8-14 September 2013      | 13:00:00 |
|      | 15-21 September 2013     | 12:00:00 |
|      | 22-28 September 2013     | 11:00:00 |

|  |                          |          |
|--|--------------------------|----------|
|  | 29 Sept – 5 October 2013 | 09:54:00 |
|  | 6-12 October 2013        | 12:00:00 |
|  | 3-9 November 2013        | 13:00:01 |
|  | 29 Dec – 4 January 2014  | 12:00:00 |
|  | 2-8 February 2014        | 13:00:00 |
|  | 2-8 March 2014           | 13:30:00 |
|  | 30 March – 5 April 2014  | 13:00:00 |
|  | 13-19 April 2014         | 12:00:12 |
|  | 20-26 April 2014         | 12:39:00 |
|  | 27 Apr – 3 May 2014      | 13:21:00 |
|  | 15-21 June 2014          | 12:29:54 |
|  | 22-28 June 2014          | 13:59:59 |
|  | 6-12 July 2014           | 13:59:58 |

From / De: Tvlogs

To / À: regulatoryaffairs@cbc.ca,

Cc / Cc: catherine.blais@crtc.gc.ca,

Date / Date: Wed, 30 Sep 2015 19:16:16 +0000

Subject / Objet: Annual performance evaluation 2013-2014 - CBAT, CBC, CBCT, CBET, CBHT, CBKT, CBLT, CBMT, CBNT, CBOT, CBRT, CBUT, CBWT, CBXT, CFYK, DOCS, NEWSW

Veillez consulter le document ci-joint, vous pouvez répondre au besoin par le biais du courriel suivant :  
[tvlogs@crtc.gc.ca](mailto:tvlogs@crtc.gc.ca)

Veillez ne pas répondre à ce courriel.

**Veillez consulter nos guides de programmes mis-à-jour (ci-joints) :**

Les mises à jour des sujets suivants sont maintenant disponibles dans les guides :

1. Dans l'Annexe 1, vous trouverez l'information concernant le passage à l'heure d'été et à l'heure d'hiver
2. Les codes C/D révisés – Crédit de temps pour doublage/dramatique
3. Les nouvelles classifications de films et les codes correspondants
4. L'utilisation de « NIL » et les catégories d'exceptions « invalides » pour les programmes canadiens certifiés

---

Please consult the enclosed document, if needed you may reply using the following email: [tvlogs@crtc.gc.ca](mailto:tvlogs@crtc.gc.ca)

Do not reply to this email.

**Please consult our updated program guides (attached):**

Updated information on the following can now be found in the guides:

1. In Appendix 1, you will find information regarding Daylight Savings Time and Standard Time
2. The updated D/C- Dubbing Dramatic Codes
3. The new Film Classifications and their corresponding codes
4. In regards to logging Canadian certified programs: the use of "NIL" and (now invalid) category codes in exempted cases.

Cordialement/ Regards,

L'équipe des registres de télévision/ TV Logs Group



**By Email:**

[regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca)

30 September 2015

Mrs. Bev Kirshenblatt  
Senior Director, Regulatory Affairs  
Canadian Broadcasting Corporation

**Re: CBCT-DT Charlottetown  
Annual Performance Evaluation  
Broadcast Year 2013/14**

Dear Mrs. Kirshenblatt:

This letter is intended to provide you with your annual performance evaluation as explained in the broadcasting information bulletin CRTC 2013-515.

We would like to remind you that under the *Television Broadcasting Regulations, 1987*, the *Specialty Services Regulations, 1990* and the *Pay Television Regulations, 1990*, logs must be kept in an acceptable form at all times, and that except as otherwise provided under conditions of licence, a licensee shall, **within 30 days after the end of each month**, provide to the Commission its program log or machine-readable record for that month, together with a certificate signed by or on behalf of the licensee attesting to the accuracy of the contents of the log or record.

It would be beneficial for you to make corrections as logs are filed. This would help you save time and avoid having log accuracy letters added to your files.

From now on, applicants will receive an annual performance evaluation after they have corrected their program logs for the previous broadcast year. This new approach will ensure that licensees always meet their regulatory requirements and never have to revise several years' worth of logs, which is a time-consuming process.

.../2



Accordingly, the attached report sets out the results of our annual performance evaluation for the programming broadcast by your undertaking in the 2013/14 broadcast year. This report is based on the program logs that you submitted to the Commission, which were filed together with a certificate attesting to the accuracy of their content.

A copy of this letter and all other relevant correspondence will be added to your undertaking's public record and will be used by the Commission to evaluate your service's compliance with the regulations and requirements in effect at the time of your next licence renewal.

For more information, feel free to contact me at 819-997-4721.

Sincerely,

A handwritten signature in cursive script, appearing to read "Catherine Blais".

Catherine Blais  
Manager, TV Monitoring Management  
Broadcasting

Encl.

**CBCT-DT Charlottetown  
2013/14 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 93.73                 | 89.96  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Programs of National Interest<sup>1 & 2</sup>**

|             |  |   |  |
|-------------|--|---|--|
| C.O.L. # 19 | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) |
| Results     | No concerns                                      | 2:24  | 6:26   |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |
|-------------|----------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours |
| Result      | No concerns                |

**Canadian Local programming<sup>1 & 2</sup>**

|             |                           |
|-------------|---------------------------|
| C.O.L. # 21 | Broadcast week<br>7 hours |
| Result      | 10:19                     |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | April 2014: No category 7d)                           |

**Comment (s) / Concern (s)**

Apparent non-compliance

- C.O.L. # 22

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*



Conseil de la radiodiffusion et des  
télécommunications canadiennes

Canadian Radio-television and  
Telecommunications Commission

Ottawa, Canada  
K1A 0N2

**By Email:**

[regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca)

30 September 2015

Mrs. Bev Kirshenblatt  
Senior Director, Regulatory Affairs  
Canadian Broadcasting Corporation

**Re: CBET-DT Windsor  
Annual Performance Evaluation  
Broadcast Year 2013/14**

Dear Mrs. Kirshenblatt:

This letter is intended to provide you with your annual performance evaluation as explained in the broadcasting information bulletin CRTC 2013-515.

We would like to remind you that under the *Television Broadcasting Regulations, 1987*, the *Specialty Services Regulations, 1990* and the *Pay Television Regulations, 1990*, logs must be kept in an acceptable form at all times, and that except as otherwise provided under conditions of licence, a licensee shall, **within 30 days after the end of each month**, provide to the Commission its program log or machine-readable record for that month, together with a certificate signed by or on behalf of the licensee attesting to the accuracy of the contents of the log or record.

It would be beneficial for you to make corrections as logs are filed. This would help you save time and avoid having log accuracy letters added to your files.

From now on, applicants will receive an annual performance evaluation after they have corrected their program logs for the previous broadcast year. This new approach will ensure that licensees always meet their regulatory requirements and never have to revise several years' worth of logs, which is a time-consuming process.

.../2

Canada

Accordingly, the attached report sets out the results of our annual performance evaluation for the programming broadcast by your undertaking in the 2013/14 broadcast year. This report is based on the program logs that you submitted to the Commission, which were filed together with a certificate attesting to the accuracy of their content.

A copy of this letter and all other relevant correspondence will be added to your undertaking's public record and will be used by the Commission to evaluate your service's compliance with the regulations and requirements in effect at the time of your next licence renewal.

For more information, feel free to contact me at 819-997-4721.

Sincerely,

A handwritten signature in cursive script, appearing to read "Catherine Blais".

Catherine Blais  
Manager, TV Monitoring Management  
Broadcasting

Encl.

**CBET-DT Windsor  
2013/14 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 93.89                 | 91.34  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |
|------------------------------|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | No concerns                                      | 2:34   | 6:28   |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |
|-------------|----------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours |
| Result      | No concerns                |

**Canadian Local programming<sup>1 & 2</sup>**

|             |                           |
|-------------|---------------------------|
| C.O.L. # 21 | Broadcast week<br>7 hours |
| Result      | 7:21                      |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | October 2013 to March 2014: No category 7d)           |

**Comment (s) / Concern (s)**

Apparent non-compliance

- C.O.L. # 22

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*



Conseil de la radiodiffusion et des  
télécommunications canadiennes

Canadian Radio-television and  
Telecommunications Commission

Ottawa, Canada  
K1A 0N2

**By Email:**

[regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca)

30 September 2015

Mrs. Bev Kirshenblatt  
Senior Director, Regulatory Affairs  
Canadian Broadcasting Corporation

**Re: CBHT-DT Halifax  
Annual Performance Evaluation  
Broadcast Year 2013/14**

Dear Mrs. Kirshenblatt:

This letter is intended to provide you with your annual performance evaluation as explained in the broadcasting information bulletin CRTC 2013-515.

We would like to remind you that under the *Television Broadcasting Regulations, 1987*, the *Specialty Services Regulations, 1990* and the *Pay Television Regulations, 1990*, logs must be kept in an acceptable form at all times, and that except as otherwise provided under conditions of licence, a licensee shall, **within 30 days after the end of each month**, provide to the Commission its program log or machine-readable record for that month, together with a certificate signed by or on behalf of the licensee attesting to the accuracy of the contents of the log or record.

It would be beneficial for you to make corrections as logs are filed. This would help you save time and avoid having log accuracy letters added to your files.

From now on, applicants will receive an annual performance evaluation after they have corrected their program logs for the previous broadcast year. This new approach will ensure that licensees always meet their regulatory requirements and never have to revise several years' worth of logs, which is a time-consuming process.

.../2

Canada

Accordingly, the attached report sets out the results of our annual performance evaluation for the programming broadcast by your undertaking in the 2013/14 broadcast year. This report is based on the program logs that you submitted to the Commission, which were filed together with a certificate attesting to the accuracy of their content.

A copy of this letter and all other relevant correspondence will be added to your undertaking's public record and will be used by the Commission to evaluate your service's compliance with the regulations and requirements in effect at the time of your next licence renewal.

For more information, feel free to contact me at 819-997-4721.

Sincerely,

A handwritten signature in cursive script, appearing to read "Catherine Blais".

Catherine Blais  
Manager, TV Monitoring Management  
Broadcasting

Encl.

**CBHT-DT Halifax  
2013/14 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 93.74                 | 90.82  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |
|------------------------------|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | No concerns                                      | 2:25   | 6:26   |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |
|-------------|----------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours |
| Result      | No concerns                |

**Canadian Local programming<sup>1 & 2</sup>**

|             |                           |
|-------------|---------------------------|
| C.O.L. # 21 | Broadcast week<br>7 hours |
| Result      | 13:42                     |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | April 2014: No category 7d)                           |

**Comment (s) / Concern (s)**

Apparent non-compliance

- C.O.L. # 22

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*





Conseil de la radiodiffusion et des  
télécommunications canadiennes

Canadian Radio-television and  
Telecommunications Commission

Ottawa, Canada  
K1A 0N2

**By Email:**

[regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca)

30 September 2015

Mrs. Bev Kirshenblatt  
Senior Director, Regulatory Affairs  
Canadian Broadcasting Corporation

**Re: CBKT-DT Regina  
Annual Performance Evaluation  
Broadcast Year 2013/14**

Dear Mrs. Kirshenblatt:

This letter is intended to provide you with your annual performance evaluation as explained in the broadcasting information bulletin CRTC 2013-515.

We would like to remind you that under the *Television Broadcasting Regulations, 1987*, the *Specialty Services Regulations, 1990* and the *Pay Television Regulations, 1990*, logs must be kept in an acceptable form at all times, and that except as otherwise provided under conditions of licence, a licensee shall, **within 30 days after the end of each month**, provide to the Commission its program log or machine-readable record for that month, together with a certificate signed by or on behalf of the licensee attesting to the accuracy of the contents of the log or record.

It would be beneficial for you to make corrections as logs are filed. This would help you save time and avoid having log accuracy letters added to your files.

From now on, applicants will receive an annual performance evaluation after they have corrected their program logs for the previous broadcast year. This new approach will ensure that licensees always meet their regulatory requirements and never have to revise several years' worth of logs, which is a time-consuming process.

.../2

Canada

Accordingly, the attached report sets out the results of our annual performance evaluation for the programming broadcast by your undertaking in the 2013/14 broadcast year. This report is based on the program logs that you submitted to the Commission, which were filed together with a certificate attesting to the accuracy of their content.

A copy of this letter and all other relevant correspondence will be added to your undertaking's public record and will be used by the Commission to evaluate your service's compliance with the regulations and requirements in effect at the time of your next licence renewal.

For more information, feel free to contact me at 819-997-4721.

Sincerely,

A handwritten signature in cursive script, appearing to read "Catherine Blais".

Catherine Blais  
Manager, TV Monitoring Management  
Broadcasting

Encl.

**CBKT-DT Regina  
2013/14 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 93.69                 | 91.30  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |
|------------------------------|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | No concerns                                      | 2:44   | 6:51   |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |
|-------------|----------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours |
| Result      | No concerns                |

**Canadian Local programming<sup>1 & 2</sup>**

|             |                           |
|-------------|---------------------------|
| C.O.L. # 21 | Broadcast week<br>7 hours |
| Result      | 8:03                      |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | No concerns   |

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*



Conseil de la radiodiffusion et des  
télécommunications canadiennes

Canadian Radio-television and  
Telecommunications Commission

Ottawa, Canada  
K1A 0N2

**By Email:**

[regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca)

30 September 2015

Mrs. Bev Kirshenblatt  
Senior Director, Regulatory Affairs  
Canadian Broadcasting Corporation

**Re: CBLT-DT Toronto  
Annual Performance Evaluation  
Broadcast Year 2013/14**

Dear Mrs. Kirshenblatt:

This letter is intended to provide you with your annual performance evaluation as explained in the broadcasting information bulletin CRTC 2013-515.

We would like to remind you that under the *Television Broadcasting Regulations, 1987*, the *Specialty Services Regulations, 1990* and the *Pay Television Regulations, 1990*, logs must be kept in an acceptable form at all times, and that except as otherwise provided under conditions of licence, a licensee shall, **within 30 days after the end of each month**, provide to the Commission its program log or machine-readable record for that month, together with a certificate signed by or on behalf of the licensee attesting to the accuracy of the contents of the log or record.

It would be beneficial for you to make corrections as logs are filed. This would help you save time and avoid having log accuracy letters added to your files.

From now on, applicants will receive an annual performance evaluation after they have corrected their program logs for the previous broadcast year. This new approach will ensure that licensees always meet their regulatory requirements and never have to revise several years' worth of logs, which is a time-consuming process.

.../2

Canada

Accordingly, the attached report sets out the results of our annual performance evaluation for the programming broadcast by your undertaking in the 2013/14 broadcast year. This report is based on the program logs that you submitted to the Commission, which were filed together with a certificate attesting to the accuracy of their content.

A copy of this letter and all other relevant correspondence will be added to your undertaking's public record and will be used by the Commission to evaluate your service's compliance with the regulations and requirements in effect at the time of your next licence renewal.

For more information, feel free to contact me at 819-997-4721.

Sincerely,

A handwritten signature in cursive script, appearing to read "Catherine Blais".

Catherine Blais  
Manager, TV Monitoring Management  
Broadcasting

Encl.

**CBLT-DT Toronto  
2013/14 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 93.73                 | 91.38  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |
|------------------------------|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | No concerns                                      | 2:34   | 6:31   |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |
|-------------|----------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours |
| Result      | No concerns                |

**Canadian Local programming<sup>1 & 2</sup>**

|             |                            |                          |
|-------------|----------------------------|--------------------------|
| C.O.L. # 21 | Broadcast week<br>14 hours | Broadcast week<br>1 hour |
| Result      | 14:06                      | 3:53                     |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | February 2014: No category 7d)                        |

**Comment (s) / Concern (s)**

Apparent non-compliance

- C.O.L. # 22

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*





**By Email:**

[regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca)

30 September 2015

Mrs. Bev Kirshenblatt  
Senior Director, Regulatory Affairs  
Canadian Broadcasting Corporation

**Re:   CBAT-DT Fredericton  
      Annual Performance Evaluation  
      Broadcast Year 2013/14**

Dear Mrs. Kirshenblatt:

This letter is intended to provide you with your annual performance evaluation as explained in the broadcasting information bulletin CRTC 2013-515.

We would like to remind you that under the *Television Broadcasting Regulations, 1987*, the *Specialty Services Regulations, 1990* and the *Pay Television Regulations, 1990*, logs must be kept in an acceptable form at all times, and that except as otherwise provided under conditions of licence, a licensee shall, **within 30 days after the end of each month**, provide to the Commission its program log or machine-readable record for that month, together with a certificate signed by or on behalf of the licensee attesting to the accuracy of the contents of the log or record.

It would be beneficial for you to make corrections as logs are filed. This would help you save time and avoid having log accuracy letters added to your files.

From now on, applicants will receive an annual performance evaluation after they have corrected their program logs for the previous broadcast year. This new approach will ensure that licensees always meet their regulatory requirements and never have to revise several years' worth of logs, which is a time-consuming process.

.../2



Accordingly, the attached report sets out the results of our annual performance evaluation for the programming broadcast by your undertaking in the 2013/14 broadcast year. This report is based on the program logs that you submitted to the Commission, which were filed together with a certificate attesting to the accuracy of their content.

A copy of this letter and all other relevant correspondence will be added to your undertaking's public record and will be used by the Commission to evaluate your service's compliance with the regulations and requirements in effect at the time of your next licence renewal.

For more information, feel free to contact me at 819-997-4721.

Sincerely,

A handwritten signature in cursive script, appearing to read "Catherine Blais".

Catherine Blais  
Manager, TV Monitoring Management  
Broadcasting

Encl.

**CBAT-DT Fredericton  
2013/14 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 93.73                 | 90.71  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |
|------------------------------|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | No concerns                                      | 2:24   | 6:26   |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |
|-------------|----------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours |
| Result      | No concerns                |

**Canadian Local programming<sup>1 & 2</sup>**

|             |                           |
|-------------|---------------------------|
| C.O.L. # 21 | Broadcast week<br>7 hours |
| Result      | 16:13                     |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | April 2014: No category 7d)                           |

**Comment (s) / Concern (s)**

Apparent non-compliance

- C.O.L. # 22

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*



Conseil de la radiodiffusion et des  
télécommunications canadiennes

Canadian Radio-television and  
Telecommunications Commission

Ottawa, Canada  
K1A 0N2

**By Email:**

[regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca)

30 September 2015

Mrs. Bev Kirshenblatt  
Senior Director, Regulatory Affairs  
Canadian Broadcasting Corporation

**Re: CBMT-DT Montreal  
Annual Performance Evaluation  
Broadcast Year 2013/14**

Dear Mrs. Kirshenblatt:

This letter is intended to provide you with your annual performance evaluation as explained in the broadcasting information bulletin CRTC 2013-515.

We would like to remind you that under the *Television Broadcasting Regulations, 1987*, the *Specialty Services Regulations, 1990* and the *Pay Television Regulations, 1990*, logs must be kept in an acceptable form at all times, and that except as otherwise provided under conditions of licence, a licensee shall, **within 30 days after the end of each month**, provide to the Commission its program log or machine-readable record for that month, together with a certificate signed by or on behalf of the licensee attesting to the accuracy of the contents of the log or record.

It would be beneficial for you to make corrections as logs are filed. This would help you save time and avoid having log accuracy letters added to your files.

From now on, applicants will receive an annual performance evaluation after they have corrected their program logs for the previous broadcast year. This new approach will ensure that licensees always meet their regulatory requirements and never have to revise several years' worth of logs, which is a time-consuming process.

.../2

Canada

Accordingly, the attached report sets out the results of our annual performance evaluation for the programming broadcast by your undertaking in the 2013/14 broadcast year. This report is based on the program logs that you submitted to the Commission, which were filed together with a certificate attesting to the accuracy of their content.

A copy of this letter and all other relevant correspondence will be added to your undertaking's public record and will be used by the Commission to evaluate your service's compliance with the regulations and requirements in effect at the time of your next licence renewal.

For more information, feel free to contact me at 819-997-4721.

Sincerely,

A handwritten signature in cursive script, appearing to read "Catherine Blais".

Catherine Blais  
Manager, TV Monitoring Management  
Broadcasting

Encl.

**CBMT-DT Montreal  
2013/14 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 93.67                 | 91.21  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |
|------------------------------|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | No concerns                                      | 2:34   | 6:29   |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |
|-------------|----------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours |
| Result      | No concerns                |

**Canadian Local programming<sup>1 & 2</sup>**

|             |                            |                          |
|-------------|----------------------------|--------------------------|
| C.O.L. # 21 | Broadcast week<br>14 hours | Broadcast week<br>1 hour |
| Result      | 13:43                      | 3:06                     |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | February 2014: No category 7d)                        |

**Comment (s) / Concern (s)**

Apparent non-compliance

- C.O.L. # 21
- C.O.L. # 22

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*



**By Email:**

[regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca)

30 September 2015

Mrs. Bev Kirshenblatt  
Senior Director, Regulatory Affairs  
Canadian Broadcasting Corporation

**Re: CBNT-DT St. John's  
Annual Performance Evaluation  
Broadcast Year 2013/14**

Dear Mrs. Kirshenblatt:

This letter is intended to provide you with your annual performance evaluation as explained in the broadcasting information bulletin CRTC 2013-515.

We would like to remind you that under the *Television Broadcasting Regulations, 1987*, the *Specialty Services Regulations, 1990* and the *Pay Television Regulations, 1990*, logs must be kept in an acceptable form at all times, and that except as otherwise provided under conditions of licence, a licensee shall, **within 30 days after the end of each month**, provide to the Commission its program log or machine-readable record for that month, together with a certificate signed by or on behalf of the licensee attesting to the accuracy of the contents of the log or record.

It would be beneficial for you to make corrections as logs are filed. This would help you save time and avoid having log accuracy letters added to your files.

From now on, applicants will receive an annual performance evaluation after they have corrected their program logs for the previous broadcast year. This new approach will ensure that licensees always meet their regulatory requirements and never have to revise several years' worth of logs, which is a time-consuming process.

.../2

Accordingly, the attached report sets out the results of our annual performance evaluation for the programming broadcast by your undertaking in the 2013/14 broadcast year. This report is based on the program logs that you submitted to the Commission, which were filed together with a certificate attesting to the accuracy of their content.

A copy of this letter and all other relevant correspondence will be added to your undertaking's public record and will be used by the Commission to evaluate your service's compliance with the regulations and requirements in effect at the time of your next licence renewal.

For more information, feel free to contact me at 819-997-4721.

Sincerely,

A handwritten signature in cursive script, appearing to read "Catherine Blais".

Catherine Blais  
Manager, TV Monitoring Management  
Broadcasting

Encl.

**CBNT-DT St. John's  
2013/14 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 93.71                 | 86.45  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |
|------------------------------|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | No concerns                                      | 2:25   | 7:44   |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |
|-------------|----------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours |
| Result      | No concerns                |

**Canadian Local programming<sup>1 & 2</sup>**

|             |                           |
|-------------|---------------------------|
| C.O.L. # 21 | Broadcast week<br>7 hours |
| Result      | 13:52                     |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | April 2014: No category 7d)                           |

**Comment (s) / Concern (s)**

Apparent non-compliance

- C.O.L. # 22

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*





Conseil de la radiodiffusion et des  
télécommunications canadiennes

Canadian Radio-television and  
Telecommunications Commission

Ottawa, Canada  
K1A 0N2

**By Email:**

[regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca)

30 September 2015

Mrs. Bev Kirshenblatt  
Senior Director, Regulatory Affairs  
Canadian Broadcasting Corporation

**Re: CBOT-DT Ottawa  
Annual Performance Evaluation  
Broadcast Year 2013/14**

Dear Mrs. Kirshenblatt:

This letter is intended to provide you with your annual performance evaluation as explained in the broadcasting information bulletin CRTC 2013-515.

We would like to remind you that under the *Television Broadcasting Regulations, 1987*, the *Specialty Services Regulations, 1990* and the *Pay Television Regulations, 1990*, logs must be kept in an acceptable form at all times, and that except as otherwise provided under conditions of licence, a licensee shall, **within 30 days after the end of each month**, provide to the Commission its program log or machine-readable record for that month, together with a certificate signed by or on behalf of the licensee attesting to the accuracy of the contents of the log or record.

It would be beneficial for you to make corrections as logs are filed. This would help you save time and avoid having log accuracy letters added to your files.

From now on, applicants will receive an annual performance evaluation after they have corrected their program logs for the previous broadcast year. This new approach will ensure that licensees always meet their regulatory requirements and never have to revise several years' worth of logs, which is a time-consuming process.

.../2

Canada

Accordingly, the attached report sets out the results of our annual performance evaluation for the programming broadcast by your undertaking in the 2013/14 broadcast year. This report is based on the program logs that you submitted to the Commission, which were filed together with a certificate attesting to the accuracy of their content.

A copy of this letter and all other relevant correspondence will be added to your undertaking's public record and will be used by the Commission to evaluate your service's compliance with the regulations and requirements in effect at the time of your next licence renewal.

For more information, feel free to contact me at 819-997-4721.

Sincerely,

A handwritten signature in cursive script, appearing to read "Catherine Blais".

Catherine Blais  
Manager, TV Monitoring Management  
Broadcasting

Encl.

**CBOT-DT Ottawa  
2013/14 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 93.68                 | 91.24  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Programs of National Interest<sup>1&2</sup>**

|                              |  |  |  |
|------------------------------|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | No concerns                                      | 2:33   | 6:31   |

**Canadian Children's programming<sup>1&2</sup>**

|             |                            |
|-------------|----------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours |
| Result      | No concerns                |

**Canadian Local programming<sup>1&2</sup>**

|             |                            |                          |
|-------------|----------------------------|--------------------------|
| C.O.L. # 21 | Broadcast week<br>14 hours | Broadcast week<br>1 hour |
| Result      | 13:50                      | 3:37                     |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | February 2014: No category 7d)                        |

**Comment (s) / Concern (s)**

Apparent non-compliance

- C.O.L. # 22

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*



**By Email:**

[regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca)

30 September 2015

Mrs. Bev Kirshenblatt  
Senior Director, Regulatory Affairs  
Canadian Broadcasting Corporation

**Re: CBRT-DT Calgary  
Annual Performance Evaluation  
Broadcast Year 2013/14**

Dear Mrs. Kirshenblatt:

This letter is intended to provide you with your annual performance evaluation as explained in the broadcasting information bulletin CRTC 2013-515.

We would like to remind you that under the *Television Broadcasting Regulations, 1987*, the *Specialty Services Regulations, 1990* and the *Pay Television Regulations, 1990*, logs must be kept in an acceptable form at all times, and that except as otherwise provided under conditions of licence, a licensee shall, **within 30 days after the end of each month**, provide to the Commission its program log or machine-readable record for that month, together with a certificate signed by or on behalf of the licensee attesting to the accuracy of the contents of the log or record.

It would be beneficial for you to make corrections as logs are filed. This would help you save time and avoid having log accuracy letters added to your files.

From now on, applicants will receive an annual performance evaluation after they have corrected their program logs for the previous broadcast year. This new approach will ensure that licensees always meet their regulatory requirements and never have to revise several years' worth of logs, which is a time-consuming process.

.../2

Accordingly, the attached report sets out the results of our annual performance evaluation for the programming broadcast by your undertaking in the 2013/14 broadcast year. This report is based on the program logs that you submitted to the Commission, which were filed together with a certificate attesting to the accuracy of their content.

A copy of this letter and all other relevant correspondence will be added to your undertaking's public record and will be used by the Commission to evaluate your service's compliance with the regulations and requirements in effect at the time of your next licence renewal.

For more information, feel free to contact me at 819-997-4721.

Sincerely,

A handwritten signature in cursive script, appearing to read "Catherine Blais".

Catherine Blais  
Manager, TV Monitoring Management  
Broadcasting

Encl.

**CBRT-DT Calgary  
2013/14 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 93.75                 | 91.20  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |
|------------------------------|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | No concerns                                      | 6:40   | 30:18  |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |
|-------------|----------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours |
| Result      | No concerns                |

**Canadian Local programming<sup>1 & 2</sup>**

|             |                            |
|-------------|----------------------------|
| C.O.L. # 21 | Broadcast week<br>14 hours |
| Result      | 13:00                      |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | February 2014: No category 7d)                        |

**Comment (s) / Concern (s)**

Apparent non-compliance

- C.O.L. # 21
- C.O.L. # 22

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*



Conseil de la radiodiffusion et des  
télécommunications canadiennes

Canadian Radio-television and  
Telecommunications Commission

Ottawa, Canada  
K1A 0N2

**By Email:**

[regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca)

30 September 2015

Mrs. Bev Kirshenblatt  
Senior Director, Regulatory Affairs  
Canadian Broadcasting Corporation

**Re: CBUT-DT Vancouver  
Annual Performance Evaluation  
Broadcast Year 2013/14**

Dear Mrs. Kirshenblatt:

This letter is intended to provide you with your annual performance evaluation as explained in the broadcasting information bulletin CRTC 2013-515.

We would like to remind you that under the *Television Broadcasting Regulations, 1987*, the *Specialty Services Regulations, 1990* and the *Pay Television Regulations, 1990*, logs must be kept in an acceptable form at all times, and that except as otherwise provided under conditions of licence, a licensee shall, **within 30 days after the end of each month**, provide to the Commission its program log or machine-readable record for that month, together with a certificate signed by or on behalf of the licensee attesting to the accuracy of the contents of the log or record.

It would be beneficial for you to make corrections as logs are filed. This would help you save time and avoid having log accuracy letters added to your files.

From now on, applicants will receive an annual performance evaluation after they have corrected their program logs for the previous broadcast year. This new approach will ensure that licensees always meet their regulatory requirements and never have to revise several years' worth of logs, which is a time-consuming process.

.../2

Canada

Accordingly, the attached report sets out the results of our annual performance evaluation for the programming broadcast by your undertaking in the 2013/14 broadcast year. This report is based on the program logs that you submitted to the Commission, which were filed together with a certificate attesting to the accuracy of their content.

A copy of this letter and all other relevant correspondence will be added to your undertaking's public record and will be used by the Commission to evaluate your service's compliance with the regulations and requirements in effect at the time of your next licence renewal.

For more information, feel free to contact me at 819-997-4721.

Sincerely,

A handwritten signature in cursive script, appearing to read "Catherine Blais".

Catherine Blais  
Manager, TV Monitoring Management  
Broadcasting

Encl.



**CBUT-DT Vancouver  
2013/14 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 93.71                 | 91.13  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |
|------------------------------|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | No concerns                                      | 2:50   | 6:53   |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |
|-------------|----------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours |
| Result      | No concerns                |

**Canadian Local programming<sup>1 & 2</sup>**

|             |                            |                          |
|-------------|----------------------------|--------------------------|
| C.O.L. # 21 | Broadcast week<br>14 hours | Broadcast week<br>1 hour |
| Result      | 13:48                      | 3:05                     |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | February 2014: No category 7d)                        |

**Comment (s) / Concern (s)**

Apparent non-compliance

- C.O.L. # 21
- C.O.L. # 22

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*



Conseil de la radiodiffusion et des  
télécommunications canadiennes

Canadian Radio-television and  
Telecommunications Commission

Ottawa, Canada  
K1A 0N2

**By Email:**

[regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca)

30 September 2015

Mrs. Bev Kirshenblatt  
Senior Director, Regulatory Affairs  
Canadian Broadcasting Corporation

**Re: CBWT-DT Winnipeg  
Annual Performance Evaluation  
Broadcast Year 2013/14**

Dear Mrs. Kirshenblatt:

This letter is intended to provide you with your annual performance evaluation as explained in the broadcasting information bulletin CRTC 2013-515.

We would like to remind you that under the *Television Broadcasting Regulations, 1987*, the *Specialty Services Regulations, 1990* and the *Pay Television Regulations, 1990*, logs must be kept in an acceptable form at all times, and that except as otherwise provided under conditions of licence, a licensee shall, **within 30 days after the end of each month**, provide to the Commission its program log or machine-readable record for that month, together with a certificate signed by or on behalf of the licensee attesting to the accuracy of the contents of the log or record.

It would be beneficial for you to make corrections as logs are filed. This would help you save time and avoid having log accuracy letters added to your files.

From now on, applicants will receive an annual performance evaluation after they have corrected their program logs for the previous broadcast year. This new approach will ensure that licensees always meet their regulatory requirements and never have to revise several years' worth of logs, which is a time-consuming process.

.../2

Canada

Accordingly, the attached report sets out the results of our annual performance evaluation for the programming broadcast by your undertaking in the 2013/14 broadcast year. This report is based on the program logs that you submitted to the Commission, which were filed together with a certificate attesting to the accuracy of their content.

A copy of this letter and all other relevant correspondence will be added to your undertaking's public record and will be used by the Commission to evaluate your service's compliance with the regulations and requirements in effect at the time of your next licence renewal.

For more information, feel free to contact me at 819-997-4721.

Sincerely,

A handwritten signature in cursive script, appearing to read "Catherine Blais".

Catherine Blais  
Manager, TV Monitoring Management  
Broadcasting

Encl.

**CBWT-DT Winnipeg  
2013/14 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 93.70                 | 91.30  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |
|------------------------------|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | No concerns                                      | 2:39   | 6:32   |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |
|-------------|----------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours |
| Result      | No concerns                |

**Canadian Local programming<sup>1 & 2</sup>**

|             |                           |
|-------------|---------------------------|
| C.O.L. # 21 | Broadcast week<br>7 hours |
| Result      | 8:20                      |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | No concerns   |

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*



Conseil de la radiodiffusion et des  
télécommunications canadiennes

Canadian Radio-television and  
Telecommunications Commission

Ottawa, Canada  
K1A 0N2

**By Email:**

[regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca)

30 September 2015

Mrs. Bev Kirshenblatt  
Senior Director, Regulatory Affairs  
Canadian Broadcasting Corporation

**Re: CBXT-DT Edmonton  
Annual Performance Evaluation  
Broadcast Year 2013/14**

Dear Mrs. Kirshenblatt:

This letter is intended to provide you with your annual performance evaluation as explained in the broadcasting information bulletin CRTC 2013-515.

We would like to remind you that under the *Television Broadcasting Regulations, 1987*, the *Specialty Services Regulations, 1990* and the *Pay Television Regulations, 1990*, logs must be kept in an acceptable form at all times, and that except as otherwise provided under conditions of licence, a licensee shall, **within 30 days after the end of each month**, provide to the Commission its program log or machine-readable record for that month, together with a certificate signed by or on behalf of the licensee attesting to the accuracy of the contents of the log or record.

It would be beneficial for you to make corrections as logs are filed. This would help you save time and avoid having log accuracy letters added to your files.

From now on, applicants will receive an annual performance evaluation after they have corrected their program logs for the previous broadcast year. This new approach will ensure that licensees always meet their regulatory requirements and never have to revise several years' worth of logs, which is a time-consuming process.

.../2

Canada

Accordingly, the attached report sets out the results of our annual performance evaluation for the programming broadcast by your undertaking in the 2013/14 broadcast year. This report is based on the program logs that you submitted to the Commission, which were filed together with a certificate attesting to the accuracy of their content.

A copy of this letter and all other relevant correspondence will be added to your undertaking's public record and will be used by the Commission to evaluate your service's compliance with the regulations and requirements in effect at the time of your next licence renewal.

For more information, feel free to contact me at 819-997-4721.

Sincerely,

A handwritten signature in cursive script, appearing to read "Catherine Blais".

Catherine Blais  
Manager, TV Monitoring Management  
Broadcasting

Encl.

**CBXT-DT Edmonton  
2013/14 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 93.74                 | 91.13  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |
|------------------------------|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | No concerns                                      | 2:43   | 6:56   |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |
|-------------|----------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours |
| Result      | No concerns                |

**Canadian Local programming<sup>1 & 2</sup>**

|             |                            |                          |
|-------------|----------------------------|--------------------------|
| C.O.L. # 21 | Broadcast week<br>14 hours | Broadcast week<br>1 hour |
| Result      | 13:33                      | 3:00                     |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | February 2014: No category 7d)                        |

**Comment (s) / Concern (s)**

Apparent non-compliance

- C.O.L. # 21
- C.O.L. # 22

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*



Conseil de la radiodiffusion et des  
télécommunications canadiennes

Canadian Radio-television and  
Telecommunications Commission

Ottawa, Canada  
K1A 0N2

**By Email:**

[regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca)

30 September 2015

Mrs. Bev Kirshenblatt  
Senior Director, Regulatory Affairs  
Canadian Broadcasting Corporation

**Re: CFYK-DT Yellowknife  
Annual Performance Evaluation  
Broadcast Year 2013/14**

Dear Mrs. Kirshenblatt:

This letter is intended to provide you with your annual performance evaluation as explained in the broadcasting information bulletin CRTC 2013-515.

We would like to remind you that under the *Television Broadcasting Regulations, 1987*, the *Specialty Services Regulations, 1990* and the *Pay Television Regulations, 1990*, logs must be kept in an acceptable form at all times, and that except as otherwise provided under conditions of licence, a licensee shall, **within 30 days after the end of each month**, provide to the Commission its program log or machine-readable record for that month, together with a certificate signed by or on behalf of the licensee attesting to the accuracy of the contents of the log or record.

It would be beneficial for you to make corrections as logs are filed. This would help you save time and avoid having log accuracy letters added to your files.

From now on, applicants will receive an annual performance evaluation after they have corrected their program logs for the previous broadcast year. This new approach will ensure that licensees always meet their regulatory requirements and never have to revise several years' worth of logs, which is a time-consuming process.

.../2

Canada



Accordingly, the attached report sets out the results of our annual performance evaluation for the programming broadcast by your undertaking in the 2013/14 broadcast year. This report is based on the program logs that you submitted to the Commission, which were filed together with a certificate attesting to the accuracy of their content.

A copy of this letter and all other relevant correspondence will be added to your undertaking's public record and will be used by the Commission to evaluate your service's compliance with the regulations and requirements in effect at the time of your next licence renewal.

For more information, feel free to contact me at 819-997-4721.

Sincerely,

A handwritten signature in cursive script, appearing to read "Catherine Blais".

Catherine Blais  
Manager, TV Monitoring Management  
Broadcasting

Encl.

**CFYK-DT Yellowknife  
2013/14 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 93.40                 | 89.86  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |
|------------------------------|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | No concerns                                      | 2:44   | 6:50   |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |
|-------------|----------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours |
| Result      | No concerns                |

**Canadian Local programming<sup>1 & 2</sup>**

|             |                           |
|-------------|---------------------------|
| C.O.L. # 21 | Broadcast week<br>7 hours |
| Result      | 8:27                      |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | No concerns   |

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*



Conseil de la radiodiffusion et des  
télécommunications canadiennes

Canadian Radio-television and  
Telecommunications Commission

Ottawa, Canada  
K1A 0N2

**By Email:**

[regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca)

30 September 2015

Mrs. Bev Kirshenblatt  
Senior Director, Regulatory Affairs  
Canadian Broadcasting Corporation

**Re: CBC Network  
Annual Performance Evaluation  
Broadcast Year 2013/14**

Dear Mrs. Kirshenblatt:

This letter is intended to provide you with your annual performance evaluation as explained in the broadcasting information bulletin CRTC 2013-515.

We would like to remind you that under the *Television Broadcasting Regulations, 1987*, the *Specialty Services Regulations, 1990* and the *Pay Television Regulations, 1990*, logs must be kept in an acceptable form at all times, and that except as otherwise provided under conditions of licence, a licensee shall, **within 30 days after the end of each month**, provide to the Commission its program log or machine-readable record for that month, together with a certificate signed by or on behalf of the licensee attesting to the accuracy of the contents of the log or record.

It would be beneficial for you to make corrections as logs are filed. This would help you save time and avoid having log accuracy letters added to your files.

From now on, applicants will receive an annual performance evaluation after they have corrected their program logs for the previous broadcast year. This new approach will ensure that licensees always meet their regulatory requirements and never have to revise several years' worth of logs, which is a time-consuming process.

.../2

Canada

Accordingly, the attached report sets out the results of our annual performance evaluation for the programming broadcast by your undertaking in the 2013/14 broadcast year. This report is based on the program logs that you submitted to the Commission, which were filed together with a certificate attesting to the accuracy of their content.

A copy of this letter and all other relevant correspondence will be added to your undertaking's public record and will be used by the Commission to evaluate your service's compliance with the regulations and requirements in effect at the time of your next licence renewal.

For more information, feel free to contact me at 819-997-4721.

Sincerely,

A handwritten signature in cursive script, appearing to read "Catherine Blais".

Catherine Blais  
Manager, TV Monitoring Management  
Broadcasting

Encl.

**CBC Network  
2013/14 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                       |  |
|------------|-----------------------|--|
| C.O.L. # 2 | Broadcast year<br>75% | Evening broadcast period<br>80%<br>(7 p.m. to 11 p.m.) |
| Results    | 93.71                 | 91.38  |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 4 | Broadcast day<br>100% |
| Result     | 100                   |

**Programs of National Interest<sup>1 & 2</sup>**

|                              |  |  |  |
|------------------------------|--|--|--|
| C.O.L. # 19<br>C.O.L. # 19a) | Broadcast week<br>9 hours<br>(7 p.m. to 11 p.m.) | Category 2b)<br>2 hours<br>(7 p.m. to 11 p.m.) | Category 7<br>2 hours<br>(7 p.m. to 11 p.m.) |
| Results                      | No concerns                                      | 2:34   | 6:32   |

**Canadian Children's programming<sup>1 & 2</sup>**

|             |                            |
|-------------|----------------------------|
| C.O.L. # 20 | Broadcast week<br>15 hours |
| Result      | No concerns                |

**Canadian Feature Film – Category 7d)<sup>1</sup>**

|             |   |
|-------------|---|
| C.O.L. # 22 | Broadcast Month<br>One feature film from Category 7d) |
| Result      | February 2014: No category 7d)                        |

**Comment (s) / Concern (s)**

Apparent non-compliance

- C.O.L. # 22

<sup>1</sup> Decision 2013-263

<sup>2</sup> "Broadcast week" as defined in the *Radio Regulations, 1986*



Conseil de la radiodiffusion et des  
télécommunications canadiennes

Canadian Radio-television and  
Telecommunications Commission

Ottawa, Canada  
K1A 0N2

**By Email:**

[regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca)

30 September 2015

Mrs. Bev Kirshenblatt  
Senior Director, Regulatory Affairs  
Canadian Broadcasting Corporation

**Re: CBC News Network  
Annual Performance Evaluation  
Broadcast Year 2013/14**

Dear Mrs. Kirshenblatt:

This letter is intended to provide you with your annual performance evaluation as explained in the broadcasting information bulletin CRTC 2013-515.

We would like to remind you that under the *Television Broadcasting Regulations, 1987*, the *Specialty Services Regulations, 1990* and the *Pay Television Regulations, 1990*, logs must be kept in an acceptable form at all times, and that except as otherwise provided under conditions of licence, a licensee shall, **within 30 days after the end of each month**, provide to the Commission its program log or machine-readable record for that month, together with a certificate signed by or on behalf of the licensee attesting to the accuracy of the contents of the log or record.

It would be beneficial for you to make corrections as logs are filed. This would help you save time and avoid having log accuracy letters added to your files.

From now on, applicants will receive an annual performance evaluation after they have corrected their program logs for the previous broadcast year. This new approach will ensure that licensees always meet their regulatory requirements and never have to revise several years' worth of logs, which is a time-consuming process.

.../2

Canada

Accordingly, the attached report sets out the results of our annual performance evaluation for the programming broadcast by your undertaking in the 2013/14 broadcast year. This report is based on the program logs that you submitted to the Commission, which were filed together with a certificate attesting to the accuracy of their content.

A copy of this letter and all other relevant correspondence will be added to your undertaking's public record and will be used by the Commission to evaluate your service's compliance with the regulations and requirements in effect at the time of your next licence renewal.

For more information, feel free to contact me at 819-997-4721.

Sincerely,

A handwritten signature in cursive script, appearing to read "Catherine Blais".

**Catherine Blais**  
Manager, TV Monitoring Management  
Broadcasting

Encl.

**CBC News Network  
2013/14 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Nature of service<sup>1 &2</sup>**

|               |             |
|---------------|-------------|
| C.O.L. # 1(c) | No concerns |
|---------------|-------------|

**Canadian programs<sup>1</sup>**

|            |                      |
|------------|----------------------|
| C.O.L. # 2 | Broadcast day<br>90% |
| Results    | 96.16                |

**Closed captioning<sup>1</sup>**

|            |                       |
|------------|-----------------------|
| C.O.L. # 5 | Broadcast day<br>100% |
| Result     | 100                   |

-----

<sup>1</sup> Decision 2009-562-2

<sup>2</sup> Decision 2013-263





Conseil de la radiodiffusion et des  
télécommunications canadiennes

Canadian Radio-television and  
Telecommunications Commission

Ottawa, Canada  
K1A 0N2

**By Email:**

[regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca)

30 September 2015

Mrs. Bev Kirshenblatt  
Senior Director, Regulatory Affairs  
Canadian Broadcasting Corporation

**Re: Documentary  
Annual Performance Evaluation  
Broadcast Year 2013/14**

Dear Mrs. Kirshenblatt:

This letter is intended to provide you with your annual performance evaluation as explained in the broadcasting information bulletin CRTC 2013-515.

We would like to remind you that under the *Television Broadcasting Regulations, 1987*, the *Specialty Services Regulations, 1990* and the *Pay Television Regulations, 1990*, logs must be kept in an acceptable form at all times, and that except as otherwise provided under conditions of licence, a licensee shall, **within 30 days after the end of each month**, provide to the Commission its program log or machine-readable record for that month, together with a certificate signed by or on behalf of the licensee attesting to the accuracy of the contents of the log or record.

It would be beneficial for you to make corrections as logs are filed. This would help you save time and avoid having log accuracy letters added to your files.

From now on, applicants will receive an annual performance evaluation after they have corrected their program logs for the previous broadcast year. This new approach will ensure that licensees always meet their regulatory requirements and never have to revise several years' worth of logs, which is a time-consuming process.

.../2

Canada

Accordingly, the attached report sets out the results of our annual performance evaluation for the programming broadcast by your undertaking in the 2013/14 broadcast year. This report is based on the program logs that you submitted to the Commission, which were filed together with a certificate attesting to the accuracy of their content.

A copy of this letter and all other relevant correspondence will be added to your undertaking's public record and will be used by the Commission to evaluate your service's compliance with the regulations and requirements in effect at the time of your next licence renewal.

For more information, feel free to contact me at 819-997-4721.

Sincerely,

A handwritten signature in cursive script, appearing to read "Catherine Blais".

Catherine Blais  
Manager, TV Monitoring Management  
Broadcasting

Encl.

**Documentary  
2013/14 Broadcast Year**

The following results have been generated from the program logs that have been submitted by your undertaking.

**Conditions of licence (C.O.L.)**

**Canadian programs<sup>1</sup>**

|            |                      |                                 |
|------------|----------------------|---------------------------------|
|            | <b>Broadcast day</b> | <b>Evening broadcast period</b> |
| C.O.L. # 3 | 75%                  | 75%                             |
| Results    | 92.72                | 78.23                           |

**Closed captioning<sup>2</sup>**

|            |                      |
|------------|----------------------|
|            | <b>Broadcast day</b> |
| C.O.L. # 4 | 100%                 |
| Result     | 100                  |

---

<sup>1</sup> Decision 2013-263

<sup>2</sup> Regulatory Policy 2011-443

April 23, 2015

Sent electronically

Marianne Blais  
Manager, Economic Analysis  
Canadian Radio-television and Telecommunications Commission  
Ottawa, Ontario  
K1A 0N2

Dear Ms. Blais:

We appreciate this opportunity to offer our perspective on the average salaries of CBC-Radio/Canada's employees working in conventional television and radio, relative to the other Canadian broadcasters.

By way of background, the Standing Senate Committee on Transport and Communications is conducting a detailed study on CBC/Radio-Canada. At their request, you have asked us to provide a response to the following question:

According to the CRTC figures for 2013, the CBC/Radio-Canada had 12% higher average salaries in conventional television than commercial broadcasters, 51% higher average salaries in AM radio, and 47% higher average salaries in FM radio. Are there any reasons to explain the higher salaries at the CBC (for example differences in definitions used or coverage)?

Our response to the Committee's question is provided below. We respectfully request that the Commission copy us on its correspondence to the Committee in this matter.

#### Response

The average salary information referred to in your question was derived from the 'Conventional Television' and 'Commercial Radio' comparative reports published by the CRTC for broadcast years 2009 to 2013. These reports compare CBC/Radio-Canada to all Canadian private broadcasters. The only fair comparison of average salaries amongst broadcasters is among those that are similar in their scale of program offerings, size and complexity.

CBC/Radio-Canada's average television salaries are in fact comparable with those of Bell Media Inc. (BCE). The aggregate report published by the CRTC for BCE's broadcast year 2013, specifically the 'Conventional Television Financial Summary' (see page 2), provides the 'Total salaries and wages' and the 'Total average number of employees' necessary to determine the average salaries for BCE. The result indicates that BCE's average television salaries are within 4% of CBC/Radio-Canada's. In addition, CBC/Radio-Canada produces much more in-house Canadian content on TV, in both English and French.

With respect to Radio, there is no other Radio service in Canada that provides the local, provincial, national and international breadth and depth of journalistic programming. CBC/Radio-Canada's program strategy is much different than the private broadcasters', many of which are based to a large degree on a syndicated music strategy, rather than in-depth journalism. As a result of these differences, there is a higher skill set required for CBC/Radio-Canada's radio employees, which requires a higher expenditure.

Please do not hesitate to contact me if you require any additional information.

Yours truly,



Bev Kirshenblatt  
Executive Director, Regulatory Affairs  
P.O. Box 3220, Station C  
Ottawa, Ontario  
K1Y 1E4

---

**Thank you for your submission**

1 message

---

no.reply@crtc.gc.ca <no.reply@crtc.gc.ca>  
To: BevKirshenblatt.RegAffairs@cbc.ca  
Cc: Chantal.leger\_Ott@cbc.ca

30 November 2015 at 16:15

The CRTC has received, 2015/11/30 16:15:21 the following submission:  
Confirmation Number : 86621

**For Your Records**

If you are submitting an original application, your application number will be sent to you and the contact person by email, approximately 48 hours after submitting. If you do not receive such a confirmation within 5 business days, please contact us at 1-866-893-0932 (toll-free).

**Applicant**

Applicant / Licensee/  
Company Name : CBC/Radio-Canada  
Address: 181 Queen Street  
City / Town: Ottawa  
Province / Territory: Ontario  
Postal Code: K1P 1K9  
Telephone: 613-288-6254  
Facsimile: 613-288-6257

**Contact Person**

Name: Bev Kirshenblatt  
Title: Executive Director, Regulatory Affairs  
Email: BevKirshenblatt.RegAffairs@cbc.ca  
Telephone: 613-288-6191

**Sent By**

Name: Chantal Leger  
Email: Chantal.leger\_Ott@cbc.ca  
Telephone: 613-288-6254

**Details**

Sector: Broadcasting  
Type of Submission: Reply to a Request for information received from the Commission

Application/Notice  
number(s) Rapids #722345

Description of Information Submitted: Here is CBC/Radio-Canada's response to the Broadcasting Ownership Information Annual Filing for 2015.

30/11/2015

CBC Radio-Canada Mail - Thank you for your submission

| File Name  | File Size | Confidential |
|--|-----------|--------------|
| Cover Letter_Request for Confidentiality_BOIAF_30-Nov-15.pdf | 30.3 KB   | No           |
| OWN REPORT - 661392 B.C. Ltd_30-Nov-15.pdf                   | 70.99 KB  | No           |
| OWN REPORT - 662348 B.C. Ltd_30-Nov-15.pdf                   | 80.75 KB  | No           |
| OWN REPORT - A. Gelbart-Quebec-Inc_30-Nov-15.pdf             | 241.5 KB  | No           |
| OWN REPORT - CBC_30-Nov-15_Abridged.pdf                      | 155.28 KB | No           |
| OWN REPORT - CBC_30-Nov-15_CONFIDENTIAL.pdf                  | 173.58 KB | Yes          |
| OWN REPORT - CineNova_30-Nov-15.pdf                          | 163.21 KB | No           |
| OWN REPORT - Doc Channel_30-Nov-15.pdf                       | 186.26 KB | No           |
| OWN REPORT - Galafilm Inc_30-Nov-15.pdf                      | 240.73 KB | No           |
| OWN REPORT - Galafilm Productions Inc_30-Nov-15.pdf          | 242.53 KB | No           |
| OWN REPORT - NFB_30-Nov-15.pdf                               | 75.06 KB  | No           |
| OWN REPORT - Omnifilm_30-Nov-15.pdf                          | 86.14 KB  | No           |

---

**Return of Applications # 2016-0901-7 and 2016-0904-1 - CBC Toronto (CBLFT-DT and CBLT-DT)**

3 messages

---

**Pagani, Raffaele** <raffaele.pagani@crtc.gc.ca>  
To: "bevkirshenblatt.regaffairs@cbc.ca" <bevkirshenblatt.regaffairs@cbc.ca>  
Cc: "veronique.jeggo@cbc.ca" <veronique.jeggo@cbc.ca>

Mon, Oct 17, 2016 at 1:55 PM

Ms. Bev Kirshenblatt  
Executive Director, Regulatory Affairs  
Canadian Broadcasting Corporation  
181 Queen Street  
Ottawa, Ontario  
K1P 1K9

Ms. Kirshenblatt,

This is with reference to applications 2016-0901-7 and 2016-0904-1 submitted by the Canadian Broadcasting Corporation to provide the Commission with the "as-built" technical briefs for CBLFT-DT Toronto, Ontario and CBLT-DT Toronto, Ontario, respectively.

The Commission returns the applications as there are no changes to the authorized service contours or to the technical parameters found under section 4 of the respective application forms 302.

In light of the above, the Commission has determined that it will not proceed with your applications. Note that these applications are now considered closed and the Commission has disposed of all related documents.

Should you require further information concerning these applications, please do not hesitate to contact the Single point of contact for small undertakings by telephone at 1-866-781-1911.

Regards,

**Raffaele Pagani**

CRTC | Point de service unique aux petites entreprises – Câble, télé, radio : Vos questions, nos réponses! 1-866-781-1911

CRTC | Single Point of Contact for Small Undertakings – Cable, TV and Radio: Your Questions, Our Answers! 1-866-781-1911



Learn more about your CRTC  
Follow us on Twitter (@CRTCeng)  
Like us on Facebook

---

**VERONIQUE JEGGO** <veronique.jeggo@cbc.ca>  
To: TINA TATTO <tina.tatto@cbc.ca>  
Cc: Bev Kirshenblatt <bev.kirshenblatt@cbc.ca>

Mon, Oct 17, 2016 at 2:14 PM

Hi Tina,  
Just as an FYI, we have received the CRTC confirmation that the applications for Toronto DTV have been returned.  
I have saved the email in both French and English files.

Véronique Jeggo  
Junior Specialist, Corporate and Regulatory Affairs  
Specialiste Junior, Affaires institutionnelles et réglementaires  
CBC/Radio-Canada  
181, Queen Street/ 181, rue Queen  
Ottawa, ON K1P 1K9  
(613) 288-6254 / veronique.jeggo@cbc.ca  
www.cbc.ca / www.radio-canada.ca

**CBC**  **Radio-Canada**

[Quoted text hidden]

---

**TINA TATTO** <tina.tatto@cbc.ca>  
To: VERONIQUE JEGGO <veronique.jeggo@cbc.ca>

Mon, Oct 17, 2016 at 3:08 PM

Great.. thanks... please update our 2 tracking systems.

Cheers,

Tina-Marie Tatto  
Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
tina.tatto@cbc.ca  
[Quoted text hidden]

---

## Evaluation de rendement annuel pour Radio-Canada service francais

1 message

---

**Regulatory Affairs - Affaires reglementaires Regulatory Affairs - Affaires reglementaires**

Wed, Sep 28, 2016 at  
2:15 PM

<regulatoryaffairs@cbc.ca>

To: Catherine Blais <catherine.blais@crtc.gc.ca>, Tvlogs <tvlogs@crtc.gc.ca>

Cc: Anne-Marie Migneault <anne-marie.migneault@radio-canada.ca>

Bcc: veronique.jeggo@cbc.ca

Bonjour Mme Blais,

Veillez trouver ci-joint la réponse de CBC/Radio-Canada aux évaluations de rendement annuelles pour l'année de radiodiffusion 2014 - 2015, aussi soumis par dé GC le 28 septembre 2016.

Merci,

Veronique Jeggo

---

 **CBCSR Évaluation 2014-15\_SRC Télé\_ARTV\_Explora\_RDI\_2016-09-28.pdf**  
160K

Le 28 septembre 2016

Déposé par Clé GC

Catherine Blais  
Gestionnaire, Examen des registres de télévision  
Conseil de la radiodiffusion et des  
télécommunications canadiennes

**Objet: Évaluation du rendement annuel 2014/15 – Services français de la Société Radio-Canada (ICI Radio-Canada Télévision, ICI ARTV, ICI Explora, ICI RDI)**

Chère madame Blais,

- 1 La présente donne suite aux évaluations de rendement annuel pour l'année de radiodiffusion 2014/15 que vous nous avez fait parvenir le 25 août 2016 concernant les services de télévision de langue française ICI Radio-Canada Télé, ICI ARTV, ICI Explora et ICI RDI.
- 2 Nous sommes heureux de constater que vos évaluations constatent en général une conformité aux conditions de licences de toutes ces stations et services spécialisés de télévision. En effet, les seules « infractions potentielles » indiquées dans vos rapports sont les suivantes.
  - **Station CKSH Sherbrooke** : le rapport indique une infraction potentielle de la condition de licence exigeant des nouvelles 7 jours par semaine pour le weekend du 14-15 mars 2015, ce qui implique que vous concluez à une absence de nouvelles locales au cours de ces deux journées.
  - **ICI Explora** : le rapport indique un résultat de 32,43% de contenu canadien en soirée, alors que la condition de licence exige 35%.
- 3 Suite à un examen des registres pertinents, nous concluons qu'il n'y a pas eu d'infractions et que ces conditions de licence ont été respectées, pour les raisons expliquées ci-dessous.

- 4 En ce qui concerne **CKSH Sherbrooke**, nous avons examiné les registres tel que soumis avant la date limite pour vos évaluations et constatons qu'il y a bien eu des nouvelles locales les 14 et 15 mars 2015 diffusées par CKSH Sherbrooke, soit des nouvelles locales originales « *Sherbrooke bref* » d'une durée de 2 minutes diffusées le samedi 14 mars, et une autre émission *Sherbrooke bref* originale diffusée le dimanche 15 mars, diffusées vers 18h00, heure à laquelle débute habituellement le *Téléjournal* local du weekend. Le fait que ces deux journées aient seulement eu des nouvelles courtes plutôt que le long *Téléjournal* fut de rares exceptions. Il reste cependant que ces émissions *Sherbrooke en bref* correspondent à la définition de nouvelles locales qui est présentement en vigueur.<sup>1</sup> La Société Radio-Canada est donc d'avis que la station CKSH-DT Sherbrooke a respecté toutes ses conditions de licences en 2014/15, y compris celle exigeant la présence de nouvelles locales 7 jours par semaine.
- 5 Quant à **ICI Explora**, notre examen des registres indique votre résultat de 32,43% de contenu canadien en soirée découle du fait qu'il manquait dans les registres que vous avez examiné des numéros de certification d'émission canadienne qu'on avait toujours pas réussi à obtenir à cette date. Plusieurs de ces numéros ont été obtenus par la suite et inscrits dans les registres, donc si vous faisiez aujourd'hui une mise à jour d'évaluation, vos rapports indiqueraient aujourd'hui un résultat de plus de 40% de contenu canadien en soirée, dont bien au-delà du seuil de 35% exigé par la condition de licence.
- 6 Nous profitons de cette occasion pour vous informer que, quoique que vos rapports n'indiquent aucune infraction potentielle concernant **ICI ARTV**, un des chiffres du rapport sous-représente substantiellement la réalité. En effet, votre rapport indique un résultat de 57.74% pour la condition de licence qui exige que 50% des émissions canadiennes proviennent de sociétés de production indépendante. Tout comme dans le cas d'ICI Explora, des numéros de certification d'émission canadienne manquaient encore au moment de vos évaluations. Le niveau réel de production indépendante à ICI ARTV en 2014-15 se situe plutôt au-delà de 80%, qui serait reflété par les registres si le Conseil décidait de faire des mises à jour des évaluations.

---

<sup>1</sup> En effet, la programmation de nouvelles locales de courte durée peut être comptée dans le cadre de la condition de licence exigeant 5 heures par semaine de programmation locale et peut aussi être considérée comme une présence de nouvelles locales dans le cadre de la condition de licence exigeant la présence de nouvelles locales 7 jours par semaine. Le Conseil définit « Nouvelles » comme suit : « **Catégorie 1 Nouvelles** : Bulletins de nouvelles, manchettes, grands titres. Émissions portant sur des événements locaux, régionaux, nationaux et internationaux. [...] » (PRR CRTC 2010-808).

Veuillez agréer, madame Blais, mes meilleures salutations.



Bev Kirshenblatt  
Directrice générale  
Affaires institutionnelles et réglementaires

c.c. [tvlogs@crtc.gc.ca](mailto:tvlogs@crtc.gc.ca)

**Broadcasting Cover page submission Confirmation Email**

1 message

NePasRepondre-DoNotReply@crtc.gc.ca <NePasRepondre-DoNotReply@crtc.gc.ca>  
 To: bevkirshenblatt.regaffairs@cbc.ca, veronique.jeggo@cbc.ca

Wed, Nov 30, 2016 at 10:28 AM

**Broadcasting Cover Page**

The CRTC has received the following submission:

**For Your Records**

If you are submitting an original application, your application number will be sent to you and the contact person by email, approximately 48 hours after submitting. If you do not receive such a confirmation within 5 business days, please contact us at 1-866-893-0932 (toll free).

**Confirmation**

Confirmation No 94626  
 Submission Date 2016-11-30 10:28:00

**Applicant**

Applicant / Licensee/ Company Name CBC/Radio-Canada  
 Address 181 Queen Street  
 City / Town Ottawa  
 Province / Territory Ontario  
 Postal Code K1P 1K9  
 Telephone 613-288-6254  
 Facsimile 613-288-6257

**Contact person**

First Name Bev  
 Last Name Kirshenblatt  
 Title Executive Director, Corporate & Regulatory Affairs  
 Email bevkirshenblatt.regaffairs@cbc.ca  
 Telephone 613-288-6191

**Sent By**

First Name Veronique  
 Last Name Jeggo  
 Telephone 613-288-6254  
 Email veronique.jeggo@cbc.ca

**You must select the relevant type of submission to ensure that it is appropriately routed:**

Reply to a Request for information received from the Commission

**Submission**

**Application/Notice number(s)** New Rapids #722345

**Description of Information Submitted** Here is CBC/Radio-Canada's response to the Broadcasting Ownership Information Annual Filing for 2016. New Rapids # 722345

**Attached file(s)**

| <b><u>Name</u></b>   | <b><u>Size</u></b>     | <b><u>Confidential</u></b>     |
|--|------------------------|--------------------------------|
| <b><u>ABRIDGED - OWN - REPORT - The Canadian Documentary Channel Limited Partnership - 2016.pdf.</u></b>         | <b><u>267.25Kb</u></b> | <b><u>Non-Confidential</u></b> |
| <b><u>Agel Consultants Articles of Incorporation.pdf.</u></b>  | <b><u>153.52Kb</u></b> | <b><u>Non-Confidential</u></b> |
| <b><u>CBCSRC Cover Letter Request for confidentiality_BOIAF_30NOV16.pdf.</u></b>                                 | <b><u>71.85Kb</u></b>  | <b><u>Non-Confidential</u></b> |
| <b><u>CONFIDENTIAL - OWN - REPORT - The Canadian Documentary Channel Limited Partnership - 2016.pdf.</u></b>     | <b><u>304.11Kb</u></b> | <b><u>Confidential</u></b>     |
| <b><u>OWN - REPORT - A. Gelbart (Quebec) Inc. - 2016.pdf.</u></b>  | <b><u>377.14Kb</u></b> | <b><u>Non-Confidential</u></b> |
| <b><u>OWN - REPORT - CineNova Productions Inc - 2016.pdf.</u></b>  | <b><u>123.13Kb</u></b> | <b><u>Non-Confidential</u></b> |
| <b><u>OWN - REPORT - Galafilm Inc. - 2016.pdf.</u></b>   | <b><u>426.72Kb</u></b> | <b><u>Non-Confidential</u></b> |
| <b><u>OWN - REPORT - Galafilm Productions Inc. - 2016.pdf.</u></b>   | <b><u>293.38Kb</u></b> | <b><u>Non-Confidential</u></b> |
| <b><u>OWN - REPORT - National Film Board of Canada - 2016.pdf.</u></b>   | <b><u>213.89Kb</u></b> | <b><u>Non-Confidential</u></b> |
| <b><u>OWN - REPORT - The Canadian Documentary Channel Limited Partnership - 2016.pdf.</u></b>                    | <b><u>265.57Kb</u></b> | <b><u>Non-Confidential</u></b> |
| <b><u>OWN Report - 661392 BC Ltd. - 2016.PDF.</u></b>  | <b><u>107.48Kb</u></b> | <b><u>Non-Confidential</u></b> |
| <b><u>OWN Report - 662348 BC Ltd. - 2016.PDF.</u></b>  | <b><u>107.55Kb</u></b> | <b><u>Non-Confidential</u></b> |
| <b><u>OWN REPORT - Canadian Broadcasting Corp. - 2016 -SIGNED.pdf.</u></b>                                       | <b><u>176.64Kb</u></b> | <b><u>Non-Confidential</u></b> |
| <b><u>OWN Report - Omnifilm Entertainment Ltd. 2016.PDF.</u></b>   | <b><u>313.18Kb</u></b> | <b><u>Non-Confidential</u></b> |
| <b><u>The Canadian Documentary Channel Limited Partnership - Corporate and ownership records - 2016.pdf.</u></b> | <b><u>222.52Kb</u></b> | <b><u>Non-Confidential</u></b> |



VERONIQUE JEGGO <veronique.jeggo@cbc.ca>

## On-Air confirmation for CBLA-FM-5 Bancroft, ON and CBTK-FM-2 Grand Forks, BC

1 message

VERONIQUE JEGGO <veronique.jeggo@cbc.ca>  
To: TINA TATTO <tina.tatto@cbc.ca>  
Cc: "Oakley, Tim" <tim.oakley@crtc.gc.ca>

Wed, Jan 18, 2017 at 10:26 AM

Good morning Mr. Oakley,

Please find attached copies of the letters filed with the CRTC this morning via GC Key.

Best Regards

Véronique Jeggo  
Junior Specialist, Corporate and Regulatory Affairs  
Specialiste Junior, Affaires institutionnelles et réglementaires  
CBC/Radio-Canada  
181, Queen Street/ 181, rue Queen  
Ottawa, ON K1P 1K9  
(613) 288-6254 / veronique.jeggo@cbc.ca  
[www.cbc.ca](http://www.cbc.ca) / [www.radio-canada.ca](http://www.radio-canada.ca)



On Fri, Jan 13, 2017 at 2:26 PM, TINA TATTO <tina.tatto@cbc.ca> wrote:

Hi Tim,

CBTK-FM-2 Grand Forks was launched August 23rd 2016. The AM transmitter, CBRJ, was shut off August 11, 2016.

CBLA-FM-5 Bancroft was launched May 17th 2016. CBLV was shut off May 11, 2016.

My apologies for not advising the Commission. Letters for both will be forthcoming.

I am also taking this opportunity to introduce you to Veronique Jeggo who is handling all of our transmitter application... She has been a wonderful addition to the team. Don't hesitate to reach out to either one of us if you have any further questions.

Cheers,

Tina-Marie Tatto  
Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
[tina.tatto@cbc.ca](mailto:tina.tatto@cbc.ca)

On Thu, Jan 12, 2017 at 2:57 PM, Oakley, Tim <tim.oakley@crtc.gc.ca> wrote:

Hi Tina

Long time, no chat.

You are about to dislike what I am about to say. Ready!!!!!!



For the following Decision, there has been no application for an extension, no evidence of On Air testing with ISED and no confirmation of On Air.

Decision 2013-577

CBTK-FM Kelowna – New FM transmitter at Grand Forks

FM transmitter at Grand Forks to replace its AM transmitter CBRJ

CBTK-FM-2

Due Date to be operational **31 October 2016**. After extension of time was granted.

For the following Decision, there has been no application for an extension, no evidence of On Air testing with ISED and no confirmation of On Air.

Decision 2014-488

CBTK-FM Kelowna – New transmitter in New Denver; CBLA-FM Toronto – New transmitter in Bancroft

FM transmitters in New Denver and Bancroft, respectively, to replace the AM transmitters CBUI New Denver and CBLV Bancroft.

CBLA-FM-5

Due Date to be operational **23 September 2016**.

I saw the extension for CBTK-FM-3 until **23 March 2017** but not for any of the others.

Am I missing something?

Tim

Tim Oakley

Planification et processus / Planning and Process

Conseil de la radiodiffusion et des télécommunications canadiennes

Canadian Radio-television and Telecommunications Commission

1 Promenade du Portage, Gatineau, QC K1A 0N2

[tim.oakley@crtc.gc.ca](mailto:tim.oakley@crtc.gc.ca)

Téléphone | Telephone 819-997-9354

Télécopieur | Facsimile 819-994-0218

Gouvernement du Canada | Government of Canada

[www.crtc.gc.ca](http://www.crtc.gc.ca)

 Suivez-nous sur Twitter |  Follow us on Twitter

---

**2 attachments**

 **On-Air confirmation CBLA-FM-5 Bancroft ON R1.pdf**  
27K

 **On-Air confirmation CBTK-FM-2 Grand Forks BC R1.pdf**  
27K

13 January 2017

filed via GCkey

Ms. Danielle May-Cuconato  
Secretary General  
Canadian Radio-television and  
Telecommunications Commission  
Ottawa, Ontario  
K1A 0N2

**Re On-air – FM rebroadcasting transmitter in Bancroft, ON – Radio One**

Dear Ms. May-Cuconato:

Further to Broadcasting Decision 2014-488, the CRTC approved CBC/Radio-Canada's application to amend the broadcasting licence for radio programming undertaking CBLA-FM Toronto, ON, by adding a new FM Radio One rebroadcasting transmitter in Bancroft, ON. The goal was to replace the AM rebroadcasting transmitter CBLV Bancroft, ON.

The Corporation is pleased to confirm that the new FM, CBLA-FM-5 Bancroft, ON went on-air May 17, 2016 and that CBLV (AM) is no longer on-air.

Yours truly,



Bev Kirshenblatt  
Executive Director, Corporate and Regulatory Affairs  
P.O. Box 3220, Station C  
Ottawa, Ontario  
K1Y 1E4

CC: [tim.oakley@crtc.gc.ca](mailto:tim.oakley@crtc.gc.ca), Tim Oakley, Planning and Process, CRTC, Ottawa, ON

\*\*\* End of document \*\*\*

13 January 2017

filed via GCKey

Ms. Danielle May-Cuconato  
Secretary General  
Canadian Radio-television and  
Telecommunications Commission  
Ottawa, Ontario  
K1A 0N2

**Re On-air – FM rebroadcasting transmitter in Grand Forks, BC – Radio One**

Dear Ms. May-Cuconato:

Further to Broadcasting Decision 2013-577, followed by Approved extension, under application 2015-0860-8, the CRTC approved CBC/Radio-Canada's application to amend the broadcasting licence for radio programming undertaking CBTK-FM Kelowna, BC, by adding a new FM Radio One rebroadcasting transmitter in Grand Forks, BC. The goal was to replace the AM rebroadcasting transmitter CBRJ Grand Forks, BC.

The Corporation is pleased to confirm that the new FM, CBTK-FM-2 Grand Forks, BC went on-air August 23, 2016 and that CBRJ (AM) is no longer on-air.

Yours truly,



Bev Kirshenblatt  
Executive Director, Corporate and Regulatory Affairs  
P.O. Box 3220, Station C  
Ottawa, Ontario  
K1Y 1E4

CC: [tim.oakley@crtc.gc.ca](mailto:tim.oakley@crtc.gc.ca) , Tim Oakley, Planning and Process, CRTC, Ottawa, ON

\*\*\* End of document \*\*\*

---

**Re: Programme Jeanne Sauvé**

1 message

---

**Anne-Marie Migneault** <anne-marie.migneault@radio-canada.ca>


24 janvier 2017 à 13:29

À : "St-Pierre, Julie" <julie.st-pierre@crtc.gc.ca>

Cc : "Janelle, Frédéric" <frederic.janelle@crtc.gc.ca>

Bonjour Julie, merci pour ces informations supplémentaires. Je fais immédiatement le suivi à l'interne pour voir ce qui est possible et vous reviens rapidement, car effectivement le 7 février arrivera rapidement !

Anne-Marie Migneault  
Directrice Affaires réglementaires/  
Director Regulatory Affairs  
CBC/Radio-Canada  
Tel: 514-597-6285  
anne-marie.migneault@radio-canada.ca

CBC  Radio-Canada

Le 24 janvier 2017 à 12:17, St-Pierre, Julie <julie.st-pierre@crtc.gc.ca> a écrit :

Bonjour Anne-Marie,

Je fais suite au courriel que Frédéric t'a fait parvenir hier. Je suis une collègue de Frédéric et je travaille comme analyste principale au Conseil de la radiodiffusion et des télécommunications canadiennes (CRTC). Tel qu'indiqué hier, le CRTC fait partie d'un programme de développement de carrière pour aider les femmes à établir des contacts et faire leur place dans le domaine des communications. Nous sommes six participantes, qui venons de différentes organisations (CRTC, Patrimoine Canadien, Industrie Canada et secteur privé) et le but est de nous permettre, pendant six semaines, de rencontrer des gens de la sphère publique et de la sphère privée, pour mieux comprendre les enjeux et le contexte dans lequel nos organisations évoluent.

Chaque participante est responsable d'organiser une partie des rencontres et pour le marché de langue française, j'ai tout de suite pensé à Tou.TV. Serait-il possible d'avoir une présentation à Radio-Canada de la façon dont cette plateforme est gérée? Quelle est la stratégie de programmation et comment sont prises les décisions à l'interne? Si vous pensez à quelque chose qui serait plus à propos ou intéressant pour le groupe, nous sommes aussi ouvertes aux suggestions. Nous avons déjà une visite de prévue à CBC donc l'intérêt serait de parler des spécificités du marché de langue française.

Nous serons à Montréal le 7 février seulement, alors je suis consciente que ça ne laisse pas beaucoup de marge de manœuvre.

Laisse-moi savoir si une telle chose est possible! Ça serait vraiment intéressant. Je joins une présentation des candidates de cette année. C'est en anglais parce que le reste des candidates sont anglophones. Aussi, il faudrait que la présentation se fasse en anglais, ou du moins les questions.

Merci beaucoup,

**Julie St-Pierre**

Analyste principale / Télévision de langue française / Radiodiffusion

Conseil de la radiodiffusion et des télécommunications canadiennes (CRTC) / Gouvernement du Canada

[julie.st-pierre@crtc.gc.ca](mailto:julie.st-pierre@crtc.gc.ca) / Tél. : 819-956-2974

Apprenez-en davantage à propos de votre CRTC

Suivez-nous sur Twitter (@CRTCfra)

Aimez-nous sur Facebook

Senior analyst / French-language television / Broadcasting

Canadian Radio-television and Telecommunications Commission (CRTC) / Government of Canada

[julie.st-pierre@crtc.gc.ca](mailto:julie.st-pierre@crtc.gc.ca) / Tel: 819-956-2974

Learn more about your CRTC

Follow us on Twitter (@CRTCeng)

Like us on Facebook

## **Jeanne Sauvé Career Development Program Participants 2016**

### **Catherine Edwards**

Catherine Edwards is Executive Director of the Canadian Association of Community Television Users and Stations (CACTUS), as well as the President of TimeScape Productions. She is committed to supporting the production of Canadian media content, both through her media policy work with CACTUS as well as through her own production company. She has had her work exhibited on four continents, has given workshops in community media around the world, and has won awards in drama, documentary, and news magazine programming in Canada and in the US. She specializes in ways to engage audiences in storytelling to provoke social change.



Catherine graduated from the United World College of the Atlantic in Wales, and holds an Honours B.A. In English Literature from the University of Waterloo.

### **Lisa Ball**

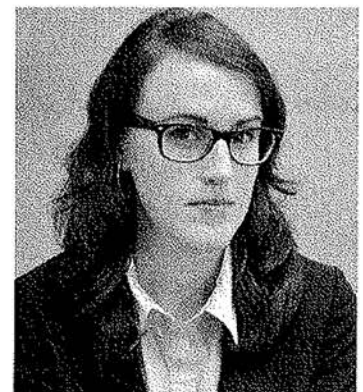
Lisa joined Rogers in 1992 as a Customer Service Representative. Over the past 25 years, Lisa has held a number of positions in the areas of Customer Care, Engineering, Administration, Compliance, Project Management and now Engineering.

As part of these roles, Lisa has been responsible for budgeting and statistical reporting at Rogers Cable Ottawa and Rogers TV since 1995. Today as Engineering Manager and Compliance Officer for Rogers TV, Lisa is responsible for capital spending across 18 systems supporting 41 channels, the development of engineering strategies, day-to-day operations for the Production Engineering team and the analysis of statistical data. She focuses on ensuring compliance requirements are achieved and capital projects are initiated, commissioned and completed on budget.



### **Kelsey McLaren**

Kelsey McLaren is a lawyer working in Media and Broadcasting at Rogers Communications. Kelsey received her Bachelor of Arts (Honours) in English Literature with a Creative Writing thesis from McGill University, and her law degree from the Schulich School of Law at Dalhousie University. She was called to the bar in Nova Scotia in 2012 and Ontario in 2014. Prior to her legal career, Kelsey worked as an Editor for a book publisher in Nova Scotia.



### **Annick Munezero**

Annick Munezero is a Policy Analyst in the Broadcasting and Digital Communications Branch, Cultural Affairs Sector. Since joining the Department in 2007, she has occupied a number of positions in the Broadcasting and Digital Communications Branch. Her current role involves the oversight of the \$134.1M government contribution to the Canada Media Fund program, the largest fund for TV and digital content production in Canada. She is also responsible for exploring issues to advance public policy on the creation and development of Canadian content.

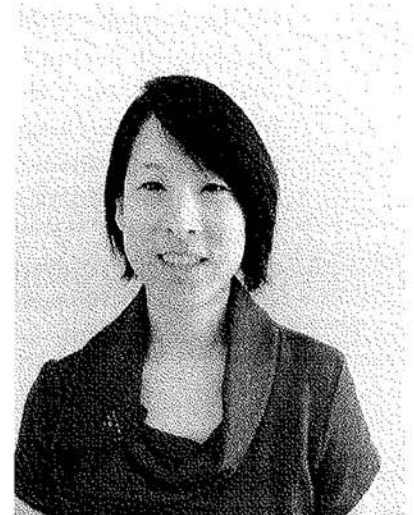


Prior to this position, Annick administered the Northern Distribution Program (NDP), which provided funding to the Aboriginal Peoples Television Network (APTN) to ensure Aboriginal programming distribution in northern communities. This position provided her with valuable insight and perspectives on the challenges and opportunities facing content producers in her early public service experience.

Born in Burundi (East Africa), Annick came to Canada in 1994. After attending high school at the Collège Français in Montreal, she pursued her education in Ottawa where she obtained a Licentiate in Law (LL.L) at the University of Ottawa in 2006 and a Baccalaureate of Laws (LL.B) in the Common Law National Program at the same university in 2007. Annick is fluent in English, French, Kirundi and Kinyarwanda.

### **Christine Hsu**

Christine Hsu is a Senior Spectrum Engineer with the Spectrum Engineering and Planning Directorate of ISEDC. Christine has been with ISEDC (formally Industry Canada) since 2005. She has extensive experience in undertaking and/or directing complex engineering studies related to the compatibility of radiocommunications services in spectrum management which assisted in the development of ISEDC rules, policies and decision papers; as well as presenting and defending Canadian views at international meetings and conferences concerning mobile services - notably being the Head of Canadian Delegation to ITU-R WP 5A meetings in recent years.



Christine holds a Bachelor of Applied Science degree in Electrical Engineering from University of Ottawa, and received her Master of Science (Electrical Engineering) degree from Queen's University, Kingston, Ontario



## **Julie St-Pierre**

Julie St-Pierre has been a policy analyst at the CRTC since 2009, where she contributes to policy development and provides recommendations to senior management with respect to the television industry in the French-Language market. In addition to working in strategic planning, she took part in several policy reviews, the most recent one being Let's Talk TV: A Conversation with Canadians. She is currently the joint coordinator of the next license renewal process of the main television ownership groups.



Prior to joining the CRTC, she worked as an analyst of immigration applications (security screening) for the Ministry of Public Safety.

---

**Fwd: Communiqué - Michel Bissonnette nommé vice-président principal de Radio-Canada**

1 message


---

**Anne-Marie Migneault** <anne-marie.migneault@radio-canada.ca>  
À : "frederic.janelle@crtc.gc.ca" <frederic.janelle@crtc.gc.ca>

2 novembre 2016 à 11:30

Bonjour Frédéric, pour ton info.

Anne-Marie Migneault  
Directrice Affaires réglementaires/  
Director Regulatory Affairs  
CBC/Radio-Canada  
Tel: 514-597-6285  
anne-marie.migneault@radio-canada.ca

CBC  Radio-Canada

----- Message transféré -----

De : **Relations avec la presse** <rel.presse@radio-canada.ca>  
Date : 2 novembre 2016 à 10:11  
Objet : Communiqué - Michel Bissonnette nommé vice-président principal de Radio-Canada  
À : Relations avec la presse <rel.presse@radio-canada.ca>

Bonjour,


Vous trouverez ci-joint le communiqué.

Notez qu'en tout temps, vous pouvez consulter tous les communiqués publiés en visitant le site [communiqués.radio-canada.ca](http://communiqués.radio-canada.ca)


Merci et bonne journée,

Valérie

---  
Relations avec la presse  
(514) 597-4140  
rel.presse@radio-canada.ca

 RADIO-CANADA

---

 **Communiqué - Michel Bissonnette nommé vice-président principal de Radio-Canada.docx**  
49K

COMMUNIQUÉ – POUR DIFFUSION IMMÉDIATE

## MICHEL BISSONNETTE NOMMÉ VICE-PRÉSIDENT PRINCIPAL DE RADIO-CANADA

Mercredi 2 novembre 2016 – Hubert T. Lacroix, président-directeur général de CBC/Radio-Canada, a le plaisir d’annoncer aujourd’hui la nomination de Michel Bissonnette au poste de vice-président principal de Radio-Canada. Il succède à Louis Lalande, qui prendra sa retraite en janvier.

Un comité de sélection formé de Michèle Fortin, ex-PDG de Télé-Québec, d’Alexandre Taillefer, associé principal chez XPND Capital, de trois membres de l’équipe de la haute direction et du président-directeur général de CBC/Radio-Canada, Hubert T. Lacroix, a passé en revue de nombreuses candidatures de très grande qualité, provenant autant de l’interne que de l’externe.

Le choix de Michel Bissonnette s’est imposé pour plusieurs raisons. D’abord, il possède une grande expérience du milieu des médias et de celui plus large de la culture, dont Radio-Canada est un des moteurs essentiels. Ensuite, il a fait preuve d’une connaissance approfondie de la programmation et des plateformes de Radio-Canada. Enfin, son côté entrepreneurial et son sens de l’innovation, combinés à la grande capacité qu’il a démontrée à faire évoluer son entreprise au fil des ans, lui permettront de poursuivre la transformation du diffuseur public. Sans oublier l’engagement ferme qu’il a démontré envers Radio-Canada et la place centrale qu’elle doit occuper dans notre société.

Michel Bissonnette a annoncé qu’il quittait ses fonctions chez Zone3 ce vendredi. D’ici son entrée en fonction le 9 janvier prochain, il préparera son arrivée à Radio-Canada.

Michel Bissonnette s’est ainsi adressé pour la première fois au personnel de Radio-Canada :

*Bonjour !*

*C’est avec beaucoup de fierté et une certaine humilité que j’ai accepté l’invitation d’Hubert pour occuper la vice-présidence principale de Radio-Canada. Pour moi, diriger cette grande institution culturelle qu’est Radio-Canada est non seulement un privilège, c’est aussi un des défis les plus emballants qu’il m’aura été donné de relever au cours de ma carrière.*

*Radio-Canada est une marque forte qui propose un éventail unique de contenus d’information, de divertissement et de culture aux auditoires francophones. Pertinentes et variées, les plateformes qui portent ces contenus doivent avoir un positionnement clair qui contribuera au mandat distinctif du diffuseur public.*

*Vous le savez mieux que moi, Radio-Canada doit faire face à des enjeux importants dans le monde de la radiodiffusion, comme tous les autres acteurs dans l’industrie. L’impact du numérique sur les auditoires, les contenus et les revenus sont indéniables et inévitables. Le leadership du diffuseur public sera primordial pour répondre à ces enjeux.*

*La meilleure réponse à ces enjeux demeure la capacité de Radio-Canada de générer des contenus qui la distingueront par l'audace, l'originalité, la crédibilité et la qualité. C'est ainsi qu'elle demeurera la référence des Canadiens et qu'elle pourra rejoindre ses publics francophones partout où ils se trouvent au pays, rejoindre les jeunes qui ont déserté les médias traditionnels et fidéliser tous ceux qui croient dans les avantages du service public, peu importe la plateforme.*

*Pour faire face aux changements de l'industrie, Radio-Canada doit aussi être une institution financièrement saine et capable de maximiser ses revenus. Elle doit continuer de travailler avec des partenaires d'affaires, d'ici et d'ailleurs dans le monde, qui lui permettront de réaliser son mandat.*

*Le défi est grand, mais je suis un optimiste. J'ai une grande confiance dans notre capacité de réussir. Je dis « nous » parce que je me sens déjà membre de cette grande famille qu'est Radio-Canada. Je veux qu'ensemble, on se mobilise pour assurer l'avenir du diffuseur public et conserver entière sa pertinence.*

*Au plaisir de faire votre connaissance très bientôt.*

*Michel*

#### Notes biographiques de Michel Bissonnette

C'est en 1989 que Michel Bissonnette débute sa carrière en publicité au sein de Publicis BCP, où il est directeur de comptes. Il fait ensuite le saut du côté de la télévision, à TVA, où il occupe deux postes: directeur général des communications (de 1993 à 1995) et directeur général de la création (de 1995 à 1996). Il entre ensuite à Vidéotron comme vice-président, marketing. En 1998, Michel revient à ses premières amours, la publicité, chez Publicis BCP et occupe le poste de vice-président et directeur général, développement de produits. Un an plus tard, la télévision le réclame de nouveau, et Michel devient vice-président exécutif, développement des affaires et mise en marché de Motion international. En mai 2000, Michel Bissonnette et trois autres associés fondent ZONE3 inc. Michel y occupe le poste de vice-président, création et producteur exécutif pendant neuf ans avant d'être nommé président en janvier 2009.

- 30 -

Renseignements : *Marc Pichette*  
*Directeur Relations publiques, Promotion et Partenariats*  
*Direction générale, Communications, Marketing et Marque*  
*514-597-4140*

---

**Re: Licence Télé-Québec**

1 message

---

**Anne-Marie Migneault** <anne-marie.migneault@radio-canada.ca>


31 août 2016 à 15:07

À : "Castonguay, Guillaume" <guillaume.castonguay@crtc.gc.ca>

Cc : "Janelle, Frédéric" <frederic.janelle@crtc.gc.ca>

Merci Guillaume. Ce ne serait pas plutôt août 2018 (c'est ce qu'indique il me semble l'avis 2016-7 ...

Anne-Marie Migneault  
Directrice Affaires réglementaires/  
Director Regulatory Affairs  
CBC/Radio-Canada  
Tel: 514-597-6285  
anne-marie.migneault@radio-canada.ca

CBC  Radio-Canada

Le 31 août 2016 à 14:38, Castonguay, Guillaume <guillaume.castonguay@crtc.gc.ca> a écrit :

Salut Anne-Marie,

La licence de Télé-Québec a été renouvelée administrativement jusqu'au 31 août 2017 dans la décision 2016-7.

<http://crtc.gc.ca/fra/archive/2016/2016-7.htm>

Son renouvellement est effectivement prévu au plan triennal pour l'année qui commence demain.

Bonne journée!

**Guillaume Castonguay**

Gestionnaire (p.i.) / Télévision de langue française / Radiodiffusion  
Conseil de la radiodiffusion et des télécommunications canadiennes (CRTC) / Gouvernement du Canada  
guillaume.castonguay@crtc.gc.ca / Tél. : 819-934-1360

Apprenez-en davantage à propos de votre CRTC  
Suivez-nous sur Twitter (@CRTCfra)

Aimez-nous sur Facebook

---

## Communiqué \_ Annonce nouveaux émetteurs en AB et ON

1 message

---

**Anne-Marie Migneault** <anne-marie.migneault@radio-canada.ca>

18 mai 2016 à 11:11


À : "frederic.janelle@crtc.gc.ca" <frederic.janelle@crtc.gc.ca>

Cc : "Kirshenblatt, Bev" <bev.kirshenblatt@cbc.ca>, Tina-Marie Tatto <tina.tatto@cbc.ca>


Bonjour Frédéric

Pour votre info, ci-joint le communiqué qui sera émis aujourd'hui par la Société Radio-Canada au sujet de nouveaux émetteurs d'ICI Radio-Canada Première en Alberta et Ontario. En plus des canaux de distribution habituels, il sera aussi envoyé par courriel à l'ACFA, FCFA, AFO, SOS CBEF et le CLO.

Anne-Marie Migneault  
Directrice Affaires réglementaires/  
Director Regulatory Affairs  
CBC/Radio-Canada  
Tel: 514-597-6285  
anne-marie.migneault@radio-canada.ca

CBC  Radio-Canada

---

 **CMQ\_installations\_17 mai 2016.docx**  
42K

## Communiqué

### RADIO-CANADA AMÉLIORERA SES SERVICES POUR MIEUX JOINDRE LA FRANCOPHONIE

**Montréal, le 18 mai 2016** – Des demandes de licences de diffusion seront déposées par Radio-Canada auprès du CRTC pour permettre l'installation de trois nouveaux émetteurs d'ICI Radio-Canada Première à **Jasper, Banff** et **Lake Louise** en Alberta afin de rendre accessible la radio à la population locale et aux visiteurs.

Radio-Canada souhaite ajouter ces nouvelles antennes dans le territoire des Rocheuses sur les sites des tours de transmission déjà présentes de CBC Radio One situés à l'intérieur des parcs nationaux, contribuant ainsi à optimiser l'accès au réseau à moindre coût. La province connaît une croissance de sa population francophone et francophile, en plus d'accueillir plus de 124 000 visiteurs francophones annuellement, dont une grande partie converge vers les Rocheuses.\*

« Il y a déjà longtemps que les francophones de l'Alberta souhaitent ces services et il nous fait un grand plaisir de pouvoir finalement aller de l'avant avec ces projets. C'est donc un tout nouveau bassin d'auditeurs qui aura accès à la programmation régionale et nationale riche et variée d'ICI Radio-Canada Première. » de dire Patricia Pleszczynska, directrice générale de la Radio.

#### **Des améliorations à venir dans la région de Sarnia, en Ontario**

En Ontario, Radio-Canada déposera une demande de licence pour un nouvel émetteur FM à Sarnia de la station d'ICI Radio-Canada Première dans cette région, CBEF Windsor. Cette demande s'inscrit dans la volonté d'offrir un meilleur service aux populations francophones et francophiles de la région.

« Nous sommes ravis de faire cette annonce aujourd'hui. En plus de l'amélioration de nos services numériques qui se poursuit au pays, la bonification de notre offre radio permettra aux francophones de ces régions en particulier de nourrir un lien plus solide avec leurs communautés et le reste du pays. » ajoute Marco Dubé, directeur général des Services régionaux.

Sous réserve d'approbation par le CRTC, le lancement des nouvelles fréquences en Alberta et en Ontario est prévu pour juin 2017.

#### **À propos de CBC/Radio-Canada**

CBC/Radio-Canada est le radiodiffuseur public national du Canada et l'une des plus grandes institutions culturelles du pays. Nous sommes la source d'information et de contenus de divertissement canadiens vers laquelle les Canadiens se tournent avec confiance. Profondément enracinée dans les communautés de partout au pays, CBC/Radio-Canada offre une programmation diversifiée en français, en anglais et en huit langues autochtones. Nous présentons également un point de vue typiquement canadien sur l'information internationale.

Renseignements :

Alberta : Yolaine Dupont  
Chef des communications régionales  
604-662-6165

Ontario : Sarah St-Pierre  
Gestionnaire de projets  
416-205-2202

\*Source : Conseil de développement économique de l'Alberta



## Communiqué

### RADIO-CANADA AMÉLIORERA SES SERVICES POUR MIEUX JOINDRE LA FRANCOPHONIE

**Montréal, le 18 mai 2016** – Des demandes de licences de diffusion seront déposées par Radio-Canada auprès du CRTC pour permettre l'installation de trois nouveaux émetteurs d'ICI Radio-Canada Première à **Jasper, Banff** et **Lake Louise** en Alberta afin de rendre accessible la radio à la population locale et aux visiteurs.

Radio-Canada souhaite ajouter ces nouvelles antennes dans le territoire des Rocheuses sur les sites des tours de transmission déjà présentes de CBC Radio One situés à l'intérieur des parcs nationaux, contribuant ainsi à optimiser l'accès au réseau à moindre coût. La province connaît une croissance de sa population francophone et francophile, en plus d'accueillir plus de 124 000 visiteurs francophones annuellement, dont une grande partie converge vers les Rocheuses.\*

« Il y a déjà longtemps que les francophones de l'Alberta souhaitent ces services et il nous fait un grand plaisir de pouvoir finalement aller de l'avant avec ces projets. C'est donc un tout nouveau bassin d'auditeurs qui aura accès à la programmation régionale et nationale riche et variée d'ICI Radio-Canada Première. » de dire Patricia Pleszczynska, directrice générale de la Radio.

#### **Des améliorations à venir dans la région de Sarnia, en Ontario**

En Ontario, Radio-Canada déposera une demande de licence pour un nouvel émetteur FM à Sarnia de la station d'ICI Radio-Canada Première dans cette région, CBEF Windsor. Cette demande s'inscrit dans la volonté d'offrir un meilleur service aux populations francophones et francophiles de la région.

« Nous sommes ravis de faire cette annonce aujourd'hui. En plus de l'amélioration de nos services numériques qui se poursuit au pays, la bonification de notre offre radio permettra aux francophones de ces régions en particulier de nourrir un lien plus solide avec leurs communautés et le reste du pays. » ajoute Marco Dubé, directeur général des Services régionaux.

Sous réserve d'approbation par le CRTC, le lancement des nouvelles fréquences en Alberta et en Ontario est prévu pour juin 2017.

#### **À propos de CBC/Radio-Canada**

CBC/Radio-Canada est le radiodiffuseur public national du Canada et l'une des plus grandes institutions culturelles du pays. Nous sommes la source d'information et de contenus de divertissement canadiens vers laquelle les Canadiens se tournent avec confiance. Profondément enracinée dans les communautés de partout au pays, CBC/Radio-Canada offre une programmation diversifiée en français, en anglais et en huit langues autochtones. Nous présentons également un point de vue typiquement canadien sur l'information internationale.

Renseignements :

Alberta : Yolaine Dupont  
Chef des communications régionales  
604-662-6165

Ontario : Sarah St-Pierre  
Gestionnaire de projets  
416-205-2202

\*Source : Conseil de développement économique de l'Alberta

---

**Re: Réunion au CRTC le 4 mai à 14h**

1 message

---

**Anne-Marie Migneault** <anne-marie.migneault@radio-canada.ca>

20 avril 2016 à 08:56

À : "Janelle, Frédéric" <frederic.janelle@crtc.gc.ca>

Cc : "Roy, Lynda" <lynda.roy@crtc.gc.ca>

Bonjour Frédéric,

Ce sera Tina Tatto, Director Regulatory Affairs, et moi.

J'attendrai votre courriel de confirmation de l'heure et de la salle.

Au plaisir,

Anne-Marie Migneault  
Directrice Affaires réglementaires/  
Director Regulatory Affairs  
CBC/Radio-Canada  
Tel: 514-597-6285  
anne-marie.migneault@radio-canada.ca

CBC  Radio-Canada

Le 20 avril 2016 à 08:32, Janelle, Frédéric <frederic.janelle@crtc.gc.ca> a écrit :

· Bonjour Anne-Marie,

· Peux-tu me confirmer qui va venir avec toi pour informer nos commissionnaires.

· Salutations,

· Frédéric

· Me Frédéric B. Janelle

· B.A.A., L.L.L.

· Analyste principal / Télévision de langue française / Radiodiffusion

· Coordonateur national de l'article 41 de la *Loi sur les langues officielles* (p.i.)

· Conseil de la radiodiffusion et des télécommunications canadiennes (CRTC) / Gouvernement du Canada

· frederic.janelle@crtc.gc.ca / Tél. : 819-997-4608

· Apprenez-en davantage à propos de votre CRTC

· Suivez-nous sur Twitter (@CRTCfra)

· Aimez-nous sur Facebook

· Senior analyst / French-language television / Broadcasting

National Coordinator, Section 41 of the *Official Languages Act* (a.)  
Canadian Radio-television and Telecommunications Commission (CRTC) / Government of Canada  
frederic.janelle@crtc.gc.ca / Tel: 819-997-4608  
Learn more about your CRTC  
Follow us on Twitter (@CRTCeng)

Like us on Facebook

---

## Changements Direction générale Régions Services français

1 message

---

**Anne-Marie Migneault** <anne-marie.migneault@radio-canada.ca>

11 avril 2016 à 12:03

À : "frederic.janelle@crtc.gc.ca" <frederic.janelle@crtc.gc.ca>

Bonjour Frédéric,

Je te mentionnais ce matin que Patricia Pleszczynska a pris la direction d'ICI Musique et plateformes audio numériques, par intérim, suite au départ de Marie-Philippe Bouchard. Louis Lalande vient d'annoncer que Patricia se dédiera entièrement à la direction générale de la Radio qui regroupe ICI Radio-Canada Première, ICI Musique ainsi que les équipes radios et numériques du Grand Montréal.

Quant à la direction générale des services régionaux des services français, elle sera confiée à compter du 2 mai à Marco Dubé (qui est présentement directeur de la station ICI Radio-Canada Ottawa-Gatineau).

Anne-Marie Migneault  
Directrice Affaires réglementaires/  
Director Regulatory Affairs  
CBC/Radio-Canada  
Tel: 514-597-6285  
anne-marie.migneault@radio-canada.ca

CBC  Radio-Canada

---

**RE: Rapports de la SRC**

1 message

---

**Janelle, Frédéric** <frederic.janelle@crtc.gc.ca>

31 janvier 2017 à 15:02

À : Anne-Marie Migneault <anne-marie.migneault@radio-canada.ca>

Salut Anne-Marie,

Merci pour ta réponse rapide....et oui j'ai également besoin des document pour les services anglais.

Je prends note de la condition d'utilisation.

Frédéric

**From:** Anne-Marie Migneault [mailto:anne-marie.migneault@radio-canada.ca]

**Sent:** January-31-17 2:53 PM

**To:** Janelle, Frédéric <frederic.janelle@crtc.gc.ca>

**Subject:** Re: Rapports de la SRC

Bonjour Frédéric, oui avec plaisir, sujet à la condition que ce soit pour votre usage interne et qu'ils se soient pas ajoutés dans le dossier accessible au public.

Ci-joints les rapport des services français. Cela inclut la version confidentielle de l'annexe 7.

Si tu as aussi besoin des rapports des services anglais, me prévenir et je ferai le suivi.

Anne-Marie Migneault

Directrice Affaires réglementaires/  
Director Regulatory Affairs

CBC/Radio-Canada

Tel: 514-597-6285

anne-marie.migneault@radio-canada.ca

Le 31 janvier 2017 à 11:29, Janelle, Frédéric <frederic.janelle@crtc.gc.ca> a écrit :

Bonjour Anne-Marie,

J'espère que tu vas bien. J'ai une question pour toi. Est-ce que tu peux m'envoyer une version électronique des rapports que vous avez fournis au mois de novembre dernier dans un format qui est facile pour faire du copier/coller.

Merci à l'avance pour ton aide.

Frédéric

Me Frédéric B. Janelle

B.A.A., LL.L.

Analyste principal / Télévision de langue française / Radiodiffusion

Coordonateur national de l'article 41 de la *Loi sur les langues officielles*

Conseil de la radiodiffusion et des télécommunications canadiennes (CRTC) / Gouvernement du Canada

frederic.janelle@crtc.gc.ca / Tél. : 819-997-4608

Apprenez-en davantage à propos de votre CRTC

Suivez-nous sur Twitter (@CRTCfra)

Aimez-nous sur Facebook

Senior analyst / French-language television / Broadcasting

National Coordinator, Section 41 of the *Official Languages Act*

Canadian Radio-television and Telecommunications Commission (CRTC) / Government of Canada

frederic.janelle@crtc.gc.ca / Tel: 819-997-4608

Learn more about your CRTC

Follow us on Twitter (@CRTCeng)

Like us on Facebook

---

**programme Jeanne Sauvé**

1 message

---

**Janelle, Frédéric** <frederic.janelle@crtc.gc.ca>

23 janvier 2017 à 10:47

À : Anne-Marie Migneault <anne-marie.migneault@radio-canada.ca>

Cc : "St-Pierre, Julie" <julie.st-pierre@crtc.gc.ca>, "Janelle, Frédéric" <frederic.janelle@crtc.gc.ca>

Bonjour Anne-Marie,

J'espère que tu vas bien en ce début d'année 2017.

Je t'écris parce que ma collègue Julie St-Pierre, que j'ai mis en cc dans ce courriel, représente le CRTC dans le programme de Jeanne Sauvé. Elle doit prochainement visiter des radiodiffuseurs à Toronto pour le marché de langue anglaise avec d'autres participantes de ce programme.

Son groupe sera à Montréal le 7 février prochain et je me demandais si ce groupe (Julie pourra te fournir les noms et titres) peut rencontrer des membres de la haute gestion afin de leur permettre d'élargir leurs réseaux de contacts.

Est-ce que tu sais qui pourrait aider Julie dans l'organisation d'une telle visite à la SRC?

Merci à l'avance pour ton aide.

Frédéric

PS : Julie, est-ce que tu peux envoyer le courriel explicatif du programme Jeanne Sauvé à Anne-Marie pour lui donner plus de contexte svp.

Me Frédéric B. Janelle

B.A.A., LL.L.

Analyste principal / Télévision de langue française / Radiodiffusion

Coordonateur national de l'article 41 de la *Loi sur les langues officielles*

Conseil de la radiodiffusion et des télécommunications canadiennes (CRTC) / Gouvernement du Canada

frederic.janelle@crtc.gc.ca / Tél. : 819-997-4608

Apprenez-en davantage à propos de votre CRTC

Suivez-nous sur Twitter (@CRTCfra)

Aimez-nous sur Facebook

Senior analyst / French-language television / Broadcasting



National Coordinator, Section 41 of the *Official Languages Act*

Canadian Radio-television and Telecommunications Commission (CRTC) / Government of Canada

frederic.janelle@crtc.gc.ca / Tel: 819-997-4608

Learn more about your CRTC

Follow us on Twitter (@CRTCeng)

Like us on Facebook

---

**Rapport de la SRC au CRTC : fichier Excel**

1 message

**Janelle, Frédéric** <frederic.janelle@crtc.gc.ca>

14 novembre 2016 à 11:35

À : Bev Kirshenblatt &lt;bev.kirshenblatt@cbc.ca&gt;, Anne-Marie Migneault &lt;anne-marie.migneault@radio-canada.ca&gt;

Cc : "Janelle, Frédéric" &lt;frederic.janelle@crtc.gc.ca&gt;

Bonjour Mesdames,

Avec un peu de retard, voici le fichier Excel dont je parlais... Tel que mentionné mardi dernier, il s'agit des informations que vous avez soumises dans votre dernier rapport au CRTC dans un format différent.

On peut en discuter à votre convenance

Salutations,

Frédéric

PS : je ne retrouve pas le fichier Excel pour la SRC, alors j'ai copié le tableau pour la SRC provenant d'un document Word.

## Appendix: SRC programs of national interest

**Origins of SRC PNI productions (hours)**

|                            | Hours  | Percentage |
|----------------------------|--------|------------|
| Montreal                   | 448.72 | 86.2%      |
| QC excluding Montreal      | 58.82  | 11.3%      |
| Ontario                    | 7.48   | 1.4%       |
| Western Canada             | 2.50   | 0.5%       |
| Atlantic Provinces         | 2.98   | 0.6%       |
| Subtotal – Other provinces | 12.96  | 2.5%       |
| Total                      | 520.5  | 100%       |

**Program categories (hours)**

|                        | Hours  | Equiv./week | Percentage |
|------------------------|--------|-------------|------------|
| Documentaries (2B)     | 66.74  | 1.3         | 12.8%      |
| Dramatic series (7A)   | 205.40 | 4.0         | 39.5%      |
| Comedy series (7B)     | 42.98  | 0.8         | 8.3%       |
| Made-for-TV films (7C) | 1.98   | 0.0         | 0.4%       |
| Feature films (7D)     | 12.27  | 0.2         | 2.4%       |
| Animation (7E)         | 18     | 0.3         | 3.5%       |
| Sketches (7F)          | 5.93   | 0.1         | 1.1%       |
| Subtotal – category 7  | 286.56 | 5.5         | 55.1%      |
| Music and dance        | 81.97  | 1.6         | 15.7%      |
| Variety                | 74.98  | 1.4         | 14.4%      |
| Award shows            | 10.49  | 0.2         | 2.0%       |
| Total                  | 520.5  | 10.0        | 100%       |

**Independent/internal PNI production (hours)**

|             | Hours  | Percentage |
|-------------|--------|------------|
| Independent | 469.77 | 90.3%      |
| Internal    | 50.73  | 9.7%       |
| Total       | 520.5  | 100%       |

**Original language of PNI (hours)**

|         | Hours  | Percentage |
|---------|--------|------------|
| French  | 515.02 | 98.9%      |
| English | 5.48   | 1.1%       |
| Total   | 520.5  | 100%       |

Me Frédéric B. Janelle

B.A.A., L.L.L.

Analyste principal / Télévision de langue française / Radiodiffusion


Conseil de la radiodiffusion et des télécommunications canadiennes (CRTC) / Gouvernement du Canada  
frederic.janelle@crtc.gc.ca / Tél. : 819-997-4608  
Apprenez-en davantage à propos de votre CRTC  
Suivez-nous sur Twitter (@CRTCfra)  
Aimez-nous sur Facebook

Senior analyst / French-language television / Broadcasting

Canadian Radio-television and Telecommunications Commission (CRTC) / Government of Canada  
frederic.janelle@crtc.gc.ca / Tel: 819-997-4608  
Learn more about your CRTC  
Follow us on Twitter (@CRTCeng)

Like us on Facebook

---

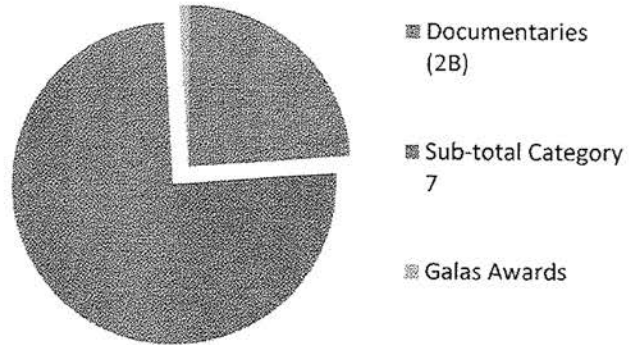
 [\\_Annexe\\_Analyse\\_rapports\\_annuels\\_SRC-CBC\\_ENG.xls](#)  
66K

# CBC - Programs of National Interest - 2014-15

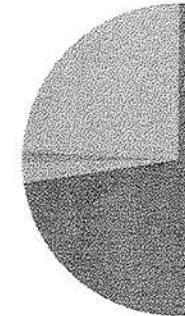
Programs Categories (hours)

|                               | Hours  | Eq./week | Pourcentage |
|-------------------------------|--------|----------|-------------|
| Documentaries (2B)            | 139,74 | 2,7      | 23,8%       |
| Drama (7A)                    | 295,53 | 5,7      | 50,3%       |
| Comedy (7B)                   | 21     | 0,4      | 3,6%        |
| Feature films (7C)            | 9,2    | 0,2      | 1,6%        |
| Theatrical feature films (7D) | 0      | 0,0      | 0,0%        |
| Animation (7E)                | 5      | 0,1      | 0,9%        |
| Sketches (7F)                 | 106,37 | 2,0      | 18,1%       |
| Other (7g)                    | 4,1    | 0,1      | 0,7%        |
| Sub-total Category 7          | 441,2  | 8,5      | 75,2%       |
| Galas Awards                  | 6,02   | 0,1      | 1,0%        |
| Total                         | 586,96 | 11,3     | 100,0%      |

Distribution of

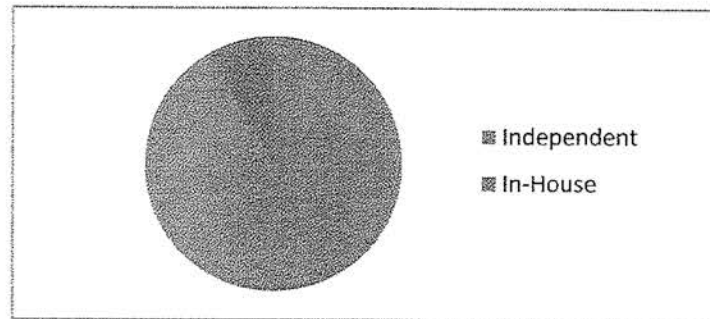


Type of dra



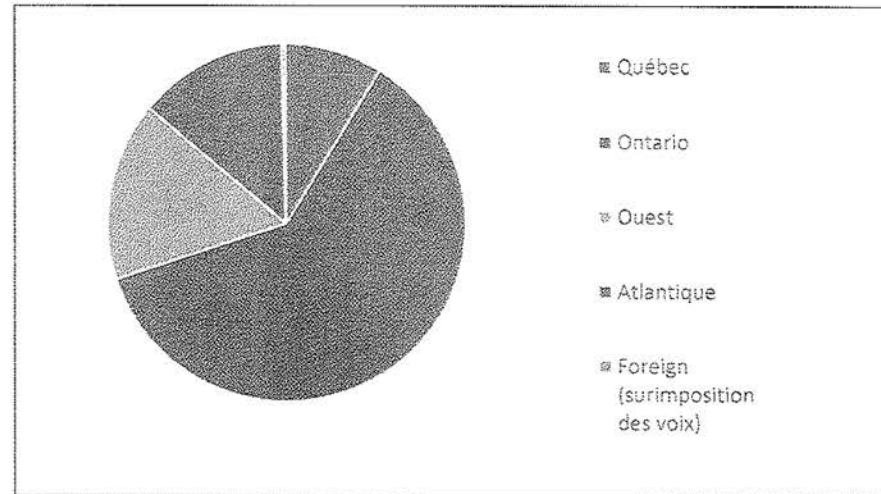
Independent production v. internal (hours)

|             | Hours  | Pourcentage |
|-------------|--------|-------------|
| Independent | 537,61 | 91,5%       |
| In-House    | 49,85  | 8,5%        |
| Total       | 587,46 | 100,0%      |



Production in Montreal, Quebec and the other provinces (hours)

|                                  | Hours  | Pourcentage |
|----------------------------------|--------|-------------|
| Québec                           | 52,74  | 8,8%        |
| Ontario                          | 367,55 | 61,2%       |
| Ouest                            | 97,17  | 16,2%       |
| Atlantique                       | 81,5   | 13,6%       |
| Foreign (surimposition des voix) | 2      | 0,3%        |
| Total                            | 600,96 | 100,0%      |



Drama and comedy



- Drama (7A)
- Comedy (7B)
- Feature films (7C)
- Theatrical feature films (7D)
- Animation (7E)
- Sketches (7F)

---

**RE: FW: CRTC-CLOSM Procès-verbal réunion 13 Nov 2015 - Minutes Meeting 13 Nov 2015**

1 message

---

**Roy, Lynda** <lynda.roy@crtc.gc.ca>

19 février 2016 à 14:12

À : Noemie Dansereau-Lavoie <noemie.dansereau-lavoie@radio-canada.ca>

Cc : "anne-marie.migneault@radio-canada.ca" <anne-marie.migneault@radio-canada.ca>, "Janelle, Frédéric" <frederic.janelle@crtc.gc.ca>

Merci Noemie et bon weekend!

---

**From:** Noemie Dansereau-Lavoie [mailto:noemie.dansereau-lavoie@radio-canada.ca]

**Sent:** 19 février 2016 13:22

**To:** Roy, Lynda

**Cc:** anne-marie.migneault@radio-canada.ca; Janelle, Frédéric

**Subject:** Re: FW: CRTC-CLOSM Procès-verbal réunion 13 Nov 2015 - Minutes Meeting 13 Nov 2015

Bonjour,

Vous trouverez, ci-joint, le document révisé. Quelques changements mineurs (en rouge) sont proposés pour la formulation des éléments discutés lors de la période de questions. Si cela vous convient, n'hésitez pas à faire l'adaptation pour la version anglaise.

Merci, et au plaisir,

Noémie

ps. Les changements concernent évidemment seulement la section pour CBC/Radio-Canada (p.12-15).

Le 1 février 2016 à 11:14, Roy, Lynda <lynda.roy@crtc.gc.ca> a écrit :

Bonjour Noémie, svp prendre connaissance du courriel ci-dessous.

Bonne journée

*Lynda Roy*

**Analyste, Programmation de langue française, Politique et demandes relatives à la télévision / Analyst, French Language Programming, Television Policy and Applications**

Conseil de la radiodiffusion et des télécommunications canadiennes/

Canadian Radio-television and Telecommunications Commission

Ottawa, Ontario K1A 0N2

**Téléphone / Phone : 819-997-4764**



**From:** Roy, Lynda

**Sent:** 1 février 2016 09:13

**To:** 'Aubrey Cormier'; 'Benoit Henry'; 'Bruno Godin'; 'Carol Ann Pilon'; 'Chantal Nadeau'; 'Corinne Atiogbé'; 'Daniel Boucher'; 'Danielle Strurk'; 'Émilie Robitaille'; 'Eric Corneau'; 'Eric Dubeau'; 'Florence Bessac'; 'Francis Potié'; 'François Coté'; 'Gaël Corbineau'; 'Ginette Chiasson'; 'Guy Rodgers'; 'Hugh Maynard'; 'Isabelle Laurin'; 'Jean-de-Dieu Tuyishime'; 'Jean-Pierre Caissie'; 'Kirwan Cox'; 'Laurence Véron'; 'Maggy Razafimbahiny'; 'Marc Masson'; 'Marie-Claude Doucet'; 'Marie-Claude Rioux'; 'Natalie Bernardin'; 'Nicole Matiation'; 'P. Auger'; 'Paul Demers'; 'PCH - France Fortier'; 'PCH - Mara Indri-Skinner'; 'PCH - Marie Isabel Maples'; 'Peter Hominuk'; 'Rita Legault'; 'Robert Rother'; 'Roch Nadon'; 'Serge Quinty'; 'Simon Forgues'; 'Suzanne Bossé'; 'Sylvia Martin Laforge'; 'Tina Robichaud'; 'Vital Kasongo'

**Cc:** Janelle, Frédéric

**Subject:** CRTC-CLOSM Procès-verbal réunion 13 Nov 2015 - Minutes Meeting 13 Nov 2015

Bonjour,

Vous trouverez en pièce jointe l'ébauche du procès-verbal de la dernière réunion du groupe de discussion CRTC-CLOSM, tenue le 13 novembre dernier au bureau du CRTC à Gatineau.

Nous vous prions de bien vouloir faire part de vos commentaires, le cas échéant, d'ici le **vendredi 19 février**, après quoi les corrections seront apportées et le document final sera publié sur le site web du Conseil. Veuillez me faire parvenir par courriel vos commentaires en prenant soin de mettre en copie conforme Frédéric Janelle.

Sincères salutations.

\*\*\*\*\*

Good morning,

Please find attached a draft of the last CRTC-CLOSM meeting minutes held on 13 Nov 2015. We would appreciate your comments, if any, by no later than **Friday, February 19<sup>th</sup>**, after which final corrections will be made and the document will be published on the CRTC website.

Please send me your comments by email and c.c. Frederic Janelle.

Sincerely,

*Lynda Roy*

**Analyste, Programmation de langue française, Politique et demandes relatives à la télévision / Analyst, French Language Programming, Television Policy and Applications**

Conseil de la radiodiffusion et des télécommunications canadiennes/



Canadian Radio-television and Telecommunications Commission

Ottawa, Ontario K1A 0N2

**Téléphone / Phone : 819-997-4764**

**Gouvernement du Canada | Government of Canada**

<http://www.crtc.gc.ca>

 Suivez-nous sur Twitter @CRTCfra |  Follow us on Twitter @CRTCeng

Aimez-nous sur Facebook Like us on Facebook

--

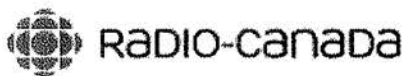
Noémie Dansereau-Lavoie

Chef, Planification stratégique

Direction générale des Finances et de la Planification stratégique

Société Radio-Canada

Tél.: (514) 597-7119



---

**RE: Demande de changement de début de journée de radiodiffusion pour ARTV**

1 message

---

**Blais, Catherine** <catherine.blais@crtc.gc.ca>

6 septembre 2016 à 07:30

À : Anne-Marie Migneault <anne-marie.migneault@radio-canada.ca>

Cc : Tvlogs <tvlogs@crtc.gc.ca>

Bonjour Anne-Marie,

Ce courriel confirme que les changements ont été effectués pour la journée de radiodiffusion et journée du registre de radiodiffusion de 06:00:00 à 06:00:00 (24 heures) pour ARTV en date du 1<sup>er</sup> septembre 2016.

Merci et bonne journée

*Catherine Blais*

Gestionnaire, Examen des registres de télévision.

Manager, TV Logs Examination.



Tel: 819-997-4721 | [catherine.blais@crtc.gc.ca](mailto:catherine.blais@crtc.gc.ca)

Conseil de la radiodiffusion et des télécommunications canadiennes /

Canadian Radio-television and Telecommunications Commission

Aimez-nous sur Facebook

Like us on Facebook

 Suivez-nous sur Twitter @CRTCfra |  Follow us on Twitter @CRTCeng

**From:** Anne-Marie Migneault [mailto:anne-marie.migneault@radio-canada.ca]

**Sent:** August-31-16 8:58 AM

**To:** Blais, Catherine <catherine.blais@crtc.gc.ca>

**Subject:** Re: Demande de changement de début de journée de radiodiffusion pour ARTV


Merci pour la confirmation, bonne journée !

Anne-Marie Migneault

Directrice Affaires réglementaires/  
Director Regulatory Affairs

CBC/Radio-Canada

Tel: 514-597-6285  
anne-marie.migneault@radio-canada.ca

CBC  Radio-Canada

Le 31 août 2016 à 08:56, Blais, Catherine <catherine.blais@crtc.gc.ca> a écrit :

Bonjour Anne-Marie

Oui nous sommes au courant des changements et ceux-ci seront actifs demain.

Merci

Catherine Blais

**From:** Anne-Marie Migneault [mailto:anne-marie.migneault@radio-canada.ca]  
**Sent:** Tuesday, August 30, 2016 5:29 PM  
**To:** Blais, Catherine <catherine.blais@crtc.gc.ca>  
**Cc:** Tvlogs <tvlogs@crtc.gc.ca>  
**Subject:** Re: Demande de changement de début de journée de radiodiffusion pour ARTV

Bonjour Catherine, tel qu'expliqué dans le message que je vous ai laissé cet été au sujet de la demande (qui nous avons aussi déposée dans une lettre au Secrétaire général, ci-jointe), notre personnel qui s'occupe des registres a préparé le changement dans nos systèmes pour qu'il soit effectif en date du 1er septembre 2016 et je comprends que votre groupe a bien noté ce changement.

Anne-Marie Migneault

Directrice Affaires réglementaires/  
Director Regulatory Affairs

CBC/Radio-Canada

Tel: 514-597-6285  
anne-marie.migneault@radio-canada.ca

CBC  Radio-Canada

Le 7 juin 2016 à 10:25, Blais, Catherine <catherine.blais@crtc.gc.ca> a écrit :

Bonjour

Merci de votre courriel cette demande doit être fait à l'aide d'une lettre au secrétaire général .

Nous apporterons le changement en date du 1er septembre 2016 début de l'année de radiodiffusion .

Merci

Catherine Blais

---

**De:** Anne-Marie Migneault

**Envoyé:** mardi 7 juin 2016 10:16 AM

**À:** Tvlogs

**Cc:** Blais, Catherine

**Objet:** Demande de changement de début de journée de radiodiffusion pour ARTV

Bonjour,

Le service ICI ARTV a présentement une journée de radiodiffusion de 24 heures débutant à minuit. Nous demandons au Conseil de modifier l'heure du début de sa journée de radiodiffusion pour qu'elle soit 6h00 à compter du 1er septembre 2016. Cela permettrait d'harmoniser le début de la journée de radiodiffusion d'ARTV avec celles de tous les autres services de télévision de langue française de Radio-Canada (ICI R-C Télé, ICI RDI, ICI Explora).

La licence d'ICI ARTV définit comme suit sa "journée de radiodiffusion" :

"« journée de radiodiffusion » signifie la période choisie par la titulaire qui comprend un maximum de 24 heures consécutives ou toute autre période approuvée par le Conseil. " (licence 2013-263, annexe 6 pour ARTV).

Nous vous demandons par la présente que la journée de radiodiffusion d'ICI ARTV soit 6h00 à compter du 1er septembre 2016.

Si vous jugez que ce genre de demande doit être fait par une autre procédure (lettre au Secrétaire général, demande sous la Partie 1, etc.), merci de m'en informer.

Anne-Marie Migneault

Directrice Affaires réglementaires/  
Director Regulatory Affairs

CBC/Radio-Canada

Tel: 514-597-6285

[anne-marie.migneault@radio-canada.ca](mailto:anne-marie.migneault@radio-canada.ca)

CBC  Radio-Canada

---

## RE: REGISTRE DU CRTC MOIS D'OCTOBRE 2016: RADIO-CANADA

1 message

---

**Tvlogs** <tvlogs@crtc.gc.ca>

10 novembre 2016 à 10:22

À : James Francois <james.francois@radio-canada.ca>

Cc : Nancy Roch <nancy.roch@radio-canada.ca>, Anne-Marie Migneault <anne-marie.migneault@radio-canada.ca>, "Blais, Catherine" <catherine.blais@crtc.gc.ca>

Bonjour James,

Merci pour votre courriel.

Nous avons trouvé le problème/bogue au niveau de la validation, mais nous n'avons pas terminé la mise à jour sur notre système.

Une fois que la mise à jour sera complétée, nous allons vous avertir par courriel.

Merci de votre patience,

Bonne journée

Martial Boulanger

Chef, examen des registres de télévision | Chief, TV Logs Examination

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and



Telecommunications Commission

martial.boulanger@crtc.gc.ca

Téléphone | Telephone 819-953-3084

Gouvernement du Canada | Government of Canada

www.crtc.gc.ca

 Suivez-nous sur Twitter |  Follow us on Twitter

**From:** James Francois [mailto:james.francois@radio-canada.ca]

**Sent:** November-10-16 10:02 AM

**To:** Tvlogs <tvlogs@crtc.gc.ca>; Blais, Catherine <catherine.blais@crtc.gc.ca>

**Cc:** Nancy Roch <nancy.roch@radio-canada.ca>; Anne-Marie Migneault <anne-marie.migneault@radio-canada.ca>

**Subject:** REGISTRE DU CRTC MOIS D'OCTOBRE 2016: RADIO-CANADA

Bonjour,

Pour votre information, je viens de déposer les registres du mois d'octobre 2016 pour les stations de Radio-Canada.

Habituellement, je n'écris pas lors du dépôt des registres mensuels, exceptionnellement je le fais à cause d'une erreur qu'existe sur les registres d'anomalies que le CRTC me retourne, voici l'erreur:

Numéro d'erreur: 1760

La source de production "4" doit être accompagnée d'une entrée dans le champ Producteur 1.

Cette erreur existe dans les registres de notre station Radio-Canada et nos 13 stations régionales. Je vous ai notifié cette erreur le 31 octobre dernier et le 1er novembre vous m'avez confirmé que vous avez un bogue dans votre système que votre équipe informatique travaille à résoudre ce problème.

Comme l'erreur 1760 n'est pas causée par Radio-Canada, nous n'allons pas resoumettre les registres à la correction du bogue et l'erreur ne devrait pas comptabiliser dans nos rapports annuels.

Merci et bonne journée

James François

Grille et diffusion

Radio-Canada



---

**RE: Rappel de personnes contact pour ARTV\_Fwd: ARTV TVLOGS REGISTRE NON SOUMIS OU INADMISSIBLE - FRANCAIS**

1 message

---

**Tvlogs** <tvlogs@crtc.gc.ca>

12 septembre 2016 à 14:58

À : James Francois <james.francois@radio-canada.ca>, Anne-Marie Migneault <anne-marie.migneault@radio-canada.ca>  
Cc : Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires <affaires.reglementaires@radio-canada.ca>, "Blais, Catherine" <catherine.blais@crtc.gc.ca>

Bonjour James,

excellent, merci pour votre courriel,

L'équipe des registres de télévision

**From:** James Francois [mailto:james.francois@radio-canada.ca]

**Sent:** September-12-16 2:29 PM

**To:** Anne-Marie Migneault <anne-marie.migneault@radio-canada.ca>

**Cc:** Tvlogs <tvlogs@crtc.gc.ca>; Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires <affaires.reglementaires@radio-canada.ca>

**Subject:** Re: Rappel de personnes contact pour ARTV\_Fwd: ARTV TVLOGS REGISTRE NON SOUMIS OU INADMISSIBLE - FRANCAIS

Bonjour,

Je viens d'envoyer le registre d'ARTV pour le mois de juillet 2016. Ce registre a passé la validation initiale et échoué la validation détaillée à cause des numéros de productions manquants.

Si vous avez des questions, n'hésitez pas à communiquer avec moi.

James François

Radio-Canada

Le 12 septembre 2016 à 12:56, Anne-Marie Migneault <anne-marie.migneault@radio-canada.ca> a écrit :

Bonjour, je constate que ce courriel a été envoyé à Gilbert Morin, qui ne travaille plus à Radio-Canada. Rappels concernant ICI ARTV:

-La licence d'ICI ARTV est maintenant détenue par la Société Radio-Canada, et non plus par ARTV inc.

-La personne qui s'occupe des registres d'ARTV est la même que celle qui s'occupe des registres de tous les autres services de télévision de la Société Radio-Canada, soit M. James François.

-Lorsque vous avez des communications au sujet des services français de la SRC, il faut envoyer à Affaires réglementaires (comme vous l'avez fait) et si vous désirez ajouter des personnes en copie, ce serait James François et moi.

Merci à l'avance de votre collaboration,

Anne-Marie Migneault

Directrice Affaires réglementaires/  
Director Regulatory Affairs

CBC/Radio-Canada

Tel: 514-597-6285

anne-marie.migneault@radio-canada.ca

----- Forwarded message -----

From: <TVLOGS@crtc.gc.ca>

Date: 2016-09-11 15:02 GMT-04:00

Subject: ARTV TVLOGS REGISTRE NON SOUMIS OU INADMISSIBLE - FRANCAIS

To: gilbert.morin@artv.ca, affaires.reglementaires@radio-canada.ca

Cc: TVLOGS@crtc.gc.ca

English will follow...

Veuillez ne pas répondre à ce courriel.

Veuillez consulter le document ci-joint, vous pouvez répondre au besoin par le biais du courriel suivant :  
tvlogs@crtc.gc.ca

Notez qu'un registre soumis qui échoue la validation initiale est automatiquement rejeté par le système, ce qui signifie que le registre soumis est inadmissible.

---

Please do not reply to this email.

Please consult the enclosed document, if needed you may reply to tvlogs@crtc.gc.ca.

Please note that a log file that has failed IMD (initial) validation is automatically rejected by the system, resulting in an invalid log submission.

---

TV logs group

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and  
Telecommunications Commission Ottawa, Ontario K1A 0N2

Gouvernement du Canada | Government of Canada

---

**RE: Registre année de diffusion 2015-2016**

1 message

---

**Tvlogs** <tvlogs@crtc.gc.ca>

8 septembre 2016 à 14:10

À : James Francois <james.francois@radio-canada.ca>, Tvlogs <tvlogs@crtc.gc.ca>

Cc : Anne-Marie Migneault <anne-marie.migneault@radio-canada.ca>, Nancy Roch <nancy.roch@radio-canada.ca>, Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires <affaires.reglementaires@radio-canada.ca>

Merci pour votre courriel James, nous garderons celui-ci pour nos dossiers.

*Catherine Blais*

Gestionnaire, Examen des registres de télévision.

Manager, TV Logs Examination.



Tel: 819-997-4721 | [catherine.blais@crtc.gc.ca](mailto:catherine.blais@crtc.gc.ca)

Conseil de la radiodiffusion et des télécommunications canadiennes /

Canadian Radio-television and Telecommunications Commission

Aimez-nous sur Facebook

Like us on Facebook

 Suivez-nous sur Twitter @CRTCfra |  Follow us on Twitter @CRTCeng

**From:** James Francois [mailto:james.francois@radio-canada.ca]

**Sent:** September-08-16 1:42 PM

**To:** Tvlogs <tvlogs@crtc.gc.ca>

**Cc:** Blais, Catherine <catherine.blais@crtc.gc.ca>; Anne-Marie Migneault <anne-marie.migneault@radio-canada.ca>; Nancy Roch <nancy.roch@radio-canada.ca>; Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires <affaires.reglementaires@radio-canada.ca>

**Subject:** Registre année de diffusion 2015-2016

Bonjour,

Par le présent, je confirme que nous avons soumis tous les registres mensuels pour l'année de diffusion 2015-2016, pour les stations RDI, ARTV, EXPLORA, Radio-Canada et les 13 stations régionales. Voir la liste ci-dessous:

CBAFT Moncton

CBFT Montréal

CBKFT Régina  
CBLFT Toronto  
CBOFT Ottawa  
CBUFT Vancouver  
CBVT Québec  
CBWFT Winnipeg  
CBXFT Edmonton  
CJBRT Rimouski  
CKSH Sherbrooke  
CKTM Trois-Rivières  
CKTV Saguenay  
SRC Radio-Canada  
RDI  
ARTV  
EXPLORA

Pour la station RDI, 9 mois sur 12 sont sans erreur. Pour les mois de mars, juillet et août, il reste seulement des erreurs 1820 pour le numéro d'accréditation du producteur.

En ce qui concerne Radio-Canada, ses stations régionales, Explora et ARTV pour toute l'année de diffusion, il reste seulement l'erreur 1820 pour le numéro d'accréditation du producteur.

Si vous avez des questions concernant les registres, n'hésitez pas à communiquer avec moi.

James Francois  
Chef grille et diffusion  
Société Radio-Canada  
Tel:514-597-5423  
Cell:514-592-7093

---

## CKSH TVLOGS REGISTRE NON SOUMIS OU INADMISSIBLE - FRANCAIS - 201602

1 message

---

TVLOGS@crtc.gc.ca <TVLOGS@crtc.gc.ca>

19 août 2016 à 12:01

À : anne-marie.migneault@radio-canada.ca, james.francois@radio-canada.ca, tina.tatto@cbc.ca,  
affaires.reglementaires@radio-canada.ca

Cc : TVLOGS@crtc.gc.ca

English will follow...

Veuillez ne pas répondre à ce courriel.

Veuillez consulter le document ci-joint, vous pouvez répondre au besoin par le biais du courriel suivant :  
tvlogs@crtc.gc.ca

Notez qu'un registre soumis qui échoue la validation initiale est automatiquement rejeté par le système, ce qui signifie que le registre soumis est inadmissible.

---

Please do not reply to this email.

Please consult the enclosed document, if needed you may reply to tvlogs@crtc.gc.ca.

Please note that a log file that has failed IMD (initial) validation is automatically rejected by the system, resulting in an invalid log submission.

---

TV logs group

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and  
Telecommunications Commission Ottawa, Ontario K1A 0N2

Gouvernement du Canada | Government of Canada



**TVLOGS REGISTRE NON SOUMIS OU INADMISSIBLE - FRANCAIS - 201602 2016-08-19-12-01-48.pdf**

82K



Conseil de la radiodiffusion et des  
télécommunications canadiennes

Canadian Radio-television and  
Telecommunications Commission

Ottawa, Canada  
K1A 0N2

**PAR COURRIEL :**

anne-marie.migneault@radio-canada.ca, james.francois@radio-  
canada.ca, tina.tatto@cbc.ca, affaires.reglementaires@radio-canada.ca

11 août 2016

Mme Anne -Marie Migneault  
Directrice Affaires Réglementaires

**Objet : CKSH  
Registre non-soumis  
février 2016**

Madame,

L'étude de nos dossiers démontre que le registre des émissions diffusées par CKSH n'a pas été soumis pour le mois de février 2016.

L'article 7.(2) du Règlement de 1990 sur les services spécialisés, (le Règlement) stipule que sauf disposition contraire des conditions de sa licence, le titulaire doit fournir au Conseil, dans les trente jours suivant la fin de chaque mois, son registre ou son enregistrement informatisé pour ce mois ainsi qu'une attestation de l'exactitude de son contenu, signée par lui ou son représentant.

Veillez noter que la non soumission des registres constitue une infraction au Règlement et votre station ou service pourrait être assujéti aux sanctions réglementaires mentionnées dans le Bulletin d'information 2011-650. Nous vous demandons donc d'accorder une attention particulière à cette situation et nous faire parvenir votre registre immédiatement suivant la réception de la présente.

Si vous désirez de plus amples renseignements concernant cette requête, n'hésitez pas à communiquer avec moi au (819) 997-4721.

Il importe de noter qu'une copie de la présente ainsi que toute correspondance afférente sera déposée au dossier public de la station.

Veillez agréer l'expression de mes sentiments distingués.

Catherine Blais  
Gestionnaire, Examen des registres de télévision  
Radiodiffusion

Canada

---

## CKTM TVLOGS REGISTRE NON SOUMIS OU INADMISSIBLE - FRANCAIS - 201511

1 message

---

TVLOGS@crtc.gc.ca <TVLOGS@crtc.gc.ca>

15 août 2016 à 13:29

À : anne-marie.migneault@radio-canada.ca, james.francois@radio-canada.ca, tina.tatto@cbc.ca,  
affaires.reglementaires@radio-canada.ca

Cc : TVLOGS@crtc.gc.ca

English will follow...

Veillez ne pas répondre à ce courriel.

Veillez consulter le document ci-joint, vous pouvez répondre au besoin par le biais du courriel suivant :  
tvlogs@crtc.gc.ca

Notez qu'un registre soumis qui échoue la validation initiale est automatiquement rejeté par le système, ce qui signifie que le registre soumis est inadmissible.

---

Please do not reply to this email.

Please consult the enclosed document, if needed you may reply to tvlogs@crtc.gc.ca.

Please note that a log file that has failed IMD (initial) validation is automatically rejected by the system, resulting in an invalid log submission.

---

TV logs group

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and  
Telecommunications Commission Ottawa, Ontario K1A 0N2

Gouvernement du Canada | Government of Canada



TVLOGS REGISTRE NON SOUMIS OU INADMISSIBLE - FRANCAIS - 201511 2016-08-15-13-29-36.pdf

82K



---

## CKTM TVLOGS REGISTRE NON SOUMIS OU INADMISSIBLE - FRANCAIS - 201511

1 message

---

TVLOGS@crtc.gc.ca <TVLOGS@crtc.gc.ca>

15 août 2016 à 13:29

À : anne-marie.migneault@radio-canada.ca, james.francois@radio-canada.ca, tina.tatto@cbc.ca,  
affaires.reglementaires@radio-canada.ca

Cc : TVLOGS@crtc.gc.ca

English will follow...

Veuillez ne pas répondre à ce courriel.

Veuillez consulter le document ci-joint, vous pouvez répondre au besoin par le biais du courriel suivant :  
tvlogs@crtc.gc.ca

Notez qu'un registre soumis qui échoue la validation initiale est automatiquement rejeté par le système, ce qui signifie que le registre soumis est inadmissible.

---

Please do not reply to this email.

Please consult the enclosed document, if needed you may reply to tvlogs@crtc.gc.ca.

Please note that a log file that has failed IMD (initial) validation is automatically rejected by the system, resulting in an invalid log submission.

---

TV logs group

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and  
Telecommunications Commission Ottawa, Ontario K1A 0N2

Gouvernement du Canada | Government of Canada



TVLOGS REGISTRE NON SOUMIS OU INADMISSIBLE - FRANCAIS - 201511 2016-08-15-13-29-36.pdf

82K



Conseil de la radiodiffusion et des  
télécommunications canadiennes

Canadian Radio-television and  
Telecommunications Commission

Ottawa, Canada  
K1A 0N2

**PAR COURRIEL :**

anne-marie.migneault@radio-canada.ca, james.francois@radio-  
canada.ca, tina.tatto@cbc.ca, affaires.reglementaires@radio-canada.ca

11 août 2016

Mme Anne -Marie Migneault  
Directrice Affaires Réglementaires

**Objet : CKTM**  
**Registre non-soumis**  
**novembre 2015**

Madame,

L'étude de nos dossiers démontre que le registre des émissions diffusées par CKTM n'a pas été soumis pour le mois de novembre 2015.

L'article 7.(2) du Règlement de 1990 sur les services spécialisés, (le Règlement) stipule que sauf disposition contraire des conditions de sa licence, le titulaire doit fournir au Conseil, dans les trente jours suivant la fin de chaque mois, son registre ou son enregistrement informatisé pour ce mois ainsi qu'une attestation de l'exactitude de son contenu, signée par lui ou son représentant.

Veillez noter que la non soumission des registres constitue une infraction au Règlement et votre station ou service pourrait être assujéti aux sanctions réglementaires mentionnées dans le Bulletin d'information 2011-650. Nous vous demandons donc d'accorder une attention particulière à cette situation et nous faire parvenir votre registre immédiatement suivant la réception de la présente.

Si vous désirez de plus amples renseignements concernant cette requête, n'hésitez pas à communiquer avec moi au (819) 997-4721.

Il importe de noter qu'une copie de la présente ainsi que toute correspondance afférente sera déposée au dossier public de la station.

Veillez agréer l'expression de mes sentiments distingués.

Catherine Blais  
Gestionnaire, Examen des registres de télévision  
Radiodiffusion

Canada

**Re: Demande de changement de début de journée de radiodiffusion pour ARTV**

1 message

**Anne-Marie Migneault** <anne-marie.migneault@radio-canada.ca>


30 août 2016 à 17:28

À : "Blais, Catherine" &lt;catherine.blais@crtc.gc.ca&gt;

Cc : Tvlogs &lt;tvlogs@crtc.gc.ca&gt;

Bonjour Catherine, tel qu'expliqué dans le message que je vous ai laissé cet été au sujet de la demande (qui nous avons aussi déposée dans une lettre au Secrétaire général, ci-jointe), notre personnel qui s'occupe des registres a préparé le changement dans nos systèmes pour qu'il soit effectif en date du 1er septembre 2016 et je comprends que votre groupe a bien noté ce changement.

Anne-Marie Migneault  
Directrice Affaires réglementaires/  
Director Regulatory Affairs  
CBC/Radio-Canada  
Tel: 514-597-6285  
anne-marie.migneault@radio-canada.ca

CBC  Radio-Canada

Le 7 juin 2016 à 10:25, Blais, Catherine &lt;catherine.blais@crtc.gc.ca&gt; a écrit :

Bonjour

Merci de votre courriel cette demande doit être fait à l'aide d'une lettre au secrétaire général .

Nous apporterons le changement en date du 1er septembre 2016 début de l'année de radiodiffusion .

Merci

Catherine Blais

**De:** Anne-Marie Migneault**Envoyé:** mardi 7 juin 2016 10:16 AM**À:** Tvlogs**Cc:** Blais, Catherine**Objet:** Demande de changement de début de journée de radiodiffusion pour ARTV

Bonjour,

Le service ICI ARTV a présentement une journée de radiodiffusion de 24 heures débutant à minuit. Nous demandons au Conseil de modifier l'heure du début de sa journée de radiodiffusion pour qu'elle soit 6h00 à compter du 1er septembre 2016. Cela permettrait d'harmoniser le début de la journée de radiodiffusion d'ARTV avec celles de tous les autres services de télévision de langue française de Radio-Canada (ICI R-C Télé, ICI RDI, ICI Explora).

La licence d'ICI ARTV définit comme suit sa "journée de radiodiffusion" :

"« journée de radiodiffusion » signifie la période choisie par la titulaire qui comprend un maximum de 24 heures consécutives ou toute autre période approuvée par le Conseil. " (licence 2013-263, annexe 6 pour ARTV).


Nous vous demandons par la présente que la journée de radiodiffusion d'ICI ARTV soit 6h00 à compter du 1er septembre 2016.

Si vous jugez que ce genre de demande doit être fait par une autre procédure (lettre au Secrétaire général, demande sous la Partie 1, etc.), merci de m'en informer.

Anne-Marie Migneault  
Directrice Affaires réglementaires/  
Director Regulatory Affairs  
CBC/Radio-Canada  
Tel: 514-597-6285  
anne-marie.migneault@radio-canada.ca

CBC  Radio-Canada

---

 **Demande modification journee ARTV (1).pdf**  
193K

Le 8 juin 2016

M<sup>me</sup> Danielle May-Cuconato  
Secrétaire générale  
Conseil de la radiodiffusion et  
des télécommunications canadiennes  
Ottawa (Ontario)  
K1A 0N2

**Objet:** Demande de changement de début de journée de radiodiffusion pour ARTV

Madame la Secrétaire générale,

La présente est une demande au Conseil de modifier l'heure du début de la journée de radiodiffusion du service spécialisé ICI ARTV.

Le service ICI ARTV a présentement une journée de radiodiffusion de 24 heures débutant à minuit. Nous désirons que sa journée débute à 6h00 à compter du début de la prochaine année de radiodiffusion. Cette modification permettra d'harmoniser le début de la journée de radiodiffusion d'ICI ARTV avec celui de tous les autres services de télévision de langue française de Radio-Canada (ICI R-C Télé, ICI RDI, ICI Explora), dont les journées de radiodiffusion débutent toutes à 6h00.

La licence d'ICI ARTV définit comme suit sa "journée de radiodiffusion":

« journée de radiodiffusion » signifie la période choisie par la titulaire qui comprend un maximum de 24 heures consécutives ou toute autre période approuvée par le Conseil.  
(licence CRTC 2013-263, annexe 6)

Nous demandons donc que la journée de radiodiffusion d'ICI ARTV débute à 6h00 à compter du 1er septembre 2016.

Veuillez agréer, Madame la Secrétaire générale, mes meilleures salutations.

*Bkirshenblatt*

Bev Kirshenblatt  
Directrice générale  
Affaires institutionnelles et réglementaires

c. c. : [catherine.blais@crtc.gc.ca](mailto:catherine.blais@crtc.gc.ca) ; [tvlogs@crtc.gc.ca](mailto:tvlogs@crtc.gc.ca)

---

**RE: CRTC Confirmation # 90620**

1 message

---

**Godbout, Émilie** <emilie.godbout@crtc.gc.ca>  
À : DANIELLE BRUNET <danielle.brunet@cbc.ca>  
Cc : Anne-Marie Migneault <anne-marie.migneault@radio-canada.ca>

25 mai 2016 à 09:31

Bien reçue, merci.

Émilie Godbout

Gestionnaire | Manager

Politiques et analyse en matière de la radio de langue française | French Radio Policy and Applications  
Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and  
Telecommunications Commission  
emilie.godbout@crtc.gc.ca  
Téléphone | Telephone 819-953-4826

[www.crtc.gc.ca](http://www.crtc.gc.ca)



Suivez-nous sur Twitter |



Follow us on Twitter



Aimez-nous sur Facebook |



Like us on Facebook

**De :** DANIELLE BRUNET [mailto:danielle.brunet@cbc.ca]  
**Envoyé :** 20 mai 2016 13:34  
**À :** Godbout, Émilie <emilie.godbout@crtc.gc.ca>  
**Cc :** Anne-Marie Migneault <anne-marie.migneault@radio-canada.ca>  
**Objet :** CRTC Confirmation # 90620

Bonjour Mme. Godbout,

S'il vous plaît trouver ci-joint une copie de notre Demande sous la Partie 1 pour rectification du texte des conditions de licences d'ICI Radio-Canada Première et ICI Musique concernant la musique vocale de langue française.

Passez une bonne journée.

Danielle Brunet

Administrative Assistant, Corporate and Regulatory Affairs  
Adjointe administrative, Affaires institutionnelles et réglementaires  
CBC/Radio-Canada  
181, Queen Street/ 181, rue Queen  
Ottawa, ON K1P 1K9  
(613) 288-6258 / [danielle.brunet@cbc.ca](mailto:danielle.brunet@cbc.ca)  
[www.cbc.ca](http://www.cbc.ca) / [www.radio-canada.ca](http://www.radio-canada.ca)

**From / De:** Tvlogs <tvlogs@crtc.gc.ca>  
**To / À:** gilbert.morin@radio-canada.ca,  
**Cc / Cc:** anne-marie.migneault@radio-canada.ca, catherine.blais@crtc.gc.ca,  
**Date / Date:** Mon, Jan 25, 2016 at 10:07 AM  
**Subject / Objet:** RE: Registres ICI ARTV 201404 à 201408

---

Bonjour Gilbert,

Veuillez prendre note que tous les registres pour les mois « avant » septembre 2014 doivent être validés manuellement dans l'ancien système.

Nous avons bien reçu les registres et ils seront validés aujourd'hui et les rapports seront soumis dans les prochaines heures.

Merci,

L'équipe des registres de télévision

---

**From:** Gilbert Morin [mailto:gilbert.morin@radio-canada.ca]  
**Sent:** January-25-16 9:57 AM  
**To:** Tvlogs  
**Cc:** Anne-Marie Migneault  
**Subject:** Registres ICI ARTV 201404 à 201408

Bonjour ! Nous avons soumis entre mardi le 19 et mercredi le 20 janvier nos registres pour les mois d'avril à août 2014 et n'avons pas reçu à ce jour les rapports donnant la liste des anomalies. Merci de vérifier dès que possible.

--

**Gilbert Morin, CPA, CMA, MSc**

Directeur de l'administration

t. 514-597-3651

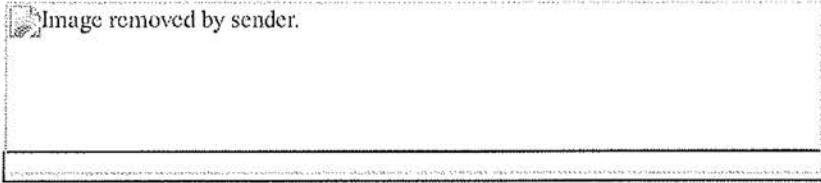
SVP prendre note que mon adresse est désormais gilbert.morin@radio-canada.ca



[ICI.Artv.ca](#) [Facebook](#) [Twitter](#) [YouTube](#) [Artvrama](#)

1400, boul. René-Lévesque est, bureau A53-1  
Montréal, (Québec) H2L 2M2





From / De: Tvlogs <tvlogs@crtc.gc.ca>  
To / A: anne-marie.migneault@radio-canada.ca,  
Cc / Cc: tina.tatto@cbc.ca, affaires.reglementaires@radio-canada.ca, catherine.blais@crtc.gc.ca, bev.kirshenblatt@cbc.ca, james.francois@radio-canada.ca,  
gilbert.morin@radio-canada.ca  
Date / Date: Fri, Jan 15, 2016 at 11:51 AM  
Subject / Objet: RE: Confirmation services français ICI R-C, Télé, RDI, Explora, ARTV\_Re: Exactitude, correction, et soumission des registres 2014-2015

Bonjour,  
Merci pour votre courriel.

L'équipe des registres de télévision

From: Anne-Marie Migneault [mailto:anne-marie.migneault@radio-canada.ca]  
Sent: January-15-2016 11:47 AM  
To: Tvlogs <tvlogs@crtc.gc.ca>  
Cc: tina.tatto@cbc.ca; affaires.reglementaires@radio-canada.ca; Blais, Catherine <catherine.blais@crtc.gc.ca>; Kirshenblatt, Bev <bev.kirshenblatt@cbc.ca>; James Francois <james.francois@radio-canada.ca>; Morin, Gilbert <gilbert.morin@radio-canada.ca>  
Subject: Confirmation services français ICI R-C, Télé, RDI, Explora, ARTV\_Re: Exactitude, correction, et soumission des registres 2014-2015

Bonjour,

Nous vous confirmons par la présente que les services français de télévision de la SRC, soit les stations ICI Radio-Canada Télé, ICI RDI, ICI Explora et ICI ARTV ont complété les révisions et que des registres corrects ont été déposés, qui ont passé avec succès la validation initiale. Ils ont cependant évidemment échoué la validation détaillée car il reste, comme à chaque année, des numéros manquants de certification d'émission canadienne, qui ne pourront être entrés que lorsqu'ils seront disponibles.

Le problème que vous soulignez dans votre courriel concernant SRC Télé pour le mois 2015-04 a été réglé ce matin, il a été resoumis avec succès. De plus, vu notre confirmation ci-dessus, il n'a de soi qu'ICI ARTV n'aura pas besoin de l'extension jusqu'au 15 février dont nous avions discuté en décembre.

Les registres 2014-15 des services français sont donc prêts pour votre évaluation.

Merci,

Anne-Marie Migneault  
Directrice Affaires réglementaires/  
Director Regulatory Affairs  
CBC/Radio-Canada  
Tél: 514-997-6285  
anne-marie.migneault@radio-canada.ca



2016-01-13 9:16 GMT-05:00 Tvlogs <tvlogs@crtc.gc.ca>:

Bonjour,  
suite à notre courriel envoyé le 4 décembre, 2015, nous aimerions vous rappeler que vous devez vous assurer que vos registres ont été révisés pour l'année de radiodiffusion 2014-2015. Prière d'envoyer un courriel à l'adresse suivante: [tvlogs@crtc.gc.ca](mailto:tvlogs@crtc.gc.ca) pour confirmer que toutes les corrections nécessaires ont été apportées. Cela doit être fait avant le 29 janvier 2016, à ce moment nous exécuterons notre évaluation pour votre service. Voir une liste des mois manquants ci-bas.

Prière de noter que votre registre doit passer la validation initiale (IMD) pour être considéré comme une soumission valide. Seulement la dernière soumission de registre sera conservée.

Voici les définitions des deux processus de validation :

**IMD- Initial minimum data:** registre rejeté (le registre doit être resoumis)

**TOA- Temporary omission acceptable:** registre accepté

Quand un registre n'est pas lisible par notre système, il en résulte un registre « reçu ». Cela se produit quand un registre contient des dates et des temps incorrects. Un registre qui est seulement « reçu » n'est pas une soumission valide, et doit être resoumis.

| SRC |         |            |
|-----|---------|------------|
| SRC | 2015-04 | IMD échoué |

Si vous avez des questions, n'hésitez pas à nous contacter.

Sincèrement,

Le groupe des registres de télévision

Hello,  
As per our email to you on 4 December, 2015, we would like to remind you again that you must ensure that your logs have been revised for the 2014-2015 broadcast year. Please send an email to [tvlogs@crtc.gc.ca](mailto:tvlogs@crtc.gc.ca) when all necessary corrections have been made. This must be done by the 29<sup>th</sup> of January, 2016, as we are beginning the annual performance evaluations of your stations. Please see a list of all log months missing below.

We would like to remind you that a log file that has failed IMD (initial) validation is not considered a valid submission. When a log file fails IMD (initial) validation, the log file data is not retained by our system. Please note that we only keep the *last version* of a log file that was submitted to our system.

Here are the definitions of the two validation processes:

**IMD- Initial minimum data:** rejected file (the log needs to be resubmitted)

**TOA- Temporary omission acceptable:** accepted file

When a log file is not readable by our system, it will not be validated and will be identified as "received". This occurs when a log file is submitted with invalid dates or times. A "received" log is also not considered a valid submission, and needs to be re-submitted.

| SRC |         |            |
|-----|---------|------------|
| SRC | 2015-04 | IMD failed |

Please contact [tvlogs@crtc.gc.ca](mailto:tvlogs@crtc.gc.ca) if you have any questions concerning the above.

Regards,  
TV Logs group

From: Tvlogs  
Sent: December-04-2015 9:09 AM  
To: Anne-Marie Migneault <anne-marie.migneault@radio-canada.ca>  
Cc: tina.tatto@cbc.ca; affaires.reglementaires@radio-canada.ca; Blais, Catherine <catherine.blais@crtc.gc.ca>  
Subject: Exactitude, correction, et soumission des registres 2014-2015

Hello,

We would like to remind you that you must ensure that your logs have been revised for the 2014-2015 broadcast year. Please send an email to [tvlogs@crtc.gc.ca](mailto:tvlogs@crtc.gc.ca) to confirm when all

necessary corrections have been made. We ask that this be done by the 18th of December, 2015; at this time we will begin conducting our annual performance evaluations for your stations.

Please note that a log file must pass initial (IMD) validation in order to be considered a valid submission. We will only keep on file the last log submitted.

Here are the definitions of the two validation processes:

**IMD- Initial minimum data: rejected file** (the log needs to be resubmitted)

**TOA- Temporary emission acceptable: accepted file**

If you have any questions please do not hesitate to contact us.

Regards,

TV Logs Group

Bonjour,

Nous aimerions vous rappeler que vous devez vous assurer que vos registres ont été révisés pour l'année de radiodiffusion 2014-2015. Prière d'envoyer un courriel à l'adresse suivante, [Telecom@cbc.gc.ca](mailto:Telecom@cbc.gc.ca) pour confirmer que toutes les corrections nécessaires ont été apportées. Nous vous demandons que ceci soit fait avant le 18 décembre 2015, à ce moment nous exécuterons notre évaluation annuelle pour votre service.

Prière de noter que votre registre doit passer la validation initiale (IMD) pour être considéré comme une soumission valide. Seulement la dernière soumission de registre sera conservée.

Voici les définitions des deux processus de validation :

**IMD- Initial minimum data: registre rejeté** (le registre doit être resoumis)

**TOA- Temporary emission acceptable: registre accepté**

Si vous avez des questions, n'hésitez pas à nous contacter.

Sincèrement,

Le groupe des registres de télévision

**From / De:** Tvlogs <tvlogs@crtc.gc.ca>  
**To / À:** anne-marie.migneault@radio-canada.ca,  
**Cc / Cc:** catherine.blais@crtc.gc.ca, gilbert.morin@radio-canada.ca,  
**Date / Date:** Thu, Dec 24, 2015 at 9:31 AM  
**Subject / Objet:** RE: ARTV 2013/14\_ Question concernant votre calcul rendement ICI ARTV sur production indépendante

---

Bonjour, Anne-Marie,  
merci pour votre courriel. S'il vous plaît, voir ci-joint le rendement annuel révisé pour 2013-2014.

Cordialement,  
L'équipe des registres de télévision

---

**From:** Anne-Marie Migneault [mailto:anne-marie.migneault@radio-canada.ca]  
**Sent:** December-23-15 11:32 AM  
**To:** Tvlogs; Blais, Catherine  
**Cc:** Morin, Gilbert; Regulatory Affairs - Affaires réglementaires  
**Subject:** ARTV 2013/14\_ Question concernant votre calcul rendement ICI ARTV sur production indépendante

Bonjour Catherine,

L'évaluation de rendement annuel pour l'année de radiodiffusion 2013/14 que vous nous avez fait parvenir le 30 septembre 2015 concernant ICI ARTV inclut un résultat concernant la production indépendante qui, quoiqu'il n'y ait pas de signalement d'infraction potentielle à ce sujet, suscite des interrogations pour la direction d'ICI ARTV, qui désire comprendre comment votre équipe fait son calcul pour arriver un tel résultat.

La condition de licence stipule qu'"Au cours de chaque année de radiodiffusion, au moins 50% des émissions canadiennes diffusées par la titulaire proviennent de société de production indépendante." L'évaluation du Conseil indique un rendement de 53.4%, mais selon les calculs d'ICI ARTV, c'est plutôt un rendement de 75% qui aurait été atteint en 2013/14.

Il s'agit d'une différence importante. ICI ARTV se demande si votre personnel n'aurait pas calculé le pourcentage sur toutes les émissions plutôt que sur les émissions canadiennes.

Serait-il possible de nous fournir des explications? SVP copiez Gilbert Morin sur votre réponse. Gilbert est disponible pour fournir des explications sur son propre calcul si cela peut vous être utile.

Merci,

Anne-Marie Migneault  
Directrice Affaires réglementaires/  
Director Regulatory Affairs  
CBC/Radio-Canada  
Tel: 514-597-6285  
anne-marie.migneault@radio-canada.ca





Conseil de la radiodiffusion et des  
télécommunications canadiennes

Canadian Radio-television and  
Telecommunications Commission

Ottawa, Canada  
K1A 0N2

**PAR COURRIEL :**

[bev.kirshenblatt@cbc.ca](mailto:bev.kirshenblatt@cbc.ca)

24 décembre 2015

Madame Bev Kirshenblatt  
Première directrice, Affaires réglementaires  
Société Radio-Canada

**Objet : ARTV**  
**Évaluation du rendement annuelle**  
**Année de radiodiffusion 2013/14 - révisée**

Madame,

Cette lettre a pour but de vous fournir votre évaluation annuelle de la conformité comme expliqué dans le bulletin d'information de radiodiffusion CRTC 2013-515.

Nous vous rappelons que d'après le *Règlement de 1987 sur la télédiffusion*, le *Règlement de 1990 sur les services spécialisés* et le *Règlement de 1990 sur la télévision payante*, les registres doivent en tout temps être tenus sous une forme acceptable et que, sauf disposition contraire des conditions de sa licence, tout titulaire doit, **dans les trente jours suivant la fin de chaque mois**, fournir au Conseil son registre ou son enregistrement informatisé pour ce mois, ainsi qu'une attestation de l'exactitude de son contenu, signée par lui ou son représentant.

Il vous serait bénéfique de toujours apporter les corrections au fur et à mesure que les registres sont déposés. Cela vous permettra de sauver du temps et d'éviter de voir des lettres d'exactitude des registres jointes à vos dossiers.

Les requérants recevront dorénavant leur évaluation de rendement annuellement suite à la correction de leurs registres de programmation pour l'année de radiodiffusion précédente. Cette nouvelle approche permettra aux titulaires de toujours être en conformité à l'égard de leurs obligations réglementaires et de ne pas avoir à réviser les registres de plusieurs années à la fois, ce qui demande beaucoup de temps.

.../2

Canada

Par conséquent, le rapport ci-joint fournit les résultats de notre évaluation de rendement annuelle de la programmation diffusée par votre entreprise au cours de l'année de radiodiffusion 2013/14. Ce rapport est tiré des registres de programmation que vous avez soumis au Conseil et qui étaient accompagnés d'un certificat attestant l'exactitude de leur contenu.

Une copie de la présente lettre et de toute autre correspondance pertinente seront versées au dossier public de votre entreprise et serviront de base à l'évaluation, par le Conseil, de la conformité de votre service, et ce, relativement à la réglementation et aux obligations qui seront en vigueur lors du prochain renouvellement de votre licence.

Pour de plus amples renseignements, n'hésitez pas à communiquer avec moi au 819-997-4721.

Veillez agréer, Madame, l'expression de mes sentiments les meilleurs.



Catherine Blais  
Gestionnaire, Examen des registres de télévision  
Radiodiffusion

p.j.

**ARTV**  
**Année de radiodiffusion 2013/14**

Les résultats suivants sont basés sur les registres soumis par votre entreprise.

**Conditions de licence (C.D.L.)**

**Nature de service<sup>1</sup>**

|              |                      |
|--------------|----------------------|
| C.D.L. # 2c) | Aucune préoccupation |
|--------------|----------------------|

**Contenu canadien<sup>1</sup>**

|            |                                  |   |
|------------|----------------------------------|---|
| C.D.L. # 3 | Journée de radiodiffusion<br>60% | Période de radiodiffusion en<br>soirée<br>60% |
| Résultats  | 65,34                            | 58,99   |

**Sous-titrage<sup>2</sup>**

|            |                                   |
|------------|-----------------------------------|
| C.D.L. # 4 | Journée de radiodiffusion<br>100% |
| Résultat   | 94,90                             |

**Production indépendante<sup>1</sup>**

|             |                                |
|-------------|--------------------------------|
| C.D.L. # 5) | Année de radiodiffusion<br>50% |
| Résultat    | 72,14                          |

-----  
**Préoccupation(s)**

Infraction(s) potentielle(s)

- C.D.L. #3 – période de radiodiffusion en soirée
- C.D.L. # 4

<sup>1</sup> Décision 2013-263

<sup>2</sup> Politique réglementaire 2011-443

From / De: Anne-Marie Mignault <anne-marie.mignault@radio-canada.ca>  
To / À: tvlogs@crte.gc.ca  
Cc / Cc: rna.tatto@cbe.ca, affaires.reglementaires@radio-canada.ca, catherine.blais@crte.gc.ca, bev.kirshenblatt@cbe.ca, james.francois@radio-canada.ca, gilbert.morin@radio-canada.ca  
Date / Date: Fri, Jan 15, 2016 at 11:46 AM  
Subject / Objet: Confirmation services français ICI R-C\_Télé, RDI, Explora, ARTV\_Re: Exactitude, correction, et soumission des registres 2014-2015

Bonjour,

Nous vous remercions par la présente que les services français de télévision de la SRC, soit les stations ICI Radio-Canada Télé, ICI RDI, ICI Explora et ICI ARTV ont complété les révisions et que des registres corrects ont été déposés, qui ont passé avec succès la validation initiale. Ils ont cependant évidemment écumé la validation détaillée car il reste, comme à chaque année, des données manquantes de certification d'émission canadienne, qui ne pourront être entrées que lorsqu'ils seront disponibles.

Le problème que vous soulignez dans votre courriel concernant SRC Télé pour le mois 2015-04 a été réglé ce matin, il a été resoumis avec succès. De plus, vu notre confirmation ci-dessus, il va de soi que ICI ARTV n'aura pas besoin de l'estension jusqu'au 15 février dont nous avions discuté en décembre.

Les registres 2014-15 des services français sont donc prêts pour votre évaluation.

Merci,

Anne-Marie Mignault  
Directrice Affaires réglementaires/  
Director Regulatory Affairs  
CBC/Radio-Canada  
Tel: 514-997-6285  
anne-marie.mignault@radio-canada.ca

CBC  Radio-Canada

2016-01-13 9:16 GMT-05:00 Tvlogs <tvlogs@crte.gc.ca>:

Bonjour,

suite à notre courriel envoyé le 4 décembre, 2016, nous aimerions vous rappeler que vous devez vous assurer que vos registres ont été révisés pour l'année de radiodiffusion 2014-2015. Prière d'envoyer un courriel à l'adresse suivante, tvlogs@crte.gc.ca pour confirmer que toutes les corrections nécessaires ont été apportées. Cela doit être fait avant le 20 janvier 2016, à ce moment nous exécuterons notre évaluation pour votre service. Voir une liste des mois manquants ci-bas.

Prière de noter que votre registre doit passer la validation initiale (IMD) pour être considéré comme une soumission valide. Seulement la dernière soumission de registre sera conservée.

Voici les définitions des deux processus de validation :

IMD- *Initial minimum data*: registre rejeté (le registre doit être resoumis)

TOA- *Temporary omission acceptable*: registre accepté

Quand un registre n'est pas lisible par notre système, il en résulte un registre « reçu ». Cela se produit quand un registre contient des dates et des temps incorrects. Un registre qui est seulement « reçu » n'est pas une soumission valide, et doit être resoumis.

| SRC |         |            |
|-----|---------|------------|
| SRC | 2015-04 | IMD échoué |

Si vous avez des questions, n'hésitez pas à nous contacter.

Sincèrement,

Le groupe des registres de télévision

Hello,

As per our email to you on 4 December, 2015, we would like to remind you again that you must ensure that your logs have been revised for the 2014-2015 broadcast year. Please send us email to tvlogs@crte.gc.ca when all necessary corrections have been made. This must be done by the 20<sup>th</sup> of January, 2016, as we are beginning the annual performance evaluations of your stations. Please see a list of all log months missing below.

We would like to remind you that a log file that has failed IMD (initial) validation is not considered a valid submission. When a log file fails IMD (initial) validation, the log file data is not retained by our system. Please note that we only keep the last version of a log file that was submitted to our system.

Here are the definitions of the two validation processes:

IMD- *Initial minimum data*: rejected file (the log needs to be resubmitted)

TOA- *Temporary omission acceptable*: accepted file

When a log file is not readable by our system, it will not be validated and will be identified as "received". This occurs when a log file is submitted with invalid dates or times. A "received" log is also not considered a valid submission, and needs to be re-submitted.

| SRC |         |            |
|-----|---------|------------|
| SRC | 2015-04 | IMD failed |

Please contact tvlogs@crte.gc.ca if you have any questions concerning the above.

A0064010\_60-000384



Regards,  
TV Logs group

From: Tvlogs  
Sent: December-04-2015 9:09 AM  
To: Anne-Marie Migneault <anne-marie.migneault@radio-canada.ca>  
Cc: tina.talbot@sybc.ca; affaires\_reglementaires@radio-canada.ca; Blais, Catherine <catherine.blais@crtc.gc.ca>  
Subject: Exactitude, correction, et soumission des registres 2014-2015

Hello,  
We would like to remind you that you must ensure that your logs have been revised for the 2014-2015 broadcast year. Please send an email to [tvlogs@crtc.gc.ca](mailto:tvlogs@crtc.gc.ca) to confirm when all necessary corrections have been made. We ask that this be done by the 18th of December, 2015; at this time we will begin conducting our annual performance evaluations for your stations.

Please note that a log file must pass initial (IMD) validation in order to be considered a valid submission. We will only keep on file the last log submitted.

Here are the definitions of the two validation processes:

**IMD- Initial minimum data: rejected file (the log needs to be resubmitted)**

**TOA- Temporary omission acceptable: accepted file**

If you have any questions please do not hesitate to contact us.

Regards,  
TV Logs Group

Bonjour,

Nous aimerions vous rappeler que vous devez vous assurer que vos registres ont été révisés pour l'année de radiodiffusion 2014-2015. Prière d'envoyer un courriel à l'adresse suivante, [TVlogs@crtc.gc.ca](mailto:TVlogs@crtc.gc.ca) pour confirmer que toutes les corrections nécessaires ont été apportées. Nous vous demandons que ceci soit fait avant le 18 décembre 2015, à ce moment nous exécuterons notre évaluation annuelle pour votre service.

Prière de noter que votre registre doit passer la validation initiale (IMD) pour être considéré comme une soumission valide. Seulement la dernière soumission de registre sera conservée.

Voici les définitions des deux processus de validation :

**IMD- Initial minimum data: registre rejeté (le registre doit être resoumis)**

**TOA- Temporary omission acceptable: registre accepté**

Si vous avez des questions, n'hésitez pas à nous contacter.

Sincèrement,

Le groupe des registres de télévision

From / De: Anne-Marie Mignault <anne-marie.mignault@radio-canada.ca>  
To / A: tvlogs@ctrc.gc.ca  
Cc / Cc: tina.tatto@cbc.ca, affaires.reglementaires@radio-canada.ca, catherine.blais@ctrc.gc.ca, bev.kirshenblatt@cbc.ca, james.francois@radio-canada.ca, gilbert.morin@radio-canada.ca  
Date / Date: Fri, Jan 15, 2016 at 11:46 AM  
Subject / Objet: Confirmation services français ICI R-C, Télé, RDI, Explora, ARTV\_Re: Exactitude, correction, et soumission des registres 2014-2015

Bonjour,


Nous vous remercions par la présente que les services français de télévision de la SRC, soit les stations ICI Radio-Canada Télé, ICI RDI, ICI Explora et ICI ARTV ont complété les révisions et que des registres corrects ont été déposés, qui ont passé avec succès la validation initiale. Ils ont cependant évidemment échoué la validation détaillée car il reste, comme à chaque année, des mois manquants de certification d'émission canadienne, qui ne pourront être entés que lorsqu'ils seront disponibles.

Le problème que vous soulignez dans votre courriel concernant SRC Télé pour le mois 2015-04 a été réglé ce matin, il a été resoumis avec succès. De plus, vu notre confirmation ci-dessus, il va de soi qu'ICI ARTV n'aura pas besoin de l'extension jusqu'au 15 février dont nous avions discuté en décembre.

Les registres 2014-15 des services français sont donc prêts pour votre évaluation.

Merci,

Anne-Marie Mignault  
Directrice Affaires réglementaires/  
Director Regulatory Affairs  
CBC/Radio-Canada  
Tel: 514-597-6285  
anne-marie.mignault@radio-canada.ca

CBC  Radio-Canada

2016-01-13 9:16 GMT-05:00 Tvlogs <tvlogs@ctrc.gc.ca>:

Bonjour,

suite à notre courriel envoyé le 4 décembre, 2016, nous aimerions vous rappeler que vous devez vous assurer que vos registres ont été révisés pour l'année de radiodiffusion 2014-2015. Prière d'envoyer un courriel à l'adresse suivante, [tvlogs@ctrc.gc.ca](mailto:tvlogs@ctrc.gc.ca) pour confirmer que toutes les corrections nécessaires ont été apportées. Cela doit être fait avant le 20 janvier 2016. À ce moment nous exécuterons notre évaluation pour votre service. Voir une liste des mois manquants ci-bas.

Prière de noter que votre registre doit passer la validation initiale (IMD) pour être considéré comme une soumission valide. Seulement la dernière soumission de registre sera conservée.

Voici les définitions des deux processus de validation :

IMD- Initial minimum data: registre rejeté (le registre doit être resoumis)

TOA- Temporary omission acceptable: registre accepté

Quand un registre n'est pas lisible par notre système, il en résulte un registre « reçu ». Cela se produit quand un registre contient des dates et des temps incorrects. Un registre qui est seulement « reçu » n'est pas une soumission valide, et doit être resoumis.

| SRC |         |            |
|-----|---------|------------|
| SRC | 2015-04 | IMD échoué |

Si vous avez des questions, n'hésitez pas à nous contacter.

Sincèrement,

Le groupe des registres de télévision

Refile,

As per our email to you on 4 December, 2015, we would like to remind you again that you must ensure that your logs have been revised for the 2014-2015 broadcast year. Please send an email to [tvlogs@ctrc.gc.ca](mailto:tvlogs@ctrc.gc.ca) when all necessary corrections have been made. This must be done by the 20<sup>th</sup> of January, 2016, as we are beginning the annual performance evaluations of your stations. Please see a list of all log months missing below.

We would like to remind you that a log file that has failed IMD (initial) validation is not considered a valid submission. When a log file fails IMD (initial) validation, the log file data is not returned by our system. Please note that we only keep the *last* version of a log file that was submitted to our system.

Here are the definitions of the two validation processes:

IMD- Initial minimum data: rejected file (the log needs to be resubmitted)

TOA- Temporary omission acceptable: accepted file

When a log file is not readable by our system, it will not be validated and will be identified as "received". This occurs when a log file is submitted with invalid dates or times. A "received" log is also not considered a valid submission, and needs to be re-submitted.

| SRC |         |            |
|-----|---------|------------|
| SRC | 2015-04 | IMD failed |

Please contact [tvlogs@ctrc.gc.ca](mailto:tvlogs@ctrc.gc.ca) if you have any questions concerning the above.

Regards,  
TV Logs group

From: Tvlogs  
Sent: December-04-2015 9:09 AM  
To: Anne-Marie Mignault <anne-marie.mignault@radio-canada.ca>  
Cc: [marie.tate@sbs.ca](mailto:marie.tate@sbs.ca); [affaires.reglementaires@radio-canada.ca](mailto:affaires.reglementaires@radio-canada.ca); Blais, Catherine <catherine.blais@cbc.gc.ca>  
Subject: Exactitude, correction, et soumission des registres 2014-2015

Hello,

We would like to remind you that you must ensure that your logs have been revised for the 2014-2015 broadcast year. Please send an email to [Tvlogs@cbc.gc.ca](mailto:Tvlogs@cbc.gc.ca) to confirm when all necessary corrections have been made. We ask that this be done by the 18th of December, 2015; at this time we will begin conducting our annual performance evaluations for your stations.

Please note that a log file must pass initial (IMD) validation in order to be considered a valid submission. We will only keep on file the last log submitted.

Here are the definitions of the two validation processes:

**IMD- Initial minimum data: rejected file** (the log needs to be resubmitted)

**TOA- Temporary omission acceptable: accepted file**

If you have any questions please do not hesitate to contact us.

Regards,  
TV Logs Group

-----  
Bonjour,

Nous aimerions vous rappeler que vous devez vous assurer que vos registres ont été révisés pour l'année de radiodiffusion 2014-2015. Prière d'envoyer un courriel à l'adresse suivante, [Tvlogs@cbc.gc.ca](mailto:Tvlogs@cbc.gc.ca) pour confirmer que toutes les corrections nécessaires ont été apportées. Nous vous demandons que ceci soit fait avant le 18 décembre 2015. à ce moment nous exécuterons notre évaluation annuelle pour votre service.

Prière de noter que votre registre doit passer la validation initiale (IMD) pour être considéré comme une soumission valide. Seulement la dernière soumission de registre sera conservée.

Voici les définitions des deux processus de validation :

**IMD- Initial minimum data: registre rejeté** (le registre doit être resoumis)

**TOA- Temporary omission acceptable: registre accepté**

Si vous avez des questions, n'hésitez pas à nous contacter.

Sincèrement,

Le groupe des registres de télévision

**From / De:** Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires  
<regulatoryaffairs@cbc.ca>  
**To / À:** catherine.blais@crtc.gc.ca,  
**Cc / Cc:** anne-marie.migneault@radio-canada.ca,  
**Date / Date:** Tue, Jan 12, 2016 at 11:15 AM  
**Subject / Objet:** Évaluations de rendement annuel pour l'année de radiodiffusion 2013/14 – ICI Radio-Canada  
Télévision et ICI RDI

---

Bonjour Catherine,

Veillez trouver ci-joint la réponse de CBC/Radio-Canada aux évaluations de rendement annuel pour l'année de radiodiffusion 2013/14, aussi soumis par clé GC aujourd'hui.

Merci et bonne journée,

Chantal Leger

613-288-6254

Le 12 janvier 2016

**Déposé par Clé GC et**  
**Par courriel : [catherine.blais@crtc.gc.ca](mailto:catherine.blais@crtc.gc.ca)**

Catherine Blais  
Gestionnaire, Examen des registres de télévision  
Conseil de la radiodiffusion et des  
télécommunications canadiennes  
Ottawa (Ontario)  
K1A 0N2

**Objet : Évaluation du rendement annuel 2013/14 – ICI Radio-Canada Télévision et ICI RDI**

Chère madame Blais,

La présente donne suite aux évaluations de rendement annuel pour l'année de radiodiffusion 2013/14 que vous nous avez fait parvenir le 30 septembre 2015 concernant les services de télévision de langue française ICI Radio-Canada Télé et le service spécialisé ICI RDI, ainsi qu'à quelques précisions que vous nous avez fait parvenir par la suite.

En ce qui concerne les 13 stations de ICI Radio-Canada Télé, vos évaluations soulèvent deux « infractions potentielles », soit un pour CBLFT-DT Toronto et un autre pour CJBRT-DT Rimouski, et qu'il n'y a aucun enjeux pour les autres stations. Nous avons révisé attentivement les registres des semaines en question et, tel qu'expliqué ci-dessous, nous confirmons que ces stations ont respecté leurs conditions de licence.

#### **CBLFT Toronto - EIN**

L'infraction potentielle concernant CBLFT-DT Toronto soulevée par l'évaluation du Conseil concerne la condition de licence exigeant la diffusion de 7 heures par semaine, entre 19h00 et 23h00, en moyenne sur l'année de radiodiffusion, d'émissions d'intérêt national (EIN). Nous constatons par ailleurs que les rapports d'évaluation des 12 autres stations indiquent que cette

condition de licence est respectée. La Société Radio-Canada a procédé à un réexamen des registres de CBLFT-DT et en arrive à la conclusion que CBLFT-DT a bien diffusé en 2013/14 des EIN au-delà du seuil requis par la condition de licence. Un résultat contraire aurait été très surprenant, considérant que les EIN entre 19h00 et 23h00 sont des émissions réseau diffusées à des moments où les 13 stations avaient la même programmation. La Société Radio-Canada est donc en désaccord avec l'infraction potentielle soulevée par le Conseil concernant CBLFT-DT Toronto et affirme que cette condition de licence a été respectée par toutes ses stations, incluant CBLFT-DT.

### **CJBRT-DT Rimouski – Nouvelles locales 7 jours**

Quant à l'infraction potentielle concernant CJBRT-DT Rimouski soulevée par l'évaluation du Conseil, elle concerne la condition de licence exigeant la présence de nouvelles locales 7 jours par semaine sauf les jours fériés. Cette condition s'applique aux 13 stations d'ICI Radio-Canada Télé et vos rapports soulèvent un problème à ce niveau uniquement pour la station de Rimouski. Suite à des précisions que nous vous avons demandé pour expliquer comment vous arriviez à un résultat d'infraction potentielle pour Rimouski, vous nous avez fait parvenir un tableau indiquant que votre équipe avait conclu à une absence de nouvelles locales les samedis et dimanches entre le 1<sup>er</sup> septembre et le 20 octobre 2013. La Société Radio-Canada n'est pas d'accord avec cette analyse, puisque les registres de CJBRT-DT Rimouski indiquent que des nouvelles locales « *En bref* » ont été diffusées à chacune des journées de weekend entre le 1<sup>er</sup> septembre et le 20 octobre 2015. La programmation de nouvelles locales de courte durée peut être comptée dans le cadre de la condition de licence exigeant 5 heures par semaine de programmation locale et peut aussi être considérée comme une présence de nouvelles locales dans le cadre de la condition de licence exigeant la présence de nouvelles locales 7 jours par semaine. En effet, le Conseil définit « Nouvelles » comme suit : « **Catégorie 1 Nouvelles** : Bulletins de nouvelles, manchettes, grands titres. Émissions portant sur des événements locaux, régionaux, nationaux et internationaux. [...] » (PRR CRTC 2010-808). La Société Radio-Canada est donc d'avis que la station CJBRT-DT Rimouski a respecté toutes ses conditions de licences en 2013/14, y compris celle exigeant la présence de nouvelles locales 7 jours par semaine.

## ICI RDI – Sous-titrage

Finalement, en ce qui concerne ICI RDI, le rapport d'évaluation du Conseil indique une infraction potentielle de la condition de licence exigeant que 100% des émissions soient sous-titrées pendant la journée de radiodiffusion, votre rapport indiquant un résultat de 93,31%. ICI RDI a procédé à une analyse de ses systèmes servant à produire les registres et a constaté que ses émissions spéciales couvrant des événements en direct, qui ont pourtant été sous-titrées en direct et diffusées avec sous-titres, n'avaient pas été inscrites avec le code « STC » dans le système de données servant à produire les registres. ICI RDI a donc récemment procédé à une correction rétroactive de ses registres 2013/14 et 2014/15 pour corriger ces erreurs. Ces registres devraient donc maintenant indiquer un taux de 100% de sous-titrage.

La Société Radio-Canada a pris les mesures nécessaires pour assurer que le problème des omissions d'inscription de sous-titrage des émissions spéciales d'ICI RDI, qui sont par ailleurs en réalité sous-titrées, ne se reproduisent pas.

N'hésitez pas à me contacter si vous désirez obtenir de plus amples informations.

Veuillez agréer, madame Blais, mes meilleures salutations.



Bev Kirshenblatt  
Directrice générale, Affaires réglementaires  
C.P. 3220, Succursale C  
Ottawa (Ontario)  
K1Y 1E4

c.c. [tvlogs@crtc.gc.ca](mailto:tvlogs@crtc.gc.ca)

**From / De:** Anne-Marie Migneault <anne-marie.migneault@radio-canada.ca>  
**To / À:** tvlogs@crtc.gc.ca, catherine.blais@crtc.gc.ca,  
**Cc / Cc:** james.francois@radio-canada.ca, gilbert.morin@radio-canada.ca, regulatoryaffairs@cbc.ca,  
**Date / Date:** Wed, Dec 23, 2015 at 11:25 AM  
**Subject / Objet:** Services français SRC\_Re: Exactitude, correction, et soumission des registres 2014-2015

---


Bonjour

En ce qui concerne les services français de télévision de la SRC, soit les **stations ICI Radio-Canada Télé, ICI RDI et ICI Explora**, dont les registres sont déposés par James François, nous vous confirmons que les registres corrects ont été déposés et ont passés avec succès la validation initiale. Ils ont cependant échoué la validation détaillée car il reste, comme à chaque année, des numéros manquants de certification d'émission canadienne, qui ne pourront être entrés que lorsqu'ils seront disponibles.

Quant à **ICI ARTV**, dont les registres sont déposés par Gilbert Morin à partir d'un système de données distinct de celui des autres services français de la SRC, il n'a pas été possible de compléter les vérifications et corrections. J'ai eu une discussion avec Catherine Blais ce matin à ce sujet et elle a accepté d'étendre le délai de confirmation pour ICI ARTV jusqu'au **15 février 2015**.

Merci et très joyeuses fêtes à toute votre équipe,

Anne-Marie Migneault  
Directrice Affaires réglementaires/  
Director Regulatory Affairs  
CBC/Radio-Canada  
Tel: 514-597-6285  
[anne-marie.migneault@radio-canada.ca](mailto:anne-marie.migneault@radio-canada.ca)

CBC  Radio-Canada

Le 4 décembre 2015 à 09:09, Tvlogs <[tvlogs@crtc.gc.ca](mailto:tvlogs@crtc.gc.ca)> a écrit :

Hello,

We would like to remind you that you must ensure that your logs have been revised for the 2014-2015 broadcast year. Please send an email to [Tvlogs@crtc.gc.ca](mailto:Tvlogs@crtc.gc.ca) to confirm when all necessary corrections have been made. We ask that this be done by the 18th of December, 2015; at this time we will begin conducting our annual performance evaluations for your stations.

Please note that a log file must pass initial (IMD) validation in order to be considered a valid submission. We will only keep on file the last log submitted.

Here are the definitions of the two validation processes:

**IMD- Initial minimum data: rejected file** (the log needs to be resubmitted)



**TOA- Temporary omission acceptable: accepted file**

If you have any questions please do not hesitate to contact us.

Regards,

TV Logs Group

---

Bonjour,

Nous aimerions vous rappeler que vous devez vous assurer que vos registres ont été révisés pour l'année de radiodiffusion 2014-2015. Prière d'envoyer un courriel à l'adresse suivante, [Tvlogs@crtc.gc.ca](mailto:Tvlogs@crtc.gc.ca) pour confirmer que toutes les corrections nécessaires ont été apportées. Nous vous demandons que ceci soit fait avant le 18 décembre 2015, à ce moment nous exécuterons notre évaluation annuelle pour votre service.

Prière de noter que votre registre doit passer la validation initiale (IMD) pour être considéré comme une soumission valide. Seulement la dernière soumission de registre sera conservée.

Voici les définitions des deux processus de validation :

**IMD- Initial minimum data:** registre rejeté (le registre doit être resoumis)

**TOA- Temporary omission acceptable:** registre accepté

Si vous avez des questions, n'hésitez pas à nous contacter.

Sincèrement,

Le groupe des registres de télévision

**From / De:** Anne-Marie Migneault <anne-marie.migneault@radio-canada.ca>  
**To / À:** tvlogs@crtc.gc.ca, catherine.blais@crtc.gc.ca,  
**Cc / Cc:** gilbert.morin@radio-canada.ca, regulatoryaffairs@cbc.ca,  
**Date / Date:** Wed, Dec 23, 2015 at 11:31 AM  
**Subject / Objet:** ARTV 2013/14 \_Question concernant votre calcul rendement ICI ARTV sur production indépendante

---

Bonjour Catherine,

L'évaluation de rendement annuel pour l'année de radiodiffusion 2013/14 que vous nous avez fait parvenir le 30 septembre 2015 concernant ICI ARTV inclut un résultat concernant la production indépendante qui, quoiqu'il n'y ait pas de signalement d'infraction potentielle à ce sujet, suscite des interrogations pour la direction d'ICI ARTV, qui désire comprendre comment votre équipe fait son calcul pour arriver un tel résultat.


La condition de licence stipule qu'"Au cours de chaque année de radiodiffusion, au moins 50% des émissions canadiennes diffusées par la titulaire provienne de société de production indépendante." L'évaluation du Conseil indique un rendement de 53.4%, mais selon les calculs d'ICI ARTV, c'est plutôt un rendement de 75% qui aurait été atteint en 2013/14.

Il s'agit d'une différence importante. ICI ARTV se demande si votre personnel n'aurait pas calculé le pourcentage sur toutes les émissions plutôt que sur les émissions canadiennes.

Serait-il possible de nous fournir des explications? SVP copiez Gilbert Morin sur votre réponse. Gilbert est disponible pour fournir des explications sur son propre calcul si cela peut vous être utile.

Merci,

Anne-Marie Migneault  
Directrice Affaires réglementaires/  
Director Regulatory Affairs  
CBC/Radio-Canada  
Tel: 514-597-6285  
[anne-marie.migneault@radio-canada.ca](mailto:anne-marie.migneault@radio-canada.ca)

CBC  Radio-Canada

**From / De:** Gilbert Morin <gilbert.morin@artv.ca>  
**To / À:** tvlogs@crtc.gc.ca,  
**Cc / Cc:** catherine.blais@crtc.gc.ca, anne-marie.migneault@radio-canada.ca, jacinthe.brisebois@artv.ca,  
**Date / Date:** Thu, Sep 10, 2015 at 9:11 AM  
**Subject / Objet:** Registres mensuels ICI ARTV - Année de diffusion 2014-2015

---

Bonjour,

Par le présente, je confirme que nous avons soumis tous les registres mensuels pour l'année de diffusion 2014-2015 pour ICI ARTV.

Il reste seulement l'erreur 128 relative au numéro d'accréditation du producteur pour tous les mois à l'exception du mois d'août. Nous ferons les corrections nécessaires au registre du mois d'août au cours des prochaines semaines.

SI vous avez des questions concernant les registres, n'hésite pas à communiquer avec moi.

--  
**Gilbert Morin, CPA, CMA, MSc**  
Directeur de l'administration  
t. 514-597-3651



[ICI.Artv.ca](#) [Facebook](#) [Twitter](#) [YouTube](#) [Artvrama](#)

1400, boul. René-Lévesque est, bureau A53-1  
Montréal, (Québec) H2L 2M2



**From / De:** Janelle, Frédéric <frederic.janelle@crtc.gc.ca>  
**To / À:** patricia.pleszczynska@radio-canada.ca, noemie.dansereau-lavoie@radio-canada.ca,  
shelagh.kinch@radio-canada.ca, debbie.hynes@cbc.ca,  
**Cc / Cc:** tina.tatto@cbc.ca, bev.kirshenblatt@cbc.ca, anne-marie.migneault@radio-canada.ca,  
frederic.janelle@crtc.gc.ca,  
**Date / Date:** Mon, Nov 16, 2015 at 2:32 PM  
**Subject / Objet:** Réunion du comité CRTC-CLOSM du 13 novembre dernier/ 13 November CRTC-OLMC meeting

---

Bonjour Mesdames,

Je vous écris ce courriel pour vous remercier de votre participation à la réunion de vendredi dernier. Je sais que cette réunion présentait, de par sa nature, des enjeux particuliers pour vous. Je pense que votre présentation a été pertinente et que la discussion franche, et parfois émotive, a été bénéfique pour tous les participants.

Salutations cordiales,

Frédéric Janelle

---

Hello,

I am writing this email to thank all of you for your participation at last Friday's meeting. I know that this meeting, by its nature, presented some particular challenges for you. I think that your presentation was useful and that the discussion that followed, although sometimes emotive, was helpful for all participants.

Regards,

Frédéric Janelle

**From / De:** Anne-Marie Migneault <anne-marie.migneault@radio-canada.ca>  
**To / À:** frederic.janelle@crtc.gc.ca,  
**Cc / Cc:** patricia.pleszczynska@radio-canada.ca, shelagh.kinch@radio-canada.ca, noemie.dansereau-lavoie@radio-canada.ca, debbie.hynes@cbc.ca, tina.tatto@cbc.ca, bev.kirshenblatt@cbc.ca,  
**Date / Date:** Fri, Oct 23, 2015 at 4:41 PM  
**Subject / Objet:** Représentantes de CBC/RC à la réunion CRTC-CLOSM du 13 novembre

---

Bonjour Frédéric, pour donner suite à notre discussion, je te confirme qu'il y aura deux personnes de CBC/Radio-Canada qui accompagneront Patricia et Shelagh. Il y aura donc 4 personnes:

**Patricia Pleszczynska**  
Directrice générale, Services régionaux  
Radio-Canada

**Shelagh Kinch**  
Managing Director  
CBC Quebec


**Noémie Dansereau-Lavoie**  
Chef, Planification stratégique  
Radio-Canada

**Debbie Hynes**  
Regional Manager - Communications  
CBC Quebec

Il n'y aura pas de représentant des Affaires réglementaires de CBC/RC, vu la nature de la rencontre. Je comprends que quelques jours avant la réunion, tu nous enverras des précisions sur l'adresse, la salle, l'heure à laquelle tu leur recommandes d'arriver, qui elles doivent demander de voir quand elles donneront leurs noms au gardien dans le lobby, etc.

Bon weekend,

Anne-Marie Migneault  
Directrice Affaires réglementaires/  
Director Regulatory Affairs  
CBC/Radio-Canada  
Tel: 514-597-6285  
[anne-marie.migneault@radio-canada.ca](mailto:anne-marie.migneault@radio-canada.ca)

CBC  Radio-Canada


Le 1 octobre 2015 14:39, Anne-Marie Migneault <[anne-marie.migneault@radio-canada.ca](mailto:anne-marie.migneault@radio-canada.ca)> a écrit :  
Bonjour Fred, parfait, bien noté, Patricia (R-C) et Shelagh (CBC) ont toutes les deux confirmé leur disponibilité. Je te contacte bientôt au sujet de l'appel. Les titres de Patricia et Shelagh:

Shelagh Kinch  
Managing Director  
CBC Quebec

Patricia Pleszczynska  
Directrice générale, Services régionaux  
Radio-Canada

Anne-Marie Migneault  
Directrice Affaires réglementaires/

Director Regulatory Affairs  
CBC/Radio-Canada  
Tel: [514-597-6285](tel:514-597-6285)  
[anne-marie.migneault@radio-canada.ca](mailto:anne-marie.migneault@radio-canada.ca)

CBC  Radio-Canada

Le 30 septembre 2015 08:44, Janelle, Frédéric <[frederic.janelle@crtc.gc.ca](mailto:frederic.janelle@crtc.gc.ca)> a écrit :

Salut Anne-Marie,

Je t'écris ce courriel pour confirmer que nous allons attendre la délégation de la SRC le 13 novembre prochain en début d'après-midi. Présentement, je vous ai mis tentativement de 13h30 à 15h30 dans mon ordre du jour. J'ai mis beaucoup de temps car je sais que votre présentation va susciter beaucoup d'intérêt.

Aussi, je crois que ce serait une bonne idée de discuter de la réunion par téléphone pour vous aider à vous préparer. Tu me laisseras savoir...

Salutations,

Me Frédéric B. Janelle

B.A.A., LL.L.

Analyste principal / Télévision de langue française / Radiodiffusion  
Conseil de la radiodiffusion et des télécommunications canadiennes (CRTC) / Gouvernement du Canada  
[frederic.janelle@crtc.gc.ca](mailto:frederic.janelle@crtc.gc.ca) / Tél. : 819-997-4608  
[Apprenez-en davantage à propos de votre CRTC](#)  
[Suivez-nous sur Twitter \(@CRTCfra\)](#)  
[Aimez-nous sur Facebook](#)

Senior analyst / French-language television / Broadcasting  
Canadian Radio-television and Telecommunications Commission (CRTC) / Government of Canada  
[frederic.janelle@crtc.gc.ca](mailto:frederic.janelle@crtc.gc.ca) / Tel: 819-997-4608  
[Learn more about your CRTC](#)  
[Follow us on Twitter \(@CRTCeng\)](#)

[Like us on Facebook](#)

**From / De:** Tvlogs <tvlogs@crtc.gc.ca>  
**To / À:** anne-marie.migneault@radio-canada.ca,  
**Cc / Cc:** catherine.blais@crtc.gc.ca, james.francois@radio-canada.ca,  
**Date / Date:** Thu, Oct 01, 2015 at 2:25 PM  
**Subject / Objet:** RE: Évaluations du rendement annuelle 2013-2014 - CBAFT, CBFT, CBKFT, CBLFT, CBOFT, CBUFT, CBVT, CBWFT, CBXFT, CJBRT, CKSH, CKTM, CKTV, SRC, ARTV, EXP, RDI

---

Anne-Marie,

Voici le tableau manquant.

Cordialement,  
L'équipe des registres de télévision

**From:** Anne-Marie Migneault [mailto:anne-marie.migneault@radio-canada.ca]  
**Sent:** October-01-2015 1:36 PM  
**To:** Tvlogs <tvlogs@crtc.gc.ca>  
**Cc:** Blais, Catherine <catherine.blais@crtc.gc.ca>; James Francois <james.francois@radio-canada.ca>  
**Subject:** Re: Évaluations du rendement annuelle 2013-2014 - CBAFT, CBFT, CBKFT, CBLFT, CBOFT, CBUFT, CBVT, CBWFT, CBXFT, CJBRT, CKSH, CKTM, CKTV, SRC, ARTV, EXP, RDI

Merci pour ces rapports, vous allons faire les vérifications qui s'imposent. Il cependant manquer une partie d'un de vos rapports:

-CJBRT-DT Rimouski: CdL exigeant des nouvelles locales 7 jours par semaine, sauf les jours fériés: votre rapport indique qu'il y a un problème pour septembre et octobre 2013 et indique "voir tableau ci-joint", mais aucun tableau n'est joint. Comme nos données indiquent que cette CdL a été respectée, il est important que nous ayons votre tableau pour comprendre comment vous arrivez à ce résultat.

Pourriez-vous nous faire parvenir ce tableau ? SVP copiez James sur votre réponse.

Merci,

Anne-Marie Migneault  
Directrice Affaires réglementaires/  
Director Regulatory Affairs  
CBC/Radio-Canada  
Tel: 514-597-6285  
[anne-marie.migneault@radio-canada.ca](mailto:anne-marie.migneault@radio-canada.ca)



----- Forwarded message -----

**From:** Tvlogs <tvlogs@crtc.gc.ca>  
**Date:** 2015-09-30 15:39 GMT-04:00  
**Subject:** Évaluations du rendement annuelle 2013-2014 - CBAFT, CBFT, CBKFT, CBLFT, CBOFT, CBUFT, CBVT, CBWFT, CBXFT, CJBRT, CKSH, CKTM, CKTV, SRC, ARTV, EXP, RDI  
**To:** "[affaires.reglementaires@radio-canada.ca](mailto:affaires.reglementaires@radio-canada.ca)" <[affaires.reglementaires@radio-canada.ca](mailto:affaires.reglementaires@radio-canada.ca)>  
**Cc:** "[bev.kirshenblatt@cbc.ca](mailto:bev.kirshenblatt@cbc.ca)" <[bev.kirshenblatt@cbc.ca](mailto:bev.kirshenblatt@cbc.ca)>, "Blais, Catherine" <[catherine.blais@crtc.gc.ca](mailto:catherine.blais@crtc.gc.ca)>



Veillez consulter le document ci-joint, vous pouvez répondre au besoin par le biais du courriel suivant : [tvlogs@crtc.gc.ca](mailto:tvlogs@crtc.gc.ca)

Veillez ne pas répondre à ce courriel.

**Veillez consulter nos guides de programmes mis-à-jour (ci-joints) :**

Les mises à jour des sujets suivants sont maintenant disponibles dans les guides :

1. Dans l'Annexe 1, vous trouverez l'information concernant le passage à l'heure d'été et à l'heure d'hiver
2. Les codes C/D révisés – Crédit de temps pour doublage/dramatique
3. Les nouvelles classifications de films et les codes correspondants
4. L'utilisation de « NIL » et les catégories d'exceptions « invalides » pour les programmes canadiens certifiés

---

Please consult the enclosed document, if needed you may reply using the following email:

[tvlogs@crtc.gc.ca](mailto:tvlogs@crtc.gc.ca)

Do not reply to this email.

**Please consult our updated program guides (attached):**

Updated information on the following can now be found in the guides:

1. In Appendix 1, you will find information regarding Daylight Savings Time and Standard Time
2. The updated D/C- Dubbing Dramatic Codes
3. The new Film Classifications and their corresponding codes
4. In regards to logging Canadian certified programs: the use of "NIL" and (now invalid) category codes in exempted cases.

Cordialement/ Regards,

L'équipe des registres de télévision/ TV Logs Group

**CJBRT-DT Rimouski****Condition de licence # 14 – Nouvelles locales**

| <b>Dates manquantes septembre 2013</b> | <b>Dates manquantes octobre 2013</b> |
|--|--------------------------------------|
| Dimanche, 1 septembre 2013             | Samedi, 5 octobre 2013               |
| Samedi, 7 septembre 2013               | Dimanche, 6 octobre 2013             |
| Dimanche, 8 septembre 2013             | Samedi, 12 octobre 2013              |
| Samedi, 14 septembre 2013              | Samedi 19 octobre 2013               |
| Dimanche, 15 septembre 2013            | Dimanche, 20 octobre 2013            |
| Samedi, 21 septembre 2013              |                                      |
| Dimanche, 22 septembre 2013            |                                      |
| Samedi, 28 septembre 2013              |                                      |
| Dimanche, 29 septembre 2013            |                                      |

**From / De:** James Francois <james.francois@radio-canada.ca>  
**To / À:** tvlogs@crtc.gc.ca, catherine.blais@crtc.gc.ca,  
**Cc / Cc:** anne-marie.migneault@radio-canada.ca, nancy.roch@radio-canada.ca, henri.beauchemin@radio-canada.ca,  
**Date / Date:** Tue, Sep 15, 2015 at 10:33 AM  
**Subject / Objet:** Liste des émissions canadiennes doublés au canada 125%

---

Bonjour,

Vous trouverez ci-joint la liste des émissions canadiennes doublées en français au Canada diffusées entre le 1er mars au 31 août 2015 pour les stations Radio-Canada et Explora pour lesquelles un crédit supplémentaire de 25% est réclamé.

J'aimerais vous mentionner que ses listes ne seront plus envoyées puisque votre système peut maintenant traiter le crédit de doublage.

Si vous avez des questions, n'hésitez pas à communiquer avec moi.

James François  
Grille et diffusion  
Radio-Canada

**From / De:** Tvlogs <tvlogs@crtc.gc.ca>  
**To / À:** gilbert.morin@artv.ca,  
**Cc / Cc:** catherine.blais@crtc.gc.ca, anne-marie.migneault@radio-canada.ca, jacinthe.brisebois@artv.ca,  
**Date / Date:** Thu, Sep 10, 2015 at 10:16 AM  
**Subject / Objet:** RE: Registres mensuels ICI ARTV - Année de diffusion 2014-2015

---

Bonjour Gilbert,  
Merci pour votre courriel,

L'équipe des registres de télévision

---

**From:** Gilbert Morin [mailto:gilbert.morin@artv.ca]  
**Sent:** September-10-15 9:11 AM  
**To:** Tvlogs  
**Cc:** Blais, Catherine; Anne-Marie Migneault; Jacinthe Brisebois  
**Subject:** Registres mensuels ICI ARTV - Année de diffusion 2014-2015

Bonjour,

Par le présente, je confirme que nous avons soumis tous les registres mensuels pour l'année de diffusion 2014-2015 pour ICI ARTV.

Il reste seulement l'erreur 128 relative au numéro d'accréditation du producteur pour tous les mois à l'exception du mois d'août. Nous ferons les corrections nécessaires au registre du mois d'août au cours des prochaines semaines.

Si vous avez des questions concernant les registres, n'hésitez pas à communiquer avec moi.

--

**Gilbert Morin, CPA, CMA, MSc**

Directeur de l'administration

t. 514-597-3651



[ICI.Artv.ca](#) [Facebook](#) [Twitter](#) [YouTube](#) [Artvrama](#)

1400, boul. René-Lévesque est, bureau A53-1  
Montréal, (Québec) H2L 2M2



**From / De:** Tvlogs <tvlogs@crtc.gc.ca>  
**To / À:** anne-marie.migneault@radio-canada.ca,  
**Cc / Cc:** james.francois@radio-canada.ca, affaires.reglementaires@radio-canada.ca, catherine.blais@crtc.gc.ca,  
**Date / Date:** Mon, Aug 31, 2015 at 9:54 AM  
**Subject / Objet:** Information regarding the implementation of Policy 2015-323

---

Please consult the enclosed document.

Do not reply to this email.

---

-----  
Veuillez consulter le document ci-joint.

Prière de ne pas répondre à ce courriel.

Le présent courriel fait suite à la Politique réglementaire de radiodiffusion CRTC 2015-323 (la politique 2015-323), *Nouvelles méthodes de surveillance de la quantité d'émissions canadiennes de télévision pour enfants et jeunes ainsi que des dépenses consacrées à ce genre de programmation au sein du système canadien de radiodiffusion*, du 21 juillet 2015.

Nous avons reçu plusieurs questions au sujet de la mise en œuvre de cette politique. Le présent message répond à certaines de ces questions.

## QUESTIONS RELATIVES À LA POLITIQUE ET À LA PROGRAMMATION

### ***Quels sont les objectifs de la politique?***

Au cours de l'instance Parlons télé, des membres de l'industrie et des consommateurs ont dit au Conseil que les émissions canadiennes pour enfants sont extrêmement importantes dans le système de radiodiffusion canadien. Le Conseil a fait remarquer qu'il dispose d'un nombre limité d'outils pour faire le suivi de la production de ce type d'émissions et des dépenses connexes. La nouvelle politique a été mise en place pour améliorer le suivi des émissions pour les enfants et les jeunes au sein du système. Les données recueillies aideront le Conseil à déterminer si des mesures réglementaires sont nécessaires pour assurer la création et la présentation d'émissions pour enfants et pour jeunes et les investissements connexes.

### ***Pourquoi les catégories « famille » et « intérêt général » sont-elles éliminées?***

Comme il est expliqué ci-dessus, le Conseil met l'accent sur le groupe d'âge ciblé par une émission plutôt que sur le groupe démographique pour lequel l'émission est appropriée. Les catégories « famille » et « intérêt général » comprennent un grand éventail d'émissions qui peuvent être produites à l'intention d'auditoires divers. De telles émissions peuvent être appropriées pour divers groupes d'âge, mais, selon le Conseil, la catégorie « famille » n'indique pas le groupe d'âge particulier ciblé. Ces catégories n'aidaient donc pas à surveiller la quantité d'émissions pour enfants et pour jeunes offerte dans le système. De même, la catégorie « intérêt général » ne fournissait pas au Conseil des renseignements démographiques utiles.

### ***Catégorie démographique 18 ans et plus***

La catégorie de public cible « 18 ans et plus » correspond aux émissions qui ciblent, en particulier, les auditoires de plus de 18 ans : n'importe qui sauf un enfant ou un jeune. Il ne faut pas confondre avec les émissions pour adultes. En général, toute émission qui ne cible pas directement un groupe particulier d'enfants ou de jeunes doit être inscrite dans la catégorie « 18 ans ou plus ».

### ***Caractère approprié et public cible***

Il ne faut pas confondre les nouvelles catégories démographiques avec les cotes provinciales. Une émission cotée comme appropriée pour un auditoire de 14 ans et plus ne cible pas nécessairement les jeunes. Par exemple, une série dramatique sur les procédures policières peut être cotée 14+ et être appropriée pour des jeunes de cet âge, mais elle n'a pas été créée à l'intention d'un auditoire d'enfants ou de jeunes. Inversement, des adultes peuvent aimer une émission comme *Watatatow*, même si l'émission cible les adolescents. Le Conseil s'attend à ce que les radiodiffuseurs fassent preuve de jugement lorsqu'ils déterminent les publics cibles des émissions.

### **Renseignements supplémentaires**

Dans certains cas, les radiodiffuseurs peuvent estimer qu'une émission pour enfants correspond à deux catégories d'auditoire. Aux fins des registres, les radiodiffuseurs doivent faire preuve de jugement pour déterminer à laquelle des catégories définies dans la politique 2015-323 l'émission correspond le mieux. Les radiodiffuseurs rendront donc compte, en vertu de la politique 2015-232, des dépenses associées à ces groupes d'âge dans leurs rapports annuels.

Par contre, dans certains cas, les radiodiffuseurs peuvent ajouter des précisions à leurs rapports annuels pour souligner des émissions et des dépenses qui chevauchent deux catégories, ou pour présenter des observations ou des interprétations concernant des données déposées auprès du Conseil. Le cas échéant, ils peuvent aussi déposer des renseignements supplémentaires dans leurs rapports annuels, dans la zone d'observations du formulaire sur les dépenses de programmation (formulaire 1230). Si un titulaire ne peut insérer les observations ou les renseignements supplémentaires dans la zone d'observations du formulaire, il peut joindre à son rapport annuel un document en utilisant le même formulaire que pour leurs déclarations financières (PED-R). Il faut alors indiquer dans la zone d'observations du formulaire 1230 que ce document a été joint.

### **QUESTIONS TECHNIQUES**

#### **Nouveaux codes**

Après le 1<sup>er</sup> septembre, les nouveaux marqueurs d'auditoires cibles énoncés dans la politique 2015-323 seront les suivants :

| Auditoire cible                         | Code |
|---|------|
| (1) Enfants d'âge préscolaire (0-5 ans) | 1    |
| (2) Enfants (6-12 ans)                  | 2    |
| (3) Adolescents (13-17 ans)             | 3    |
| (4) Adultes (18 ans et plus)            | 4    |

#### **Registres redéposés**

En ce qui concerne les registres à redéposer après le 1<sup>er</sup> septembre pour des mois antérieurs, les erreurs relatives à l'auditoire cible seront désactivées. Par conséquent, les radiodiffuseurs peuvent immédiatement appliquer les nouvelles définitions démographiques associées aux codes ci-dessus pour leurs registres d'août 2015, s'ils le veulent. À l'avenir, lors du dépôt de nouveaux registres ou d'un nouveau dépôt de registres antérieurs, aucune erreur ne devrait être générée en raison de la mise en œuvre de la politique 2015-323.

#### **Nouvelles règles de validation**

Voici les messages d'erreurs que les radiodiffuseurs peuvent recevoir concernant les auditoires cibles pour les registres déposés pour les mois après le 1<sup>er</sup> septembre.

1460 (télévision, services spécialisés, télévision payante)

Auditoire cible est obligatoire pour les classes MAG, MVC, PFS, PGR, REG et SEG.

2291 (télévision)

L'auditoire cible doit être de "1" à "4" pour être valide.

2311 (services spécialisés)

L'auditoire cible doit être de "1" à "4" pour être valide.

2341 (télévision payante)

L'auditoire cible doit être de "1" à "4" pour être valide.



**From / De:** Laflamme, Annie <annie.laflamme@crtc.gc.ca>  
**To / À:** anne-marie.migneault@radio-canada.ca,  
**Date / Date:** Fri, Jun 26, 2015 at 4:33 PM  
**Subject / Objet:** Réponse à ta question -stations de Toronto

---

Allô Anne-Marie,

J'ai consulté à l'interne, et si vous décidez de procéder avec votre plan, vous devrez déposer une demande pour la conversion de votre service AM à la bande FM, en expliquant que vous allez migrer sur la fréquence d'Ici musique.



Vous devez utiliser le formulaire 101 et la demande devra être traitée par avis d'audience publique non-comparante, car une nouvelle licence doit être émise lorsqu'un service passe d'une bande à une autre.

Aussi, tel que discuté préalablement, vous devriez vous assurer d'avoir consulté les CLOSM et d'expliquer en détails les raisons de votre demande et démontrer au Conseil comment c'est dans l'intérêt public d'approuver une telle demande.

Laisse-moi savoir si tu as d'autres questions.

Bonne fin de semaine.

Annie Laflamme  
Directrice / Director  
Politiques et demandes relatives à la radio / Radio Policy & Applications  
CRTC  
Téléphone : (819) 994-1752  
Télécopieur : (819) 997-9351  
Gouvernement du Canada | Government of Canada  
[www.crtc.gc.ca](http://www.crtc.gc.ca)

 [Suivez-nous sur Twitter](#) |  [Follow us on Twitter](#)

**From / De:** Anne-Marie Migneault <anne-marie.migneault@radio-canada.ca>  
**To / À:** frederic.janelle@crtc.gc.ca,  
**Cc / Cc:** patricia.pleszczynska@radio-canada.ca, shelagh.kinch@radio-canada.ca, noemie.dansereau-lavoie@radio-canada.ca, debbie.hynes@cbc.ca, tina.tatto@cbc.ca, bev.kirshenblatt@cbc.ca,  
**Date / Date:** Fri, Oct 23, 2015 at 4:41 PM  
**Subject / Objet:** Représentantes de CBC/RC à la réunion CRTC-CLOSM du 13 novembre

---

Bonjour Frédéric, pour donner suite à notre discussion, je te confirme qu'il y aura deux personnes de CBC/Radio-Canada qui accompagneront Patricia et Shelagh. Il y aura donc 4 personnes:

**Patricia Pleszczynska**  
Directrice générale, Services régionaux  
Radio-Canada

**Shelagh Kinch**  
Managing Director  
CBC Quebec


**Noémie Dansereau-Lavoie**  
Chef, Planification stratégique  
Radio-Canada

**Debbie Hynes**  
Regional Manager - Communications  
CBC Quebec

Il n'y aura pas de représentant des Affaires réglementaires de CBC/RC, vu la nature de la rencontre. Je comprends que quelques jours avant la réunion, tu nous enverras des précisions sur l'adresse, la salle, l'heure à laquelle tu leur recommandes d'arriver, qui elles doivent demander de voir quand elles donneront leurs noms au gardien dans le lobby, etc.

Bon weekend,

Anne-Marie Migneault  
Directrice Affaires réglementaires/  
Director Regulatory Affairs  
CBC/Radio-Canada  
Tel: 514-597-6285  
[anne-marie.migneault@radio-canada.ca](mailto:anne-marie.migneault@radio-canada.ca)

CBC  Radio-Canada


Le 1 octobre 2015 14:39, Anne-Marie Migneault <[anne-marie.migneault@radio-canada.ca](mailto:anne-marie.migneault@radio-canada.ca)> a écrit :  
Bonjour Fred, parfait, bien noté, Patricia (R-C) et Shelagh (CBC) ont toutes les deux confirmé leur disponibilité. Je te contacte bientôt au sujet de l'appel. Les titres de Patricia et Shelagh:

Shelagh Kinch  
Managing Director  
CBC Quebec

Patricia Pleszczynska  
Directrice générale, Services régionaux  
Radio-Canada

Anne-Marie Migneault  
Directrice Affaires réglementaires/

Director Regulatory Affairs  
CBC/Radio-Canada  
Tel: [514-597-6285](tel:514-597-6285)  
[anne-marie.migneault@radio-canada.ca](mailto:anne-marie.migneault@radio-canada.ca)

CBC  Radio-Canada

Le 30 septembre 2015 08:44, Janelle, Frédéric <[frederic.janelle@crtc.gc.ca](mailto:frederic.janelle@crtc.gc.ca)> a écrit :

Salut Anne-Marie,

Je t'écris ce courriel pour confirmer que nous allons attendre la délégation de la SRC le 13 novembre prochain en début d'après-midi. Présentement, je vous ai mis tentativement de 13h30 à 15h30 dans mon ordre du jour. J'ai mis beaucoup de temps car je sais que votre présentation va susciter beaucoup d'intérêt.

Aussi, je crois que ce serait une bonne idée de discuter de la réunion par téléphone pour vous aider à vous préparer. Tu me laisseras savoir...

Salutations,

Me Frédéric B. Janelle

B.A.A., LL.L.

Analyste principal / Télévision de langue française / Radiodiffusion  
Conseil de la radiodiffusion et des télécommunications canadiennes (CRTC) / Gouvernement du Canada  
[frederic.janelle@crtc.gc.ca](mailto:frederic.janelle@crtc.gc.ca) / Tél. : 819-997-4608  
[Apprenez-en davantage à propos de votre CRTC](#)  
[Suivez-nous sur Twitter \(@CRTCfra\)](#)  
[Aimez-nous sur Facebook](#)

Senior analyst / French-language television / Broadcasting  
Canadian Radio-television and Telecommunications Commission (CRTC) / Government of Canada  
[frederic.janelle@crtc.gc.ca](mailto:frederic.janelle@crtc.gc.ca) / Tel: 819-997-4608  
[Learn more about your CRTC](#)  
[Follow us on Twitter \(@CRTCeng\)](#)

[Like us on Facebook](#)

**From / De:** Janelle, Frédéric <frederic.janelle@crtc.gc.ca>  
**To / À:** patricia.pleszczynska@radio-canada.ca, noemie.dansereau-lavoie@radio-canada.ca, shelagh.kinch@radio-canada.ca, debbie.hynes@cbc.ca,  
**Cc / Cc:** tina.tatto@cbc.ca, bev.kirshenblatt@cbc.ca, anne-marie.migneault@radio-canada.ca, frederic.janelle@crtc.gc.ca,  
**Date / Date:** Mon, Nov 16, 2015 at 2:32 PM  
**Subject / Objet:** Réunion du comité CRTC-CLOSM du 13 novembre dernier/ 13 November CRTC-OLMC meeting

---

Bonjour Mesdames,

Je vous écris ce courriel pour vous remercier de votre participation à la réunion de vendredi dernier. Je sais que cette réunion présentait, de par sa nature, des enjeux particuliers pour vous. Je pense que votre présentation a été pertinente et que la discussion franche, et parfois émotive, a été bénéfique pour tous les participants.

Salutations cordiales,

Frédéric Janelle

---

Hello,

I am writing this email to thank all of you for your participation at last Friday's meeting. I know that this meeting, by its nature, presented some particular challenges for you. I think that your presentation was useful and that the discussion that followed, although sometimes emotive, was helpful for all participants.

Regards,

Frédéric Janelle

---

**RE: CPE and Third-Party Promotion**

1 message

---

**Craig, Michael** <michael.craig@crtc.gc.ca>  
To: TINA TATTO <tina.tatto@cbc.ca>

Mon, Jan 11, 2016 at 10:43 AM

Hi Tina,

Paragraph 70 of the 2015-86 policy is fairly directive in its approach to what the Commission would deem as an eligible promotional expense. In particular, I note that the Commission stated two things as to what would be considered to be eligible expenses:

- Payments made to other broadcasters for paid promotional time;
- The CMF's list of eligible marketing expenses provided that the payments are made to parties not affiliated with the broadcaster or producer.

The Commission then said that "*all expenditures unrelated to those listed are excluded*".

While the other expenses that you list may be beneficial, the Commission was fairly restrictive in its language as to what it would consider to be eligible. At this point, I would suggest that spending on the other initiatives that you list would therefore be deemed ineligible.

With that said, I do see that the Commission indicated that the CMF was, at the time of publication of the policy, considering expanding its definition of what it considered eligible marketing expenditures. That may affect what you are seeking to do. Additionally, I can only offer a staff opinion based on what the Commission has stated in its decisions and policies. If you are interested in pursuing this further, you would have to seek specific direction from the Commission.

I hope this helps to answer your question. If you would like to discuss it any further, please contact me.

Thanks,

**Michael Craig**  
Gestionnaire - Manager

Demandes de télévision de langue anglaise et la Certification des émissions canadiennes |



English Television Applications and Canadian Program Certification

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission

Les Terrasses de la Chaudière, 1 Promenade du Portage, Gatineau, Québec, J8X 4B1  
michael.craig@crtc.gc.ca

Téléphone/Telephone: 819-997-9394  
Télécopieur / Facsimile: 819-994-0218

Gouvernement du Canada / Government of Canada  
www.crtc.gc.ca

 Suivez-nous sur Twitter |  Follow us on Twitter

---

**From:** TINA TATTO [mailto:tina.tatto@cbc.ca]  
**Sent:** January-06-16 4:19 PM  
**To:** Craig, Michael  
**Subject:** Fwd: CPE and Third-Party Promotion

Hi Michael

Happy New Year.

Just following up on my email of December 4 regarding eligibility of third-party promotion as CPE.

Please let me know if you need further information..

Cheers,

Tina-Marie Tatto

Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
tina.tatto@cbc.ca

----- Forwarded message -----

From: **TINA TATTO** <tina.tatto@cbc.ca>  
Date: Fri, Dec 4, 2015 at 1:27 PM  
Subject: CPE and Third-Party Promotion  
To: "Craig, Michael" <michael.craig@crtc.gc.ca>

Hi Michael,

Further to our conversation yesterday, I am following up on what is considered eligible expense for third-party promotions.

As you are aware, in the TV Policy Decision on the creation of compelling Canadian programming (Broadcasting Decision CRTC 2015-86) the Commission permitted independent programming services, i.e., all programming services not affiliated with a vertically integrated company, to count expenses for third-party promotion of Canadian programs towards a maximum of 10% of their CPE. Eligible expenditures include any payments made to other broadcasters for paid promotional time. In addition, the Commission adopted the CMF's list of eligible marketing expenses as eligible expenditures under this policy, provided that these payments are made to parties not affiliated with either the broadcaster or producer of the program. All expenditures unrelated to those listed are excluded (paragraph 70).

The CMF's list of eligible marketing expenses are as follows:

- Unit publicity expenses incurred during production (e.g. production photographs, hiring a publicist to arrange interviews)
- Digital media/viral marketing campaigns
- Attendance at national and international media markets to generate sales or other revenues from the Eligible Project
- Submission/registration of the Television Component to an awards show/event

Non-eligible marketing costs include:

- Costs already financed or paid for by another financier or funding body
- Wrap party
- Crew gifts
- Gifts to the Public (e.g., t-shirts, mugs)

- Basic website

As discussed, the CMF's list of eligible marketing expenditures is limited and does not include the types of third-party expenditures commonly used by broadcasters to promote television programs. As such, we are asking that the following be included on the list of eligible expenditures that can count towards 10% of a service's CPE requirement:

#### Newspapers and magazines

Out of home (OOH) - billboards, street furniture (e.g. bus shelters, newsracks, mail kiosks), transit (e.g. buses, subway advertising, truckside, food trucks, and taxis, and fixed static and electronic advertising at train and bus stations and platforms and airports)

Digital OOH - dynamic media (e.g. digital boards) distributed across placed-based networks in venues (e.g. cafes, bars, restaurants, health clubs, colleges, arenas, gas stations, convenience stores, barber shops, and public spaces); social media (e.g. Youtube, Facebook, Twitter)

This is consistent with the Commission's treatment of third-party promotions by broadcasters as they relate to benefit spending.

Please do not hesitate to contact me if you have any questions.

Regards,

Tina-Marie Tatto

Director Regulatory Affairs/  
Directrice Affaires réglementaires

Tel: 416-205-3473  
tina.tatto@cbc.ca



---

**Re: TV comparative report**

1 message

**Diane Boucher** <diane.boucher@cbc.ca>

Fri, Apr 8, 2016 at 4:31 PM

To: "Labelle, Lyne" &lt;lyne.labelle@crtc.gc.ca&gt;

Cc: "Blais, Marianne" &lt;marianne.blais@crtc.gc.ca&gt;, Annie Milanese &lt;annie.milanese@cbc.ca&gt;, Michael Downey &lt;michael.downey@cbc.ca&gt;

Hi Lynn,

I have reviewed the TV comparative reports and confirm that the overall totals match to the combined English and French Aggregate Returns for Television for BY2015 and to the historical data 2011 to 2014 included in CBC's section last year, with the exception of two less units in the 2011 and 2012 BY. This is due to the following two stations:

|           |       |
|-----------|-------|
| 120429006 | CBIT  |
| 420431009 | CBKST |

We agree that these two stations should not be counted as they reported zeros in the financial summary forms 1110 in BY2011 and BY2012, and that the official date that these licenses were revoked is 17 July 2012 in Decision CRTC 2012-384.

Regards,

Diane

On Fri, Apr 8, 2016 at 10:22 AM, Labelle, Lyne &lt;lyne.labelle@crtc.gc.ca&gt; wrote:

Bonjour Diane,

I have included a summation of CBC/SRC Television financial and statistical data for publishing as part of the 2015 Conventional Television report on the CRTC's website. As in the past, can you confirm that the information is accurate for the Broadcast Year 2015 (number of units and financial data)?

The 2015 BY individual reporting matches to the combined English and French Aggregate Returns for Television posted on the Commission's website. The historical data 2011 to 2014 included in CBC's section is accurate as per last's year publishing with the exception of two less units in the 2011 and 2012 BY. This is due to the following two stations:

|           |       |
|-----------|-------|
| 120429006 | CBIT  |
| 420431009 | CBKST |

I believe that these units (rebroadcasts) should not be counted as they reported zeros in the financial summary forms 1110 and the number of units would be correct in this report. Licenses were revoked in Decision CRTC 2012-384 dated 17 July 2012.

We intend on publishing the Conventional Television Statistical and Financial Summaries report for around the end of May 4th and therefore we would greatly appreciate receiving your input by the end of the day on Monday, April 11th.

07/02/2017

CBC Radio-Canada Mail - Re: TV comparative report

Please let me know if this due date is not feasible.

Best regards,

*Lyne Labelle*

CRTC

Tel.: 819-934-4725

--  
Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration

Tel: 613-288-6122  
Fax: 613-288-6132

---

**RE: ICI ARTV**

1 message

**Labelle, Lyne** <lyne.labelle@crtc.gc.ca>

Tue, Jul 12, 2016 at 9:11 AM

To: Diane Boucher &lt;diane.boucher@cbc.ca&gt;

Cc: "Blais, Marianne" &lt;marianne.blais@crtc.gc.ca&gt;, Annie Milanese &lt;annie.milanese@cbc.ca&gt;

Hello Diane,

Thank you for your confirmation. I had taken no action on this issue until you were able to back to me and therefore the information remained the same in DCS and in the individual Pay and Specialty statistical financial summary for ARTV.

Have a good day.

*Lyne Labelle*

Returns Database Analyst, Economic and financial analysis

Canadian Radio-television and Telecommunications Commission - Government of Canada

Tel.: 819-934-4725

Analyste de base de données et de rapports, Analyse économique &amp; financière

Conseil de la radiodiffusion et des télécommunications canadiennes

Tél.: 819-934-4725

**From:** Diane Boucher [mailto:diane.boucher@cbc.ca]**Sent:** July-11-16 10:56 AM**To:** Labelle, Lyne <lyne.labelle@crtc.gc.ca>**Cc:** Blais, Marianne <marianne.blais@crtc.gc.ca>; Annie Milanese <annie.milanese@cbc.ca>**Subject:** Re: ICI ARTV

Hello Lyne,

Gilbert Morin used to submit the forms for ARTV and he would send us a copy; however, he had not notified us of the subsequent change to form 1230.

The amount you have shown in the comparative statement for broadcast year 2011 is correct.

I'm sorry for any inconvenience this may have caused.

Thanks,

Diane

2016-07-06 8:45 GMT-04:00 Diane Boucher <diane.boucher@cbc.ca>:

Hello Lyne,

Since I was not involved in the ARTV submission in 2011, I will have to talk to people in Montreal about this... I will get back to you.

Thanks,

Diane

2016-06-30 9:36 GMT-04:00 Labelle, Lyne <lyne.labelle@crtc.gc.ca>:

Hello Diane,

I looked into your request and noted that the amount was originally reported on line 12 of form 1230 but was changed internally to \$0 as the amount of \$1,159,409 was reported on line 15 – Other “Production Expenses” on form 1360 which created a duplication in expenses.

I'm not sure who the exchanges took place with as I was not involved in the auditing procedures at that time. Can you confirm where the expense should be reported.

Thank you.

*Lyne Labelle*

Returns Database Analyst, Economic and financial analysis

Canadian Radio-television and Telecommunications Commission - Government of Canada

Tel.: 819-934-4725

Analyste de base de données et de rapports, Analyse économique & financière

Conseil de la radiodiffusion et des télécommunications canadiennes

Tél.: 819-934-4725

**From:** Diane Boucher [mailto:diane.boucher@cbc.ca]  
**Sent:** June-28-16 4:12 PM  
**To:** Labelle, Lyne <lyne.labelle@crtc.gc.ca>  
**Cc:** Blais, Marianne <marianne.blais@crtc.gc.ca>  
**Subject:** ICI ARTV

Bonjour Lyne,

J'ai comparé les données dans les rapport comparatifs pour les différents services spécialisés de CBC/Radio-Canada, publiés en juin 2016, aux données dans les rapports 1350 et 1230 soumis en novembre 2015 et à part de quelques petites différences les chiffres sont les mêmes.

Cependant, dans le rapport comparatif de ICI ARTV, il manque un chiffre à la ligne 'Matériel d'intermède et production d'émission' pour l'année 2011; c'est un montant de \$1,159,409 qui se trouve à la ligne 12 du formulaire 1230 pour ARTV pour cette année. Le total des "**Dépenses totales en émissions canadiennes**" devrait être **\$12,061,249 pour l'année 2011.**

Est il possible de corriger le rapport comparatif qui a été publié?

Salut,

Diane

--

Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

--

Diane Boucher, CPA, CGA  
Director, CRTC Reporting

06/02/2017

CBC Radio-Canada Mail - RE: ICI ARTV

Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

--

Diane Boucher, CPA, CGA

Director, CRTC Reporting

Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

---

**FW: ICI EXPLORA (auparavant SENS)**

2 messages

---

**Labelle, Lyne** <lyne.labelle@crtc.gc.ca>  
To: Diane Boucher <diane.boucher@cbc.ca>  
Cc: "Blais, Marianne" <marianne.blais@crtc.gc.ca>

Mon, Jun 27, 2016 at 9:02 AM

Hello Diane,

In Broadcasting Regulatory Policy CRTC 2011-601 *Regulatory framework relating to vertical integration*, it was determined in paragraph 87 that the Commission would "publish partial information for all individual specialty Category B services", and in paragraph 88, will "publish complete financial information for Category A services and those specialty Category B services owned or controlled by a VI entity."

Seeing that CBC is not listed in the vertical integration (VI) decision CRTC 2011-601, only partial information is being released for its Cat B service "ICI EXPLORA (formerly SENS).

Hope this is helpful to you.

Regards,

*Lyne Labelle*

Returns Database Analyst, Economic and financial analysis

Canadian Radio-television and Telecommunications Commission - Government of Canada

Tel.: 819-934-4725

Analyste de base de données et de rapports, Analyse économique & financière

Conseil de la radiodiffusion et des télécommunications canadiennes

Tél.: 819-934-4725

**From:** Diane Boucher [mailto:diane.boucher@cbc.ca]

**Sent:** June-24-16 10:18 AM

**To:** Labelle, Lyne <lyne.labelle@crtc.gc.ca>; Blais, Marianne <marianne.blais@crtc.gc.ca>

**Subject:** ICI EXPLORA (auparavant SENS)

06/02/2017

CBC Radio-Canada Mail - FW: ICI EXPLORA (auparavant SENS)

Hello,

I wanted to let you know that the comparative report 2011-2015 for "ICI EXPLORA (auparavant SENS)" shows very little information. Can you tell me why it is not filled in with all of the information from the forms 1350 and 1360 that we have filed for them for the past four years? If this is an error, please let me know when the corrected version will be posted on the website.

Thanks,

Diane

--

Diane Boucher, CPA, CGA

Director, CRTC Reporting

Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

---

**Diane Boucher** <diane.boucher@cbc.ca>  
Draft To: Diane Boucher <diane.boucher@cbc.ca>

Wed, Jul 20, 2016 at 3:37 PM

fyi

[Quoted text hidden]



---

**RE: Conventional Television - Financial Summary 2011-2015 published this week**

1 message

**Blais, Marianne** <marianne.blais@crtc.gc.ca>

Thu, May 5, 2016 at 11:41 AM

To: Diane Boucher &lt;diane.boucher@cbc.ca&gt;, "Labelle, Lyne" &lt;lyne.labelle@crtc.gc.ca&gt;

Merci Diane – on fera la correction

**Marianne Blais**

Gestionnaire - Analyse financière, CPS

Manager - Financial Analysis, CASP

Téléphone | Telephone: 819-997-4836

Courriel | E-Mail: marianne.blais@crtc.gc.ca

**From:** Diane Boucher [mailto:diane.boucher@cbc.ca]**Sent:** May-05-16 11:36 AM**To:** Blais, Marianne <marianne.blais@crtc.gc.ca>; Labelle, Lyne <lyne.labelle@crtc.gc.ca>**Subject:** Conventional Television - Financial Summary 2011-2015 published this week

Hello all,

I wanted to let you know that the comparative report that shows up when you click on the following link shows the right dollars/numbers for CBC/Radio-Canada Television 2011-2015; however the column titles are wrong (they show 2010 to 2014). The [report in pdf](#) at the top of the page called 'Conventional Television 2011-2015' includes the proper version of the 2011-2015 reports.

<http://www.crtc.gc.ca/eng/publications/reports/branalysis/tv2015/tv13.htm>

Please let me know if this can be fixed.

Regards,

Diane

--

06/02/2017

CBC Radio-Canada Mail - RE: Conventional Television - Financial Summary 2011-2015 published this week

Diane Boucher, CPA, CGA

Director, CRTC Reporting

Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

---

**Re: CRTC forms for broadcast year 2015-16**

1 message

---

**Diane Boucher** <diane.boucher@cbc.ca>  
To: "Labelle, Lyne" <lyne.labelle@crtc.gc.ca>

Fri, Aug 12, 2016 at 2:19 PM

Hi Lyne,

Our teams in Toronto (ETV) and Montreal (FTV) do their work in the Excel version of the forms, with a worksheet for each station in one file, as well as a consolidated aggregate worksheet.

Once we have a final version, my staff in Ottawa enter the data into the DCS forms manually as we have found that using the templates and creating and maintaining a CRTC file to upload for each stations takes more time than actually punching in the numbers into the CRTC forms during the last week of November. Using the upload function also meant more time reviewing whether what was uploaded went into the DCS forms properly.

Thanks again for the information.

Diane

On Fri, Aug 12, 2016 at 1:59 PM, Labelle, Lyne <lyne.labelle@crtc.gc.ca> wrote:

Hello Diane,

Please refer to the following link for all Television Program Categories:

<http://www.crtc.gc.ca/canrec/eng/tvcat.htm>

I believe the complete list would be of more use to you as the category 2 a) refers to other categories, specifically category 11 and 5 b).

How does your teams normally submit the information? Do they normally enter the information in each box directly on the form in DCS or do they normally upload an excel.xml version? If they normally import the excel xml version, they may want to wait for form to be available in DCS as the ones I have provided to you are drafts.

Thank you.

*Lyne Labelle*

Returns Database Analyst, Economic and financial analysis

Canadian Radio-television and Telecommunications Commission - Government of Canada

Tel.: 819-934-4725

Analyste de base de données et de rapports, Analyse économique & financière

Conseil de la radiodiffusion et des télécommunications canadiennes

Tél.: 819-934-4725

**From:** Diane Boucher [mailto:diane.boucher@cbc.ca]

**Sent:** August-12-16 1:21 PM

**To:** Labelle, Lyne <lyne.labelle@crtc.gc.ca>

**Cc:** Annie Milanese <annie.milanese@cbc.ca>; Michael Downey <michael.downey@cbc.ca>; Blais, Marianne <marianne.blais@crtc.gc.ca>

**Subject:** Fwd: CRTC forms for broadcast year 2015-16

Hello Lyne,

Thanks for the forms. Before I share these with our network finance groups, who prepare the forms 1230 (and will prepare the forms 1231), can you tell me what should be included in "expenditure for "Analysis & Interpretation (2a)" in form 1230?

For the definition of "Locally Relevant programming" versus "Locally reflective programming", I will refer them to the BRP CRTC 2016-224, which I have attached to this email for the benefit of my colleagues.

Thanks,

Diane

On Fri, Aug 12, 2016 at 9:42 AM, Labelle, Lyne <lyne.labelle@crtc.gc.ca> wrote:

Hello Diane,

Attached is form 1230 where an additional column has been added to capture separately expenditure for "Analysis & Interpretation (2a)". This information was previously reported with "Other information".

Additionally, there is a new form being added to this year's survey as per BRP CRTC 2016-224, locally relevant and reflective programming.

Thank you and have a good weekend.

*Lyne Labelle*

Returns Database Analyst, Economic and financial analysis

Canadian Radio-television and Telecommunications Commission - Government of Canada

Tel.: 819-934-4725

Analyste de base de données et de rapports, Analyse économique & financière

Conseil de la radiodiffusion et des télécommunications canadiennes

Tél.: 819-934-4725

**From:** Diane Boucher [mailto:diane.boucher@cbc.ca]

**Sent:** August-05-16 2:59 PM

**To:** Blais, Marianne <marianne.blais@crtc.gc.ca>

**Cc:** Labelle, Lyne <lyne.labelle@crtc.gc.ca>

**Subject:** CRTC forms for broadcast year 2015-16

Hi Marianne,

I just wanted to find out if there will be any change to the CRTC forms for broadcast year 2015-16 (forms for Radio, TV and Specialties).

If there are, we would like to know ahead of time so that we can change our process to gather any new information required in the forms, if need be.

Regards,

Diane

--

Diane Boucher, CPA, CGA

Director, CRTC Reporting

Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

07/02/2017

CBC Radio-Canada Mail - Re: CRTC forms for broadcast year 2015-16

--

Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

--

Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

---

## Lettre / Letter

1 message

**Kachi, Nanao** <Nanao.Kachi@crtc.gc.ca>

Thu, Aug 18, 2016 at 4:15 PM

To: "Kachi, Nanao" <Nanao.Kachi@crtc.gc.ca>

Cc: "Bérubé, Gregoire" <Gregoire.Berube@crtc.gc.ca>, "Péloquin, Nathalie" <Nathalie.Peloquin@crtc.gc.ca>

*[English Follows]*

Madame, Monsieur,

Veillez trouver ci-joint une lettre concernant un suivi à la Distribution obligatoire de messages d'alerte en urgence, Politique réglementaire de radiodiffusion CRTC 2014-444 – Divulcation de renseignements présentés à titre confidentiel.

\*\*\*\*\*

Dear Madam or Sir:

Please find attached a letter regarding a follow-up to Mandatory distribution of emergency alert messages, Broadcasting Regulatory Policy CRTC 2014-444 – Disclosure of information submitted in confidence.

### **Nanao Kachi**

Politique sociale et des consommateurs | Social and Consumer Policy

Directeur | Director

Consommation et politiques stratégiques | Consumer Affairs and Strategic Policy

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and

Telecommunications Commission

Ottawa, Ontario K1A 0N2

nanao.kachi@crtc.gc.ca

Téléphone | Telephone 819-997-4700

Télécopieur | Facsimile 819-953-7811


Gouvernement du Canada | Government of Canada

www.crtc.gc.ca

 Suivez-nous sur Twitter |  Follow us on Twitter

---

### **2 attachments**

 **Letter-Follow-up to Mandatory distribution Emergency Alert Messages-EN-Aug17.pdf**  
374K

 **Letter-Follow-up to Mandatory distribution Emergency Alert Messages-FR-Aug17.pdf**  
421K





**AUG 17 2016**

BY EMAIL

Distribution List

**RE: Follow-up to *Mandatory distribution of emergency alert messages*,  
Broadcasting Regulatory Policy CRTC 2014-444 –Disclosure of information  
submitted in confidence**

Dear Madam or Sir:

Broadcasting Regulatory Policy CRTC 2014-444 (the Policy) introduced new requirements in respect of emergency alerting. At paragraph 84 of the Policy, the Commission directed each broadcaster and broadcasting distribution undertaking (BDU) to:

- outline the steps they plan to take or have already taken to ensure compliance with the alerting requirements in their Fall 2014 annual return filing;
- file an implementation report on 30 April 2015, or 30 April 2016 for those broadcasters required to implement alerting by 31 March 2016, outlining the steps they have taken to comply with the regulations; and
- confirm annually, as part of the annual returns, whether they are distributing alerts to Canadians consistent with the Commission's requirement.

In accordance with the above requirement, broadcasters and BDUs disclosed to the Commission the status of their implementation of emergency alerting through the Commission's Data Collection System (DCS) in 2015, using Form 1411 (Emergency Alert Implementation Report).<sup>1</sup>

This letter is to inform you that the information submitted through Form 1411 by broadcasters and BDUs will be used to report on their participation in the National Public Alerting System (NPAS). Additionally, publicly available information from Innovation, Science and Economic Development Canada (ISED; formerly Industry Canada) will also be used in the report, where appropriate.

---

<sup>1</sup> In particular, responses to the following question from Form 1411 will be relied upon: "Are emergency alerts distributed to Canadians in accordance with Broadcasting Regulatory Policy CRTC 2014-444?"

Commission staff acknowledges that information filed in annual returns through DCS are filed in confidence with the Commission. However, Commission staff considers that the information submitted in Form 1411 is not confidential as the information relates solely to compliance with a regulatory obligation and does not disclose any commercially sensitive information. It is expected that future versions of Form 1411 will be revised to indicate that this information will no longer be collected on a confidential basis.

This information will be used to publish an interactive map on the Commission's website, in the week of 12 September 2016, correlating information from the above-noted sources. The map will depict radio and over-the-air television stations that reported they are broadcasting emergency alert messages and will be complemented by a list of BDUs that reported they are distributing emergency alerts.

Should you have any questions regarding this letter, please contact Nathalie Péroquin by email at [nathalie.peloquin@crtc.gc.ca](mailto:nathalie.peloquin@crtc.gc.ca).

Sincerely,

A handwritten signature in black ink, appearing to read "Harroun", followed by the word "For." in a smaller, less distinct script.

Steven Harroun  
Director General  
Strategic Policy

c.c.: Nathalie Péroquin ([nathalie.peloquin@crtc.gc.ca](mailto:nathalie.peloquin@crtc.gc.ca))  
Grégoire Bérubé ([gregoire.berube@crtc.gc.ca](mailto:gregoire.berube@crtc.gc.ca))



**17 AOÛT 2016**

PAR COURRIEL

Liste de distribution

**OBJET : Suivi à la *Distribution obligatoire de messages d'alerte en d'urgence*, Politique réglementaire de radiodiffusion CRTC 2014-444 – Divulgateion de renseignements présentés à titre confidentiel**

Madame, Monsieur,

La Politique réglementaire de radiodiffusion CRTC 2014-444 (la Politique) a établi de nouvelles exigences par rapport aux messages d'alertes. Au paragraphe 84 de la Politique, le Conseil a ordonné à chaque radiodiffuseur et à chaque entreprise de distribution de radiodiffusion (EDR) de :

- détailler, lors du dépôt de leur rapport annuel à l'automne 2014, les mesures qu'ils ont prises ou qu'ils envisagent de prendre pour s'assurer de respecter les règles des exigences d'alerte;
- de remettre le 30 avril 2015, ou le 30 avril 2016 pour les radiodiffuseurs qui doivent mettre en œuvre un système d'alerte au 31 mars 2016, un rapport de mise en œuvre précisant les mesures prises pour se conformer aux règlements;
- de confirmer annuellement, dans le cadre des rapports annuels, qu'ils distribuent des alertes aux Canadiens conformément aux exigences du Conseil.

Conformément à l'exigence susmentionnée, les radiodiffuseurs et les EDR ont divulgués au Conseil l'état de leur mise en place des messages d'alerte au moyen du système de collecte de données (SCD) en 2015, dans le formulaire 1411 (Formulaire de rapport sur la mise en œuvre du système d'alerte en cas d'urgence).<sup>1</sup>

La présente lettre vise à vous informer que les renseignements soumis dans le formulaire 1411 par les radiodiffuseurs et les EDR seront utilisés pour faire rapport de leur participation au Système national d'alertes au public (SNAP). En outre, des renseignements publics provenant d'Innovation, Sciences et Développement économique Canada (ISDE; anciennement Industrie Canada) seront utilisés dans le rapport, s'il y a lieu.

---

<sup>1</sup> Notamment, les réponses à la question suivante du formulaire 1411 seront utilisées : « Les messages d'alerte en cas d'urgence sont-ils diffusés à l'intention des Canadiens conformément à la Politique réglementaire de radiodiffusion CRTC 2014-444 ? »

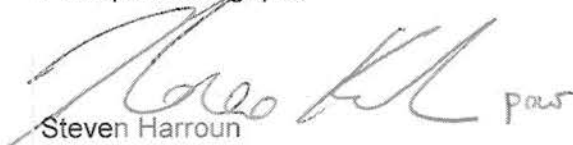
Le personnel du Conseil reconnaît que l'information déposée auprès du Conseil dans les rapports annuels au moyen du SCD l'est à titre confidentiel. Néanmoins, le personnel du Conseil considère que les renseignements soumis dans le formulaire 1411 du Conseil ne sont pas confidentiels, car cette information porte uniquement sur la conformité à une obligation réglementaire et ne divulgue aucune information commerciale de nature délicate. Il est attendu que les versions futures du formulaire 1411 seront révisées de façon à indiquer, qu'à l'avenir, cette information ne sera plus recueillie à titre confidentiel.

Cette information sera utilisée afin de publier une carte interactive établissant la corrélation entre les renseignements provenant des sources susmentionnées, la semaine du 12 septembre 2016. La carte à être publiée représente les stations de radio et de télévision en direct qui ont déclaré diffuser des messages d'alerte en cas d'urgence, de plus une liste des EDR ayant déclaré diffuser des messages d'alerte sera affichée.

Pour toute question concernant la présente lettre, veuillez communiquer avec Nathalie Péloquin par courriel à [nathalie.peloquin@crtc.gc.ca](mailto:nathalie.peloquin@crtc.gc.ca).

Veuillez agréer, Madame, Monsieur, mes sincères salutations.

Le directeur général  
Politique stratégique,



Steven Harroun

c.c. : Grégoire Bérubé ([gregoire.berube@crtc.gc.ca](mailto:gregoire.berube@crtc.gc.ca))  
Nathalie Péloquin ([nathalie.peloquin@crtc.gc.ca](mailto:nathalie.peloquin@crtc.gc.ca))

---

**Re: FW: CRTC forms for broadcast year 2015-16**

1 message

---

**Diane Boucher** <diane.boucher@cbc.ca>  
To: "Labelle, Lyne" <lyne.labelle@crtc.gc.ca>

Thu, Dec 1, 2016 at 8:58 AM

Hi Lynn,

We have never completed those forms in the past.

The 'English TV Service (330953001) Network – Television' and 'French TV Service (330952003) Network - Television' would be the same as the aggregate reports for those two services.

As far as I know, the radio services forms (R1, R2, Première Chaîne, and Espace Musique) are not filed for reasons of confidentiality; the station by station reports give you all of the information to arrive at the totals for each of these services. We would not want the consolidated results for these services to be published.

Regards,

Diane

On Wed, Nov 30, 2016 at 4:35 PM, Labelle, Lyne &lt;lyne.labelle@crtc.gc.ca&gt; wrote:

Hello Diane,

I see some forms are left outstanding in the DCS in the 2016 BY. Can you provide us with an explanation on why these services were not completed?

English TV Service (330953001) Network – Television

Espace Musique (La Chaîne Culturelle) FM French Service (331016006) Network - Radio

French TV Service (330952003) Network - Television

La Première Chaîne (French AM Service) (334800794) Network - Radio

Radio 2 (formerly Radio Two (English FM Service)) (330949009) Network - Radio

Radio One (English AM Service) (330948001) Network – Radio

Thanks.

**Lyne Labelle**

Analyste de base de données et de rapports, Analyse économique & financière | Returns Database Analyst, Economic and financial analysis

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission - Government of Canada

1 Promenade du Portage

Lyne.labelle@crtc.gc.ca

Téléphone | Telephone 819-934-4725

Télécopieur | Facsimile 819-997-0218

Gouvernement du Canada | Government of Canada

[www.crtc.gc.ca](http://www.crtc.gc.ca)

**From:** Diane Boucher [mailto:diane.boucher@cbc.ca]

**Sent:** November-30-16 3:24 PM

**To:** Labelle, Lyne <lyne.labelle@crtc.gc.ca>

**Cc:** Blais, Marianne <marianne.blais@crtc.gc.ca>; Annie Milanese <annie.milanese@cbc.ca>; Michael Downey <michael.downey@cbc.ca>; Bev Kirshenblatt <bev.kirshenblatt@cbc.ca>

**Subject:** RE: CRTC forms for broadcast year 2015-16

Hello,

We have finished submitting all CRTC forms for broadcast year 2015-16 in DCS.

As instructed, we have attached all of the aggregate reports and the annual financial statements to the REP-B form for CBC/Radio-Canada.

Regards,

Diane

--

Diane Boucher, CPA, CGA

Director, CRTC Reporting

Finance and Administration

Tel: 613-288-6122

07/02/2017

CBC Radio-Canada Mail - Re: FW: CRTC forms for broadcast year 2015-16

Fax: 613-288-6132

--

Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration

Tel: 613-288-6122  
Fax: 613-288-6132

---

**Re: Correction to do**

1 message

---

**Diane Boucher** <diane.boucher@cbc.ca>  
To: "Labelle, Lyne" <lyne.labelle@crtc.gc.ca>

Wed, Dec 7, 2016 at 4:40 PM

Hi Lyne,

We have re-filed the form 1130 for two French Radio stations Tue, Dec 6, 2016 at 12:15 PM, Labelle, Lyne <lyne.labelle@crtc.gc.ca> wrote:

Bonjour Diane,

Forms have been released for your further action.

Thank you.

**Lyne Labelle**

Analyste de base de données et de rapports, Analyse économique &amp; financière | Returns Database Analyst, Economic and financial analysis

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission - Government of Canada

1 Promenade du Portage

Lyne.labelle@crtc.gc.ca

Téléphone | Telephone 819-934-4725

Télécopieur | Facsimile 819-997-0218

Gouvernement du Canada | Government of Canada

www.crtc.gc.ca

**From:** Diane Boucher [mailto:diane.boucher@cbc.ca]**Sent:** December-06-16 11:30 AM**To:** Labelle, Lyne <lyne.labelle@crtc.gc.ca>**Cc:** Annie Milanese <annie.milanese@cbc.ca>**Subject:** Correction to do

Hi Lyne,

We have realized that a mistake was made in the form 1130 for two French Radio stations - the music rights were not properly split on lines 4 to 8. Please re-issue the forms for the following stations and we will make the correction:



07/02/2017

CBC Radio-Canada Mail - Re: Correction to do

CBF-FM

CBFX-FM

Thank you,

Diane

--

Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

--

Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

---

**RE: Forms resubmitted**

1 message

---

**Labelle, Lyne** <lyne.labelle@crtc.gc.ca>  
To: Diane Boucher <diane.boucher@cbc.ca>

Wed, Dec 14, 2016 at 1:27 PM

Hello Diane,

As per your request please the attachments.

Thank you.

**Lyne Labelle**

Analyste de base de données et de rapports, Analyse économique &amp; financière | Returns Database Analyst, Economic and financial analysis

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission -  
Government of Canada

1 Promenade du Portage

Lyne.labelle@crtc.gc.ca

Téléphone | Telephone 819-934-4725

Télécopieur | Facsimile 819-997-0218

Gouvernement du Canada | Government of Canada

[www.crtc.gc.ca](http://www.crtc.gc.ca)**From:** Diane Boucher [mailto:diane.boucher@cbc.ca]**Sent:** December-07-16 4:47 PM**To:** Labelle, Lyne <lyne.labelle@crtc.gc.ca>**Cc:** Annie Milanese <annie.milanese@cbc.ca>**Subject:** Forms resubmitted

Bonjour Lyne,

We have re-submitted the form 1130 for the two French Radio stations; please note that the changes affect the confidential Aggregate report for French Radio (see attached). The totals do not change but the page ii details under "Dépenses de programmation et de production" do.

We have also re-submitted the forms 1230 for prior years for ARTV (BY2011 to BY2015); the only changes are to line 20 Crédit au Fonds des média du Canada, where each column is now filed at zero.

Now that we have finished entering the CRTC forms for Radio and TV relating to BY2016, we would like you to run the comparative reports, by station, by region, and in total for Conventional TV and for Commercial Radio and send them to us. That way, we can review the information against what we entered and make sure we didn't make any mistakes during the keying in process.

Thanks,

Diane

--

Diane Boucher, CPA, CGA

Director, CRTC Reporting


Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

---

**2 attachments**

 **2016 - CBC - Radio - FS.xlsx**  
396K

 **2016 - CBC - TV - FS.xlsx**  
179K

---

**Re: Corrections to forms 1230**

1 message

**Diane Boucher** <diane.boucher@cbc.ca>

Fri, Dec 16, 2016 at 11:10 AM

To: "Labelle, Lyne" &lt;lyne.labelle@crtc.gc.ca&gt;

Cc: Annie Milanese &lt;annie.milanese@cbc.ca&gt;, Michael Downey &lt;michael.downey@cbc.ca&gt;

Hello Lyne,

I have resubmitted the forms 1230 for CBLT (BY2016) and CBFT (BY2015) in DCS, as well as the forms 1240 that you had re-issued for those stations (no changes to those forms).

I have also re-submitted the following:

a) the REP-B form for BY2016 with the attached aggregate reports, after having replaced the ones that have changed with the revised versions, namely:

- English TV (confidential and public) - with changes to memo lines 25 and 26 on page ii (programming by genre)
- French Radio (confidential only) - with changes to lines 4 to 8 on page ii

a) the REP-B form for BY2015 with the attached aggregate reports, after having replaced the ones that have changed with the revised versions, namely:

- French TV (confidential and public) - with changes to memo line 21 on page ii (programming by genre)

Please note that none of the totals have changed as a result of these corrections.

Regards,

Diane

On Fri, Dec 16, 2016 at 9:39 AM, Labelle, Lyne <lyne.labelle@crtc.gc.ca> wrote:

Hello Diane,

Both 1230 forms have been released for your further action. I've also re-issued the REP-B forms in the 2015 BY and 2016 BY so that you may upload the revised Television Aggregates. It is possible to remove the previous Television Aggregates by clicking on the "X" symbol on the left hand side of the files before uploading the revised ones.

It would be good to name the new file with revised and the date revised. This way we will know that they're new files.

Thank you.

Lyne Labelle

07/02/2017

CBC Radio-Canada Mail - Re: Corrections to forms 1230

Analyste de base de données et de rapports, Analyse économique & financière | Returns Database Analyst, Economic and financial analysis

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission - Government of Canada

1 Promenade du Portage

Lyne.labelle@crtc.gc.ca

Téléphone | Telephone 819-934-4725

Télécopieur | Facsimile 819-997-0218

Gouvernement du Canada | Government of Canada

www.crtc.gc.ca

**From:** Diane Boucher [mailto:diane.boucher@cbc.ca]

**Sent:** December-16-16 9:13 AM

**To:** Labelle, Lyne <lyne.labelle@crtc.gc.ca>

**Cc:** Annie Milanese <annie.milanese@cbc.ca>; Michael Downey <michael.downey@cbc.ca>

**Subject:** Corrections to forms 1230

Hi Lyne,

We have two CRTC forms 1230 to change (memo lines only), one from last year and one from this year:

BY2015 CBFT Montreal - line 21 needs to be changed

BY2016 CBLT Toronto - lines 25 and 26 need to be changed

Please re-issue the forms for these stations and we will make the corrections. I will also resend the Aggregated reports with the new numbers for those lines.

Thank you,

Diane

--

Diane Boucher, CPA, CGA

Director, CRTC Reporting

Finance and Administration

07/02/2017

CBC Radio-Canada Mail - Re: Corrections to forms 1230

Tel: 613-288-6122

Fax: 613-288-6132

--

Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

07/02/2017

CBC Radio-Canada Mail - RE: Corrections to forms 1230

CBC  Radio-Canada

Diane Boucher &lt;diane.boucher@cbc.ca&gt;

---

**RE: Corrections to forms 1230**

1 message

---

**Labelle, Lyne** <lyne.labelle@crtc.gc.ca>  
To: Diane Boucher <diane.boucher@cbc.ca>

Thu, Dec 29, 2016 at 1:23 PM

Thanks for the quick response. I'll have the 2015 BY Aggregate French Television replaced on our Web site but it probably won't be until next week.

No need to do anything with the 2016 BY's REP-B. My mistake, I've gotten the re-issued version 3 removed in DCS.

Thank you and all the best in the New Year.

**Lyne Labelle**

Analyste de base de données et de rapports, Analyse économique &amp; financière | Returns Database Analyst, Economic and financial analysis

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission - Government of Canada

**From:** Diane Boucher [mailto:diane.boucher@cbc.ca]**Sent:** December-29-16 11:36 AM**To:** Labelle, Lyne <lyne.labelle@crtc.gc.ca>**Subject:** Re: Corrections to forms 1230

Hi Lyne,

Yes, I was referring to the expenses Canadian and non-Canadian not being affected by the changes reported on line 21.

Hope you had great Holidays too so far.

Regards,

Diane

07/02/2017

CBC Radio-Canada Mail - RE: Corrections to forms 1230

On Thu, Dec 29, 2016 at 10:10 AM, Labelle, Lyne <lyne.labelle@crtc.gc.ca> wrote:

Hello Diane,

You've indicated that the total are not affected by the changes 2015 French Television, yet the amount reported on line 21 "Close captioning" went from a total of \$2,241,754 to \$676,371.

Were you referring to the expenses Canadian and non-Canadian not being affected by the changes reported on line 21?

Thank you.

**Lyne Labelle**

Analyste de base de données et de rapports, Analyse économique & financière | Returns Database Analyst, Economic and financial analysis

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission - Government of Canada

1 Promenade du Portage

Lyne.labelle@crtc.gc.ca

Téléphone | Telephone 819-934-4725

Télécopieur | Facsimile 819-997-0218

Gouvernement du Canada | Government of Canada

www.crtc.gc.ca

**From:** Diane Boucher [mailto:diane.boucher@cbc.ca]

**Sent:** December-29-16 9:21 AM

**To:** Labelle, Lyne <lyne.labelle@crtc.gc.ca>

**Subject:** Re: Corrections to forms 1230

Hello Lyne,

The change to French TV (confidential and public) - memo line 21 on page ii (programming by genre) - relates to **BY2015**, so the revised forms were attached to the REP-B form for BY2015. Please let me know if the BY2015 forms reflect the change.



You have re-issued the REP-B form for BY2016. Do I still need to re-submit it even though there is no change to make to it?

Regards,

Diane

On Tue, Dec 20, 2016 at 2:51 PM, Labelle, Lyne <lyne.labelle@crtc.gc.ca> wrote:

Hello Diane,

You mentioned in your email below a modification on line 21 page ii for the French Television Aggregate. There does not appear to be a revised French Television Aggregate return (confidential and public) on the REP-B form resubmitted on 2016-12-16.

I have re-issued this form for your further action.

Thanks.

**Lyne Labelle**

Analyste de base de données et de rapports, Analyse économique & financière | Returns Database Analyst, Economic and financial analysis

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission  
- Government of Canada

**From:** Diane Boucher [mailto:diane.boucher@cbc.ca]

**Sent:** December-16-16 11:10 AM

**To:** Labelle, Lyne <lyne.labelle@crtc.gc.ca>

**Cc:** Annie Milanese <annie.milanese@cbc.ca>; Michael Downey <michael.downey@cbc.ca>

**Subject:** Re: Corrections to forms 1230

Hello Lyne,

I have resubmitted the forms 1230 for CBLT (BY2016) and CBFT (BY2015) in DCS, as well as the forms 1240 that you had re-issued for those stations (no changes to those forms).

I have also re-submitted the following:

a) the REP-B form for BY2016 with the attached aggregate reports, after having replaced the ones that have changed with the revised versions, namely:

- English TV (confidential and public) - with changes to memo lines 25 and 26 on page ii (programming by genre)
- French Radio (confidential only) - with changes to lines 4 to 8 on page ii

a) the REP-B form for BY2015 with the attached aggregate reports, after having replaced the ones that have changed with the revised versions, namely:

- French TV (confidential and public) - with changes to memo line 21 on page ii (programming by genre)

Please note that none of the totals have changed as a result of these corrections.

Regards,

Diane

On Fri, Dec 16, 2016 at 9:39 AM, Labelle, Lyne <lyne.labelle@crtc.gc.ca> wrote:

Hello Diane,

Both 1230 forms have been released for your further action. I've also re-issued the REP-B forms in the 2015 BY and 2016 BY so that you may upload the revised Television Aggregates. It is possible to remove the previous Television Aggregates by clicking on the "X" symbol on the left hand side of the files before uploading the revised ones.

It would be good to name the new file with revised and the date revised. This way we will know that they're new files.

Thank you.

**Lyne Labelle**

Analyste de base de données et de rapports, Analyse économique & financière | Returns Database Analyst, Economic and financial analysis

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission - Government of Canada

1 Promenade du Portage

Lyne.labelle@crtc.gc.ca

Téléphone | Telephone 819-934-4725

Télécopieur | Facsimile 819-997-0218

Gouvernement du Canada | Government of Canada

[www.crtc.gc.ca](http://www.crtc.gc.ca)

**From:** Diane Boucher [mailto:[diane.boucher@cbc.ca](mailto:diane.boucher@cbc.ca)]

**Sent:** December-16-16 9:13 AM

**To:** Labelle, Lyne <[lyne.labelle@crtc.gc.ca](mailto:lyne.labelle@crtc.gc.ca)>

**Cc:** Annie Milanese <[annie.milanese@cbc.ca](mailto:annie.milanese@cbc.ca)>; Michael Downey <[michael.downey@cbc.ca](mailto:michael.downey@cbc.ca)>

**Subject:** Corrections to forms 1230

Hi Lyne,

We have two CRTC forms 1230 to change (memo lines only), one from last year and one from this year:

BY2015 CBFT Montreal - line 21 needs to be changed

BY2016 CBLT Toronto - lines 25 and 26 need to be changed

Please re-issue the forms for these stations and we will make the corrections. I will also resend the Aggregated reports with the new numbers for those lines.

Thank you,

Diane

--

Diane Boucher, CPA, CGA

Director, CRTC Reporting

Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

--

Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

--

Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

--

Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

---

**RE: Forms resubmitted**

1 message

---

**Labelle, Lyne** <lyne.labelle@crtc.gc.ca>  
To: Diane Boucher <diane.boucher@cbc.ca>

Tue, Jan 10, 2017 at 12:37 PM

Good afternoon Diane,

I have adjusted the current and prior years' count for radio station by province.

Thanks.

**Lyne Labelle**

Analyste de base de données et de rapports, Analyse économique &amp; financière | Returns Database Analyst, Economic and financial analysis

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission -  
Government of Canada

**From:** Diane Boucher [mailto:diane.boucher@cbc.ca]  
**Sent:** January-09-17 4:26 PM  
**To:** Labelle, Lyne <lyne.labelle@crtc.gc.ca>  
**Cc:** Annie Milanese <annie.milanese@cbc.ca>  
**Subject:** Fwd: Forms resubmitted

Hi Lyne,

I have verified the totals in the 'Canada' worksheet, as well as the totals in the 'English' and 'French' worksheets, for both the reports (CBC - Radio stations and the CBC - TV stations) you attached herein against our aggregate reports, and I have found no differences in the dollars (other than rounding differences).

As in the past, for CBC - Radio, the published report should show the number of reporting units that were not filed at zero - see the revised CBC - Radio report attached. Here are the details of the stations filed at zero for BY2016: tot 88, less 21 filed at 0 (ER\_8 filed at 0: CBT - Grand Falls R1, CBN-FM St-John's R2, CBI-FM Sydney R2, CBBS-FM Sudbury R2, CBQ-FM Thunder Bay R2, CBE-FM Windsor R2, CBKA-FM La Ronge R1, CBK-FM Regina R2) and (FR\_less 13 filed at 0 (CBAL-FM - EM Moncton, CBAX-FM EM Halifax, CBJX - EM Chicoutimi, CBVX-FM EM Quebec, CBRX-FM EM Rimouski, CBFX-FM2 EM Sherbrooke, CBFX-FM1 EM Trois-Rivières, CBOX-FM EM Ottawa, CBBX-FM EM Sudbury, CJBC-FM EM Toronto, CKSB-FM EM Winnipeg, CBCX-FM EM Calgary, and CCFG-FM PC Chisasibi).

Regards,

Diane

----- Forwarded message -----

From: **Labelle, Lyne** <lyne.labelle@crtc.gc.ca>

Date: Wed, Dec 14, 2016 at 1:27 PM

Subject: RE: Forms resubmitted

To: Diane Boucher <diane.boucher@cbc.ca>

Hello Diane,

As per your request please the attachments.

Thank you.

**Lyne Labelle**

Analyste de base de données et de rapports, Analyse économique & financière | Returns Database Analyst, Economic and financial analysis

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission -  
Government of Canada

1 Promenade du Portage

Lyne.labelle@crtc.gc.ca

Téléphone | Telephone 819-934-4725

Télécopieur | Facsimile 819-997-0218

Gouvernement du Canada | Government of Canada

www.crtc.gc.ca

**From:** Diane Boucher [mailto:diane.boucher@cbc.ca]

**Sent:** December-07-16 4:47 PM

**To:** Labelle, Lyne <lyne.labelle@crtc.gc.ca>

**Cc:** Annie Milanese <annie.milanese@cbc.ca>

**Subject:** Forms resubmitted

Bonjour Lyne,

We have re-submitted the form 1130 for the two French Radio stations; please note that the changes affect the confidential Aggregate report for French Radio (see attached). The totals do not change but the page ii details under "Dépenses de programmation et de production" do.

We have also re-submitted the forms 1230 for prior years for ARTV (BY2011 to BY2015); the only changes are to line 20 Crédit au Fonds des média du Canada, where each column is now filed at zero.

07/02/2017

CBC Radio-Canada Mail - RE: Forms resubmitted

Now that we have finished entering the CRTC forms for Radio and TV relating to BY2016, we would like you to run the comparative reports, by station, by region, and in total for Conventional TV and for Commercial Radio and send them to us. That way, we can review the information against what we entered and make sure we didn't make any mistakes during the keying in process.

Thanks,

Diane

--

Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

--

Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132



**Copy of 2016 - CBC - Radio - FS.xlsx**  
399K

---

**Re: 2016 Financial results - CBC/SRC**

1 message

---

**Diane Boucher** <diane.boucher@cbc.ca>  
To: "Labelle, Lyne" <lyne.labelle@crtc.gc.ca>  
Cc: Annie Milanese <annie.milanese@cbc.ca>

Wed, Jan 11, 2017 at 10:12 AM

Hi Lyne,

I have verified the totals in the 'Canada' worksheet, as well as the totals in the 'English' and 'French' worksheets, for both the reports (CBC - Radio stations and the CBC - TV stations) you sent yesterday against our aggregate reports, and I have found no differences in the dollars (other than rounding differences) for any of the years 2012 to 2016.

For the Discretionary Aggregates, I did not reflect some slight changes to the documentary channel in the Aggregate Reports that I filed for Specialty Services, resulting in the differences you referred to in your email dated Jan 6, 2017:

- The aggregate return shows a surplus of \$899 on line 4 National advertising on page i in comparison to data submitted in DCS;
- The aggregate return shows a shortfall of \$899 on line 6 Other revenue on page i in comparison to data submitted in DCS.

You will find attached the revised Aggregate reports, confidential and public, for the Specialty Services for BY2016.

Regards,

Diane

On Tue, Jan 10, 2017 at 8:32 AM, Labelle, Lyne <lyne.labelle@crtc.gc.ca> wrote:

Hello Diane,

The attached report should be better for you. We are still in the process of doing audit checks on the individual filings in DCS so no hurry in confirming prior year's data.

Thanks.

**Lyne Labelle**

Analyste de base de données et de rapports, Analyse économique & financière | Returns Database Analyst, Economic and financial analysis

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission - Government of Canada



**From:** Diane Boucher [mailto:diane.boucher@cbc.ca]  
**Sent:** January-09-17 3:52 PM  
**To:** Labelle, Lyne <lyne.labelle@crtc.gc.ca>  
**Subject:** Re: 2016 Financial results - CBC/SRC

Hi Lyne,

The comparative reports you sent me on December 14th do not show the Local time sales and National Time sales separately; is it possible to send me the comparative reports (in total, English/ French, and by station) with these two lines split out?

I did not find any differences between the 2016 numbers in our Aggregate reports versus the comparative reports you sent me on December 14th. I do need to spend some time reviewing the prior year numbers before confirming that all is okay.

Regards,

Diane

On Fri, Jan 6, 2017 at 10:54 AM, Labelle, Lyne <lyne.labelle@crtc.gc.ca> wrote:

Hello Diane,

Comparative reports for the Radio and the Television sector were forwarded to you this past December 14<sup>th</sup>. Can you confirm that the results, current year (2016) and historical data (2012 to 2015), are in your opinion satisfactory for posting per Broadcasting Sector for Commercial Radio and Conventional Television books.

Aggregate Returns have been verified against the summation of individual reporting's in DCS and all match up except for small discrepancies between two items for the Discretionary Aggregates:

- The aggregate return shows a surplus of \$899 on line 4 National advertising on page i in comparison to data submitted in DCS;
- The aggregate return shows a shortfall of \$899 on line 6 Other revenue on page i in comparison to data submitted in DCS.

If you wish, I can provide our comparative report for your review.

A response by the end of the day on Tuesday, January 10th in regard to the Discretionary Aggregate would be greatly appreciated.

Regards,

**Lyne Labelle**

Analyste de base de données et de rapports, Analyse économique & financière | Returns Database Analyst, Economic and financial analysis

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission - Government of Canada

1 Promenade du Portage

Lyne.labelle@crtc.gc.ca

Téléphone | Telephone 819-934-4725

Télécopieur | Facsimile 819-997-0218

Gouvernement du Canada | Government of Canada

[www.crtc.gc.ca](http://www.crtc.gc.ca)

--

Diane Boucher, CPA, CGA

Director, CRTC Reporting

Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

--

Diane Boucher, CPA, CGA

Director, CRTC Reporting

Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

---

**2 attachments**



**2016 Discretionary & On-Demand Aggregate Return\_confidential\_revised Jan 11 2017.xlsx**  
45K



**2016 Discretionary & On-Demand Aggregate Return\_public\_revised Jan 11 2017.xlsx**  
52K

---

**Re: 2016 Financial results - CBC/SRC**

1 message

---

**Diane Boucher** <diane.boucher@cbc.ca>  
To: "Labelle, Lyne" <lyne.labelle@crtc.gc.ca>

Mon, Jan 23, 2017 at 3:18 PM

Hi Lyne,

Again, the forms submitted for Documentary Channel are right; it is the Aggregate reports that are wrong (formula error in Excel). I have attached the revised version, showing the \$2,200 on the Described video line only, where it belongs.

Sorry for the differences.

Thanks again,

Diane

On Mon, Jan 23, 2017 at 2:47 PM, Labelle, Lyne <lyne.labelle@crtc.gc.ca> wrote:

Bonjour Diane,

The only area that I found to have a difference is for the amount of \$2,200 inscribed children's programming (6-12 Years of age) on line 26 of page ii on the aggregate return versus the same amount reported on line 29 "Described video" on form 1230 for Documentary (formerly The Canadian Documentary Channel).

Can you confirm which report is correct?

Thank you.

**Lyne Labelle**

Analyste de base de données et de rapports, Analyse économique & financière | Returns Database Analyst, Economic and financial analysis

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission - Government of Canada

Téléphone | Telephone 819-934-4725

**From:** Diane Boucher [mailto:diane.boucher@cbc.ca]

**Sent:** January-23-17 12:44 PM

**To:** Labelle, Lyne <lyne.labelle@crtc.gc.ca>

**Cc:** Annie Milanese <annie.milanese@cbc.ca>

**Subject:** Re: 2016 Financial results - CBC/SRC

Hi Lyne,

You will find attached the revised Aggregate reports, confidential and public, for the Specialty Services for BY2016, with the corrections related to: Documentary Channel (between Analysis & Interpretation cat 2a and Long Form Documentary cat 2b); and Explora (close captioning)

Thanks for pointing out these differences between the Direct Operating Expenses, page ii, of the Aggregate Return for Discretionary Services and the summation of the DCS filings. The difference between the Analysis & Interpretation cat 2a and Long Form Documentary cat 2b did stem from Documentary Channel. The forms for Documentary Channel were submitted properly; it is the Aggregate report that did not pick up the amounts in the right columns.

As for the other differences on line 1.8a) for Close captioning, column Analysis/Interpretation and Other- they are related to Explora - those differences have been fixed. Again, the forms for Explora were submitted properly; it is the Aggregate report that did not pick up the final amounts for those columns.

Regards,

Diane

On Fri, Jan 20, 2017 at 1:37 PM, Labelle, Lyne <lyne.labelle@crtc.gc.ca> wrote:

Hello Diane,

I have found come across some differences between the Direct Operating Expenses, page ii, of the Aggregate Return for Discretionary Services and the summation of the DCS filings. The difference between the Analysis & Interpretation cat 2a and Long Form Documentary cat 2b seem to stem from Documentary Channel.

The other differences are on line 1.8a) for Close captioning, column Analysis/Interpretation and Other.

Can you provide an explanation by the end of day on Tuesday, January 24<sup>th</sup>?

Regards,

**Lyne Labelle**

Analyste de base de données et de rapports, Analyse économique & financière | Returns Database Analyst, Economic and financial analysis

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission  
- Government of Canada

**From:** Diane Boucher [mailto:diane.boucher@cbc.ca]

**Sent:** January-11-17 10:12 AM

**To:** Labelle, Lyne <lyne.labelle@crtc.gc.ca>  
**Cc:** Annie Milanese <annie.milanese@cbc.ca>  
**Subject:** Re: 2016 Financial results - CBC/SRC

Hi Lyne,

I have verified the totals in the 'Canada' worksheet, as well as the totals in the 'English' and 'French' worksheets, for both the reports (CBC - Radio stations and the CBC - TV stations) you sent yesterday against our aggregate reports, and I have found no differences in the dollars (other than rounding differences) for any of the years 2012 to 2016.

For the Discretionary Aggregates, I did not reflect some slight changes to the documentary channel in the Aggregate Reports that I filed for Specialty Services, resulting in the differences you referred to in your email dated Jan 6, 2017:

- The aggregate return shows a surplus of \$899 on line 4 National advertising on page i in comparison to data submitted in DCS;
- The aggregate return shows a shortfall of \$899 on line 6 Other revenue on page i in comparison to data submitted in DCS.

You will find attached the revised Aggregate reports, confidential and public, for the Specialty Services for BY2016.

Regards,

Diane

On Tue, Jan 10, 2017 at 8:32 AM, Labelle, Lyne <lyne.labelle@crtc.gc.ca> wrote:

Hello Diane,

The attached report should be better for you. We are still in the process of doing audit checks on the individual filings in DCS so no hurry in confirming prior year's data.

Thanks.

**Lyne Labelle**

Analyste de base de données et de rapports, Analyse économique & financière | Returns Database Analyst, Economic and financial analysis

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission - Government of Canada

**From:** Diane Boucher [mailto:diane.boucher@cbc.ca]  
**Sent:** January-09-17 3:52 PM  
**To:** Labelle, Lyne <lyne.labelle@crtc.gc.ca>  
**Subject:** Re: 2016 Financial results - CBC/SRC

Hi Lyne,

The comparative reports you sent me on December 14th do not show the Local time sales and National Time sales separately; is it possible to send me the comparative reports (in total, English/ French, and by station) with these two lines split out?

I did not find any differences between the 2016 numbers in our Aggregate reports versus the comparative reports you sent me on December 14th. I do need to spend some time reviewing the prior year numbers before confirming that all is okay.

Regards,

Diane

On Fri, Jan 6, 2017 at 10:54 AM, Labelle, Lyne <lyne.labelle@crtc.gc.ca> wrote:

Hello Diane,

Comparative reports for the Radio and the Television sector were forwarded to you this past December 14<sup>th</sup>. Can you confirm that the results, current year (2016) and historical data (2012 to 2015), are in your opinion satisfactory for posting per Broadcasting Sector for Commercial Radio and Conventional Television books.

Aggregate Returns have been verified against the summation of individual reporting's in DCS and all match up except for small discrepancies between two items for the Discretionary Aggregates:

- The aggregate return shows a surplus of \$899 on line 4 National advertising on page i in comparison to data submitted in DCS;
- The aggregate return shows a shortfall of \$899 on line 6 Other revenue on page i in comparison to data submitted in DCS.

If you wish, I can provide our comparative report for your review.

A response by the end of the day on Tuesday, January 10th in regard to the Discretionary Aggregate would be greatly appreciated.

Regards,

**Lyne Labelle**

Analyste de base de données et de rapports, Analyse économique & financière | Returns Database Analyst, Economic and financial analysis

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission - Government of Canada

1 Promenade du Portage

Lyne.labelle@crtc.gc.ca

Téléphone | Telephone 819-934-4725

Télécopieur | Facsimile 819-997-0218

Gouvernement du Canada | Government of Canada

[www.crtc.gc.ca](http://www.crtc.gc.ca)

--

Diane Boucher, CPA, CGA

Director, CRTC Reporting

Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

--

Diane Boucher, CPA, CGA

Director, CRTC Reporting

Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

07/02/2017

CBC Radio-Canada Mail - Re: 2016 Financial results - CBC/SRC

--

Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

--

Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration


Tel: 613-288-6122

Fax: 613-288-6132

---

**2 attachments**

 **2016 Discretionary & On-Demand Aggregate Return\_confidential\_revised Jan 23 2017\_v2.xlsx**  
44K

 **2016 Discretionary & On-Demand Aggregate Return\_public\_revised Jan 23 2017\_v2.xlsx**  
51K



---

## Re: Canadian Broadcasting Corporation - annual returns

1 message

---

**Diane Boucher** <diane.boucher@cbc.ca>

Fri, Jan 27, 2017 at 11:54 AM

To: Validation <Validation@crtc.gc.ca>, "Forsey, Thomas" <Thomas.Forsey@crtc.gc.ca>

Cc: Annie Milanese <annie.milanese@cbc.ca>

Hi Thomas,

The form 1130 for CFYK-FM in DCS has been corrected.

Regards,

Diane

On Fri, Jan 27, 2017 at 11:16 AM, Validation <Validation@crtc.gc.ca> wrote:

Good morning,

The form has been reissued.

Thank you,

**Caroline Bédard**

Analyste principale | Senior Analyst

Analyse économique et financière | Economic and Financial Analysis

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and

Telecommunications Commission

Ottawa, ON K1A 0N2

caroline.bedard@crtc.gc.ca

Téléphone | Telephone 819-639-3168

Télécopieur | Facsimile 819-953-7811

Gouvernement du Canada | Government of Canada

www.crtc.gc.ca

 Suivez-nous sur Twitter |  Follow us on Twitter

**From:** Diane Boucher [mailto:diane.boucher@cbc.ca]

**Sent:** January-27-2017 11:03 AM

**To:** Validation <Validation@crtc.gc.ca>

**Subject:** Re: Canadian Broadcasting Corporation - annual returns

Hi Thomas,

I have reviewed the forms 1110 and 1130 for the CFYK-FM station and found that the amount on line 3 of the form 1130 for this station is wrong.

Please re-issue the form 1130 for CFYK-FM in DCS and I will correct it.

Thanks,

Diane

On Wed, Jan 25, 2017 at 4:38 PM, Validation <[Validation@crtc.gc.ca](mailto:Validation@crtc.gc.ca)> wrote:

Good day,

Upon review of the submitted 2015-2016 broadcasting annual returns we have identified the following questions:

CFYK-FM

The amount reported on line 13, Programming and Production Expense, in form 1110 does not match line 15, Total - Programming and Production Expense, in form 1130. Please confirm the amounts within the 2016 financial summary and indicate which form(s) need to be corrected.

The amount reported on line 17, Total Expenses, in form 1110 does not match line 39, Total Expenses, in form 1130. Please confirm the amounts within the 2016 financial summary and indicate which form(s) need to be corrected.

We will require a response by 1/2/2017.

Thank you and please contact me if you have any questions.

Thomas Forsey

Analyst, Economic and financial analysis

Canadian Radio-television and Telecommunications Commission - Government of Canada

[thomas.forsey@crtc.gc.ca](mailto:thomas.forsey@crtc.gc.ca)

Telephone 819-997-4956

Analyste, Analyse économique et financière

Conseil de la radiodiffusion et des télécommunications canadiennes - Gouvernement du Canada

[thomas.forsey@crtc.gc.ca](mailto:thomas.forsey@crtc.gc.ca)

Téléphone 819-997-4956

--

Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

--

Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

---

**Re: Canadian Broadcasting Corporation (discretionary) - annual returns**

1 message

**Diane Boucher** <diane.boucher@cbc.ca>

Mon, Jan 30, 2017 at 9:25 AM

To: Validation &lt;Validation@crtc.gc.ca&gt;

Cc: Michael Downey &lt;michael.downey@cbc.ca&gt;, Annie Milanese &lt;annie.milanese@cbc.ca&gt;

Hi Thomas,

You will find attached a Word document with the questions you have posed and our answers; I have numbered the questions to make it easier to respond.

Please note that the amounts reported for both years are correct.

Do not hesitate to contact me if you have any questions.

Regards,

Diane

On Thu, Jan 5, 2017 at 3:11 PM, Validation &lt;Validation@crtc.gc.ca&gt; wrote:

Good day,

Upon review of the submitted 2015-2016 broadcasting annual returns we have identified the following questions:

**ICI ARTV**

The administration and general expense category reported a 57% increase from 2015 to 2016. Please confirm the amounts within the 2016 financial summary and provide an explanation for the increase.

The Adjustment Gain (Loss) (sum of 1350 lines 19-21) reported a 142% decrease from 2015 to 2016. Please confirm the amounts within the 2016 financial summary and provide an explanation for the decrease.

**CBC News Network**

The depreciation category reported a 28% decrease from 2015 to 2016. Please confirm the amounts within the 2016 financial summary and provide an explanation for the decrease.

The Adjustment Gain (Loss) (sum of 1350 lines 19-21) reported a 43% decrease from 2015 to 2016. Please confirm the amounts within the 2016 financial summary and provide an explanation for the decrease.

**ICI EXPLORA**

The DTH subscriber revenues category reported a 100% increase from 2015 to 2016. Please confirm the amounts within the 2016 financial summary and provide an explanation for the increase.

The Canadian programming expense category reported a 45% increase from 2015 to 2016. Please confirm the amounts within the 2016 financial summary and provide an explanation for the increase.

We will require a response by 31/01/2017.

Thank you and please contact me if you have any questions.

**Thomas Forsey**

Analyst, Economic and financial analysis

Canadian Radio-television and Telecommunications Commission - Government of Canada

thomas.forsey@crtc.gc.ca

Telephone 819-997-4956

Analyste, Analyse économique et financière

Conseil de la radiodiffusion et des télécommunications canadiennes - Gouvernement du Canada

thomas.forsey@crtc.gc.ca


Téléphone 819-997-4956

--

Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration

Tel: 613-288-6122  
Fax: 613-288-6132

---

 **Response to CRTC questions on Specialties\_BY2016\_v2.docx**  
23K

---

## Re: CRTC - Verification package for CMR 2016

1 message

---

Diane Boucher <diane.boucher@cbc.ca>

Thu, Jul 21, 2016 at 11:01 AM

To: "Bédard, Caroline" <caroline.bedard@crtc.gc.ca>

Cc: "Farmo, Boukar" <boukar.farmo@crtc.gc.ca>, "Levasseur, Simon" <simon.levasseur@crtc.gc.ca>, Mark Allen <mark.allen@cbc.ca>, Valerie Landry <valerie.landry@cbc.ca>

Hello Caroline,

I have verified the tables 4.1.3, 4.2.1, 4.2.3, 4.2.2, 4.2.33, as well as 4.1.7 and 4.2.5 (with our Regulatory Affairs department), of the annual Communications Monitoring Report. I agree with all of the values shown in these tables. Please note that there is a '[VALUE]' error showing up in table 4.2.3 instead of the value for English-language stations advertising of \$104M.

In the past, there was also a table called 'CPE for CBC/SRC English- and French-language conventional television, by program category (last year, it was table 4.2.18). I did not see this table in the package - has it been removed? It was the table that we usually had issues with, so please send it to me asap if it is still part of the overall Communications Monitoring Report for 2015.

Please note that I have forwarded the 'viewing shares' tables to our Research department, namely tables 4.1.15, 4.1.16, 4.1.17, 4.1.18, 4.2.8, 4.2.9, 4.2.12, 4.2.14, 4.2.15, and 4.2.16. They will respond to you directly.

As I will be away on annual leave for most of next week, I wanted to send you my response before the end of this week.

Regards,

Diane

On Wed, Jul 20, 2016 at 9:26 AM, Bédard, Caroline <caroline.bedard@crtc.gc.ca> wrote:

Good morning,

Please find attached a document which shows all CBC-related tables and figures that will appear in this year's *Communications Monitoring Report* for your review.

If possible, we would greatly appreciate a return date of Wednesday July 27<sup>th</sup>.

Should you have any questions, please do not hesitate to contact myself, Boukar Farmo (boukar.farmo@crtc.gc.ca) or Simon Levasseur (simon.levasseur@crtc.gc.ca).

Regards,

**Caroline Bédard**

Surveillance de l'industrie et des politiques | Industry & Policy Monitoring

Analyste | Analyst

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission

Ottawa, ON K1A 0N2

[caroline.bedard@crtc.gc.ca](mailto:caroline.bedard@crtc.gc.ca)

Téléphone | Telephone 819-639-3168

Télécopieur | Facsimile 819-953-7811

Gouvernement du Canada | Government of Canada

[www.crtc.gc.ca](http://www.crtc.gc.ca)

 Suivez-nous sur Twitter |  Follow us on Twitter

--

Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

---

## RE: CRTC - Verification package for CMR 2016

1 message

---

**Bédard, Caroline** <caroline.bedard@crtc.gc.ca>  
To: Diane Boucher <diane.boucher@cbc.ca>  
Cc: Annie Milanese <annie.milanese@cbc.ca>

Fri, Jul 22, 2016 at 9:45 AM

Merci Diane et bon congé!

### Caroline Bédard

Surveillance de l'industrie et des politiques | Industry & Policy Monitoring

Analyste | Analyst

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and  
Telecommunications Commission

Ottawa, ON K1A 0N2

caroline.bedard@crtc.gc.ca

Téléphone | Telephone 819-639-3168

Télécopieur | Facsimile 819-953-7811

Gouvernement du Canada | Government of Canada

www.crtc.gc.ca

 Suivez-nous sur Twitter |  Follow us on Twitter

**From:** Diane Boucher [mailto:diane.boucher@cbc.ca]

**Sent:** July-22-2016 9:43 AM

**To:** Bédard, Caroline <caroline.bedard@crtc.gc.ca>

**Cc:** Annie Milanese <annie.milanese@cbc.ca>

**Subject:** Re: CRTC - Verification package for CMR 2016

Hi Caroline,

I agree with all of the numbers except one: the 'General entertainment/ Human Interest/ Reality (category 11) for 2012 should be \$73,063 instead of \$73,474. The total for that year is right at \$733,635 when you use the proper number.

I trust this is all the information you require.

Regards,

Diane

On Thu, Jul 21, 2016 at 1:31 PM, Bédard, Caroline <caroline.bedard@crtc.gc.ca> wrote:





Analyste | Analyst  
Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and  
Telecommunications Commission  
Ottawa, ON K1A 0N2  
[caroline.bedard@crtc.gc.ca](mailto:caroline.bedard@crtc.gc.ca)  
Téléphone | Telephone 819-639-3168  
Télécopieur | Facsimile 819-953-7811  
Gouvernement du Canada | Government of Canada  
[www.crtc.gc.ca](http://www.crtc.gc.ca)

 Suivez-nous sur Twitter |  Follow us on Twitter

**From:** Diane Boucher [<mailto:diane.boucher@cbc.ca>]

**Sent:** July-21-2016 11:01 AM

**To:** Bédard, Caroline <[caroline.bedard@crtc.gc.ca](mailto:caroline.bedard@crtc.gc.ca)>

**Cc:** Farmo, Boukar <[boukar.farmo@crtc.gc.ca](mailto:boukar.farmo@crtc.gc.ca)>; Levasseur, Simon <[simon.levasseur@crtc.gc.ca](mailto:simon.levasseur@crtc.gc.ca)>; Mark Allen <[mark.allen@cbc.ca](mailto:mark.allen@cbc.ca)>; Valerie Landry <[valerie.landry@cbc.ca](mailto:valerie.landry@cbc.ca)>

**Subject:** Re: CRTC - Verification package for CMR 2016

Hello Caroline,

I have verified the tables 4.1.3, 4.2.1, 4.2.3, 4.2.2, 4.2.33, as well as 4.1.7 and 4.2.5 (with our Regulatory Affairs department), of the annual Communications Monitoring Report. I agree with all of the values shown in these tables. Please note that there is a '[VALUE]' error showing up in table 4.2.3 instead of the value for English-language stations advertising of \$104M.

In the past, there was also a table called 'CPE for CBC/SRC English- and French-language conventional television, by program category (last year, it was table 4.2.18). I did not see this table in the package - has it been removed? It was the table that we usually had issues with, so please send it to me asap if it is still part of the overall Communications Monitoring Report for 2015.

Please note that I have forwarded the 'viewing shares' tables to our Research department, namely tables 4.1.15, 4.1.16, 4.1.17, 4.1.18, 4.2.8, 4.2.9, 4.2.12, 4.2.14, 4.2.15, and 4.2.16. They will respond to you directly.

As I will be away on annual leave for most of next week, I wanted to send you my response before the end of this week.

Regards,

Diane

On Wed, Jul 20, 2016 at 9:26 AM, Bédard, Caroline <[caroline.bedard@crtc.gc.ca](mailto:caroline.bedard@crtc.gc.ca)> wrote:

Good morning,

Please find attached a document which shows all CBC-related tables and figures that will appear in this year's *Communications Monitoring Report* for your review.

If possible, we would greatly appreciate a return date of Wednesday July 27<sup>th</sup>.

Should you have any questions, please do not hesitate to contact myself, Boukar Farmo ([boukar.farmo@crtc.gc.ca](mailto:boukar.farmo@crtc.gc.ca)) or Simon Levasseur ([simon.levasseur@crtc.gc.ca](mailto:simon.levasseur@crtc.gc.ca)).

Regards,

**Caroline Bédard**

Surveillance de l'industrie et des politiques | Industry & Policy Monitoring

Analyste | Analyst

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission

Ottawa, ON K1A 0N2

[caroline.bedard@crtc.gc.ca](mailto:caroline.bedard@crtc.gc.ca)

Téléphone | Telephone 819-639-3168

Télécopieur | Facsimile 819-953-7811

Gouvernement du Canada | Government of Canada

[www.crtc.gc.ca](http://www.crtc.gc.ca)

 Suivez-nous sur Twitter |  Follow us on Twitter

--

Diane Boucher, CPA, CGA

Director, CRTC Reporting

Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

--

Diane Boucher, CPA, CGA

Director, CRTC Reporting

Finance and Administration

07/02/2017 CBC Radio-Canada Mail - RE: CRTC - Verification package for CMR 2016 - <https://mail.google.com/mail/u/0/?ui=2&ik=c96c2ead48&view=pt&q=carol...>

Tel: 613-288-6122

Fax: 613-288-6132

---

## RE: CMR 2016 TV Table Verification

1 message

---

**Bédard, Caroline** <caroline.bedard@crtc.gc.ca>

Tue, Jul 26, 2016 at 11:03 AM

To: Graeme Carbert <graeme.carbert@cbc.ca>

Cc: Diane Boucher <diane.boucher@cbc.ca>, Valérie Landry <Valerie.Landry@cbc.ca>, Dominique BARRETTE-OTT <dominique.barrette@radio-canada.ca>

Thanks Graeme,

We will integrate the new totals to reflect the affiliates and look at other comments.

Thanks for the thoroughness.

Caroline

### Caroline Bédard

Surveillance de l'industrie et des politiques | Industry & Policy Monitoring

Analyste | Analyst

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission

Ottawa, ON K1A 0N2

caroline.bedard@crtc.gc.ca

Téléphone | Telephone 819-639-3168

Télécopieur | Facsimile 819-953-7811

Gouvernement du Canada | Government of Canada

www.crtc.gc.ca

 Suivez-nous sur Twitter |  Follow us on Twitter

**From:** Graeme Carbert [mailto:graeme.carbert@cbc.ca]

**Sent:** July-26-2016 8:53 AM

**To:** Bédard, Caroline <caroline.bedard@crtc.gc.ca>

**Cc:** Diane Boucher <diane.boucher@cbc.ca>; Valérie Landry <Valerie.Landry@cbc.ca>; Dominique BARRETTE-OTT <dominique.barrette@radio-canada.ca>

**Subject:** CMR 2016 TV Table Verification

Hello Caroline,

I have taken some time to verify the TV audience data for CBC/Radio-Canada services in the 2016 CMR. I've provided a few top-level notes for each table below and have included the MS Word document in attachment with more detailed comments.

**Table 4.2.8**

I do not match CBC TV tuning data from 2014-2015 in the Canadian English-language market because it does not include tuning to our affiliates during that broadcast year that have since disaffiliated. I believe my colleague Dominique identified this issue in the spring. In 2014-2015, CBC Total included the following affiliates that do not exist in the current composition of CBC Total in infoSys+TV: CFTK, CHEX, CHXD, CJDC, CKPR, and CKWS. Tuning from these affiliates needs to be manually re-added to the current definition of CBC Total to report accurately on tuning from the 2014-2015 broadcast year. Likewise, tuning from these affiliates needs to be removed from the current definition of CTV Total to avoid duplication.

In addition, may I ask that the label for our TV service in the Canadian French-language market be changed to "Radio-Canada"? This would also apply to **Table 4.2.9** as well.

**Table 4.2.12**

I do not match CBC TV viewing in the English-language market for *Long-form documentary* and *Game Show* and SRC viewing in the French-language market for *Sports*. Please see the MS Word document for more details.

**Table 4.2.14**

This table uses different station group definitions for 2012-2013 than for 2013-2014 and 2014-2015 (CBC Conv vs. CBC Total). In addition, the usage of CBC Total does not account for the affiliates that are no longer included in the current definition of CBC Total in infoSys+TV (see note for Table 4.2.9). I also run into matching issues that are likely due to rounding - how many decimals are being used to calculate the data presented in this table?

**Table 4.2.15**

This table also uses different station group definitions for 2012-2013 than it does for 2013-2014 and 2014-2015 (SRC Conv vs. SRC Total). I also see areas where rounding issues may be at fault. We should align the decimal places used in our templates.

**Table 4.2.15**

Would it be possible to share the InfoSys+TV station groups used to calculate the viewing hours in this table? For example, does it include CDN CONV, CDN DIGITAL, CDN PAY, CDN SPEC and CDN COMM-SERV?

Please do not hesitate to pass along any questions, I'd be happy to share additional details and/or my calculation files

Graeme

Graeme Carbert

*Research and Analysis / Recherche et Analyse*  
(613) 288-6224

Table 4.2.1 Viewing share of English- and French-language Canadian services, by ownership group in all of Canada, excluding the Quebec francophone market

| Owner   | Language | Viewing share (%) |               |            |              |               |            |              |               |            |
|---------|----------|-------------------|---------------|------------|--------------|---------------|------------|--------------|---------------|------------|
|         |          | 2012-2013         |               |            | 2013-2014    |               |            | 2014-2015    |               |            |
|         |          | Conventional      | Discretionary | Total      | Conventional | Discretionary | Total      | Conventional | Discretionary | Total      |
| CBC-SRC | All      | 6.0               | 1.8           | <b>7.8</b> | 8.1          | 1.8           | <b>9.9</b> | 6.1          | 1.9           | <b>8.0</b> |
|         | English  | 5.9               | 1.8           | <b>7.6</b> | 8.0          | 1.8           | <b>9.7</b> | 5.9          | 1.8           | <b>7.8</b> |
|         | French   | 0.1               | 0.1           | <b>0.2</b> | 0.1          | 0.1           | <b>0.2</b> | 0.1          | 0.0           | <b>0.2</b> |

SOURCE: NUMERIS (FORMERLY BBM CANADA)

Table 4.2.2 Viewing share of English- and French-language Canadian services, by ownership group in the Quebec francophone market

| Owner   | Language | Viewing share (%) |               |             |              |               |             |              |               |             |
|---------|----------|-------------------|---------------|-------------|--------------|---------------|-------------|--------------|---------------|-------------|
|         |          | 2012-2013         |               |             | 2013-2014    |               |             | 2014-2015    |               |             |
|         |          | Conventional      | Discretionary | Total       | Conventional | Discretionary | Total       | Conventional | Discretionary | Total       |
| SRC-CBC | All      | 13.4              | 5.1           | <b>18.5</b> | 14.4         | 4.9           | <b>19.3</b> | 13.1         | 4.6           | <b>17.7</b> |
|         | French   | 13.0              | 5.0           | <b>18.0</b> | 13.6         | 4.8           | <b>18.5</b> | 12.4         | 4.5           | <b>17.0</b> |
|         | English  | 0.4               | 0.1           | <b>0.5</b>  | 0.8          | 0.1           | <b>0.8</b>  | 0.6          | 0.1           | <b>0.7</b>  |

SOURCE: NUMERIS (FORMERLY BBM CANADA)



[DAYPARTS] (Ind.2+ | All Locations | Consolidated | All)

|            | Areas >>   |                      |
|------------|--|----------------------|
|            | Stats >>   |                      |
| Dayparts   | Stations   | Broadcast Year 12-13 |
| M-Su 2a-2a | <i>CBC Total (Custom w/ re-added affiliates)</i> | 5.9                  |
|            | CBC News Network+                                | 1.7                  |
|            | Documentary+                                     | 0.1                  |
|            | SRC Total  | 0.1                  |
|            | RDI+   | 0.0                  |
|            | ARTV+  | 0.0                  |
|            | Explora+   | 0.0                  |
|            | Total TV Canadian                                | 100.0                |

Reach Condition: 1 min. no cons.  
 Time zones: Local time  
 Reference Station: Total TV Canadian

Dates 27/08/2012 to 30/08/2015  
 Audiences Ind.2+  
 Areas Canada minus Quebec Franco, Quebec Franco  
 Locations All Locations  
 Activities Consolidated

| Canada minus Quebec Franco |                      |                      |                      |                      |
|----------------------------|----------------------|----------------------|----------------------|----------------------|
| Shr% [Total TV Canadian]   |                      | TotHrsWk(View)(000)  |                      |                      |
| Broadcast Year 13-14       | Broadcast Year 14-15 | Broadcast Year 12-13 | Broadcast Year 13-14 | Broadcast Year 14-15 |
| 8.0                        | 5.9                  | 35974.262            | 49495.462            | 36780.547            |
| 1.7                        | 1.8                  | 10386.872            | 10710.475            | 10940.781            |
| 0.1                        | 0.1                  | 401.36               | 348.918              | 480.162              |
| 0.1                        | 0.1                  | 795.507              | 919.084              | 898.105              |
| 0.0                        | 0.0                  | 298.321              | 267.02               | 201.862              |
| 0.0                        | 0.0                  | 28.914               | 34.285               | 29.574               |
| 0.0                        | 0.0                  | 3.729                | 4.462                | 7.241                |
| 100.0                      | 100.0                | 614777.986           | 621949.835           | 620358.736           |

| Quebec Franco            |                      |                      |                      |                      |
|--------------------------|----------------------|----------------------|----------------------|----------------------|
| Shr% [Total TV Canadian] |                      |                      | TotHrsWk(View)(000)  |                      |
| Broadcast Year 12-13     | Broadcast Year 13-14 | Broadcast Year 14-15 | Broadcast Year 12-13 | Broadcast Year 13-14 |
| 0.4                      | 0.8                  | 0.6                  | 911.391              | 1680.591             |
| 0.1                      | 0.1                  | 0.1                  | 138.714              | 111.352              |
| 0.0                      | 0.0                  | 0.0                  | 5.426                | 12.234               |
| 13.0                     | 13.6                 | 12.4                 | 27720.879            | 29545.861            |
| 3.4                      | 2.9                  | 2.9                  | 7284.126             | 6384.145             |
| 1.4                      | 1.6                  | 1.2                  | 2941.816             | 3492.437             |
| 0.3                      | 0.3                  | 0.4                  | 549.889              | 618.686              |
| 100.0                    | 100.0                | 100.0                | 213440.693           | 216898.697           |

|                      |
|----------------------|
|                      |
|                      |
| Broadcast Year 14-15 |
| 1404.389             |
| 221.606              |
| 12.284               |
| 27663.76             |
| 6545.805             |
| 2740.768             |
| 812.496              |
| 222552.602           |

Technical card

NLogic

Reach Condition: 1 min. no cons.  
Time zones: Local time  
Reference Station: Total TV Canadian

Dates 27/08/2012 to 30/08/2015  
Audiences Ind.2+  
Areas Canada minus Quebec Franco, Quebec Franco  
Locations All Locations  
Activities Consolidated

|        | Canada minus Quebec Franco | Sample | Quebec Franco |
|--------|----------------------------|--------|---------------|
|        | Univ(000)                  |        | Univ(000)     |
| Ind.2+ | 27879                      | 7030   | 7178          |

Universe estimate and sample are based on the last day of the date range

Sample  
1745

---

**Re-issued 1230 forms for ARTV - 2011 to 2015 BY**

1 message

**Labelle, Lyne** <lyne.labelle@crtc.gc.ca>

Thu, Nov 10, 2016 at 9:40 AM

To: Diane Boucher &lt;diane.boucher@cbc.ca&gt;

Cc: Annie Milanese &lt;annie.milanese@cbc.ca&gt;, Michael Downey &lt;michael.downey@cbc.ca&gt;, "Blais, Marianne"

&lt;marianne.blais@crtc.gc.ca&gt;, Bev Kirshenblatt &lt;bev.kirshenblatt@cbc.ca&gt;, "Forsey, Thomas"

&lt;Thomas.Forsey@crtc.gc.ca&gt;, "Bouthillier, Marie-Claire" &lt;Marie-Claire.Bouthillier@crtc.gc.ca&gt;

Hello Diane,

1230 forms for ARTV service have been re-issued in the 2011, 2012, 2013, 2014 and 2015 BY under ARTC inc. in the Data Collection System (DCS) for your further corrections.

Regards,

**Lyne Labelle**

Analyste de base de données et de rapports, Analyse économique &amp; financière | Returns Database Analyst, Economic and financial analysis

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission - Government of Canada

1 Promenade du Portage

Lyne.labelle@crtc.gc.ca

Téléphone | Telephone 819-934-4725

Télécopieur | Facsimile 819-997-0218

Gouvernement du Canada | Government of Canada

[www.crtc.gc.ca](http://www.crtc.gc.ca)**From:** Diane Boucher [<mailto:diane.boucher@cbc.ca>]**Sent:** November-10-16 9:10 AM**To:** Labelle, Lyne <lyne.labelle@crtc.gc.ca>**Cc:** Annie Milanese <annie.milanese@cbc.ca>; Michael Downey <michael.downey@cbc.ca>; Blais, Marianne <marianne.blais@crtc.gc.ca>; Bev Kirshenblatt <bev.kirshenblatt@cbc.ca>**Subject:** ARTV

Hi Lyne,

We have new people preparing the CRTC forms for ARTV since Gilbert Morin's retirement a few months ago. They looked into the amounts that were being entered at line 20 Canadian Media Fund Credit, in the Form 1230 'Programming

06/02/2017

CBC Radio-Canada Mail - Re-issued 1230 forms for ARTV - 2011 to 2015 BY

Expenses' (by genre), and realized that this line should have been at zero every year for the past few years.

ARTV has never been the 'Applicant' for CMF funding; the amounts that Gilbert was showing were related to programs that we acquired from independent producers who received CMF funds for these programs.

Please confirm whether you would like us to re-submit the form 1230 for ARTV for the past few years (where an amount was shown on line 20 in error); if so, please re-issue the forms in DCS and we will correct them.

Regards,

Diane

--

Diane Boucher, CPA, CGA

Director, CRTC Reporting

Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132



---

**RE: Re-issue for form 1110 for CBDQ-FM**

1 message

---

**Labelle, Lyne** <lyne.labelle@crtc.gc.ca>  
To: Diane Boucher <diane.boucher@cbc.ca>

Mon, Nov 28, 2016 at 11:12 AM

Hello Diane,

Form 1110 Financial Summary – Radio for CBDQ-FM in the 2016 BY has been released for your further action.

Regards,

**Lyne Labelle**

Analyste de base de données et de rapports, Analyse économique &amp; financière | Returns Database Analyst, Economic and financial analysis

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission -  
Government of Canada

1 Promenade du Portage

Lyne.labelle@crtc.gc.ca

Téléphone | Telephone 819-934-4725

Télécopieur | Facsimile 819-997-0218

Gouvernement du Canada | Government of Canada

[www.crtc.gc.ca](http://www.crtc.gc.ca)**From:** Diane Boucher [mailto:diane.boucher@cbc.ca]**Sent:** November-28-16 10:59 AM**To:** Labelle, Lyne <lyne.labelle@crtc.gc.ca>**Cc:** Annie Milanese <annie.milanese@cbc.ca>**Subject:** Re-issue for form 1110 for CBDQ-FM

Hi Lyne,

We missed a line when we entered the numbers in the 1110 for CBDQ-FM. Could you please re-issue the form for 2016?

Thanks,

07/02/2017

CBC Radio-Canada Mail - RE: Re-issue for form 1110 for CBDQ-FM

Diane

--

Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

---

**RE: CRTC forms for broadcast year 2015-16**

1 message

**Labelle, Lyne** <lyne.labelle@crtc.gc.ca>

Wed, Nov 30, 2016 at 4:18 PM

To: Diane Boucher &lt;diane.boucher@cbc.ca&gt;

Cc: "Blais, Marianne" &lt;marianne.blais@crtc.gc.ca&gt;, Annie Milanese &lt;annie.milanese@cbc.ca&gt;, Michael Downey &lt;michael.downey@cbc.ca&gt;, Bev Kirshenblatt &lt;bev.kirshenblatt@cbc.ca&gt;

Hello Diane,

Thank you and have a great rest of the week.

Lyne

**From:** Diane Boucher [mailto:diane.boucher@cbc.ca]**Sent:** November-30-16 3:24 PM**To:** Labelle, Lyne <lyne.labelle@crtc.gc.ca>**Cc:** Blais, Marianne <marianne.blais@crtc.gc.ca>; Annie Milanese <annie.milanese@cbc.ca>; Michael Downey <michael.downey@cbc.ca>; Bev Kirshenblatt <bev.kirshenblatt@cbc.ca>**Subject:** RE: CRTC forms for broadcast year 2015-16

Hello,

We have finished submitting all CRTC forms for broadcast year 2015-16 in DCS.

As instructed, we have attached all of the aggregate reports and the annual financial statements to the REP-B form for CBC/Radio-Canada.

Regards,

Diane

--

Diane Boucher, CPA, CGA

Director, CRTC Reporting

06/02/2017

CBC Radio-Canada Mail - RE: CRTC forms for broadcast year 2015-16

Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

**CRTC - FINANCIAL SUMMARY - CONVENTIONAL TELEVISION**

Canada

|   | (\$) | Fiscal Year | 2011                 | 2012                 | Var %       | 2013                 | Var %        | 2014                 | Var %        | 2015                 | Var %         | CAGR (%)    |
|---|------|-------------|----------------------|----------------------|-------------|----------------------|--------------|----------------------|--------------|----------------------|---------------|-------------|
| <b>Reporting Units</b>                          |      |             | 27                   | 27                   |             | 27                   |              | 27                   |              | 27                   |               |             |
| <b>Revenue</b>                                  |      |             |                      |                      |             |                      |              |                      |              |                      |               |             |
| Local Time Sales                                |      |             | 44966198             | 47327128             | 5.25        | 44526332             | -5.92        | 48981872             | 10.01        | 49490716             | 1.04          | 2.4         |
| National Time Sales                             |      |             | 324665444            | 325366953            | 0.22        | 286597251            | -11.92       | 425665408            | 48.52        | 170567391            | -59.93        | -14.9       |
| Syndication-Production                          |      |             | 49,850,459           | 50,024,167           | 0.35        | 53,765,138           | 7.48         | 67,676,001           | 25.87        | 89,360,588           | 32.04         | 15.7        |
| Local Programming Improvement Fund              |      |             | 40,688,566           | 47,158,790           | 15.90       | 34,835,830           | -26.13       | 17,562,628           | -49.58       | -                    | -100.00       | n/a         |
| Government Grants & Parliamentary Appropriation |      |             | 839,156,385          | 861,381,118          | 2.65        | 783,201,049          | -9.08        | 726,001,841          | -7.30        | 757,934,083          | 4.40          | -2.5        |
| Other Revenue                                   |      |             | 39,513,707           | 37,904,420           | -4.07       | 43,999,507           | 16.08        | 42,222,342           | -4.04        | 39,882,907           | -5.54         | 0.2         |
| <b>Total Revenue</b>                            |      |             | <b>1,338,840,759</b> | <b>1,369,162,576</b> | <b>2.26</b> | <b>1,246,925,107</b> | <b>-8.93</b> | <b>1,328,110,092</b> | <b>6.51</b>  | <b>1,107,235,685</b> | <b>-16.63</b> | <b>-4.6</b> |
| <b>Expenses</b>                                 |      |             |                      |                      |             |                      |              |                      |              |                      |               |             |
| Program   |      |             | 854,768,102          | 886,753,833          | 3.74        | 821,553,788          | -7.35        | 897,932,051          | 9.30         | 687,293,380          | -23.46        | -5.3        |
| Technical                                       |      |             | 115,284,006          | 108,861,737          | -5.57       | 106,861,277          | -1.84        | 104,090,478          | -2.59        | 97,699,158           | -6.14         | -4.1        |
| Sales and Promotion                             |      |             | 120,355,058          | 119,145,876          | -1.00       | 108,973,207          | -8.54        | 110,540,347          | 1.44         | 101,866,421          | -7.85         | -4.1        |
| Administration and General                      |      |             | 147,639,127          | 143,151,258          | -3.04       | 128,839,384          | -10.00       | 136,806,554          | 6.18         | 136,345,490          | -0.34         | -2.0        |
| <b>Total Expenses</b>                           |      |             | <b>1,238,046,293</b> | <b>1,257,912,704</b> | <b>1.60</b> | <b>1,166,227,656</b> | <b>-7.29</b> | <b>1,249,369,430</b> | <b>7.13</b>  | <b>1,023,204,449</b> | <b>-18.10</b> | <b>-4.7</b> |
| Operating Income                                |      |             | 100,794,466          | 111,249,872          |             | 80,697,451           |              | 78,740,662           |              | 84,031,236           |               |             |
| Depreciation                                    |      |             | 120,550,472          | 141,605,011          | 17.47       | 108,574,591          | -23.33       | 102,410,811          | -5.68        | 94,937,224           | -7.30         | -5.8        |
| <b>P.B.I.T.</b>                                 |      |             | <b>-19,756,006</b>   | <b>-30,355,139</b>   |             | <b>-27,877,140</b>   |              | <b>-23,670,149</b>   |              | <b>-10,905,988</b>   |               |             |
| Interest Expense                                |      |             | 21,562,849           | 21,640,609           | 0.36        | 20,317,732           | -6.11        | 19,253,829           | -5.24        | 18,005,052           | -6.49         |             |
| Adjustments Gain(Loss)                          |      |             | 32,576,900           | 41,525,944           | 27.47       | 64,976,407           | 56.47        | 3,845,533            | -94.08       | -15,934,071          | -514.35       |             |
| <b>Pre-tax Profit</b>                           |      |             | <b>-8,741,955</b>    | <b>-10,469,804</b>   |             | <b>16,781,535</b>    |              | <b>-39,078,445</b>   |              | <b>-44,845,111</b>   |               |             |
|   |      |             | <b>709769337</b>     | <b>733635281</b>     | <b>3.36</b> | <b>700793134</b>     | <b>-4.48</b> | <b>789782476</b>     | <b>12.70</b> | <b>557183375</b>     | <b>-29.45</b> | <b>-5.9</b> |
|   |      |             | 53.0                 | 53.6                 |             | 56.2                 |              | 59.5                 |              | 50.3                 |               |             |
| <b>Programming (%)</b>                          |      |             |                      |                      |             |                      |              |                      |              |                      |               |             |
| Prog Expense/Expense Total                      |      |             | 69.0                 | 70.5                 |             | 70.4                 |              | 71.9                 |              | 67.2                 |               |             |
| Prog Expense/Revenue Total                      |      |             | 63.8                 | 64.8                 |             | 65.9                 |              | 67.6                 |              | 62.1                 |               |             |
| <b>Staff</b>                                    |      |             |                      |                      |             |                      |              |                      |              |                      |               |             |
| Total Remuneration                              |      |             | 581,677,266          | 606,616,773          | 4.29        | 599,752,653          | -1.13        | 581,299,831          | -3.08        | 523,221,744          | -9.99         | -2.6        |
| Total Staff Count                               |      |             | 6,213.7              | 6,319.8              | 1.71        | 6,136.9              | -2.89        | 5,842.7              | -4.80        | 5,204.7              | -10.92        |             |
| Avg Remuneration (\$)                           |      |             | 93,612               | 95,987               | 2.54        | 97,728               | 1.81         | 99,492               | 1.81         | 100,528              | 1.04          | 1.8         |
| Salaries/Expense Total                          |      |             | 47.0                 | 48.2                 |             | 51.4                 |              | 46.5                 |              | 51.1                 |               |             |
| <b>Profitability (%)</b>                        |      |             |                      |                      |             |                      |              |                      |              |                      |               |             |
| Operating Margin                                |      |             | 7.5                  | 8.1                  |             | 6.5                  |              | 5.9                  |              | 7.6                  |               |             |
| P.B.I.T. Margin                                 |      |             | -1.5                 | -2.2                 |             | -2.2                 |              | -1.8                 |              | -1.0                 |               |             |
| Pre-tax Margin                                  |      |             | -0.7                 | -0.8                 |             | 1.3                  |              | -2.9                 |              | -4.1                 |               |             |

CAGR = Compound Annual Growth Rate

---

**Re: Local and National Time sales breakdown**

1 message

---

**Diane Boucher** <diane.boucher@cbc.ca>  
To: "Forsey, Thomas" <Thomas.Forsey@crtc.gc.ca>  
Cc: "Blais, Marianne" <marianne.blais@crtc.gc.ca>

Tue, Oct 25, 2016 at 10:32 AM

Hi Thomas,

I have reviewed the template of what you would publish with the next financial summaries (with the appropriate data for BY 2012 to BY 2016), and we are okay with it.

Since the breakdown of advertising revenues into 'Local Time Sales' and 'National Time Sales' is available on the aggregate returns for BY 2012 to BY 2016, the information is readily available; therefore, we are no longer concerned with showing the breakdown in this comparative report.

Regards,

Diane

On Thu, Oct 20, 2016 at 10:07 AM, Forsey, Thomas &lt;Thomas.Forsey@crtc.gc.ca&gt; wrote:

Hi Diane,

Attached is a template of what we would publish with the next financial summaries (with the appropriate data for BY 2012 to BY 2016).

Would the CBC have any issue with such a publication? For instance, would it be preferable to keep the aggregated time sales for any of the years between 2012 and 2015?

Thank you,

Thomas Forsey

---

**From:** Diane Boucher [mailto:diane.boucher@cbc.ca]  
**Sent:** October-19-16 12:56 PM  
**To:** Forsey, Thomas <Thomas.Forsey@crtc.gc.ca>  
**Cc:** Blais, Marianne <marianne.blais@crtc.gc.ca>; Michael Downey <michael.downey@cbc.ca>; Bev Kirshenblatt <bev.kirshenblatt@cbc.ca>  
**Subject:** Re: Local and National Time sales breakdown

Hi Thomas,

We no longer have any concerns with a breakdown of advertising revenues into 'Local Time Sales' and 'National Time Sales', as the revenues are reported separately in the aggregate returns.

Regards,

Diane

On Mon, Oct 17, 2016 at 2:54 PM, Forsey, Thomas <Thomas.Forsey@crtc.gc.ca> wrote:

Hello Diane,

Myself and the CRTC's financial analysis team are currently reviewing the annual return templates for the next publication period. I've noted that for commercial television, we break down advertising revenues into 'Local Time Sales' and 'National Time Sales', however for CBC television services, only the aggregated 'Time Sales' is provided.

Upon speaking to a colleague, it's been deduced that this was requested by the CBC a number of years ago and has been done the same this way ever since.

Do you know if it is still the wish of the CBC for the advertising revenue to be reported in this way?

Thanks!

**Thomas Forsey**

Analyst, Economic and financial analysis

Canadian Radio-television and Telecommunications Commission - Government of Canada

thomas.forsey@crtc.gc.ca

Telephone 819-997-4956

Analyste, Analyse économique et financière

Conseil de la radiodiffusion et des télécommunications canadiennes - Gouvernement du Canada

thomas.forsey@crtc.gc.ca

Téléphone 819-997-4956

07/02/2017

CBC Radio-Canada Mail - Re: Local and National Time sales breakdown

--

Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

--

Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132



03/02/2017

CBC Radio-Canada Mail - Re: FW: CRTC Case ID: 745483

CBC  Radio-Canada

DANIELLE BRUNET &lt;danielle.brunet@cbc.ca&gt;

**Re: FW: CRTC Case ID: 745483**

1 message

**DANIELLE BRUNET** <danielle.brunet@cbc.ca>  
 To: "Proulx, Chantal" <chantal.proulx@crtc.gc.ca>

Thu, Jun 16, 2016 at 2:14 PM

yes please

Danielle Brunet  
 Administrative Assistant, Corporate and Regulatory Affairs  
 Adjointe administrative, Affaires institutionnelles et réglementaires  
 CBC/Radio-Canada  
 181, Queen Street/ 181, rue Queen  
 Ottawa, ON K1P 1K9  
 (613) 288-6258 / danielle.brunet@cbc.ca  
 www.cbc.ca / www.radio-canada.ca

On Thu, Jun 16, 2016 at 2:07 PM, Proulx, Chantal <chantal.proulx@crtc.gc.ca> wrote:

Thanks Danielle,

Did you want me to inform the client?

Chantal

**From:** danielle.brunet@cbc.ca [mailto:danielle.brunet@cbc.ca] **On Behalf Of** Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires  
**Sent:** June-16-16 1:48 PM  
**To:** CRTC DONOTRESPOND/NEPASREpondRE <crtcdonotrespond@crtc.gc.ca>  
**Subject:** Re: CRTC Case ID: 745483

Good afternoon Chantal,

I have noticed that the complaint dates back to May 5, 2016 and that the tape may no longer available.

Danielle

On Thu, Jun 16, 2016 at 1:31 PM, CRTC DONOTRESPOND/NEPASREpondRE <crtcdonotrespond@crtc.gc.ca> wrote:

Good afternoon Ms.

The CBSC transferred your file to us regarding a commercial for a Jeep aired on May 5, 2016.

I will transfer your question to CBC asking the licensee to respond to you. Complaints, however, should be submitted promptly as broadcasters are required to hold tapes for 28 days following broadcast.

Please keep in mind that broadcasters are responsible for the choice, content and scheduling of the programming they provide including advertisements. The freedom of expression and the journalistic, creative and programming independence enjoyed by broadcasters is protected by the *Broadcasting Act* and the *Canadian Charter of Rights and Freedoms*. Therefore the CRTC does not have the right to edit or censor programming and will only review complaints where a specific violation of our regulations or licensing provisions has been identified.

You may also want to review "How to make a broadcasting complaint" on our website at [http://www.crtc.gc.ca/eng/INFO\\_SHT/G8.htm](http://www.crtc.gc.ca/eng/INFO_SHT/G8.htm)

Learn more about your CRTC: <https://youtu.be/PweJmI9ZHFk>

IMPORTANT NOTE: To respond to this message, please click here and follow the prompts: <https://applications.crtc.gc.ca/question/eng/public-inquiries-form?lang=en&caseid=745483&key=>

Sincerely,

Chantal Proulx

Client Services | Services à la clientèle

Canadian Radio-television and Telecommunications Commission | Conseil de la radiodiffusion et des télécommunications canadiennes

Ottawa, Canada K1A 0N2

Telephone | Téléphone 1-877-249-2782 / TTY | ATS 1-877-909-CRTC (2782)

Outside Canada | Hors Canada 819-997-0313 / TTY | ATS 819-994-0423

Facsimile / Télécopieur 819-994-0218

Government of Canada | Gouvernement du Canada

<http://www.crtc.gc.ca>

Follow us on Twitter <https://twitter.com/CRTCeng> | Suivez-nous sur Twitter (@CRTCfra):

<https://twitter.com/CRTCfra>

Like us on Facebook: <http://www.facebook.com/crtceng> | Aimez-nous sur Facebook : <http://www.facebook.com/crtcfra>

bcc: CBC

03/02/2017

CBC Radio-Canada Mail - FW: CRTC référence: 744927

CBC  Radio-Canada

DANIELLE BRUNET &lt;danielle.brunet@cbc.ca&gt;

**FW: CRTC référence: 744927**

1 message

**Proulx, Chantal** <chantal.proulx@crtc.gc.ca>  
 To: "danielle.brunet@cbc.ca" <danielle.brunet@cbc.ca>

Thu, Jun 30, 2016 at 2:38 PM

Bonjour Danielle,

Est-ce que tu pourrais me le faire parvenir à mon courriel personnel s.t.p.?

Ce serait bien apprécié. Merci

Chantal ☺

**From:** danielle.brunet@cbc.ca [mailto:danielle.brunet@cbc.ca] **On Behalf Of** Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires  
**Sent:** June-30-16 2:28 PM  
**To:** CRTC DONOTRESPOND/NEPASREpondRE <crtcndonotrespond@crtc.gc.ca>  
**Subject:** Re: CRTC référence: 744927

Bonjour Chantal,

Nous avons déjà répondu à cette plainte le 21 juin 2016.

Merci

Danielle

2016-06-30 14:19 GMT-04:00 CRTC DONOTRESPOND/NEPASREpondRE &lt;crtcndonotrespond@crtc.gc.ca&gt;:

**Objet: RAPPEL À RADIO-CANADA DU CRTC – NOUS ATTENDONS VOTRE RÉPONSE**

En référence à notre demande du 8 juin 2016, nous n'avons pas reçu votre réponse à une plainte déposée par  
 Vous trouverez ci-jointes toutes les communications liées à ce dossier.

Veuillez nous soumettre votre réponse d'ici 10 jours civils. Une copie de la plainte de et des  
 communications connexes a été versée à votre dossier public du CRTC.

Les copies des réponses électroniques donnant suite aux plaintes devraient inclure notre numéro de référence et être  
 transmises à [REPLIES@CRTC.GC.CA](mailto:REPLIES@CRTC.GC.CA)

Je vous remercie de l'attention que vous accordez à cette question.

03/02/2017

CBC Radio-Canada Mail - FW: CRTC référence: 744927

Salutations,

Chantal Proulx

Services à la clientèle | Client Services

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and  
Telecommunications Commission

Ottawa, Canada K1A 0N2

Téléphone | Telephone 1-877-249-2782 / ATS | TTY 1-877-909-CRTC (2782)

Hors Canada | Outside Canada 819-997-0313 / ATS | TTY 819-994-0423

Télécopieur | Facsimile 819-994-0218

Gouvernement du Canada | Government of Canada

<http://www.crtc.gc.ca>Suivez-nous sur Twitter (@CRTCfra): <https://twitter.com/CRTCfra> | Follow us on Twitter<https://twitter.com/CRTCeng>Aimez-nous sur Facebook : <http://www.facebook.com/crtcfra> | Like us on Facebook: <http://www.facebook.com/crtceng>**bcc : Radio-Canada**

----- Forwarded message -----

From: "CRTC DONOTRESPOND/NEPASREPENDRE" <[crtcdonotrespond@crtc.gc.ca](mailto:crtcdonotrespond@crtc.gc.ca)>

To:

Cc:

Date: Wed, 8 Jun 2016 13:30:25 +0000

Subject: CRTC référence: 744927

Bonjour monsieur

Le CCNR a transféré votre dossier au CRTC au sujet d'une émission diffusée à Radio-Canada.

Bien que le CRTC supervise et réglemente le système de radiodiffusion canadien, la *Loi sur la radiodiffusion* qui nous confère notre mandat tient les radiodiffuseurs responsables du choix, du contenu et de la mise à l'horaire de toutes les émissions. La Loi ne confère pas au CRTC le droit de modifier ni de censurer la programmation.

Étant donné vos préoccupations, je demande à la Société Radio-Canada, par copie de la présente, de vous répondre directement dans les 20 jours civils et de nous transmettre copie de sa réponse aux fins d'examen. Je demande aussi à la titulaire de licence de conserver une copie audio/vidéo de l'émission jusqu'à ce que l'étude de votre plainte soit terminée. Si le personnel du CRTC devait conclure, au terme de son examen, que d'autres mesures réglementaires s'imposent, nous vous en informerons.

Veillez noter qu'après 21 jours civils suivant la date de la présente, votre plainte, ainsi que toute correspondance connexe, sera versée au dossier public de la Société Radio-Canada. Ces renseignements servent à évaluer le rendement du radiodiffuseur lors du renouvellement de sa licence. Les parties intéressées peuvent consulter le dossier en tout temps.

Conformément à vos droits en vertu de la *Loi sur la protection des renseignements personnels*, vous pouvez refuser que votre correspondance soit versée au dossier public. Si vous souhaitez vous prévaloir de ce droit, veuillez communiquer avec nous d'ici trois semaines pour nous en aviser. À cette fin, vous pouvez utiliser le lien fourni ci-après, nous poster une lettre, nous envoyer un message par télécopieur ou nous téléphoner, en prenant soin de citer notre numéro de référence. Il importe de préciser que le CRTC ne pourra pas traiter votre plainte si la correspondance n'est pas entièrement du domaine public et considérera votre plainte comme ayant été retirée.

Pour obtenir de plus amples renseignements concernant notre processus de plaintes liées à la radiodiffusion, veuillez consulter la fiche info intitulée « Comment déposer une plainte relative à la radiodiffusion? » à [http://www.crtc.gc.ca/fra/info\\_sht/G8.htm](http://www.crtc.gc.ca/fra/info_sht/G8.htm)

Apprenez-en davantage à propos de votre CRTC : <https://youtu.be/0HwEtbW5qA>

NOTE IMPORTANTE : Pour répondre à ce message, veuillez cliquer sur le lien suivant, puis suivre les instructions : <https://applications.crtc.gc.ca/question/fra/formulaire-renseignements?lang=fr&caseid=744927&ke>

Salutations,

Chantal Proulx

Services à la clientèle | Client Services

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and  
Telecommunications Commission

Ottawa, Canada K1A 0N2

Téléphone | Telephone 1-877-249-2782 / ATS | TTY 1-877-909-CRTC (2782)

Hors Canada | Outside Canada 819-997-0313 / ATS | TTY 819-994-0423

Télécopieur | Facsimile 819-994-0218

Gouvernement du Canada | Government of Canada

<http://www.crtc.gc.ca>

Suivez-nous sur Twitter (@CRTCfra): <https://twitter.com/CRTCfra> | Follow us on Twitter

<https://twitter.com/CRTCeng>

Aimez-nous sur Facebook : <http://www.facebook.com/crtcfra> | Like us on Facebook: <http://www.facebook.com/crtceng>

bcc : La Société Radio-Canada

**NOTE POUR LA COMPAGNIE: LES COPIES ÉLECTRONIQUES DE RÉPONSES/RAPPORTS DOIVENT ÊTRE ENVOYÉES À: [REPLIES@CRTC.GC.CA](mailto:REPLIES@CRTC.GC.CA) - SVP INDIQUER NOTRE NUMÉRO DE RÉFÉRENCE.**

CBC  Radio-Canada

DANIELLE BRUNET <danielle.brunet@cbc.ca>

3

---

**RE: error corrected - CRTC Case ID: 748976**

1 message

---

**Edge, Michelle** <michelle.edge@crtc.gc.ca>  
To: "danielle.brunet@cbc.ca" <danielle.brunet@cbc.ca>

Thu, Aug 11, 2016 at 11:52 AM

Hi Danielle,

Thank you for letting me know of my error. I have corrected it.

All the best,

Michelle.

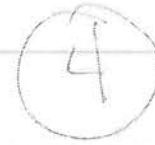
**From:** danielle.brunet@cbc.ca [mailto:danielle.brunet@cbc.ca] **On Behalf Of** Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires  
**Sent:** August-11-2016 7:27 AM  
**To:** CRTC Client Services/Services à la clientèle <Replies@crtc.gc.ca>  
**Subject:** Re: TELUS TV - CRTC Case ID: 748976

Good morning,

Please be advised this is not relevant to CBC.

Thank you,

Danielle



**Re: FW: CRTC référence: 746690**

1 message

**DANIELLE BRUNET** <danielle.brunet@cbc.ca>  
To: "Proulx, Chantal" <chantal.proulx@crtc.gc.ca>

Thu, Aug 25, 2016 at 9:44 AM

Morning Chantal,

No you are correct and still waiting for a reply from Chantal Gagnon. We have sent her another reminder that our deadline was past due.

Will keep you updated.

Danielle

Danielle Brunet  
Administrative Assistant, Corporate and Regulatory Affairs  
Adjointe administrative, Affaires institutionnelles et réglementaires  
CBC/Radio-Canada  
181, Queen Street/ 181, rue Queen  
Ottawa, ON K1P 1K9  
(613) 288-6258 / danielle.brunet@cbc.ca  
www.cbc.ca / www.radio-canada.ca

2016-08-25 9:42 GMT-04:00 Proulx, Chantal <chantal.proulx@crtc.gc.ca>:

Allô Danielle,

Me again.

Will you be sending a copy of CBC's response to us? by reading the emails below, it seems like we have not received a response from Chantal Gagnon to our reminders of August 4<sup>th</sup> and 23<sup>rd</sup>.

Sorry about all this confusion and thanks for your help.

Chantal

**From:** danielle.brunet@cbc.ca [mailto:danielle.brunet@cbc.ca] **On Behalf Of** Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires  
**Sent:** August-24-16 2:31 PM  
**To:** CRTC DONOTRESPOND/NEPASREPONDRE <crtcdonotrespond@crtc.gc.ca>  
**Subject:** Fwd: CRTC référence: 746690

PVI Chantal,

----- Forwarded message -----

From: **Chantale Gagnon** <[chantale.gagnon@radio-canada.ca](mailto:chantale.gagnon@radio-canada.ca)>

Date: 2016-08-24 14:17 GMT-04:00

Subject: Re: CRTC référence: 746690

To: Marie-Helaine Laurence <[marie-helaine.laurence@radio-canada.ca](mailto:marie-helaine.laurence@radio-canada.ca)>

Cc: Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires <[regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca)>, "Coupal, Danielle" <[danielle.coupal@radio-canada.ca](mailto:danielle.coupal@radio-canada.ca)>, Anne-Marie Migneault <[anne-marie.migneault@radio-canada.ca](mailto:anne-marie.migneault@radio-canada.ca)>

J'ai demandé plus de précisions, mais je n'ai pas eu de réponse, à moins qu'elle ait répondu à notre adresse réglementaire, comme elle avait fait la première fois ?

Je peux vous retransférer le message que je lui ai fait parvenir.

Chantale

**Chantale Gagnon**

PREMIÈRE CHEF

,

S

SERVICES DE DIFFUSION DES CONTENUS

Infrastructure et Services technologiques médias (ISTM)

T. : 514 597-6466 M. : 514 290-1511

[Redacted signature]

2016-08-24 13:29 GMT-04:00 Marie-Helaine Laurence <[marie-helaine.laurence@radio-canada.ca](mailto:marie-helaine.laurence@radio-canada.ca)>:

Bonjour Danielle,

J'attends toujours les précisions finales de Chantale Gagnon avant d'envoyer la réponse officielle de Radio-Canada.

Merci



MH

Le 24 août 2016 à 13:27, Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires <regulatoryaffairs@cbc.ca> a écrit :

Bonjour Marie-Helaine,

Have you replied to this yet????

Danielle

----- Forwarded message -----

From: **Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires**  
<regulatoryaffairs@cbc.ca>

Date: 2016-08-04 10:39 GMT-04:00

Subject: Fwd: CRTC référence: 746690

To: "Laurence, Marie-Helaine" <marie-helaine.laurence@radio-canada.ca>, Anne-Marie Migneault <anne-marie.migneault@radio-canada.ca>, "Coupal, Danielle" <danielle.coupal@radio-canada.ca>

Bonjour Marie-Helaine,

S'il vous plaît répondre.

Danielle

----- Forwarded message -----

From: **CRTC DONOTRESPOND/NEPASREPENDRE** <crtcdonotrespond@crtc.gc.ca>

Date: 2016-08-04 9:52 GMT-04:00

Subject: CRTC référence: 746690

To: '

**Objet: RAPPEL À RADIO-CANADA DU CRTC – NOUS ATTENDONS VOTRE RÉPONSE**

En référence à la réponse de madame le 21 juillet (voir document 5 en attachement), nous n'avons pas reçu votre réponse. Vous trouverez ci-jointes toutes les communications liées à ce dossier.

Veuillez nous soumettre votre réponse d'ici 10 jours civils.

Les copies des réponses électroniques donnant suite aux plaintes devraient inclure notre numéro de référence et être transmises à [REPLIES@CRTC.GC.CA](mailto:REPLIES@CRTC.GC.CA)

Je vous remercie de l'attention que vous accordez à cette question.

Salutations,

Chantal Proulx

Services à la clientèle | Client Services

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission

Ottawa, Canada K1A 0N2

Téléphone | Telephone 1-877-249-2782 / ATS | TTY 1-877-909-CRTC (2782)

Hors Canada | Outside Canada 819-997-0313 / ATS | TTY 819-994-0423

Télécopieur | Facsimile 819-994-0218

Gouvernement du Canada | Government of Canada

<http://www.crtc.gc.ca>

Suivez-nous sur Twitter (@CRTCfra): <https://twitter.com/CRTCfra> | Follow us on Twitter

<https://twitter.com/CRTCeng>

Aimez-nous sur Facebook : <http://www.facebook.com/crtcfr> | Like us on Facebook:

<http://www.facebook.com/crtceng>

cc : Radio-Canada

----- Forwarded message -----

From: "CRTC DONOTRESPOND/NEPASREPENDRE" <[crtcdonotrespond@crtc.gc.ca](mailto:crtcdonotrespond@crtc.gc.ca)>

To:

Cc:

Date: Wed, 6 Jul 2016 13:39:32 +0000

Subject: CRTC référence: 746690

Bonjour madame

Merci d'avoir communiqué avec nous au sujet du sous-titrage à Radio-Canada

Bien que le CRTC supervise et réglemente le système de radiodiffusion canadien, la *Loi sur la radiodiffusion* qui nous confère notre mandat tient les radiodiffuseurs responsables du choix, du contenu et de la mise à l'horaire de toutes les émissions. La Loi ne confère pas au CRTC le droit de modifier ni de censurer la programmation.

Étant donné vos préoccupations, je demande à la Société Radio-Canada, par copie de la présente, de vous répondre directement dans les 20 jours civils et de nous transmettre copie de sa réponse aux fins d'examen. Je demande aussi à la titulaire de licence de conserver une copie audio/vidéo de l'émission jusqu'à ce que l'étude de votre plainte soit terminée. Si le personnel du CRTC devait conclure, au terme de son examen, que d'autres mesures réglementaires s'imposent, nous vous en informerons.

Veillez noter qu'après 21 jours civils suivant la date de la présente, votre plainte, ainsi que toute correspondance connexe, sera versée au dossier public de la Société Radio-Canada. Ces renseignements servent à évaluer le rendement du radiodiffuseur lors du renouvellement de sa licence. Les parties intéressées peuvent consulter le dossier en tout temps.

Conformément à vos droits en vertu de la *Loi sur la protection des renseignements personnels*, vous pouvez refuser que votre correspondance soit versée au dossier public. Si vous souhaitez vous prévaloir de ce droit, veuillez communiquer avec nous d'ici trois semaines pour nous en aviser. À cette fin, vous pouvez utiliser le lien fourni ci-après, nous poster une lettre, nous envoyer un message par télécopieur ou nous téléphoner, en prenant soin de citer notre numéro de référence. Il importe de préciser que le CRTC ne pourra pas traiter votre plainte si la correspondance n'est pas entièrement du domaine public et considérera votre plainte comme ayant été retirée.

Pour obtenir de plus amples renseignements, vous pouvez consulter notre fiche info « Comment déposer une plainte relative à la radiodiffusion? » à [http://www.crtc.gc.ca/fra/info\\_sht/g8.htm](http://www.crtc.gc.ca/fra/info_sht/g8.htm)

Apprenez-en davantage à propos de votre CRTC : <https://youtu.be/0HwEtbW5qA>

**NOTE IMPORTANTE** : Pour répondre à ce message, veuillez cliquer sur le lien suivant, puis suivre les instructions : <https://applications.crtc.gc.ca/question/fra/formulaire-renseignements?lang=fr&caseid=746690&key>

Salutations,

Chantal Proulx

Services à la clientèle | Client Services

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission

Ottawa, Canada K1A 0N2

Téléphone | Telephone 1-877-249-2782 / ATS | TTY 1-877-909-CRTC (2782)

Hors Canada | Outside Canada 819-997-0313 / ATS | TTY 819-994-0423

Télécopieur | Facsimile 819-994-0218

Gouvernement du Canada | Government of Canada

03/02/2017 CBC Radio-Canada Mail - Re: FW: CRTC référence: 746690 - <https://mail.google.com/mail/u/0/?ui=2&ik=d94322c842&view=pt&q=crtc.gc.ca&qs=true...>

<http://www.crtc.gc.ca>

Suivez-nous sur Twitter (@CRTCfra): <https://twitter.com/CRTCfra> | Follow us on Twitter

<https://twitter.com/CRTCeng>

Aimez-nous sur Facebook : <http://www.facebook.com/crtcfra> | Like us on Facebook:

<http://www.facebook.com/crtceng>

bcc : Société Radio-Canada

NOTE POUR LA COMPAGNIE: LES COPIES ÉLECTRONIQUES DE RÉPONSES/RAPPORTS DOIVENT ÊTRE ENVOYÉES À: [REPLIES@CRTC.GC.CA](mailto:REPLIES@CRTC.GC.CA) - SVP INDIQUER NOTRE NUMÉRO DE RÉFÉRENCE.

----- Forwarded message -----

From: Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires  
<[regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca)>

To:

Cc: "CRTC Client Services/Services à la clientèle" <[Replies@crtc.gc.ca](mailto:Replies@crtc.gc.ca)>, Chantale Gagnon  
<[chantale.gagnon@radio-canada.ca](mailto:chantale.gagnon@radio-canada.ca)>

Date: Wed, 13 Jul 2016 20:21:50 +0000

Subject: Rép: CRTC référence: 746690

**Objet : Votre plainte au CRTC 746690**

Bonjour,

Le courriel que vous avez fait parvenir au Conseil de la radiodiffusion et des télécommunications canadiennes (CRTC) m'a été transmis afin que j'en assure le suivi. Dans ce courriel, vous portez plainte au sujet du sous-titrage pour malentendants lors du Téléjournal 18 h diffusé le 5 juillet dernier sur les ondes d'ICI Radio-Canada Télévision.

Nos vérifications indiquent qu'il y avait bel et bien du sous-titrage lors de la diffusion du Téléjournal concerné. Cependant nous avons besoin de plus amples informations de votre part afin de faire une enquête complète et de potentiellement trouver une solution. Pourriez-vous me contacter pour ne fournir diverses informations, par exemple :

- Quel votre fournisseur de signal satellite ou câblodistributeur ?
- Depuis quelle région vous nous captez ?
- Recevez-vous notre signal en HD (haute définition) ou SD (définition standard) ?

Je vous invite à me contacter au 514 597-6466 pour nous faire part de ces informations et répondre à d'autres questions. De cette façon, nous pourrions diagnostiquer plus facilement et rapidement la source du problème que vous avez éprouvé.

Dans l'attente d'une communication de votre part, je vous prie de recevoir, Mme  
salutations.

mes cordiales

Chantale Gagnon

Chef des opérations, Infrastructures Médias et Centre de diffusion

Radio-Canada

CG/MHL/db

----- Forwarded message -----

From: **CRTC DONOTRESPOND/NEPASREPENDRE** <[crtcdonotrespond@crtc.gc.ca](mailto:crtcdonotrespond@crtc.gc.ca)>  
 Date: 2016-07-06 9:39 GMT-04:00  
 Subject: CRTC référence: 746690  
 To:

Bonjour madame

Merci d'avoir communiqué avec nous au sujet du sous-titrage à Radio-Canada

Bien que le CRTC supervise et réglemente le système de radiodiffusion canadien, la *Loi sur la radiodiffusion* qui nous confère notre mandat tient les radiodiffuseurs responsables du choix, du contenu et de la mise à l'horaire de toutes les émissions. La Loi ne confère pas au CRTC le droit de modifier ni de censurer la programmation.

Étant donné vos préoccupations, je demande à la Société Radio-Canada, par copie de la présente, de vous répondre directement dans les 20 jours civils et de nous transmettre copie de sa réponse aux fins d'examen. Je demande aussi à la titulaire de licence de conserver une copie audio/vidéo de l'émission jusqu'à ce que l'étude de votre plainte soit terminée. Si le personnel du CRTC devait conclure, au terme de son examen, que d'autres mesures réglementaires s'imposent, nous vous en informerons.

Veillez noter qu'après 21 jours civils suivant la date de la présente, votre plainte, ainsi que toute correspondance connexe, sera versée au dossier public de la Société Radio-Canada. Ces renseignements servent à évaluer le rendement du radiodiffuseur lors du renouvellement de sa licence. Les parties intéressées peuvent consulter le dossier en tout temps.

Conformément à vos droits en vertu de la *Loi sur la protection des renseignements personnels*, vous pouvez refuser que votre correspondance soit versée au dossier public. Si vous souhaitez vous prévaloir de ce droit, veuillez communiquer avec nous d'ici trois semaines pour nous en aviser. À cette fin, vous pouvez utiliser le lien fourni ci-après, nous poster une lettre, nous envoyer un message par télécopieur ou nous téléphoner, en prenant soin de citer notre numéro de référence. Il importe de préciser que le CRTC ne pourra pas traiter votre plainte si la correspondance n'est pas entièrement du domaine public et considérera votre plainte comme ayant été retirée.

Pour obtenir de plus amples renseignements, vous pouvez consulter notre fiche info « Comment déposer une plainte relative à la radiodiffusion? » à [http://www.crtc.gc.ca/fra/info\\_sht/g8.htm](http://www.crtc.gc.ca/fra/info_sht/g8.htm)

Apprenez-en davantage à propos de votre CRTC : <https://youtu.be/0HwEtbW5qA>

NOTE IMPORTANTE : Pour répondre à ce message, veuillez cliquer sur le lien suivant, puis suivre les instructions : <https://applications.crtc.gc.ca/question/fra/formulaire-renseignements?lang=fr&caseid=746690&key=>

Salutations,

Chantal Proulx  
 Services à la clientèle | Client Services  
 Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and  
 Telecommunications Commission  
 Ottawa, Canada K1A 0N2  
 Téléphone | Telephone 1-877-249-2782 / ATS | TTY 1-877-909-CRTC (2782)  
 Hors Canada | Outside Canada 819-997-0313 / ATS | TTY 819-994-0423  
 Télécopieur | Facsimile 819-994-0218  
 Gouvernement du Canada | Government of Canada  
<http://www.crtc.gc.ca>  
 Suivez-nous sur Twitter (@CRTCfra): <https://twitter.com/CRTCfra> | Follow us on Twitter  
<https://twitter.com/CRTCeng>

03/02/2017 CBC Radio-Canada Mail - Re: FW: CRTC référence: 746690 - <https://mail.google.com/mail/u/0/?ui=2&ik=d94322c842&view=pt&q=crtc.gc.ca&qs=true...>

Aimez-nous sur Facebook : <http://www.facebook.com/crtcfra> | Like us on Facebook:  
<http://www.facebook.com/crtceng>

bcc : Société Radio-Canada

**NOTE POUR LA COMPAGNIE: LES COPIES ÉLECTRONIQUES DE RÉPONSES/RAPPORTS DOIVENT ÊTRE ENVOYÉES À: REPLIES@CRTC.GC.CA - SVP INDIQUER NOTRE NUMÉRO DE RÉFÉRENCE.**

----- Forwarded message -----

From: "CRTC DONOTRESPOND/NEPASREPENDRE" <crtcdonotrespond@crtc.gc.ca>  
 To:  
 Cc:  
 Date: Thu, 21 Jul 2016 17:49:53 +0000  
 Subject: CRTC référence: 746690

Bonjour madame

Avez-vous répondu aux questions demandées par Radio-Canada (s.v.p., voir le document 3 en attachement). Radio-Canada aurait besoin de cette information afin de procéder à l'analyse du problème et à l'élaboration d'une solution.

Merci

**NOTE IMPORTANTE :** Pour répondre à ce message, veuillez cliquer sur le lien suivant, puis suivre les instructions : <https://applications.crtc.gc.ca/question/fra/formulaire-renseignements?lang=fr&caseid=746690&key=43127.3349365741>

Salutations,

Chantal Proulx  
 Services à la clientèle | Client Services  
 Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission  
 Ottawa, Canada K1A 0N2  
 Téléphone | Telephone 1-877-249-2782 / ATS | TTY 1-877-909-CRTC (2782)  
 Hors Canada | Outside Canada 819-997-0313 / ATS | TTY 819-994-0423  
 Télécopieur | Facsimile 819-994-0218  
 Gouvernement du Canada | Government of Canada  
<http://www.crtc.gc.ca>  
 Suivez-nous sur Twitter (@CRTCfra): <https://twitter.com/CRTCfra> | Follow us on Twitter  
<https://twitter.com/CRTCeng>  
 Aimez-nous sur Facebook : <http://www.facebook.com/crtcfra> | Like us on Facebook:  
<http://www.facebook.com/crtceng>

----- Forwarded message -----

From: "CRTC DONOTRESPOND/NEPASREPENDRE" <crtcdonotrespond@crtc.gc.ca>  
 To:  
 Cc:  
 Date: Wed, 6 Jul 2016 13:39:32 +0000  
 Subject: CRTC référence: 746690

Bonjour madame

Merci d'avoir communiqué avec nous au sujet du sous-titrage à Radio-Canada

Bien que le CRTC supervise et réglemente le système de radiodiffusion canadien, la *Loi sur la radiodiffusion* qui nous confère notre mandat tient les radiodiffuseurs responsables du choix, du contenu et de la mise à l'horaire de toutes les émissions. La Loi ne confère pas au CRTC le droit de modifier ni de censurer la programmation.

Étant donné vos préoccupations, je demande à la Société Radio-Canada, par copie de la présente, de vous répondre directement dans les 20 jours civils et de nous transmettre copie de sa réponse aux fins d'examen. Je demande aussi à la titulaire de licence de conserver une copie audio/vidéo de l'émission jusqu'à ce que l'étude de votre plainte soit terminée. Si le personnel du CRTC devait conclure, au terme de son examen, que d'autres mesures réglementaires s'imposent, nous vous en informerons.

Veuillez noter qu'après 21 jours civils suivant la date de la présente, votre plainte, ainsi que toute correspondance connexe, sera versée au dossier public de la Société Radio-Canada. Ces renseignements servent à évaluer le rendement du radiodiffuseur lors du renouvellement de sa licence. Les parties intéressées peuvent consulter le dossier en tout temps.

Conformément à vos droits en vertu de la *Loi sur la protection des renseignements personnels*, vous pouvez refuser que votre correspondance soit versée au dossier public. Si vous souhaitez vous prévaloir de ce droit, veuillez communiquer avec nous d'ici trois semaines pour nous en aviser. À cette fin, vous pouvez utiliser le lien fourni ci-après, nous poster une lettre, nous envoyer un message par télécopieur ou nous téléphoner, en prenant soin de citer notre numéro de référence. Il importe de préciser que le CRTC ne pourra pas traiter votre plainte si la correspondance n'est pas entièrement du domaine public et considérera votre plainte comme ayant été retirée.

Pour obtenir de plus amples renseignements, vous pouvez consulter notre fiche info « Comment déposer une plainte relative à la radiodiffusion? » à [http://www.crtc.gc.ca/fra/info\\_sht/g8.htm](http://www.crtc.gc.ca/fra/info_sht/g8.htm)

Apprenez-en davantage à propos de votre CRTC : <https://youtu.be/0HwEtbW5qA>

NOTE IMPORTANTE : Pour répondre à ce message, veuillez cliquer sur le lien suivant, puis suivre les instructions : <https://applications.crtc.gc.ca/question/fra/formulaire-renseignements?lang=fr&caseid=746690&key>

Salutations,

Chantal Proulx

Services à la clientèle | Client Services

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and

Telecommunications Commission

Ottawa, Canada K1A 0N2

Téléphone | Telephone 1-877-249-2782 / ATS | TTY 1-877-909-CRTC (2782)

Hors Canada | Outside Canada 819-997-0313 / ATS | TTY 819-994-0423

Télécopieur | Facsimile 819-994-0218

Gouvernement du Canada | Government of Canada

<http://www.crtc.gc.ca>

Suivez-nous sur Twitter (@CRTCfra): <https://twitter.com/CRTCfra> | Follow us on Twitter

<https://twitter.com/CRTCeng>

Aimez-nous sur Facebook : <http://www.facebook.com/crtcfr> | Like us on Facebook:

<http://www.facebook.com/crtceng>

bcc : Société Radio-Canada

NOTE POUR LA COMPAGNIE: LES COPIES ÉLECTRONIQUES DE RÉPONSES/RAPPORTS DOIVENT ÊTRE ENVOYÉES À: [REPLIES@CRTC.GC.CA](mailto:REPLIES@CRTC.GC.CA) - SVP INDIQUER NOTRE NUMÉRO DE RÉFÉRENCE.

----- Forwarded message -----

From: Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires

<[regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca)>

To:

Cc: "CRTC Client Services/Services à la clientèle" <[Replies@crtc.gc.ca](mailto:Replies@crtc.gc.ca)>, Chantale Gagnon

<[chantale.gagnon@radio-canada.ca](mailto:chantale.gagnon@radio-canada.ca)>

03/02/2017 CBC Radio-Canada Mail - Re: FW: CRTC référence: 746690 - <https://mail.google.com/mail/u/0/?ui=2&ik=d94322c842&view=pt&q=crtc.gc.ca&qs=true...>

Date: Wed, 13 Jul 2016 20:21:50 +0000

Subject: Rép: CRTC référence: 746690

**Objet : Votre plainte au CRTC 746690**

Bonjour,

Le courriel que vous avez fait parvenir au Conseil de la radiodiffusion et des télécommunications canadiennes (CRTC) m'a été transmis afin que j'en assure le suivi. Dans ce courriel, vous portez plainte au sujet du sous-titrage pour malentendants lors du Téléjournal 18 h diffusé le 5 juillet dernier sur les ondes d'ICI Radio-Canada Télévision.

Nos vérifications indiquent qu'il y avait bel et bien du sous-titrage lors de la diffusion du Téléjournal concerné. Cependant nous avons besoin de plus amples informations de votre part afin de faire une enquête complète et de potentiellement trouver une solution. Pourriez-vous me contacter pour ne fournir diverses informations, par exemple :

- Quel votre fournisseur de signal satellite ou câblodistributeur ?
- Depuis quelle région vous nous captez ?
- Recevez-vous notre signal en HD (haute définition) ou SD (définition standard) ?

Je vous invite à me contacter au 514 597-6466 pour nous faire part de ces informations et répondre à d'autres questions. De cette façon, nous pourrions diagnostiquer plus facilement et rapidement la source du problème que vous avez éprouvé.

Dans l'attente d'une communication de votre part, je vous prie de recevoir, Mme Desbois, mes cordiales salutations.

Chantale Gagnon

Chef des opérations, Infrastructures Médias et Centre de diffusion

Radio-Canada

CG/MHL/db

----- Forwarded message -----

From: **CRTC DONOTRESPOND/NEPASREPONDRE** <crtcdonotrespond@crtc.gc.ca>

Date: 2016-07-06 9:39 GMT-04:00

Subject: CRTC référence: 746690

To:

Bonjour madame

Merci d'avoir communiqué avec nous au sujet du sous-titrage à Radio-Canada

Bien que le CRTC supervise et réglemente le système de radiodiffusion canadien, la *Loi sur la radiodiffusion* qui nous confère notre mandat tient les radiodiffuseurs responsables du choix, du contenu et de la mise à l'horaire de toutes les émissions. La Loi ne confère pas au CRTC le droit de modifier ni de censurer la programmation.

Étant donné vos préoccupations, je demande à la Société Radio-Canada, par copie de la présente, de vous répondre directement dans les 20 jours civils et de nous transmettre copie de sa réponse aux fins d'examen. Je demande aussi à la titulaire de licence de conserver une copie audio/vidéo de l'émission jusqu'à ce que l'étude de votre plainte soit terminée. Si le personnel du CRTC devait conclure, au terme de son examen, que d'autres mesures réglementaires s'imposent, nous vous en informerons.

Veillez noter qu'après 21 jours civils suivant la date de la présente, votre plainte, ainsi que toute correspondance connexe, sera versée au dossier public de la Société Radio-Canada. Ces renseignements servent à évaluer le rendement du radiodiffuseur lors du renouvellement de sa licence. Les parties intéressées peuvent consulter le dossier en tout temps.

Conformément à vos droits en vertu de la *Loi sur la protection des renseignements personnels*, vous pouvez refuser que votre correspondance soit versée au dossier public. Si vous souhaitez vous prévaloir de ce droit, veuillez communiquer avec nous d'ici trois semaines pour nous en aviser. À cette fin, vous pouvez utiliser le lien fourni ci-après, nous poster une lettre, nous envoyer un message par télécopieur ou nous téléphoner, en prenant soin de citer notre numéro de référence. Il importe de préciser que le CRTC ne pourra pas traiter votre plainte si la correspondance n'est pas entièrement du domaine public et considérera votre plainte comme ayant été retirée.

Pour obtenir de plus amples renseignements, vous pouvez consulter notre fiche info « Comment déposer une plainte relative à la radiodiffusion? » à [http://www.crtc.gc.ca/fra/info\\_sht/g8.htm](http://www.crtc.gc.ca/fra/info_sht/g8.htm)

Apprenez-en davantage à propos de votre CRTC : <https://youtu.be/0HwEtbW5qA>

**NOTE IMPORTANTE :** Pour répondre à ce message, veuillez cliquer sur le lien suivant, puis suivre les instructions : <https://applications.crtc.gc.ca/question/fra/formulaire-renseignements?lang=fr&caseid=746690&key:>

Salutations,

Chantal Proulx

Services à la clientèle | Client Services

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission

Ottawa, Canada K1A 0N2

Téléphone | Telephone 1-877-249-2782 / ATS | TTY 1-877-909-CRTC (2782)

Hors Canada | Outside Canada 819-997-0313 / ATS | TTY 819-994-0423

Télécopieur | Facsimile 819-994-0218

Gouvernement du Canada | Government of Canada

<http://www.crtc.gc.ca>

Suivez-nous sur Twitter (@CRTCfra) : <https://twitter.com/CRTCfra> | Follow us on Twitter

<https://twitter.com/CRTCeng>

Aimez-nous sur Facebook : <http://www.facebook.com/crtcfr> | Like us on Facebook:

<http://www.facebook.com/crtceng>

bcc : Société Radio-Canada

**NOTE POUR LA COMPAGNIE: LES COPIES ÉLECTRONIQUES DE RÉPONSES/RAPPORTS DOIVENT ÊTRE ENVOYÉES À: [REPLIES@CRTC.GC.CA](mailto:REPLIES@CRTC.GC.CA) - SVP INDIQUER NOTRE NUMÉRO DE RÉFÉRENCE.**

----- Forwarded message -----

From: "Oumzil, Sara" <[Sara.Oumzil@crtc.gc.ca](mailto:Sara.Oumzil@crtc.gc.ca)>

To: "Proulx, Chantal" <[chantal.proulx@crtc.gc.ca](mailto:chantal.proulx@crtc.gc.ca)>

Cc:



Date: Thu, 21 Jul 2016 19:30:10 +0000  
 Subject: FW: CRTC référence: 746690

**From:** [mailto:  
**Sent:** July-21-16 3:26 PM  
**To:** CRTC DONOTRESPOND/NEPASREPONDRE <crtcdonotrespond@crtc.gc.ca>  
**Subject:** CRTC référence: 746690

madame Proulx,

j ai reçu un courriel de madame Cyr travaillant chez Radio Canada. j Y ai répondu , tel que vous le voyez en attaché. plus tard j ai reçu un mail de radio canada, madame Gagnon. je n'y ai pas répondu parce que je pensais que les questions étaient les memes que madame Cyr. ( reçu la même journée a plus ou moins deux heures d'écart).

je viens de répondre à l'instant au courriel de madame Gagnon.

merci pour votre rappel.

----- Forwarded message -----

**From:**  
**To:** Claudine Cyr <claudine.cyr@radio-canada.ca>  
**Cc:**  
**Date:** Wed, 13 Jul 2016 11:14:12 -0400  
**Subject:** RE : Bulletin de 18h30

Bonjour il s agissait du journal tv pour

Merci

Envoyé depuis mon appareil Samsung

<br><br>----- Message d'origine -----<br>De : Claudine Cyr &lt;claudine.cyr@radio-canada.ca>; <br>Date : 07/13/2016 08:58 (GMT-05:00) <br>À : <br>Objet : Bulletin de 18h30 <br><br>

Bonjour Madame

Serait-il possible de connaître votre région afin que je fasse le suivi sur votre note sur le STC du 5 juillet svp?

*Claudine Cyr*

Directrice, Planification et gestion de la Grille et diffusion TVG

et responsable de la promo croisée | **Radio-Canada**

T: 514-597-4889 Cell: 514-592-0829 | [claudine.cyr@radio-canada.ca](mailto:claudine.cyr@radio-canada.ca)

**Error! Filename not specified.**

Bonjour Madame

Serait-il possible de connaître votre région afin que je fasse le suivi sur votre note sur le STC du 5 juillet svp?

Claudine Cyr

Directrice, Planification et gestion de la Grille et diffusion TVG et responsable de la promo croisée | Radio-

Canada T: 514-597-4889 Cell: 514-592-0829 | [claudine.cyr@radio-canada.ca](mailto:claudine.cyr@radio-canada.ca)

----- Forwarded message -----

From:  
To:  
Cc:  
Date:  
Subject:  
QUFVNVAtdkpoY3JTaHB0cTE0cThPZzAwMDI=

----- Forwarded message -----

From:  
To:  
Cc:  
Date:  
Subject:  
QUFVNVAtdkpoY3JTaHB0cTE0cThPZzAwMDQ=

----- Forwarded message -----

From:  
To:  
Cc:  
Date:  
Subject:  
QUFVNVAtdkpoY3JTaHB0cTE0cThPZzAwMDY=

----- Forwarded message -----

From:  
To:  
Cc:  
Date:  
Subject:  
QUFVNVAtdkpoY3JTaHB0cTE0cThPZzAwMDg=

----- Forwarded message -----

From:

To:  
Cc:  
Date:  
Subject:  
QUFVNVAtdkpoY3JTaHB0cTE0cThPZzAwMTA=

----- Forwarded message -----

From:  
To:  
Cc:  
Date:  
Subject:  
QUFVNVAtdkpoY3JTaHB0cTE0cThPZzAwMTE=

----- Forwarded message -----

From:  
To:  
Cc:  
Date:  
Subject:  
QUFVNVAtdkpoY3JTaHB0cTE0cThPZzAwMTI=

----- Message transféré -----

From: "CRTC DONOTRESPOND/NEPASREPENDRE" <crtcdonotrespond@crtc.gc.ca>  
To:  
Cc:  
Date: Wed, 6 Jul 2016 13:39:32 +0000  
Subject: CRTC référence: 746690

Bonjour madame

Merci d'avoir communiqué avec nous au sujet du sous-titrage à Radio-Canada

Bien que le CRTC supervise et réglemente le système de radiodiffusion canadien, la *Loi sur la radiodiffusion* qui nous confère notre mandat tient les radiodiffuseurs responsables du choix, du contenu et de la mise à l'horaire de toutes les émissions. La Loi ne confère pas au CRTC le droit de modifier ni de censurer la programmation.

Étant donné vos préoccupations, je demande à la Société Radio-Canada, par copie de la présente, de vous répondre directement dans les 20 jours civils et de nous transmettre copie de sa réponse aux fins d'examen. Je demande aussi à la titulaire de licence de conserver une copie audio/vidéo de l'émission jusqu'à ce que l'étude de votre plainte soit terminée. Si le personnel du CRTC devait conclure, au terme de son examen, que d'autres mesures réglementaires s'imposent, nous vous en informerons.

Veillez noter qu'après 21 jours civils suivant la date de la présente, votre plainte, ainsi que toute correspondance connexe, sera versée au dossier public de la Société Radio-Canada. Ces renseignements servent à évaluer le rendement du radiodiffuseur lors du renouvellement de sa licence. Les parties intéressées peuvent consulter le dossier en tout temps.

Conformément à vos droits en vertu de la *Loi sur la protection des renseignements personnels*, vous pouvez refuser que votre correspondance soit versée au dossier public. Si vous souhaitez vous prévaloir de ce droit, veuillez communiquer avec nous d'ici trois semaines pour nous en aviser. À cette fin, vous pouvez utiliser le lien fourni ci-après, nous poster une lettre, nous envoyer un message par télécopieur ou nous téléphoner, en prenant soin de citer notre numéro de référence. Il importe de préciser que le CRTC ne pourra pas traiter votre plainte si la correspondance n'est pas entièrement du domaine public et considérera votre plainte comme ayant été retirée.

Pour obtenir de plus amples renseignements, vous pouvez consulter notre fiche info « Comment déposer une plainte relative à la radiodiffusion? » à [http://www.crtc.gc.ca/fra/info\\_sht/q8.htm](http://www.crtc.gc.ca/fra/info_sht/q8.htm)

Apprenez-en davantage à propos de votre CRTC : <https://youtu.be/0HwEtbW5qA>

NOTE IMPORTANTE : Pour répondre à ce message, veuillez cliquer sur le lien suivant, puis suivre les

instructions : <https://applications.crtc.gc.ca/question/fra/formulaire-enseignements?lang=fr&caseid=746690&key=43127.3349365741>

s.19(1)

Salutations,

Chantal Proulx

Services à la clientèle | Client Services

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission

Ottawa, Canada K1A 0N2

Téléphone | Telephone 1-877-249-2782 / ATS | TTY 1-877-909-CRTC (2782)

Hors Canada | Outside Canada 819-997-0313 / ATS | TTY 819-994-0423

Télécopieur | Facsimile 819-994-0218

Gouvernement du Canada | Government of Canada

<http://www.crtc.gc.ca>

Suivez-nous sur Twitter (@CRTCfra): <https://twitter.com/CRTCfra> | Follow us on Twitter

<https://twitter.com/CRTCeng>

Aimez-nous sur Facebook : <http://www.facebook.com/crtcfr> | Like us on Facebook:

<http://www.facebook.com/crtceng>

bcc : Société Radio-Canada

NOTE POUR LA COMPAGNIE: LES COPIES ÉLECTRONIQUES DE RÉPONSES/RAPPORTS DOIVENT ÊTRE ENVOYÉES À: [REPLIES@CRTC.GC.CA](mailto:REPLIES@CRTC.GC.CA) - SVP INDIQUER NOTRE NUMÉRO DE RÉFÉRENCE.

----- Message transféré -----

From: Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires  
<[regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca)>

To:

Cc: "CRTC Client Services/Services à la clientèle" <[Replies@crtc.gc.ca](mailto:Replies@crtc.gc.ca)>, Chantale Gagnon  
<[chantale.gagnon@radio-canada.ca](mailto:chantale.gagnon@radio-canada.ca)>

Date: Wed, 13 Jul 2016 20:21:50 +0000

Subject: Rép: CRTC référence: 746690

**Objet : Votre plainte au CRTC 746690**

Bonjour,

Le courriel que vous avez fait parvenir au Conseil de la radiodiffusion et des télécommunications canadiennes (CRTC) m'a été transmis afin que j'en assure le suivi. Dans ce courriel, vous portez plainte au sujet du sous-titrage pour malentendants lors du Téléjournal 18 h diffusé le 5 juillet dernier sur les ondes d'ICI Radio-Canada Télévision.

Nos vérifications indiquent qu'il y avait bel et bien du sous-titrage lors de la diffusion du Téléjournal concerné. Cependant nous avons besoin de plus amples informations de votre part afin de faire une enquête complète et de potentiellement trouver une solution. Pourriez-vous me contacter pour ne fournir diverses informations, par exemple :

- Quel votre fournisseur de signal satellite ou câblodistributeur ?
- Depuis quelle région vous nous captez ?
- Recevez-vous notre signal en HD (haute définition) ou SD (définition standard) ?

03/02/2017 CBC Radio-Canada Mail - Re: FW: CRTC référence: 746690 - <https://mail.google.com/mail/u/0/?ui=2&ik=d94322c842&view=pt&q=crtc.gc.ca&qs=true...>

Je vous invite à me contacter au 514 597-6466 pour nous faire part de ces informations et répondre à d'autres questions. De cette façon, nous pourrions diagnostiquer plus facilement et rapidement la source du problème que vous avez éprouvé.

Dans l'attente d'une communication de votre part, je vous prie de recevoir, Mme mes cordiales salutations.

Chantale Gagnon

Chef des opérations, Infrastructures Médias et Centre de diffusion

Radio-Canada

CG/MHL/db

----- Forwarded message -----

From: **CRTC DONOTRESPOND/NEPASREPONDRE** <crtcdonotrespond@crtc.gc.ca>

Date: 2016-07-06 9:39 GMT-04:00

Subject: CRTC référence: 746690

To:

Bonjour madame

Merci d'avoir communiqué avec nous au sujet du sous-titrage à Radio-Canada

Bien que le CRTC supervise et réglemente le système de radiodiffusion canadien, la *Loi sur la radiodiffusion* qui nous confère notre mandat tient les radiodiffuseurs responsables du choix, du contenu et de la mise à l'horaire de toutes les émissions. La Loi ne confère pas au CRTC le droit de modifier ni de censurer la programmation.

Étant donné vos préoccupations, je demande à la Société Radio-Canada, par copie de la présente, de vous répondre directement dans les 20 jours civils et de nous transmettre copie de sa réponse aux fins d'examen. Je demande aussi à la titulaire de licence de conserver une copie audio/vidéo de l'émission jusqu'à ce que l'étude de votre plainte soit terminée. Si le personnel du CRTC devait conclure, au terme de son examen, que d'autres mesures réglementaires s'imposent, nous vous en informerons.

Veillez noter qu'après 21 jours civils suivant la date de la présente, votre plainte, ainsi que toute correspondance connexe, sera versée au dossier public de la Société Radio-Canada. Ces renseignements servent à évaluer le rendement du radiodiffuseur lors du renouvellement de sa licence. Les parties intéressées peuvent consulter le dossier en tout temps.

Conformément à vos droits en vertu de la *Loi sur la protection des renseignements personnels*, vous pouvez refuser que votre correspondance soit versée au dossier public. Si vous souhaitez vous prévaloir de ce droit, veuillez communiquer avec nous d'ici trois semaines pour nous en aviser. À cette fin, vous pouvez utiliser le lien fourni ci-après, nous poster une lettre, nous envoyer un message par télécopieur ou nous téléphoner, en prenant soin de citer notre numéro de référence. Il importe de préciser que le CRTC ne pourra pas traiter votre plainte si la correspondance n'est pas entièrement du domaine public et considérera votre plainte comme ayant été retirée.

Pour obtenir de plus amples renseignements, vous pouvez consulter notre fiche info « Comment déposer une plainte relative à la radiodiffusion? » à [http://www.crtc.gc.ca/fra/info\\_sht/g8.htm](http://www.crtc.gc.ca/fra/info_sht/g8.htm)

Apprenez-en davantage à propos de votre CRTC : <https://youtu.be/0HwEtbW5qA>

**NOTE IMPORTANTE** : Pour répondre à ce message, veuillez cliquer sur le lien suivant, puis suivre les instructions : <https://applications.crtc.gc.ca/question/fra/formulaire-renseignements?lang=fr&caseid=7466>

90&amp;key=

Salutations,

Chantal Proulx

Services à la clientèle | Client Services

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and  
Telecommunications Commission

Ottawa, Canada K1A 0N2

Téléphone | Telephone 1-877-249-2782 / ATS | TTY 1-877-909-CRTC (2782)

Hors Canada | Outside Canada 819-997-0313 / ATS | TTY 819-994-0423

Télécopieur | Facsimile 819-994-0218

Gouvernement du Canada | Government of Canada

<http://www.crtc.gc.ca>Suivez-nous sur Twitter (@CRTCfra): <https://twitter.com/CRTCfra> | Follow us on Twitter<https://twitter.com/CRTCeng>Aimez-nous sur Facebook : <http://www.facebook.com/crtcgra> | Like us on Facebook:<http://www.facebook.com/crtceng>

bcc : Société Radio-Canada

**NOTE POUR LA COMPAGNIE: LES COPIES ÉLECTRONIQUES DE RÉPONSES/RAPPORTS DOIVENT  
ÊTRE ENVOYÉES À: [REPLIES@CRTC.GC.CA](mailto:REPLIES@CRTC.GC.CA) - SVP INDIQUER NOTRE NUMÉRO DE RÉFÉRENCE.**

----- Message transféré -----

From: "CRTC DONOTRESPOND/NEPASREPENDRE" <[crtcdonotrespond@crtc.gc.ca](mailto:crtcdonotrespond@crtc.gc.ca)>

To:

Cc:

Date: Wed, 6 Jul 2016 13:39:32 +0000

Subject: CRTC référence: 746690

Bonjour madame

Merci d'avoir communiqué avec nous au sujet du sous-titrage à Radio-Canada

Bien que le CRTC supervise et réglemente le système de radiodiffusion canadien, la *Loi sur la radiodiffusion* qui nous confère notre mandat tient les radiodiffuseurs responsables du choix, du contenu et de la mise à l'horaire de toutes les émissions. La Loi ne confère pas au CRTC le droit de modifier ni de censurer la programmation.

Étant donné vos préoccupations, je demande à la Société Radio-Canada, par copie de la présente, de vous répondre directement dans les 20 jours civils et de nous transmettre copie de sa réponse aux fins d'examen. Je demande aussi à la titulaire de licence de conserver une copie audio/vidéo de l'émission jusqu'à ce que l'étude de votre plainte soit terminée. Si le personnel du CRTC devait conclure, au terme de son examen, que d'autres mesures réglementaires s'imposent, nous vous en informerons.

Veillez noter qu'après 21 jours civils suivant la date de la présente, votre plainte, ainsi que toute correspondance connexe, sera versée au dossier public de la Société Radio-Canada. Ces renseignements servent à évaluer le rendement du radiodiffuseur lors du renouvellement de sa licence. Les parties intéressées peuvent consulter le dossier en tout temps.

Conformément à vos droits en vertu de la *Loi sur la protection des renseignements personnels*, vous pouvez refuser que votre correspondance soit versée au dossier public. Si vous souhaitez vous prévaloir de ce droit, veuillez communiquer avec nous d'ici trois semaines pour nous en aviser. À cette fin, vous pouvez utiliser le lien fourni ci-après, nous poster une lettre, nous envoyer un message par télécopieur ou nous téléphoner, en prenant soin de citer notre numéro de référence. Il importe de préciser que le CRTC ne pourra pas traiter votre plainte si la correspondance n'est pas entièrement du domaine public et considérera votre plainte comme ayant été retirée.

Pour obtenir de plus amples renseignements, vous pouvez consulter notre fiche info « Comment déposer une plainte relative à la radiodiffusion? » à [http://www.crtc.gc.ca/fra/info\\_sht/g8.htm](http://www.crtc.gc.ca/fra/info_sht/g8.htm)

Apprenez-en davantage à propos de votre CRTC : <https://youtu.be/0HwEtbtW5qA>

NOTE IMPORTANTE : Pour répondre à ce message, veuillez cliquer sur le lien suivant, puis suivre les instructions : <https://applications.crtc.gc.ca/question/fra/formulaire-renseignements?lang=fr&caseid=746690&key=>

Salutations,

Chantal Proulx

Services à la clientèle | Client Services

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission

Ottawa, Canada K1A 0N2

Téléphone | Telephone 1-877-249-2782 / ATS | TTY 1-877-909-CRTC (2782)

Hors Canada | Outside Canada 819-997-0313 / ATS | TTY 819-994-0423

Télécopieur | Facsimile 819-994-0218

Gouvernement du Canada | Government of Canada

<http://www.crtc.gc.ca>

Suivez-nous sur Twitter (@CRTCfra): <https://twitter.com/CRTCfra> | Follow us on Twitter

<https://twitter.com/CRTCeng>

Aimez-nous sur Facebook : <http://www.facebook.com/crtcfr> | Like us on Facebook:

<http://www.facebook.com/crtceng>

bcc : Société Radio-Canada

NOTE POUR LA COMPAGNIE: LES COPIES ÉLECTRONIQUES DE RÉPONSES/RAPPORTS DOIVENT ÊTRE ENVOYÉES À: [REPLIES@CRTC.GC.CA](mailto:REPLIES@CRTC.GC.CA) - SVP INDIQUER NOTRE NUMÉRO DE RÉFÉRENCE.

----- Message transféré -----

From: Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires  
<[regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca)>

To:

Cc: "CRTC Client Services/Services à la clientèle" <[Replies@crtc.gc.ca](mailto:Replies@crtc.gc.ca)>, Chantale Gagnon  
<[chantale.gagnon@radio-canada.ca](mailto:chantale.gagnon@radio-canada.ca)>

Date: Wed, 13 Jul 2016 20:21:50 +0000

Subject: Rép: CRTC référence: 746690

**Objet : Votre plainte au CRTC 746690**

Bonjour,

Le courriel que vous avez fait parvenir au Conseil de la radiodiffusion et des télécommunications canadiennes (CRTC) m'a été transmis afin que j'en assure le suivi. Dans ce courriel, vous portez plainte au sujet du sous-titrage pour malentendants lors du Téléjournal 18 h diffusé le 5 juillet dernier sur les ondes d'ICI Radio-Canada Télévision.

Nos vérifications indiquent qu'il y avait bel et bien du sous-titrage lors de la diffusion du Téléjournal concerné. Cependant nous avons besoin de plus amples informations de votre part afin de faire une enquête complète et de potentiellement trouver une solution. Pourriez-vous me contacter pour ne fournir diverses informations, par exemple :

- Quel votre fournisseur de signal satellite ou câblodistributeur ?
- Depuis quelle région vous nous captez ?
- Recevez-vous notre signal en HD (haute définition) ou SD (définition standard) ?

Je vous invite à me contacter au 514 597-6466 pour nous faire part de ces informations et répondre à d'autres questions. De cette façon, nous pourrions diagnostiquer plus facilement et rapidement la source du problème que vous avez éprouvé.

Dans l'attente d'une communication de votre part, je vous prie de recevoir, Mme mes cordiales salutations.

Chantale Gagnon

Chef des opérations, Infrastructures Médias et Centre de diffusion

Radio-Canada

CG/MHL/db

----- Forwarded message -----

From: **CRTC DONOTRESPOND/NEPASREPENDRE** <crtcdonotrespond@crtc.gc.ca>  
 Date: 2016-07-06 9:39 GMT-04:00  
 Subject: CRTC référence: 746690  
 To:

Bonjour madame

Merci d'avoir communiqué avec nous au sujet du sous-titrage à Radio-Canada

Bien que le CRTC supervise et réglemente le système de radiodiffusion canadien, la *Loi sur la radiodiffusion* qui nous confère notre mandat tient les radiodiffuseurs responsables du choix, du contenu et de la mise à l'horaire de toutes les émissions. La Loi ne confère pas au CRTC le droit de modifier ni de censurer la programmation.

Étant donné vos préoccupations, je demande à la Société Radio-Canada, par copie de la présente, de vous répondre directement dans les 20 jours civils et de nous transmettre copie de sa réponse aux fins d'examen. Je demande aussi à la titulaire de licence de conserver une copie audio/vidéo de l'émission jusqu'à ce que l'étude de votre plainte soit terminée. Si le personnel du CRTC devait conclure, au terme de son examen, que d'autres mesures réglementaires s'imposent, nous vous en informerons.

Veillez noter qu'après 21 jours civils suivant la date de la présente, votre plainte, ainsi que toute correspondance connexe, sera versée au dossier public de la Société Radio-Canada. Ces renseignements servent à évaluer le rendement du radiodiffuseur lors du renouvellement de sa licence. Les parties intéressées peuvent consulter le dossier en tout temps.

Conformément à vos droits en vertu de la *Loi sur la protection des renseignements personnels*, vous pouvez refuser que votre correspondance soit versée au dossier public. Si vous souhaitez vous prévaloir de ce droit, veuillez communiquer avec nous d'ici trois semaines pour nous en aviser. À cette fin, vous pouvez utiliser le lien fourni ci-après, nous poster une lettre, nous envoyer un message par télécopieur ou nous téléphoner, en prenant soin de citer notre numéro de référence. Il importe de préciser que le CRTC ne pourra pas traiter votre plainte si la correspondance n'est pas entièrement du domaine public et considérera votre plainte comme ayant été retirée.

Pour obtenir de plus amples renseignements, vous pouvez consulter notre fiche info « Comment déposer une plainte relative à la radiodiffusion? » à [http://www.crtc.gc.ca/fra/info\\_sht/g8.htm](http://www.crtc.gc.ca/fra/info_sht/g8.htm)

Apprenez-en davantage à propos de votre CRTC : <https://youtu.be/0HwEtbW5qA>



03/02/2017 CBC Radio-Canada Mail - Re: FW: CRTC référence: 746690 - <https://mail.google.com/mail/u/0/?ui=2&ik=d94322c842&view=pt&q=crtc.gc.ca&qs=true...>

**NOTE IMPORTANTE :** Pour répondre à ce message, veuillez cliquer sur le lien suivant, puis suivre les instructions : <https://applications.crtc.gc.ca/question/fra/formulaire-renseignements?lang=fr&caseid=746690&key=43127.3349365741>

Salutations,

Chantal Proulx

Services à la clientèle | Client Services

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission

Ottawa, Canada K1A 0N2

Téléphone | Telephone 1-877-249-2782 / ATS | TTY 1-877-909-CRTC (2782)

Hors Canada | Outside Canada 819-997-0313 / ATS | TTY 819-994-0423

Télécopieur | Facsimile 819-994-0218

Gouvernement du Canada | Government of Canada

<http://www.crtc.gc.ca>

Suivez-nous sur Twitter (@CRTCfra): <https://twitter.com/CRTCfra> | Follow us on Twitter

<https://twitter.com/CRTCeng>

Aimez-nous sur Facebook : <http://www.facebook.com/crtcfr> | Like us on Facebook:

<http://www.facebook.com/crtceng>

bcc : Société Radio-Canada

**NOTE POUR LA COMPAGNIE: LES COPIES ÉLECTRONIQUES DE RÉPONSES/RAPPORTS DOIVENT ÊTRE ENVOYÉES À: [REPLIES@CRTC.GC.CA](mailto:REPLIES@CRTC.GC.CA) - SVP INDIQUER NOTRE NUMÉRO DE RÉFÉRENCE.**

----- Message transféré -----

From: "CRTC DONOTRESPOND/NEPASREPONDRE" <[crtcndonotrespond@crtc.gc.ca](mailto:crtcndonotrespond@crtc.gc.ca)>

To:

Cc:

Date: Thu, 21 Jul 2016 17:49:53 +0000

Subject: CRTC référence: 746690

Bonjour madame

Avez-vous répondu aux questions demandées par Radio-Canada (s.v.p., voir le document 3 en attachement). Radio-Canada aurait besoin de cette information afin de procéder à l'analyse du problème et à l'élaboration d'une solution.

Merci

**NOTE IMPORTANTE :** Pour répondre à ce message, veuillez cliquer sur le lien suivant, puis suivre les instructions : <https://applications.crtc.gc.ca/question/fra/formulaire-renseignements?lang=fr&caseid=746690&key=>

Salutations,

Chantal Proulx

Services à la clientèle | Client Services

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission

Ottawa, Canada K1A 0N2

Téléphone | Telephone 1-877-249-2782 / ATS | TTY 1-877-909-CRTC (2782)

Hors Canada | Outside Canada 819-997-0313 / ATS | TTY 819-994-0423

Télécopieur | Facsimile 819-994-0218  
 Gouvernement du Canada | Government of Canada  
<http://www.crtc.gc.ca>  
 Suivez-nous sur Twitter (@CRTCfra): <https://twitter.com/CRTCfra> | Follow us on Twitter  
<https://twitter.com/CRTCeng>  
 Aimez-nous sur Facebook : <http://www.facebook.com/crtcfra> | Like us on Facebook:  
<http://www.facebook.com/crtceng>

----- Message transféré -----

From: "CRTC DONOTRESPOND/NEPASREPONDRE" <[crtcdonotrespond@crtc.gc.ca](mailto:crtcdonotrespond@crtc.gc.ca)>

To:

Cc:

Date: Wed, 6 Jul 2016 13:39:32 +0000

Subject: CRTC référence: 746690

Bonjour madame

Merci d'avoir communiqué avec nous au sujet du sous-titrage à Radio-Canada

Bien que le CRTC supervise et réglemente le système de radiodiffusion canadien, la *Loi sur la radiodiffusion* qui nous confère notre mandat tient les radiodiffuseurs responsables du choix, du contenu et de la mise à l'horaire de toutes les émissions. La Loi ne confère pas au CRTC le droit de modifier ni de censurer la programmation.

Étant donné vos préoccupations, je demande à la Société Radio-Canada, par copie de la présente, de vous répondre directement dans les 20 jours civils et de nous transmettre copie de sa réponse aux fins d'examen. Je demande aussi à la titulaire de licence de conserver une copie audio/vidéo de l'émission jusqu'à ce que l'étude de votre plainte soit terminée. Si le personnel du CRTC devait conclure, au terme de son examen, que d'autres mesures réglementaires s'imposent, nous vous en informerons.

Veillez noter qu'après 21 jours civils suivant la date de la présente, votre plainte, ainsi que toute correspondance connexe, sera versée au dossier public de la Société Radio-Canada. Ces renseignements servent à évaluer le rendement du radiodiffuseur lors du renouvellement de sa licence. Les parties intéressées peuvent consulter le dossier en tout temps.

Conformément à vos droits en vertu de la *Loi sur la protection des renseignements personnels*, vous pouvez refuser que votre correspondance soit versée au dossier public. Si vous souhaitez vous prévaloir de ce droit, veuillez communiquer avec nous d'ici trois semaines pour nous en aviser. À cette fin, vous pouvez utiliser le lien fourni ci-après, nous poster une lettre, nous envoyer un message par télécopieur ou nous téléphoner, en prenant soin de citer notre numéro de référence. Il importe de préciser que le CRTC ne pourra pas traiter votre plainte si la correspondance n'est pas entièrement du domaine public et considérera votre plainte comme ayant été retirée.

Pour obtenir de plus amples renseignements, vous pouvez consulter notre fiche info « Comment déposer une plainte relative à la radiodiffusion? » à [http://www.crtc.gc.ca/fra/info\\_sht/g8.htm](http://www.crtc.gc.ca/fra/info_sht/g8.htm)

Apprenez-en davantage à propos de votre CRTC : <https://youtu.be/0HwEtbW5qA>

NOTE IMPORTANTE : Pour répondre à ce message, veuillez cliquer sur le lien suivant, puis suivre les instructions : <https://applications.crtc.gc.ca/question/fra/formulaire-renseignements?lang=fr&caseid=746690&key>

Salutations,

Chantal Proulx  
 Services à la clientèle | Client Services  
 Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission  
 Ottawa, Canada K1A 0N2  
 Téléphone | Telephone 1-877-249-2782 / ATS | TTY 1-877-909-CRTC (2782)  
 Hors Canada | Outside Canada 819-997-0313 / ATS | TTY 819-994-0423  
 Télécopieur | Facsimile 819-994-0218  
 Gouvernement du Canada | Government of Canada

<http://www.crtc.gc.ca>

Suivez-nous sur Twitter (@CRTCfra): <https://twitter.com/CRTCfra> | Follow us on Twitter

<https://twitter.com/CRTCeng>

Aimez-nous sur Facebook : <http://www.facebook.com/crtcgra> | Like us on Facebook:

<http://www.facebook.com/crtceng>

bcc : Société Radio-Canada

NOTE POUR LA COMPAGNIE: LES COPIES ÉLECTRONIQUES DE RÉPONSES/RAPPORTS DOIVENT ÊTRE ENVOYÉES À: [REPLIES@CRTC.GC.CA](mailto:REPLIES@CRTC.GC.CA) - SVP INDIQUER NOTRE NUMÉRO DE RÉFÉRENCE.

----- Message transféré -----

From: Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires  
<[regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca)>

To:

Cc: "CRTC Client Services/Services à la clientèle" <[Replies@crtc.gc.ca](mailto:Replies@crtc.gc.ca)>, Chantale Gagnon  
<[chantale.gagnon@radio-canada.ca](mailto:chantale.gagnon@radio-canada.ca)>

Date: Wed, 13 Jul 2016 20:21:50 +0000

Subject: Rép: CRTC référence: 746690

**Objet : Votre plainte au CRTC 746690**

Bonjour,

Le courriel que vous avez fait parvenir au Conseil de la radiodiffusion et des télécommunications canadiennes (CRTC) m'a été transmis afin que j'en assure le suivi. Dans ce courriel, vous portez plainte au sujet du sous-titrage pour malentendants lors du Téléjournal 18 h diffusé le 5 juillet dernier sur les ondes d'ICI Radio-Canada Télévision.

Nos vérifications indiquent qu'il y avait bel et bien du sous-titrage lors de la diffusion du Téléjournal concerné. Cependant nous avons besoin de plus amples informations de votre part afin de faire une enquête complète et de potentiellement trouver une solution. Pourriez-vous me contacter pour ne fournir diverses informations, par exemple :

- Quel votre fournisseur de signal satellite ou câblodistributeur ?
- Depuis quelle région vous nous captez ?
- Recevez-vous notre signal en HD (haute définition) ou SD (définition standard) ?

Je vous invite à me contacter au 514 597-6466 pour nous faire part de ces informations et répondre à d'autres questions. De cette façon, nous pourrions diagnostiquer plus facilement et rapidement la source du problème que vous avez éprouvé.

Dans l'attente d'une communication de votre part, je vous prie de recevoir, Mme

mes cordiales salutations.

Chantale Gagnon

Chef des opérations, Infrastructures Médias et Centre de diffusion

Radio-Canada

CG/MHL/db

----- Forwarded message -----

From: **CRTC DONOTRESPOND/NEPASREPENDRE** <[crtcdonotrespond@crtc.gc.ca](mailto:crtcdonotrespond@crtc.gc.ca)>  
 Date: 2016-07-06 9:39 GMT-04:00  
 Subject: CRTC référence: 746690  
 To:

Bonjour madame

Merci d'avoir communiqué avec nous au sujet du sous-titrage à Radio-Canada

Bien que le CRTC supervise et réglemente le système de radiodiffusion canadien, la *Loi sur la radiodiffusion* qui nous confère notre mandat tient les radiodiffuseurs responsables du choix, du contenu et de la mise à l'horaire de toutes les émissions. La Loi ne confère pas au CRTC le droit de modifier ni de censurer la programmation.

Étant donné vos préoccupations, je demande à la Société Radio-Canada, par copie de la présente, de vous répondre directement dans les 20 jours civils et de nous transmettre copie de sa réponse aux fins d'examen. Je demande aussi à la titulaire de licence de conserver une copie audio/vidéo de l'émission jusqu'à ce que l'étude de votre plainte soit terminée. Si le personnel du CRTC devait conclure, au terme de son examen, que d'autres mesures réglementaires s'imposent, nous vous en informerons.

Veillez noter qu'après 21 jours civils suivant la date de la présente, votre plainte, ainsi que toute correspondance connexe, sera versée au dossier public de la Société Radio-Canada. Ces renseignements servent à évaluer le rendement du radiodiffuseur lors du renouvellement de sa licence. Les parties intéressées peuvent consulter le dossier en tout temps.

Conformément à vos droits en vertu de la *Loi sur la protection des renseignements personnels*, vous pouvez refuser que votre correspondance soit versée au dossier public. Si vous souhaitez vous prévaloir de ce droit, veuillez communiquer avec nous d'ici trois semaines pour nous en aviser. À cette fin, vous pouvez utiliser le lien fourni ci-après, nous poster une lettre, nous envoyer un message par télécopieur ou nous téléphoner, en prenant soin de citer notre numéro de référence. Il importe de préciser que le CRTC ne pourra pas traiter votre plainte si la correspondance n'est pas entièrement du domaine public et considérera votre plainte comme ayant été retirée.

Pour obtenir de plus amples renseignements, vous pouvez consulter notre fiche info « Comment déposer une plainte relative à la radiodiffusion? » à [http://www.crtc.gc.ca/fra/info\\_sht/g8.htm](http://www.crtc.gc.ca/fra/info_sht/g8.htm)

Apprenez-en davantage à propos de votre CRTC : <https://youtu.be/0HwEtbW5qA>

NOTE IMPORTANTE : Pour répondre à ce message, veuillez cliquer sur le lien suivant, puis suivre les instructions : <https://applications.crtc.gc.ca/question/fra/formulaire-renseignements?lang=fr&caseid=746690&key=43127,3349365741>

Salutations,

Chantal Proulx

Services à la clientèle | Client Services

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and

Telecommunications Commission

Ottawa, Canada K1A 0N2

Téléphone | Telephone 1-877-249-2782 / ATS | TTY 1-877-909-CRTC (2782)

Hors Canada | Outside Canada 819-997-0313 / ATS | TTY 819-994-0423

Télécopieur | Facsimile 819-994-0218

Gouvernement du Canada | Government of Canada

<http://www.crtc.gc.ca>Suivez-nous sur Twitter (@CRTCfra): <https://twitter.com/CRTCfra> | Follow us on Twitter<https://twitter.com/CRTCeng>

Aimez-nous sur Facebook : <http://www.facebook.com/crtcfra> | Like us on Facebook:  
<http://www.facebook.com/crtceng>

bcc : Société Radio-Canada

NOTE POUR LA COMPAGNIE: LES COPIES ÉLECTRONIQUES DE RÉPONSES/RAPPORTS DOIVENT ÊTRE ENVOYÉES À: [REPLIES@CRTC.GC.CA](mailto:REPLIES@CRTC.GC.CA) - SVP INDIQUER NOTRE NUMÉRO DE RÉFÉRENCE.

----- Message transféré -----

From:  
 To: Claudine Cyr <[claudine.cyr@radio-canada.ca](mailto:claudine.cyr@radio-canada.ca)>  
 Cc:  
 Date: Wed, 13 Jul 2016 11:14:12 -0400  
 Subject: RE : Bulletin de 18h30

Bonjour il s agissait du journal tv pour

Merci

Envoyé depuis mon appareil Samsung

<br><br>----- Message d'origine -----<br>De : Claudine Cyr &lt;[claudine.cyr@radio-canada.ca](mailto:claudine.cyr@radio-canada.ca)>& ; <br>Date : 07/13/2016 08:58 (GMT-05:00) <br>À : <br>Objet : Bulletin de 18h30 <br><br>

Bonjour Madame

Serait-il possible de connaître votre région afin que je fasse le suivi sur votre note sur le STC du 5 juillet svp?

*Claudine Cyr*

Directrice, Planification et gestion de la Grille et diffusion TVG

et responsable de la promo croisée | **Radio-Canada**

T: 514-597-4889 Cell: 514-592-0829 | [claudine.cyr@radio-canada.ca](mailto:claudine.cyr@radio-canada.ca)

**Error! Filename not specified.**

Bonjour Madame

Serait-il possible de connaître votre région afin que je fasse le suivi sur votre note sur le STC du 5 juillet svp?

Claudine Cyr

Directrice, Planification et gestion de la Grille et diffusion TVGet responsable de la promo croisée | Radio-CanadaT: 514-597-4889 Cell: 514-592-0829 | [claudine.cyr@radio-canada.ca](mailto:claudine.cyr@radio-canada.ca)

----- Message transféré -----

From: "Oumzil, Sara" <[Sara.Oumzil@crtc.gc.ca](mailto:Sara.Oumzil@crtc.gc.ca)>  
To: "Proulx, Chantal" <[chantal.proulx@crtc.gc.ca](mailto:chantal.proulx@crtc.gc.ca)>  
Cc:  
Date: Thu, 21 Jul 2016 19:30:10 +0000  
Subject: FW: CRTC référence: 746690

**From:**

**Sent:** July-21-16 3:26 PM

**To:** CRTC DONOTRESPOND/NEPASREPONDRE <[crtcdonotrespond@crtc.gc.ca](mailto:crtcdonotrespond@crtc.gc.ca)>

**Subject:** CRTC référence: 746690

madame Proulx,

j ai reçu un courriel de madame Cyr travaillant chez Radio Canada. j Y ai répondu , tel que vous le voyez en attaché. plus tard j ai reçu un mail de radio canada, madame Gagnon. je n'y ai pas répondu parce que je pensais que les questions étaient les memes que madame Cyr. ( reçu la même journée a plus ou moins deux heures d'écart).

je viens de répondre à l'instant au courriel de madame Gagnon.

merci pour votre rappel.

----- Message transféré -----

From:  
To: Claudine Cyr <[claudine.cyr@radio-canada.ca](mailto:claudine.cyr@radio-canada.ca)>  
Cc:  
Date: Wed, 13 Jul 2016 11:14:12 -0400  
Subject: RE : Bulletin de 18h30

Bonjour il s agissait du journal tv pour

Merci

Envoyé depuis mon appareil Samsung

<br><br>----- Message d'origine -----<br>De : Claudine Cyr &lt;claudine.cyr@radio-canada.ca>; <br>Date : 07/13/2016 08:58 (GMT-05:00) <br>À : <br>Objet : Bulletin de 18h30 <br><br>

Bonjour Madame

Serait-il possible de connaître votre région afin que je fasse le suivi sur votre note sur le STC du 5 juillet svp?

*Claudine Cyr*

Directrice, Planification et gestion de la Grille et diffusion TVG

et responsable de la promo croisée | **Radio-Canada**

T: 514-597-4889 Cell: 514-592-0829 | claudine.cyr@radio-canada.ca

**Error! Filename not specified.**

Bonjour Madame

Serait-il possible de connaître votre région afin que je fasse le suivi sur votre note sur le STC du 5 juillet svp?

Claudine Cyr

Directrice, Planification et gestion de la Grille et diffusion TVGet responsable de la promo croisée | Radio-

CanadaT: 514-597-4889 Cell: 514-592-0829 | claudine.cyr@radio-canada.ca

---  
Marie-Hélaine Laurence  
Rédactrice

Communications, Marketing et Marque

Société Radio-Canada  
514 597-4143

marie-helaine.laurence@radio-canada.ca

-----  
**Découvrez notre programmation Télé 2016-17!**



---

Question technique? Consultez le forum Entraide!

Relations avec l'auditoire et accueil

**Error! Filename not specified.**

---

**2 attachments**

**image006.jpg**  
1K

**image005.jpg**  
1K



03/02/2017

CBC Radio-Canada Mail - RE: CBC placement of closed captions - CRTC Case ID: 749383

CBC  Radio-Canada

DANIELLE BRUNET &lt;danielle.brunet@cbc.ca&gt;

**RE: CBC placement of closed captions - CRTC Case ID: 749383**

1 message

5

**Edge, Michelle** <michelle.edge@crtc.gc.ca>  
 To: "danielle.brunet@cbc.ca" <danielle.brunet@cbc.ca>

Wed, Sep 7, 2016 at 10:33 AM

Hi Danielle,

Thank you for advising us you require additional time to respond to Mr. concerns.

I have moved the due date to Friday, September 16, 2016.

Regards,

Michelle Edge  
 Regional Officer | Agente régionale  
 Western & Northern Region | Région de L'Ouest et du Nord  
 CRTC Client Services | Services à la clientèle  
 Canadian Radio-television and Telecommunications Commission | Conseil de la radiodiffusion et des télécommunications canadiennes  
 Government of Canada | Gouvernement du Canada [www.crtc.gc.ca](http://www.crtc.gc.ca)  
 858 Beatty Street, Suite 290, Vancouver, BC V6B 1C1  
 Telephone | Téléphone 1-877-249-CRTC (2782) / TTY | ATS 1-877-909-CRTC (2782)  
 Outside Canada | Hors Canada 819-997-0313 / TTY | ATS 819-994-0423  
 Facsimile | Télécopieur 1-819-994-0218  
 Learn more about your CRTC | Apprenez-en davantage à propos de votre CRTC  
 Follow us on Twitter | Suivez-nous sur Twitter  
 Like us on Facebook | Aimez-nous sur Facebook

**From:** danielle.brunet@cbc.ca [mailto:danielle.brunet@cbc.ca] **On Behalf Of** Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires

**Sent:** September-07-2016 8:53 AM

**To:** CRTC DONOTRESPOND/NEPASREPONDRE <crtcdonotrespond@crtc.gc.ca>

**Subject:** Re: CBC placement of closed captions - CRTC Case ID: 749383

Good morning,

CBC would like to have an extension to reply to the CRTC file # 749383.

Thank you

On Tue, Aug 16, 2016 at 2:30 PM, CRTC DONOTRESPOND/NEPASREPONDRE <crtcdonotrespond@crtc.gc.ca> wrote:

03/02/2017

CBC Radio-Canada Mail - RE: CBC placement of closed captions - CRTC Case ID: 749383

August 16, 2016

Dear

Thank you for contacting the CRTC on August 15<sup>th</sup> about the placement of closed captioning during the CBC's coverage of the 2016 Rio Olympics. In particular you note the men's volleyball broadcast at 5:15PM on August 15, 2016.

Broadcasters are responsible for the choice, content and scheduling of all programming they provide as set out in the *Broadcasting Act*. The CRTC's role is to make sure broadcasters have acted responsibly and to hold them accountable for their programming when it's called for.

In order to follow this matter, I am asking the CBC, by copy of this message, to respond directly to you within 20 calendar days in accordance with Part 2 of the CRTC Rules of Practice and Procedure, and to send us a copy of its reply for review by Commission staff. I am also asking the broadcaster to hold a copy of the broadcast until your complaint has been resolved.

Your complaint and all related correspondence will be placed on the licensee's public file at the end of 21 calendar days. The Commission may review it at licence renewal time and interested parties may consult the files at any time.

In accordance with your rights under the Privacy Act, you may refuse to have your correspondence placed in such a file. If that is the case, please contact us within 21 calendar days of the date of this response using the link below, by mail – CRTC, Ottawa, Ontario, K1A 0N2, by fax – 819-994-0218, or by telephone – 1-877-249-2782, quoting the CRTC Case ID number. Please note that the CRTC will not be able to pursue your complaint if all correspondence cannot be made public and will consider your complaint as withdrawn.

Should CRTC staff's review conclude that further regulatory action is required, you will be notified accordingly. Additional information on the CRTC complaint process is available in "How to make a broadcasting complaint": [http://www.crtc.gc.ca/eng/INFO\\_SHT/G8.htm](http://www.crtc.gc.ca/eng/INFO_SHT/G8.htm)

**IMPORTANT NOTE:** To respond to this message, please click [here](https://applications.crtc.gc.ca/question/eng/public-inquiries-form?lang=en&caseid=749383&key) and follow the prompts:

Regards,

Michelle Edge  
 Regional Officer | Agente régionale  
 Western & Northern Region | Région de L'Ouest et du Nord  
 CRTC Client Services | Services à la clientèle  
 Canadian Radio-television and Telecommunications Commission | Conseil de la radiodiffusion et des télécommunications canadiennes  
 Government of Canada | Gouvernement du Canada [www.crtc.gc.ca](http://www.crtc.gc.ca)  
 858 Beatty Street, Suite 290, Vancouver, BC V6B 1C1  
 Telephone | Téléphone 1-877-249-CRTC (2782) / TTY | ATS 1-877-909-CRTC (2782)  
 Outside Canada | Hors Canada 819-997-0313 / TTY | ATS 819-994-0423  
 Facsimile | Télécopieur 1-819-994-0218  
 Learn more about your CRTC | Apprenez-en davantage à propos de votre CRTC  
 Follow us on Twitter | Suivez-nous sur Twitter  
 Like us on Facebook | Aimez-nous sur Facebook

cc: CBC

NOTES TO LICENSEE: Copies of electronic replies/reports to complaints should be sent to the following CRTC address: [REPLIES@CRTC.GC.CA](mailto:REPLIES@CRTC.GC.CA)

Please hold a copy of the broadcast until this complaint has been resolved.

Please quote our reference number on your electronic response.

A copy of all correspondence related to this matter will be placed on your public file in three weeks.

---

Incoming message 15/08/2016

CBC just does not get it! (Neither does CRTC, but that is another story, eh!) After many complaints about captions

03/02/2017

CBC Radio-Canada Mail - RE: CBC placement of closed captions - CRTC Case ID: 749383

covering scores during sporting events CBC eventually did make some changes. Now during the Olympic coverage they have completely ignored all they have learned and gone back to covering scores and other important information with the captions. And, yes, there have been plenty of places to put the captions without covering other information. Just now watching the men's volleyball at about 5:15 pm PST. Same thing has happened in so many other events so far. Had hoped that someone at CBC would eventually notice and get things changed. But, of course, that was just too much to expect and now I am hoping that CRTC will step in and finally start enforcing standards but again that is probably just too much to expect, eh!

Tel.:  
Email:

03/02/2017

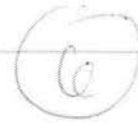
CBC Radio-Canada Mail - Re: Rapids# 746690

CBC  Radio-Canada

DANIELLE BRUNET &lt;danielle.brunet@cbc.ca&gt;

**Re: Rapids# 746690**

1 message



**DANIELLE BRUNET** <danielle.brunet@cbc.ca>  
 To: "Proulx, Chantal" <chantal.proulx@crtc.gc.ca>

Fri, Sep 23, 2016 at 11:38 AM

Bonjour Chantal,

can I look at this on Monday?

Danielle Brunet  
 Administrative Assistant, Corporate and Regulatory Affairs  
 Adjointe administrative, Affaires institutionnelles et réglementaires  
 CBC/Radio-Canada  
 181, Queen Street/ 181, rue Queen  
 Ottawa, ON K1P 1K9  
 (613) 288-6258 / danielle.brunet@cbc.ca  
 www.cbc.ca / www.radio-canada.ca

2016-09-21 10:54 GMT-04:00 Proulx, Chantal &lt;chantal.proulx@crtc.gc.ca&gt;:

Bonjour Danielle,

Friendly reminder. Please see email below.

Merci

Chantal

From: danielle.brunet@cbc.ca [mailto:danielle.brunet@cbc.ca] On Behalf Of Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires  
 Sent: August-25-16 2:04 PM  
 To: Service à la Clientèle/Client Services  
 Subject: Clarifications CRTC 746690 – Nathalie Desbois - « Tj 18 h »

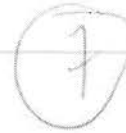
Aux membres du personnel,

Je suis toujours dans l'attente de précisions de la part de Mme suite au courriel envoyé le 10 août dernier.

Soyez assurés que dès que j'aurai les réponses requises, nous procéderons aux démarches nécessaires afin de finaliser ce dossier. Je vous invite à consulter plus bas, l'historique de nos échanges avec Mme Desbois.

Cordialement,

Chantale Gagnon

**Re: CRTC référence: 749839**

1 message

**DANIELLE BRUNET** <danielle.brunet@cbc.ca>  
To: "Proulx, Chantal" <chantal.proulx@crtc.gc.ca>

Mon, Sep 26, 2016 at 11:06 AM

So we are good the file is closed?

Danielle Brunet  
Administrative Assistant, Corporate and Regulatory Affairs  
Adjointe administrative, Affaires institutionnelles et réglementaires  
CBC/Radio-Canada  
181, Queen Street/ 181, rue Queen  
Ottawa, ON K1P 1K9  
(613) 288-6258 / danielle.brunet@cbc.ca  
www.cbc.ca / www.radio-canada.ca

2016-09-26 11:03 GMT-04:00 Proulx, Chantal &lt;chantal.proulx@crtc.gc.ca&gt;:

Allô Danielle,

Merci beaucoup..c'est bizarre puisque je n'ai rien reçu le 2 septembre.

Chantal

**From:** danielle.brunet@cbc.ca [mailto:danielle.brunet@cbc.ca] **On Behalf Of** Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires  
**Sent:** September-26-16 9:31 AM  
**To:** Proulx, Chantal <chantal.proulx@crtc.gc.ca>  
**Subject:** Fwd: CRTC référence: 749839

Bon matin Chantal,

S'il vous plaît soyez avisé que cette plainte est concernant des pratiques journalistiques, sujet sous la juridiction de l'ombudsman.

Cela a déjà été envoyés le 2 Septembre 2016 au CRTC et a l'ombudsman.

Merci

03/02/2017

CBC Radio-Canada Mail - Re: CRTC référence: 749839

Danielle

2016-09-20 9:55 GMT-04:00 CRTC DONOTRESPOND/NEPASREPENDRE &lt;crtcndonotrespond@crtc.gc.ca&gt;:

**Objet: RAPPEL À RADIO-CANADA DU CRTC – NOUS ATTENDONS VOTRE RÉPONSE**

En référence à notre demande du 30 août 2016, nous n'avons pas reçu votre réponse à une plainte déposée par  
 Vous trouverez ci-jointes toutes les communications liées à ce dossier.

Veillez nous soumettre votre réponse d'ici 10 jours civils. Une copie de la plainte de et des  
 communications connexes a été versée à votre dossier public du CRTC.

Les copies des réponses électroniques donnant suite aux plaintes devraient inclure notre numéro de référence et  
 être transmises à [REPLIES@CRTC.GC.CA](mailto:REPLIES@CRTC.GC.CA)

Je vous remercie de l'attention que vous accordez à cette question.

Salutations,

Chantal Proulx

Services à la clientèle | Client Services

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and  
 Telecommunications Commission

Ottawa, Canada K1A 0N2

Téléphone | Telephone 1-877-249-2782 / ATS | TTY 1-877-909-CRTC (2782)

Hors Canada | Outside Canada 819-997-0313 / ATS | TTY 819-994-0423

Télécopieur | Facsimile 819-994-0218

Gouvernement du Canada | Government of Canada

<http://www.crtc.gc.ca>

Suivez-nous sur Twitter (@CRTCfra): <https://twitter.com/CRTCfra> | Follow us on Twitter

<https://twitter.com/CRTCeng>

Aimez-nous sur Facebook : <http://www.facebook.com/crtcfra> | Like us on Facebook:

<http://www.facebook.com/crtceng>

----- Forwarded message -----

From: "CRTC DONOTRESPOND/NEPASREPENDRE" <crtcndonotrespond@crtc.gc.ca>

To:

Cc:

Date: Tue, 30 Aug 2016 17:03:33 +0000

Subject: CRTC référence: 749839

Bonjour monsieur

Merci d'avoir communiqué avec nous au sujet de programmation.

Bien que le CRTC supervise et réglemente le système de radiodiffusion canadien, la *Loi sur la radiodiffusion* qui nous confère notre mandat tient les radiodiffuseurs responsables du choix, du contenu et de la mise à l'horaire de toutes les émissions. La Loi ne confère pas au CRTC le droit de modifier ni de censurer la programmation.

Étant donné vos préoccupations, je demande à Radio-Canada, par copie de la présente, de vous répondre directement dans les 20 jours civils et de nous transmettre copie de sa réponse aux fins d'examen. Je demande aussi à la titulaire de licence de conserver une copie audio/vidéo de l'émission jusqu'à ce que l'étude de votre plainte soit terminée. Si le personnel du CRTC devait conclure, au terme de son examen, que d'autres mesures réglementaires s'imposent, nous vous en informerons.

Veillez noter qu'après 21 jours civils suivant la date de la présente, votre plainte, ainsi que toute correspondance connexe, sera versée au dossier public de Radio-Canada. Ces renseignements servent à évaluer le rendement du radiodiffuseur lors du renouvellement de sa licence. Les parties intéressées peuvent consulter le dossier en tout temps.

03/02/2017

CBC Radio-Canada Mail - Re: CRTC référence: 749839

Conformément à vos droits en vertu de la *Loi sur la protection des renseignements personnels*, vous pouvez refuser que votre correspondance soit versée au dossier public. Si vous souhaitez vous prévaloir de ce droit, veuillez communiquer avec nous d'ici trois semaines pour nous en aviser. À cette fin, vous pouvez utiliser le lien fourni ci-après, nous poster une lettre, nous envoyer un message par télécopieur ou nous téléphoner, en prenant soin de citer notre numéro de référence. Il importe de préciser que le CRTC ne pourra pas traiter votre plainte si la correspondance n'est pas entièrement du domaine public et considérera votre plainte comme ayant été retirée.

Pour obtenir de plus amples renseignements, vous pouvez consulter notre fiche info « Comment déposer une plainte relative à la radiodiffusion? » à [http://www.crtc.gc.ca/fra/info\\_sht/g8.htm](http://www.crtc.gc.ca/fra/info_sht/g8.htm)

Apprenez-en davantage à propos de votre CRTC : <https://youtu.be/0HwEibtW5qA>

NOTE IMPORTANTE : Pour répondre à ce message, veuillez cliquer sur le lien suivant, puis suivre les instructions : <https://applications.crtc.gc.ca/question/fra/formulaire-renseignements?lang=fr&caseid=749839&key=>

Salutations,

Chantal Proulx

Services à la clientèle | Client Services

Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and Telecommunications Commission

Ottawa, Canada K1A 0N2

Téléphone | Telephone 1-877-249-2782 / ATS | TTY 1-877-909-CRTC (2782)

Hors Canada | Outside Canada 819-997-0313 / ATS | TTY 819-994-0423

Télécopieur | Facsimile 819-994-0218

Gouvernement du Canada | Government of Canada

<http://www.crtc.gc.ca>

Suivez-nous sur Twitter (@CRTCfra): <https://twitter.com/CRTCfra> | Follow us on Twitter

<https://twitter.com/CRTCeng>

Aimez-nous sur Facebook : <http://www.facebook.com/crtcfra> | Like us on Facebook:

<http://www.facebook.com/crtceng>

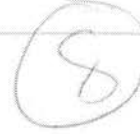
bcc :Radio-Canada

NOTE POUR LA COMPAGNIE: LES COPIES ÉLECTRONIQUES DE RÉPONSES/RAPPORTS DOIVENT ÊTRE ENVOYÉES À: [REPLIES@CRTC.GC.CA](mailto:REPLIES@CRTC.GC.CA) - SVP INDIQUER NOTRE NUMÉRO DE RÉFÉRENCE.

**Re: Placement of closed captions - Sep 17/16 - CRTC Case ID: 749383-2**

1 message

**DANIELLE BRUNET** <danielle.brunet@cbc.ca>  
To: "Edge, Michelle" <michelle.edge@crtc.gc.ca>



Tue, Oct 11, 2016 at 1:05 PM

1 week only please

Danielle Brunet  
Administrative Assistant, Corporate and Regulatory Affairs  
Adjointe administrative, Affaires institutionnelles et réglementaires  
CBC/Radio-Canada  
181, Queen Street/ 181, rue Queen  
Ottawa, ON K1P 1K9  
(613) 288-6258 / danielle.brunet@cbc.ca  
www.cbc.ca / www.radio-canada.ca

On Tue, Oct 11, 2016 at 12:45 PM, Edge, Michelle &lt;michelle.edge@crtc.gc.ca&gt; wrote:

Hello Danielle,

How much extra time do you need?

Michelle.

**From:** danielle.brunet@cbc.ca [mailto:danielle.brunet@cbc.ca] **On Behalf Of** Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires  
**Sent:** October-11-2016 10:10 AM  
**To:** CRTC DONOTRESPOND/NEPASREPONDRE <crtcdonotrespond@crtc.gc.ca>  
**Subject:** Re: Placement of closed captions - Sep 17/16 - CRTC Case ID: 749383-2

Good morning Michelle,

Would it be possible to get an extension on this particular complaint?

Thank you

Danielle

On Mon, Sep 19, 2016 at 11:58 AM, CRTC DONOTRESPOND/NEPASREPONDRE &lt;crtcdonotrespond@crtc.gc.ca&gt; wrote:



03/02/2017

CBC Radio-Canada Mail - Re: Placement of closed captions - Sep 17/16 - CRTC Case ID: 749383-2

September 19, 2016

Dear

Thank you for contacting the CRTC on September 17<sup>th</sup> about the placement of closed captioning during the CBC's broadcast of the USA v Spain para basketball game on Saturday September 17, 2016 from 8 PM.

In order to follow this matter, I am asking the CBC, by copy of this message, to respond directly to you within 20 calendar days in accordance with Part 2 of the CRTC Rules of Practice and Procedure, and to send us a copy of its reply for review by Commission staff. I am also asking the broadcaster to hold a copy of the broadcast until your complaint has been resolved.

Your complaint and all related correspondence will be placed on the licensee's public file at the end of 21 calendar days. The Commission may review it at licence renewal time and interested parties may consult the files at any time.

In accordance with your rights under the Privacy Act, you may refuse to have your correspondence placed in such a file. If that is the case, please contact us within 21 calendar days of the date of this response using the link below, by mail – CRTC, Ottawa, Ontario, K1A 0N2, by fax – 819-994-0218, or by telephone – 1-877-249-2782, quoting the CRTC Case ID number. Please note that the CRTC will not be able to pursue your complaint if all correspondence cannot be made public and will consider your complaint as withdrawn.

Should CRTC staff's review conclude that further regulatory action is required, you will be notified accordingly. Additional information on the CRTC complaint process is available in "How to make a broadcasting complaint": [http://www.crtc.gc.ca/eng/INFO\\_SHT/G8.htm](http://www.crtc.gc.ca/eng/INFO_SHT/G8.htm)

**IMPORTANT NOTE:** To respond to this message, please click here and follow the prompts:  
<https://applications.crtc.gc.ca/question/eng/public-inquiries-form?lang=en&caseid=749383&key=>

Regards,

Michelle Edge  
Regional Officer | Agente régionale  
Western & Northern Region | Région de L'Ouest et du Nord  
CRTC Client Services | Services à la clientèle  
Canadian Radio-television and Telecommunications Commission | Conseil de la radiodiffusion et des télécommunications canadiennes  
Government of Canada | Gouvernement du Canada [www.crtc.gc.ca](http://www.crtc.gc.ca)  
858 Beatty Street, Suite 290, Vancouver, BC V6B 1C1  
Telephone | Téléphone 1-877-249-CRTC (2782) / TTY | ATS 1-877-909-CRTC (2782)  
Outside Canada | Hors Canada 819-997-0313 / TTY | ATS 819-994-0423  
Facsimile | Télécopieur 1-819-994-0218  
Learn more about your CRTC | Apprenez-en davantage à propos de votre CRTC  
Follow us on Twitter | Suivez-nous sur Twitter  
Like us on Facebook | Aimez-nous sur Facebook

cc: CBC

**NOTES TO LICENSEE:** Copies of electronic replies/reports to complaints should be sent to the following CRTC address: [REPLIES@CRTC.GC.CA](mailto:REPLIES@CRTC.GC.CA)

Please hold a copy of the broadcast until this complaint has been resolved.

Please quote our reference number on your electronic response.

A copy of all correspondence related to this matter will be placed on your public file in three weeks.

---

Incoming message 17/09/2016

Ms. Boyce, you are being seriously misinformed as to what CBC is doing!

I am currently watching the USA v Spain para basketball game broadcast from 8 pm Saturday Sept 17. And just like all the broadcasts of the regular Olympics before I made my complaint the captions are at the top of the screen and covering the score bug!

03/02/2017

CBC Radio-Canada Mail - Re: Placement of closed captions - Sep 17/16 - CRTC Case ID: 749383-2

CRTC, you can consider this either a new complaint or a continuation of my "original" complaint.

and wishes he could just sit back and enjoy life but instead gets bad stuff like this that just can't be tolerated!)

Tel.:

Email:

**Fwd: Extension granted - CRTC Case ID: 749383-2**

1 message

9

**DANIELLE BRUNET** <danielle.brunet@cbc.ca>  
To: Heather Boyce <heather.boyce@cbc.ca>

Tue, Oct 11, 2016 at 1:27 PM

Hi Heather,

We have until October 17th to reply.

Danielle

Danielle Brunet  
Administrative Assistant, Corporate and Regulatory Affairs  
Adjointe administrative, Affaires institutionnelles et réglementaires  
CBC/Radio-Canada  
181, Queen Street/ 181, rue Queen  
Ottawa, ON K1P 1K9  
(613) 288-6258 / danielle.brunet@cbc.ca  
www.cbc.ca / www.radio-canada.ca

----- Forwarded message -----

From: **Edge, Michelle** <michelle.edge@crtc.gc.ca>  
Date: Tue, Oct 11, 2016 at 1:21 PM  
Subject: Extension granted - CRTC Case ID: 749383-2  
To: DANIELLE BRUNET <danielle.brunet@cbc.ca>

Hi Danielle,

That will be fine. I have moved the due date to October 17, 2016.

Regards,

Michelle Edge  
Regional Officer | Agente régionale  
Western & Northern Region | Région de L'Ouest et du Nord  
CRTC Client Services | Services à la clientèle  
Canadian Radio-television and Telecommunications Commission | Conseil de la radiodiffusion et des  
télécommunications canadiennes  
Government of Canada | Gouvernement du Canada www.crtc.gc.ca  
858 Beatty Street, Suite 290, Vancouver, BC V6B 1C1  
Telephone | Téléphone 1-877-249-CRTC (2782) / TTY | ATS 1-877-909-CRTC (2782)  
Outside Canada | Hors Canada 819-997-0313 / TTY | ATS 819-994-0423  
Facsimile | Télécopieur 1-819-994-0218  
Learn more about your CRTC | Apprenez-en davantage à propos de votre CRTC  
Follow us on Twitter | Suivez-nous sur Twitter  
Like us on Facebook | Aimez-nous sur Facebook

**From:** DANIELLE BRUNET [mailto:danielle.brunet@cbc.ca]  
**Sent:** October-11-16 10:05 AM  
**To:** Edge, Michelle <michelle.edge@crtc.gc.ca>  
**Subject:** Re: Placement of closed captions - Sep 17/16 - CRTC Case ID: 749383-2

1 week only please

Danielle Brunet  
Administrative Assistant, Corporate and Regulatory Affairs  
Adjointe administrative, Affaires institutionnelles et réglementaires  
CBC/Radio-Canada  
181, Queen Street/ 181, rue Queen  
Ottawa, ON K1P 1K9  
(613) 288-6258 / danielle.brunet@cbc.ca  
www.cbc.ca / www.radio-canada.ca

On Tue, Oct 11, 2016 at 12:45 PM, Edge, Michelle <michelle.edge@crtc.gc.ca> wrote:

Hello Danielle,

How much extra time do you need?

Michelle.

**From:** danielle.brunet@cbc.ca [mailto:danielle.brunet@cbc.ca] **On Behalf Of** Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires  
**Sent:** October-11-2016 10:10 AM  
**To:** CRTC DONOTRESPOND/NEPASREPENDRE <crtcdonotrespond@crtc.gc.ca>  
**Subject:** Re: Placement of closed captions - Sep 17/16 - CRTC Case ID: 749383-2

Good morning Michelle,

Would it be possible to get an extension on this particular complaint?

Thank you

03/02/2017

CBC Radio-Canada Mail - Fwd: Extension granted - CRTC Case ID: 749383-2

Danielle

On Mon, Sep 19, 2016 at 11:58 AM, CRTC DONOTRESPOND/NEPASREPOINDRE <crtc.donotrespond@crtc.gc.ca> wrote:

September 19, 2016

Dear

Thank you for contacting the CRTC on September 17<sup>th</sup> about the placement of closed captioning during the CBC's broadcast of the USA v Spain para basketball game on Saturday September 17, 2016 from 8 PM.

In order to follow this matter, I am asking the CBC, by copy of this message, to respond directly to you within 20 calendar days in accordance with Part 2 of the CRTC Rules of Practice and Procedure, and to send us a copy of its reply for review by Commission staff. I am also asking the broadcaster to hold a copy of the broadcast until your complaint has been resolved.

Your complaint and all related correspondence will be placed on the licensee's public file at the end of 21 calendar days. The Commission may review it at licence renewal time and interested parties may consult the files at any time.

In accordance with your rights under the Privacy Act, you may refuse to have your correspondence placed in such a file. If that is the case, please contact us within 21 calendar days of the date of this response using the link below, by mail – CRTC, Ottawa, Ontario, K1A 0N2, by fax – 819-994-0218, or by telephone – 1-877-249-2782, quoting the CRTC Case ID number. Please note that the CRTC will not be able to pursue your complaint if all correspondence cannot be made public and will consider your complaint as withdrawn.

Should CRTC staff's review conclude that further regulatory action is required, you will be notified accordingly. Additional information on the CRTC complaint process is available in "How to make a broadcasting complaint": [http://www.crtc.gc.ca/eng/INFO\\_SHT/G8.htm](http://www.crtc.gc.ca/eng/INFO_SHT/G8.htm)

**IMPORTANT NOTE:** To respond to this message, please click here and follow the prompts: <https://applications.crtc.gc.ca/question/eng/public-inquiries-form?lang=en&caseid=749383&key=>

Regards,

Michelle Edge  
 Regional Officer | Agente régionale  
 Western & Northern Region | Région de L'Ouest et du Nord  
 CRTC Client Services | Services à la clientèle  
 Canadian Radio-television and Telecommunications Commission | Conseil de la radiodiffusion et des télécommunications canadiennes  
 Government of Canada | Gouvernement du Canada [www.crtc.gc.ca](http://www.crtc.gc.ca)  
 858 Beatty Street, Suite 290, Vancouver, BC V6B 1C1  
 Telephone | Téléphone 1-877-249-CRTC (2782) / TTY | ATS 1-877-909-CRTC (2782)  
 Outside Canada | Hors Canada 819-997-0313 / TTY | ATS 819-994-0423  
 Facsimile | Télécopieur 1-819-994-0218  
 Learn more about your CRTC | Apprenez-en davantage à propos de votre CRTC  
 Follow us on Twitter | Suivez-nous sur Twitter  
 Like us on Facebook | Aimez-nous sur Facebook

cc: CBC

**NOTES TO LICENSEE:** Copies of electronic replies/reports to complaints should be sent to the following CRTC address: [REPLIES@CRTC.GC.CA](mailto:REPLIES@CRTC.GC.CA)

Please hold a copy of the broadcast until this complaint has been resolved.

Please quote our reference number on your electronic response.

A copy of all correspondence related to this matter will be placed on your public file in three weeks.

-----  
 Incoming message 17/09/2016

03/02/2017

CBC Radio-Canada Mail - Fwd: Extension granted - CRTC Case ID: 749383-2

Ms. Boyce, you are being seriously misinformed as to what CBC is doing!

I am currently watching the USA v Spain para basketball game broadcast from 8 pm Saturday Sept 17. And just like all the broadcasts of the regular Olympics before I made my complaint the captions are at the top of the screen and covering the score bug!

CRTC, you can consider this either a new complaint or a continuation of my "original" complaint.

and wishes he could just sit back and enjoy life but instead gets bad stuff like this that just can't be tolerated!)

3

Tel.:  
Email:



DANIELLE BRUNET <danielle.brunet@cbc.ca>

10

---

## Annual Reports

1 message

---

**DANIELLE BRUNET** <danielle.brunet@cbc.ca>  
To: "Legendre, Michelle" <michelle.legendre@crtc.gc.ca>

Fri, Nov 18, 2016 at 4:01 PM

Good afternoon,

I would like to confirm if we still need to send you an electronic copy of our reports and if they're any special naming conventions when filing this year?

Thanking you in advance for your assistance.

Danielle Brunet  
Administrative Assistant, Corporate and Regulatory Affairs  
Adjointe administrative, Affaires institutionnelles et réglementaires  
CBC/Radio-Canada  
181, Queen Street/ 181, rue Queen  
Ottawa, ON K1P 1K9  
(613) 288-6258 / danielle.brunet@cbc.ca  
www.cbc.ca / www.radio-canada.ca



DANIELLE BRUNET <danielle.brunet@cbc.ca>

---

**Friendly reminder/Petit rappel**

1 message

11

---

**Auger, Manon** <manon.auger@crtc.gc.ca>  
To: "regulatoryaffairs@cbc.ca" <regulatoryaffairs@cbc.ca>  
Cc: "danielle.brunet@cbc.ca" <danielle.brunet@cbc.ca>

Mon, Nov 21, 2016 at 1:40 PM

Vous trouverez ci-joint une lettre du CRTC pour votre attention immédiate.

---

Please find attached a letter from CRTC for your attention.

---

 **DOCS-#2746539-v1-2016-CBC-Annual\_reports.pdf**  
309K



21 November 2016

**SENT BY E-MAIL:** [regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca)

Ms. Bev Kirsenblatt  
Executive Director, Regulatory Affairs  
P.O. Box 3220, Station C  
Ottawa, Ontario K1Y 1E4

**SUBJECT: FILING OF ANNUAL REPORTS TO THE COMMISSION**

Dear Ms. Kirsenblatt:

As you know, you are required to file the following reports as required in Broadcasting Decision CRTC 2013-263, amongst other information, with the Commission by 30 November each year:

- A copy of the most recent public annual report submitted by each Ombudsman to the licensee's board of directors
- A report related to the operation of the French-language conventional television (network and stations) providing:
  - information on programs of national interest broadcast in prime time, specifying the program category, language, origin, region and whether the production comes from an official language minority community (OLMC).
  - information on programs broadcast on the network other than programs of national interest produced in French OLMCs, and/or offering reflection of these communities.
  - information on local programming broadcast by each television station outside the Province of Quebec that provides reflection of French OLMCs.
  - results of a French OLMCs audience perception survey on how well the Corporation's French-language radio and television services are reflecting the OLMCs
- A report related to the operation of the English-language conventional television (network and stations) providing:
  - information on programs of national interest broadcast in prime time, specifying the program category, language, origin, region and whether the production comes from an official language minority community (OLMC).

.../2

- information on programs broadcast on the network other than programs of national interest, produced in English OLMCs and/or offering reflection of these communities.
- information on local programming broadcast by the Montréal television station that provides reflection of English OLMCs.
- results of an English-language OLMC audience perception survey on how well the Corporation's English-language television and radio services are reflecting the regions.

These reports should always be addressed to the Secretary General and must be submitted through our secured system "My CRTC Account". However, to avoid delays in the processing of these reports, licensees should also send an electronic copy to [manon.auger@crtc.gc.ca](mailto:manon.auger@crtc.gc.ca)

To facilitate our analysis and processing of the report noted above, please use the following naming convention for the report below:

- Reference 684797 - [Broadcast Year] – CBC/SRC – "Name of document" – Decision 2013-263

Please make sure to follow these procedures and naming conventions when filing this report in the future.

Should you have any questions or require further information regarding this matter, please do not hesitate to contact me at 819-639-3481 or by email at [manon.auger@crtc.gc.ca](mailto:manon.auger@crtc.gc.ca)

Sincerely,

*Original signed by*

Manon Auger  
Analyste principale | Senior Analyst  
Télévision de langues anglaise et tierce | English & Third-language Television

**CBC/Radio-Canada 2015-2016 Annual Reports -- Application/Notice: CRTC 2013-263**

1 message

**DANIELLE BRUNET** <danielle.brunet@cbc.ca>  
To: manon.auger@crtc.gc.ca

Wed, Nov 30, 2016 at 2:06 PM

Good afternoon Ms. Auger,

Please find attached a copy of the CBC/Radio-Canada 2015-2016 Annual Reports for our French & English Services in both official language.

Please confirm receipt.

Thank you,

Danielle Brunet  
Administrative Assistant, Corporate and Regulatory Affairs  
Adjointe administrative, Affaires institutionnelles et réglementaires  
CBC/Radio-Canada  
181, Queen Street/ 181, rue Queen  
Ottawa, ON K1P 1K9  
(613) 288-6258 / danielle.brunet@cbc.ca  
www.cbc.ca / www.radio-canada.ca

**4 attachments**

-  **French Services in French.zip**  
5295K
-  **English Services in English.zip**  
6150K
-  **English Services in French.zip**  
5949K
-  **French Services in English.zip**  
2709K

**RE: CBC/Radio-Canada 2015-2016 Annual Reports -- Application/Notice: CRTC 2013-263**

1 message

**Auger, Manon** <manon.auger@crtc.gc.ca>  
To: DANIELLE BRUNET <danielle.brunet@cbc.ca>

Wed, Nov 30, 2016 at 2:09 PM



Good afternoon,

I am confirming that I have received the reports. Commission staff will analyze them and will contact you if it has any questions

Thank you and have a good day

**From:** DANIELLE BRUNET [mailto:danielle.brunet@cbc.ca]  
**Sent:** November-30-16 2:07 PM  
**To:** Auger, Manon <manon.auger@crtc.gc.ca>  
**Subject:** CBC/Radio-Canada 2015-2016 Annual Reports -- Application/Notice: CRTC 2013-263

Good afternoon Ms. Auger,

Please find attached a copy of the CBC/Radio-Canada 2015-2016 Annual Reports for our French & English Services in both official language.

Please confirm receipt.

Thank you,

Danielle Brunet

Administrative Assistant, Corporate and Regulatory Affairs

Adjointe administrative, Affaires institutionnelles et réglementaires

CBC/Radio-Canada

181, Queen Street/ 181, rue Queen

Ottawa, ON K1P 1K9

(613) 288-6258 / danielle.brunet@cbc.ca

www.cbc.ca / www.radio-canada.ca



**Fwd: Rapids# 759751**

1 message

**DANIELLE BRUNET** <danielle.brunet@cbc.ca>

Wed, Jan 4, 2017 at 2:42 PM

To: Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires &lt;regulatoryaffairs@cbc.ca&gt;

Danielle Brunet  
Administrative Assistant, Corporate and Regulatory Affairs  
Adjointe administrative, Affaires institutionnelles et réglementaires  
CBC/Radio-Canada  
181, Queen Street/ 181, rue Queen  
Ottawa, ON K1P 1K9  
(613) 288-6258 / danielle.brunet@cbc.ca  
www.cbc.ca / www.radio-canada.ca

----- Forwarded message -----

From: **Proulx, Chantal** <chantal.proulx@crtc.gc.ca>  
Date: Wed, Jan 4, 2017 at 2:28 PM  
Subject: Rapids# 759751  
To: "danielle.brunet@cbc.ca" <danielle.brunet@cbc.ca>

Hi Danielle,

I transferred the file to the Ombudsman today.

Thanks

Chantal

From: danielle.brunet@cbc.ca [mailto:danielle.brunet@cbc.ca] On Behalf Of Regulatory Affairs - Affaires réglementaires  
Regulatory Affairs - Affaires réglementaires  
Sent: January-03-17 10:21 AM  
To: Proulx, Chantal  
Subject: Fwd: CRTC Case ID: 759751

Good Morning Chantal,

Can you please confirm this complaint is being dealt with by the Ombudsman and I can close this complaint?

Merci and Happy New Year :)

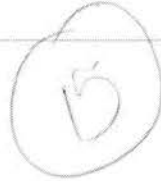
Danielle

**761923**

1 message

**Proulx, Chantal** <chantal.proulx@crtc.gc.ca>  
To: "danielle.brunet@cbc.ca" <danielle.brunet@cbc.ca>

Thu, Feb 2, 2017 at 3:05 PM



Hi Danielle,

Please remove this complaint. I should have sent the complaint only to Rogers Cable. My mistake. I apologize. I will inform the client.

Thank you

Chantal

danielle.brunet@cbc.ca] On Behalf Of Regulatory Affairs - Affaires reglementaires Regulatory Affairs - Affaires reglementaires

Sent: February-01-17 12:53 PM

To: Proulx, Chantal

Subject: Fwd: CRTC Case ID: 761923

Bonjour Chantal,

Please be advised that CBC/Radio-Canada would be unable to reply to the client as we are unable to control the audio levels on Rogers services.

Awaiting your confirmation to remove the file from CBC/Radio-Canada.

Thank you

Danielle :)

16

**Fwd: CRTC Confirmation # 90620**

1 message

**DANIELLE BRUNET** <danielle.brunet@cbc.ca>  
To: Anne-Marie Migneault <anne-marie.migneault@radio-canada.ca>

Wed, May 25, 2016 at 9:53 AM

Danielle Brunet  
Administrative Assistant, Corporate and Regulatory Affairs  
Adjointe administrative, Affaires institutionnelles et réglementaires  
CBC/Radio-Canada  
181, Queen Street/ 181, rue Queen  
Ottawa, ON K1P 1K9  
(613) 288-6258 / danielle.brunet@cbc.ca  
www.cbc.ca / www.radio-canada.ca

----- Forwarded message -----

From: **Godbout, Émilie** <emilie.godbout@crtc.gc.ca>  
Date: 2016-05-25 9:31 GMT-04:00  
Subject: RE: CRTC Confirmation # 90620  
To: DANIELLE BRUNET <danielle.brunet@cbc.ca>  
Cc: Anne-Marie Migneault <anne-marie.migneault@radio-canada.ca>

Bien reçue, merci.

Émilie Godbout

Gestionnaire | Manager

Politiques et analyse en matière de la radio de langue française | French Radio Policy and Applications  
Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and  
Telecommunications Commission  
emilie.godbout@crtc.gc.ca  
Téléphone | Telephone 819-953-4826

www.crtc.gc.ca



Suivez-nous sur Twitter |



Follow us on Twitter



Aimez-nous sur Facebook |



Like us on Facebook

**De :** DANIELLE BRUNET [mailto:danielle.brunet@cbc.ca]  
**Envoyé :** 20 mai 2016 13:34  
**À :** Godbout, Émilie <emilie.godbout@crtc.gc.ca>  
**Cc :** Anne-Marie Migneault <anne-marie.migneault@radio-canada.ca>  
**Objet :** CRTC Confirmation # 90620



Bonjour Mme. Godbout,

S'il vous plaît trouver ci-joint une copie de notre Demande sous la Partie 1 pour rectification du texte des conditions de licences d'ICI Radio-Canada Première et ICI Musique concernant la musique vocale de langue française.

Passez une bonne journée.

Danielle Brunet

Administrative Assistant, Corporate and Regulatory Affairs

Adjointe administrative, Affaires institutionnelles et réglementaires

CBC/Radio-Canada

181, Queen Street/ 181, rue Queen

Ottawa, ON K1P 1K9

(613) 288-6258 / [danielle.brunet@cbc.ca](mailto:danielle.brunet@cbc.ca)

[www.cbc.ca](http://www.cbc.ca) / [www.radio-canada.ca](http://www.radio-canada.ca)

**Fwd: Rapids# 759751**

1 message

**DANIELLE BRUNET** <danielle.brunet@cbc.ca>

Wed, Jan 4, 2017 at 2:42 PM

To: Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires &lt;regulatoryaffairs@cbc.ca&gt;

Danielle Brunet  
Administrative Assistant, Corporate and Regulatory Affairs  
Adjointe administrative, Affaires institutionnelles et réglementaires  
CBC/Radio-Canada  
181, Queen Street/ 181, rue Queen  
Ottawa, ON K1P 1K9  
(613) 288-6258 / danielle.brunet@cbc.ca  
www.cbc.ca / www.radio-canada.ca

----- Forwarded message -----

From: **Proulx, Chantal** <chantal.proulx@crtc.gc.ca>  
Date: Wed, Jan 4, 2017 at 2:28 PM  
Subject: Rapids# 759751  
To: "danielle.brunet@cbc.ca" <danielle.brunet@cbc.ca>

Hi Danielle,

I transferred the file to the Ombudsman today.

Thanks

Chantal

From: danielle.brunet@cbc.ca [mailto:danielle.brunet@cbc.ca] On Behalf Of Regulatory Affairs - Affaires réglementaires  
Regulatory Affairs - Affaires réglementaires  
Sent: January-03-17 10:21 AM  
To: Proulx, Chantal  
Subject: Fwd: CRTC Case ID: 759751

Good Morning Chantal,

Can you please confirm this complaint is being dealt with by the Ombudsman and I can close this complaint?

Merci and Happy New Year :)

Danielle

03/02/2017

CBC Radio-Canada Mail - Re: CBC programming - Nov 29/16 - CRTC Case ID: 758400

CBC  Radio-CanadaRegulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires  
<regulatoryaffairs@cbc.ca>**Re: CBC programming - Nov 29/16 - CRTC Case ID: 758400**

1 message

**Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires**Mon, Dec 12, 2016 at  
2:23 PM

&lt;regulatoryaffairs@cbc.ca&gt;

To: CRTC DONOTRESPOND/NEPASREPENDRE &lt;crtcndonotrespond@crtc.gc.ca&gt;



Bonjour Michelle,

Do I get extra time due to the holidays??

Danielle

On Mon, Dec 12, 2016 at 1:20 PM, CRTC DONOTRESPOND/NEPASREPENDRE &lt;crtcndonotrespond@crtc.gc.ca&gt; wrote:

December 12, 2016

Dear

Thank you for contacting the CRTC on December 8<sup>th</sup> about a skit during "This Hour Has 22 Minutes", broadcast by the CBC on November 29, 2016, which you found offensive.

Broadcasters are responsible for the choice, content and scheduling of all programming they provide as set out in the *Broadcasting Act*. The CRTC's role is to make sure broadcasters have acted responsibly and to hold them accountable for their programming when it's called for.

In order to follow this matter, I am asking the licensee, by copy of this message, to respond directly to you within 20 calendar days (except the Holiday Break of December 21 to January 7) in accordance with Part 2 of the CRTC Rules of Practice and Procedure, and to send us a copy of its reply for review by Commission staff. I am also asking the broadcaster to hold a copy of the broadcast until your complaint has been resolved.

Your complaint and all related correspondence will be placed on the licensee's public file at the end of 21 calendar days. The Commission may review it at licence renewal time and interested parties may consult the files at any time.

In accordance with your rights under the Privacy Act, you may refuse to have your correspondence placed in such a file. If that is the case, please contact us within 21 calendar days of the date of this response using the link below, by mail – CRTC, Ottawa, Ontario, K1A 0N2, by fax – 819-994-0218, or by telephone – 1-877-249-2782, quoting the CRTC Case ID number. Please note that the CRTC will not be able to pursue your complaint if all correspondence cannot be made public and will consider your complaint as withdrawn.

Should CRTC staff's review conclude that further regulatory action is required, you will be notified accordingly. Additional information on the CRTC complaint process is available in "How to make a broadcasting complaint": [http://www.crtc.gc.ca/eng/INFO\\_SHT/G8.htm](http://www.crtc.gc.ca/eng/INFO_SHT/G8.htm)

**IMPORTANT NOTE:** To respond to this message, please click here and follow the prompts: <https://applications.crtc.gc.ca/question/eng/public-inquiries-form?lang=en&caseid=758400&key=>

Regards,

Michelle Edge

03/02/2017

CBC Radio-Canada Mail - Re: CBC programming - Nov 29/16 - CRTC Case ID: 758400

Regional Officer | Agente régionale  
Western & Northern Region | Région de L'Ouest et du Nord  
CRTC Client Services | Services à la clientèle  
Canadian Radio-television and Telecommunications Commission | Conseil de la radiodiffusion et des télécommunications canadiennes  
Government of Canada | Gouvernement du Canada [www.crtc.gc.ca](http://www.crtc.gc.ca)  
858 Beatty Street, Suite 290, Vancouver, BC V6B 1C1  
Telephone | Téléphone 1-877-249-CRTC (2782) / TTY | ATS 1-877-909-CRTC (2782)  
Outside Canada | Hors Canada 819-997-0313 / TTY | ATS 819-994-0423  
Facsimile | Télécopieur 1-819-994-0218  
Follow us on Twitter | Suivez-nous sur Twitter  
Like us on Facebook | Aimez-nous sur Facebook

cc: CBC

NOTES TO LICENSEE: Copies of electronic replies/reports to complaints should be sent to the following CRTC address: [REPLIES@CRTC.GC.CA](mailto:REPLIES@CRTC.GC.CA)

Please hold a copy of the broadcast until this complaint has been resolved.

Please quote our reference number on your electronic response.

A copy of all correspondence related to this matter will be placed on your public file in three weeks.

---

Incoming message 08/12/2016

November 29, 2016 airing of "This Hour Has 22 Minutes" on CBC television. skit title "WAKE UP CALL FOR THE ALT WHITE - A BEIGE HORIZON IS INEVITABLE"

I find this skit on a public station created with my tax dollars, offensive, prejudice, and criminal. I fel it incites hate and I want it removed and the CBC to apologize.

E

Tel.:

Email:

**Attachments:**

1.PDF Attachment to incoming webform 2016-12-08

**Fwd: Annual Reports for the 2015-2016 Broadcast Year / Rapports annuels pour l'année de radiodiffusion 2015-2016**

1 message

Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires  
<regulatoryaffairs@cbc.ca>Tue, Oct 18, 2016 at  
12:54 PM

To: TINA TATTO &lt;tina.tatto@cbc.ca&gt;, Anne-Marie Migneault &lt;anne-marie.migneault@radio-canada.ca&gt;



----- Forwarded message -----

From: **Labelle, Lyne** <lyne.labelle@crtc.gc.ca>

Date: 2016-10-17 17:26 GMT-04:00

Subject: Annual Reports for the 2015-2016 Broadcast Year / Rapports annuels pour l'année de radiodiffusion 2015-2016

To: Diane Boucher &lt;diane.boucher@cbc.ca&gt;, "BevKirshenblatt.RegAffairs@CBC.ca" &lt;BevKirshenblatt.RegAffairs@cbc.ca&gt;

**La version française de ce courriel suit la version anglaise**

Good afternoon Diane,

Each year, your group is required to file a number of reports with the Commission. Accordingly, you are required to file the following reports by 30 November:

- Aggregate Reports

**Aggregate Reports**

As per Broadcasting Regulation Policy CRTC 2009-560 "Public disclosure of aggregate financial data for owners of large broadcasting distribution undertakings, multi-system operators and conventional television and radio ownership groups", your ownership group is required to file the confidential and public aggregated annual return forms to the Commission on or before 30 November of each year. This information is requested as part of the Commission's aggregate annual returns process. The Commission will post the public aggregated financial data on its website.

Paragraph 35 of the regulatory policy states that large ownership groups must file the following:

- i) for those groups with interests in both cable BDUs and direct-to-home satellite distribution undertakings, separate confidential and public group-level aggregated annual return forms for each type of undertaking;
- ii) for those groups with interests in both television and radio undertakings, separate confidential and public group-level aggregate annual return forms for each type of undertaking; and
- iii) for those groups with both English- and French-language services, separate confidential and public group-level aggregated forms for each language.

Furthermore, aggregate reports for pay and specialty services are published on the Commission's website. Please provide separate confidential and public aggregates pay and specialty annual returns by language and where applicable, by designated group under the Commission's group-based approach to licensing.

As per paragraph 38 of BRP CRTC 2009-560, you must also file a list of undertakings used in compiling the aggregate returns and a reconciliation note in cases where the information provided in the aggregate reports does not match with that provided in the annual returns.

### Filing Instructions

These reports should all be uploaded to the "REP-B – Reporting Entity Profile – Broadcasting" form assigned to your entity through "My CRTC Account (GCKey) / Data Collection System (DCS) Submission Cover Page".

Should you have any questions, please do not hesitate to contact Lyne Labelle at 819-934-4725 or at [lyne.labelle@crtc.gc.ca](mailto:lyne.labelle@crtc.gc.ca)

-----

Bonjour,

Chaque année, votre groupe est tenu de déposer un certain nombre de rapports au Conseil. Par conséquent, vous devez soumettre d'ici le 30 novembre les rapports suivants:

- Les rapports cumulés

### Rapports cumulés

Selon la politique réglementaire de radiodiffusion CRTC 2009-560 « Divulgence publique des données financières cumulées des propriétaires de grandes entreprises de distribution de radiodiffusion, des exploitants de systèmes multiples et des groupes de propriété de radio et de télévision traditionnelle », votre groupe de propriété doit soumettre des versions confidentielle et publique des rapports cumulés au Conseil le ou avant le 30 novembre de chaque année. Ces renseignements doivent être soumis dans le cadre de l'exercice de dépôt des rapports annuels du Conseil. Le Conseil publiera les versions publiques des rapports cumulés sur son site Web.

Le paragraphe 35 de la politique de réglementation stipule que les grands groupes de propriété doivent déposer les documents suivants:

- i) pour les groupes ayant des intérêts à la fois dans des EDR par câble et dans des entreprises de distribution par satellite de radiodiffusion directe : des rapports annuels cumulés confidentiels et publics distincts à l'échelle du groupe pour chaque type d'entreprise;
- ii) pour les groupes ayant des intérêts à la fois dans des entreprises de télévision et de radio : des rapports annuels cumulés confidentiels et publics distincts à l'échelle du groupe pour chaque type d'entreprise;
- iii) pour les groupes ayant des services de langue anglaise et des services de langue française : des rapports annuels cumulés confidentiels et publics distincts à l'échelle du groupe pour chaque langue.

De plus, les rapports cumulés des services payants et spécialisés globaux sont publiés sur le site Web du Conseil. S'il vous plaît fournir des versions publique et confidentielle des données agrégées des rapports annuels pour les services

payants et spécialisés par langue et le cas échéant, pour le groupe désigné selon l'approche de licence par groupe du Conseil.

Conformément au paragraphe 38 de PRR CRTC 2009-560, vous devez également déposer une liste des entreprises utilisées dans la compilation des rapports cumulés et un rapprochement dans les cas où les informations fournies dans les rapports cumulés ne correspondent pas avec celles fournies dans les rapports annuels.

### Instructions relatives au dépôt

Ces rapports devraient tous être téléchargés sur le formulaire « PED-R - Rapports Profil Entité – radiodiffusion » assigné à votre compagnie par le biais « Mon compte CRTC (GCKey) / Système de collecte de données (DCS) Présentation Page couverture ».

Si vous avez des questions, s'il vous plaît ne pas hésiter à contacter Lyne Labelle au 819-934-4725 ou au [lyne.labelle@crtc.gc.ca](mailto:lyne.labelle@crtc.gc.ca)

Sincerely / cordialement,

### Marianne Blais

Gestionnaire - Analyse financière, CPS

Manager - Financial Analysis, CASP

Téléphone | Telephone: 819-997-4836

Courriel | E-Mail: [marianne.blais@crtc.gc.ca](mailto:marianne.blais@crtc.gc.ca)

Conseil de la radiodiffusion et des télécommunications canadiennes, Ottawa, Ontario K1A 0N2

Canadian Radio-television and Telecommunications Commission, Ottawa, Ontario K1A 0N2

Gouvernement du Canada | Government of Canada

[www.crtc.gc.ca](http://www.crtc.gc.ca)

Aimez-nous sur Facebook | Like us on Facebook


 Suivez-nous sur Twitter |  Follow us on Twitter

---


### 12 attachments

 **Blank 2016 Discretionary & On-Demand Aggregate Return\_confidential.xlsx**  
45K

**Blank 2016 Discretionary & On-Demand Aggregate Return\_public.xlsx**

 51K

 **Facultatifs et sur demande cumule 2016 vierge\_confidentiel.xlsx**  
65K

 **Facultatifs et sur demande cumule 2016 vierge\_publice.xlsx**  
66K

 **Blank 2016 Radio Aggregate Return\_confidential\_CBC.xlsx**  
42K

 **Blank 2016 Radio aggregate Return\_public\_CBC.xlsx**  
59K

 **Radio cumule 2016 vierge\_confidentiel.xlsx**  
58K

 **Radio cumule 2016 vierge\_publice.xlsx**  
74K

 **Blank 2016 Television Aggregate Return\_confidential\_CBC.xlsx**  
61K

 **Blank 2016 Television Aggregate Return\_public\_CBC.xlsx**  
62K

 **Television cumule 2016\_confidentielle.xlsx**  
74K

 **Television cumule 2016\_publice.xlsx**  
83K



03/02/2017

CBC Radio-Canada Mail - Re: CRTC référence: 739642

CBC  Radio-CanadaRegulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires  
<regulatoryaffairs@cbc.ca>**Re: CRTC référence: 739642**

1 message

Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires

Wed, Apr 6, 2016 at  
3:04 PM

&lt;regulatoryaffairs@cbc.ca&gt;

To: CRTC DONOTRESPOND/NEPASREPENDRE &lt;crtcdonotrespond@crtc.gc.ca&gt;

Bonjour Ms. Proulx,

left a message on voice mail that all complaints regarding "Tout le monde on parle" aired on April 3rd were going to be sent directly to the Ombudsman.

Please confirm this was a decision made by CRTC as I do not recall sending you an e-mail with this request as per Ms. voice.

Thanking you in advance for your assistance on this matter.

Danielle Brunet

2016-04-06 10:45 GMT-04:00 CRTC DONOTRESPOND/NEPASREPENDRE &lt;crtcdonotrespond@crtc.gc.ca&gt;:

Bonjour monsieur

Le CCNR a transféré votre dossier au CRTC au sujet de la diffusion de l'émission << Tout le monde en parle >> à Radio-Canada.

Bien que le CRTC supervise et réglemente le système de radiodiffusion canadien, la *Loi sur la radiodiffusion* qui nous confère notre mandat tient les radiodiffuseurs responsables du choix, du contenu et de la mise à l'horaire de toutes les émissions. La Loi ne confère pas au CRTC le droit de modifier ni de censurer la programmation.

Étant donné vos préoccupations, je demande à la Société Radio-Canada, par copie de la présente, de vous répondre directement dans les 20 jours civils et de nous transmettre copie de sa réponse aux fins d'examen. Je demande aussi à la titulaire de licence de conserver une copie audio/vidéo de l'émission jusqu'à ce que l'étude de votre plainte soit terminée. Si le personnel du CRTC devait conclure, au terme de son examen, que d'autres mesures réglementaires s'imposent, nous vous en informerons.

Veillez noter qu'après 21 jours civils suivant la date de la présente, votre plainte, ainsi que toute correspondance connexe, sera versée au dossier public de la Société Radio-Canada. Ces renseignements servent à évaluer le rendement du radiodiffuseur lors du renouvellement de sa licence. Les parties intéressées peuvent consulter le dossier en tout temps.

Conformément à vos droits en vertu de la *Loi sur la protection des renseignements personnels*, vous pouvez refuser que votre correspondance soit versée au dossier public. Si vous souhaitez vous prévaloir de ce droit, veuillez communiquer avec nous d'ici trois semaines pour nous en aviser. À cette fin, vous pouvez utiliser le lien fourni ci-après, nous poster une lettre, nous envoyer un message par télécopieur ou nous téléphoner, en prenant soin de citer notre numéro de référence. Il importe de préciser que le CRTC ne pourra pas traiter votre plainte si la correspondance n'est pas entièrement du domaine public et considérera votre plainte comme ayant été retirée.

Pour obtenir de plus amples renseignements concernant notre processus de plaintes liées à la radiodiffusion, veuillez consulter la fiche info intitulée « Comment déposer une plainte relative à la radiodiffusion? » à [http://www.crtc.gc.ca/fra/info\\_sht/G8.htm](http://www.crtc.gc.ca/fra/info_sht/G8.htm)

Apprenez-en davantage à propos de votre CRTC : <https://youtu.be/0HwEtbW5qA>

NOTE IMPORTANTE : Pour répondre à ce message, veuillez cliquer sur le lien suivant, puis suivre les instructions : <https://services.crtc.gc.ca/pub/rapidsccm/Default-Default.aspx?lang=fr&caseid=739642&key=>

Salutations,

Chantal Proulx  
Services à la clientèle | Client Services  
Conseil de la radiodiffusion et des télécommunications canadiennes | Canadian Radio-television and  
Telecommunications Commission  
Ottawa, Canada K1A 0N2  
Téléphone | Telephone 1-877-249-2782 / ATS | TTY 1-877-909-CRTC (2782)  
Hors Canada | Outside Canada 819-997-0313 / ATS | TTY 819-994-0423  
Télécopieur | Facsimile 819-994-0218  
Gouvernement du Canada | Government of Canada  
<http://www.crtc.gc.ca>  
Suivez-nous sur Twitter (@CRTCfra): <https://twitter.com/CRTCfra> | Follow us on Twitter  
<https://twitter.com/CRTCeng>  
Aimez-nous sur Facebook : <http://www.facebook.com/crtcfra> | Like us on Facebook: <http://www.facebook.com/crtceng>

bcc : Société Radio-Canada

NOTE POUR LA COMPAGNIE: LES COPIES ÉLECTRONIQUES DE RÉPONSES/RAPPORTS DOIVENT ÊTRE ENVOYÉES À: [REPLIES@CRTC.GC.CA](mailto:REPLIES@CRTC.GC.CA) - SVP INDIQUER NOTRE NUMÉRO DE RÉFÉRENCE.

03/02/2017

CBC Radio-Canada Mail - Demande de clarifications - Mireille Caissy - CRTC 737536

CBC  Radio-CanadaRegulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires  
<regulatoryaffairs@cbc.ca>**Demande de clarifications - Mireille Caissy - CRTC 737536**

1 message

Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires  
<regulatoryaffairs@cbc.ca>Fri, Apr 22, 2016 at  
10:31 AM

To: CRTC DONOTRESPOND/NEPASREPOINDRE &lt;crtcndonotrespond@crtc.gc.ca&gt;

Bcc: "Laurence, Marie-Helaine" &lt;marie-helaine.laurence@radio-canada.ca&gt;, Anne-Marie Migneault &lt;anne-marie.migneault@radio-canada.ca&gt;

Au personnel,

Voici les clarifications demandées concernant le dossier - CRTC 737536 :

Vous nous demandiez de préciser ces quatre points :

1) **Vous notez qu'il s'agissait de « quelques minutes » alors que Mme fait état qu'il s'agirait d'au moins 10 minutes. Qu'en est-il?**

Il y a eu une perte de sous-titrage pendant exactement 7 minutes.

2) **Pouvez-vous adresser le commentaire de Mme faisant état que de son point de vue « le son a disparu »?**Il n'y a eu aucune perte de son. Il s'agissait d'une comparaison *son* vs *sous-titrage* que faisait Madame Voici une copie de ce qu'elle a écrit :

Extrait de la plainte de Mme « Ça l'est bien souvent, on dirait. Erreurs techniques, erreurs humaines... mais nous, on se retrouve sans le SON! Parce que pour nous, c'est ce qui remplace le son justement, le sous-titrage. »

3) **Quelle était la nature spécifique du problème ayant affecté l'aiguillage du son en studio résultant en l'absence de sous-titrage pour une partie l'émission en question?**

Il s'agit également d'une erreur humaine. L'histoire c'est qu'il manquait le texte du dernier bloc de l'émission pour produire le sous-titrage, et que l'employé qui « poussait » le sous-titrage en direct a quitté son poste quelques minutes pour aller le chercher.

4) **Qu'est-ce que Radio-Canada entend faire pour éliminer ou minimiser l'occurrence de problèmes similaires lors de futures diffusions d'émissions avec sous-titrage?**

L'employé a été rencontré afin d'être sensibilisé à cette situation et afin d'éviter que cela ne se reproduise.

En espérant le tout conforme,

Chantale Gagnon

Chef des opérations, Services de Diffusion des Contenus

Infrastructure et Services technologiques médias (ISTM)

03/02/2017

CBC Radio-Canada Mail - Demande de clarifications - Mireille Caissy - CRTC 737536

Operation Manager, Media Presentation Services

Media Technology and Infrastructure Services (MTIS)

CG/MHL/db

03/02/2017

CBC Radio-Canada Mail - Fwd: CRTC Case ID: 745483

CBC  Radio-CanadaRegulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires  
<regulatoryaffairs@cbc.ca>**Fwd: CRTC Case ID: 745483**

1 message

Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires

Thu, Jun 16, 2016 at

&lt;regulatoryaffairs@cbc.ca&gt;

3:09 PM

To: Kelsey.McLaren@rci.rogers.com, "chantal.proulx@crtc.gc.ca" &lt;chantal.proulx@crtc.gc.ca&gt;

Cc: TINA TATTO &lt;tina.tatto@cbc.ca&gt;

Good afternoon Kelsey,

Please be advised that the complaint in regard to the ad in question was broadcast during Hockey Nigh In Canada and therefore Rogers is required to respond..

Thank you,

Danielle Brunet

----- Forwarded message -----

From: **CRTC DONOTRESPOND/NEPASREPENDRE** <crtcndonotrespond@crtc.gc.ca>

Date: Thu, Jun 16, 2016 at 1:31 PM

Subject: CRTC Case ID: 745483

To:

Good afternoon Ms.

The CBSC transferred your file to us regarding a commercial for a Jeep aired on May 5, 2016.

I will transfer your question to CBC asking the licensee to respond to you. Complaints, however, should be submitted promptly as broadcasters are required to hold tapes for 28 days following broadcast.

Please keep in mind that broadcasters are responsible for the choice, content and scheduling of the programming they provide including advertisements. The freedom of expression and the journalistic, creative and programming independence enjoyed by broadcasters is protected by the *Broadcasting Act* and the *Canadian Charter of Rights and Freedoms*. Therefore the CRTC does not have the right to edit or censor programming and will only review complaints where a specific violation of our regulations or licensing provisions has been identified.You may also want to review "How to make a broadcasting complaint" on our website at [http://www.crtc.gc.ca/eng/INFO\\_SHT/G8.htm](http://www.crtc.gc.ca/eng/INFO_SHT/G8.htm)Learn more about your CRTC: <https://youtu.be/PweJmI9ZHFk>IMPORTANT NOTE: To respond to this message, please click here and follow the prompts: <https://applications.crtc.gc.ca/question/eng/public-inquiries-form?lang=en&caseid=745483&key:>

Sincerely,

Chantal Proulx

Client Services | Services à la clientèle

Canadian Radio-television and Telecommunications Commission | Conseil de la radiodiffusion et des télécommunications canadiennes

Ottawa, Canada K1A 0N2

Telephone | Téléphone 1-877-249-2782 / TTY | ATS 1-877-909-CRTC (2782)

Outside Canada | Hors Canada 819-997-0313 / TTY | ATS 819-994-0423

Facsimile / Télécopieur 819-994-0218

Government of Canada | Gouvernement du Canada

03/02/2017

CBC Radio-Canada Mail - Fwd: CRTC Case ID: 745483

<http://www.crtc.gc.ca>

Follow us on Twitter <https://twitter.com/CRTCeng> | Suivez-nous sur Twitter (@CRTCfra): <https://twitter.com/CRTCfra>

Like us on Facebook: <http://www.facebook.com/crtceng> | Aimez-nous sur Facebook : <http://www.facebook.com/crtcfra>

bcc: CBC

---

 1.TXT  
4K

Hi Danielle,

That will be fine. I have moved the due date to October 17, 2016.

Regards,

Michelle Edge

Regional Officer | Agente régionale

Western & Northern Region | Région de L'Ouest et du Nord

CRTC Client Services | Services à la clientèle

Canadian Radio-television and Telecommunications Commission | Conseil de la radiodiffusion et des télécommunications canadiennes

Government of Canada | Gouvernement du Canada [www.crtc.gc.ca](http://www.crtc.gc.ca)

858 Beatty Street, Suite 290, Vancouver, BC V6B 1C1

Telephone | Téléphone 1-877-249-CRTC (2782) / TTY | ATS 1-877-909-CRTC (2782)

Outside Canada | Hors Canada 819-997-0313 / TTY | ATS 819-994-0423

Facsimile | Télécopieur 1-819-994-0218

[Learn more about your CRTC](#) | [Apprenez-en davantage à propos de votre CRTC](#)

[Follow us on Twitter](#) | [Suivez-nous sur Twitter](#)

[Like us on Facebook](#) | [Aimez-nous sur Facebook](#)

**From:** DANIELLE BRUNET [mailto:[danielle.brunet@cbc.ca](mailto:danielle.brunet@cbc.ca)]

**Sent:** October-11-16 10:05 AM

**To:** Edge, Michelle <[michelle.edge@crtc.gc.ca](mailto:michelle.edge@crtc.gc.ca)>

**Subject:** Re: Placement of closed captions - Sep 17/16 - CRTC Case ID: 749383-2

1 week only please

Danielle Brunet

Administrative Assistant, Corporate and Regulatory Affairs

Adjointe administrative, Affaires institutionnelles et réglementaires

CBC/Radio-Canada

181, Queen Street/ 181, rue Queen

Ottawa, ON K1P 1K9

(613) 288-6258 / [danielle.brunet@cbc.ca](mailto:danielle.brunet@cbc.ca)

[www.cbc.ca](http://www.cbc.ca) / [www.radio-canada.ca](http://www.radio-canada.ca)

On Tue, Oct 11, 2016 at 12:45 PM, Edge, Michelle <[michelle.edge@crtc.gc.ca](mailto:michelle.edge@crtc.gc.ca)> wrote:

Hello Danielle,

How much extra time do you need?

Michelle.

**From:** [danielle.brunet@cbc.ca](mailto:danielle.brunet@cbc.ca) [mailto:[danielle.brunet@cbc.ca](mailto:danielle.brunet@cbc.ca)] **On Behalf Of** Regulatory Affairs - Affaires reglementaires Regulatory Affairs - Affaires reglementaires  
**Sent:** October-11-2016 10:10 AM  
**To:** CRTC DONOTRESPOND/NEPASREPONDRE <[crtcdonotrespond@crtc.gc.ca](mailto:crtcdonotrespond@crtc.gc.ca)>  
**Subject:** Re: Placement of closed captions - Sep 17/16 - CRTC Case ID: 749383-2

Good morning Michelle,

Would it be possible to get an extension on this particular complaint?

Thank you

Danielle

On Mon, Sep 19, 2016 at 11:58 AM, CRTC DONOTRESPOND/NEPASREPONDRE <[crtcdonotrespond@crtc.gc.ca](mailto:crtcdonotrespond@crtc.gc.ca)> wrote:

September 19, 2016

Dear

Thank you for contacting the CRTC on September 17<sup>th</sup> about the placement of closed captioning during the CBC's broadcast of the USA v Spain para basketball game on Saturday September 17, 2016 from 8 PM.

In order to follow this matter, I am asking the CBC, by copy of this message, to respond directly to you within 20 calendar days in accordance with Part 2 of the CRTC Rules of Practice and Procedure, and to send us a copy of its reply for review by Commission staff. I am also asking the broadcaster to hold a copy of the broadcast until your complaint has been



resolved.

Your complaint and all related correspondence will be placed on the licensee's public file at the end of 21 calendar days. The Commission may review it at licence renewal time and interested parties may consult the files at any time.

In accordance with your rights under the Privacy Act, you may refuse to have your correspondence placed in such a file. If that is the case, please contact us within 21 calendar days of the date of this response using the link below, by mail – CRTC, Ottawa, Ontario, K1A 0N2, by fax – [819-994-0218](tel:819-994-0218), or by telephone – [1-877-249-2782](tel:1-877-249-2782), quoting the CRTC Case ID number. Please note that the CRTC will not be able to pursue your complaint if all correspondence cannot be made public and will consider your complaint as withdrawn.

Should CRTC staff's review conclude that further regulatory action is required, you will be notified accordingly. Additional information on the CRTC complaint process is available in "How to make a broadcasting complaint": [http://www.crtc.gc.ca/eng/INFO\\_SHT/G8.htm](http://www.crtc.gc.ca/eng/INFO_SHT/G8.htm)

IMPORTANT NOTE: To respond to this message, please click here and follow the prompts: <https://applications.crtc.gc.ca/question/eng/public-inquiries-form?lang=en&caseid=749383&key=>

Regards,

Michelle Edge

Regional Officer | Agente régionale

Western & Northern Region | Région de L'Ouest et du Nord

CRTC Client Services | Services à la clientèle

Canadian Radio-television and Telecommunications Commission | Conseil de la radiodiffusion et des télécommunications canadiennes

Government of Canada | Gouvernement du Canada [www.crtc.gc.ca](http://www.crtc.gc.ca)

858 Beatty Street, Suite 290, Vancouver, BC V6B 1C1

Telephone | Téléphone 1-877-249-CRTC (2782) / TTY | ATS 1-877-909-CRTC (2782)

Outside Canada | Hors Canada [819-997-0313](tel:819-997-0313) / TTY | ATS [819-994-0423](tel:819-994-0423)

Facsimile | Télécopieur [1-819-994-0218](tel:1-819-994-0218)

[Learn more about your CRTC](#) | [Apprenez-en davantage à propos de votre CRTC](#)

[Follow us on Twitter](#) | [Suivez-nous sur Twitter](#)

[Like us on Facebook](#) | [Aimez-nous sur Facebook](#)

cc: CBC

NOTES TO LICENSEE: Copies of electronic replies/reports to complaints should be sent to the following CRTC address: [REPLIES@CRTC.GC.CA](mailto:REPLIES@CRTC.GC.CA)

Please hold a copy of the broadcast until this complaint has been resolved.

Please quote our reference number on your electronic response.

A copy of all correspondence related to this matter will be placed on your public file in three weeks.

-----  
Incoming message 17/09/2016

Ms. Boyce, you are being seriously misinformed as to what CBC is doing!

I am currently watching the USA v Spain para basketball game broadcast from 8 pm Saturday Sept 17. And just like all the broadcasts of the regular Olympics before I made my complaint the captions are at the top of the screen and covering the score bug!

CRTC, you can consider this either a new complaint or a continuation of my "original" complaint.

and wishes he could just sit back and enjoy life but instead gets bad stuff like this that just can't be tolerated!)

Tel.: !

Email: !

03/02/2017

CBC Radio-Canada Mail - Re: CBC radio programming - Nov 25/16 - CRTC Case ID: 759404

CBC  Radio-CanadaRegulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires  
<regulatoryaffairs@cbc.ca>**Re: CBC radio programming - Nov 25/16 - CRTC Case ID: 759404**

1 message

Regulatory Affairs - Affaires réglementaires Regulatory Affairs - Affaires réglementaires  
<regulatoryaffairs@cbc.ca>Tue, Jan 3, 2017 at  
9:05 AM

To: "Michelle.Edge@crtc.gc.ca" &lt;michelle.edge@crtc.gc.ca&gt;

Good Morning Michelle,

Would it be possible to get further information regarding the complaint as we have no time or program name.

Thank you

Danielle

On Fri, Dec 23, 2016 at 2:33 PM, CRTC DONOTRESPOND/NEPASREPONDRE &lt;crtcdonotrespond@crtc.gc.ca&gt; wrote:

December 23, 2016

Dear Mr.

This is in response to your correspondence forwarded by the CBSC to the CRTC on December 19<sup>th</sup> about offensive language broadcast by the CBC radio on November 25<sup>th</sup> in the afternoon.

Broadcasters are responsible for the choice, content and scheduling of all programming they provide as set out in the *Broadcasting Act*. The CRTC's role is to make sure broadcasters have acted responsibly and to hold them accountable for their programming when it's called for.

In order to follow this matter, I am asking the licensee, by copy of this message, to respond directly to you within 20 calendar days (except the Holiday Break of December 21 to January 7) in accordance with Part 2 of the CRTC Rules of Practice and Procedure, and to send us a copy of its reply for review by Commission staff. I am also asking the broadcaster to hold a copy of the broadcast until your complaint has been resolved.

Your complaint and all related correspondence will be placed on the licensee's public file at the end of 21 calendar days. The Commission may review it at licence renewal time and interested parties may consult the files at any time.

In accordance with your rights under the Privacy Act, you may refuse to have your correspondence placed in such a file. If that is the case, please contact us within 21 calendar days of the date of this response using the link below, by mail – CRTC, Ottawa, Ontario, K1A 0N2, by fax – 819-994-0218, or by telephone – 1-877-249-2782, quoting the CRTC Case ID number. Please note that the CRTC will not be able to pursue your complaint if all correspondence cannot be made public and will consider your complaint as withdrawn.

Should CRTC staff's review conclude that further regulatory action is required, you will be notified accordingly. Additional information on the CRTC complaint process is available in "How to make a broadcasting complaint": [http://www.crtc.gc.ca/eng/INFO\\_SHT/G8.htm](http://www.crtc.gc.ca/eng/INFO_SHT/G8.htm)

**IMPORTANT NOTE:** To respond to this message, please click here and follow the prompts: <https://applications.crtc.gc.ca/question/eng/public-inquiries-form?lang=en&caseid=759404&key=>

Regards,

03/02/2017

CBC Radio-Canada Mail - Re: CBC radio programming - Nov 25/16 - CRTC Case ID: 759404

Michelle Edge  
CRTC Client Services | Services à la clientèle  
Canadian Radio-television and Telecommunications Commission | Conseil de la radiodiffusion et des  
télécommunications canadiennes  
Government of Canada | Gouvernement du Canada [www.crtc.gc.ca](http://www.crtc.gc.ca)  
Ottawa, Canada K1A 0N2  
Telephone | Téléphone 1-877-249-CRTC (2782) / TTY | ATS 1-877-909-CRTC (2782)  
Outside Canada | Hors Canada 819-997-0313 / TTY | ATS 819-994-0423  
Facsimile | Télécopieur 1-819-994-0218  
Follow us on Twitter | Suivez-nous sur Twitter  
Like us on Facebook | Aimez-nous sur Facebook

cc: CBC

NOTES TO LICENSEE: Copies of electronic replies/reports to complaints should be sent to the following CRTC  
address: [REPLIES@CRTC.GC.CA](mailto:REPLIES@CRTC.GC.CA)

Please hold a copy of the broadcast until this complaint has been resolved.

Please quote our reference number on your electronic response.

A copy of all correspondence related to this matter will be placed on your public file in three weeks.

cc: Ms. Cécile Savoie, CBSC #1617-0690

Email:

**Attachments:**

1.TXT Correspondence transferred from the CBSC on December 19, 2016

## CRTC - FINANCIAL SUMMARY - TV

## CBC - FS - CANADA

| (\$)                                      | 2011                 | 2012                 | Var %       | 2013                 | Var %        | 2014                 | Var %       | 2015                 | Var %         | CAGR (%)    |
|---|----------------------|----------------------|-------------|----------------------|--------------|----------------------|-------------|----------------------|---------------|-------------|
| <b>Reporting Units</b>                    | 27                   | 27                   |             | 27                   |              | 27                   |             | 27                   |               |             |
| <b>Revenue</b>                            |                      |                      |             |                      |              |                      |             |                      |               |             |
| Time Sales                                | 369,631,642          | 372,694,081          | 0.83        | 331,123,583          | -11.15       | 474,647,280          | 43.34       | 220,058,107          | -53.64        | -12.2       |
| Syndication-Production                    | 49,850,459           | 50,024,167           | 0.35        | 53,765,138           | 7.48         | 67,676,001           | 25.87       | 89,360,588           | 32.04         | 15.7        |
| Local Programming Improvement Fund        | 40,688,566           | 47,158,790           | 15.90       | 34,835,830           | -26.13       | 17,562,628           | -49.58      |                      | -100.00       | n/a         |
| Gov. Grants & Parliamentary Appropriation | 839,156,385          | 861,381,118          | 2.65        | 783,201,049          | -9.08        | 726,001,841          | -7.30       | 757,934,083          | 4.40          | -2.5        |
| Other Revenue                             | 39,513,707           | 37,904,420           | -4.07       | 43,999,507           | 16.08        | 42,222,342           | -4.04       | 39,882,907           | -5.54         | 0.2         |
| <b>Total Revenue</b>                      | <b>1,338,840,759</b> | <b>1,369,162,576</b> | <b>2.26</b> | <b>1,246,925,107</b> | <b>-8.93</b> | <b>1,328,110,092</b> | <b>6.51</b> | <b>1,107,235,685</b> | <b>-16.63</b> | <b>-4.6</b> |
| <b>Expenses</b>                           |                      |                      |             |                      |              |                      |             |                      |               |             |
| Program                                   | 854,768,102          | 886,753,833          | 3.74        | 821,553,788          | -7.35        | 897,932,051          | 9.30        | 687,293,380          | -23.46        | -5.3        |
| Technical                                 | 115,284,006          | 108,861,737          | -5.57       | 106,861,277          | -1.84        | 104,090,478          | -2.59       | 97,699,158           | -6.14         | -4.1        |
| Sales and Promotion                       | 120,355,058          | 119,145,876          | -1.00       | 108,973,207          | -8.54        | 110,540,347          | 1.44        | 101,866,421          | -7.85         | -4.1        |
| Administration and General                | 147,639,127          | 143,151,258          | -3.04       | 128,839,384          | -10.00       | 136,806,554          | 6.18        | 136,345,490          | -0.34         | -2.0        |
| <b>Total Expenses</b>                     | <b>1,238,046,293</b> | <b>1,257,912,704</b> | <b>1.60</b> | <b>1,166,227,656</b> | <b>-7.29</b> | <b>1,249,369,430</b> | <b>7.13</b> | <b>1,023,204,449</b> | <b>-18.10</b> | <b>-4.7</b> |
| Operating Income                          | 100,794,466          | 111,249,872          |             | 80,697,451           |              | 78,740,662           |             | 84,031,236           |               |             |
| Depreciation                              | 120,550,472          | 141,605,011          | 17.47       | 108,574,591          | -23.33       | 102,410,811          | -5.68       | 94,937,224           | -7.30         | -5.8        |
| <b>P.B.I.T.</b>                           | <b>-19,756,006</b>   | <b>-30,355,139</b>   |             | <b>-27,877,140</b>   |              | <b>-23,670,149</b>   |             | <b>-10,905,988</b>   |               |             |
| Interest Expense                          | 21,562,849           | 21,640,609           | 0.36        | 20,317,732           | -6.11        | 19,253,829           | -5.24       | 18,005,052           | -6.49         |             |
| Adjustments Gain(Loss)                    | 32,576,900           | 41,525,944           | 27.47       | 64,976,407           | 56.47        | 3,845,533            | -94.08      | -15,934,071          | -514.35       |             |
| <b>Pre-tax Profit</b>                     | <b>-8,741,955</b>    | <b>-10,469,804</b>   |             | <b>16,781,535</b>    |              | <b>-39,078,445</b>   |             | <b>-44,845,111</b>   |               |             |
| <b>Programming (%)</b>                    |                      |                      |             |                      |              |                      |             |                      |               |             |
| Prog Expense/Expense Total                | 69.0                 | 70.5                 |             | 70.4                 |              | 71.9                 |             | 67.2                 |               |             |
| Prog Expense/Revenue Total                | 63.8                 | 64.8                 |             | 65.9                 |              | 67.6                 |             | 62.1                 |               |             |
| <b>Staff</b>                              |                      |                      |             |                      |              |                      |             |                      |               |             |
| Total Salaries                            | 581,677,266          | 606,616,773          | 4.29        | 599,752,653          | -1.13        | 581,299,831          | -3.08       | 523,221,744          | -9.99         | -2.6        |
| Avg Staff Count                           | 6,213.7              | 6,319.8              | 1.71        | 6,136.9              | -2.89        | 5,842.7              | -4.80       | 5,204.7              | -10.92        |             |
| Avg Salary (\$)                           | 93,612               | 95,987               | 2.54        | 97,728               | 1.81         | 99,492               | 1.81        | 100,528              | 1.04          | 1.8         |
| Salaries/Expense Total (%)                | 47.0                 | 48.2                 |             | 51.4                 |              | 46.5                 |             | 51.1                 |               |             |
| <b>Profitability (%)</b>                  |                      |                      |             |                      |              |                      |             |                      |               |             |
| Operating Margin                          | 7.5                  | 8.1                  |             | 6.5                  |              | 5.9                  |             | 7.6                  |               |             |
| P.B.I.T. Margin                           | -1.5                 | -2.2                 |             | -2.2                 |              | -1.8                 |             | -1.0                 |               |             |
| Pre-tax Margin                            | -0.7                 | -0.8                 |             | 1.3                  |              | -2.9                 |             | -4.1                 |               |             |

CAGR = Compound Annual Growth Rate

## CRTC - FINANCIAL SUMMARY - TV

## CBC - FS - ATLANTIC

| (\$)                                      | 2011              | 2012              | Var %        | 2013              | Var %       | 2014              | Var %         | 2015              | Var %         | CAGR (%)    |
|---|-------------------|-------------------|--------------|-------------------|-------------|-------------------|---------------|-------------------|---------------|-------------|
| <b>Reporting Units</b>                    | 5                 | 5                 |              | 5                 |             | 5                 |               | 5                 |               |             |
| <b>Revenue</b>                            |                   |                   |              |                   |             |                   |               |                   |               |             |
| Time Sales                                | 7,431,472         | 7,530,999         | 1.34         | 6,723,201         | -10.73      | 7,221,132         | 7.41          | 6,568,009         | -9.04         | -3.0        |
| Syndication-Production                    | 1,731,745         | 2,563,707         | 48.04        | 1,532,153         | -40.24      | 1,670,405         | 9.02          | 1,501,757         | -10.10        | -3.5        |
| Local Programming Improvement Fund        | 14,345,521        | 16,016,618        | 11.65        | 13,011,800        | -18.76      | 6,652,545         | -48.87        |                   | -100.00       | n/a         |
| Gov. Grants & Parliamentary Appropriation | 40,586,270        | 48,784,491        | 20.20        | 54,679,537        | 12.08       | 52,074,164        | -4.76         | 47,594,759        | -8.60         | 4.1         |
| Other Revenue                             | 1,468,711         | 1,422,186         | -3.17        | 1,507,900         | 6.03        | 1,155,994         | -23.34        | 1,289,099         | 11.51         | -3.2        |
| <b>Total Revenue</b>                      | <b>65,563,719</b> | <b>76,318,001</b> | <b>16.40</b> | <b>77,454,591</b> | <b>1.49</b> | <b>68,774,240</b> | <b>-11.21</b> | <b>56,953,624</b> | <b>-17.19</b> | <b>-3.5</b> |
| <b>Expenses</b>                           |                   |                   |              |                   |             |                   |               |                   |               |             |
| Program                                   | 43,546,060        | 53,607,708        | 23.11        | 54,423,268        | 1.52        | 49,903,722        | -8.30         | 36,558,996        | -26.74        | -4.3        |
| Technical                                 | 6,297,534         | 5,149,431         | -18.23       | 5,448,393         | 5.81        | 4,674,717         | -14.20        | 4,824,101         | 3.20          | -6.5        |
| Sales and Promotion                       | 3,177,342         | 2,983,856         | -6.09        | 3,641,376         | 22.04       | 3,080,713         | -15.40        | 4,212,638         | 36.74         | 7.3         |
| Administration and General                | 7,622,084         | 8,016,645         | 5.18         | 8,552,742         | 6.69        | 7,526,025         | -12.00        | 7,368,267         | -2.10         | -0.8        |
| <b>Total Expenses</b>                     | <b>60,643,020</b> | <b>69,757,640</b> | <b>15.03</b> | <b>72,065,779</b> | <b>3.31</b> | <b>65,185,177</b> | <b>-9.55</b>  | <b>52,964,002</b> | <b>-18.75</b> | <b>-3.3</b> |
| Operating Income                          | 4,920,699         | 6,560,361         |              | 5,388,812         |             | 3,589,063         |               | 3,989,622         |               |             |
| Depreciation                              | 5,880,806         | 7,813,572         | 32.87        | 6,723,190         | -13.95      | 5,272,085         | -21.58        | 5,006,214         | -5.04         | -4.0        |
| <b>P.B.I.T.</b>                           | <b>-960,107</b>   | <b>-1,253,211</b> |              | <b>-1,334,378</b> |             | <b>-1,683,022</b> |               | <b>-1,016,592</b> |               |             |
| Interest Expense                          | 1,051,899         | 1,681,216         | 59.83        | 1,636,054         | -2.69       | 1,349,876         | -17.49        | 954,619           | -29.28        |             |
| Adjustments Gain(Loss)                    | 1,589,195         | 2,291,348         | 44.18        | 4,142,043         | 80.77       | 190,142           | -95.41        | -844,855          | -544.33       |             |
| <b>Pre-tax Profit</b>                     | <b>-422,811</b>   | <b>-643,079</b>   |              | <b>1,171,611</b>  |             | <b>-2,842,756</b> |               | <b>-2,816,066</b> |               |             |
| <b>Programming (%)</b>                    |                   |                   |              |                   |             |                   |               |                   |               |             |
| Prog Expense/Expense Total                | 71.8              | 76.8              |              | 75.5              |             | 76.6              |               | 69.0              |               |             |
| Prog Expense/Revenue Total                | 66.4              | 70.2              |              | 70.3              |             | 72.6              |               | 64.2              |               |             |
| <b>Staff</b>                              |                   |                   |              |                   |             |                   |               |                   |               |             |
| Total Salaries                            | 41,452,642        | 42,824,950        | 3.31         | 44,270,788        | 3.38        | 38,498,266        | -13.04        | 37,631,796        | -2.25         | -2.4        |
| Avg Staff Count                           | 441.4             | 443.7             | 0.51         | 452.4             | 1.97        | 395.3             | -12.62        | 385.2             | -2.57         |             |
| Avg Salary (\$)                           | 93,910            | 96,524            | 2.78         | 97,853            | 1.38        | 97,380            | -0.48         | 97,702            | 0.33          | 1.0         |
| Salaries/Expense Total (%)                | 68.4              | 61.4              |              | 61.4              |             | 59.1              |               | 71.1              |               |             |
| <b>Profitability (%)</b>                  |                   |                   |              |                   |             |                   |               |                   |               |             |
| Operating Margin                          | 7.5               | 8.6               |              | 7.0               |             | 5.2               |               | 7.0               |               |             |
| P.B.I.T. Margin                           | -1.5              | -1.6              |              | -1.7              |             | -2.4              |               | -1.8              |               |             |
| Pre-tax Margin                            | -0.6              | -0.8              |              | 1.5               |             | -4.1              |               | -4.9              |               |             |

CAGR = Compound Annual Growth Rate

## CRTC - FINANCIAL SUMMARY - TV

## CBC - FS - QUÉBEC

| (\$)                                      | 2011               | 2012               | Var %       | 2013               | Var %        | 2014               | Var %       | 2015               | Var %        | CAGR (%)    |
|---|--------------------|--------------------|-------------|--------------------|--------------|--------------------|-------------|--------------------|--------------|-------------|
| <b>Reporting Units</b>                    | 7                  | 7                  |             | 7                  |              | 7                  |             | 7                  |              |             |
| <b>Revenue</b>                            |                    |                    |             |                    |              |                    |             |                    |              |             |
| Time Sales                                | 134,259,100        | 137,002,905        | 2.04        | 137,870,840        | 0.63         | 150,431,844        | 9.11        | 115,524,588        | -23.20       | -3.7        |
| Syndication-Production                    | 22,127,354         | 22,562,251         | 1.97        | 24,496,085         | 8.57         | 24,769,908         | 1.12        | 25,374,821         | 2.44         | 3.5         |
| Local Programming Improvement Fund        | 8,297,607          | 9,034,849          | 8.88        | 6,319,305          | -30.06       | 3,271,624          | -48.23      |                    | -100.00      | n/a         |
| Gov. Grants & Parliamentary Appropriation | 317,328,248        | 320,203,971        | 0.91        | 293,050,118        | -8.48        | 286,477,560        | -2.24       | 287,216,662        | 0.26         | -2.5        |
| Other Revenue                             | 17,631,766         | 15,592,238         | -11.57      | 15,663,609         | 0.46         | 16,591,330         | 5.92        | 17,121,962         | 3.20         | -0.7        |
| <b>Total Revenue</b>                      | <b>499,644,075</b> | <b>504,396,214</b> | <b>0.95</b> | <b>477,399,957</b> | <b>-5.35</b> | <b>481,542,266</b> | <b>0.87</b> | <b>445,238,033</b> | <b>-7.54</b> | <b>-2.8</b> |
| <b>Expenses</b>                           |                    |                    |             |                    |              |                    |             |                    |              |             |
| Program                                   | 310,506,667        | 315,732,068        | 1.68        | 310,864,761        | -1.54        | 313,375,471        | 0.81        | 276,201,810        | -11.86       | -2.9        |
| Technical                                 | 56,518,797         | 52,958,611         | -6.30       | 51,052,192         | -3.60        | 48,311,057         | -5.37       | 46,160,346         | -4.45        | -4.9        |
| Sales and Promotion                       | 38,771,476         | 38,770,842         | 0.00        | 37,296,374         | -3.80        | 41,236,460         | 10.56       | 38,532,145         | -6.56        | -0.2        |
| Administration and General                | 55,634,873         | 54,679,110         | -1.72       | 45,940,992         | -15.98       | 49,455,707         | 7.65        | 52,056,266         | 5.26         | -1.7        |
| <b>Total Expenses</b>                     | <b>461,431,813</b> | <b>462,140,631</b> | <b>0.15</b> | <b>445,154,319</b> | <b>-3.68</b> | <b>452,378,695</b> | <b>1.62</b> | <b>412,950,567</b> | <b>-8.72</b> | <b>-2.7</b> |
| Operating Income                          | 38,212,262         | 42,255,583         |             | 32,245,638         |              | 29,163,571         |             | 32,287,466         |              |             |
| Depreciation                              | 45,692,748         | 53,938,610         | 18.05       | 41,730,591         | -22.63       | 39,149,580         | -6.18       | 36,381,290         | -7.07        | -5.5        |
| <b>P.B.I.T.</b>                           | <b>-7,480,486</b>  | <b>-11,683,027</b> |             | <b>-9,484,953</b>  |              | <b>-9,986,009</b>  |             | <b>-4,093,824</b>  |              |             |
| Interest Expense                          | 8,173,056          | 8,076,074          | -1.19       | 7,388,304          | -8.52        | 7,045,528          | -4.64       | 6,891,590          | -2.18        |             |
| Adjustments Gain(Loss)                    | 12,347,759         | 15,817,599         | 28.10       | 23,152,400         | 46.37        | 1,633,012          | -92.95      | -6,008,496         | -467.94      |             |
| <b>Pre-tax Profit</b>                     | <b>-3,305,783</b>  | <b>-3,941,502</b>  |             | <b>6,279,143</b>   |              | <b>-15,398,525</b> |             | <b>-16,993,910</b> |              |             |
| <b>Programming (%)</b>                    |                    |                    |             |                    |              |                    |             |                    |              |             |
| Prog Expense/Expense Total                | 67.3               | 68.3               |             | 69.8               |              | 69.3               |             | 66.9               |              |             |
| Prog Expense/Revenue Total                | 62.1               | 62.6               |             | 65.1               |              | 65.1               |             | 62.0               |              |             |
| <b>Staff</b>                              |                    |                    |             |                    |              |                    |             |                    |              |             |
| Total Salaries                            | 242,801,675        | 244,365,527        | 0.64        | 239,462,052        | -2.01        | 235,023,713        | -1.85       | 213,660,398        | -9.09        | -3.2        |
| Avg Staff Count                           | 2,714.6            | 2,667.3            | -1.74       | 2,552.2            | -4.32        | 2,425.4            | -4.97       | 2,159.5            | -10.96       |             |
| Avg Salary (\$)                           | 89,445             | 91,614             | 2.43        | 93,827             | 2.42         | 96,901             | 3.28        | 98,939             | 2.10         | 2.6         |
| Salaries/Expense Total (%)                | 52.6               | 52.9               |             | 53.8               |              | 52.0               |             | 51.7               |              |             |
| <b>Profitability (%)</b>                  |                    |                    |             |                    |              |                    |             |                    |              |             |
| Operating Margin                          | 7.6                | 8.4                |             | 6.8                |              | 6.1                |             | 7.3                |              |             |
| P.B.I.T. Margin                           | -1.5               | -2.3               |             | -2.0               |              | -2.1               |             | -0.9               |              |             |
| Pre-tax Margin                            | -0.7               | -0.8               |             | 1.3                |              | -3.2               |             | -3.8               |              |             |

CAGR = Compound Annual Growth Rate

## CRTC - FINANCIAL SUMMARY - TV

## CBC - FS - ONTARIO

| (\$)                                      | 2011               | 2012               | Var %       | 2013               | Var %         | 2014               | Var %        | 2015               | Var %         | CAGR (%)    |
|---|--------------------|--------------------|-------------|--------------------|---------------|--------------------|--------------|--------------------|---------------|-------------|
| <b>Reporting Units</b>                    | 5                  | 5                  |             | 5                  |               | 5                  |              | 5                  |               |             |
| <b>Revenue</b>                            |                    |                    |             |                    |               |                    |              |                    |               |             |
| Time Sales                                | 205,235,064        | 206,437,177        | 0.59        | 169,298,097        | -17.99        | 297,153,398        | 75.52        | 80,949,455         | -72.76        | -20.8       |
| Syndication-Production                    | 25,364,085         | 24,404,870         | -3.78       | 26,934,260         | 10.36         | 40,360,558         | 49.85        | 61,481,403         | 52.33         | 24.8        |
| Local Programming Improvement Fund        | 6,069,158          | 6,969,021          | 14.83       | 4,535,685          | -34.92        | 2,240,950          | -50.59       |                    | -100.00       | n/a         |
| Gov. Grants & Parliamentary Appropriation | 383,869,653        | 412,525,252        | 7.46        | 337,760,120        | -18.12        | 296,215,964        | -12.30       | 322,714,241        | 8.95          | -4.3        |
| Other Revenue                             | 17,481,413         | 18,533,011         | 6.02        | 24,142,452         | 30.27         | 22,494,551         | -6.83        | 18,730,306         | -16.73        | 1.7         |
| <b>Total Revenue</b>                      | <b>638,019,373</b> | <b>668,869,331</b> | <b>4.84</b> | <b>562,670,614</b> | <b>-15.88</b> | <b>658,465,421</b> | <b>17.03</b> | <b>483,875,405</b> | <b>-26.51</b> | <b>-6.7</b> |
| <b>Expenses</b>                           |                    |                    |             |                    |               |                    |              |                    |               |             |
| Program                                   | 414,103,538        | 437,370,638        | 5.62        | 369,828,791        | -15.44        | 451,861,764        | 22.18        | 299,782,348        | -33.66        | -7.8        |
| Technical                                 | 39,848,700         | 41,511,353         | 4.17        | 40,079,755         | -3.45         | 41,269,887         | 2.97         | 37,416,604         | -9.34         | -1.6        |
| Sales and Promotion                       | 67,225,250         | 69,443,397         | 3.30        | 58,407,225         | -15.89        | 58,560,109         | 0.26         | 46,116,306         | -21.25        | -9.0        |
| Administration and General                | 69,210,209         | 68,368,956         | -1.22       | 60,540,352         | -11.45        | 67,075,077         | 10.79        | 61,380,146         | -8.49         | -3.0        |
| <b>Total Expenses</b>                     | <b>590,387,697</b> | <b>616,694,344</b> | <b>4.46</b> | <b>528,856,123</b> | <b>-14.24</b> | <b>618,766,837</b> | <b>17.00</b> | <b>444,695,404</b> | <b>-28.13</b> | <b>-6.8</b> |
| Operating Income                          | 47,631,676         | 52,174,987         |             | 33,814,491         |               | 39,698,584         |              | 39,180,001         |               |             |
| Depreciation                              | 56,822,197         | 67,602,123         | 18.97       | 48,900,255         | -27.66        | 48,831,010         | -0.14        | 42,870,704         | -12.21        | -6.8        |
| <b>P.B.I.T.</b>                           | <b>-9,190,521</b>  | <b>-15,427,136</b> |             | <b>-15,085,764</b> |               | <b>-9,132,426</b>  |              | <b>-3,690,703</b>  |               |             |
| Interest Expense                          | 10,163,780         | 9,301,831          | -8.48       | 8,451,523          | -9.14         | 8,471,599          | 0.24         | 8,126,829          | -4.07         |             |
| Adjustments Gain(Loss)                    | 15,355,319         | 19,824,454         | 29.10       | 30,774,424         | 55.23         | 1,691,110          | -94.50       | -7,276,683         | -530.29       |             |
| <b>Pre-tax Profit</b>                     | <b>-3,998,982</b>  | <b>-4,904,513</b>  |             | <b>7,237,137</b>   |               | <b>-15,912,915</b> |              | <b>-19,094,215</b> |               |             |
| <b>Programming (%)</b>                    |                    |                    |             |                    |               |                    |              |                    |               |             |
| Prog Expense/Expense Total                | 70.1               | 70.9               |             | 69.9               |               | 73.0               |              | 67.4               |               |             |
| Prog Expense/Revenue Total                | 64.9               | 65.4               |             | 65.7               |               | 68.6               |              | 62.0               |               |             |
| <b>Staff</b>                              |                    |                    |             |                    |               |                    |              |                    |               |             |
| Total Salaries                            | 217,193,078        | 239,770,124        | 10.39       | 231,361,176        | -3.51         | 231,703,091        | 0.15         | 194,304,841        | -16.14        | -2.8        |
| Avg Staff Count                           | 2,219.8            | 2,391.1            | 7.72        | 2,278.5            | -4.71         | 2,256.3            | -0.97        | 1,874.0            | -16.94        |             |
| Avg Salary (\$)                           | 97,842             | 100,275            | 2.49        | 101,543            | 1.26          | 102,692            | 1.13         | 103,683            | 0.97          | 1.5         |
| Salaries/Expense Total (%)                | 36.8               | 38.9               |             | 43.7               |               | 37.4               |              | 43.7               |               |             |
| <b>Profitability (%)</b>                  |                    |                    |             |                    |               |                    |              |                    |               |             |
| Operating Margin                          | 7.5                | 7.8                |             | 6.0                |               | 6.0                |              | 8.1                |               |             |
| P.B.I.T. Margin                           | -1.4               | -2.3               |             | -2.7               |               | -1.4               |              | -0.8               |               |             |
| Pre-tax Margin                            | -0.6               | -0.7               |             | 1.3                |               | -2.4               |              | -3.9               |               |             |

CAGR = Compound Annual Growth Rate



## CRTC - FINANCIAL SUMMARY - TV

## CBC - FS -PRAIRIES

| (\$)                                      | 2011              | 2012              | Var %        | 2013              | Var %        | 2014              | Var %        | 2015              | Var %        | CAGR (%)    |
|---|-------------------|-------------------|--------------|-------------------|--------------|-------------------|--------------|-------------------|--------------|-------------|
| <b>Reporting Units</b>                    | 7                 | 7                 |              | 7                 |              | 7                 |              | 7                 |              |             |
| <b>Revenue</b>                            |                   |                   |              |                   |              |                   |              |                   |              |             |
| Time Sales                                | 10,383,755        | 10,845,166        | 4.44         | 8,750,533         | -19.31       | 10,619,856        | 21.36        | 10,647,170        | 0.26         | 0.6         |
| Syndication-Production                    | 110,615           | 132,775           | 20.03        | 150,963           | 13.70        | 167,372           | 10.87        | 140,780           | -15.89       | 6.2         |
| Local Programming Improvement Fund        | 9,173,882         | 10,732,729        | 16.99        | 7,781,879         | -27.49       | 4,010,702         | -48.46       |                   | -100.00      | n/a         |
| Gov. Grants & Parliamentary Appropriation | 59,197,039        | 51,002,218        | -13.84       | 62,606,796        | 22.75        | 57,607,355        | -7.99        | 61,650,028        | 7.02         | 1.0         |
| Other Revenue                             | 1,639,382         | 1,380,019         | -15.82       | 1,568,087         | 13.63        | 1,222,988         | -22.01       | 1,678,421         | 37.24        | 0.6         |
| <b>Total Revenue</b>                      | <b>80,504,673</b> | <b>74,092,907</b> | <b>-7.96</b> | <b>80,858,258</b> | <b>9.13</b>  | <b>73,628,273</b> | <b>-8.94</b> | <b>74,116,399</b> | <b>0.66</b>  | <b>-2.1</b> |
| <b>Expenses</b>                           |                   |                   |              |                   |              |                   |              |                   |              |             |
| Program                                   | 53,406,547        | 50,103,591        | -6.18        | 55,776,972        | 11.32        | 52,340,612        | -6.16        | 47,306,063        | -9.62        | -3.0        |
| Technical                                 | 7,400,723         | 5,220,938         | -29.45       | 5,392,045         | 3.28         | 5,400,867         | 0.16         | 5,455,001         | 1.00         | -7.3        |
| Sales and Promotion                       | 4,588,680         | 4,683,499         | 2.07         | 4,985,657         | 6.45         | 3,976,862         | -20.23       | 6,585,290         | 65.59        | 9.5         |
| Administration and General                | 9,159,585         | 7,671,358         | -16.25       | 8,801,507         | 14.73        | 8,007,663         | -9.02        | 9,561,174         | 19.40        | 1.1         |
| <b>Total Expenses</b>                     | <b>74,555,535</b> | <b>67,679,386</b> | <b>-9.22</b> | <b>74,956,181</b> | <b>10.75</b> | <b>69,726,004</b> | <b>-6.98</b> | <b>68,907,528</b> | <b>-1.17</b> | <b>-2.0</b> |
| Operating Income                          | 5,949,138         | 6,413,521         |              | 5,902,077         |              | 3,902,269         |              | 5,208,871         |              |             |
| Depreciation                              | 7,226,031         | 7,618,661         | 5.43         | 7,009,717         | -7.99        | 5,674,076         | -19.05       | 6,513,153         | 14.79        | -2.6        |
| <b>P.B.I.T.</b>                           | <b>-1,276,893</b> | <b>-1,205,140</b> |              | <b>-1,107,640</b> |              | <b>-1,771,807</b> |              | <b>-1,304,282</b> |              |             |
| Interest Expense                          | 1,292,520         | 1,702,589         | 31.73        | 1,850,924         | 8.71         | 1,545,365         | -16.51       | 1,244,242         | -19.49       |             |
| Adjustments Gain(Loss)                    | 1,952,724         | 2,234,186         | 14.41        | 4,300,029         | 92.47        | 206,790           | -95.19       | -1,099,157        | -631.53      |             |
| <b>Pre-tax Profit</b>                     | <b>-616,689</b>   | <b>-673,543</b>   |              | <b>1,341,465</b>  |              | <b>-3,110,382</b> |              | <b>-3,647,681</b> |              |             |
| <b>Programming (%)</b>                    |                   |                   |              |                   |              |                   |              |                   |              |             |
| Prog Expense/Expense Total                | 71.6              | 74.0              |              | 74.4              |              | 75.1              |              | 68.7              |              |             |
| Prog Expense/Revenue Total                | 66.3              | 67.6              |              | 69.0              |              | 71.1              |              | 63.8              |              |             |
| <b>Staff</b>                              |                   |                   |              |                   |              |                   |              |                   |              |             |
| Total Salaries                            | 47,751,087        | 47,863,014        | 0.23         | 52,510,340        | 9.71         | 47,205,735        | -10.10       | 48,315,313        | 2.35         | 0.3         |
| Avg Staff Count                           | 505.3             | 495.9             | -1.86        | 535.9             | 8.06         | 479.9             | -10.45       | 494.3             | 2.99         |             |
| Avg Salary (\$)                           | 94,495            | 96,514            | 2.14         | 97,987            | 1.53         | 98,366            | 0.39         | 97,751            | -0.63        | 0.9         |
| Salaries/Expense Total (%)                | 64.0              | 70.7              |              | 70.1              |              | 67.7              |              | 70.1              |              |             |
| <b>Profitability (%)</b>                  |                   |                   |              |                   |              |                   |              |                   |              |             |
| Operating Margin                          | 7.4               | 8.7               |              | 7.3               |              | 5.3               |              | 7.0               |              |             |
| P.B.I.T. Margin                           | -1.6              | -1.6              |              | -1.4              |              | -2.4              |              | -1.8              |              |             |
| Pre-tax Margin                            | -0.8              | -0.9              |              | 1.7               |              | -4.2              |              | -4.9              |              |             |

CAGR = Compound Annual Growth Rate

## CRTC - FINANCIAL SUMMARY - TV

## CBC - FS - BRITISH COLUMBIA and TERRITORIES

| (\$)                                      | 2011              | 2012              | Var %         | 2013              | Var %       | 2014              | Var %        | 2015              | Var %       | CAGR (%)    |
|---|-------------------|-------------------|---------------|-------------------|-------------|-------------------|--------------|-------------------|-------------|-------------|
| <b>Reporting Units</b>                    | 3                 | 3                 |               | 3                 |             | 3                 |              | 3                 |             |             |
| <b>Revenue</b>                            |                   |                   |               |                   |             |                   |              |                   |             |             |
| Time Sales                                | 12,322,251        | 10,877,834        | -11.72        | 8,480,912         | -22.03      | 9,221,050         | 8.73         | 6,368,885         | -30.93      | -15.2       |
| Syndication-Production                    | 516,660           | 360,564           | -30.21        | 651,677           | 80.74       | 707,758           | 8.61         | 861,827           | 21.77       | 13.7        |
| Local Programming Improvement Fund        | 2,802,398         | 4,405,573         | 57.21         | 3,187,161         | -27.66      | 1,386,807         | -56.49       |                   | -100.00     | n/a         |
| Gov. Grants & Parliamentary Appropriation | 38,175,175        | 28,865,186        | -24.39        | 35,104,478        | 21.62       | 33,626,798        | -4.21        | 38,758,393        | 15.26       | 0.4         |
| Other Revenue                             | 1,292,435         | 976,966           | -24.41        | 1,117,459         | 14.38       | 757,479           | -32.21       | 1,063,119         | 40.35       | -4.8        |
| <b>Total Revenue</b>                      | <b>55,108,919</b> | <b>45,486,123</b> | <b>-17.46</b> | <b>48,541,687</b> | <b>6.72</b> | <b>45,699,892</b> | <b>-5.85</b> | <b>47,052,224</b> | <b>2.96</b> | <b>-3.9</b> |
| <b>Expenses</b>                           |                   |                   |               |                   |             |                   |              |                   |             |             |
| Program                                   | 33,205,290        | 29,939,828        | -9.83         | 30,659,996        | 2.41        | 30,450,482        | -0.68        | 27,444,163        | -9.87       | -4.7        |
| Technical                                 | 5,218,252         | 4,021,404         | -22.94        | 4,888,892         | 21.57       | 4,433,950         | -9.31        | 3,843,106         | -13.33      | -7.4        |
| Sales and Promotion                       | 6,592,310         | 3,264,282         | -50.48        | 4,642,575         | 42.22       | 3,686,203         | -20.60       | 6,420,042         | 74.16       | -0.7        |
| Administration and General                | 6,012,376         | 4,415,189         | -26.56        | 5,003,791         | 13.33       | 4,742,082         | -5.23        | 5,979,637         | 26.10       | -0.1        |
| <b>Total Expenses</b>                     | <b>51,028,228</b> | <b>41,640,703</b> | <b>-18.40</b> | <b>45,195,254</b> | <b>8.54</b> | <b>43,312,717</b> | <b>-4.17</b> | <b>43,686,948</b> | <b>0.86</b> | <b>-3.8</b> |
| Operating Income                          | 4,080,691         | 3,845,420         |               | 3,346,433         |             | 2,387,175         |              | 3,365,276         |             |             |
| Depreciation                              | 4,928,690         | 4,632,045         | -6.02         | 4,210,838         | -9.09       | 3,484,060         | -17.26       | 4,165,863         | 19.57       | -4.1        |
| <b>P.B.I.T.</b>                           | <b>-847,999</b>   | <b>-786,625</b>   |               | <b>-864,405</b>   |             | <b>-1,096,885</b> |              | <b>-800,587</b>   |             |             |
| Interest Expense                          | 881,594           | 878,899           | -0.31         | 990,927           | 12.75       | 841,461           | -15.08       | 787,772           | -6.38       |             |
| Adjustments Gain(Loss)                    | 1,331,903         | 1,358,357         | 1.99          | 2,607,511         | 91.96       | 124,479           | -95.23       | -704,880          | -666.26     |             |
| <b>Pre-tax Profit</b>                     | <b>-397,690</b>   | <b>-307,167</b>   |               | <b>752,179</b>    |             | <b>-1,813,867</b> |              | <b>-2,293,239</b> |             |             |
| <b>Programming (%)</b>                    |                   |                   |               |                   |             |                   |              |                   |             |             |
| Prog Expense/Expense Total                | 65.1              | 71.9              |               | 67.8              |             | 70.3              |              | 62.8              |             |             |
| Prog Expense/Revenue Total                | 60.3              | 65.8              |               | 63.2              |             | 66.6              |              | 58.3              |             |             |
| <b>Staff</b>                              |                   |                   |               |                   |             |                   |              |                   |             |             |
| Total Salaries                            | 32,478,784        | 31,793,158        | -2.11         | 32,148,297        | 1.12        | 28,869,026        | -10.20       | 29,309,396        | 1.53        | -2.5        |
| Avg Staff Count                           | 332.6             | 321.7             | -3.27         | 318.0             | -1.15       | 285.7             | -10.15       | 291.8             | 2.11        |             |
| Avg Salary (\$)                           | 97,660            | 98,829            | 1.20          | 101,095           | 2.29        | 101,043           | -0.05        | 100,461           | -0.58       | 0.7         |
| Salaries/Expense Total (%)                | 63.6              | 76.4              |               | 71.1              |             | 66.7              |              | 67.1              |             |             |
| <b>Profitability (%)</b>                  |                   |                   |               |                   |             |                   |              |                   |             |             |
| Operating Margin                          | 7.4               | 8.5               |               | 6.9               |             | 5.2               |              | 7.2               |             |             |
| P.B.I.T. Margin                           | -1.5              | -1.7              |               | -1.8              |             | -2.4              |              | -1.7              |             |             |
| Pre-tax Margin                            | -0.7              | -0.7              |               | 1.5               |             | -4.0              |              | -4.9              |             |             |

CAGR = Compound Annual Growth Rate

## CRTC - FINANCIAL SUMMARY - RADIO

\$ Radio

| (\$) | Fiscal Year                         | 2012               | 2013               | Var %        | 2014               | Var %        | 2015               | Var %        | 2016               | Var %       | CAGR (%)    |
|------|-------------------------------------|--------------------|--------------------|--------------|--------------------|--------------|--------------------|--------------|--------------------|-------------|-------------|
|      | <b>Reporting Units</b>              | 83                 | 87                 |              | 88                 |              | 88                 |              | 88                 |             |             |
|      | <b>Revenue</b>                      |                    |                    |              |                    |              |                    |              |                    |             |             |
|      | Local Time Sales                    | 0                  | 0                  | n/a          | 0                  | n/a          | 0                  | n/a          | 0                  | n/a         | n/a         |
|      | National Time Sales                 | 0                  | 0                  | n/a          | 1,073,924          | n/a          | 1,365,871          | 27.19        | 1,057,139          | -22.60      | n/a         |
|      | Network Payments                    | 0                  | 0                  | n/a          | 0                  | n/a          | 0                  | n/a          | 0                  | n/a         | n/a         |
|      | Syndication-Production              | 952,036            | 1,087,394          | 14.22        | 1,327,821          | 22.11        | 1,816,056          | 36.77        | 1,683,821          | -7.28       | 15.3        |
|      | Government/Corporate Grants         | 316,507,720        | 295,523,461        | -6.63        | 277,310,161        | -6.16        | 266,879,917        | -3.76        | 280,961,651        | 5.28        | -100.0      |
|      | Other Revenue                       | 8,432,493          | 8,145,268          | -3.41        | 7,923,639          | -2.72        | 6,480,009          | -18.22       | 6,991,353          | 7.89        |             |
|      | <b>Total Revenue</b>                | <b>325,892,249</b> | <b>304,756,123</b> | <b>-6.49</b> | <b>287,635,545</b> | <b>-5.62</b> | <b>276,541,853</b> | <b>-3.86</b> | <b>290,693,964</b> | <b>5.12</b> | <b>-2.8</b> |
|      | <b>Expenses</b>                     |                    |                    |              |                    |              |                    |              |                    |             |             |
|      | Programming                         | 227,131,457        | 216,053,738        | -4.88        | 206,489,628        | -4.43        | 196,004,158        | -5.08        | 203,579,066        | 3.86        | -2.7        |
|      | Technical                           | 26,513,142         | 22,139,256         | -16.50       | 21,673,273         | -2.10        | 20,016,820         | -7.64        | 20,935,371         | 4.59        | -5.7        |
|      | Sales and Promotion                 | 11,100,043         | 11,320,254         | 1.98         | 11,631,088         | 2.75         | 11,382,162         | -2.14        | 11,204,370         | -1.56       | 0.2         |
|      | Administration and General          | 36,699,324         | 33,810,993         | -7.87        | 34,913,458         | 3.26         | 34,449,627         | -1.33        | 27,428,596         | -20.38      | -7.0        |
|      | <b>Total Expenses</b>               | <b>301,443,966</b> | <b>283,324,241</b> | <b>-6.01</b> | <b>274,707,447</b> | <b>-3.04</b> | <b>261,852,767</b> | <b>-4.68</b> | <b>263,147,403</b> | <b>0.49</b> | <b>-3.3</b> |
|      | Operating Income                    | 24,448,283         | 21,431,882         |              | 12,928,098         |              | 14,689,086         |              | 27,546,561         |             |             |
|      | Depreciation                        | 33,561,983         | 25,733,416         | -23.33       | 24,285,038         | -5.63        | 22,510,447         | -7.31        | 21,267,859         | -5.52       | -10.8       |
|      | <b>P.B.I.T.</b>                     | <b>-9,113,700</b>  | <b>-4,301,534</b>  |              | <b>-11,356,940</b> |              | <b>-7,821,361</b>  |              | <b>6,278,702</b>   |             |             |
|      | Interest Expense                    | 4,601,744          | 4,810,122          | 4.53         | 4,448,231          | -7.52        | 4,187,644          | -5.86        | 3,909,023          | -6.65       |             |
|      | Adjustments Gain(Loss)              | 9,842,121          | 15,443,797         | 56.92        | 906,060            | -94.13       | -3,781,625         | -517.37      | -9,829,179         | 159.92      |             |
|      | <b>Pre-tax Profit</b>               | <b>-3,873,323</b>  | <b>6,332,141</b>   |              | <b>-14,899,111</b> |              | <b>-15,790,630</b> |              | <b>-7,459,500</b>  |             |             |
|      | <b>Programming (%)</b>              |                    |                    |              |                    |              |                    |              |                    |             |             |
|      | Programming Expense / Expense Total | 75.3               | 76.3               |              | 75.2               |              | 74.9               |              | 77.4               |             |             |
|      | Programming Expense / Revenue Total | 69.7               | 70.9               |              | 71.8               |              | 70.9               |              | 70.0               |             |             |
|      | <b>Staff</b>                        |                    |                    |              |                    |              |                    |              |                    |             |             |
|      | Total Salaries                      | 223,100,286        | 213,514,749        | -4.30        | 207,679,032        | -2.73        | 195,709,360        | -5.76        | 200,149,837        | 2.27        | -2.7        |
|      | Avg Staff Count                     | 2,304.9            | 2,178.2            | -5.50        | 2,044.2            | -6.15        | 1,898.1            | -7.15        | 1,911.5            | 0.71        |             |
|      | Avg Salary (\$)                     | 96,794             | 98,025             | 1.27         | 101,593            | 3.64         | 103,106            | 1.49         | 104,707            | 1.55        | 2.0         |
|      | Salaries/Expense Total (%)          | 74.0               | 75.4               |              | 75.6               |              | 74.7               |              | 76.1               |             |             |
|      | <b>Profitability (%)</b>            |                    |                    |              |                    |              |                    |              |                    |             |             |
|      | Operating Margin                    | 7.5                | 7.0                |              | 4.5                |              | 5.3                |              | 9.5                |             |             |
|      | P.B.I.T. Margin                     | -2.8               | -1.4               |              | -3.9               |              | -2.8               |              | 2.2                |             |             |
|      | Pre-tax Margin                      | -1.2               | 2.1                |              | -5.2               |              | -5.7               |              | -2.6               |             |             |

CAGR = Compound Annual Growth Rate

## CRTC - FINANCIAL SUMMARY - RADIO

\$ Radio

| (\$) | Fiscal Year                         | 2012              | 2013              | Var %        | 2014              | Var %        | 2015              | Var %        | 2016              | Var %        | CAGR (%)    |
|------|-------------------------------------|-------------------|-------------------|--------------|-------------------|--------------|-------------------|--------------|-------------------|--------------|-------------|
|      | <b>Reporting Units</b>              | 20                | 20                |              | 20                |              | 20                |              | 20                |              |             |
|      | <b>Revenue</b>                      |                   |                   |              |                   |              |                   |              |                   |              |             |
|      | Local Time Sales                    | 0                 | 0                 | n/a          | 0                 | n/a          | 0                 | n/a          | 0                 | n/a          | n/a         |
|      | National Time Sales                 | 0                 | 0                 | n/a          | 0                 | n/a          | 0                 | n/a          | 0                 | n/a          | n/a         |
|      | Network Payments                    | 0                 | 0                 | n/a          | 0                 | n/a          | 0                 | n/a          | 0                 | n/a          | n/a         |
|      | Syndication-Production              | 1,450             | 0                 | -100.00      | 0                 | n/a          | 0                 | n/a          | -6,903            | n/a          | n/a         |
|      | Government/Corporate Grants         | 33,128,477        | 30,686,562        | -7.37        | 29,754,783        | -3.04        | 28,762,335        | -3.34        | 29,805,480        | 3.63         | n/a         |
|      | Other Revenue                       | 613,335           | 588,305           | -4.08        | 557,062           | -5.31        | 626,205           | 12.41        | 651,560           | 4.05         |             |
|      | <b>Total Revenue</b>                | <b>33,743,262</b> | <b>31,274,867</b> | <b>-7.32</b> | <b>30,311,845</b> | <b>-3.08</b> | <b>29,388,540</b> | <b>-3.05</b> | <b>30,450,137</b> | <b>3.61</b>  | <b>-2.5</b> |
|      | <b>Expenses</b>                     |                   |                   |              |                   |              |                   |              |                   |              |             |
|      | Programming                         | 23,200,309        | 22,051,203        | -4.95        | 21,174,840        | -3.97        | 20,457,276        | -3.39        | 21,582,562        | 5.50         | -1.8        |
|      | Technical                           | 3,268,743         | 2,529,192         | -22.62       | 2,948,990         | 16.60        | 2,702,933         | -8.34        | 2,453,746         | -9.22        | -6.9        |
|      | Sales and Promotion                 | 711,196           | 747,258           | 5.07         | 737,414           | -1.32        | 613,293           | -16.83       | 583,850           | -4.80        | -4.8        |
|      | Administration and General          | 3,945,895         | 3,729,362         | -5.49        | 4,065,566         | 9.02         | 4,057,328         | -0.20        | 2,975,638         | -26.66       | -6.8        |
|      | <b>Total Expenses</b>               | <b>31,126,143</b> | <b>29,057,015</b> | <b>-6.65</b> | <b>28,926,810</b> | <b>-0.45</b> | <b>27,830,830</b> | <b>-3.79</b> | <b>27,595,796</b> | <b>-0.84</b> | <b>-3.0</b> |
|      | Operating Income                    | 2,617,119         | 2,217,852         |              | 1,385,035         |              | 1,557,710         |              | 2,854,341         |              |             |
|      | Depreciation                        | 3,568,201         | 2,695,416         | -24.46       | 2,590,966         | -3.88        | 2,408,453         | -7.04        | 2,211,482         | -8.18        | -11.3       |
|      | <b>P.B.I.T.</b>                     | <b>-951,082</b>   | <b>-477,564</b>   |              | <b>-1,205,931</b> |              | <b>-850,743</b>   |              | <b>642,859</b>    |              |             |
|      | Interest Expense                    | 500,718           | 521,698           | 4.19         | 485,752           | -6.89        | 444,052           | -8.58        | 405,507           | -8.68        |             |
|      | Adjustments Gain(Loss)              | 1,046,384         | 1,656,779         | 58.33        | 93,040            | -94.38       | -406,999          | -537.45      | -1,028,684        | 152.75       |             |
|      | <b>Pre-tax Profit</b>               | <b>-405,416</b>   | <b>657,517</b>    |              | <b>-1,598,643</b> |              | <b>-1,701,794</b> |              | <b>-791,332</b>   |              |             |
|      | <b>Programming (%)</b>              |                   |                   |              |                   |              |                   |              |                   |              |             |
|      | Programming Expense / Expense Total | 74.5              | 75.9              |              | 73.2              |              | 73.5              |              | 78.2              |              |             |
|      | Programming Expense / Revenue Total | 68.8              | 70.5              |              | 69.9              |              | 69.6              |              | 70.9              |              |             |
|      | <b>Staff</b>                        |                   |                   |              |                   |              |                   |              |                   |              |             |
|      | Total Salaries                      | 24,722,814        | 23,139,447        | -6.40        | 22,825,759        | -1.36        | 21,759,596        | -4.67        | 22,231,188        | 2.17         | -2.6        |
|      | Avg Staff Count                     | 266.1             | 245.3             | -7.80        | 226.7             | -7.60        | 218.6             | -3.57        | 220.7             | 0.97         |             |
|      | Avg Salary (\$)                     | 92,922            | 94,331            | 1.52         | 100,705           | 6.76         | 99,559            | -1.14        | 100,739           | 1.19         | 2.0         |
|      | Salaries/Expense Total (%)          | 79.4              | 79.6              |              | 78.9              |              | 78.2              |              | 80.6              |              |             |
|      | <b>Profitability (%)</b>            |                   |                   |              |                   |              |                   |              |                   |              |             |
|      | Operating Margin                    | 7.8               | 7.1               |              | 4.6               |              | 5.3               |              | 9.4               |              |             |
|      | P.B.I.T. Margin                     | -2.8              | -1.5              |              | -4.0              |              | -2.9              |              | 2.1               |              |             |
|      | Pre-tax Margin                      | -1.2              | 2.1               |              | -5.3              |              | -5.8              |              | -2.6              |              |             |

CAGR = Compound Annual Growth Rate

## CRTC - FINANCIAL SUMMARY - RADIO

\$ Radio

| (\$) | Fiscal Year                         | 2012              | 2013              | Var %        | 2014              | Var %        | 2015              | Var %       | 2016              | Var %        | CAGR (%)    |
|------|-------------------------------------|-------------------|-------------------|--------------|-------------------|--------------|-------------------|-------------|-------------------|--------------|-------------|
|      | <b>Reporting Units</b>              | 13                | 14                |              | 14                |              | 14                |             | 14                |              |             |
|      | <b>Revenue</b>                      |                   |                   |              |                   |              |                   |             |                   |              |             |
|      | Local Time Sales                    | 0                 | 0                 | n/a          | 0                 | n/a          | 0                 | n/a         | 0                 | n/a          | n/a         |
|      | National Time Sales                 | 0                 | 0                 | n/a          | 0                 | n/a          | 0                 | n/a         | 0                 | n/a          | n/a         |
|      | Network Payments                    | 0                 | 0                 | n/a          | 0                 | n/a          | 0                 | n/a         | 0                 | n/a          | n/a         |
|      | Syndication-Production              | 33,429            | 0                 | -100.00      | 0                 | n/a          | 0                 | n/a         | 0                 | n/a          | -100.0      |
|      | Government/Corporate Grants         | 33,067,006        | 30,814,676        | -6.81        | 28,673,397        | -6.95        | 29,440,346        | 2.67        | 29,564,957        | 0.42         | n/a         |
|      | Other Revenue                       | 708,000           | 594,538           | -16.03       | 535,815           | -9.88        | 631,793           | 17.91       | 646,889           | 2.39         |             |
|      | <b>Total Revenue</b>                | <b>33,808,435</b> | <b>31,409,214</b> | <b>-7.10</b> | <b>29,209,212</b> | <b>-7.00</b> | <b>30,072,139</b> | <b>2.95</b> | <b>30,211,846</b> | <b>0.46</b>  | <b>-2.8</b> |
|      | <b>Expenses</b>                     |                   |                   |              |                   |              |                   |             |                   |              |             |
|      | Programming                         | 22,742,902        | 22,127,642        | -2.71        | 20,658,590        | -6.64        | 20,804,520        | 0.71        | 21,395,691        | 2.84         | -1.5        |
|      | Technical                           | 3,144,371         | 2,655,642         | -15.54       | 2,267,038         | -14.63       | 2,642,689         | 16.57       | 2,267,724         | -14.19       | -7.9        |
|      | Sales and Promotion                 | 1,365,540         | 898,887           | -34.17       | 1,145,411         | 27.43        | 1,107,125         | -3.34       | 934,265           | -15.61       | -9.1        |
|      | Administration and General          | 3,930,552         | 3,524,832         | -10.32       | 3,805,059         | 7.95         | 3,901,567         | 2.54        | 2,773,388         | -28.92       | -8.4        |
|      | <b>Total Expenses</b>               | <b>31,183,365</b> | <b>29,207,003</b> | <b>-6.34</b> | <b>27,876,098</b> | <b>-4.56</b> | <b>28,455,901</b> | <b>2.08</b> | <b>27,371,068</b> | <b>-3.81</b> | <b>-3.2</b> |
|      | Operating Income                    | 2,625,070         | 2,202,211         |              | 1,333,114         |              | 1,616,238         |             | 2,840,778         |              |             |
|      | Depreciation                        | 3,576,795         | 2,723,975         | -23.84       | 2,497,084         | -8.33        | 2,481,694         | -0.62       | 2,197,433         | -11.45       | -11.5       |
|      | <b>P.B.I.T.</b>                     | <b>-951,725</b>   | <b>-521,764</b>   |              | <b>-1,163,970</b> |              | <b>-865,456</b>   |             | <b>643,345</b>    |              |             |
|      | Interest Expense                    | 501,841           | 516,549           | 2.93         | 463,950           | -10.18       | 455,615           | -1.80       | 402,013           | -11.76       |             |
|      | Adjustments Gain(Loss)              | 1,048,903         | 1,698,574         | 61.94        | 87,376            | -94.86       | -420,843          | -581.65     | -1,026,279        | 143.86       |             |
|      | <b>Pre-tax Profit</b>               | <b>-404,663</b>   | <b>660,261</b>    |              | <b>-1,540,544</b> |              | <b>-1,741,914</b> |             | <b>-784,947</b>   |              |             |
|      | <b>Programming (%)</b>              |                   |                   |              |                   |              |                   |             |                   |              |             |
|      | Programming Expense / Expense Total | 72.9              | 75.8              |              | 74.1              |              | 73.1              |             | 78.2              |              |             |
|      | Programming Expense / Revenue Total | 67.3              | 70.4              |              | 70.7              |              | 69.2              |             | 70.8              |              |             |
|      | <b>Staff</b>                        |                   |                   |              |                   |              |                   |             |                   |              |             |
|      | Total Salaries                      | 22,817,936        | 21,971,770        | -3.71        | 20,677,053        | -5.89        | 21,974,571        | 6.28        | 21,661,320        | -1.43        | -1.3        |
|      | Avg Staff Count                     | 242.7             | 231.3             | -4.71        | 207.9             | -10.09       | 216.4             | 4.09        | 211.2             | -2.41        |             |
|      | Avg Salary (\$)                     | 94,017            | 95,009            | 1.06         | 99,442            | 4.67         | 101,532           | 2.10        | 102,558           | 1.01         | 2.2         |
|      | Salaries/Expense Total (%)          | 73.2              | 75.2              |              | 74.2              |              | 77.2              |             | 79.1              |              |             |
|      | <b>Profitability (%)</b>            |                   |                   |              |                   |              |                   |             |                   |              |             |
|      | Operating Margin                    | 7.8               | 7.0               |              | 4.6               |              | 5.4               |             | 9.4               |              |             |
|      | P.B.I.T. Margin                     | -2.8              | -1.7              |              | -4.0              |              | -2.9              |             | 2.1               |              |             |
|      | Pre-tax Margin                      | -1.2              | 2.1               |              | -5.3              |              | -5.8              |             | -2.6              |              |             |

CAGR = Compound Annual Growth Rate

## CRTC - FINANCIAL SUMMARY - RADIO

\$ Radio

| (\$) | Fiscal Year                         | 2012               | 2013               | Var %        | 2014               | Var %        | 2015              | Var %        | 2016               | Var %       | CAGR (%)    |
|------|-------------------------------------|--------------------|--------------------|--------------|--------------------|--------------|-------------------|--------------|--------------------|-------------|-------------|
|      | <b>Reporting Units</b>              | 18                 | 19                 |              | 19                 |              | 19                |              | 19                 |             |             |
|      | <b>Revenue</b>                      |                    |                    |              |                    |              |                   |              |                    |             |             |
|      | Local Time Sales                    | 0                  | 0                  | n/a          | 0                  | n/a          | 0                 | n/a          | 0                  | n/a         | n/a         |
|      | National Time Sales                 | 0                  | 0                  | n/a          | 929,171            | n/a          | 1,200,892         | 29.24        | 881,115            | -26.63      | n/a         |
|      | Network Payments                    | 0                  | 0                  | n/a          | 0                  | n/a          | 0                 | n/a          | 0                  | n/a         | n/a         |
|      | Syndication-Production              | 904,017            | 1,087,394          | 20.28        | 1,327,821          | 22.11        | 1,816,056         | 36.77        | 1,690,724          | -6.90       | 16.9        |
|      | Government/Corporate Grants         | 102,772,457        | 99,070,556         | -3.60        | 94,907,238         | -4.20        | 88,097,459        | -7.18        | 97,402,077         | 10.56       | n/a         |
|      | Other Revenue                       | 2,796,825          | 2,999,670          | 7.25         | 3,093,017          | 3.11         | 2,400,574         | -22.39       | 2,693,195          | 12.19       |             |
|      | <b>Total Revenue</b>                | <b>106,473,299</b> | <b>103,157,620</b> | <b>-3.11</b> | <b>100,257,247</b> | <b>-2.81</b> | <b>93,514,981</b> | <b>-6.72</b> | <b>102,667,111</b> | <b>9.79</b> | <b>-0.9</b> |
|      | <b>Expenses</b>                     |                    |                    |              |                    |              |                   |              |                    |             |             |
|      | Programming                         | 74,870,527         | 73,079,195         | -2.39        | 71,836,695         | -1.70        | 66,025,801        | -8.09        | 69,819,138         | 5.75        | -1.7        |
|      | Technical                           | 6,904,352          | 6,009,846          | -12.96       | 6,609,471          | 9.98         | 5,400,656         | -18.29       | 6,475,005          | 19.89       | -1.6        |
|      | Sales and Promotion                 | 4,305,982          | 5,383,644          | 25.03        | 5,150,586          | -4.33        | 5,788,138         | 12.38        | 6,234,041          | 7.70        | 9.7         |
|      | Administration and General          | 12,237,472         | 11,552,437         | -5.60        | 12,048,151         | 4.29         | 11,302,226        | -6.19        | 10,701,835         | -5.31       | -3.3        |
|      | <b>Total Expenses</b>               | <b>98,318,333</b>  | <b>96,025,122</b>  | <b>-2.33</b> | <b>95,644,903</b>  | <b>-0.40</b> | <b>88,516,821</b> | <b>-7.45</b> | <b>93,230,019</b>  | <b>5.32</b> | <b>-1.3</b> |
|      | Operating Income                    | 8,154,966          | 7,132,498          |              | 4,612,344          |              | 4,998,160         |              | 9,437,092          |             |             |
|      | Depreciation                        | 11,125,392         | 8,872,161          | -20.25       | 8,461,825          | -4.62        | 7,539,222         | -10.90       | 7,289,101          | -3.32       | -10.0       |
|      | <b>P.B.I.T.</b>                     | <b>-2,970,426</b>  | <b>-1,739,663</b>  |              | <b>-3,849,481</b>  |              | <b>-2,541,062</b> |              | <b>2,147,991</b>   |             |             |
|      | Interest Expense                    | 1,549,816          | 1,661,368          | 7.20         | 1,548,020          | -6.82        | 1,394,792         | -9.90        | 1,332,819          | -4.44       |             |
|      | Adjustments Gain(Loss)              | 3,262,545          | 5,523,803          | 69.31        | 298,398            | -94.60       | -1,276,658        | -527.84      | -3,401,187         | 166.41      |             |
|      | <b>Pre-tax Profit</b>               | <b>-1,257,697</b>  | <b>2,122,772</b>   |              | <b>-5,099,103</b>  |              | <b>-5,212,512</b> |              | <b>-2,586,015</b>  |             |             |
|      | <b>Programming (%)</b>              |                    |                    |              |                    |              |                   |              |                    |             |             |
|      | Programming Expense / Expense Total | 76.2               | 76.1               |              | 75.1               |              | 74.6              |              | 74.9               |             |             |
|      | Programming Expense / Revenue Total | 70.3               | 70.8               |              | 71.7               |              | 70.6              |              | 68.0               |             |             |
|      | <b>Staff</b>                        |                    |                    |              |                    |              |                   |              |                    |             |             |
|      | Total Salaries                      | 68,420,375         | 69,407,837         | 1.44         | 69,880,469         | 0.68         | 62,555,388        | -10.48       | 66,050,345         | 5.59        | -0.9        |
|      | Avg Staff Count                     | 708.5              | 704.3              | -0.58        | 670.6              | -4.78        | 589.0             | -12.18       | 613.9              | 4.24        |             |
|      | Avg Salary (\$)                     | 96,578             | 98,544             | 2.04         | 104,201            | 5.74         | 106,210           | 1.93         | 107,584            | 1.29        | 2.7         |
|      | Salaries/Expense Total (%)          | 69.6               | 72.3               |              | 73.1               |              | 70.7              |              | 70.8               |             |             |
|      | <b>Profitability (%)</b>            |                    |                    |              |                    |              |                   |              |                    |             |             |
|      | Operating Margin                    | 7.7                | 6.9                |              | 4.6                |              | 5.3               |              | 9.2                |             |             |
|      | P.B.I.T. Margin                     | -2.8               | -1.7               |              | -3.8               |              | -2.7              |              | 2.1                |             |             |
|      | Pre-tax Margin                      | -1.2               | 2.1                |              | -5.1               |              | -5.6              |              | -2.5               |             |             |

CAGR = Compound Annual Growth Rate

## CRTC - FINANCIAL SUMMARY - RADIO

\$ Radio

| (\$) | Fiscal Year                         | 2012               | 2013               | Var %        | 2014              | Var %        | 2015              | Var %        | 2016              | Var %        | CAGR (%)    |
|------|-------------------------------------|--------------------|--------------------|--------------|-------------------|--------------|-------------------|--------------|-------------------|--------------|-------------|
|      | <b>Reporting Units</b>              | 17                 | 19                 |              | 19                |              | 19                |              | 19                |              |             |
|      | <b>Revenue</b>                      |                    |                    |              |                   |              |                   |              |                   |              |             |
|      | Local Time Sales                    | 0                  | 0                  | n/a          | 0                 | n/a          | 0                 | n/a          | 0                 | n/a          | n/a         |
|      | National Time Sales                 | 0                  | 0                  | n/a          | 144,753           | n/a          | 164,979           | 13.97        | 176,024           | 6.69         | n/a         |
|      | Network Payments                    | 0                  | 0                  | n/a          | 0                 | n/a          | 0                 | n/a          | 0                 | n/a          | n/a         |
|      | Syndication-Production              | 0                  | 0                  | n/a          | 0                 | n/a          | 0                 | n/a          | 0                 | n/a          | n/a         |
|      | Government/Corporate Grants         | 111,726,107        | 102,997,704        | -7.81        | 93,111,910        | -9.60        | 91,559,286        | -1.67        | 93,071,124        | 1.65         | n/a         |
|      | Other Revenue                       | 3,588,886          | 3,332,878          | -7.13        | 3,125,998         | -6.21        | 2,202,379         | -29.55       | 2,320,532         | 5.36         |             |
|      | <b>Total Revenue</b>                | <b>115,314,993</b> | <b>106,330,582</b> | <b>-7.79</b> | <b>96,382,661</b> | <b>-9.36</b> | <b>93,926,644</b> | <b>-2.55</b> | <b>95,567,680</b> | <b>1.75</b>  | <b>-4.6</b> |
|      | <b>Expenses</b>                     |                    |                    |              |                   |              |                   |              |                   |              |             |
|      | Programming                         | 81,724,972         | 76,474,899         | -6.42        | 71,069,553        | -7.07        | 68,026,818        | -4.28        | 68,029,581        | 0.00         | -4.5        |
|      | Technical                           | 9,784,095          | 8,472,622          | -13.40       | 7,257,584         | -14.34       | 6,969,816         | -3.97        | 7,787,734         | 11.74        | -5.6        |
|      | Sales and Promotion                 | 3,546,988          | 2,796,234          | -21.17       | 3,018,199         | 7.94         | 2,696,813         | -10.65       | 2,250,043         | -16.57       | -10.8       |
|      | Administration and General          | 12,031,939         | 11,010,641         | -8.49        | 10,870,215        | -1.28        | 11,278,380        | 3.75         | 8,061,110         | -28.53       | -9.5        |
|      | <b>Total Expenses</b>               | <b>107,087,994</b> | <b>98,754,396</b>  | <b>-7.78</b> | <b>92,215,551</b> | <b>-6.62</b> | <b>88,971,827</b> | <b>-3.52</b> | <b>86,128,468</b> | <b>-3.20</b> | <b>-5.3</b> |
|      | Operating Income                    | 8,226,999          | 7,576,186          |              | 4,167,110         |              | 4,954,817         |              | 9,439,212         |              |             |
|      | Depreciation                        | 11,432,572         | 8,641,568          | -24.41       | 8,051,073         | -6.83        | 7,658,210         | -4.88        | 7,264,426         | -5.14        | -10.7       |
|      | <b>P.B.I.T.</b>                     | <b>-3,205,573</b>  | <b>-1,065,382</b>  |              | <b>-3,883,963</b> |              | <b>-2,703,393</b> |              | <b>2,174,786</b>  |              |             |
|      | Interest Expense                    | 1,514,323          | 1,573,873          | 3.93         | 1,449,613         | -7.90        | 1,446,219         | -0.23        | 1,345,618         | -6.96        |             |
|      | Adjustments Gain(Loss)              | 3,352,626          | 4,846,172          | 44.55        | 330,928           | -93.17       | -1,267,727        | -483.08      | -3,300,194        | 160.32       |             |
|      | <b>Pre-tax Profit</b>               | <b>-1,367,270</b>  | <b>2,206,917</b>   |              | <b>-5,002,648</b> |              | <b>-5,417,339</b> |              | <b>-2,471,026</b> |              |             |
|      | <b>Programming (%)</b>              |                    |                    |              |                   |              |                   |              |                   |              |             |
|      | Programming Expense / Expense Total | 76.3               | 77.4               |              | 77.1              |              | 76.5              |              | 79.0              |              |             |
|      | Programming Expense / Revenue Total | 70.9               | 71.9               |              | 73.7              |              | 72.4              |              | 71.2              |              |             |
|      | <b>Staff</b>                        |                    |                    |              |                   |              |                   |              |                   |              |             |
|      | Total Salaries                      | 80,898,377         | 75,603,362         | -6.55        | 70,780,354        | -6.38        | 67,592,661        | -4.50        | 67,137,472        | -0.67        | -4.6        |
|      | Avg Staff Count                     | 801.7              | 746.9              | -6.84        | 697.5             | -6.61        | 655.6             | -6.00        | 638.7             | -2.58        |             |
|      | Avg Salary (\$)                     | 100,906            | 101,228            | 0.32         | 101,482           | 0.25         | 103,096           | 1.59         | 105,114           | 1.96         | 1.0         |
|      | Salaries/Expense Total (%)          | 75.5               | 76.6               |              | 76.8              |              | 76.0              |              | 78.0              |              |             |
|      | <b>Profitability (%)</b>            |                    |                    |              |                   |              |                   |              |                   |              |             |
|      | Operating Margin                    | 7.1                | 7.1                |              | 4.3               |              | 5.3               |              | 9.9               |              |             |
|      | P.B.I.T. Margin                     | -2.8               | -1.0               |              | -4.0              |              | -2.9              |              | 2.3               |              |             |
|      | Pre-tax Margin                      | -1.2               | 2.1                |              | -5.2              |              | -5.8              |              | -2.6              |              |             |

CAGR = Compound Annual Growth Rate

## CRTC - FINANCIAL SUMMARY - RADIO

\$ Radio

| (\$) | Fiscal Year                         | 2012              | 2013              | Var %         | 2014              | Var %        | 2015              | Var %        | 2016              | Var %       | CAGR (%)    |
|------|-------------------------------------|-------------------|-------------------|---------------|-------------------|--------------|-------------------|--------------|-------------------|-------------|-------------|
|      | <b>Reporting Units</b>              | 15                | 15                |               | 16                |              | 16                |              | 16                |             |             |
|      | <b>Revenue</b>                      |                   |                   |               |                   |              |                   |              |                   |             |             |
|      | Local Time Sales                    | 0                 | 0                 | n/a           | 0                 | n/a          | 0                 | n/a          | 0                 | n/a         | n/a         |
|      | National Time Sales                 | 0                 | 0                 | n/a           | 0                 | n/a          | 0                 | n/a          | 0                 | n/a         | n/a         |
|      | Network Payments                    | 0                 | 0                 | n/a           | 0                 | n/a          | 0                 | n/a          | 0                 | n/a         | n/a         |
|      | Syndication-Production              | 13,140            | 0                 | -100.00       | 0                 | n/a          | 0                 | n/a          | 0                 | n/a         | -100.0      |
|      | Government/Corporate Grants         | 35,813,673        | 31,953,963        | -10.78        | 30,862,833        | -3.41        | 29,020,491        | -5.97        | 31,118,013        | 7.23        | -100.0      |
|      | Other Revenue                       | 725,447           | 629,877           | -13.17        | 611,747           | -2.88        | 619,058           | 1.20         | 679,177           | 9.71        |             |
|      | <b>Total Revenue</b>                | <b>36,552,260</b> | <b>32,583,840</b> | <b>-10.86</b> | <b>31,474,580</b> | <b>-3.40</b> | <b>29,639,549</b> | <b>-5.83</b> | <b>31,797,190</b> | <b>7.28</b> | <b>-3.4</b> |
|      | <b>Expenses</b>                     |                   |                   |               |                   |              |                   |              |                   |             |             |
|      | Programming                         | 24,592,747        | 22,320,799        | -9.24         | 21,749,950        | -2.56        | 20,689,743        | -4.87        | 22,752,094        | 9.97        | -1.9        |
|      | Technical                           | 3,411,581         | 2,471,954         | -27.54        | 2,590,190         | 4.78         | 2,300,726         | -11.18       | 1,951,162         | -15.19      | -13.0       |
|      | Sales and Promotion                 | 1,170,337         | 1,494,231         | 27.68         | 1,579,478         | 5.71         | 1,176,793         | -25.49       | 1,202,171         | 2.16        | 0.7         |
|      | Administration and General          | 4,553,466         | 3,993,721         | -12.29        | 4,124,467         | 3.27         | 3,910,126         | -5.20        | 2,916,625         | -25.41      | -10.5       |
|      | <b>Total Expenses</b>               | <b>33,728,131</b> | <b>30,280,705</b> | <b>-10.22</b> | <b>30,044,085</b> | <b>-0.78</b> | <b>28,077,388</b> | <b>-6.55</b> | <b>28,822,052</b> | <b>2.65</b> | <b>-3.9</b> |
|      | Operating Income                    | 2,824,129         | 2,303,135         |               | 1,430,495         |              | 1,562,161         |              | 2,975,138         |             |             |
|      | Depreciation                        | 3,859,023         | 2,800,296         | -27.44        | 2,684,090         | -4.15        | 2,422,868         | -9.73        | 2,305,417         | -4.85       | -12.1       |
|      | <b>P.B.I.T.</b>                     | <b>-1,034,894</b> | <b>-497,161</b>   |               | <b>-1,253,595</b> |              | <b>-860,707</b>   |              | <b>669,721</b>    |             |             |
|      | Interest Expense                    | 535,046           | 536,634           | 0.30          | 500,896           | -6.66        | 446,966           | -10.77       | 423,066           | -5.35       |             |
|      | Adjustments Gain(Loss)              | 1,131,663         | 1,718,469         | 51.85         | 96,318            | -94.40       | -409,398          | -525.05      | -1,072,835        | 162.05      |             |
|      | <b>Pre-tax Profit</b>               | <b>-438,277</b>   | <b>684,674</b>    |               | <b>-1,658,173</b> |              | <b>-1,717,071</b> |              | <b>-826,180</b>   |             |             |
|      | <b>Programming (%)</b>              |                   |                   |               |                   |              |                   |              |                   |             |             |
|      | Programming Expense / Expense Total | 72.9              | 73.7              |               | 72.4              |              | 73.7              |              | 78.9              |             |             |
|      | Programming Expense / Revenue Total | 67.3              | 68.5              |               | 69.1              |              | 69.8              |              | 71.6              |             |             |
|      | <b>Staff</b>                        |                   |                   |               |                   |              |                   |              |                   |             |             |
|      | Total Salaries                      | 26,240,784        | 23,392,333        | -10.86        | 23,515,397        | 0.53         | 21,827,144        | -7.18        | 23,069,512        | 5.69        | -3.2        |
|      | Avg Staff Count                     | 286.0             | 250.4             | -12.43        | 241.5             | -3.55        | 218.5             | -9.52        | 227.0             | 3.87        |             |
|      | Avg Salary (\$)                     | 91,764            | 93,416            | 1.80          | 97,360            | 4.22         | 99,877            | 2.59         | 101,632           | 1.76        | 2.6         |
|      | Salaries/Expense Total (%)          | 77.8              | 77.3              |               | 78.3              |              | 77.7              |              | 80.0              |             |             |
|      | <b>Profitability (%)</b>            |                   |                   |               |                   |              |                   |              |                   |             |             |
|      | Operating Margin                    | 7.7               | 7.1               |               | 4.5               |              | 5.3               |              | 9.4               |             |             |
|      | P.B.I.T. Margin                     | -2.8              | -1.5              |               | -4.0              |              | -2.9              |              | 2.1               |             |             |
|      | Pre-tax Margin                      | -1.2              | 2.1               |               | -5.3              |              | -5.8              |              | -2.6              |             |             |

CAGR = Compound Annual Growth Rate



## CRTC - FINANCIAL SUMMARY - TV

## \$ FDB 1 TV Details

| (\$) | Fiscal Year                               | 2012                 | 2013                 | Var %        | 2014                 | Var %       | 2015                 | Var %         | 2016                 | Var %       | CAGR (%)    |
|------|---|----------------------|----------------------|--------------|----------------------|-------------|----------------------|---------------|----------------------|-------------|-------------|
|      | <b>Reporting Units</b>                    | 27                   | 27                   |              | 27                   |             | 27                   |               | 27                   |             |             |
|      | <b>Revenue</b>                            |                      |                      |              |                      |             |                      |               |                      |             |             |
|      | Time Sales                                | 372,694,081          | 331,123,583          | -11.15       | 474,647,280          | 43.34       | 220,058,107          | -53.64        | 266,125,496          | 20.93       | -8.1        |
|      | Syndication-Production                    | 50,024,167           | 53,765,138           | 7.48         | 67,676,001           | 25.87       | 89,360,588           | 32.04         | 65,918,234           | -26.23      | 7.1         |
|      | Local Programming Improvement Fund        | 47,158,790           | 34,835,830           | -26.13       | 17,562,628           | -49.58      |                      | -100.00       |                      |             | n/a         |
|      | Gov. Grants & Parliamentary Appropriation | 861,381,118          | 783,201,049          | -9.08        | 726,001,841          | -7.30       | 757,934,083          | 4.40          | 812,259,340          | 7.17        | -1.5        |
|      | Other Revenue                             | 37,904,420           | 43,999,507           | 16.08        | 42,222,342           | -4.04       | 39,882,907           | -5.54         | 40,918,304           | 2.60        | 1.9         |
|      | <b>Total Revenue</b>                      | <b>1,369,162,576</b> | <b>1,246,925,107</b> | <b>-8.93</b> | <b>1,328,110,092</b> | <b>6.51</b> | <b>1,107,235,685</b> | <b>-16.63</b> | <b>1,185,221,374</b> | <b>7.04</b> | <b>-3.5</b> |
|      | <b>Expenses</b>                           |                      |                      |              |                      |             |                      |               |                      |             |             |
|      | Program                                   | 886,753,833          | 821,553,788          | -7.35        | 897,932,051          | 9.30        | 687,293,380          | -23.46        | 743,082,250          | 8.12        | -4.3        |
|      | Technical                                 | 108,861,737          | 106,861,277          | -1.84        | 104,090,478          | -2.59       | 97,699,158           | -6.14         | 96,594,133           | -1.13       | -2.9        |
|      | Sales and Promotion                       | 119,145,876          | 108,973,207          | -8.54        | 110,540,347          | 1.44        | 101,866,421          | -7.85         | 115,537,818          | 13.42       | -0.8        |
|      | Administration and General                | 143,151,258          | 128,839,384          | -10.00       | 136,806,554          | 6.18        | 136,345,490          | -0.34         | 103,584,564          | -24.03      | -7.8        |
|      | <b>Total Expenses</b>                     | <b>1,257,912,704</b> | <b>1,166,227,656</b> | <b>-7.29</b> | <b>1,249,369,430</b> | <b>7.13</b> | <b>1,023,204,449</b> | <b>-18.10</b> | <b>1,058,798,765</b> | <b>3.48</b> | <b>-4.2</b> |
|      | Operating Income                          | 111,249,872          | 80,697,451           |              | 78,740,662           |             | 84,031,236           |               | 126,422,609          |             |             |
|      | Depreciation                              | 141,605,011          | 108,574,591          | -23.33       | 102,410,811          | -5.68       | 94,937,224           | -7.30         | 89,729,456           | -5.49       | -10.8       |
|      | <b>P.B.I.T.</b>                           | <b>-30,355,139</b>   | <b>-27,877,140</b>   |              | <b>-23,670,149</b>   |             | <b>-10,905,988</b>   |               | <b>36,693,153</b>    |             |             |
|      | Interest Expense                          | 21,640,609           | 20,317,732           | -6.11        | 19,253,829           | -5.24       | 18,005,052           | -6.49         | 16,833,797           | -6.51       |             |
|      | Adjustments Gain(Loss)                    | 41,525,944           | 64,976,407           | 56.47        | 3,845,533            | -94.08      | -15,934,071          | -514.35       | -41,424,750          | 159.98      |             |
|      | <b>Pre-tax Profit</b>                     | <b>-10,469,804</b>   | <b>16,781,535</b>    |              | <b>-39,078,445</b>   |             | <b>-44,845,111</b>   |               | <b>-21,565,394</b>   |             |             |
|      | <b>Programming (%)</b>                    |                      |                      |              |                      |             |                      |               |                      |             |             |
|      | Prog Expense/Expense Total                | 70.5                 | 70.4                 |              | 71.9                 |             | 67.2                 |               | 70.2                 |             |             |
|      | Prog Expense/Revenue Total                | 64.8                 | 65.9                 |              | 67.6                 |             | 62.1                 |               | 62.7                 |             |             |
|      | <b>Staff</b>                              |                      |                      |              |                      |             |                      |               |                      |             |             |
|      | Total Salaries                            | 606,616,773          | 599,752,653          | -1.13        | 581,299,831          | -3.08       | 523,221,744          | -9.99         | 511,086,006          | -2.32       | -4.2        |
|      | Avg Staff Count                           | 6,319.8              | 6,136.9              | -2.89        | 5,842.7              | -4.80       | 5,204.7              | -10.92        | 4,986.4              | -4.20       |             |
|      | Avg Salary (\$)                           | 95,987               | 97,728               | 1.81         | 99,492               | 1.81        | 100,528              | 1.04          | 102,496              | 1.96        | 1.7         |
|      | Salaries/Expense Total (%)                | 48.2                 | 51.4                 |              | 46.5                 |             | 51.1                 |               | 48.3                 |             |             |
|      | <b>Profitability (%)</b>                  |                      |                      |              |                      |             |                      |               |                      |             |             |
|      | Operating Margin                          | 8.1                  | 6.5                  |              | 5.9                  |             | 7.6                  |               | 10.7                 |             |             |
|      | P.B.I.T. Margin                           | -2.2                 | -2.2                 |              | -1.8                 |             | -1.0                 |               | 3.1                  |             |             |
|      | Pre-tax Margin                            | -0.8                 | 1.3                  |              | -2.9                 |             | -4.1                 |               | -1.8                 |             |             |

CAGR = Compound Annual Growth Rate

## CRTC - FINANCIAL SUMMARY - TV

## \$ FDB 1 TV Details

| (\$) | Fiscal Year                               | 2012              | 2013              | Var %       | 2014              | Var %         | 2015              | Var %         | 2016              | Var %         | CAGR (%)     |
|------|---|-------------------|-------------------|-------------|-------------------|---------------|-------------------|---------------|-------------------|---------------|--------------|
|      | <b>Reporting Units</b>                    | 5                 | 5                 |             | 5                 |               | 5                 |               | 5                 |               |              |
|      | <b>Revenue</b>                            |                   |                   |             |                   |               |                   |               |                   |               |              |
|      | Time Sales                                | 7,530,999         | 6,723,201         | -10.73      | 7,221,132         | 7.41          | 6,568,009         | -9.04         | 5,550,879         | -15.49        | -7.3         |
|      | Syndication-Production                    | 2,563,707         | 1,532,153         | -40.24      | 1,670,405         | 9.02          | 1,501,757         | -10.10        | 2,006,059         | 33.58         | -6.0         |
|      | Local Programming Improvement Fund        | 16,016,618        | 13,011,800        | -18.76      | 6,652,545         | -48.87        |                   | -100.00       |                   |               | n/a          |
|      | Gov. Grants & Parliamentary Appropriation | 48,784,491        | 54,679,537        | 12.08       | 52,074,164        | -4.76         | 47,594,759        | -8.60         | 41,289,590        | -13.25        | -4.1         |
|      | Other Revenue                             | 1,422,186         | 1,507,900         | 6.03        | 1,155,994         | -23.34        | 1,289,099         | 11.51         | 1,127,327         | -12.55        | -5.6         |
|      | <b>Total Revenue</b>                      | <b>76,318,001</b> | <b>77,454,591</b> | <b>1.49</b> | <b>68,774,240</b> | <b>-11.21</b> | <b>56,953,624</b> | <b>-17.19</b> | <b>49,973,855</b> | <b>-12.26</b> | <b>-10.0</b> |
|      | <b>Expenses</b>                           |                   |                   |             |                   |               |                   |               |                   |               |              |
|      | Program                                   | 53,607,708        | 54,423,268        | 1.52        | 49,903,722        | -8.30         | 36,558,996        | -26.74        | 31,586,622        | -13.60        | -12.4        |
|      | Technical                                 | 5,149,431         | 5,448,393         | 5.81        | 4,674,717         | -14.20        | 4,824,101         | 3.20          | 4,008,707         | -16.90        | -6.1         |
|      | Sales and Promotion                       | 2,983,856         | 3,641,376         | 22.04       | 3,080,713         | -15.40        | 4,212,638         | 36.74         | 4,455,618         | 5.77          | 10.5         |
|      | Administration and General                | 8,016,645         | 8,552,742         | 6.69        | 7,526,025         | -12.00        | 7,368,267         | -2.10         | 4,691,358         | -36.33        | -12.5        |
|      | <b>Total Expenses</b>                     | <b>69,757,640</b> | <b>72,065,779</b> | <b>3.31</b> | <b>65,185,177</b> | <b>-9.55</b>  | <b>52,964,002</b> | <b>-18.75</b> | <b>44,742,305</b> | <b>-15.52</b> | <b>-10.5</b> |
|      | Operating Income                          | 6,560,361         | 5,388,812         |             | 3,589,063         |               | 3,989,622         |               | 5,231,550         |               |              |
|      | Depreciation                              | 7,813,572         | 6,723,190         | -13.95      | 5,272,085         | -21.58        | 5,006,214         | -5.04         | 3,831,039         | -23.47        | -16.3        |
|      | <b>P.B.I.T.</b>                           | <b>-1,253,211</b> | <b>-1,334,378</b> |             | <b>-1,683,022</b> |               | <b>-1,016,592</b> |               | <b>1,400,511</b>  |               |              |
|      | Interest Expense                          | 1,681,216         | 1,636,054         | -2.69       | 1,349,876         | -17.49        | 954,619           | -29.28        | 718,004           | -24.79        |              |
|      | Adjustments Gain(Loss)                    | 2,291,348         | 4,142,043         | 80.77       | 190,142           | -95.41        | -844,855          | -544.33       | -1,778,741        | 110.54        |              |
|      | <b>Pre-tax Profit</b>                     | <b>-643,079</b>   | <b>1,171,611</b>  |             | <b>-2,842,756</b> |               | <b>-2,816,066</b> |               | <b>-1,096,234</b> |               |              |
|      | <b>Programming (%)</b>                    |                   |                   |             |                   |               |                   |               |                   |               |              |
|      | Prog Expense/Expense Total                | 76.8              | 75.5              |             | 76.6              |               | 69.0              |               | 70.6              |               |              |
|      | Prog Expense/Revenue Total                | 70.2              | 70.3              |             | 72.6              |               | 64.2              |               | 63.2              |               |              |
|      | <b>Staff</b>                              |                   |                   |             |                   |               |                   |               |                   |               |              |
|      | Total Salaries                            | 42,824,950        | 44,270,788        | 3.38        | 38,498,266        | -13.04        | 37,631,796        | -2.25         | 33,714,884        | -10.41        | -5.8         |
|      | Avg Staff Count                           | 443.7             | 452.4             | 1.97        | 395.3             | -12.62        | 385.2             | -2.57         | 340.0             | -11.73        |              |
|      | Avg Salary (\$)                           | 96,524            | 97,853            | 1.38        | 97,380            | -0.48         | 97,702            | 0.33          | 99,161            | 1.49          | 0.7          |
|      | Salaries/Expense Total (%)                | 61.4              | 61.4              |             | 59.1              |               | 71.1              |               | 75.4              |               |              |
|      | <b>Profitability (%)</b>                  |                   |                   |             |                   |               |                   |               |                   |               |              |
|      | Operating Margin                          | 8.6               | 7.0               |             | 5.2               |               | 7.0               |               | 10.5              |               |              |
|      | P.B.I.T. Margin                           | -1.6              | -1.7              |             | -2.4              |               | -1.8              |               | 2.8               |               |              |
|      | Pre-tax Margin                            | -0.8              | 1.5               |             | -4.1              |               | -4.9              |               | -2.2              |               |              |

CAGR = Compound Annual Growth Rate

## CRTC - FINANCIAL SUMMARY - TV

## \$ FDB 1 TV Details

| (\$) | Fiscal Year                               | 2012              | 2013              | Var %       | 2014              | Var %        | 2015              | Var %       | 2016              | Var %         | CAGR (%)    |
|------|---|-------------------|-------------------|-------------|-------------------|--------------|-------------------|-------------|-------------------|---------------|-------------|
|      | <b>Reporting Units</b>                    | 3                 | 3                 |             | 3                 |              | 3                 |             | 3                 |               |             |
|      | <b>Revenue</b>                            |                   |                   |             |                   |              |                   |             |                   |               |             |
|      | Time Sales                                | 10,877,834        | 8,480,912         | -22.03      | 9,221,050         | 8.73         | 6,368,885         | -30.93      | 6,549,341         | 2.83          | -11.9       |
|      | Syndication-Production                    | 360,564           | 651,677           | 80.74       | 707,758           | 8.61         | 861,827           | 21.77       | 685,804           | -20.42        | 17.4        |
|      | Local Programming Improvement Fund        | 4,405,573         | 3,187,161         | -27.66      | 1,386,807         | -56.49       |                   | -100.00     |                   |               | n/a         |
|      | Gov. Grants & Parliamentary Appropriation | 28,865,186        | 35,104,478        | 21.62       | 33,626,798        | -4.21        | 38,758,393        | 15.26       | 30,556,352        | -21.16        | 1.4         |
|      | Other Revenue                             | 976,966           | 1,117,459         | 14.38       | 757,479           | -32.21       | 1,063,119         | 40.35       | 876,654           | -17.54        | -2.7        |
|      | <b>Total Revenue</b>                      | <b>45,486,123</b> | <b>48,541,687</b> | <b>6.72</b> | <b>45,699,892</b> | <b>-5.85</b> | <b>47,052,224</b> | <b>2.96</b> | <b>38,668,151</b> | <b>-17.82</b> | <b>-4.0</b> |
|      | <b>Expenses</b>                           |                   |                   |             |                   |              |                   |             |                   |               |             |
|      | Program                                   | 29,939,828        | 30,659,996        | 2.41        | 30,450,482        | -0.68        | 27,444,163        | -9.87       | 21,824,138        | -20.48        | -7.6        |
|      | Technical                                 | 4,021,404         | 4,888,892         | 21.57       | 4,433,950         | -9.31        | 3,843,106         | -13.33      | 2,891,253         | -24.77        | -7.9        |
|      | Sales and Promotion                       | 3,264,282         | 4,642,575         | 42.22       | 3,686,203         | -20.60       | 6,420,042         | 74.16       | 6,389,581         | -0.47         | 18.3        |
|      | Administration and General                | 4,415,189         | 5,003,791         | 13.33       | 4,742,082         | -5.23        | 5,979,637         | 26.10       | 3,464,615         | -42.06        | -5.9        |
|      | <b>Total Expenses</b>                     | <b>41,640,703</b> | <b>45,195,254</b> | <b>8.54</b> | <b>43,312,717</b> | <b>-4.17</b> | <b>43,686,948</b> | <b>0.86</b> | <b>34,569,587</b> | <b>-20.87</b> | <b>-4.6</b> |
|      | Operating Income                          | 3,845,420         | 3,346,433         |             | 2,387,175         |              | 3,365,276         |             | 4,098,564         |               |             |
|      | Depreciation                              | 4,632,045         | 4,210,838         | -9.09       | 3,484,060         | -17.26       | 4,165,863         | 19.57       | 2,973,675         | -28.62        | -10.5       |
|      | <b>P.B.I.T.</b>                           | <b>-786,625</b>   | <b>-864,405</b>   |             | <b>-1,096,885</b> |              | <b>-800,587</b>   |             | <b>1,124,889</b>  |               |             |
|      | Interest Expense                          | 878,899           | 990,927           | 12.75       | 841,461           | -15.08       | 787,772           | -6.38       | 551,901           | -29.94        |             |
|      | Adjustments Gain(Loss)                    | 1,358,357         | 2,607,511         | 91.96       | 124,479           | -95.23       | -704,880          | -666.26     | -1,384,255        | 96.38         |             |
|      | <b>Pre-tax Profit</b>                     | <b>-307,167</b>   | <b>752,179</b>    |             | <b>-1,813,867</b> |              | <b>-2,293,239</b> |             | <b>-811,267</b>   |               |             |
|      | <b>Programming (%)</b>                    |                   |                   |             |                   |              |                   |             |                   |               |             |
|      | Prog Expense/Expense Total                | 71.9              | 67.8              |             | 70.3              |              | 62.8              |             | 63.1              |               |             |
|      | Prog Expense/Revenue Total                | 65.8              | 63.2              |             | 66.6              |              | 58.3              |             | 56.4              |               |             |
|      | <b>Staff</b>                              |                   |                   |             |                   |              |                   |             |                   |               |             |
|      | Total Salaries                            | 31,793,158        | 32,148,297        | 1.12        | 28,869,026        | -10.20       | 29,309,396        | 1.53        | 27,269,820        | -6.96         | -3.8        |
|      | Avg Staff Count                           | 321.7             | 318.0             | -1.15       | 285.7             | -10.15       | 291.8             | 2.11        | 268.7             | -7.89         |             |
|      | Avg Salary (\$)                           | 98,829            | 101,095           | 2.29        | 101,043           | -0.05        | 100,461           | -0.58       | 101,480           | 1.02          | 0.7         |
|      | Salaries/Expense Total (%)                | 76.4              | 71.1              |             | 66.7              |              | 67.1              |             | 78.9              |               |             |
|      | <b>Profitability (%)</b>                  |                   |                   |             |                   |              |                   |             |                   |               |             |
|      | Operating Margin                          | 8.5               | 6.9               |             | 5.2               |              | 7.2               |             | 10.6              |               |             |
|      | P.B.I.T. Margin                           | -1.7              | -1.8              |             | -2.4              |              | -1.7              |             | 2.9               |               |             |
|      | Pre-tax Margin                            | -0.7              | 1.5               |             | -4.0              |              | -4.9              |             | -2.1              |               |             |

CAGR = Compound Annual Growth Rate

**CRTC - FINANCIAL SUMMARY - TV****\$ FDB 1 TV Details**

| (\$)                                      | Fiscal Year | 2012               | 2013               | Var %         | 2014               | Var %        | 2015               | Var %         | 2016               | Var %        | CAGR (%)    |
|---|-------------|--------------------|--------------------|---------------|--------------------|--------------|--------------------|---------------|--------------------|--------------|-------------|
| <b>Reporting Units</b>                    |             | 5                  | 5                  |               | 5                  |              | 5                  |               | 5                  |              |             |
| <b>Revenue</b>                            |             |                    |                    |               |                    |              |                    |               |                    |              |             |
| Time Sales                                |             | 206,437,177        | 169,298,097        | -17.99        | 297,153,398        | 75.52        | 80,949,455         | -72.76        | 127,341,436        | 57.31        | -11.4       |
| Syndication-Production                    |             | 24,404,870         | 26,934,260         | 10.36         | 40,360,558         | 49.85        | 61,481,403         | 52.33         | 39,644,157         | -35.52       | 12.9        |
| Local Programming Improvement Fund        |             | 6,969,021          | 4,535,685          | -34.92        | 2,240,950          | -50.59       |                    | -100.00       |                    |              | n/a         |
| Gov. Grants & Parliamentary Appropriation |             | 412,525,252        | 337,760,120        | -18.12        | 296,215,964        | -12.30       | 322,714,241        | 8.95          | 376,794,062        | 16.76        | -2.2        |
| Other Revenue                             |             | 18,533,011         | 24,142,452         | 30.27         | 22,494,551         | -6.83        | 18,730,306         | -16.73        | 19,780,620         | 5.61         | 1.6         |
| <b>Total Revenue</b>                      |             | <b>668,869,331</b> | <b>562,670,614</b> | <b>-15.88</b> | <b>658,465,421</b> | <b>17.03</b> | <b>483,875,405</b> | <b>-26.51</b> | <b>563,560,275</b> | <b>16.47</b> | <b>-4.2</b> |
| <b>Expenses</b>                           |             |                    |                    |               |                    |              |                    |               |                    |              |             |
| Program                                   |             | 437,370,638        | 369,828,791        | -15.44        | 451,861,764        | 22.18        | 299,782,348        | -33.66        | 353,670,114        | 17.98        | -5.2        |
| Technical                                 |             | 41,511,353         | 40,079,755         | -3.45         | 41,269,887         | 2.97         | 37,416,604         | -9.34         | 39,821,242         | 6.43         | -1.0        |
| Sales and Promotion                       |             | 69,443,397         | 58,407,225         | -15.89        | 58,560,109         | 0.26         | 46,116,306         | -21.25        | 55,361,559         | 20.05        | -5.5        |
| Administration and General                |             | 68,368,956         | 60,540,352         | -11.45        | 67,075,077         | 10.79        | 61,380,146         | -8.49         | 52,625,495         | -14.26       | -6.3        |
| <b>Total Expenses</b>                     |             | <b>616,694,344</b> | <b>528,856,123</b> | <b>-14.24</b> | <b>618,766,837</b> | <b>17.00</b> | <b>444,695,404</b> | <b>-28.13</b> | <b>501,478,410</b> | <b>12.77</b> | <b>-5.0</b> |
| Operating Income                          |             | 52,174,987         | 33,814,491         |               | 39,698,584         |              | 39,180,001         |               | 62,081,865         |              |             |
| Depreciation                              |             | 67,602,123         | 48,900,255         | -27.66        | 48,831,010         | -0.14        | 42,870,704         | -12.21        | 43,543,963         | 1.57         | -10.4       |
| <b>P.B.I.T.</b>                           |             | <b>-15,427,136</b> | <b>-15,085,764</b> |               | <b>-9,132,426</b>  |              | <b>-3,690,703</b>  |               | <b>18,537,902</b>  |              |             |
| Interest Expense                          |             | 9,301,831          | 8,451,523          | -9.14         | 8,471,599          | 0.24         | 8,126,829          | -4.07         | 8,170,998          | 0.54         |             |
| Adjustments Gain(Loss)                    |             | 19,824,454         | 30,774,424         | 55.23         | 1,691,110          | -94.50       | -7,276,683         | -530.29       | -20,370,744        | 179.95       |             |
| <b>Pre-tax Profit</b>                     |             | <b>-4,904,513</b>  | <b>7,237,137</b>   |               | <b>-15,912,915</b> |              | <b>-19,094,215</b> |               | <b>-10,003,840</b> |              |             |
| <b>Programming (%)</b>                    |             |                    |                    |               |                    |              |                    |               |                    |              |             |
| Prog Expense/Expense Total                |             | 70.9               | 69.9               |               | 73.0               |              | 67.4               |               | 70.5               |              |             |
| Prog Expense/Revenue Total                |             | 65.4               | 65.7               |               | 68.6               |              | 62.0               |               | 62.8               |              |             |
| <b>Staff</b>                              |             |                    |                    |               |                    |              |                    |               |                    |              |             |
| Total Salaries                            |             | 239,770,124        | 231,361,176        | -3.51         | 231,703,091        | 0.15         | 194,304,841        | -16.14        | 194,038,504        | -0.14        | -5.2        |
| Avg Staff Count                           |             | 2,391.1            | 2,278.5            | -4.71         | 2,256.3            | -0.97        | 1,874.0            | -16.94        | 1,836.5            | -2.00        |             |
| Avg Salary (\$)                           |             | 100,275            | 101,543            | 1.26          | 102,692            | 1.13         | 103,683            | 0.97          | 105,656            | 1.90         | 1.3         |
| Salaries/Expense Total (%)                |             | 38.9               | 43.7               |               | 37.4               |              | 43.7               |               | 38.7               |              |             |
| <b>Profitability (%)</b>                  |             |                    |                    |               |                    |              |                    |               |                    |              |             |
| Operating Margin                          |             | 7.8                | 6.0                |               | 6.0                |              | 8.1                |               | 11.0               |              |             |
| P.B.I.T. Margin                           |             | -2.3               | -2.7               |               | -1.4               |              | -0.8               |               | 3.3                |              |             |
| Pre-tax Margin                            |             | -0.7               | 1.3                |               | -2.4               |              | -3.9               |               | -1.8               |              |             |

CAGR = Compound Annual Growth Rate

## CRTC - FINANCIAL SUMMARY - TV

## \$ FDB 1 TV Details

| (\$) | Fiscal Year                               | 2012              | 2013              | Var %        | 2014              | Var %        | 2015              | Var %        | 2016              | Var %         | CAGR (%)    |
|------|---|-------------------|-------------------|--------------|-------------------|--------------|-------------------|--------------|-------------------|---------------|-------------|
|      | <b>Reporting Units</b>                    | 7                 | 7                 |              | 7                 |              | 7                 |              | 7                 |               |             |
|      | <b>Revenue</b>                            |                   |                   |              |                   |              |                   |              |                   |               |             |
|      | Time Sales                                | 10,845,166        | 8,750,533         | -19.31       | 10,619,856        | 21.36        | 10,647,170        | 0.26         | 10,006,845        | -6.01         | -2.0        |
|      | Syndication-Production                    | 132,775           | 150,963           | 13.70        | 167,372           | 10.87        | 140,780           | -15.89       | 83,174            | -40.92        | -11.0       |
|      | Local Programming Improvement Fund        | 10,732,729        | 7,781,879         | -27.49       | 4,010,702         | -48.46       |                   | -100.00      |                   |               | n/a         |
|      | Gov. Grants & Parliamentary Appropriation | 51,002,218        | 62,606,796        | 22.75        | 57,607,355        | -7.99        | 61,650,028        | 7.02         | 52,473,581        | -14.88        | 0.7         |
|      | Other Revenue                             | 1,380,019         | 1,568,087         | 13.63        | 1,222,988         | -22.01       | 1,678,421         | 37.24        | 1,444,078         | -13.96        | 1.1         |
|      | <b>Total Revenue</b>                      | <b>74,092,907</b> | <b>80,858,258</b> | <b>9.13</b>  | <b>73,628,273</b> | <b>-8.94</b> | <b>74,116,399</b> | <b>0.66</b>  | <b>64,007,678</b> | <b>-13.64</b> | <b>-3.6</b> |
|      | <b>Expenses</b>                           |                   |                   |              |                   |              |                   |              |                   |               |             |
|      | Program                                   | 50,103,591        | 55,776,972        | 11.32        | 52,340,612        | -6.16        | 47,306,063        | -9.62        | 39,223,306        | -17.09        | -5.9        |
|      | Technical                                 | 5,220,938         | 5,392,045         | 3.28         | 5,400,867         | 0.16         | 5,455,001         | 1.00         | 4,352,622         | -20.21        | -4.5        |
|      | Sales and Promotion                       | 4,683,499         | 4,985,657         | 6.45         | 3,976,862         | -20.23       | 6,585,290         | 65.59        | 7,946,218         | 20.67         | 14.1        |
|      | Administration and General                | 7,671,358         | 8,801,507         | 14.73        | 8,007,663         | -9.02        | 9,561,174         | 19.40        | 5,790,136         | -39.44        | -6.8        |
|      | <b>Total Expenses</b>                     | <b>67,679,386</b> | <b>74,956,181</b> | <b>10.75</b> | <b>69,726,004</b> | <b>-6.98</b> | <b>68,907,528</b> | <b>-1.17</b> | <b>57,312,282</b> | <b>-16.83</b> | <b>-4.1</b> |
|      | Operating Income                          | 6,413,521         | 5,902,077         |              | 3,902,269         |              | 5,208,871         |              | 6,695,396         |               |             |
|      | Depreciation                              | 7,618,661         | 7,009,717         | -7.99        | 5,674,076         | -19.05       | 6,513,153         | 14.79        | 4,898,586         | -24.79        | -10.5       |
|      | <b>P.B.I.T.</b>                           | <b>-1,205,140</b> | <b>-1,107,640</b> |              | <b>-1,771,807</b> |              | <b>-1,304,282</b> |              | <b>1,796,810</b>  |               |             |
|      | Interest Expense                          | 1,702,589         | 1,850,924         | 8.71         | 1,545,365         | -16.51       | 1,244,242         | -19.49       | 917,793           | -26.24        |             |
|      | Adjustments Gain(Loss)                    | 2,234,186         | 4,300,029         | 92.47        | 206,790           | -95.19       | -1,099,157        | -631.53      | -2,272,186        | 106.72        |             |
|      | <b>Pre-tax Profit</b>                     | <b>-673,543</b>   | <b>1,341,465</b>  |              | <b>-3,110,382</b> |              | <b>-3,647,681</b> |              | <b>-1,393,169</b> |               |             |
|      | <b>Programming (%)</b>                    |                   |                   |              |                   |              |                   |              |                   |               |             |
|      | Prog Expense/Expense Total                | 74.0              | 74.4              |              | 75.1              |              | 68.7              |              | 68.4              |               |             |
|      | Prog Expense/Revenue Total                | 67.6              | 69.0              |              | 71.1              |              | 63.8              |              | 61.3              |               |             |
|      | <b>Staff</b>                              |                   |                   |              |                   |              |                   |              |                   |               |             |
|      | Total Salaries                            | 47,863,014        | 52,510,340        | 9.71         | 47,205,735        | -10.10       | 48,315,313        | 2.35         | 43,654,693        | -9.65         | -2.3        |
|      | Avg Staff Count                           | 495.9             | 535.9             | 8.06         | 479.9             | -10.45       | 494.3             | 2.99         | 443.6             | -10.25        |             |
|      | Avg Salary (\$)                           | 96,514            | 97,987            | 1.53         | 98,366            | 0.39         | 97,751            | -0.63        | 98,410            | 0.67          | 0.5         |
|      | Salaries/Expense Total (%)                | 70.7              | 70.1              |              | 67.7              |              | 70.1              |              | 76.2              |               |             |
|      | <b>Profitability (%)</b>                  |                   |                   |              |                   |              |                   |              |                   |               |             |
|      | Operating Margin                          | 8.7               | 7.3               |              | 5.3               |              | 7.0               |              | 10.5              |               |             |
|      | P.B.I.T. Margin                           | -1.6              | -1.4              |              | -2.4              |              | -1.8              |              | 2.8               |               |             |
|      | Pre-tax Margin                            | -0.9              | 1.7               |              | -4.2              |              | -4.9              |              | -2.2              |               |             |

CAGR = Compound Annual Growth Rate

## CRTC - FINANCIAL SUMMARY - TV

## \$ FDB 1 TV Details

| (\$) | Fiscal Year                               | 2012               | 2013               | Var %        | 2014               | Var %       | 2015               | Var %        | 2016               | Var %       | CAGR (%)    |
|------|---|--------------------|--------------------|--------------|--------------------|-------------|--------------------|--------------|--------------------|-------------|-------------|
|      | <b>Reporting Units</b>                    | 7                  | 7                  |              | 7                  |             | 7                  |              | 7                  |             |             |
|      | <b>Revenue</b>                            |                    |                    |              |                    |             |                    |              |                    |             |             |
|      | Time Sales                                | 137,002,905        | 137,870,840        | 0.63         | 150,431,844        | 9.11        | 115,524,588        | -23.20       | 116,676,995        | 1.00        | -3.9        |
|      | Syndication-Production                    | 22,562,251         | 24,496,085         | 8.57         | 24,769,908         | 1.12        | 25,374,821         | 2.44         | 23,499,040         | -7.39       | 1.0         |
|      | Local Programming Improvement Fund        | 9,034,849          | 6,319,305          | -30.06       | 3,271,624          | -48.23      |                    | -100.00      |                    |             | n/a         |
|      | Gov. Grants & Parliamentary Appropriation | 320,203,971        | 293,050,118        | -8.48        | 286,477,560        | -2.24       | 287,216,662        | 0.26         | 311,145,755        | 8.33        | -0.7        |
|      | Other Revenue                             | 15,592,238         | 15,663,609         | 0.46         | 16,591,330         | 5.92        | 17,121,962         | 3.20         | 17,689,625         | 3.32        | 3.2         |
|      | <b>Total Revenue</b>                      | <b>504,396,214</b> | <b>477,399,957</b> | <b>-5.35</b> | <b>481,542,266</b> | <b>0.87</b> | <b>445,238,033</b> | <b>-7.54</b> | <b>469,011,415</b> | <b>5.34</b> | <b>-1.8</b> |
|      | <b>Expenses</b>                           |                    |                    |              |                    |             |                    |              |                    |             |             |
|      | Program                                   | 315,732,068        | 310,864,761        | -1.54        | 313,375,471        | 0.81        | 276,201,810        | -11.86       | 296,778,070        | 7.45        | -1.5        |
|      | Technical                                 | 52,958,611         | 51,052,192         | -3.60        | 48,311,057         | -5.37       | 46,160,346         | -4.45        | 45,520,309         | -1.39       | -3.7        |
|      | Sales and Promotion                       | 38,770,842         | 37,296,374         | -3.80        | 41,236,460         | 10.56       | 38,532,145         | -6.56        | 41,384,842         | 7.40        | 1.6         |
|      | Administration and General                | 54,679,110         | 45,940,992         | -15.98       | 49,455,707         | 7.65        | 52,056,266         | 5.26         | 37,012,960         | -28.90      | -9.3        |
|      | <b>Total Expenses</b>                     | <b>462,140,631</b> | <b>445,154,319</b> | <b>-3.68</b> | <b>452,378,695</b> | <b>1.62</b> | <b>412,950,567</b> | <b>-8.72</b> | <b>420,696,181</b> | <b>1.88</b> | <b>-2.3</b> |
|      | Operating Income                          | 42,255,583         | 32,245,638         |              | 29,163,571         |             | 32,287,466         |              | 48,315,234         |             |             |
|      | Depreciation                              | 53,938,610         | 41,730,591         | -22.63       | 39,149,580         | -6.18       | 36,381,290         | -7.07        | 34,482,193         | -5.22       | -10.6       |
|      | <b>P.B.I.T.</b>                           | <b>-11,683,027</b> | <b>-9,484,953</b>  |              | <b>-9,986,009</b>  |             | <b>-4,093,824</b>  |              | <b>13,833,041</b>  |             |             |
|      | Interest Expense                          | 8,076,074          | 7,388,304          | -8.52        | 7,045,528          | -4.64       | 6,891,590          | -2.18        | 6,475,101          | -6.04       |             |
|      | Adjustments Gain(Loss)                    | 15,817,599         | 23,152,400         | 46.37        | 1,633,012          | -92.95      | -6,008,496         | -467.94      | -15,618,824        | 159.95      |             |
|      | <b>Pre-tax Profit</b>                     | <b>-3,941,502</b>  | <b>6,279,143</b>   |              | <b>-15,398,525</b> |             | <b>-16,993,910</b> |              | <b>-8,260,884</b>  |             |             |
|      | <b>Programming (%)</b>                    |                    |                    |              |                    |             |                    |              |                    |             |             |
|      | Prog Expense/Expense Total                | 68.3               | 69.8               |              | 69.3               |             | 66.9               |              | 70.5               |             |             |
|      | Prog Expense/Revenue Total                | 62.6               | 65.1               |              | 65.1               |             | 62.0               |              | 63.3               |             |             |
|      | <b>Staff</b>                              |                    |                    |              |                    |             |                    |              |                    |             |             |
|      | Total Salaries                            | 244,365,527        | 239,462,052        | -2.01        | 235,023,713        | -1.85       | 213,660,398        | -9.09        | 212,408,105        | -0.59       | -3.4        |
|      | Avg Staff Count                           | 2,667.3            | 2,552.2            | -4.32        | 2,425.4            | -4.97       | 2,159.5            | -10.96       | 2,097.6            | -2.87       |             |
|      | Avg Salary (\$)                           | 91,614             | 93,827             | 2.42         | 96,901             | 3.28        | 98,939             | 2.10         | 101,264            | 2.35        | 2.5         |
|      | Salaries/Expense Total (%)                | 52.9               | 53.8               |              | 52.0               |             | 51.7               |              | 50.5               |             |             |
|      | <b>Profitability (%)</b>                  |                    |                    |              |                    |             |                    |              |                    |             |             |
|      | Operating Margin                          | 8.4                | 6.8                |              | 6.1                |             | 7.3                |              | 10.3               |             |             |
|      | P.B.I.T. Margin                           | -2.3               | -2.0               |              | -2.1               |             | -0.9               |              | 2.9                |             |             |
|      | Pre-tax Margin                            | -0.8               | 1.3                |              | -3.2               |             | -3.8               |              | -1.8               |             |             |

CAGR = Compound Annual Growth Rate

**CRTC - FINANCIAL SUMMARY - CONVENTIONAL TELEVISION**

Canada

| (\$) | Fiscal Year                                     | 2012                 | 2013                 | Var %        | 2014                 | Var %        | 2015                 | Var %         | 2016                 | Var %        | CAGR (%)    |
|------|---|----------------------|----------------------|--------------|----------------------|--------------|----------------------|---------------|----------------------|--------------|-------------|
|      | <b>Reporting Units</b>                          | 27                   | 27                   |              | 27                   |              | 27                   |               | 27                   |              |             |
|      | <b>Revenue</b>                                  |                      |                      |              |                      |              |                      |               |                      |              |             |
|      | Local Time Sales                                | 47327128             | 44526332             | -5.92        | 48981872             | 10.01        | 49490716             | 1.04          | 43629034             | -11.84       | -2.0        |
|      | National Time Sales                             | 325366953            | 286597251            | -11.92       | 425665408            | 48.52        | 170567391            | -59.93        | 222496462            | 30.44        | -9.1        |
|      | Syndication-Production                          | 50,024,167           | 53,765,138           | 7.48         | 67,676,001           | 25.87        | 89,360,588           | 32.04         | 65,918,234           | -26.23       | 7.1         |
|      | Local Programming Improvement Fund              | 47,158,790           | 34,835,830           | -26.13       | 17,562,628           | -49.58       |                      | -100.00       |                      |              | n/a         |
|      | Government Grants & Parliamentary Appropriation | 861,381,118          | 783,201,049          | -9.08        | 726,001,841          | -7.30        | 757,934,083          | 4.40          | 812,259,340          | 7.17         | -1.5        |
|      | Other Revenue                                   | 37,904,420           | 43,999,507           | 16.08        | 42,222,342           | -4.04        | 39,882,907           | -5.54         | 40,918,304           | 2.60         | 1.9         |
|      | <b>Total Revenue</b>                            | <b>1,369,162,576</b> | <b>1,246,925,107</b> | <b>-8.93</b> | <b>1,328,110,092</b> | <b>6.51</b>  | <b>1,107,235,685</b> | <b>-16.63</b> | <b>1,185,221,374</b> | <b>7.04</b>  | <b>-3.5</b> |
|      | <b>Expenses</b>                                 |                      |                      |              |                      |              |                      |               |                      |              |             |
|      | Program   | 886,753,833          | 821,553,788          | -7.35        | 897,932,051          | 9.30         | 687,293,380          | -23.46        | 743,082,250          | 8.12         | -4.3        |
|      | Technical                                       | 108,861,737          | 106,861,277          | -1.84        | 104,090,478          | -2.59        | 97,699,158           | -6.14         | 96,594,133           | -1.13        | -2.9        |
|      | Sales and Promotion                             | 119,145,876          | 108,973,207          | -8.54        | 110,540,347          | 1.44         | 101,866,421          | -7.85         | 115,537,818          | 13.42        | -0.8        |
|      | Administration and General                      | 143,151,258          | 128,839,384          | -10.00       | 136,806,554          | 6.18         | 136,345,490          | -0.34         | 103,584,564          | -24.03       | -7.8        |
|      | <b>Total Expenses</b>                           | <b>1,257,912,704</b> | <b>1,166,227,656</b> | <b>-7.29</b> | <b>1,249,369,430</b> | <b>7.13</b>  | <b>1,023,204,449</b> | <b>-18.10</b> | <b>1,058,798,765</b> | <b>3.48</b>  | <b>-4.2</b> |
|      | Operating Income                                | 111,249,872          | 80,697,451           |              | 78,740,662           |              | 84,031,236           |               | 126,422,609          |              |             |
|      | Depreciation                                    | 141,605,011          | 108,574,591          | -23.33       | 102,410,811          | -5.68        | 94,937,224           | -7.30         | 89,729,456           | -5.49        | -10.8       |
|      | <b>P.B.I.T.</b>                                 | <b>-30,355,139</b>   | <b>-27,877,140</b>   |              | <b>-23,670,149</b>   |              | <b>-10,905,988</b>   |               | <b>36,693,153</b>    |              |             |
|      | Interest Expense                                | 21,640,609           | 20,317,732           | -6.11        | 19,253,829           | -5.24        | 18,005,052           | -6.49         | 16,833,797           | -6.51        |             |
|      | Adjustments Gain(Loss)                          | 41,525,944           | 64,976,407           | 56.47        | 3,845,533            | -94.08       | -15,934,071          | -514.35       | -41,424,750          | 159.98       |             |
|      | <b>Pre-tax Profit</b>                           | <b>-10,469,804</b>   | <b>16,781,535</b>    |              | <b>-39,078,445</b>   |              | <b>-44,845,111</b>   |               | <b>-21,565,394</b>   |              |             |
|      | <b>Canadian Programming Expenses (CPE)</b>      | <b>733635281</b>     | <b>700793134</b>     | <b>-4.48</b> | <b>789782476</b>     | <b>12.70</b> | <b>557183375</b>     | <b>-29.45</b> | <b>635085203</b>     | <b>13.98</b> | <b>-3.5</b> |
|      | CPE / Revenue (%)                               | 53.6                 | 56.2                 |              | 59.5                 |              | 50.3                 |               | 53.6                 |              |             |
|      | <b>Programming (%)</b>                          |                      |                      |              |                      |              |                      |               |                      |              |             |
|      | Prog Expense/Expense Total                      | 70.5                 | 70.4                 |              | 71.9                 |              | 67.2                 |               | 70.2                 |              |             |
|      | Prog Expense/Revenue Total                      | 64.8                 | 65.9                 |              | 67.6                 |              | 62.1                 |               | 62.7                 |              |             |
|      | <b>Staff</b>                                    |                      |                      |              |                      |              |                      |               |                      |              |             |
|      | Total Remuneration                              | 606,616,773          | 599,752,653          | -1.13        | 581,299,831          | -3.08        | 523,221,744          | -9.99         | 511,086,006          | -2.32        | -4.2        |
|      | Total Staff Count                               | 6,319.8              | 6,136.9              | -2.89        | 5,842.7              | -4.80        | 5,204.7              | -10.92        | 4,986.4              | -4.20        |             |
|      | Avg Remuneration (\$)                           | 95,987               | 97,728               | 1.81         | 99,492               | 1.81         | 100,528              | 1.04          | 102,496              | 1.96         | 1.7         |
|      | Salaries/Expense Total                          | 48.2                 | 51.4                 |              | 46.5                 |              | 51.1                 |               | 48.3                 |              |             |
|      | <b>Profitability (%)</b>                        |                      |                      |              |                      |              |                      |               |                      |              |             |
|      | Operating Margin                                | 8.1                  | 6.5                  |              | 5.9                  |              | 7.6                  |               | 10.7                 |              |             |
|      | P.B.I.T. Margin                                 | -2.2                 | -2.2                 |              | -1.8                 |              | -1.0                 |               | 3.1                  |              |             |
|      | Pre-tax Margin                                  | -0.8                 | 1.3                  |              | -2.9                 |              | -4.1                 |               | -1.8                 |              |             |

CAGR = Compound Annual Growth Rate

**CRTC - FINANCIAL SUMMARY - CONVENTIONAL TELEVISION**

Atlantic

| (\$) | Fiscal Year                                     | 2012              | 2013              | Var %       | 2014              | Var %         | 2015              | Var %         | 2016              | Var %         | CAGR (%)     |
|------|---|-------------------|-------------------|-------------|-------------------|---------------|-------------------|---------------|-------------------|---------------|--------------|
|      | <b>Reporting Units</b>                          | 5                 | 5                 |             | 5                 |               | 5                 |               | 5                 |               |              |
|      | <b>Revenue</b>                                  |                   |                   |             |                   |               |                   |               |                   |               |              |
|      | Local Time Sales                                | 4153586           | 3852457           | -7.25       | 3961689           | 2.84          | 5685763           | 43.52         | 4465824           | -21.46        | 1.8          |
|      | National Time Sales                             | 3377413           | 2870744           | -15.00      | 3259443           | 13.54         | 882246            | -72.93        | 1085055           | 22.99         | -24.7        |
|      | Syndication-Production                          | 2,563,707         | 1,532,153         | -40.24      | 1,670,405         | 9.02          | 1,501,757         | -10.10        | 2,006,059         | 33.58         | -6.0         |
|      | Local Programming Improvement Fund              | 16,016,618        | 13,011,800        | -18.76      | 6,652,545         | -48.87        |                   | -100.00       |                   |               | n/a          |
|      | Government Grants & Parliamentary Appropriation | 48,784,491        | 54,679,537        | 12.08       | 52,074,164        | -4.76         | 47,594,759        | -8.60         | 41,289,590        | -13.25        | -4.1         |
|      | Other Revenue                                   | 1,422,186         | 1,507,900         | 6.03        | 1,155,994         | -23.34        | 1,289,099         | 11.51         | 1,127,327         | -12.55        | -5.6         |
|      | <b>Total Revenue</b>                            | <b>76,318,001</b> | <b>77,454,591</b> | <b>1.49</b> | <b>68,774,240</b> | <b>-11.21</b> | <b>56,953,624</b> | <b>-17.19</b> | <b>49,973,855</b> | <b>-12.26</b> | <b>-10.0</b> |
|      | <b>Expenses</b>                                 |                   |                   |             |                   |               |                   |               |                   |               |              |
|      | Program   | 53,607,708        | 54,423,268        | 1.52        | 49,903,722        | -8.30         | 36,558,996        | -26.74        | 31,586,622        | -13.60        | -12.4        |
|      | Technical                                       | 5,149,431         | 5,448,393         | 5.81        | 4,674,717         | -14.20        | 4,824,101         | 3.20          | 4,008,707         | -16.90        | -6.1         |
|      | Sales and Promotion                             | 2,983,856         | 3,641,376         | 22.04       | 3,080,713         | -15.40        | 4,212,638         | 36.74         | 4,455,618         | 5.77          | 10.5         |
|      | Administration and General                      | 8,016,645         | 8,552,742         | 6.69        | 7,526,025         | -12.00        | 7,368,267         | -2.10         | 4,691,358         | -36.33        | -12.5        |
|      | <b>Total Expenses</b>                           | <b>69,757,640</b> | <b>72,065,779</b> | <b>3.31</b> | <b>65,185,177</b> | <b>-9.55</b>  | <b>52,964,002</b> | <b>-18.75</b> | <b>44,742,305</b> | <b>-15.52</b> | <b>-10.5</b> |
|      | Operating Income                                | 6,560,361         | 5,388,812         |             | 3,589,063         |               | 3,989,622         |               | 5,231,550         |               |              |
|      | Depreciation                                    | 7,813,572         | 6,723,190         | -13.95      | 5,272,085         | -21.58        | 5,006,214         | -5.04         | 3,831,039         | -23.47        | -16.3        |
|      | <b>P.B.I.T.</b>                                 | <b>-1,253,211</b> | <b>-1,334,378</b> |             | <b>-1,683,022</b> |               | <b>-1,016,592</b> |               | <b>1,400,511</b>  |               |              |
|      | Interest Expense                                | 1,681,216         | 1,636,054         | -2.69       | 1,349,876         | -17.49        | 954,619           | -29.28        | 718,004           | -24.79        |              |
|      | Adjustments Gain(Loss)                          | 2,291,348         | 4,142,043         | 80.77       | 190,142           | -95.41        | -844,855          | -544.33       | -1,778,741        | 110.54        |              |
|      | <b>Pre-tax Profit</b>                           | <b>-643,079</b>   | <b>1,171,611</b>  |             | <b>-2,842,756</b> |               | <b>-2,816,066</b> |               | <b>-1,096,234</b> |               |              |
|      |   | <b>47661316</b>   | <b>48435991</b>   | <b>1.63</b> | <b>45436553</b>   | <b>-6.19</b>  | <b>31921678</b>   | <b>-29.74</b> | <b>27469726</b>   | <b>-13.95</b> | <b>-12.9</b> |
|      |   | 62.5              | 62.5              |             | 66.1              |               | 56.0              |               | 55.0              |               |              |
|      | <b>Programming (%)</b>                          |                   |                   |             |                   |               |                   |               |                   |               |              |
|      | Prog Expense/Expense Total                      | 76.8              | 75.5              |             | 76.6              |               | 69.0              |               | 70.6              |               |              |
|      | Prog Expense/Revenue Total                      | 70.2              | 70.3              |             | 72.6              |               | 64.2              |               | 63.2              |               |              |
|      | <b>Staff</b>                                    |                   |                   |             |                   |               |                   |               |                   |               |              |
|      | Total Remuneration                              | 42,824,950        | 44,270,788        | 3.38        | 38,498,266        | -13.04        | 37,631,796        | -2.25         | 33,714,884        | -10.41        | -5.8         |
|      | Total Staff Count                               | 443.7             | 452.4             | 1.97        | 395.3             | -12.62        | 385.2             | -2.57         | 340.0             | -11.73        |              |
|      | Avg Remuneration (\$)                           | 96,524            | 97,853            | 1.38        | 97,380            | -0.48         | 97,702            | 0.33          | 99,161            | 1.49          | 0.7          |
|      | Salaries/Expense Total                          | 61.4              | 61.4              |             | 59.1              |               | 71.1              |               | 75.4              |               |              |
|      | <b>Profitability (%)</b>                        |                   |                   |             |                   |               |                   |               |                   |               |              |
|      | Operating Margin                                | 8.6               | 7.0               |             | 5.2               |               | 7.0               |               | 10.5              |               |              |
|      | P.B.I.T. Margin                                 | -1.6              | -1.7              |             | -2.4              |               | -1.8              |               | 2.8               |               |              |
|      | Pre-tax Margin                                  | -0.8              | 1.5               |             | -4.1              |               | -4.9              |               | -2.2              |               |              |

CAGR = Compound Annual Growth Rate



**CRTC - FINANCIAL SUMMARY - CONVENTIONAL TELEVISION**

Quebec

| (\$) | Fiscal Year                                     | 2012               | 2013               | Var %        | 2014               | Var %       | 2015               | Var %         | 2016               | Var %       | CAGR (%)    |
|------|---|--------------------|--------------------|--------------|--------------------|-------------|--------------------|---------------|--------------------|-------------|-------------|
|      | <b>Reporting Units</b>                          | 7                  | 7                  |              | 7                  |             | 7                  |               | 7                  |             |             |
|      | <b>Revenue</b>                                  |                    |                    |              |                    |             |                    |               |                    |             |             |
|      | Local Time Sales                                | 16141608           | 17267265           | 6.97         | 18395743           | 6.54        | 18809395           | 2.25          | 18873720           | 0.34        | 4.0         |
|      | National Time Sales                             | 120861297          | 120603575          | -0.21        | 132036101          | 9.48        | 96715193           | -26.75        | 97803275           | 1.13        | -5.2        |
|      | Syndication-Production                          | 22,562,251         | 24,496,085         | 8.57         | 24,769,908         | 1.12        | 25,374,821         | 2.44          | 23,499,040         | -7.39       | 1.0         |
|      | Local Programming Improvement Fund              | 9,034,849          | 6,319,305          | -30.06       | 3,271,624          | -48.23      |                    | -100.00       |                    |             | n/a         |
|      | Government Grants & Parliamentary Appropriation | 320,203,971        | 293,050,118        | -8.48        | 286,477,560        | -2.24       | 287,216,662        | 0.26          | 311,145,755        | 8.33        | -0.7        |
|      | Other Revenue                                   | 15,592,238         | 15,663,609         | 0.46         | 16,591,330         | 5.92        | 17,121,962         | 3.20          | 17,689,625         | 3.32        | 3.2         |
|      | <b>Total Revenue</b>                            | <b>504,396,214</b> | <b>477,399,957</b> | <b>-5.35</b> | <b>481,542,266</b> | <b>0.87</b> | <b>445,238,033</b> | <b>-7.54</b>  | <b>469,011,415</b> | <b>5.34</b> | <b>-1.8</b> |
|      | <b>Expenses</b>                                 |                    |                    |              |                    |             |                    |               |                    |             |             |
|      | Program   | 315,732,068        | 310,864,761        | -1.54        | 313,375,471        | 0.81        | 276,201,810        | -11.86        | 296,778,070        | 7.45        | -1.5        |
|      | Technical                                       | 52,958,611         | 51,052,192         | -3.60        | 48,311,057         | -5.37       | 46,160,346         | -4.45         | 45,520,309         | -1.39       | -3.7        |
|      | Sales and Promotion                             | 38,770,842         | 37,296,374         | -3.80        | 41,236,460         | 10.56       | 38,532,145         | -6.56         | 41,384,842         | 7.40        | 1.6         |
|      | Administration and General                      | 54,679,110         | 45,940,992         | -15.98       | 49,455,707         | 7.65        | 52,056,266         | 5.26          | 37,012,960         | -28.90      | -9.3        |
|      | <b>Total Expenses</b>                           | <b>462,140,631</b> | <b>445,154,319</b> | <b>-3.68</b> | <b>452,378,695</b> | <b>1.62</b> | <b>412,950,567</b> | <b>-8.72</b>  | <b>420,696,181</b> | <b>1.88</b> | <b>-2.3</b> |
|      | Operating Income                                | 42,255,583         | 32,245,638         |              | 29,163,571         |             | 32,287,466         |               | 48,315,234         |             |             |
|      | Depreciation                                    | 53,938,610         | 41,730,591         | -22.63       | 39,149,580         | -6.18       | 36,381,290         | -7.07         | 34,482,193         | -5.22       | -10.6       |
|      | <b>P.B.I.T.</b>                                 | <b>-11,683,027</b> | <b>-9,484,953</b>  |              | <b>-9,986,009</b>  |             | <b>-4,093,824</b>  |               | <b>13,833,041</b>  |             |             |
|      | Interest Expense                                | 8,076,074          | 7,388,304          | -8.52        | 7,045,528          | -4.64       | 6,891,590          | -2.18         | 6,475,101          | -6.04       |             |
|      | Adjustments Gain(Loss)                          | 15,817,599         | 23,152,400         | 46.37        | 1,633,012          | -92.95      | -6,008,496         | -467.94       | -15,618,824        | 159.95      |             |
|      | <b>Pre-tax Profit</b>                           | <b>-3,941,502</b>  | <b>6,279,143</b>   |              | <b>-15,398,525</b> |             | <b>-16,993,910</b> |               | <b>-8,260,884</b>  |             |             |
|      |   | <b>265162954</b>   | <b>260145266</b>   | <b>-1.89</b> | <b>267118552</b>   | <b>2.68</b> | <b>229468751</b>   | <b>-14.09</b> | <b>252219044</b>   | <b>9.91</b> | <b>-1.2</b> |
|      |   | 52.6               | 54.5               |              | 55.5               |             | 51.5               |               | 53.8               |             |             |
|      | <b>Programming (%)</b>                          |                    |                    |              |                    |             |                    |               |                    |             |             |
|      | Prog Expense/Expense Total                      | 68.3               | 69.8               |              | 69.3               |             | 66.9               |               | 70.5               |             |             |
|      | Prog Expense/Revenue Total                      | 62.6               | 65.1               |              | 65.1               |             | 62.0               |               | 63.3               |             |             |
|      | <b>Staff</b>                                    |                    |                    |              |                    |             |                    |               |                    |             |             |
|      | Total Remuneration                              | 244,365,527        | 239,462,052        | -2.01        | 235,023,713        | -1.85       | 213,660,398        | -9.09         | 212,408,105        | -0.59       | -3.4        |
|      | Total Staff Count                               | 2,667.3            | 2,552.2            | -4.32        | 2,425.4            | -4.97       | 2,159.5            | -10.96        | 2,097.6            | -2.87       |             |
|      | Avg Remuneration (\$)                           | 91,614             | 93,827             | 2.42         | 96,901             | 3.28        | 98,939             | 2.10          | 101,264            | 2.35        | 2.5         |
|      | Salaries/Expense Total                          | 52.9               | 53.8               |              | 52.0               |             | 51.7               |               | 50.5               |             |             |
|      | <b>Profitability (%)</b>                        |                    |                    |              |                    |             |                    |               |                    |             |             |
|      | Operating Margin                                | 8.4                | 6.8                |              | 6.1                |             | 7.3                |               | 10.3               |             |             |
|      | P.B.I.T. Margin                                 | -2.3               | -2.0               |              | -2.1               |             | -0.9               |               | 2.9                |             |             |
|      | Pre-tax Margin                                  | -0.8               | 1.3                |              | -3.2               |             | -3.8               |               | -1.8               |             |             |

CAGR = Compound Annual Growth Rate

**CRTC - FINANCIAL SUMMARY - CONVENTIONAL TELEVISION**

Ontario

| (\$)                     | Fiscal Year                                     | 2012               | 2013               | Var %         | 2014               | Var %        | 2015               | Var %         | 2016               | Var %        | CAGR (%)    |
|--------------------------|---|--------------------|--------------------|---------------|--------------------|--------------|--------------------|---------------|--------------------|--------------|-------------|
|                          | <b>Reporting Units</b>                          | 5                  | 5                  |               | 5                  |              | 5                  |               | 5                  |              |             |
| <b>Revenue</b>           |   |                    |                    |               |                    |              |                    |               |                    |              |             |
|                          | Local Time Sales                                | 16180057           | 14627713           | -9.59         | 17137403           | 17.16        | 13207812           | -22.93        | 10268698           | -22.25       | -10.7       |
|                          | National Time Sales                             | 190257120          | 154670384          | -18.70        | 280015995          | 81.04        | 67741643           | -75.81        | 117072738          | 72.82        | -11.4       |
|                          | Syndication-Production                          | 24,404,870         | 26,934,260         | 10.36         | 40,360,558         | 49.85        | 61,481,403         | 52.33         | 39,644,157         | -35.52       | 12.9        |
|                          | Local Programming Improvement Fund              | 6,969,021          | 4,535,685          | -34.92        | 2,240,950          | -50.59       |                    | -100.00       |                    |              | n/a         |
|                          | Government Grants & Parliamentary Appropriation | 412,525,252        | 337,760,120        | -18.12        | 296,215,964        | -12.30       | 322,714,241        | 8.95          | 376,794,062        | 16.76        | -2.2        |
|                          | Other Revenue                                   | 18,533,011         | 24,142,452         | 30.27         | 22,494,551         | -6.83        | 18,730,306         | -16.73        | 19,780,620         | 5.61         | 1.6         |
|                          | <b>Total Revenue</b>                            | <b>668,869,331</b> | <b>562,670,614</b> | <b>-15.88</b> | <b>658,465,421</b> | <b>17.03</b> | <b>483,875,405</b> | <b>-26.51</b> | <b>563,560,275</b> | <b>16.47</b> | <b>-4.2</b> |
| <b>Expenses</b>          |   |                    |                    |               |                    |              |                    |               |                    |              |             |
|                          | Program   | 437,370,638        | 369,828,791        | -15.44        | 451,861,764        | 22.18        | 299,782,348        | -33.66        | 353,670,114        | 17.98        | -5.2        |
|                          | Technical                                       | 41,511,353         | 40,079,755         | -3.45         | 41,269,887         | 2.97         | 37,416,604         | -9.34         | 39,821,242         | 6.43         | -1.0        |
|                          | Sales and Promotion                             | 69,443,397         | 58,407,225         | -15.89        | 58,560,109         | 0.26         | 46,116,306         | -21.25        | 55,361,559         | 20.05        | -5.5        |
|                          | Administration and General                      | 68,368,956         | 60,540,352         | -11.45        | 67,075,077         | 10.79        | 61,380,146         | -8.49         | 52,625,495         | -14.26       | -6.3        |
|                          | <b>Total Expenses</b>                           | <b>616,694,344</b> | <b>528,856,123</b> | <b>-14.24</b> | <b>618,766,837</b> | <b>17.00</b> | <b>444,695,404</b> | <b>-28.13</b> | <b>501,478,410</b> | <b>12.77</b> | <b>-5.0</b> |
|                          | Operating Income                                | 52,174,987         | 33,814,491         |               | 39,698,584         |              | 39,180,001         |               | 62,081,865         |              |             |
|                          | Depreciation                                    | 67,602,123         | 48,900,255         | -27.66        | 48,831,010         | -0.14        | 42,870,704         | -12.21        | 43,543,963         | 1.57         | -10.4       |
|                          | <b>P.B.I.T.</b>                                 | <b>-15,427,136</b> | <b>-15,085,764</b> |               | <b>-9,132,426</b>  |              | <b>-3,690,703</b>  |               | <b>18,537,902</b>  |              |             |
|                          | Interest Expense                                | 9,301,831          | 8,451,523          | -9.14         | 8,471,599          | 0.24         | 8,126,829          | -4.07         | 8,170,998          | 0.54         |             |
|                          | Adjustments Gain(Loss)                          | 19,824,454         | 30,774,424         | 55.23         | 1,691,110          | -94.50       | -7,276,683         | -530.29       | -20,370,744        | 179.95       |             |
|                          | <b>Pre-tax Profit</b>                           | <b>-4,904,513</b>  | <b>7,237,137</b>   |               | <b>-15,912,915</b> |              | <b>-19,094,215</b> |               | <b>-10,003,840</b> |              |             |
|                          |   | <b>348016737</b>   | <b>313994842</b>   | <b>-9.78</b>  | <b>400992289</b>   | <b>27.71</b> | <b>229649014</b>   | <b>-42.73</b> | <b>300874957</b>   | <b>31.02</b> | <b>-3.6</b> |
|                          |   | 52.0               | 55.8               |               | 60.9               |              | 47.5               |               | 53.4               |              |             |
| <b>Programming (%)</b>   |   |                    |                    |               |                    |              |                    |               |                    |              |             |
|                          | Prog Expense/Expense Total                      | 70.9               | 69.9               |               | 73.0               |              | 67.4               |               | 70.5               |              |             |
|                          | Prog Expense/Revenue Total                      | 65.4               | 65.7               |               | 68.6               |              | 62.0               |               | 62.8               |              |             |
| <b>Staff</b>             |   |                    |                    |               |                    |              |                    |               |                    |              |             |
|                          | Total Remuneration                              | 239,770,124        | 231,361,176        | -3.51         | 231,703,091        | 0.15         | 194,304,841        | -16.14        | 194,038,504        | -0.14        | -5.2        |
|                          | Total Staff Count                               | 2,391.1            | 2,278.5            | -4.71         | 2,256.3            | -0.97        | 1,874.0            | -16.94        | 1,836.5            | -2.00        |             |
|                          | Avg Remuneration (\$)                           | 100,275            | 101,543            | 1.26          | 102,692            | 1.13         | 103,683            | 0.97          | 105,656            | 1.90         | 1.3         |
|                          | Salaries/Expense Total                          | 38.9               | 43.7               |               | 37.4               |              | 43.7               |               | 38.7               |              |             |
| <b>Profitability (%)</b> |   |                    |                    |               |                    |              |                    |               |                    |              |             |
|                          | Operating Margin                                | 7.8                | 6.0                |               | 6.0                |              | 8.1                |               | 11.0               |              |             |
|                          | P.B.I.T. Margin                                 | -2.3               | -2.7               |               | -1.4               |              | -0.8               |               | 3.3                |              |             |
|                          | Pre-tax Margin                                  | -0.7               | 1.3                |               | -2.4               |              | -3.9               |               | -1.8               |              |             |

CAGR = Compound Annual Growth Rate

**CRTC - FINANCIAL SUMMARY - CONVENTIONAL TELEVISION**

Prairies

| (\$) | Fiscal Year                                     | 2012              | 2013              | Var %        | 2014              | Var %        | 2015              | Var %         | 2016              | Var %         | CAGR (%)    |
|------|---|-------------------|-------------------|--------------|-------------------|--------------|-------------------|---------------|-------------------|---------------|-------------|
|      | <b>Reporting Units</b>                          | 7                 | 7                 |              | 7                 |              | 7                 |               | 7                 |               |             |
|      | <b>Revenue</b>                                  |                   |                   |              |                   |              |                   |               |                   |               |             |
|      | Local Time Sales                                | 4744001           | 4388155           | -7.50        | 5148187           | 17.32        | 8561992           | 66.31         | 6889081           | -19.54        | 9.8         |
|      | National Time Sales                             | 6101165           | 4362378           | -28.50       | 5471669           | 25.43        | 2085178           | -61.89        | 3117764           | 49.52         | -15.5       |
|      | Syndication-Production                          | 132,775           | 150,963           | 13.70        | 167,372           | 10.87        | 140,780           | -15.89        | 83,174            | -40.92        | -11.0       |
|      | Local Programming Improvement Fund              | 10,732,729        | 7,781,879         | -27.49       | 4,010,702         | -48.46       |                   | -100.00       |                   |               | n/a         |
|      | Government Grants & Parliamentary Appropriation | 51,002,218        | 62,606,796        | 22.75        | 57,607,355        | -7.99        | 61,650,028        | 7.02          | 52,473,581        | -14.88        | 0.7         |
|      | Other Revenue                                   | 1,380,019         | 1,568,087         | 13.63        | 1,222,988         | -22.01       | 1,678,421         | 37.24         | 1,444,078         | -13.96        | 1.1         |
|      | <b>Total Revenue</b>                            | <b>74,092,907</b> | <b>80,858,258</b> | <b>9.13</b>  | <b>73,628,273</b> | <b>-8.94</b> | <b>74,116,399</b> | <b>0.66</b>   | <b>64,007,678</b> | <b>-13.64</b> | <b>-3.6</b> |
|      | <b>Expenses</b>                                 |                   |                   |              |                   |              |                   |               |                   |               |             |
|      | Program   | 50,103,591        | 55,776,972        | 11.32        | 52,340,612        | -6.16        | 47,306,063        | -9.62         | 39,223,306        | -17.09        | -5.9        |
|      | Technical                                       | 5,220,938         | 5,392,045         | 3.28         | 5,400,867         | 0.16         | 5,455,001         | 1.00          | 4,352,622         | -20.21        | -4.5        |
|      | Sales and Promotion                             | 4,683,499         | 4,985,657         | 6.45         | 3,976,862         | -20.23       | 6,585,290         | 65.59         | 7,946,218         | 20.67         | 14.1        |
|      | Administration and General                      | 7,671,358         | 8,801,507         | 14.73        | 8,007,663         | -9.02        | 9,561,174         | 19.40         | 5,790,136         | -39.44        | -6.8        |
|      | <b>Total Expenses</b>                           | <b>67,679,386</b> | <b>74,956,181</b> | <b>10.75</b> | <b>69,726,004</b> | <b>-6.98</b> | <b>68,907,528</b> | <b>-1.17</b>  | <b>57,312,282</b> | <b>-16.83</b> | <b>-4.1</b> |
|      | Operating Income                                | 6,413,521         | 5,902,077         |              | 3,902,269         |              | 5,208,871         |               | 6,695,396         |               |             |
|      | Depreciation                                    | 7,618,661         | 7,009,717         | -7.99        | 5,674,076         | -19.05       | 6,513,153         | 14.79         | 4,898,586         | -24.79        | -10.5       |
|      | <b>P.B.I.T.</b>                                 | <b>-1,205,140</b> | <b>-1,107,640</b> |              | <b>-1,771,807</b> |              | <b>-1,304,282</b> |               | <b>1,796,810</b>  |               |             |
|      | Interest Expense                                | 1,702,589         | 1,850,924         | 8.71         | 1,545,365         | -16.51       | 1,244,242         | -19.49        | 917,793           | -26.24        |             |
|      | Adjustments Gain(Loss)                          | 2,234,186         | 4,300,029         | 92.47        | 206,790           | -95.19       | -1,099,157        | -631.53       | -2,272,186        | 106.72        |             |
|      | <b>Pre-tax Profit</b>                           | <b>-673,543</b>   | <b>1,341,465</b>  |              | <b>-3,110,382</b> |              | <b>-3,647,681</b> |               | <b>-1,393,169</b> |               |             |
|      |   | <b>45722461</b>   | <b>50845136</b>   | <b>11.20</b> | <b>48532023</b>   | <b>-4.55</b> | <b>42299929</b>   | <b>-12.84</b> | <b>35298578</b>   | <b>-16.55</b> | <b>-6.3</b> |
|      |   | 61.7              | 62.9              |              | 65.9              |              | 57.1              |               | 55.1              |               |             |
|      | <b>Programming (%)</b>                          |                   |                   |              |                   |              |                   |               |                   |               |             |
|      | Prog Expense/Expense Total                      | 74.0              | 74.4              |              | 75.1              |              | 68.7              |               | 68.4              |               |             |
|      | Prog Expense/Revenue Total                      | 67.6              | 69.0              |              | 71.1              |              | 63.8              |               | 61.3              |               |             |
|      | <b>Staff</b>                                    |                   |                   |              |                   |              |                   |               |                   |               |             |
|      | Total Remuneration                              | 47,863,014        | 52,510,340        | 9.71         | 47,205,735        | -10.10       | 48,315,313        | 2.35          | 43,654,693        | -9.65         | -2.3        |
|      | Total Staff Count                               | 495.9             | 535.9             | 8.06         | 479.9             | -10.45       | 494.3             | 2.99          | 443.6             | -10.25        |             |
|      | Avg Remuneration (\$)                           | 96,514            | 97,987            | 1.53         | 98,366            | 0.39         | 97,751            | -0.63         | 98,410            | 0.67          | 0.5         |
|      | Salaries/Expense Total                          | 70.7              | 70.1              |              | 67.7              |              | 70.1              |               | 76.2              |               |             |
|      | <b>Profitability (%)</b>                        |                   |                   |              |                   |              |                   |               |                   |               |             |
|      | Operating Margin                                | 8.7               | 7.3               |              | 5.3               |              | 7.0               |               | 10.5              |               |             |
|      | P.B.I.T. Margin                                 | -1.6              | -1.4              |              | -2.4              |              | -1.8              |               | 2.8               |               |             |
|      | Pre-tax Margin                                  | -0.9              | 1.7               |              | -4.2              |              | -4.9              |               | -2.2              |               |             |

CAGR = Compound Annual Growth Rate

**CRTC - FINANCIAL SUMMARY - CONVENTIONAL TELEVISION**

BC and Territories

| (\$)                     | Fiscal Year                                     | 2012              | 2013              | Var %       | 2014              | Var %        | 2015              | Var %         | 2016              | Var %         | CAGR (%)    |
|--------------------------|---|-------------------|-------------------|-------------|-------------------|--------------|-------------------|---------------|-------------------|---------------|-------------|
|                          | <b>Reporting Units</b>                          | 3                 | 3                 |             | 3                 |              | 3                 |               | 3                 |               |             |
| <b>Revenue</b>           |   |                   |                   |             |                   |              |                   |               |                   |               |             |
|                          | Local Time Sales                                | 6107876           | 4390742           | -28.11      | 4338850           | -1.18        | 3225754           | -25.65        | 3131711           | -2.92         | -15.4       |
|                          | National Time Sales                             | 4769958           | 4090170           | -14.25      | 4882200           | 19.36        | 3143131           | -35.62        | 3417630           | 8.73          | -8.0        |
|                          | Syndication-Production                          | 360,564           | 651,677           | 80.74       | 707,758           | 8.61         | 861,827           | 21.77         | 685,804           | -20.42        | 17.4        |
|                          | Local Programming Improvement Fund              | 4,405,573         | 3,187,161         | -27.66      | 1,386,807         | -56.49       |                   | -100.00       |                   |               | n/a         |
|                          | Government Grants & Parliamentary Appropriation | 28,865,186        | 35,104,478        | 21.62       | 33,626,798        | -4.21        | 38,758,393        | 15.26         | 30,556,352        | -21.16        | 1.4         |
|                          | Other Revenue                                   | 976,966           | 1,117,459         | 14.38       | 757,479           | -32.21       | 1,063,119         | 40.35         | 876,654           | -17.54        | -2.7        |
|                          | <b>Total Revenue</b>                            | <b>45,486,123</b> | <b>48,541,687</b> | <b>6.72</b> | <b>45,699,892</b> | <b>-5.85</b> | <b>47,052,224</b> | <b>2.96</b>   | <b>38,668,151</b> | <b>-17.82</b> | <b>-4.0</b> |
| <b>Expenses</b>          |   |                   |                   |             |                   |              |                   |               |                   |               |             |
|                          | Program   | 29,939,828        | 30,659,996        | 2.41        | 30,450,482        | -0.68        | 27,444,163        | -9.87         | 21,824,138        | -20.48        | -7.6        |
|                          | Technical                                       | 4,021,404         | 4,888,892         | 21.57       | 4,433,950         | -9.31        | 3,843,106         | -13.33        | 2,891,253         | -24.77        | -7.9        |
|                          | Sales and Promotion                             | 3,264,282         | 4,642,575         | 42.22       | 3,686,203         | -20.60       | 6,420,042         | 74.16         | 6,389,581         | -0.47         | 18.3        |
|                          | Administration and General                      | 4,415,189         | 5,003,791         | 13.33       | 4,742,082         | -5.23        | 5,979,637         | 26.10         | 3,464,615         | -42.06        | -5.9        |
|                          | <b>Total Expenses</b>                           | <b>41,640,703</b> | <b>45,195,254</b> | <b>8.54</b> | <b>43,312,717</b> | <b>-4.17</b> | <b>43,686,948</b> | <b>0.86</b>   | <b>34,569,587</b> | <b>-20.87</b> | <b>-4.6</b> |
|                          | Operating Income                                | 3,845,420         | 3,346,433         |             | 2,387,175         |              | 3,365,276         |               | 4,098,564         |               |             |
|                          | Depreciation                                    | 4,632,045         | 4,210,838         | -9.09       | 3,484,060         | -17.26       | 4,165,863         | 19.57         | 2,973,675         | -28.62        | -10.5       |
|                          | <b>P.B.I.T.</b>                                 | <b>-786,625</b>   | <b>-864,405</b>   |             | <b>-1,096,885</b> |              | <b>-800,587</b>   |               | <b>1,124,889</b>  |               |             |
|                          | Interest Expense                                | 878,899           | 990,927           | 12.75       | 841,461           | -15.08       | 787,772           | -6.38         | 551,901           | -29.94        |             |
|                          | Adjustments Gain(Loss)                          | 1,358,357         | 2,607,511         | 91.96       | 124,479           | -95.23       | -704,880          | -666.26       | -1,384,255        | 96.38         |             |
|                          | <b>Pre-tax Profit</b>                           | <b>-307,167</b>   | <b>752,179</b>    |             | <b>-1,813,867</b> |              | <b>-2,293,239</b> |               | <b>-811,267</b>   |               |             |
|                          |   | <b>27071813</b>   | <b>27371899</b>   | <b>1.11</b> | <b>27703059</b>   | <b>1.21</b>  | <b>23844003</b>   | <b>-13.93</b> | <b>19222898</b>   | <b>-19.38</b> | <b>-8.2</b> |
|                          |   | 59.5              | 56.4              |             | 60.6              |              | 50.7              |               | 49.7              |               |             |
| <b>Programming (%)</b>   |   |                   |                   |             |                   |              |                   |               |                   |               |             |
|                          | Prog Expense/Expense Total                      | 71.9              | 67.8              |             | 70.3              |              | 62.8              |               | 63.1              |               |             |
|                          | Prog Expense/Revenue Total                      | 65.8              | 63.2              |             | 66.6              |              | 58.3              |               | 56.4              |               |             |
| <b>Staff</b>             |   |                   |                   |             |                   |              |                   |               |                   |               |             |
|                          | Total Remuneration                              | 31,793,158        | 32,148,297        | 1.12        | 28,869,026        | -10.20       | 29,309,396        | 1.53          | 27,269,820        | -6.96         | -3.8        |
|                          | Total Staff Count                               | 321.7             | 318.0             | -1.15       | 285.7             | -10.15       | 291.8             | 2.11          | 268.7             | -7.89         |             |
|                          | Avg Remuneration (\$)                           | 98,829            | 101,095           | 2.29        | 101,043           | -0.05        | 100,461           | -0.58         | 101,480           | 1.02          | 0.7         |
|                          | Salaries/Expense Total                          | 76.4              | 71.1              |             | 66.7              |              | 67.1              |               | 78.9              |               |             |
| <b>Profitability (%)</b> |   |                   |                   |             |                   |              |                   |               |                   |               |             |
|                          | Operating Margin                                | 8.5               | 6.9               |             | 5.2               |              | 7.2               |               | 10.6              |               |             |
|                          | P.B.I.T. Margin                                 | -1.7              | -1.8              |             | -2.4              |              | -1.7              |               | 2.9               |               |             |
|                          | Pre-tax Margin                                  | -0.7              | 1.5               |             | -4.0              |              | -4.9              |               | -2.1              |               |             |

CAGR = Compound Annual Growth Rate

07/02/2017

CBC Radio-Canada Mail - Re: Canadian Broadcasting Corporation (OTA) - annual returns

CBC  Radio-Canada

Diane Boucher &lt;diane.boucher@cbc.ca&gt;

---

**Re: Canadian Broadcasting Corporation (OTA) - annual returns**

1 message

**Diane Boucher** <diane.boucher@cbc.ca>

Thu, Feb 2, 2017 at 2:37 PM

To: Validation &lt;Validation@crtc.gc.ca&gt;

Cc: Michael Downey &lt;michael.downey@cbc.ca&gt;, Annie Milanese &lt;annie.milanese@cbc.ca&gt;

Hi Thomas,

Regards,

Diane

On Wed, Feb 1, 2017 at 2:03 PM, Validation &lt;Validation@crtc.gc.ca&gt; wrote:

Hi Diane,

Thank you!

Thomas Forsey

**From:** Diane Boucher [mailto:diane.boucher@cbc.ca]**Sent:** January-30-17 9:24 AM**To:** Validation <Validation@crtc.gc.ca>**Cc:** Michael Downey <michael.downey@cbc.ca>**Subject:** Re: Canadian Broadcasting Corporation (OTA) - annual returns

Hi Thomas,

s.18(b)

s.21(1)(b)

07/02/2017 s.68.1

CBC Radio-Canada Mail - Re: Canadian Broadcasting Corporation (OTA) - annual returns

## Thomas Forsey

Analyst, Economic and financial analysis

Canadian Radio-television and Telecommunications Commission - Government of Canada

[thomas.forsey@crtc.gc.ca](mailto:thomas.forsey@crtc.gc.ca)

Telephone 819-997-4956

Analyste, Analyse économique et financière

Conseil de la radiodiffusion et des télécommunications canadiennes - Gouvernement du Canada

[thomas.forsey@crtc.gc.ca](mailto:thomas.forsey@crtc.gc.ca)

Téléphone 819-997-4956

--

Diane Boucher, CPA, CGA

Director, CRTC Reporting

07/02/2017

CBC Radio-Canada Mail - Re: Canadian Broadcasting Corporation (OTA) - annual returns

Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

--

Diane Boucher, CPA, CGA  
Director, CRTC Reporting  
Finance and Administration

Tel: 613-288-6122

Fax: 613-288-6132

**FEDERAL COURT OF APPEAL**

**BETWEEN:**

**BELL CANADA and BELL MEDIA INC.**

**Appellants**

**- and -**

**726591 CANADA LTD. (d.b.a. GUSTO TV) AND OTHERS**

**Respondents**

---

**MEMORANDUM OF FACT AND LAW**  
**(Appeal under s. 31 of the *Broadcasting Act*)**

---

**FASKEN MARTINEAU DuMOULIN LLP**  
The Stock Exchange Tower, Suite 3700  
800 Victoria Square  
Montreal, Quebec H4Z 1E9

**Christian Leblanc**  
**Michael Shortt**

Tel: 514-397-7400  
Fax: 514-397-7600

**Solicitors for the Respondents Blue Ant Media Inc.,  
CBC/Radio-Canada, DHX Media Ltd., Groupe V Média  
Inc., Independent Broadcast Group/Le Groupe de  
Diffuseurs Indépendants (on behalf of its members  
Aboriginal Peoples Television, Allarco Entertainment  
Inc., BBC Kids, Channel Zero, Ethnic Channels Group  
Ltd., Hollywood Suite, OUTtv Network Inc., Stingray  
Digital Group Inc., TV5 Québec Canada, Zoomermedia),  
Pelmorex Communications Inc.**

**Submitted: 29 July 2016**



## TABLE OF CONTENTS

|  |    |
|--|----|
| I. Facts .....   | 2  |
| A. The <i>2015 Wholesale Code</i> .....  | 2  |
| B. Regulatory Context of the <i>2015 Wholesale Code</i> .....                                    | 3  |
| C. Bell's 2013 Acquisition of Astral Media .....   | 6  |
| D. Scope of the Present Appeal .....   | 9  |
| II. Issues .....   | 10 |
| III. Submissions.....  | 11 |
| A. Standard of Review.....   | 11 |
| B. Bell Misstates the Scope of the <i>Value for Signal Reference</i> .....                       | 13 |
| C. No Operational Conflict with the <i>Copyright Act</i> .....                                   | 15 |
| D. No Purpose Conflict with the <i>Copyright Act</i> .....                                       | 18 |
| E. The <i>Broadcasting Act</i> Authorizes the CRTC to Adopt the <i>2015 Wholesale Code</i> ..... | 22 |
| F. Discretionary Bars to Judicial Review.....  | 25 |
| i. Bell is Estopped by its Conduct in the 2013 Astral Transaction.....                           | 26 |
| ii. Bell Unduly Delayed in Seeking Judicial Review .....   | 28 |
| iii. Bell has Unclean Hands .....  | 29 |
| IV. Order Sought .....   | 30 |
| V. List of Authorities   |    |
| Schedule A: Regulatory Timeline  |    |
| Schedule B: Regulatory Comparison Table  |    |
| Schedule C: Discretionary Bars Comparison Table  |    |

1. Bell challenges the *vires* of three CRTC decisions that collectively make up the “2015 Wholesale Code.”<sup>1</sup> Bell presents its appeal as the “mirror image” of the Supreme Court’s *Value for Signal Reference*, but in fact, Bell attempts to turn that case on its head.<sup>2</sup> The *Value for Signal Reference* dealt with an attempt to use the *Broadcasting Act* to frustrate the *Copyright Act*. Here, Bell invokes the *Copyright Act* in the hopes of frustrating CRTC regulation under the *Broadcasting Act*. As explained below, that is not a result which was intended by Parliament when it passed either statute, nor by the Supreme Court when it decided the *Value for Signal Reference*.

2. First, Bell misstate the scope of the *Value for Signal* decision (Part III.B). That case addressed the narrow issue that was referred to the courts by the CRTC under its reference power. It does not stand for the sweeping propositions which Bell attributes to it.

3. Second, there is no operational conflict between the *2015 Wholesale Code* and ss. 3(1)(f) and 13(4) of the *Copyright Act* (Part III.C). Bell mischaracterizes the rights created by these sections, which are not impaired by the *Code*. Nor is there a purpose conflict (Part III.D). The *2015 Wholesale Code* does not create a user right, since the copyright owner must twice consent to the use of the work in question.

4. Third, s. 9(1)(h) of the *Broadcasting Act* authorizes the CRTC to regulate the carriage relationship between programming and distribution undertakings through the *Code*, so Bell cannot obtain judicial review on that ground either (Part III.E).

5. Fourth and finally, even if Bell’s arguments were well-founded – which they are not – Bell’s own conduct bars it from obtaining judicial review (Part III.F). Bell is disentitled from seeking judicial review as a result of undue delay, unclean hands, and the rule in *Ex parte Pratt*. These discretionary bars arise from Bell’s conduct during the 2013 Astral transaction, when Bell invited the CRTC to exercise the very jurisdiction which Bell now claims is *ultra vires*. Having benefitted from the exercise of this jurisdiction in the

---

<sup>1</sup> *The Wholesale Code*, Broadcasting Regulatory Policy CRTC 2015-438, APB Tab 5; *Distribution of the Programming of Licensed Programming Undertakings by Broadcasting Distribution Undertakings*, Broadcasting Order CRTC 2015-439, APB Tab 4; *Interpretation of the Wholesale Code*, Broadcasting Information Bulletin CRTC 2015-440, APB Tab 3.

<sup>2</sup> *Re Broadcasting Regulatory Policy CRTC 2010-167 and Broadcasting Order CRTC 2010-168*, 2012 SCC 68 [*Value for Signal Reference*]. Bell cites this case as “Cogeco”, after one of the parties. In this factum, we refer to it by its subject-matter.

2013 Astral transaction, and having been subject to the *2011 Wholesale Code* for five years, it does not lie in Bell's mouth to say that the CRTC lacks that jurisdiction now.

## I. FACTS

### A. The *2015 Wholesale Code*

6. The *2015 Wholesale Code* is made up of three interrelated CRTC decisions, which must be read together to understand how the *Code* operates and why it was adopted:

- (i) *The Wholesale Code*, CRTC 2015-438: This is a Broadcasting Regulatory Policy that sets out the content of the *Code*. It also reviews the process by which the *Code* was adopted and provides the CRTC's rationale for adopting it. The text of the *2015 Wholesale Code* is contained the appendix to this document.
- (ii) Distribution of the Programming of Licensed Programming Undertakings by Broadcasting Distribution Undertakings, CRTC 2015-439: This is a Broadcasting Order which actually makes The Wholesale Code applicable to distribution undertaking licensees.
- (iii) *Interpretation of the Wholesale Code*, CRTC 2015-440: This is a Broadcasting Information Bulletin which contains non-binding interpretative guidelines which the CRTC intends to consider when applying the *2015 Wholesale Code*.

7. The substantive content of the *2015 Wholesale Code* can be summarized as follows:

- Sections 1-3 set out the scope of application for the *Code*. It applies on a mandatory basis to all distribution undertakings (except radio undertakings). The *Code* serves as a guideline for undertakings that operate under an exemption order.
- Section 4 prohibits the inclusion of seven specific terms in contracts between programming undertakings, broadcasting distribution undertakings, or exempt digital media undertakings. These contracts are known as "affiliation agreements" in the industry.
- Section 5 prohibits the inclusion of commercially unreasonable terms in affiliation agreements, and gives six examples of commercially unreasonable terms.
- Sections 6-12 foster reasonable commercial practices in the wholesale market for TV programming. Section 6 requires programming undertakings, distribution undertakings, and exempt digital media undertakings to consider certain factors when determining the fair market value of programming, while ss. 7-12 prevent discrimination against independent programming services by vertically-integrated entities.
- Section 13 creates a dispute resolution mechanism for renewals of affiliation agreements between broadcasting distribution undertakings and programming services. It applies only if both parties desire to renew the agreement, but they are unable to agree to the precise terms of the renewal. Dispute resolution is conducted

according to the *Broadcasting Distribution Regulations*.<sup>3</sup>

- Sections 14-15 require distribution undertakings to file copies of affiliation agreements between themselves and programming services with the CRTC.

8. The purpose of the *2015 Wholesale Code* is to promote a vigorous wholesale market for television and internet programming in Canada, thereby facilitating increased competition in the retail market, and, ultimately, more choice and more diverse programming options for consumers.<sup>4</sup> The *2015 Wholesale Code* is also expected to prevent abuse of dominant positions by vertically-integrated entities (i.e. entities like Bell that control both programming services and distribution services), thereby facilitating a diversity of voices in the Canadian broadcasting system.<sup>5</sup>

#### **B. Regulatory Context of the 2015 Wholesale Code**

9. The *2015 Wholesale Code* represents an evolutionary enhancement of the CRTC's regulation of the wholesale market for television programs. Contrary to Bell's allegations, the *Code* does not represent a radical departure from previous CRTC regulation. In fact, the CRTC's consideration of these issues dates to at least 2005.<sup>6</sup> A summary of the timeline leading to *2015 Wholesale Code* is attached as **Schedule A**.

10. The *2015 Wholesale Code* replaces the *2011 Wholesale Code*.<sup>7</sup> The *2011 Wholesale Code* was the CRTC's response to increasing consolidation and vertical integration in the broadcasting sector.<sup>8</sup> To ensure that vertical integration did not come at the cost of competition, consumer welfare, and programming diversity, the CRTC issued the *2011 Wholesale Code* to serve as a guideline for negotiations between broadcasting industry players and during dispute resolution by the CRTC.<sup>9</sup> The *2011 Wholesale Code* identified consumer choice as an important feature of the retail broadcasting market that appeared to

---

<sup>3</sup> *Broadcasting Distribution Regulations*, SOR/97-555, ss 12-15.

<sup>4</sup> *The Wholesale Code*, *supra* note 1 at paras 2-3.

<sup>5</sup> *Ibid*, paras 2-3; *Let's Talk TV*, Broadcasting Regulatory Policy CRTC 2015-96, paras 65-70,80-89, APB Tab 7.

<sup>6</sup> See e.g. *Good Commercial Practices*, Broadcasting Public Notice CRTC 2005-35.

<sup>7</sup> *Regulatory Framework Relating to Vertical Integration*, Broadcasting Regulatory Policy CRTC 2011-601 as corrected by CRTC 2011-601-1 [*2011 Wholesale Code*], APB Tabs 14-15

<sup>8</sup> *2011 Wholesale Code*, *ibid*, at paras 1-3, 7; *Change in the effective control of Canwest Global Communications Corp.'s licensed broadcasting subsidiaries*, Broadcasting Notice CRTC 2010-782 at paras 71-72, 80-83; *Review of the regulatory framework relating to vertical integration*, Broadcasting Notice of Consultation CRTC 2010-783; *Teletoon/Télétoon – Change of effective control*, Broadcasting Decision CRTC 2013-737 at paras 39-40 and 46-50 [*Corus Teletoon Transaction Decision*].

<sup>9</sup> *2011 Wholesale Code*, *ibid* at paras 89-95, App 1.

be under threat.<sup>10</sup> The CRTC directed vertically-integrated entities to report on their progress towards enhancing consumer choice and suggested that if progress proved unsatisfactory, regulatory action would be considered.<sup>11</sup>

11. Many provisions of the *2011 Wholesale Code* were incorporated into the CRTC's rules for exempt digital broadcasters in 2012.<sup>12</sup> In contrast to the *2011 Wholesale Code*, the 2012 amendments to the *Digital Media Exemption Order* were more than just guidelines – they were binding obligations. This anticipates the mandatory nature of the *2015 Code*.

12. In 2013-2014, many provisions of the *2011 Wholesale Code* – together with new provisions that would later appear in the *2015 Wholesale Code* – were imposed on Bell in its conditions of licence. Bell accepted these CRTC conditions of licence in exchange for the CRTC's approval for Bell to acquire Astral Media.<sup>13</sup> These conditions of licence applied to both Bell's distribution undertakings and its programming undertakings. The 2013 Astral transaction is examined in greater detail in Part I.C, below.

13. Conditions of licence virtually identical to those imposed on Bell during the 2013 Astral transaction were later imposed on Corus Entertainment when it acquired a number of specialty services, notably Teletoon.<sup>14</sup> Similar conditions of licence were imposed on other vertically-integrated Canadian entities as their licences came up for renewal, including Rogers.<sup>15</sup> The CRTC will impose these conditions on other licensees as their licences come up for renewal in Fall 2016 and afterwards.<sup>16</sup>

14. The decision to replace the *2011 Wholesale Code* with the *2015 Wholesale Code*

---

<sup>10</sup> *2011 Wholesale Code, ibid*, at paras 25-33.

<sup>11</sup> *2011 Wholesale Code, ibid*, at para 33.

<sup>12</sup> *Amendments to the Exemption Order for Digital Media Broadcasting Undertakings*, Broadcasting Order CRTC 2012-409 at para 1, APB Tab 13 [*Digital Media Exemption Order*].

<sup>13</sup> *Astral Broadcasting Undertakings – Change of Effective Control*, CRTC Broadcasting Decision 2013-310 [*Astral Transaction Decision*], APB Tab 11; CRTC Letter, *Re Application 2013-1101-8 – Follow-up to Broadcasting Decision CRTC 2013-310, Astral broadcasting undertakings*, (27 January 2014) [*Astral Transaction Follow-up Decision*], APB Tab 82.

<sup>14</sup> *Corus Teletoon Transaction Decision, supra* note 8.

<sup>15</sup> *Rogers Media Inc. – Group-based Licence Renewals*, Broadcasting Decision CRTC 2014-399 at App 3; *Let's Talk TV, supra* note 5 at para 70.

<sup>16</sup> *The Wholesale Code*, CRTC 2015-438, *supra* note 1 at paras 136-140; *Call for comments on standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Notice of Consultation CRTC 2016-195 at para 4, App 1 para 7, App 2 para 5, App 3 para 6; at para 48; *Call for Licence Renewal Applications*, Broadcasting Notice of Consultation CRTC 2016-147 at paras 3,16-17, App 4.

was the culmination of the *Let's Talk TV* process, a multi-year consultation and policy evaluation held by the CRTC beginning in 2013.<sup>17</sup> During the *Let's Talk TV* process, the CRTC concluded that:

[V]ertically integrated entities have insisted on provisions in affiliation agreements that preclude a BDU from being able to offer programming services on an individual basis or in small packages. [...] [C]ontract renewals with such entities have included restrictive packaging and pricing demands. [...] As a result, changes to the [2011] *Wholesale Code* are required to ensure that affiliation agreements cannot be used to insulate services from choice and flexibility within the retail market. Changes to the [2011] *Wholesale Code* are also required to ensure that all services, including independent services, are discoverable and able to make their programming available on fair terms, thus fostering greater diversity within the system and ultimately greater choice for Canadians.<sup>18</sup>

15. Almost every provision of the *2015 Wholesale Code* has already been enforced by the CRTC for years. In some cases, these provisions were enforced as conditions of licence, including Bell's own conditions of licence. In other cases, they were enforced as industry-wide regulations and orders. This point is even acknowledged in Bell's Notice of Appeal, which lists the many pre-existing CRTC policies which the *Code* "builds on."<sup>19</sup>

16. A substantial volume of litigation has been submitted to the CRTC under dispute resolution regimes which are similar to that of the *2015 Wholesale Code*, or in which the CRTC applied the principles of the *2011 Wholesale Code*.<sup>20</sup> Several of these disputes were submitted by Bell itself.<sup>21</sup>

17. The *2015 Wholesale Code* and its predecessors play a key role in the CRTC's regulation of the television broadcasting industry. The CRTC has permitted concentration of ownership and the vertical integration of programming and distribution undertakings in reliance on the checks and balances created by the *2015 Wholesale Code*, as well as analogous provisions contained in other CRTC regulations and conditions of licence.

---

<sup>17</sup> *Let's Talk TV*, *supra* note 5.

<sup>18</sup> *Let's Talk TV*, *ibid* at paras 84, 86.

<sup>19</sup> Notice of Appeal at paras 7, 8, 10, 19, 20 APB Tab 1.

<sup>20</sup> *Let's Talk TV*, *supra* note 5 at para 66.

<sup>21</sup> See e.g. *Bell Media v Canadian Independent Distributors Group and TELUS*, Broadcasting Decision CRTC 2012-393; *Bell Canada v Quebecor Media*, Broadcasting Decision CRTC 2015-182.

18. As part of its application to renew licences for several of its distribution undertakings, Bell has recently agreed to have the *2015 Wholesale Code* incorporated into the conditions of licence for these undertakings: “We confirm that our BDUs will abide by the following COLs [conditions of licence]: The licensee shall adhere to the Wholesale Code [...].”<sup>22</sup> At no point in its submissions regarding licence renewal does Bell dispute the CRTC’s jurisdiction to impose the *2015 Wholesale Code* as a condition of licence, nor does Bell indicate that its consent is given under protest or subject to any jurisdictional reserve.

19. A table comparing each section of the *2015 Wholesale Code* to pre-existing conditions of licence and regulatory instruments is attached as **Schedule B**. This table shows that virtually all of the *2015 Wholesale Code* replicates or otherwise builds on pre-existing regulations and conditions of licence.

### C. Bell’s 2013 Acquisition of Astral Media

20. In 2013, Bell sought to acquire Astral Media Inc., a transaction which would make it a dominant player in the Canadian broadcasting industry. Bell’s proposed acquisition obviously raised competition, regulatory, and diversity-of-voices concerns, and was the subject of intensive CRTC hearings.

21. At the conclusion of these hearings, the CRTC’s approval of Bell’s Astral transaction was conditional on the inclusion of the “*Code of Conduct for Commercial Arrangements and Interactions* [i.e. the *2011 Wholesale Code*] [...] as conditions of licence [for all Bell] programming services and television distribution services.”<sup>23</sup> The Commission noted that “but for these safeguards, it would not have been persuaded that the present transaction is in the public interest, and would not have approved it.”<sup>24</sup>

22. Interestingly, the incorporation of the *2011 Wholesale Code* into Bell’s conditions of licence as a “behavioural safeguard” was originally proposed by Bell itself.<sup>25</sup> While Bell initially argued that behavioural safeguards were unnecessary, once it became clear that the Astral transaction might not be approved without safeguards, Bell readily supplied the

---

<sup>22</sup> *Bell Submissions re response to CRTC 2016-147*, dated 5 May 2016 at paras 4-5, Supp APB Tab C. See also *Call for Licence Renewal Applications*, Broadcasting Notice of Consultation CRTC 2016-147 at para 16.

<sup>23</sup> *Astral Transaction Decision*, *supra* note 13 at 3 (quoted; emphasis added); 9, 26-28, 50-70 (discussing).

<sup>24</sup> *Astral Transaction Decision*, *ibid*, at paras 28, 70 [emphasis added].

<sup>25</sup> *Astral Transaction Decision*, *ibid* at paras 26, 53, 65.

CRTC with proposed conditions of licence.<sup>26</sup> These conditions of licence were drafted by Bell,<sup>27</sup> mirroring the *2011 Wholesale Code* and foreshadowing many provisions of the *2015 Wholesale Code*.

23. At Bell's own request, its proposed conditions of licence applied to all of Bell's broadcasting undertakings – including both programming undertakings and distribution undertakings.<sup>28</sup> At Bell's own initiative, the "should" language of the *2011 Wholesale Code* was replaced by the "shall" language which eventually became the *2015 Wholesale Code*.<sup>29</sup> Indeed, Bell took the position that it had always considered the *2011 Wholesale Code* to be mandatory: "We do not share the view that the [*2011 Wholesale Code*] is simply a non-binding instrument."<sup>30</sup>

24. Bell also invited the CRTC to apply similar conditions to other broadcasting undertakings, as it would later do with the *2015 Wholesale Code*: "Bell would hope that the Commission will endeavour to impose symmetrical safeguards among all vertically integrated companies."<sup>31</sup> This invitation to make the *Wholesale Code* generally applicable on an industry-wide basis was repeated in virtually every submission Bell made to the CRTC during the Astral hearings.<sup>32</sup>

25. With respect to CRTC dispute resolution, Bell actually went further than the *2015 Wholesale Code*. As drafted, the *Code* requires disputes over renewal of affiliation agreements to be submitted to the CRTC only if both parties confirm in writing that they

---

<sup>26</sup> *Bell/Astral Reply Comments* (16 April 2013), at para 207 and Appendix 1, APB Tabs 83-84 [*Bell/Astral Reply Comments*]; *Bell/Astral Response to Undertakings* (8 May 2013), Schedule 1, Appendix A, APB Tab 85 [*Bell/Astral May 8 Undertakings*]; *Bell/Astral Final Reply Comments* (21 May 2013), at paras 23-44, APB Tab 87 [*Bell/Astral Final Reply Comments*]; Transcript – CRTC Hearing of 6 May 2013, at paras 261-264, 275-279, APB Tab 88 [Astral Transaction Hearing Transcript].

<sup>27</sup> Astral Transaction Hearing Transcript, *ibid*, paras 405-420.

<sup>28</sup> *Astral Transaction Decision*, *supra* note 13, at App 2 headings before paras 1, 5, 15 and at paras 15-16; *Astral Transaction Follow-up Decision*, *supra* note 13 at 1; *Bell/Astral Reply Comments*, *supra* note 26 at para 207(a); Astral Transaction Hearing Transcript, *supra* note 26 at paras 303-304.

<sup>29</sup> *Bell/Astral May 8 Undertakings*, *supra* note 26 at Schedule 1 para 14.

<sup>30</sup> *Bell/Astral Final Reply Comments*, *supra* note 26 at para 33; Astral Transaction Hearing Transcript, *supra* note 26 at para 320.

<sup>31</sup> *Bell/Astral Reply Comments*, *supra* note 26 at para 208.

<sup>32</sup> *Ibid*; *Bell/Astral May 8 Undertakings*, *supra* note 26 at Schedule 1 para 5; *Bell/Astral Response to Undertakings* (13 May 2013), at page 2, APB Tab 86 [*Bell/Astral May 13 Undertakings*]; Astral Transaction Hearing Transcript, *supra* note 26 at para 339.



wish to renew the agreement.<sup>33</sup> Bell proposed that mutual agreement should be required to avoid going to CRTC dispute resolution.<sup>34</sup> Thus under Bell's proposal, if either party wished to renew an affiliation agreement, this would trigger dispute resolution procedures.

26. In reliance on the above representations, the Astral transaction was approved by the CRTC, and Bell's conditions of licence were amended to include stipulations that mirror those found in the *2015 Wholesale Code*. These stipulations concerned Bell's wholesale market agreements, non-linear multiplatform rights (i.e. digital broadcasting rights), as well as dispute resolution procedures.<sup>35</sup> Additional terms found in the *2015 Wholesale Code* were added to Bell's conditions of licence in 2014.<sup>36</sup> Even Bell recognizes the similarities between its 2013 conditions of licence and the *2015 Wholesale Code*. In its April 18, 2016, application to renew certain television licences with the CRTC, Bell admitted that "many of the clauses in the [2015] *Wholesale Code* are either exactly the same as the Conditions of Licence put in place as part of the Astral acquisition or substantially similar."<sup>37</sup>

27. Astonishingly, given that Bell is currently asking this Court to strike down the entirety of the *2015 Wholesale Code*, Bell is concurrently asking the CRTC to remove these behavioural safeguards from its conditions of licence in order to "minimize duplication" and redundancy with the *Wholesale Code*.<sup>38</sup> Nowhere in its licence renewal application did Bell disclose to the CRTC that it was seeking to have the *2015 Wholesale Code* declared *ultra vires*. Nowhere in its submissions to this Court does Bell disclose that it is seeking to remove the behavioural safeguards from its conditions of licence. Consequently, if Bell both prevailed in this Court and had its licence renewed by the CRTC on the terms that it requested, it would no longer be subject to any behavioural safeguards.

28. A table providing a side-by-side comparison of the *2015 Wholesale Code* with the Bell's conditions of licence and the language Bell proposed to the CRTC in 2013 is

---

<sup>33</sup> *The Wholesale Code*, *supra* note 1 at App para 13.

<sup>34</sup> *Bell/Astral May 13 Undertakings*, *supra* note 32 at page 3.

<sup>35</sup> *Astral Transaction Decision*, *supra* note 13 at paras 74-76, 79-86. See also Schedule C to this factum.

<sup>36</sup> *Astral Transaction Follow-up Decision*, *supra* note 13. See also Schedule C to this Factum.

<sup>37</sup> *Application for Renewal by BCE Inc – Appendix C*, submitted by Bell Canada to the CRTC, dated 18 April 2016 at para 106, Supp APB Tab B [*Bell Licence Renewal Submissions*]. Bell made a similar concession in its Reply Comments on the Wholesale Code, at para 29, APB Tab 17.

<sup>38</sup> *Ibid.*

attached as **Schedule C**. Schedule C is based in part on a table prepared by Bell itself, documenting similarities between its post-Astral conditions of licence and the *Code*.<sup>39</sup>

29. Earlier in these appeal proceedings, Bell tried – unsuccessfully – to prevent evidence of its role in drafting the *2015 Wholesale Code* from being put before this Court.<sup>40</sup> Bell also tried – again unsuccessfully – to block the admission of fresh evidence regarding its inconsistent positions before the CRTC and this Court.<sup>41</sup> The respondents rely on both bodies of evidence to raise discretionary bars to judicial review (Part III.F, below).

#### **D. Scope of the Present Appeal**

30. At paragraph 16 of its factum, Bell claims that this is a “narrow appeal.” Yet the result sought by Bell is anything but narrow. Bell has expanded its attack on the CRTC’s jurisdiction from that which it raised before the CRTC itself,<sup>42</sup> and is now asking this court to strike down the entire *2015 Wholesale Code*, including provisions which have nothing to do with copyright, such as the reporting requirements at ss. 14-15,<sup>43</sup> or the non-discrimination rule for marketing support at s. 10.

31. Similarly, the reasoning advanced to support that result is sweeping. Bell’s main argument, that the CRTC cannot “regulate the economic terms of the carriage relationship,” is a frontal assault on the CRTC’s core broadcasting jurisdiction (para 17). If accepted, Bell’s copyright arguments would effectively immunize programming undertakings from CRTC regulation, since almost all pre-recorded TV programs qualify for copyright protection.

32. Interestingly, while Bell appears to make a number of concessions about the breadth of the CRTC’s jurisdiction when discussing the scope of this appeal, Bell is silent about the CRTC’s exercise of jurisdiction during the Astral transaction. This is a revealing ambiguity, since Bell cannot credibly take a position either way: if Bell concedes the validity of the conditions of licence it invited the CRTC to impose in 2013, then it has effectively conceded the validity of the *2015 Wholesale Code*; if Bell impugns the CRTC’s jurisdiction to approve the Astral transaction, then it is collaterally attacking its own

---

<sup>39</sup> *Ibid* at table following para 106.

<sup>40</sup> *Bell Canada v 7262591 Canada Ltd*, 2016 FCA 123 (appeal book motion), APB Tab 90.

<sup>41</sup> *Bell Canada v 7262591 Canada Ltd* (26 July 2016), in A-51-16, per Trudel JA, Supp APB Tab A.

<sup>42</sup> Bell Comments on the Wholesale Code, at para 14, APB Tab 16.

<sup>43</sup> In an appeal to which Bell was a party, this Court has already ruled that CRTC orders requiring a licensee to file a report cannot be an infringement of copyright: *Bell Canada v Telus*, 2012 FCA 191 at paras 9-11.

conditions of licence. This issue is addressed in Parts III.F(i) and III.F(iii), below.

33. Finally, notwithstanding various insinuations to the contrary in Bell's factum, there is no evidence of bad faith on the CRTC's part, nor was bad faith raised as a ground of judicial review in Bell's notice of appeal.<sup>44</sup> Indeed, in recent submissions to the CRTC, Bell took a diametrically opposite position, arguing that the *2015 Wholesale Code* was in pith and substance broadcasting legislation. Bell stated:

The purpose of the Wholesale Code is to govern aspects of the commercial arrangements between programming services and BDUs. It also ensures that subscribers have greater choice and flexibility in the programming services they receive, that programming services are diverse, available and discoverable on major platforms, and that negotiations are conducted in a fair manner.<sup>45</sup>

## II. ISSUES

34. Apart from the perennial dispute over the standard of review (Part III.A, below), this appeal raises three issues.

35. First, does the *2015 Wholesale Code* conflict with the *Copyright Act*? The present case is entirely different from the *Value for Signal Reference* (Part III.B), and Bell has not shown an operational or purpose conflict with the *Copyright Act* (Parts III.C-III.D).

36. Second, is the CRTC authorized to adopt the *2015 Wholesale Code* by the *Broadcasting Act*? The respondents submit that the *2015 Wholesale Code* is authorized by s. 9(1)(h) of the *Broadcasting Act* (Part III.E).

37. Third, even if Bell makes out a *prima facie* case for judicial review, is Bell nonetheless disentitled to judicial review due to its conduct in the 2013 Astral transaction? The respondents submit that Bell is barred from seeking judicial review by the rule in *Ex parte Pratt*, by undue delay, and by the unclean hands doctrine (Part III.F).

38. Crucially, the reasonableness of the CRTC's decision to promulgate the *2015 Wholesale Code* is not an issue in this appeal, and Bell is not arguing that the *Code* is ineffective or unnecessary to achieving a healthy and dynamic wholesale TV market.

---

<sup>44</sup> Bell Factum paras 14 (CRTC was "clearly aware" of limitations of its jurisdiction and "disingenuously attempted to circumvent it"), 3 (*Code* represents a "direct challenge to the Supreme Court of Canada"), 15 and 34 (*Code* a "colourable attempt" by CRTC to "circumvent the limits on its jurisdiction"), 84 (CRTC aware of jurisdictional issues and promulgated *2015 Wholesale Code* anyways); Notice of Appeal, APB Tab 1.

<sup>45</sup> *Bell Submissions re Broadcasting Notice of Consultation CRTC 2016-195*, at para 14, Supp APB Tab D.

### III. SUBMISSIONS

#### A. Standard of Review

39. Although the procedure for challenging CRTC decisions is an appeal, the substantive law of judicial review continues to apply.<sup>46</sup> Accordingly, this Court must first determine the appropriate standard of review for the issues raised by Bell.

40. There are two issues in this judicial review: (i) the scope of s. 9(1)(h) of the *Broadcasting Act*, and (ii) the alleged conflict between the *2015 Wholesale Code* and the *Copyright Act*. Both of these issues are reviewed on a reasonableness standard.

41. First, the CRTC's interpretation of s. 9(1)(h) involves a tribunal's interpretation of its home statute, so the presumptive standard of review is reasonableness.<sup>47</sup> In order to displace the presumption of reasonableness, Bell must show that the CRTC's interpretation of s. 9(1)(h) falls into the "narrow" and "exceptional" category of true questions of jurisdiction.<sup>48</sup> Bell has not discharged this burden. The existence of true questions of jurisdiction was doubted in *Alberta Teachers*;<sup>49</sup> and no example of such a question has been recognized by either the Supreme Court or this Court since *Alberta Teachers* was decided.

42. Additionally, Bell conflates the grounds of review permitted by s. 31 of the *Broadcasting Act* with the standard of review, on which s. 31 is silent. The Supreme Court has held that when Parliament enumerates grounds of review, this should not be taken as fixing the standard of review: "courts (a) will not interpret grounds of review as standards of review."<sup>50</sup> Bell's reliance on pre-*Dunsmuir* jurisprudence is similarly misplaced, since where this jurisprudence conflicts with *Dunsmuir*, it should not be followed.<sup>51</sup>

43. Indeed, as the Supreme Court warned in *SODRAC*, "[w]hile it is possible to frame any interpretation of a tribunal's home statute as a question of whether the tribunal has the

---

<sup>46</sup> *Broadcasting Act*, SC 1991, c 11, s 31(2); *Dr Q v College of Physicians and Surgeons of British Columbia*, 2003 SCC 19 at paras 20-21; *Bell Canada v 7262591 Canada Ltd*, 2016 FCA 123 at para 6, APB Tab 89; *Genex Communications v Canada (AG)*, 2005 FCA 283 at paras 33, 50; *Khosa v Canada (Citizenship and Immigration)*, 2009 SCC 12 at para 51 [*Khosa*].

<sup>47</sup> *Alberta (Information and Privacy Commissioner) v Alberta Teachers' Association*, 2011 SCC 61 at para 39 [*Alberta Teachers*]; *CBC v SODRAC*, 2015 SCC 57 at para 39 [*SODRAC*].

<sup>48</sup> *Alberta Teachers*, *ibid* at paras 39, 42; *SODRAC*, *ibid* at para 39.

<sup>49</sup> *Alberta Teachers*, *ibid* at paras 35, 42-43.

<sup>50</sup> *Khosa*, *supra* note 46 at para 51 [emphasis in the original].

<sup>51</sup> *Wheatland County v Shaw Cablesystems*, 2009 FCA 291 at paras 52-54.

jurisdiction to take a particular action, this Court has rejected this definition of jurisdiction in the context of standard of review [...].”<sup>52</sup> Bell’s argument in favour of correctness here is precisely the kind of argument that was rejected by the Supreme Court in *SODRAC*.

44. Second, the mere fact that Bell has alleged a conflict between the *Broadcasting Act* and the *Copyright Act* does not avoid the presumption of reasonableness, since the presumption of reasonableness applies whenever a tribunal interprets either its own statute “or statutes closely connected to its function.”<sup>53</sup> The Supreme Court has previously held that “the *Broadcasting Act* is part of a larger statutory scheme that includes the *Copyright Act* [...].”<sup>54</sup> Thus, even when the CRTC’s interpretation of the *Broadcasting Act* also involves interpretation of the *Copyright Act*, the CRTC is applying two statutes with which it is intimately familiar, and thus its interpretation continues to benefit from the presumption of reasonableness. This is illustrated by *CARFCAC v National Gallery of Canada*, where the Supreme Court applied a reasonableness review to allegations that an administrative tribunal has issued orders conflicting with the *Copyright Act*.<sup>55</sup>

45. Nor is there any competing jurisdiction between two administrative tribunals. Contrary to what Bell implies, the Copyright Board does not have a general power to set any copyright royalty or adjudicate any licensing dispute that occurs in Canada. The Copyright Board’s royalty-setting jurisdiction applies only to “collective societies.” as defined by the *Copyright Act*.<sup>56</sup> In light of the Copyright Board’s specialized royalty-setting jurisdiction, the Supreme Court has ruled that unless a regulator’s orders affect collective societies, there is no competing jurisdiction between that regulator and the Copyright Board.<sup>57</sup> Neither Bell, nor any other programming or distribution undertaking qualifies as a collective society – the statutory definitions of these entities being incompatible.<sup>58</sup>

46. Accordingly, Bell has not rebutted the presumption of reasonableness review.

---

<sup>52</sup> *SODRAC*, *ibid* at para 39.

<sup>53</sup> *Alberta Teachers*, note 47, para 34; *Canadian National Railway v Canada (AG)*, 2014 SCC 40 at para 55.

<sup>54</sup> *Value for Signal*, *supra* note 2, at para 34.

<sup>55</sup> *CARFAC v National Gallery of Canada*, 2014 SCC 42 at paras 13-19 [*National Gallery*].

<sup>56</sup> *Copyright Act*, RSC 1985, c C-42, ss 2 “collective society”, 70.1.

<sup>57</sup> *National Gallery*, *supra* note 55 at para 13.

<sup>58</sup> Compare *Copyright Act*, RSC 1985, c C-42, ss 2 “collective society” with *Broadcasting Act*, SC 1991, c 11, s 2 “distribution undertaking” “programming undertaking”.

Reasonableness is assessed by considering the *2015 Wholesale Code* as a whole.<sup>59</sup> Under a reasonableness standard of review, “the appellant’s burden here is not only to show that [its] competing interpretation is reasonable, but also that the Commission’s interpretation is unreasonable.”<sup>60</sup> For the reasons which follow, the respondents submit that Bell has failed to discharge this burden. Not only is the CRTC’s interpretation of its jurisdiction reasonable, but Bell’s position leads to illogical and unreasonable results.

**B. Bell Misstates the Scope of the *Value for Signal Reference***

47. Bell relies on a strained reading of the *Value for Signal Reference*, claiming that it stands for the startling propositions that the CRTC’s actions can never have even an incidental impact on copyright matters.

48. In reality, the *Value for Signal Reference* decided a much narrower question, namely whether the CRTC could create “exclusive control rights” for broadcasters (i.e. rights functionally equivalent to copyright). The majority makes this point at the beginning and at the end of their discussion of the CRTC’s jurisdiction under the *Broadcasting Act*:

[13] In my respectful opinion, for two reasons, the provisions of the *Broadcasting Act*, considered in their entire context, may not be interpreted as authorizing the CRTC to implement the proposed value for signal regime. First, a contextual reading of the provisions of the *Broadcasting Act* themselves reveals that they were not meant to authorize the CRTC to create exclusive rights for broadcasters to control the exploitation of their signals or works by retransmission. Second, the proposed regime would conflict with specific provisions enacted by Parliament in the Copyright Act.

[33] In sum, nowhere in the Act is there a reference to the creation of exclusive control rights over signals or programs. Reading the *Broadcasting Act* in its entire context reveals that the creation of such rights is too great a stretch from the core purposes intended by Parliament and from the powers granted to the CRTC under the *Broadcasting Act*.<sup>61</sup>

49. This narrow holding is reiterated throughout the majority’s reasons, which refer again and again to the crucial question being the CRTC’s jurisdiction to create “exclusive control rights” functionally equivalent to copyright:

---

<sup>59</sup> *Bell Canada v Amtelcom*, *infra* note 109 at paras 54-55.

<sup>60</sup> *McLean v British Columbia (Securities Commission)*, 2013 SCC 67 at para 41.

<sup>61</sup> *Value for Signal Reference*, *supra* note 2 at paras 13, 33 [emphasis added].

[19] In substance, the value for signal regime would regulate the economic relationships between BDUs and broadcasters. The salient feature is that the CRTC would grant individual broadcasters an exclusive right to require deletion of the programming to which they hold exhibition rights from all signals transmitted by the BDU. [...]

[82] My colleagues assert that there are functional differences between copyright and [Value for Signal]. With respect, the differences that they point to do not alter the fundamental functional equivalence between the proposed regime and a copyright. Section 21 of the *Copyright Act* empowers broadcasters to prohibit the retransmission of their signals if certain conditions are met; the value for signal regime does exactly the same thing. [...]<sup>62</sup>

50. Significantly, the majority never states that the CRTC cannot regulate broadcasts containing copyrighted material. If anything, they suggest that the opposite is true.<sup>63</sup> Instead, the majority reasons focus on the narrow issue that was referred to the Court by the CRTC, namely its jurisdiction to adopt the value for signal regime. The majority answered that question by holding that the CRTC cannot create exclusive rights functionally equivalent to copyright. As explained in Part III.C and III.D, that is not what occurred here.

51. Indeed, if Bell's interpretation of the *Value for Signal Reference* were correct, then this would mean that the majority had overruled *CKOY v The Queen*.<sup>64</sup> Yet that case has been relied on by this Court and the Supreme Court to determine the scope of the CRTC's regulatory jurisdiction many times since it was rendered.<sup>65</sup> Moreover, the Supreme Court does not lightly overrule its own precedents, and before doing so balances a number of important considerations,<sup>66</sup> yet the majority in *Value for Signal* makes no mention of that process. Thus, Bell is incorrect to treat *Value for Signal* as if it overruled *CKOY* and decided that the CRTC cannot engage in economic regulation; rather, the better reading of the majority's reasons is that they decided the *CKOY* test could not overcome the presumption that regulation-making powers do not allow for regulations which conflict

---

<sup>62</sup> *Value for Signal Reference*, *ibid* at paras 19, 82. See also paras 13, 19, 29, 31, 32, 33.

<sup>63</sup> *Value for Signal Reference*, *ibid* at para 70.

<sup>64</sup> *CKOY Ltd v The Queen* (1978), [1979] 1 SCR 2 [*CKOY*].

<sup>65</sup> See e.g. *Canadian Broadcasting League v CRTC*, 1982 CarswellNat 71 at paras 21-24 [*Canadian Broadcasting League*], *aff'd* [1985] 1 SCR 174; *Telecommunications Workers Union v CRTC*, 2003 FCA 381 at para 40. *CKOY* was cited with approval by a unanimous Supreme Court after *Value for Signal* (albeit not in a broadcasting context): *Katz Group*, *infra* note 93 at para 28. This Court applied *CKOY*-like reasoning to the CRTC's powers under the *Telecommunications Act*: *Bell Canada v Amtelcom*, *infra* note 109 at paras 50-55.

<sup>66</sup> *Canada v Craig*, 2012 SCC 43 at paras 24-31.

with other statutes.<sup>67</sup> This narrow holding has no application to the present case.

52. Finally, Bell's attempt to create an analogy between the over-the-air signals considered in the *Value for Signal Reference*, and the pay and specialty signals at issue here is misplaced. There is no copyright in a pay or specialty signal, since only over-the-air signals attract copyright under s. 21.<sup>68</sup> Instead, the only copyrights at issue in this appeal are those in programs, which are works protected under s. 3 of the Act. This is yet another factor distinguishing the present case from the *Value for Signal Reference*. This also explains the wide scope of Bell's appeal, which is not based on the specialized copyright in communication signals created by s. 21, and which instead is based on s. 3's general copyright regime that applies to all copyright-protected works.

### C. No Operational Conflict with the *Copyright Act*

53. An operational conflict is a difficult argument to make out, because it requires showing not just overlap between two legislative provisions, but an impossibility of dual compliance.<sup>69</sup> In *Thibodeau*, the Supreme Court set out three principles which govern allegations of legislative conflict:

First, courts take a restrictive approach to what constitutes a conflict in this context. Second, courts find that there is a conflict only when the existence of the conflict, in the restrictive sense of the word, cannot be avoided by interpretation. Overlap, on its own, does not constitute conflict in this context, so that even where the ambit of two provisions overlaps, there is a presumption that they both are meant to apply, provided that they can do so without producing absurd results. This presumption may be rebutted if one of the provisions was intended to cover the subject matter exhaustively. Third, only where a conflict is unavoidable should the court resort to statutory provisions and principles of interpretation concerned with which law takes precedence over the other.<sup>70</sup>

While *Thibodeau* concerned alleged conflicts between two statutes, the same principles apply to alleged conflicts between statutes and regulations.<sup>71</sup>

54. Here, Bell argues for an operational conflict between the *2015 Wholesale Code* and the *Copyright Act* by alleging that the *Code* usurps exclusive rights granted under the *Act*,

---

<sup>67</sup> This interpretation is supported by paras 39, 45, 78, 80 of the majority reasons: *Value for Signal*, *supra* note 2.

<sup>68</sup> *Copyright Act*, RSC 1985, c C-42, 2 "communication signal", 21; *Value for Signal*, *supra* note 2 at para 48.

<sup>69</sup> *Thibodeau v Air Canada*, 2014 SCC 67 at paras 92,94-96; *National Gallery* *supra* note 55 at para 21.

<sup>70</sup> *Thibodeau*, *ibid* at para 92.

<sup>71</sup> *Friends of the Oldman River Society v Canada (Transport)*, [1992] 1 SCR 3 at 38.



namely those granted by ss. 3(1)(f) and 13(4). According to Bell, the *Copyright Act* grants Bell (and presumably all other copyright holders) unfettered positive rights to use copyrighted works as it sees fit under s. 3(1)(f), and a positive right to set prices and related terms and conditions under s. 13(4) (Bell Factum, para. 54).

55. First, there is no operational conflict between the *2015 Wholesale Code* and the telecommunication right created by s. 3(1)(f). Copyright, like all intellectual property rights, has never conferred a positive right to perform any particular action with the copyrighted work. It is instead a negative right to exclude others.<sup>72</sup> This was explicitly recognized by the majority in the *Value for Signal Reference*, who described copyright as “a statutory monopoly to prevent anyone from exploiting the work in specified ways.”<sup>73</sup> The same approach has been adopted internationally by other common-law countries.<sup>74</sup>

56. Because holding a copyright does not grant the copyright owner a positive right to do anything that it might desire, regulating the actions of the copyright holder does not usurp copyright. Despite being subject to regulation in its own conduct, the owner remains free to exclude others from using the copyrighted work, and that right of exclusion is the very essence of the statutory monopoly. In fact, this very point has been made with respect to patent law. Binnie J., dissenting on other grounds, wrote that:

A patent does not exempt the owner from any relevant regulation or prohibition. While s. 44 (now s. 42) of the *Patent Act* gives the owner, as against the rest of the world, “the *exclusive* right, privilege and liberty of making, constructing and using the invention and selling it to others to be used” (emphasis added), and in that respect is framed as a positive right, its effect is essentially to prevent others from practising an invention that, but for the patent monopoly, they would be permitted to practise.<sup>75</sup>

The *Copyright Act* uses almost identical language, speaking of “sole” rights rather than

---

<sup>72</sup> *Canadian Admiral Corp v Rediffusion Inc*, [1954] Ex CR 382 (QL) at para 172; Harold G Fox, *The Canadian Law of Copyright and Industrial Designs*, 2nd ed (Carswell, 1967) at 57; *British Columbia v Mihaljevic*, 1991 CarswellBC 137 at para 43 (CA). See also sources at notes 74-75, below.

<sup>73</sup> *Value for Signal Reference*, *supra* note 2 at para 36. This description was prefaced by the word “typically” because certain copyrights grant a right to remuneration, but no right to exclude (see sections 17(2), 19, 81).

<sup>74</sup> *United States v Microsoft Corp*, 253 F.3d 34 at 63 (DC Cir 2001); *JT International SA v Commonwealth of Australia*, [2012] HCA 43 at paras 36-37, 40, 43-44 French CJ; 163-164, 182 Hayne & Bell JJ; 246, 248, 258, 268-269, 294-295, 301 Crennan J; 345, 347-348 per Kiefel J; *Ashdown v Telegraph Group*, [2001] EWCA Civ 1142 at paras 30-31.

<sup>75</sup> *Harvard College v Canada (Commissioner of Patents)*, 2002 SCC 76 at para 64. The majority did not disagree with this proposition.

“exclusive” rights. The same result should follow – ownership of a copyright, just like ownership of a patent, does not immunize the IP owner from regulation. Even beyond intellectual property rights, the Supreme Court has recognized that no conflict arises when the government grants a right under one statute and regulates the exercise of that right under another.<sup>76</sup>

57. Second, there is no operational conflict between the 2015 *Wholesale Code* and s. 13(4) of the *Act*. Bell adopts a novel interpretation of the *Copyright Act* when it presents 13(4) as a “right.” Certainly, the text of s. 13(4) does not suggest that it is a rights-granting provision. This is confirmed by the fact that s. 13(4) appears in a chapter of the *Copyright Act* entitled “ownership,” and does not appear in one of the chapters that confer exclusive rights to copyright owners (in contrast to s. 3). Bell’s argument that this section grants the copyright owner a positive right to charge any price, and affix any terms and conditions, overlooks the text, history, and purpose of s. 13(4) (Bell Factum, paras. 27, 55).

58. The legislative history of s. 13(4) is revealing. This provision dates to the original 1921 Canadian *Copyright Act*, and was copied verbatim from the British *Copyright Act, 1911*.<sup>77</sup> The *British Copyright Act, 1911* included the predecessor provision to the Canadian section 13(4) for three reasons. First, because of the common-law prohibition on assignment of *choses in action*, statutory authority was required to guarantee assignability of copyrights.<sup>78</sup> Second, this provision clarified and codified the writing requirement for copyright assignments, which had been a jurisprudential creation up to that point.<sup>79</sup> Third, it settled a controversy involving whether copyright could be divided and assigned partially.<sup>80</sup>

59. Nothing in the wording or the legislative history of section 13(4) suggests that it was intended to grant a positive right to set pricing or other terms and conditions. Indeed, Bell does not cite a single Canadian or UK case which adopts its interpretation of s. 13(4).

---

<sup>76</sup> See e.g. *R v Myran*, [1976] 2 SCR 137 at 142.

<sup>77</sup> Compare *Copyright Act*, SC 1921, c 24, s 11(2) with *Copyright Act, 1911*, 1 & 2 Geo V, c 46, s 5(2).

<sup>78</sup> William Blackstone, *Commentaries on the Laws of England* (Liberty Fund, 2011 [1753]), vol 1 at 563, 578 and vol 2 at 372; WS Holdsworth, *A History of English Law*, 3rd ed (Methuen & Co, 1925), vol 7 at 520 n 5, 524-525, 529-533; Eaton S Drone, *Drone on Copyright* (Little, Brown & Co, 1879) at 240; William Brigs, *The Law of International Copyright* (Stevens & Haynes, 1906) at 26.

<sup>79</sup> *Power v Walker* (1814), 105 ER 514 (KB); *Jeffreys v Boosey* (1854), 10 ER 681 at 744, 751-752 (HL(E)); EJ MacGillivray, *Annotated Copyright Act, 1911* (London: Steven and Sons Ltd, 1912) at 59, 69-70.

<sup>80</sup> *Jeffreys v Boosey* (1854), 10 ER 681 at 750-751, per Lord St. Leonard’s (HL(E)); MacGillivray, *ibid* at 69.

In any event, s. 13(4) applies only to assignments and exclusive licences.<sup>81</sup> It does not apply to non-exclusive licences, so it cannot be read as creating a general “licensing” right.

60. In fact, the Supreme Court treated s. 13(4) as a provision dealing with the modalities of assignments in *National Gallery*, and went on to hold that administrative tribunals can regulate the price and conditions under which copyrighted works may be assigned or licenced, as long as this regulation does not apply to collective societies.<sup>82</sup> Like the orders in *National Gallery*, the *2015 Wholesale Code* does not purport to bind collectives.

61. In conclusion, none of Bell’s arguments demonstrate operational conflict. Indeed, it would be difficult for Bell to find an operational conflict, since the majority in the *Value for Signal Reference* expressly found a purpose conflict rather than an operational conflict,<sup>83</sup> since they recognized that the *Copyright Act* “does not purport to prohibit another regulator from imposing conditions, directly or indirectly, on the retransmission of works.”<sup>84</sup> This conclusion applies equally to the case at hand.

#### **D. No Purpose Conflict with the *Copyright Act***

62. In the absence of an operational conflict, Bell would have to find a conflict of purpose. As with operational conflicts, mere overlap between two statutes is not enough to find a conflict of purpose, and courts take a “very restrictive approach” to allegations of conflict.<sup>85</sup> Where two statutes overlap, but have “markedly different purposes” and touch on “distinct subject matter,” a finding of conflict is unlikely, and both should be applied.<sup>86</sup>

63. Here, Bell argues that a purpose conflict exists because the *2015 Wholesale Code* frustrates the *Copyright Act* by creating user rights that were deliberately withheld by Parliament (Bell Factum paras. 62, 76). Bell’s purpose conflict argument hinges on characterizing the *Code*’s dispute resolution procedure as a disguised user right. By user right, Bell presumably means a right to use a copyrighted work without the consent of the

---

<sup>81</sup> *Copyright Act*, RSC 1985, c C-42, ss 13(4), 13(7).

<sup>82</sup> *National Gallery*, *supra* note 55 at paras 22-24.

<sup>83</sup> *Value for Signal Reference*, *supra* note 2 at para 76.

<sup>84</sup> *Ibid* at para 70 [emphasis added].

<sup>85</sup> *Thibodeau*, *supra* note 69 at paras 92-93, 99-100, 102, 104, 110.

<sup>86</sup> *Ibid* at para 100.

copyright holder, which was the definition adopted by the majority in *Value for Signal*.<sup>87</sup>

64. This characterization is incorrect, since the *2015 Wholesale Code*'s dispute resolution procedures require the copyright owner to consent to the use of its work before they can be invoked. They are thus "opt-in" provisions which cannot reasonably be qualified as user rights:

- First, the *2015 Wholesale Code*'s dispute resolution regime only applies to renewals of existing affiliation agreements.<sup>88</sup> So the copyright holder must have previously decided to grant a copyright licence of its own volition. A user cannot force the copyright holder to grant a licence under the *2015 Wholesale Code*.
- Second, the dispute resolution regime is triggered only if "both parties have confirmed in writing their intention to renew the agreement."<sup>89</sup> This provision allows a copyright holder to avoid the *2015 Wholesale Code*'s dispute resolution procedures entirely, simply by not renewing the affiliation agreement.

Thus, the copyright owner must twice consent to the use of its copyrighted work before the *2015 Wholesale Code*'s dispute resolution procedures can apply. The first consent is the initial grant of a copyright licence through the affiliation agreement; the second consent is the decision to renew the affiliation agreement. Absent the copyright holder's consent at either stage, the dispute resolution provisions do not apply.

65. A provision which requires two separate consents by the copyright owner cannot reasonably be interpreted as a user right, compulsory licence, or anything of that nature. Accordingly, there is no conflict of purpose between the dispute resolution provisions of the *2015 Wholesale Code* and the *Copyright Act*.<sup>90</sup>

66. Indeed, Bell's submissions lead to the illogical result that ownership of copyright immunizes the copyright holder from regulation. If Bell is right that the CRTC cannot affect the copyright holder's exercise of the telecommunication right, then the CRTC can effectively never regulate broadcasting, since most broadcasting will embody copyrighted

---

<sup>87</sup> *Value for Signal Reference*, *supra* note 2 at para 56.

<sup>88</sup> *The Wholesale Code*, *supra* note 1 at App para 13.

<sup>89</sup> *The Wholesale Code*, *ibid* at App para 13 [emphasis added].

<sup>90</sup> This court has previously upheld the CRTC's dispute-settlement jurisdiction under the *Digital Media Exemption Order Bell Canada v Telus*, 2013 FCA 58 at para 6.

works.<sup>91</sup> This would, for example, prevent the CRTC from prohibiting display of adult-oriented content at certain times or on certain channels – or indeed engaging in any kind of content regulation at all. Yet, as the Supreme Court held in *Capital Cities Communications*: “Programme content regulation is inseparable from regulating the undertaking through which programmes are received and sent on as part of the total enterprise.”<sup>92</sup>

67. In fact, under Bell’s approach, the *Copyright Act* would also immunize copyright holders against many types of provincial regulation as well. For example, provincial laws restricting the use of large advertising signs near roads would be inoperative because they interfere with the reproduction right for artistic works. Municipal noise by-laws would be inoperative – as long as the offender was a copyright owner performing a musical work.

68. The Supreme Court has already recognized and rejected this illogical result. In *Katz Group v Ontario*, the Court ruled that a private entity has no “right” to trade in a regulated market unless it complies with the applicable regulations:

[43] Shoppers and Katz also argued that the private label Regulations are *ultra vires* because they interfere with commercial rights [...]. In my view, these arguments cannot succeed.

[44] It seems to me somewhat ethereal to speak of a commercial “right” to trade in a market as highly regulated as is the pharmaceutical market in Ontario. Manufacturers have no right to sell drugs in the public market in Ontario unless they are listed in the Formulary, and no right to sell generic drugs at all unless they are designated as interchangeable. Since the Ontario Drug Benefit Act and the Drug Interchangeability and Dispensing Fee Act give the Lieutenant Governor in Council the authority to set the conditions that a drug must meet in order to be listed in the Formulary and designated as interchangeable, they expressly authorise interference with a manufacturer’s ability to enter and remain in the market.<sup>93</sup>

69. A similar result was reached by the Alberta Court of Queen’s Bench in *Geophysical Services v Encana Corp.*<sup>94</sup> That case involved a claim for copyright infringement by the owners of valuable seismic data after their data was disclosed by government agencies

---

<sup>91</sup> *Copyright Act*, RSC 1985, c C-42, s 2 “cinematographic work”; *Value for Signal Reference*, note 2 at para 36.

<sup>92</sup> *Capital Cities Communication v CRTC*, [1978] 2 SCR 141 at 162. This statement referred to a federalism argument, but the Supreme Court applied a similar ruling to the CRTC’s jurisdiction at 163-168.

<sup>93</sup> *Katz Group Canada v Ontario*, 2013 SCC 64 at paras 43-44 [emphasis added].

<sup>94</sup> *Geophysical Service v Encana Corp.*, 2016 ABQB 230 at para 132 [emphasis added].

pursuant to a regulatory regime. Much like Bell, the copyright owners argued that their copyrights immunized them from the applicable regulatory regime, namely the *Canada Petroleum Resources Act (CRPA)*. The Court rejected this argument, ruling that complex regulatory regimes such as the *CPRA* prevailed over the *Copyright Act*:

The *CPRA* [...] is a complete and specific code that applies to all oil and gas property in the offshore and frontier lands, including seismic data. Its provisions supplant any more general pieces of legislation, such as the *Copyright Act* or the *AIA* to the extent that they conflict. Therefore, the Boards and recipients of seismic data have not breached GSI's copyright rights.<sup>95</sup>

70. Indeed, if CRTC regulatory action did not prevail, then accepting Bell's jurisdictional arguments would require this Court to invalidate many CRTC regulations, decisions, and conditions of licence which have been in place for many years:

- All of the CRTC's current dispute resolution regimes would be *ultra vires*, since the *2015 Wholesale Code* regime applies if both parties wish to renew an affiliation agreement, but the other regimes allow either party to invoke them.<sup>96</sup> If the *Code*'s opt-in dispute resolution is *ultra vires*, mandatory dispute resolution must be as well.
- All decisions rendered under the invalid dispute resolution regimes would be null and void. This would include decisions which Bell itself asked the CRTC to make.<sup>97</sup>
- The conditions of licence for Bell, Rogers, and Corus Entertainment would be invalidated, because they mirror the terms of the *2015 Wholesale Code*.<sup>98</sup>
- Much of the CRTC's core television regulations would be *ultra vires* because they impose restrictions on how television programs are broadcast and licensed.<sup>99</sup>
- The CRTC's regulatory framework for exempt digital broadcasters would be invalid, because its provisions largely mirror the *2015 Wholesale Code*.<sup>100</sup>

A compilation of the CRTC regulations and conditions of licence which would be *ultra vires* if the *2015 Wholesale Code* is outside of the CRTC's jurisdiction is found in

---

<sup>95</sup> *Ibid* at para 132 [emphasis added].

<sup>96</sup> *Digital Media Exemption Order*, *supra* note 12 at para 11; *Television Broadcasting Regulations, 1987*, SOR/87-49, s 17; *Pay Television Regulations, 1990*, SOR/90-105, s 6.4; *Specialty Services Regulations, 1990*, SOR/90-106, s 10.4.

<sup>97</sup> See cases at *supra* note 21.

<sup>98</sup> See Schedule B (Rogers, Chorus) and Schedule C (Bell).

<sup>99</sup> *Television Broadcasting Regulations*, *supra* note 96, ss 15-17; *Pay Television Regulations*, *supra* note 96, ss 6.1-6.3; *Specialty Services Regulations*, *supra* note 96, ss 10.1-10.3.

<sup>100</sup> *Digital Media Exemption Order*, *supra* note 12 at 7-8, 11-15.

**Schedule B.** The respondents submit that the mass invalidation of most CRTC regulations since the 1990s is an irrational outcome which should not be countenanced by this Court.

71. Finally, even if the *2015 Wholesale Code* did affect copyright issues, this alone would not render it *ultra vires*. In *BC Telephone v Shaw Cable Systems*, the Supreme Court held that CRTC orders may permissibly have incidental effects on other areas of the law, as long as they remain “in pith and substance” regulatory action in the fields of broadcasting or telecommunications.<sup>101</sup> Thus, in *BC Telephone*, the Supreme Court upheld the validity of CRTC regulatory action which overrode provincially-regulated collective labour agreements, because the pith and substance of the CRTC’s orders remained the regulation of telecommunications. Here, the *2015 Wholesale Code* falls squarely at the heart of the CRTC’s regulatory jurisdiction over television broadcasting. There is no user right because the copyright owner’s consent is required not once, but twice. Any impact on copyright is purely incidental, and would not result in a loss of jurisdiction.

**E. The *Broadcasting Act* Authorizes the CRTC to Adopt the *2015 Wholesale Code***

72. As an alternative argument, Bell claims that the *Broadcasting Act* does not provide the CRTC with jurisdiction to adopt the *2015 Wholesale Code*. Bell’s fundamental submission is that while s. 9(1)(h) of the *Broadcasting Act* provides jurisdiction over distribution undertakings (which it mentions expressly), it does not grant jurisdiction over programming undertakings (about which it is silent) (Bell Factum paras. 84-85). Thus, Bell concludes that the CRTC cannot regulate affiliation agreements.

73. First, Bell is wrong to argue that Parliament did not intend the CRTC to have jurisdiction to regulate affiliation agreements. Legislative history from the lead-up to the 1990 *Broadcasting Act* clearly shows Parliament’s intent to confer this jurisdiction on the CRTC. In its Sixth Report to House of Commons, the Standing Committee on Communications and Culture wrote:

The CRTC should be given the power to arbitrate the terms and conditions contained in affiliation agreements between distribution undertakings and network operators.<sup>102</sup>

---

<sup>101</sup> *BC Telephone v Shaw Cable System*, [1995] 2 SCR 739 at para 40.

<sup>102</sup> Standing Committee on Communications and Culture, *Sixth Report to the House: Recommendations for a*

This recommendation was ultimately embodied in s. 10(1)(h), which deals with regulations rather than conditions of licence. However, this Court has noted that the *vires* of the CRTC’s regulation-making powers and its licensing powers are essentially equivalent.<sup>103</sup> This statement also flatly contradicts Bell’s assertion that Parliament did not intend the CRTC to be “the ultimate arbiter of the price and commercial terms of carriage” (Bell Factum para. 54). That is precisely the role Parliament assigned to the CRTC. It allows the CRTC to implement the policy described at s. 3(1)(t)(iii) of the *Broadcasting Act*: “distribution undertakings [...] should, where programming services are supplied to them by broadcasting undertakings pursuant to contractual arrangements, provide reasonable terms for the carriage, packaging and retailing of those programming services”

74. In fact, Parliament presciently linked the CRTC’s expanded dispute-resolution powers to vertical integration in the broadcasting industry, stating that these powers would “enable the CRTC to ensure equitable treatment for all licensed services in those situations where a cable company [i.e. a distribution undertaking] is allowed to invest in certain programming services and allegations are made that the cable company is giving its services preferential treatment.”<sup>104</sup> The *Code* represents precisely the kind of oversight that Parliament intended the CRTC to exercise over to vertically-integrated entities.

75. Second, even if programming undertakings are not explicitly mentioned, it is clear that the CRTC has jurisdiction to regulate programming undertakings under s. 9(1)(h) by necessary implication. The text of s. 9(1)(h) reads as follows:

9(1) Subject to this Part, the Commission may, in furtherance of its objects, [...] (h) require any licensee who is authorized to carry on a distribution undertaking to carry, on such terms and conditions as the Commission deems appropriate, programming services specified by the Commission.

76. Bell concedes that this section allows the CRTC to regulate the carriage of programming by distribution undertakings (Bell Factum para. 83). Yet once it is conceded that the CRTC has jurisdiction to regulate the terms of carriage of programs by distribution

---

*New Broadcasting Act* (32 Parl, 2nd Sess, 4 May 1987) at 74.

<sup>103</sup> *Canadian Broadcasting League*, *supra* note 65 at paras 14, 23. See also *Value for Signal Reference*, *supra* note 2 at 21, 23, 26-27, 29, 31, 45 (treating the *vires* of CRTC regulation and licensing powers as overlapping).

<sup>104</sup> Department of Communications, *Clause-by-clause Analysis of Bill C-136*, cited in Peter Grant & Grant Buchanan, *Canadian Broadcasting Regulatory Handbook*, 13th ed (McCarthy-Tétrault, 2016) at 37-38. Bill C-136 was not passed into law, but was the genesis of the current *Broadcasting Act*.



undertakings, this jurisdiction necessarily extends to both participants in the carriage relationship, since it is impossible to regulate the terms and conditions of carriage by reference to distribution undertakings alone. There must always be a programming undertaking to which those terms and conditions apply.

77. This parallel treatment of distribution and programming undertakings follows logically from the very definitions adopted by Parliament in the *Broadcasting Act*:

“programming undertaking” means an undertaking for the transmission of programs, either directly by radio waves or other means of telecommunication or indirectly through a distribution undertaking, for reception by the public by means of broadcasting receiving apparatus.

“distribution undertaking” means an undertaking for the reception of broadcasting and the retransmission thereof by radio waves or other means of telecommunication to more than one permanent or temporary residence or dwelling unit or to another such undertaking.<sup>105</sup>

78. Together, these definitions establish that programming undertakings are the source from which programming services originate. By contrast, as the name suggests, a distribution undertaking merely retransmits and distributes programming it receives from a programming undertaking, and does not originate programming of its own. Consequently, a programming undertaking always stands between a distribution undertaking and the programming which it distributes. (If this were not the case, the distribution undertaking would become by definition a programming undertaking.)

79. Accordingly, the CRTC’s jurisdiction to regulate conditions of carriage under s. 9(1)(h) must extend to both parties in the carriage relationship as a matter of necessary implication. Otherwise the CRTC could not regulate programming carriage by distribution undertakings at all, because distribution undertakings are never the first link in the programming chain, and thus their carriage of programming always depends on a programming undertaking. Parliament must be taken to have known this fact, since it follows from the definitions which Parliament itself enacted.

80. Jurisdiction by necessary implication is a well-settled area of administrative law.

---

<sup>105</sup> *Broadcasting Act*, SC 1991, c 11, s 2 [emphasis added].

This Court<sup>106</sup> and the Supreme Court<sup>107</sup> have often recognized that the CRTC possesses important jurisdiction as a result of necessary implication, most famously in *Bell Canada v CRTC*:

The powers of any administrative tribunal must of course be stated in its enabling statute but they may also exist by necessary implication from the wording of the act, its structure and its purpose. Although courts must refrain from unduly broadening the powers of such regulatory authorities through judicial law-making, they must also avoid sterilizing these powers through overly technical interpretations of enabling statutes.<sup>108</sup>

81. Here, the impossibility of applying section 9(1)(h) to distribution undertakings alone demonstrates that the CRTC has jurisdiction by necessary implication over programming undertakings to the extent required to implement its express powers over distribution undertakings. The contrary position advanced by Bell is exactly the type of “overly technical interpretation” warned against by the Supreme Court in *Bell Canada*. Consequently, this Court should reject Bell’s jurisdictional arguments based on s. 9(1)(h).

82. In any event, given this Court’s judgment in *Bell Canada v Amtelecom*, it is unclear if Bell even has a right of appeal regarding CRTC jurisdiction by necessary implication.<sup>109</sup>

#### **F. Discretionary Bars to Judicial Review**

83. It is trite law that judicial review is a discretionary remedy.<sup>110</sup> The discretionary nature of judicial review arises from the fact that it is

a public law proceeding, and that in the final analysis relief is granted by the court in order to further the public interest. Thus, relief should be refused when it would not serve the public interest to set aside a decision, even if vitiated by legal error. This is the basic principle that informs the various grounds on

---

<sup>106</sup> See e.g. *Canadian Broadcasting*, *supra* note 65 at paras 14, 24 (FCA), *aff’d* [1985] 1 SCR 1743; *Bell Canada v Amtelcom*, *infra* note 109.

<sup>107</sup> See e.g. *Bell Canada v Bell Aliant Regional Communications*, 2009 SCC 40 at para 37 [*Bell Aliant*]; *Bell Canada v CRTC*, [1989] 1 SCR 1722 at 1756 [*Bell Canada*].

<sup>108</sup> *Bell Canada*, *ibid* at 1756 [emphasis added].

<sup>109</sup> *Bell Canada v Amtelcom*, 2015 FCA 126 at para 52 (finding that Bell’s attack on the CRTC’s jurisdiction by necessary implication was a disguised attack on factual findings, contrary to the appeal rights granted by s 64 of the *Telecommunications Act*, which are substantially identical to those under *Broadcasting Act* s 31).

<sup>110</sup> *Alberta Teachers*, *supra* note 47 at para 22; *Harekin v University of Regina*, [1979] SCR 561 at 576.

which the discretionary remedies available on an application for judicial review may be withheld.<sup>111</sup>

84. As a result, unless there is an express statutory provision to the contrary, a claim for judicial review is subject to a number of discretionary bars, including unclean hands, collateral attack, undue delay, estoppel, etc.<sup>112</sup> These discretionary bars to judicial review apply even when the applicant for judicial review is advancing jurisdictional arguments.<sup>113</sup>

85. The unique facts of this case raise three discretionary bars: the rule in *Ex parte Pratt* (F.i), undue delay (F.ii), and unclean hands (F.iii). As a result, even if Bell's arguments on the merits were well-founded – which they are not – Bell's conduct in the Astral transaction and afterwards disentitles it from obtaining judicial review.

**i. Bell is Estopped by its Conduct in the 2013 Astral Transaction**

86. It is settled law that estoppel cannot confer jurisdiction. However, there is a complementary principle that: “no one has a right so to conduct himself before a tribunal as if he accepted its jurisdiction, and then afterwards, when he finds that it has decided against him, to turn around and say, ‘You have no jurisdiction.’ You ought not to lead a tribunal to exercise jurisdiction wrongfully.”<sup>114</sup> This is known as the rule in *Ex parte Pratt*.

87. The Ontario Divisional Court invoked the rule in *Ex parte Pratt* to deny judicial review in *Silverman*, an administrative law case where the lack of jurisdiction resulted from the actions of the party who later sought judicial review:

[24] The underlying problem here is that the Commissioner asked her delegate [Sweeney] to impose sentence and participated fully in the sentencing process, and caused Constable Silverman to participate fully in the sentencing process, and now asks the court to say that Superintendent Sweeney had no power to do the very thing the Commissioner asked him to do. It is true that neither consent nor attornment can confer jurisdiction or breathe life into a nullity. [...]

[25] This case however triggers a complementary principle. A basic principle of our law estops a party who invites a tribunal to accept jurisdiction from saying, when he finds that the tribunal decides against him, that the tribunal lacked the very jurisdiction he invited it to exercise: *Ex p. Pratt, Re Pratt* (1884), 12

<sup>111</sup> *Canada (AG) v Public Service Alliance of Canada*, [1999] FCJ 1531 (TD).

<sup>112</sup> *Khosa*, *supra* note 46 at para 51. See also paras 36, 40, 42 (majority), 134-135 (Rothstein J, dissenting).

<sup>113</sup> *Harelkin*, *supra* note 110 at 575-576; *Homex Realty*, *infra* note 129 at 1037-1038; *Silverman*, *infra* note 115 at para 27.

<sup>114</sup> *Ex parte Pratt* (1884), 12 QBD 334 at 341, Bowen LJ (UKCA) [emphasis added].

Q.B.D. 334 at p. 341, 53 L.J. Ch. 613, per Bowen L.J., quoted by Gliders J.A. in *Imperial Tobacco v. Imperial Tobacco Sales*, [1939] O.R. 627 at p. 644, 72 C.C.C. 321 at p. 346.

[26] It is only rarely that a court would exercise its jurisdiction to refuse judicial review where an adjudicator imposes a penalty or sentence without jurisdiction. [...] But in this case the party who asked its own delegate to impose the penalty now obviously considers the penalty to be inadequate and seeks to recapture the sentencing power in order to impose a harsher penalty.

[27] Simple fairness prevents this result. This is one of those rare cases where the court, even if there were a lack of jurisdiction, should exercise its discretion to refuse judicial review.<sup>115</sup>

88. The rule in *Ex parte Pratt* has been applied many times in the Federal Court system. This Court applied *Ex parte Pratt* in *GWU Local 333 v Prince Rupert Grain Ltd.*<sup>116</sup> *Ex parte Pratt* has twice been applied by the Federal Court in judicial review cases.<sup>117</sup>

89. The unique facts of this appeal bring Bell squarely within the rule in *Ex parte Pratt*. Bell expressly and repeatedly invited the CRTC to impose conditions of licence upon it which are substantially identical to the *2015 Wholesale Code*. In April 2016, Bell acknowledged that the content of the *2015 Wholesale Code* was “exactly the same [...] or substantially similar” to the Astral behavioural safeguards.<sup>118</sup> In fact, Bell went beyond a mere invitation, and actually drafted much of the language that became the *2015 Wholesale Code*.<sup>119</sup> Now, on judicial review, Bell asks this Court to rule that the CRTC lacked jurisdiction to do the very thing which Bell invited it to do in 2013.<sup>120</sup>

90. Indeed, Bell not only invited the CRTC to exercise its jurisdiction in this manner, it also derived a direct and tangible benefit from that exercise of jurisdiction, namely CRTC approval of the Astral transaction. In approving Bell’s acquisition of Astral, the Commission noted that “but for these safeguards [i.e. the conditions of licence which

---

<sup>115</sup> *OPP Commissioner v Silverman*, [2000] OJ 2080 at paras 24-27 (Div Ct) [emphasis added].

<sup>116</sup> *GWU Local 333 v Prince Rupert Grain*, [1987] FCJ 442 (CA).

<sup>117</sup> *Sherman v Canada (Customs)*, 2005 FC 173 at para 19; *Burstyn v Canada (Revenue Agency)*, 2007 FC 822 at para 33.

<sup>118</sup> *Application for Renewal by BCE Inc*, *supra* note 37 at para 106. Bell made a similar concession in its Reply Comments on the Wholesale Code, at para 29, APB Tab 17.

<sup>119</sup> See facts discussed at paragraphs 20-29; *Bell Licence Renewal Submissions*, *supra* note 37 at para 106.

<sup>120</sup> Bell’s conduct has continued down to the present. Bell voluntarily accepted the imposition of the *2015 Wholesale Code* as a condition of licence for several of its BDUs in order to obtain licence renewal, without indicating any jurisdictional objection (*Bell Submissions re response to CRTC 2016-147*, *supra* note 22).

became the *2015 Wholesale Code*], it would not have been persuaded that the present transaction is in the public interest, and would not have approved it.<sup>121</sup>

91. Having taken the benefit of the Astral transaction, Bell should not be allowed to rid itself of the correlative burdens through the jurisdictional arguments it advances in this appeal. Simple fairness dictates that Bell's actions in the 2013 Astral transaction estop it from raising jurisdictional objections to regulatory action which the CRTC undertook at Bell's own invitation and for Bell's own benefit.

**ii. Bell Unduly Delayed in Seeking Judicial Review**

92. It is settled law that courts may dismiss an application for judicial review that is brought after undue delay.<sup>122</sup>

93. Here, Bell brought its application for leave to appeal in fall of 2015. If the *2015 Wholesale Code* were the first time that the CRTC had engaged in this kind of regulation, or if it were the first time that Bell was subject to this kind of regulation, then Bell would have acted expeditiously. However, as explained in sections I.B-I.C and Schedules A-B, the *2015 Wholesale Code* is an incremental step in a regulatory process that dates to at least 2011, if not earlier. Interestingly, even Bell's notice of appeal acknowledges that the *2015 Wholesale Code* "builds on" a number of pre-existing CRTC regulatory instruments.<sup>123</sup>

94. The *2011 Wholesale Code* was adopted by the CRTC in September 2011 and it applied to Bell from that time forward. Indeed, in 2013 Bell told the CRTC that it had always interpreted the "should" language of the *2011 Code* as a binding imperative, and not a mere suggestion.<sup>124</sup> Thus, unless Bell was lying to the CRTC, Bell believed that it was subject to binding legal regulation as far back as 2011.

95. More recently, in its submissions to the CRTC for licence renewals, Bell expressly admitted that "many of the clauses in the [2015] *Wholesale Code* are either exactly the same as the Conditions of Licence put in place as part of the Astral acquisition or

---

<sup>121</sup> *Astral Transaction Decision*, supra note 13, at paras 28, 70 [emphasis added].

<sup>122</sup> *Khosa*, supra note 112 at para 51; *Harelkin*, supra note 110 at 574-575.

<sup>123</sup> Notice of Appeal at paras 7, 8, 10, 19, 20 APB Tab 1.

<sup>124</sup> *Bell/Astral Final Reply Comments*, supra note 26 at para 33; Astral Transaction Hearing Transcript, supra note 26 at para 320.

substantially similar.”<sup>125</sup> Thus, by Bell’s own admission, since 2013 it has operated under conditions of licence “exactly the same” or “substantially similar” to those at issue here.

96. We are now in 2016, rapidly approaching 2017. Many years have gone by since the *2011 Wholesale Code* and the Astral transaction. Bell has been subject to the regulatory conditions that it now claims are *ultra vires* throughout this entire period. Many CRTC decisions have been issued under these regulations, and many business decisions have been taken in reliance on them – other industry players have contracted with Bell based on the behavioural safeguards embedded in Bell’s conditions of licence and the *Code*.

97. Bell’s decision to wait until late 2015 to launch its jurisdictional challenge represents an undue delay when measured against either the *2011 Wholesale Code* or the conditions of licence imposed on Bell following the 2013 Astral transaction. Multi-year delays justify this court exercising its discretion to decline judicial review.

### **iii. Bell has Unclean Hands**

98. Courts have long recognized their discretion to deny judicial review where the applicant has unclean hands.<sup>126</sup> Here, Bell’s unclean hands arise from: a lack of candour and an attempt to assert inconsistent positions before the CRTC and this Court; and an attempt to use judicial review to acquire the Astral transaction assets free and clear of the behavioural safeguards imposed by the CRTC in 2013:

- Before the CRTC, Bell is currently arguing that the *2015 Wholesale Code* makes several behavioural safeguards redundant and thus unnecessary, while omitting to mention that it is challenging the validity of the *2015 Wholesale Code* in this Court.<sup>127</sup>
- Before this Court, Bell attempts to strike down the entire *2015 Wholesale Code*, while omitting to mention that it is concurrently seeking to remove behavioural safeguards from its conditions of licence on the basis that the *Code* is valid and enforceable.

99. Consequently, if Bell’s inconsistent submissions were accepted in both forums, Bell would not be subject to any behavioural safeguards whatsoever. This would vitiate one of the fundamental premises upon which the CRTC allowed the 2013 Astral transaction to proceed: “but for these safeguards, it would not have been persuaded that the present

---

<sup>125</sup> *Application for Renewal by BCE Inc*, *supra* note 37 at para 106.

<sup>126</sup> See e.g. *Khalil v Canada (Secretary of State)*, [1999] FCJ 1093 at paras 15, 20 (CA).

<sup>127</sup> *Application for Renewal by BCE Inc*, *supra* note 37 at para 106.

transaction is in the public interest, and would not have approved it."<sup>128</sup>

100. Courts often refused judicial review where the applicant seeks to use it to achieve an improper purpose. In *Homex Realty v Wyoming (Village)*, the Supreme Court denied judicial review on the basis of unclean hands to an applicant whose conduct is analogous to Bell's present position.<sup>129</sup> In that case, Homex had acquired land subject to certain obligations towards the village of Wyoming. These obligations were enforced against Homex by municipal by-law 7. However, by-law 7 was made without jurisdiction. Despite this, the Supreme Court refused to grant judicial review to Homex, since this would have resulted in Homex acquiring an asset without having to fulfill its correlative obligations:

Homex has sought throughout all of these proceedings to avoid the burden associated with the subdivision of the lands comprised in plan 567. In the preliminary stages of this application for judicial review, Homex has taken inconsistent and even contradictory positions. [...] Of primary concern in my view is the attempt by Homex to avoid the burden of the Atkinson agreement [through judicial review of by-law 7]. [...] I would, by reason of these special circumstances, deny the issuance of the order of judicial review [...].<sup>130</sup>

101. Here, as in *Homex*, the practical effect of granting judicial review is that the applicant would acquire an asset without having to honour the obligations that the applicant had previously made to a public authority when it acquired the asset. This type of conduct constitutes unclean hands with respect to the subject-matter of the judicial review.

102. Bell should not be allowed to invoke judicial review as part of a scheme by which it attempts to escape from the behavioural safeguards imposed upon it during the 2013 Astral transaction, particularly where Bell advances fundamentally inconsistent positions in different forums without notifying either adjudicator of this fact.

#### **IV. ORDER SOUGHT**

103. The respondents respectfully request that Bell's appeal be dismissed with costs, and that the prevailing party/parties have 2 weeks to make submissions on costs, after which the losing party/parties have 1 week to respond, all submission being limited to 10 pages.

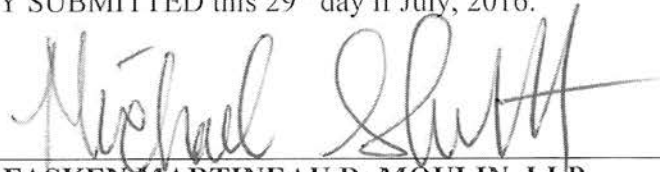
---

<sup>128</sup> *Astral Transaction Decision*, *supra* note 23 at para 28.

<sup>129</sup> *Homex Realty v Wyoming (Village)*, [1980] 2 SCR 1011. See also *Société pour vaincre la pollution v Canada (Environment)*, [1996] FCJ 806 at paras 19-20 (TD).

<sup>130</sup> *Homex Realty*, *ibid* at 1037-1038 [emphasis added].

ALL OF WHICH IS RESPECTFULLY SUBMITTED this 29<sup>th</sup> day of July, 2016.



---

**FASKEN MARTINEAU DuMOULIN, LLP**

The Stock Exchange Tower  
PO Box 242, Suite 3700  
800 Victoria Square  
Montreal, Quebec H4Z 1E9

**Christian Leblanc**

**Michael Shortt**

Tel: 514-397-7400

Fax: 514-397-7600

**Solicitors for the respondents Blue Ant Media Inc.,  
CBC/Radio-Canada, DHX Media Ltd., Groupe V  
Média Inc., Independent Broadcast Group/Le  
Groupe de Diffuseurs Indépendants (on behalf of  
its members Aboriginal Peoples Television, Allarco  
Entertainment Inc., BBC Kids, Channel Zero,  
Ethnic Channels Group Ltd., Hollywood Suite,  
OUTtv Network Inc., Stingray Digital Group Inc.,  
TV5 Québec Canada, Zoomermedia), Pelmorex  
Communications Inc.**



## V. List of Authorities

### Statutes and Regulations

1. *Broadcasting Act*, SC 1991, c 11, ss 1-17, 31
2. *Broadcasting Distribution Regulations*, SOR/97-555, ss 12-15, 25, 26
3. *Copyright Act, 1911*, 1 & 2 Geo V, c 46, s 5(2)
4. *Copyright Act*, RSC 1985, c C-42, ss 2, 3, 11(2), 13(4), 13(7), 21, 70.1
5. *Copyright Act*, SC 1921, c 24, s 11(2)
6. *Pay Television Regulations, 1990*, SOR/90-105, ss 6.1-6.4
7. *Specialty Services Regulations, 1990*, SOR/90-106, ss 10.1-10.4
8. *Television Broadcasting Regulations, 1987*, SOR/87-49, ss 15-17, 49

### CRTC Decisions and Instruments

9. *Amendments to the Exemption Order for Digital Media Broadcasting Undertakings*, Broadcasting Order CRTC 2012-409
10. *Astral Broadcasting Undertakings – Change of Effective Control*, Broadcasting Decision CRTC 2013-310
11. *Bell Canada v Quebecor Media Inc*, Broadcasting Decision CRTC 2015-182
12. *Bell Media Inc v Canadian Independent Distributors Group*, Broadcasting Decision CRTC 2012-393
13. *Call for Comments on a Wholesale Code*, Broadcasting Notice of Consultation CRTC 2015-97
14. *Call for Comments on Standard Requirements for Television Stations, Discretionary Services, and On-Demand Services*, Broadcasting Notice of Consultation CRTC 2016-195
15. *Call for Licence Renewal Applications*, Broadcasting Notice of Consultation CRTC 2016-147
16. *CTV Newsnet - Licence Renewal*, Broadcasting Decision CRTC 2004-8
17. *Change in the Effective Control of Canwest Global Communications Corp's Licensed Broadcasting Subsidiaries*, Broadcasting Notice CRTC 2010-782

18. CRTC Letter, *Re Application 2013-1101-8 – Follow-up to Broadcasting Decision CRTC 2013-310, Astral broadcasting undertakings*, (27 January 2014)
19. *Distribution of Canadian Category C National News Specialty Services*, Broadcasting Order CRTC 2013-735
20. *Distribution of the Programming of Licensed Programming Undertakings by Broadcasting Distribution Undertakings*, Broadcasting Order CRTC 2015-439
21. *Good Commercial Practices*, Broadcasting Public Notice CRTC 2005-35
22. *Interpretation of the Wholesale Code*, Broadcasting Information Bulletin CRTC 2015-440
23. *Let's Talk TV: A Conversation with Canadians*, Broadcasting Notice of Consultation CRTC 2014-190
24. *Let's Talk TV*, Broadcasting Regulatory Policy CRTC 2015-96
25. *Ownership of Analog Discretionary Services by Cable Undertakings - Amendment to the Commission's policy*, Broadcasting Public Notice CRTC 2001-66-1
26. *Regulatory Framework Relating to Vertical Integration*, Broadcasting Regulatory Policy CRTC 2011-601 as corrected by CRTC 2011-601-1
27. *Review of the Regulatory Framework relating to Vertical Integration*, Broadcasting Notice of Consultation CRTC 2010-783
28. *Rogers Media Inc – Group-based Licence Renewals*, Broadcasting Decision CRTC 2014-399
29. *TELETOON/TÉLÉTOON, TELETOON Retro, TÉLÉTOON Rétro and Cartoon Network – Change of Effective Control*, Broadcasting Decision CRTC 2013-737
30. *The Wholesale Code*, Broadcasting Regulatory Policy CRTC 2015-438

#### Parliamentary Documents

31. Department of Communications, *Clause-by-clause Analysis of Bill C-136*, (cited in Peter Grant & Grant Buchanan, *Canadian Broadcasting Regulatory Handbook*, 13th ed (McCarthy-Tetrault, 2016)) (An access to information request was filed to obtain this document, but it could not be located by the responsible department)
32. Standing Committee on Communications and Culture, *Sixth Report to the House: Recommendations for a New Broadcasting Act* (32 Parl, 2nd Sess, 4 May 1987)

### Jurisprudence

33. *Alberta (Information and Privacy Commissioner) v Alberta Teachers' Association*, 2011 SCC 61
34. *Ashdown v Telegraph Group*, [2001] EWCA Civ 1142
35. *BC Telephone v Shaw Cable Systems*, [1995] 2 SCR 739
36. *Bell Canada v 7262591 Canada (dba Gusto TV)*, 2016 FCA 123
37. *Bell Canada v Amtelcom*, 2015 FCA 126
38. *Bell Canada v Bell Aliant Regional Communications*, 2009 SCC 40
39. *Bell Canada v CRTC*, [1989] 1 SCR 1722
40. *Bell Canada v Telus*, 2012 FCA 191
41. *Bell Canada v Telus*, 2013 FCA 58
42. *British Columbia v Mihaljevic*, 1991 CarswellBC 137 (CA)
43. *Burstyn v Canada (Revenue Agency)*, 2007 FC 822
44. *Canada (AG) v Public Service Alliance of Canada*, [1999] FCJ 1531 (TD)
45. *Canada v Craig*, 2012 SCC 43
46. *Canadian Admiral Corp v Rediffusion*, [1954] Ex CR 382
47. *Canadian Artists' Representation v National Gallery of Canada*, 2014 SCC 42
48. *Canadian Broadcasting League v CRTC*, 1982 CarswellNat 71, aff'd [1985] 1 SCR 174
49. *Canadian National Railway v Canada (AG)*, 2014 SCC 40
50. *Capital Cities Communications v CRTC*, [1978] 2 SCR 141
51. *CBC v SODRAC*, 2015 SCC 57
52. *CKOY Ltd v The Queen (1978)*, [1979] 1 SCR 2
53. *Dr Q v College of Physicians and Surgeons of British Columbia*, 2003 SCC 19
54. *Ex parte Pratt* (1884), 12 QBD 334 (UKCA)
55. *Friends of the Oldman River Society v Canada (Minister of Transport)*, [1992] 1 SCR 3
56. *Genex Communications v Canada (AG)*, 2005 FCA 283

57. *Geophysical Service v Encana Corp*, 2016 ABQB 230
58. *GWU Local 333 v Prince Rupert Grain*, [1987] FCJ 442 (CA)
59. *Harelkin v University of Regina*, [1979] 2 SCR 561
60. *Harvard College v Canada (Commissioner of Patents)*, 2002 SCC 76
61. *Homex Realty v Wyoming (Village of)*, [1980] 2 SCR 1011
62. *Jeffreys v Boosey* (1854), 10 ER 681 (UKHL)
63. *JT International SA v Commonwealth of Australia*, [2012] HCA 43 (UKHL)
64. *Katz Group Canada v Ontario (Health and Long-Term Care)*, 2013 SCC 64
65. *Khalil v Canada (Secretary of State)*, [1999] FCJ 1093
66. *Khosa v Canada (Citizenship and Immigration)*, 2009 SCC 12
67. *McLean v British Columbia (Securities Commission)*, 2013 SCC 67
68. *OPP Commissioner v Silverman*, [2000] OJ 2080 (Div Ct)
69. *Power v Walker* (1814), 105 ER 514 (KB)
70. *R v Myran*, [1976] 2 SCR 137
71. *Re Broadcasting Regulatory Policy CRTC 2010-167 and Broadcasting Order CRTC 2010-168*, 2012 SCC 68
72. *Sherman v Canada (Customs and Revenue Agency)*, 2005 FC 173
73. *Société pour vaincre la pollution v Canada (Minister of the Environment)*, [1996] FC 806 (TD)
74. *Telecommunications Workers Union v CRTC*, 2003 FCA 381
75. *Thibodeau v Air Canada*, 2014 SCC 67
76. *United States v Microsoft*, 253 F (3d) 34 (DC Cir 2001)
77. *Wheatland County v Shaw Cablesystems*, 2009 FCA 291

#### Doctrine

78. Blackstone, William. *Commentaries on the Laws of England* (Indianapolis: Liberty Fund, 2011 [1753])

79. Briggs, William. *The Law of International Copyright* (London: Stevens & Haynes, 1906)
80. Drone, Eaton S. *Drone on Copyright* (Boston: Little, Brown & Company, 1879)
81. Fox, Harold G. *The Canadian Law of Copyright and Industrial Designs*, 2nd ed (Toronto: Carswell, 1967)
82. Holdsworth, WS. *A History of English Law*, 3rd ed (Methuen & Co, 1925), vol 7
83. MacGillivray, EJ. *A Treatise upon the Law of Copyright* (London: John Murray, 1902)

A

## Schedule A: Regulatory Timeline

This table sets out the chronology of CRTC regulations, orders, and conditions of licence which led to the *2015 Wholesale Code* or otherwise influenced its content.

| Date       | CRTC Regulatory Action   |
|------------|--|
| 2001       | <i>Ownership of Analog Discretionary Services by Cable Undertakings – Amendment to the Commission’s policy</i> , Public Notice CRTC 2001-66-1: The CRTC states that it will liberalize its policy on vertical integration of distribution and programming undertakings, such that distribution undertakings will be allowed to purchase analog pay and specialty television programming services (BDU ownership of digital pay and specialty services had been allowed earlier by CRTC 2000-6).  |
| 2005       | <i>Good Commercial Practices</i> , Broadcasting Public Notice CRTC 2005-35: The CRTC sets out its regulatory agenda for the wholesale television market, including regulation of the carriage relationship between distribution undertakings and programming undertakings. The Commission considered adoption of notice requirements for certain changes to carriage (para 28) and standstill provisions (para 33).  |
| 2010       | <i>Review of the Regulatory Framework Relating to Vertical Integration</i> , Broadcasting Notice of Consultation CRTC 2010-783 and <i>Change in the Effective Control of Canwest Global Communications Corp’s Licensed Broadcasting Subsidiaries</i> , Broadcasting Notice CRTC 2010-782: The CRTC notes that in light of increasing vertical integration in the broadcasting industry, the Commission may need to play a more robust role in policing anti-competitive behaviour. These documents begin the process which leads to the <i>2011 Wholesale Code</i> . |
| 2011       | <i>Regulatory Framework Relating to Vertical Integration</i> , Broadcasting Regulatory Policy CRTC 2011-601-1: In response to increasing vertical consolidation of the broadcasting industry, the CRTC issues the <i>2011 Wholesale Code</i> . This <i>Code</i> contains many of the same provisions that are found in the <i>2015 Wholesale Code</i> , but they apply as guidelines, both to parties who are negotiating commercial agreements and in CRTC dispute resolution.  |
| April 2012 | Supreme Court releases the <i>Value for Signal Reference</i> , 2012 SCC 68.  |
| July 2012  | <i>Amendments to the Exemption order for digital media broadcasting undertakings</i> , Broadcasting Order CRTC 2012-409: The CRTC applies rules similar to the <i>2011 Wholesale Code</i> and <i>2015 Wholesale Code</i> to digital media broadcasters. Unlike the <i>2011 Wholesale Code</i> , but similar to the <i>2015 Wholesale Code</i> , the obligations under this order are mandatory.  |
| June 2013  | <i>Astral Broadcasting Undertakings – Change of Effective Control</i> , CRTC Broadcasting Decision 2013-310: As a condition for Bell’s acquisition of Astral Media, the CRTC imposes new conditions of licence related to anti-competitive behaviour in the wholesale programming market. Some of these conditions of licence build on the <i>2011 Wholesale Code</i> ; many are later incorporated into the <i>2015 Wholesale Code</i> .  |
| Dec. 2013  | <i>TELETOON/TÉLÉTOON, TELETOON Retro, TÉLÉTOON Rétro and Cartoon Network – Change of Effective Control</i> , Broadcasting Decision CRTC 2013-737: The CRTC imposes conditions of licence similar to the terms of the <i>2015 Wholesale Code</i> on Corus Entertainment Inc.  |

|              |   |
|--------------|---|
| January 2014 | <i>Re Application 2013-1101-8 – Follow-up to Broadcasting Decision CRTC 2013-310</i> : Additional conditions of licence are imposed on Bell as part of the Astral acquisition transaction. Most of these conditions of licence are later incorporated into the <i>2015 Wholesale Code</i> . |
| July 2014    | <i>Rogers Media Inc. – Group-based Licence Renewals</i> , Broadcasting Decision CRTC 2014-399: The CRTC imposes conditions of licence similar to the terms of the <i>2015 Wholesale Code</i> on Rogers Media Inc.   |
| April 2015   | <i>Let's Talk TV: A Conversation with Canadians</i> , Broadcasting Notice of Consultation CRTC 2014-190: The CRTC begins its year-long <i>Let's Talk TV</i> process. Extensive industry comments are received and addressed by the CRTC throughout this process.                            |
| March 2015   | <i>Let's Talk TV</i> , Broadcasting Regulatory Policy CRTC 2015-96: At the conclusion of the <i>Let's Talk TV</i> process, the CRTC releases document outlining planned content of <i>2015 Wholesale Code</i> and stating that the <i>Code</i> will be made mandatory for all licensees.    |
| March 2015   | <i>Call for Comments on the Wholesale Code</i> , Broadcasting Notice of Consultation, CRTC 2015-97: The CRTC publicizes the initial text of the <i>2015 Wholesale Code</i> and seeks input from industry players.   |
| Sept. 2015   | CRTC issues the <i>2015 Wholesale Code</i> .  |
| Oct. 2015    | Bell launches its application for leave to appeal.  |
| January 2016 | <i>2015 Wholesale Code</i> enters into force.   |



B

## Schedule B: Regulatory Comparison Table

This schedule sets out the CRTC regulations, orders, and conditions of licence which overlap with or depend upon the *2015 Wholesale Code*. Terms found in Bell's Conditions of Licence are collected in Schedule C.

| <i>2015 Wholesale Code Provision</i>   | <b>Existing CRTC Regulation or Condition of Licence</b>   |
|--|---|
| <b>Prohibited Terms in Affiliation Agreements</b>  |   |
| 4. a) terms that prohibit the distribution of programming services on a stand-alone basis;   | Rogers Conditions of Licence (Broadcasting Decision CRTC 2014-399, at App 3 para 7(b))<br>Corus Conditions of Licence (Broadcasting Decision CRTC 2013-737, at App 2 para 5(a))<br><i>Television Broadcasting Regulations</i> , 1987, SOR/87-49, s 16(2)<br><i>Pay Television Regulations</i> , 1990, SOR/90-105, s 6.2,<br><i>Specialty Services Regulations</i> , 1990, SOR/90-106, s 10.2<br><i>Distribution of Canadian Category C national news specialty services</i> (Broadcasting Order CRTC 2013-735 at para 3(b)) |
| b) terms that prohibit the offering of programming services on a build-your-own-package or small package basis;  | -   |
| c) provisions that unilaterally grandfather distribution on the same terms and conditions as the previously negotiated agreement;  | -   |
| d) veto rights by programming undertakings of BDU packaging changes;   | -   |
| e) requirements to mirror existing analog tiers in a digital offering;   | -   |
| f) most favoured nation (MFN) provisions, or any similarly worded provision that has the effect of guaranteeing terms as favourable as those agreed to with other parties in other affiliation agreements; | Rogers Conditions of Licence (Broadcasting Decision CRTC 2014-399, at App 3 para 4(d))<br>Corus Conditions of Licence (Broadcasting Decision CRTC 2013-737, at App 2 para 1(d))   |
| g) minimum penetration, revenue or subscription levels, except where negotiated by an independent programming service.   | Rogers Conditions of Licence (Broadcasting Decision CRTC 2014-399, at App 3 para 4(c))  |
| <b>Commercially Unreasonable Practices</b>   |   |
| 5. a) requiring an unreasonable rate (e.g., not based on fair market value);   | Rogers Conditions of Licence (Broadcasting Decision CRTC 2014-399, at App 3 para 4(a))<br>Corus Conditions of Licence (Broadcasting Decision CRTC 2013-737, at App 2 para 1(a))   |
| b) requiring an unreasonable volume-based rate card;   | Rogers Conditions of Licence (Broadcasting Decision CRTC 2014-399, at App 3 para 4(c))  |
| c) requiring an unreasonable penetration-based rate card;  | Rogers Conditions of Licence (Broadcasting Decision CRTC 2014-399, at App 3 para 4(c))  |
| d) requiring the acquisition of a program or service in order to obtain another program or   | Rogers Conditions of Licence (Broadcasting Decision CRTC 2014-399, at App 3 para 8)   |

|  |  |
|--|--|
| service (tied-selling);  | Corus Conditions of Licence (Broadcasting Decision CRTC 2013-737, at App 2 paras 5(a), 6)  |
| e) imposing unreasonable terms and conditions that restrict the ability of a BDU to provide consumer choice; and   | -  |
| f) imposing unreasonable terms and conditions that restrict a programming service or a BDU from providing programming on multiple distribution platforms.  | -  |
| <b>Commercially Reasonable Practices</b>   |  |
| 6. [Factors which the programming undertakings and BDUs must take into account when negotiating wholesale rates for programming services]  | Rogers Conditions of Licence (Broadcasting Decision CRTC 2014-399, at App 3 para 5)<br>Corus Conditions of Licence (Broadcasting Decision CRTC 2013-737, at App 2 para 2)<br><i>Distribution of Canadian Category C National News Specialty Services</i> (Broadcasting Order CRTC 2013-735 at para 3(e)) |
| 7. Where a BDU offers pre-assembled or theme packages, independent programming services, with the exception of programming services identified in sections 25 and 26 of the <i>Broadcasting Distribution Regulations</i> , shall be offered in at least one package in addition to being offered on a stand-alone basis. | -  |
| 8. Where a BDU includes related programming services in theme packages, it shall include all relevant independent programming services in those packages.  | -  |
| 9. An independent programming service shall, unless the parties agree otherwise, be included in the best available pre-assembled or theme package consistent with its theme, programming and language.   | <i>Distribution of Canadian Category C National News Specialty Services</i> (Broadcasting Order CRTC 2013-735 at para 3(a))  |
| 10. A programming service shall be given comparable marketing support by the BDU as is given to similar or related services.   | -  |
| 11. Where a BDU provides its related programming services with access to multiple distribution platforms, it shall offer reasonable terms of access that are based on fair market value to independent programming services.   | -  |
| 12. Where a programming service provides a related BDU with programming on multiple distribution platforms, it shall offer reasonable terms based on fair market value to other BDUs for their non-linear multiplatform rights at the same time as their linear rights and provide such content on a timely basis.       | Rogers Conditions of Licence (Broadcasting Decision CRTC 2014-399, at App 3 para 10)<br>Corus Conditions of Licence (Broadcasting Decision CRTC 2013-737, at App 2 para 8)<br><i>Exemption Order for Digital Media Broadcasting Undertakings</i> , Broadcasting Order CRTC 2012-409, at paras 7-8        |

|  |  |
|--|--|
|  | <p>See also CRTC anti-competitive head start provisions in the following regulations:</p> <ul style="list-style-type: none"> <li>- <i>Pay Television Regulations</i>, SOR/90-105, s 6.3</li> <li>- <i>Specialty Services Regulations</i>, SOR/90-106, s 10.3</li> </ul>  |
| <p>13. If a BDU has not renewed an affiliation agreement to which it is a party with a programming service by 120 days preceding the expiry date of the agreement and if both parties have confirmed in writing their intention to renew the agreement, the parties shall refer the matter to the Commission for dispute resolution under sections 12 to 15 of the <i>Broadcasting Distribution Regulations</i>.</p> | <p>The CRTC's jurisdiction to apply dispute-settlement provisions of the <i>Exemption Order for Digital Media Broadcasting Undertakings</i> (then bearing a different name) was upheld by this Court in <i>Bell Canada v Telus</i>, <b>2013 FCA 58 at para 6</b>.</p> <p>The CRTC's jurisdiction to apply final offer arbitration of disputes under analogous provisions of the <i>Telecommunications Act</i> was upheld by this Court in <i>Telus Communications Company v. Canadian Radio-Television and Telecommunications Commission</i>, <b>2010 FCA 191</b>, at paras 32-36.</p> <p><i>Broadcasting Distribution Regulations</i>, SOR/97-555, ss 12-15</p> <p><i>Exemption Order for Digital Media Broadcasting Undertakings</i>, Broadcasting Order CRTC 2012-409 at paras 11-15</p> <p><i>Television Broadcasting Regulations</i>, 1987, SOR/87-49, s 17</p> <p><i>Pay Television Regulations</i>, SOR/90-105, s 6.4</p> <p><i>Specialty Services Regulations</i>, SOR/90-106, s 10.4</p> <p>Rogers Conditions of Licence (Broadcasting Decision CRTC 2014-399) at App 3 para 6</p> <p>Corus Conditions of Licence (Broadcasting Decision CRTC 2013-737, at App 2 para 4)</p> <p><i>Distribution of Canadian Category C National News Specialty Services</i> (Broadcasting Order CRTC 2013-735 at para 3(d))</p> |
| <p>14. A BDU shall file with the Commission any affiliation agreement to which it is a party with a programming service within ten working days following the execution of the agreement by the parties.</p>   | <p><i>Distribution of Canadian Category C National News Specialty Services</i> (Broadcasting Order CRTC 2013-735 at para 3(c))</p> <p>Corus Conditions of Licence (Broadcasting Decision CRTC 2013-737, at App 2 para 3)</p>   |
| <p>15. Within 120 days following the launch of a programming service, a BDU shall file with the Commission all agreements to which it is a party with the programming service.</p>   | <p>-</p>   |

C

### Schedule C: Discretionary Bars Comparison Table

This schedule sets out the conditions of licence imposed on Bell as part of the Astral transaction alongside the corresponding terms of the *2015 Wholesale Code* (See APB Tab 82). It is based in part of the comparative table that Bell itself produced: (*Application for Renewal by BCE Inc – Appendix C*, submitted by Bell Canada to the CRTC, dated 18 April 2016, Supp APB Tab B).

| <i>2015 Wholesale Code Provision</i>  | <b>Bell Condition of Licence Provision or Bell 2013 Astral Transaction Submissions</b>  |
|---|---|
| <b>Scope of Application</b>   |   |
| 3. Unless otherwise provided, this code applies to licensed programming and distribution undertakings. It serves as a guideline for programming, distribution, and digital media undertakings operating under an exemption order. | <p><b>Bell Conditions of Licence, p 1 para 3 referring to all Bell programming and distribution undertakings, APB Tab 82</b></p> <p>References to “all television services” and “all licensees” in Bell’s proposed safeguards/conditions of licence refer to both distribution and programming undertakings. (see <i>Bell/Astral Reply Comments</i> (16 April 2013) at para 207(a)).</p> <p>Similarly, Bell’s supplementary conditions of licence were also intended to apply to both distribution and programming undertakings (<i>Bell/Astral Response to Undertakings</i> (8 May 2013) at para 5).</p> |
| <b>Prohibited Terms in Affiliation Agreements</b>   |   |
| 4. a) terms that prohibit the distribution of programming services on a stand-alone basis;  | <p><b>Bell Conditions of Licence, para 5(b)</b></p> <p><i>Bell/Astral Reply Comments</i> (16 April 2013), Appendix 1, clause 1, importing <i>2011 Wholesale Code</i> section 1(c).</p> <p><i>Bell/Astral Response to Undertakings</i> (8 May 2013), Schedule 1, Appendix A, clause 1 importing <i>2011 Wholesale Code</i> section 1(c).</p> <p><i>Bell/Astral Response to Undertakings</i> (8 May 2013), Schedule 1, Appendix A, clause 3(c)</p>  |
| b) terms that prohibit the offering of programming services on a build-your-own-package or small package basis;   | <p><i>Bell/Astral Reply Comments</i> (16 April 2013), Appendix 1, clause 1, importing <i>2011 Wholesale Code</i> section 1(b).</p> <p><i>Bell/Astral Response to Undertakings</i> (8 May 2013), Schedule 1, Appendix A, clause 1 importing <i>2011 Wholesale Code</i> section 1(b).</p> <p><i>Bell/Astral Response to Undertakings</i> (8 May 2013), Schedule 1, Appendix A, clause 3(b).</p>   |
| c) provisions that unilaterally grandfather distribution on the same terms and conditions as the previously negotiated agreement;   | -   |

|  |   |
|--|---|
| d) veto rights by programming undertakings of BDU packaging changes;   | -   |
| e) requirements to mirror existing analog tiers in a digital offering;   | -   |
| f) most favoured nation (MFN) provisions, or any similarly worded provision that has the effect of guaranteeing terms as favourable as those agreed to with other parties in other affiliation agreements;       | <p><b>Bell Conditions of Licence at para 1(d)</b></p> <p><i>Bell/Astral Reply Comments</i> (16 April 2013), Appendix 1, clause 1, importing <i>2011 Wholesale Code</i> section 1(e)</p> <p><i>Bell/Astral Response to Undertakings</i> (8 May 2013) Schedule 1, Appendix A, clause 1 importing <i>2011 Wholesale Code</i> section 1(e)</p> <p><i>Bell/Astral Response to Undertakings</i> (8 May 2013), Schedule 1, Appendix A, clause 3(d)</p> |
| g) minimum penetration, revenue or subscription levels, except where negotiated by an independent programming service.   | <p><i>Bell/Astral Reply Comments</i> (16 April 2013), Appendix 1, clause 1, importing <i>2011 Wholesale Code</i> sections 1(b), 1(d)</p> <p><i>Bell/Astral Response to Undertakings</i> (8 May 2013) Schedule 1, Appendix A, clause 1 importing <i>2011 Wholesale Code</i> sections 1(b), 1(d)</p>  |
| <b>Commercially Unreasonable Practices</b>   |   |
| 5. A programming undertaking, BDU, or exempt digital media undertaking shall not require that a party accept terms or conditions for the distribution of programming that are commercially unreasonable, such as | <i>Bell/Astral Response to Undertakings</i> (8 May 2013), Schedule 1, Appendix A, clause 3(a)   |
| a) requiring an unreasonable rate (e.g., not based on fair market value);  | <p><b>Bell Conditions of Licence at para 1(a)</b></p> <p><i>Bell/Astral Reply Comments</i> (16 April 2013), Appendix 1, clause 1, importing <i>2011 Wholesale Code</i> section 1(a)</p> <p><i>Bell/Astral Response to Undertakings</i> (8 May 2013), Schedule 1, Appendix A, clause 1 importing <i>2011 Wholesale Code</i> section 1(a)</p>   |
| b) requiring an unreasonable volume-based rate card;   | <p><b>Bell Conditions of Licence at paras 1(a)-(c), 5(a)</b></p> <p><i>Bell/Astral Reply Comments</i> (16 April 2013), Appendix 1, clause 1, importing <i>2011 Wholesale Code</i> section 1(a), 2(b)</p> <p><i>Bell/Astral Response to Undertakings</i> (8 May 2013), Schedule 1, Appendix A</p>  |
| c) requiring an unreasonable penetration-based rate card;  | <p><b>Bell Conditions of Licence at paras 1(a)-(c), 5(a)</b></p> <p><i>Bell/Astral Reply Comments</i> (16 April 2013), Schedule 1, clause 1, importing <i>2011 Wholesale Code</i> section 1(a), (2b)</p> <p><i>Bell/Astral Response to Undertakings</i> (8 May 2013), Schedule 1, Appendix A, clause 1, importing <i>2011 Wholesale Code</i> section 1(a), (2b)</p>   |

|  |  |
|--|--|
|  | Bell Conditions of Licence at paras 1(a)-(c)   |
| d) requiring the acquisition of a program or service in order to obtain another program or service (tied-selling);   | <b>Bell Conditions of Licence at paras 5(b), 6</b><br><i>Bell/Astral Reply Comments</i> (16 April 2013), Appendix 1, clause 1, importing <i>2011 Wholesale Code</i> section 1(c)<br><i>Bell/Astral Reply Comments</i> (16 April 2013), Appendix 1, clause 6<br><i>Bell/Astral Response to Undertakings</i> (8 May 2013), Schedule 1, Appendix A, clause 1, importing <i>2011 Wholesale Code</i> section 1(c) |
| e) imposing unreasonable terms and conditions that restrict the ability of a BDU to provide consumer choice; and   | <b>Bell Conditions of Licence at para 5(c)</b><br><i>Bell/Astral Reply Comments</i> (16 April 2013), Appendix 1, clause 7  |
| f) imposing unreasonable terms and conditions that restrict a programming service or a BDU from providing programming on multiple distribution platforms.  | <b>Bell Conditions of Licence, paras 7, 8</b><br><i>Bell/Astral Reply Comments</i> (16 April 2013), Appendix 1, clause 8   |
| <b>Commercially Reasonable Practices</b>   |  |
| 6. [Factors which the programming undertakings and BDUs must take into account when negotiating wholesale rates for programming services]  | <b>Bell Conditions of Licence at para 2</b><br><i>Bell/Astral Reply Comments</i> (16 April 2013), Bell's clause 1, importing <i>2011 Wholesale Code</i> section 2<br><i>Bell/Astral Response to Undertakings</i> (8 May 2013), Schedule 1, Appendix A, clause 1, importing <i>2011 Wholesale Code</i> section 2<br><i>Bell/Astral Response to Undertakings</i> (8 May 2013) Schedule 1, Appendix A, clause 4 |
| 7. Where a BDU offers pre-assembled or theme packages, independent programming services, with the exception of programming services identified in sections 25 and 26 of the <i>Broadcasting Distribution Regulations</i> , shall be offered in at least one package in addition to being offered on a stand-alone basis. | <i>Bell/Astral Reply Comments</i> (16 April 2013), Schedule 1, Appendix A, clause 1, importing <i>2011 Wholesale Code</i> sections 3, 4<br><i>Bell/Astral Response to Undertakings</i> (8 May 2013), Schedule 1, Appendix A, clause 1, importing <i>2011 Wholesale Code</i> sections 3, 4  |
| 8. Where a BDU includes related programming services in theme packages, it shall include all relevant independent programming services in those packages.  | <i>Bell/Astral Reply Comments</i> (16 April 2013), Appendix 1, clause 1, importing <i>2011 Wholesale Code</i> sections 3, 4<br><i>Bell/Astral Response to Undertakings</i> (8 May 2013), Bell's clause 1, importing <i>2011 Wholesale Code</i> sections 3, 4   |
| 9. An independent programming service shall, unless the parties agree otherwise, be included in the best available pre-assembled or theme package consistent with its theme, programming and language.   | <i>Bell/Astral Reply Comments</i> (16 April 2013), Appendix 1, clause 1, importing <i>2011 Wholesale Code</i> sections 3, 4<br><i>Bell/Astral Response to Undertakings</i> (8 May 2013), Schedule 1, Appendix A, clause 1, importing <i>2011 Wholesale Code</i> sections 3, 4  |



|  |   |
|--|---|
| <p>10. A programming service shall be given comparable marketing support by the BDU as is given to similar or related services.</p>  | <p><b>Bell Conditions of Licence para 16</b><br/><i>Bell/Astral Reply Comments</i> (16 April 2013), Appendix 1, clause 1, importing <i>2011 Wholesale Code</i> section 6</p>  |
| <p>11. Where a BDU provides its related programming services with access to multiple distribution platforms, it shall offer reasonable terms of access that are based on fair market value to independent programming services.</p>  | <p><b>Bell Conditions of Licence at para 15</b><br/><i>Bell/Astral Reply Comments</i> (16 April 2013), Appendix 1, clause 1, importing <i>2011 Wholesale Code</i> section 5<br/><br/><i>Bell/Astral Response to Undertakings</i> (8 May 2013), Schedule 1, Appendix A, clause 1, importing <i>2011 Wholesale Code</i> section 5</p>                         |
| <p>12. Where a programming service provides a related BDU with programming on multiple distribution platforms, it shall offer reasonable terms based on fair market value to other BDUs for their non-linear multiplatform rights at the same time as their linear rights and provide such content on a timely basis.</p>  | <p><b>Bell Conditions of Licence, para 8</b><br/><br/>See also <i>Bell/Astral Reply Comments</i> (16 April 2013), Appendix 1, clause 8.</p>   |
| <p>13. If a BDU has not renewed an affiliation agreement to which it is a party with a programming service by 120 days preceding the expiry date of the agreement and if both parties have confirmed in writing their intention to renew the agreement, the parties shall refer the matter to the Commission for dispute resolution under sections 12 to 15 of the <i>Broadcasting Distribution Regulations</i>.</p> | <p><b>Bell Conditions of Licence at para 4</b><br/><br/><i>Bell/Astral Response to Undertakings</i> (13 May 2013) at page 3 (although Bell proposed 90 days, rather than 120 days; Bell also suggested that either party should be able to initiate dispute resolution).<br/><br/><i>Bell/Astral Final Reply Comments</i> (21 May 2013) at paras 42-44.</p> |
| <p>14. A BDU shall file with the Commission any affiliation agreement to which it is a party with a programming service within ten working days following the execution of the agreement by the parties.</p>   | <p><b>Bell Conditions of Licence at para 3 (within 5 days)</b></p>  |
| <p>15. Within 120 days following the launch of a programming service, a BDU shall file with the Commission all agreements to which it is a party with the programming service.</p>   | <p>-</p>  |

**FEDERAL COURT OF APPEAL**

BETWEEN

BELL CANADA and BELL MEDIA

Appellants

-and-

7262591 CANADA LTD. (D.B.A. GUSTO TV), ACCESS COMMUNICATIONS  
CO-OPERATIVE LIMITED, ALLARCO ENTERTAINMENT INC.,  
ANTHEM MEDIA GROUP, BLUE ANT MEDIA INC., CANADIAN CABLE  
SYSTEMS ALLIANCE INC., CBC/RADIO-CANADA, COGECO INC.,  
COMPETITION BUREAU, MIX MEDIA LTD., EASTLINK, GROUPE V  
MEDIA INC., INDEPENDENT BROADCAST GROUP/LE GROUPE DE  
DIFFUSEURS INDEPENDANTS, L'OFFICE DES  
TELECOMMUNICATIONS EDUCATIVES DE LANGUE FRANCAISE DE  
L'ONTARIO (GROUPE MEDIA TFO), MEDIAMIND DIGITAL, MTS INC.,  
PELMOREX COMMUNICATIONS INC., PUBLIC INTEREST ADVOCACY  
CENTRE, QUEBECOR MEDIA INC., SASKATCHEWAN  
TELECOMMUNICATIONS, SOGETEL INC., STINGRAY DIGITAL GROUP  
INC., STORNOWAY COMMUNICATIONS LIMITED PARTNERSHIP,  
TEKSAVVY SOLUTIONS INC. AND HASTINGS CABLE VISION LTD.,  
TELUS, TV5 QUEBEC CANADA, VMEDIA INC. and ZAZEEN INC.

Respondents

---

**MEMORANDUM OF FACT AND LAW OF THE RESPONDENT, TELUS**

---

July 25, 2016

**Nelligan O'Brien Payne LLP**

50 O'Connor, Suite 1500

Ottawa, ON, K1P 6L2

Per: **Michael H. Ryan**

**Christopher Rootham**

**Stephen Schmidt**

Tel: 613-231-8311

Fax: 613-788-3667

E-mail: [christopher.rootham@nelligan.ca](mailto:christopher.rootham@nelligan.ca)

Solicitors for the Respondent, Telus

TO: McCarthy Tetrault LLP  
Suite 5300, TD Bank Tower  
66 Wellington Street West  
Toronto Ontario M5K 1E6  
**Neil Finkelstein**  
**Brandon Kain**  
**Richard Lizius**  
Tel: (416) 601-8200  
Fax: (416) 868-0673

Solicitors for the Appellants

AND  
TO: Fasken Martineau DuMoulin LLP  
The Stock Exchange Tower  
Suite 3700, P.O. Box 242  
800 Victoria Square  
Montreal, QC H4Z 1E9

**Christian Leblanc**  
**Michael Shortt**  
Tel: (514) 397-5270  
Fax: (514) 397-7600

Solicitors for the Respondents, Blue Ant Media Inc., CBC/Radio-Canada, DHX Media Ltd., Groupe V Media Inc., Independent Broadcast Group/Le Group de Diffuseurs Independants (on behalf of its members Aboriginal Peoples Television, Allarco Entertainment Inc., BBC Kids, Channel Zero, Ethnic Channels Group Ltd., Hollywood Suite, OUTtv Network Inc., Stingray Digital Group Inc., TV5 Quebec Canada, Zoomermedia) and Pelmorex Communications Inc.

AND  
TO: Norton Rose Fulbright Canada LLP  
1 Place Ville Marie, Suite 2500  
Montreal, QC H3B 1R1

**Claude Brunet**  
**Madeleine Lamothe-Samson**  
Tel: (514) 847-4726/4981  
Fax: (514) 286-5474

Solicitors for the Respondent, Cogeco Cable Inc.

## TABLE OF CONTENTS

|   | PAGE No |
|---|---------|
| PART I - Facts .....  | 1       |
| Overview .....  | 1       |
| Background to the Wholesale Code .....  | 2       |
| Parties to the appeal .....   | 3       |
| Regulatory framework .....  | 4       |
| CRTC addresses the recent phenomenon of “vertical integration” .....  | 6       |
| The Wholesale Code decision .....   | 8       |
| The terms of the Wholesale Code.....  | 10      |
| Implementation of the Wholesale Code .....  | 14      |
| PART II - Issues .....  | 15      |
| PART III - Submissions.....   | 16      |
| First Issue: Did the CRTC exceed its authority under paragraph 9(1)(h) of the <i>Broadcasting Act</i> by enacting the Wholesale Code? ..... | 16      |
| a) The standard of review is reasonableness.....  | 16      |
| b) The CRTC’s purpose and the means it has adopted to pursue that purpose are both <i>intra vires</i> .....                                 | 17      |
| Second issue: Does the Wholesale Code conflict with the <i>Copyright Act</i> ? .....  | 22      |
| a) The standard of review is reasonableness.....  | 22      |
| b) The copyright issues raised in this case are different than in <i>Cogeco</i> .....   | 23      |
| c) The rules concerning statutory “conflict” .....  | 24      |
| d) There is no “operational” conflict between the Wholesale Code and the <i>Copyright Act</i> .....   | 25      |
| e) There is no “purpose” conflict between the Wholesale Code and the <i>Copyright Act</i> .....   | 27      |

PART IV - Order Sought.....30

PART V - List of Authorities .....31

## PART I - Facts

### Overview

1. In 2013, the Canadian Radio-television and Telecommunications Commission (“CRTC”) began a series of proceedings into the functioning of the television sector. As a consequence of those proceedings, the CRTC decided that consumers should be given greater choice in putting together packages of television channels they subscribe to, and that “*a vigorous wholesale market is essential to fostering an environment and a retail market that enhance greater subscriber choice.*”
2. One of the measures that the CRTC enacted for that purpose was the Wholesale Code. That code establishes binding rules that “programming undertakings” (that originate television programming) and the “broadcasting distribution undertakings” or “BDUs” (e.g. cable and satellite companies that distribute that programming) must adhere to in the “affiliation agreements” between them. The code (i) prohibits certain terms in affiliation agreements, (ii) prohibits a party to an affiliation agreement from requiring another to accept commercially unreasonable terms, and (iii) requires that the parties take certain considerations into account in setting a wholesale rate based on fair market value. The code also provides that, if the parties have not renewed an affiliation agreement by 120 days preceding the expiry date of the agreement and if both parties have confirmed in writing their intention to renew the agreement, the parties shall refer the matter to the CRTC for mediation/arbitration under the pre-existing regulations for dispute resolution.
3. The Appellants appeal the CRTC’s decision to enact the Wholesale Code on the basis that it exceeds the CRTC’s powers under paragraph 9(1)(h) of the *Broadcasting Act* and that it conflicts with the *Copyright Act*. They rely for both propositions on the decision of the Supreme Court of Canada in *Cogeco*. The result in that case does not prohibit the Wholesale Code. In *Cogeco*, the Court held that the CRTC’s proposed “value-for-signal” regime was too far removed from the purposes and powers conferred on the CRTC by the

*Broadcasting Act*. The object of the Wholesale Code, by contrast, is to give television viewers greater choice: this object falls squarely within the scope of the CRTC's cultural mandate, and the means which the CRTC has chosen to implement that objective are a proper exercise of the broad powers conferred upon it by paragraph 9(1)(h) of the Act.

4. Finally, the Wholesale Code does not conflict with the *Copyright Act* in purpose or effect. *Cogeco* was concerned with the interpretation and application of a specific provision in the *Copyright Act* applicable exclusively to over-the-air signals. The Wholesale Code is not concerned with over-the-air signals; it is also consistent with the text and purpose of the *Copyright Act*.

#### **Background to the Wholesale Code**

5. In Canada, television services are provided to the public primarily through the activities of two types of entities acting in combination with each other - "*programming undertakings*" and "*distribution undertakings*" (also referred to as "*broadcasting distribution undertakings*" or "BDUs"). Programming undertakings either create programs of their own or enter into arrangements with other entities to obtain rights to programs created by them. They then transmit their programming to BDUs, who re-transmit the programming through their networks (e.g. cable, fixed and mobile broadband, and satellite) to the BDUs' customers. (Some programming undertakings broadcast their programming over-the-air for direct reception by the public and this variation in the way different programming undertakings operate is relevant to the argument below.) The contracts between programming undertakings and BDUs that govern the wholesale arrangements between them are referred to as "*affiliation agreements*".

*Broadcasting Act*, SC 1991, c 11, s 2(1) "distribution undertaking", "programming undertaking".

See *The Wholesale Code*, Broadcasting Regulatory Policy CRTC 2015-438, paras 116-118 (describing affiliation agreements), *Appeal Book Vol 1 Tab 5 at p 50* [hereinafter *The Wholesale Code*].

6. Programming undertakings and BDUs are both “broadcasting undertakings” within the meaning of the *Broadcasting Act*, and as such regulated by the CRTC pursuant to its mandate to implement the broadcasting policy for Canada set out in section 3 of that Act.

*Broadcasting Act*, SC 1991, c 11, ss 2(1) “broadcasting undertaking”, “programming undertaking”, 3(1) (Broadcasting Policy for Canada).

7. The CRTC refers in the decision under appeal to “exempt digital media undertakings.” These are broadcasting undertakings for which programming is accessed and delivered over the Internet, or which are delivered by point-to-point technology and received by mobile devices. While the CRTC has exempted them from many regulatory requirements, the Wholesale Code applies to commercial dealings involving exempt digital media undertakings as well as those between programming undertakings and BDUs.

*Broadcasting Act*, SC 1991, c. 11, s. 9(4) (exemption power).

*Exemption order for digital media broadcasting undertakings*, CRTC 2012-409, *Appeal Book Vol 1 Tab 13 pp 290-301*.

*The Wholesale Code*, *supra*, at Appendix, introductory text 1<sup>st</sup> para, *Appeal Book Vol 1 Tab 5 at p 57*.

### **Parties to the appeal**

8. The Appellants own and operate numerous programming services and several pay and specialty services, such as the CTV network, TSN, Discovery Channel and Bravo. The Appellants also operate their own BDUs – a licensed terrestrial television service operating as “Bell Fibe” and a satellite distribution system operating as “Bell TV”. Their parent company also operates broadband and mobile networks which distribute exempt digital media undertakings. The Appellants’ combined activities permit them to operate on a vertically-integrated basis as both a programming undertaking and a BDU. The term “vertical integration” as used by the CRTC “refers to the ownership or control by one entity of both programming services, such as conventional television stations, or pay and specialty services, as well as distribution services, such as cable systems or direct-to-home (DTH) satellite services.”



9. The Respondents opposing this appeal, by contrast, are not vertically integrated entities: they are either BDUs (such as TELUS) or programming undertakings (such as CBC/Radio-Canada), but not both.

### **Regulatory framework**

10. Subsection 3(1) defines the Broadcasting Policy for Canada, which the CRTC is charged to implement. Subsection 3(1) includes the following objectives:

*3(1)(i) the programming provided by the Canadian broadcasting system should*

- (i) be varied and comprehensive, providing a balance of information, enlightenment and entertainment for men, women and children of all ages, interests and tastes,*
- (ii) be drawn from local, regional, national and international sources,*
- (iii) include educational and community programs,*
- (iv) provide a reasonable opportunity for the public to be exposed to the expression of differing views on matters of public concern, ...*

*3(1)(s) private networks and programming undertakings should, to an extent consistent with the financial and other resources available to them,*

*...*

- (ii) be responsive to the evolving demands of the public; ...*

*3(1)(t) distribution undertakings*

- (i) should give priority to the carriage of Canadian programming services and, in particular, to the carriage of Canadian stations,*
- (ii) should provide efficient delivery of programming at affordable rates, using the most effective technologies available at reasonable cost,*
- (iii) should, where programming services are supplied to them by broadcasting undertakings pursuant to contractual arrangements, provide*

*reasonable terms for the carriage, packaging and retailing of those programming services, ...*

*Broadcasting Act, SC 1991, c 11, s 3(1).*

11. The *Broadcasting Act* confers the following broad powers on the CRTC:
- (a) the authority to “*regulate and supervise all aspects of the Canadian broadcasting system with a view to implementing the broadcasting policy set out in subsection 3(1)*” of the Act;
  - (b) jurisdiction to enact regulations in furtherance of its objects, including regulations “*for resolving, by way of mediation or otherwise, any disputes arising between programming undertakings and distribution undertakings concerning the carriage of programming originated by any programming undertakings*”;
  - (c) the power to establish a licensing regime for broadcasting and to issue, amend and revoke licences;
  - (d) the power to “*require any licensee who is authorized to carry on a distribution undertaking to carry, on such terms and conditions as the Commission deems appropriate, programming services specified by the Commission*”; and
  - (e) the power to inquire into whether a person has done anything in contravention of that part of the Act or any regulation, licence, decision or order and to make remedial orders.

*Broadcasting Act, SC 1991, c 11, ss 5(1), 10(1)(h), 9(1)(a)-(e), 9(1)(h), and 12 respectively.*

12. Both programming undertakings and BDUs operate under the authority of licences or exemptions issued by the CRTC and are subject to regulations made by the CRTC.

*Broadcasting Act, SC 1991, c 11, ss 9(1) (licensing) and 10 (regulations).*

The regulations applicable to BDUs include the *Broadcasting Distribution Regulations, SOR/97-555*.

The regulations applicable to programming undertakings include the *Specialty Services Regulations, 1990, SOR/90-106*, and the *Pay Television Regulations, 1990, SOR/90-105*.

13. Programming undertakings and BDU's are mutually dependent: programming undertakings depend on BDUs for distribution of their programs, and BDUs depend on programming undertakings for the supply of programs. Therefore, the regulation of the wholesale relationship between the two is central to the effective discharge by the CRTC of its statutory mandate. The CRTC has used its extensive powers under the *Broadcasting Act* at different times and in different ways to impose obligations on each in respect of their dealings with the other, for example:

- (a) fixing the terms and conditions of programming licences to set the "maximum wholesale rate" programming undertakings may charge BDUs for distributing their programs as part of the BDUs' basic services;
- (b) adopting mandatory carriage rules requiring BDUs to distribute certain "discretionary" programming undertakings (to ensure a selection of Canadian services is available);
- (c) requiring programming undertakings that are licensed to carry on specialty and pay undertakings (as the Appellants are) to submit to a CRTC mediation/ arbitration dispute resolution process if there is a disagreement with a BDU or exempt distribution undertaking concerning the terms of carriage of programs.

*Broadcasting Decision* CRTC 2004-8 (setting maximum wholesale rate CTV Newsnet may charge BDUs). Rates for mandatory services are now generally established as part of the mandatory carriage rules set by the CRTC.

*Applications for mandatory distribution on cable and satellite under section 9(1)(h) of the Broadcasting Act*, CRTC 2013-372.

*Broadcasting Distribution Regulations*, SOR/99-505, s 12 ("Dispute Resolution"); *Specialty Services Regulations, 1990*, SOR/90-106, s 10.4 ("Dispute Resolution"); and *Pay Television Regulations 1990*, SOR/90-105, s 6.4 ("Dispute Resolution").

### **CRTC addresses the recent phenomenon of "vertical integration"**

14. The trend toward vertical integration of programming undertakings and BDUs is a relatively new phenomenon that has required the CRTC to reconsider some of its traditional approaches to wholesale regulation. In 2011, the CRTC initiated a proceeding

to examine the implications of vertical integration for the sector. The CRTC's stated objective in that proceeding was "*to consider whether additional regulatory tools and measures were necessary to deal more effectively with vertical integration issues and to prevent anti-competitive behaviour that would have a negative impact, such as reducing the ability of Canadians to receive diverse high quality programming.*"

*Regulatory framework relating to vertical integration, Broadcasting Regulatory Policy CRTC 2011-601 at para 3, Appeal Book Vol 1 Tab 15 at p 306.*

15. In its decision in that proceeding, the CRTC found that "*there is a potential for abuse of market power and that clear guidelines are necessary to ensure that the Canadian broadcasting system remains competitive and healthy and delivers a diversity of high quality programming services to Canadians.*" Specifically, the CRTC concluded that a "code of conduct" was necessary to guide the commercial interactions between the various industry stakeholders and to ensure that no party uses its market power to engage in anti-competitive behaviour. The CRTC established "guidelines" for affiliation agreements in a non-binding "code of conduct" to "*serve as a basis for guiding commercial interactions between these parties while negotiating agreements in the broadcasting market ... on fair and equal terms.*"

*Regulatory framework relating to vertical integration, Broadcasting Regulatory Policy CRTC 2011-601 at para 3, Appeal Book Vol 1 Tab 15 at p 306.*

16. The 2011 code, which later served as the foundation for the Wholesale Code, was not itself directly binding. However, in the event that the parties do not agree on terms of carriage, including the wholesale rate, the CRTC has the authority under *Broadcasting Distribution Regulations*, and parallel provisions in the *Specialty Services Regulations, 1990* and the *Pay Television Regulations, 1990*, to resolve the dispute.<sup>1</sup> The *Broadcasting Distribution Regulations* provide as follows:

*12.1 If there is a dispute between the licensee of a distribution undertaking [i.e., a BDU] and the operator of a licensed programming undertaking or an exempt programming undertaking concerning the carriage or terms of carriage of programming originated by the programming undertaking — including the*

---

<sup>1</sup> Somewhat different approaches apply depending on whether a dispute relates to a service that is already being distributed or a new service, but in both cases the CRTC's decision is binding.

*wholesale rate and the terms of any audit referred to in section 15.1 — one or both of the parties to the dispute may refer the matter to the Commission.*

*Broadcasting Distribution Regulations, SOR/99-505, s 12 (“Dispute Resolution”).*

*Specialty Services Regulations, 1990, SOR/90-106, s 10.4 (“Dispute Resolution”); Pay Television Regulations, 1990, SOR/90-105, s 6.4 (“Dispute Resolution”).*

For examples of arbitration decisions before and after the enactment of the current Wholesale Code, see *Final offer arbitration request by Bell Canada relating to the distribution of Quebecor Media Inc.'s TVA Sports service*, Broadcasting Decision CRTC 2015-181 and *Final offer arbitration request by Videotron G.P. regarding the distribution on Bell Media Inc.'s RDA services*, Broadcasting Decision CRTC 2016-262.

17. The Commission has also regulated the wholesale market by imposing conditions of licence on vertically integrated entities, such as Bell, Corus and Rogers, “*in order to further ensure a fair balance in negotiating power between these entities and independent programming services and BDUs.*” These conditions of licence “*directly prohibit the imposition of unreasonable distribution terms and conditions. They also require that the negotiation of wholesale rates for programming services be based on fair market value. Although the conditions vary from one licensee to another, in general they ensure that these vertically integrated entities do not impose unreasonable conditions of distribution.*”

*A World of Choice – A roadmap to maximize choice for TV viewers and to foster a healthy, dynamic TV market*, Broadcasting Regulatory Policy CRTC 2015-96 at para 70, *Appeal Book Vol 1 Tab 7 at p 100* [hereinafter, *World of Choice*].

### **The Wholesale Code decision**

18. In 2013, the CRTC began a comprehensive regulatory review of the functioning of the television broadcasting sector called *Let's Talk TV*. The proceeding that followed, which involved three phases conducted over a period of more than two years, was one of the most thorough and far-reaching proceedings of its type ever undertaken by the CRTC.

*Let's Talk TV - Broadcasting Notice of Consultation* CRTC 2014-190 at paras 5-7.

*A World of Choice, supra* at paras 1-8, *Appeal Book Vol 1 Tab 7 at pp 80-83*.

19. One of the main outcomes of the *Let's Talk TV* proceeding was a new policy for the provision of broadcasting services which aims to “*maximize choice for TV viewers and to foster a healthy, dynamic TV market*” – in other words, create “*a world of choice*” for consumers. The Commission explained its policy as follows:

*50. A key aim of this policy is to give Canadians the ability to create their own value proposition based on the TV services they want to receive and pay for. In this respect, the Commission acknowledges that the pick-and-pay option is a form of value proposition that might not be economically advantageous for all subscribers. While some Canadian viewers interested in a limited number of discretionary services might prefer the ultimate flexibility offered by such an option, others might continue to consider that different value propositions would allow them to benefit from a larger number of diverse services at a price they find reasonable.*

*A World of Choice, supra at para 50, Appeal Book Vol 1 Tab 7 at p 95.*

20. The CRTC found that “*a vigorous wholesale market is essential to fostering an environment and a retail market that enhance its aim of achieving greater subscriber choice.*” The Commission heard evidence that the terms contained in the affiliation agreements between programming undertakings and BDUs are one of the key obstacles to providing that choice. The Commission also found that “[*t]he fair conduct of negotiations is key to achieving*” its policy objectives because “*the negotiation of fair and reasonable terms allows BDUs to compete more equitably in the retail market with other BDUs and online content providers.*”

*A World of Choice, supra at introductory text 7<sup>th</sup> para and main text paras 61 and 64, Appeal Book Vol 1 Tab 7 at pp 79 and 98-99.*

21. The Commission therefore proposed to amend the 2011 code of conduct “*to ensure that affiliation agreements cannot be used to insulate services from choice and flexibility within the retail market.*”

*A World of Choice, supra at para 86, Appeal Book Vol 1 Tab 7 at p 103.*

22. In parallel with the proceeding, the CRTC also prepared, at the direction of the Governor in Council, a report “*on how the ability of Canadian consumers to subscribe to pay and specialty television services on a service-by-service basis can be maximized in a manner*

*that most appropriately furthers the implementation of the broadcasting policy for Canada*". In its report, the CRTC expressed its concern that the current packaging practices of most BDUs might not fully respond to the objective that cable and satellite operators provide efficient delivery of programming at affordable rates, as set out in subsection 3(1)(t)(ii) of the *Broadcasting Act*.

Order in Council P.C. 2013-1167.

*Maximizing the ability of Canadian consumers to subscribe to discretionary services on a service by service basis*, Response to Order in Council P.C 2013-1167, 24 April 2014, online: <http://www.crtc.gc.ca/eng/publications/reports/rp140424e.htm>.

*World of Choice*, *supra* at para 7, *Appeal Book Vol 1 Tab 7 at p 83*.

### **The terms of the Wholesale Code**

23. In the Wholesale Code Decision, the CRTC reiterated that its purpose was to create a healthy and dynamic wholesale market that would allow consumers more choice; that is, one in which:

- *risk and reward are shared between BDUs and programming services, striking a fair balance between allowing BDUs to provide their subscribers with more choice and flexibility and ensuring reasonable and predictable levels of revenue for programming services;*
- *BDUs have the flexibility to package and set retail prices for discretionary services in the manner that they consider will best respond to customer demand and enable them to compete on an equitable basis with other BDUs;*
- *programming services are discoverable and able to make their programming available to Canadians on multiple platforms in order to foster continued diversity and innovation within the system; and*
- *appropriate wholesale fees and other terms of distribution are negotiated based on the fair market value of the service, regardless of the ownership or other interests of either the BDU or programming service.*

*The Wholesale Code*, *supra* at para 2, *Appeal Book Vol 1 Tab 5 at p 58*.

24. The Wholesale Code itself begins with the following introduction:

*This code sets out the general provisions that shall govern the commercial arrangements between broadcasting distribution undertakings (BDUs), programming undertakings, and exempt digital media undertakings.*

*While such matters are generally best determined by negotiations between the parties, there may be circumstances where the Commission must intervene in the public interest. This would primarily occur in cases where the attainment of the objectives set out in the Broadcasting Act could be compromised including when the provisions set out in the code have not been respected by the parties engaged in commercial arrangements.*

*This code sets the rules and parameters on matters that shall be considered by parties as part of the negotiation process between BDUs, programming undertakings, and exempt digital media undertakings. It also establishes the practices that would generally be considered reasonable or unreasonable by the Commission in any subsequent process concerning allegations of undue preference/disadvantage or other requests for a dispute resolution determination.*

*The Wholesale Code, supra at Appendix, introductory text, Appeal Book Vol 1 Tab 5 at p 57.*

25. The Commission found that strengthening the 2011 code of conduct would “*provide parties with certainty and transparency to conduct negotiations fairly, and ultimately conclude them in the interest of providing consumers with more choice and flexibility*”. It found that the revised code would:

- *prohibit or preclude provisions in affiliation agreements that limit the ability of BDUs to offer their subscribers increased choice and flexibility;*
- *ensure the continued availability and discoverability on multiple platforms of a diverse range of programming services, including independent programming services; and*
- *include new sections to help ensure the fair negotiation of terms and conditions for the distribution of programming services.*

*The Wholesale Code, supra at para 3, Appeal Book Vol 1 Tab 5 at p 30.*

26. The Wholesale Code itself addresses a broad range of commercial issues. First, the Wholesale Code sets out a list of prohibited terms in any affiliation agreement, stating:

*4. The following provisions are prohibited in any affiliation agreement between a programming undertaking, a BDU, or an exempt digital media undertaking:*



- *terms that prohibit the distribution of programming services on a stand-alone basis;*
- *terms that prohibit the offering of programming services on a build-your-own-package or small package basis;*
- *provisions that unilaterally grandfather distribution on the same terms and conditions as the previously negotiated agreement;*
- *veto rights by programming undertakings of BDU packaging changes;*
- *requirements to mirror existing analog tiers in a digital offering;*
- *most favoured nation (MFN) provisions, or any similarly worded provision that has the effect of guaranteeing terms as favourable as those agreed to with other parties in other affiliation agreements; and*
- *minimum penetration, revenue or subscription levels, except where negotiated by an independent programming service.*

*The Wholesale Code, supra at Appendix para 4, Appeal Book Vol 1 Tab 5 at p 58.*

27. The CRTC said that “[t]he prohibitions section [i.e., the preceding provisions] helps to ensure that programming services, particularly those owned by [vertically-integrated] entities, do not unduly restrict the ability of BDUs to respond to subscribers’ demands for increased choice and flexibility and to ensure agreements do not include sections that are inconsistent with a fair and competitive marketplace.” (emphasis added)

*The Wholesale Code, supra at para 30, Appeal Book Vol 1 Tab 5 at p 35.*

28. Second, the Wholesale Code provides that no party to an affiliation agreement shall require another to accept terms or conditions that are “commercially unreasonable”. The code identifies seven types of commercially unreasonable terms (e.g., requiring an unreasonable rate).

*The Wholesale Code, supra, at Appendix para 5, Appeal Book Vol Tab 5 at p 58.*

29. Third, the Wholesale Code provides that, in negotiating a wholesale rate for a programming service based on fair market value, a programming undertaking, BDU or exempt digital media undertaking shall take into consideration seven specific factors (such as historical rates).

*The Wholesale Code, supra*, at Appendix para 6, *Appeal Book Vol Tab 5 at p 58*.

30. One of the issues the Commission had to decide in the Wholesale Code decision was whether the code should be binding. In its decision, the CRTC notes that some of parties to that proceeding submitted that the code had been in place for four years and had been ineffective in establishing fair negotiations. Vertically-integrated entities, including the Appellants, submitted that the Wholesale Code should remain a set of guidelines rather than be given the force of regulation. Certain non-vertically-integrated entities, including TELUS, advocated making the Wholesale Code binding. The Commission decided that the Wholesale Code shall be binding in the interests of transparency and certainty.

*The Wholesale Code, supra* at paras 11-18, *Appeal Book Vol 1 Tab 5 at pp 31-32*.

31. The Wholesale Code provides that, if a BDU has not renewed an affiliation agreement to which it is a party with a programming service by 120 days preceding the expiry date of the agreement and if both parties have confirmed in writing their intention to renew the agreement, the parties shall refer the matter to the CRTC for mediation/arbitration under the pre-existing dispute resolution provisions of the *Broadcasting Distribution Regulations*.

*The Wholesale Code, supra*, at Appendix para 13, *Appeal Book Vol 1 Tab 5 at p 59*.

*Broadcasting Distribution Regulations, SOR/97-555, ss 12-15.01*.

32. In this appeal, the Appellants sometimes seem to be attacking the CRTC's power to establish the terms and conditions of carriage that apply between programming undertakings and BDUs. In the event of disputes, the CRTC's power to do so is long-standing. What is new in the Wholesale Code decision is that the provisions governing negotiations between these undertakings, which were originally non-binding, have been strengthened and been made binding.

## Implementation of the Wholesale Code

33. The Wholesale Code has been made binding on BDUs by Broadcasting Order CRTC 2015-439, entitled “*Distribution of the programming of licensed programming undertakings by broadcasting distribution undertakings*” (which the Appellants refer to as the “Implementation Order”). The order, which was made under paragraph 9(1)(h) of the *Broadcasting Act*, ***is addressed exclusively to BDUs***. Para 1 provides as follows:

*1. This order applies to all licensed distribution undertakings, including terrestrial and direct-to-home distribution undertakings. These licensees are collectively referred to in this order as “distribution licensees.”*

*Broadcasting Act*, SC 1991, c 11, s 9(1)(h).

*Broadcasting Order CRTC 2015-439* at para 1, *Appeal Book Vol 1 Tab 4* at p 28.

34. The order imposes two obligations on BDUs. The first is that

*2. Each distribution licensee shall abide by the Wholesale Code in its dealings with any licensed or exempt programming undertaking.*

*Broadcasting Order CRTC 2015-439* at para 2, *Appeal Book Vol 1 Tab 4* at p 28.

35. The second is that BDUs may only distribute a licensed programming undertaking if one of two conditions is satisfied. Either (a) the programming undertaking must have entered into an affiliation agreement with the BDU that complies with the Wholesale Code and that includes a clause requiring the programming undertaking to abide by the provisions of the Wholesale Code; or (b) the licensed programming undertaking is subject to a condition of licence that requires it to abide by the Wholesale Code.

*Broadcasting Order CRTC 2015-439* at para 2, *Appeal Book Vol 1 Tab 4* at p 28.

36. *Broadcasting Order CRTC 2015-439* does not apply to programming undertakings. In the Wholesale Code decision, the CRTC invites programming undertakings that wish to have their conditions of licence amended as contemplated by (b) to apply for the following amendment to their conditions of licence:

*The licensee shall adhere to the Wholesale Code, set out in the appendix to The Wholesale Code, Broadcasting Regulatory Policy CRTC 2015-438, 24 September 2015, in its dealings with any licensed or exempt broadcasting undertaking.*

*The Wholesale Code, supra at para 139, Appeal Book Vol 1 Tab 5 at p. 54.*

37. The Appellants allege that *Broadcasting Order CRTC 2015-439* is a colourable attempt by the CRTC to circumvent the fact that paragraph 9(1)(h) of the *Broadcasting Act* does not authorize the CRTC to make an order under that section applicable to programming undertakings. The Appellants point to statements by the CRTC that indicate that the intention is that both programming undertakings and BDUs will be bound. The Appellants have misunderstood. As already noted, the Wholesale Code decision provides that programming undertakings will be bound only if and when their licences are amended to incorporate a condition making the code binding on them. In any event, *Broadcasting Order CRTC 2015-439* speaks for itself: it does not bind programming undertakings.

Appellants' Memorandum of Fact and Law, paras 32-38.

*Broadcasting Order CRTC 2015-439, Appeal Book Vol 1 Tab 4 and The Wholesale Code, supra at para 139, Appeal Book Vol 1 Tab 5 at p. 54.*

*Broadcasting Act, SC 1991, c 11, s 9(1)(h).*

## **PART II - Issues**

38. This appeal raises the following issues:
- (a) Did the CRTC exceed its authority under paragraph 9(1)(h) of the *Broadcasting Act* by enacting the Wholesale Code?
  - (b) Does the Wholesale Code conflict – operationally or purposely – with the *Copyright Act*?

## PART III - Submissions

### First Issue: Did the CRTC exceed its authority under paragraph 9(1)(h) of the *Broadcasting Act* by enacting the Wholesale Code?

#### a) The standard of review is reasonableness

39. This issue involves the proper interpretation of the *Broadcasting Act*. The *Broadcasting Act* is one of the CRTC's "home statutes"; therefore, there is a strong presumption that the standard of reasonableness applies.

*Mouvement laïque québécois v Saguenay (City)*, 2015 SCC 16 at paras 38 and 46.

*Bell Canada v Amtelecom Limited Partnership*, 2015 FCA 126 at para 32.

40. The Appellants attempt to rebut that presumption by submitting that the interpretation of the *Broadcasting Act* raises a "true question of jurisdiction." Contrary to those submissions, this appeal does not concern a true question of jurisdiction. As the Supreme Court of Canada recently stated, "[w]hile it is possible to frame any interpretation of a tribunal's home statute as a question of whether the tribunal has the jurisdiction to take a particular action, this Court has rejected this definition of jurisdiction in the context of standard of review and emphasized that the category of "true questions of jurisdiction", if it exists at all, is narrow." A true question of jurisdiction – assuming such a category still exists – "refers to whether the tribunal had the authority to make the inquiry in the first place." There is no doubt – and the Appellants do not submit otherwise – that the CRTC has the power to "make an inquiry" into the terms of affiliation agreements. The first issue does not raise a true question of jurisdiction.

*Canadian Broadcasting Corp v SODRAC 2003 Inc.*, 2015 SCC 57 at para 39.

*Volochay v College of Massage Therapists of Ontario*, 2012 ONCA 541 at para 56.

41. The Appellants rely in part on s. 31(2) of the *Broadcasting Act*, which permits appeals from CRTC orders "on a question of jurisdiction." The Appellants are conflating the ground of review with the standard of review. The consequences of bringing an appeal

under s. 31(2) of the *Broadcasting Act* are no different from relying upon s. 18.1(4)(a) of the *Federal Courts Act* in an application for judicial review. Those provisions establish the ground of review, but are not relevant in determining the standard of review – which remains reasonableness when dealing with the interpretation of a tribunal’s home statute.

*VIA Rail Canada Inc. v Cairns*, 2004 FCA 194 at paras 38-39 and 61.

*Canada (Citizenship and Immigration) v Khosa*, 2009 SCC 12 at paras 49-51.

**b) The CRTC’s purpose and the means it has adopted to pursue that purpose are both *intra vires***

42. The decision of the Supreme Court of Canada in *Cogeco* establishes that the CRTC’s broad power under paragraph 9(1)(h) to “*require any licensee who is authorized to carry on a distribution undertaking to carry, on such terms and conditions as the Commission deems appropriate, programming services specified by the Commission*” must be understood in the context provided by the *Broadcasting Act* read as a whole. The Court said that it was not sufficient for the CRTC “*to refer in isolation to policy objectives in s. 3 and deem that the proposed value for signal regime would be beneficial for the achievement of those objectives*”.

*Reference re Broadcasting Regulatory Policy CRTC 2010-167 and Broadcasting Order CRTC 2010-168*, 2012 SCC 68 at paras 23 [hereinafter *Cogeco*].

43. In *Cogeco*, the majority held that the CRTC did not have the authority to enact a proposed “value-for-signal” regime that was intended to avert a “financial crisis” facing television stations caused by a decline in their advertising revenues. As noted above, under the existing broadcasting regime, BDUs are required to pick up signals broadcast over-the-air by local television stations and to retransmit them through their distribution networks to ensure that all Canadians have convenient access to their local television programs. Because of a special “carve-out” in the *Copyright Act* that applies exclusively to over-the-air signals, the copyright owner has no right to prohibit the simultaneous retransmission of its local or distant signals by BDUs. As compensation, it receives a royalty prescribed by the Copyright Board for works carried in distant signals and no compensation at all for works carried in local signals.

*Cogeco, supra* at paras 57-58.

*Copyright Act*, RSC c C-42, ss 21(2) and 31(2).

44. The proposed value-for-signal regime would have changed this relationship between local television stations and BDUs by permitting the former to negotiate with BDUs for compensation for the right to retransmit their over-the-air signals. If no agreement was reached between the television station and the BDU on the value of the distribution of the local television's programming services, the television station would have been able to require the BDU to delete its programs from all signals distributed by the BDU in the television station's market. In *Cogeco*, the majority said that the CRTC was purporting to give programming undertakings "exclusive control rights" over programming as leverage in their negotiations with BDUs. The Court held that there was no express statutory authority to create such rights, and that reading the *Broadcasting Act* in its entire context and in light of the provisions of the *Copyright Act* indicated that the creation of such rights was too far removed from the core purposes of the Act and from the powers granted to the CRTC under the *Broadcasting Act*.

Appellants' Memorandum of Fact and Law at para 80.

*Cogeco supra* at paras 6-7 and 33.

45. In the present case, the CRTC is *not* concerned – as it was in *Cogeco* – with over-the-air signals or the specific regime that governs the relationship between over-the-air broadcasters and BDUs. The Wholesale Code does not apply to over-the-air signals, and the *Copyright Act* does not include any similar carve-out for the programming which is the subject of the Wholesale Code.
46. Moreover, the CRTC is not concerned with the financial relationship between the relevant entities, as it was in *Cogeco*. It does not aim to affect "the direct economic relationship" between them by "the creation of exclusive control rights". The CRTC's clearly stated purpose, and the subject to which it returns time and time again in the Wholesale Code decision, is a cultural one: the establishment of a regime that will

enhance *consumer choice in programming*. The CRTC made the following findings and drew the following conclusions that underline the centrality of this purpose:

- (a) The CRTC found that “*a vigorous wholesale market is essential to fostering an environment and a retail market that enhance its aim of achieving greater subscriber choice*”.
- (b) The Commission decided to make the Wireless Code binding “*to ensure that affiliation agreements cannot be used to insulate services from choice and flexibility within the retail market*”.
- (c) The Commission found that strengthening the previous code of conduct would “*provide parties with certainty and transparency to conduct negotiations fairly, and ultimately conclude them in the interest of providing consumers with more choice and flexibility*”.
- (d) The CRTC said that the terms it prohibited in affiliation agreements would help “*to ensure that programming services, particularly those owned by [vertically-integrated] entities, do not unduly restrict the ability of BDUs to respond to subscribers' demands for increased choice and flexibility and to ensure agreements do not include sections that are inconsistent with a fair and competitive marketplace.*”

*Cogeco supra* at paras 29, 33.

*A World of Choice, supra* at introductory text, 1<sup>st</sup>-3<sup>rd</sup> and 7<sup>th</sup> paras and main text para 86, *Appeal Book Vol 1 Tab 7 at pp 78-79 and 103*.

*The Wholesale Code, supra* paras 3 and 30, *Appeal Book Vol 1 Tab 5, at pp 30 and 35*.

47. The purpose of enhancing consumer choice is one that falls squarely within the scope of the CRTC’s cultural mandate under s. 3(1) of the *Broadcasting Act*, which requires it to regulate and supervise all aspects of the Canadian broadcasting system with a view to promoting, *inter alia*, the following policy objectives:



- (a) that programming by the Canadian broadcasting system should be “*varied and comprehensive*”;
- (b) that private networks and programming undertakings should “*responsive to the evolving demands of the public*”; and
- (c) that BDUs should provide “*efficient delivery of programming at affordable rates*”

*Broadcasting Act*, SC 1991, c 11, ss 3(1)(i)(i), (s)(ii), (t)(ii), 5.

48. In *Cogeco*, the majority concluded that the measure the CRTC chose to address its objective – the “*creation of exclusive control rights over signals or programs*” – exceeded the CRTC’s jurisdiction because it was too far removed from the powers granted by the Act. In the present case, the measures which the CRTC has selected are aimed at regulating the wholesale relationship between BDUs and programming undertakings do not purport to create any special rights. The code (i) prohibits certain terms in affiliation agreements, (ii) prohibits a party to an affiliation agreement from requiring another to accept commercially unreasonable terms, and (iii) requires that the parties take certain considerations into account in setting a wholesale rate based on fair market value. The CRTC decided to make that code binding. In order to avoid the possibility of an affiliation agreement lapsing while parties who have confirmed their intention to renew are negotiating, the CRTC also decided to trigger its pre-existing dispute resolution arrangements in the *Broadcasting Distribution Regulations* 120 prior to the expiry of an affiliation agreement. These measures fall squarely within paragraphs 9(1)(h) and 10(1)(h).

*Cogeco supra* at para 33.

*The Wholesale Code, supra* at para 18 and Appendix paras 4-6, 13, *Appeal Book Vol Tab 5, at pp 32 and 58-59.*

*Broadcasting Distribution Regulations, SOR/97-555, ss 12-15.01*

49. The Appellants allege that the decision under appeal is an attempt to regulate programming undertakings’ “*economic carriage rights*” that is incompatible with *Cogeco*. The phrase “*economic carriage rights*” is not used in the judgments in *Cogeco*

and is of the Appellants' own concoction. What the majority in *Cogeco* took issue with was much more narrowly focused than that phrase implies. The majority was referring, in the context of rights in over-the-air signals, to "*the creation [by the CRTC] of exclusive control rights over signals or programs*". The right referred to in *Cogeco* is the right of a broadcaster to require a BDU "*to delete any program owned by the broadcaster*" from signals of the BDU should the broadcaster and the BDU fail to reach agreement on terms for distribution of a program by the BDU in the broadcaster's market. This is a right that programming undertakings do not have in the context of over-the-air, but do generally possess in the case of specialty and pay television programs. In the Wholesale Code, the CRTC is concerned, among other things, about ensuring that one party to a negotiation should not be able to leverage its market position to extract unfair benefits from its counterparty, to the detriment of consumer choice.

Appellants' Memorandum of Fact and Law, para 83

*Cogeco, supra*. The reference to "*the creation [by the CRTC] of exclusive control rights over signals or programs*" is at para 33. For similar references to "*exclusive control rights*", see paras 31 and 32. See also at para 13 (referring to the creation by the CRTC of "*exclusive rights for broadcasters to control the exploitation of their signals or works*") and at para 29 (referring to "*the creation of exclusive rights*" for broadcasters by the CRTC).

50. There is nothing in the majority's judgment rejecting the CRTC's authority to create "*economic control rights*" that calls into question the CRTC's authority to otherwise regulate the terms and conditions on which BDUs distribute programming undertakings' programs. On the contrary, the majority reaffirms the well-established proposition that "*[t]he Broadcasting Act grants the CRTC wide discretion to implement regulations and issue licences with a view to furthering Canadian broadcasting policy as set out in the Broadcasting Act.*"

*Cogeco, supra*, at para 2. See also the judgment of Abella and Cromwell JJ. (dissenting) at para 93 ("*The CRTC is granted a broad, flexible mandate to implement measures that further the broadcasting policy of Canada.*")

See also *CKOY Ltd. v. R* (1976), 13 O.R. (2d) 156 at para 9 ("*[i]t is obvious from the broad language of the Act that Parliament intended to give to the Commission a wide latitude with respect to the making of regulations to implement the policies and objects for which the Commission was created.*") This statement was cited with approval in the subsequent judgment of the Supreme Court of Canada in the same case: [1979] 1 S.C.R. 2 at 11-12. See also *Canadian Broadcasting League v. Canada (CRTC)*, [1983] 1 F.C. 182 at paras 22-23 (C.A.), aff'd [1985] 1 S.C.R. 174, in which this Honourable Court said that the same broad view is to be taken of the Commission's authority to attach conditions to licences, "*having*

*regard to the latitude or discretion that has been committed to the Commission to determine what may be necessary in a particular case for the furtherance of its policy objectives.”*

## **Second issue: Does the Wholesale Code conflict with the *Copyright Act*?**

### **a) The standard of review is reasonableness**

51. The Appellants argue that the standard of review on this second issue is correctness solely because the *Copyright Act* is not the CRTC’s “home statute.” On the contrary, the appropriate standard of review is reasonableness for two reasons:

- (a) the *Copyright Act* is a “closely related statute” for the CRTC; and
- (b) the *Copyright Act* is being used as an interpretative tool for the *Broadcasting Act*, and this Court defers to the CRTC on the use it makes of various interpretative tools.

52. First, the presumption of reasonableness exists for both a tribunal’s interpretation of its home statute and a “*closely related statute*.” The *Copyright Act* may not be the CRTC’s “home” statute, but it is certainly a “closely related statute.” In *Cogeco*, the Supreme Court of Canada stated that the CRTC’s “*powers must be exercised within the statutory framework of the Broadcasting Act, and also the larger framework including interrelated statutes. This scheme includes the Copyright Act.” The *Copyright Act* forms part of an integrated statutory scheme within the CRTC’s regulatory sphere. Therefore, the presumption in favour of the reasonableness standard of review applies, and the Appellants have not displaced that presumption.*

*Smith v Alliance Pipeline Ltd.*, 2011 SCC 7 at para 103. See also *Canadian Artists’ Representation v National Gallery of Canada*, 2014 SCC 42 at para 13; *Rogers Communications Inc. v. Society of Composers, Authors and Music Publishers of Canada*, 2012 SCC 35 at para 11; *Canada (Citizenship and Immigration) v Khosa*, 2009 SCC 12 at para 44; and *Tervita Corp v Canada (Commissioner of Competition)*, 2015 SCC 3 at para 176.

*Cogeco*, *supra* at para 2. See also at para 34: “. . . there is a connection between the *Broadcasting Act* and the *Copyright Act* as well. The three Acts (plus the *Telecommunications Act*) are part of an interrelated scheme.”

53. Second, the issue in this appeal is not, strictly speaking, about the interpretation of the *Copyright Act*: it is about the interpretation of the *Broadcasting Act*. Specifically, in interpreting the *Broadcasting Act*, the presumption of coherence applies – that two statutes must be read together so as to avoid conflict. The *Copyright Act* is only relevant as a tool for determining whether the Wholesale Code falls within the scope of paragraph 9(1)(h) of the *Broadcasting Act*.

*Cogeco, supra* at paras 38-39.

54. This Court has recently concluded that the CRTC is entitled to deference in the selection of the tools it will employ for statutory interpretation, stating: “[i]o the extent that a tribunal is entitled to deference in the interpretation of its home statute, it must equally be entitled to deference in the use which it makes of the tools of statutory interpretation. It would be illogical to find that while a tribunal’s interpretation of its home statute was presumptively entitled to deference, its use of the rules of interpretation, or its treatment of rebuttable presumptions, was to be assessed on the standard of correctness. This would simply be a back door application of the correctness standard.” This Court should reach the same result in this case: the CRTC is entitled to deference when using the *Copyright Act* to interpret the *Broadcasting Act*.

*Bell Canada v Amtelecom Limited Partnership*, 2015 FCA 126 at para 36.

55. For these reasons, the appropriate standard of review on this issue is reasonableness.

**b) The copyright issues raised in this case are different than in *Cogeco***

56. A programming undertaking does not have any copyright in its over-the-air signals as against a BDU or an exempt digital media undertaking – it only has copyright in its over-the-air signals as against another programming undertaking. Programming undertakings have a very limited copyright in their over-the-air signals under s. 21(1) of the *Copyright Act*. As the majority stated in *Cogeco*, “a broadcaster’s exclusive right does not include a right to authorize or prohibit a BDU from retransmitting its communication signals.”

*Cogeco, supra* at para 50.

*Copyright Act*, RSC c C-42, ss 2 “broadcaster” and 21(1).

57. In the *Cogeco* decision, the CRTC had attempted to interfere with this limited copyright – in other words, to create rights for programming undertakings to their over-the-air signals where the *Copyright Act* specifically denied such rights. The Wholesale Code, by contrast, does not concern the specific rights in s 21 of the *Copyright Act* and does not create any new rights

**c) The rules concerning statutory “conflict”**

58. The rules concerning “conflict” start with the proposition that Parliament is presumed to intend “*harmony, coherence, and consistency between statutes dealing with the same subject matter.*” Accordingly, courts apply what is commonly referred to as the presumption of coherence: two statutes are presumed to be coherent, and interpretations favouring harmony should prevail over discordant interpretations. The corollary of this presumption, as articulated in the *Cogeco* case, is that a CRTC order or regulation cannot conflict with the provisions of the *Copyright Act*.

*Cogeco, supra* at paras 37-38.

*R v Ulybel Enterprises Ltd.*, 2001 SCC 56 at para 52.

59. Conflict for these purposes is defined narrowly. Two overlapping statutes will be given effect according to their terms unless they “*cannot stand together*” or, put another way, the conflict is “*unavoidable.*”

*Cogeco, supra* at paras 41-42.

*Toronto Railway Co. v Paget* (1909), 42 SCR 488 at 499.

*Lévis (City) v Fraternité des policiers de Lévis Inc.*, 2007 SCC 14 at para 47.

60. In the *Cogeco* case, the Supreme Court borrowed from federalism jurisprudence and identified two categories of conflict for the purposes of statutory interpretation: operational conflict and purpose conflict. Operational conflict occurs when “*it is impossible to comply with both laws.*” Purpose conflict occurs when one law frustrates

the purpose of the other law despite not entailing a direct violation of the other law's provisions. Under both types of conflict, however, interpretive tools are preferred to a finding of conflict; in other words, when a statute can be properly interpreted so as not to interfere with another statute, such interpretation is to be preferred over an interpretation that would bring about a conflict.

*Cogeco, supra* at paras 44-45.

*Alberta (Attorney General) v Moloney*, 2015 SCC 51 at para 29.

*Saskatchewan (Attorney General) v Lemare Lake Logging Ltd.*, 2015 SCC 53 at para 20.

61. Finally, under either category of conflict “*the burden of proof rests on the party alleging the conflict. Discharging that burden is not an easy task, and the standard is always high.*”

*Alberta (Attorney General) v Moloney*, 2015 SCC 51 at para 27.

**d) There is no “operational” conflict between the Wholesale Code and the Copyright Act**

62. In their memorandum of fact and law, the Appellants define the operational conflict as follows: “*the CRTC cannot set itself up as the ultimate arbiter of the price and commercial terms of carriage without violating the 'sole right' provision in s. 3(1) of the Copyright Act. If the CRTC were to insist on one price or term, and the Programming Undertaking another, it would not be possible to simultaneously comply with both ss. 3(1) and 13(4) of the Copyright Act and the Wholesale Code.*”

Appellants' Memorandum of Fact and Law, para 54.

63. The Supreme Court of Canada has recently considered – and rejected – a similar argument in *Canadian Artists' Representation v National Gallery of Canada*. In that case, the Supreme Court of Canada addressed whether the *Status of the Artist Act* (which permits collective bargaining by artists for minimum fees) conflicted with the *Copyright Act*. The Court concluded that there was no conflict, stating:

*An artists' association's function is to bargain with producers for the fixing of what is analogous to a minimum wage for any artist who may agree to provide his*

*or her artistic work to the producer. Establishing a minimum fee for the use of existing works does not affect any of the rights conferred on copyright holders under s. 3 of the Copyright Act. Minimum fees may, in some circumstances, affect whether and under what conditions artists will provide a producer with the right to use their artistic works, namely preventing an artist from doing so if no producer is willing to offer him or her the minimum amount under the applicable scale agreement. Ultimately, however, the decision of whether or not to provide the right to use an artistic work remains with the copyright holder.*

*Canadian Artists' Representation v. National Gallery of Canada, 2014 SCC 42 at para 23.*

64. In short, the Supreme Court of Canada has stated clearly that regulation of the terms and conditions on which a party may deal with a copyright holder does not create a conflict with the *Copyright Act*.
65. Nothing in the Wholesale Code requires a broadcaster to enter into an affiliation agreement to sell its copyright. The Wholesale Code only applies once the programming undertaking has decided to enter into an affiliation agreement – in other words, once the programming undertaking has decided to consent to the use of its copyright. Section 13 of the Wholesale Code is clear: the CRTC only steps in to regulate the terms of an affiliation agreement “*if both parties have confirmed in writing their intention to renew the agreement.*” The programming undertaking that does not wish to deal with a BDU bound by the Wholesale Code is always free to decline to enter into an affiliation agreement.
66. This appeal is thus distinguished from the Supreme Court of Canada’s decision in *Cogeco*. In *Cogeco*, the CRTC purported to give broadcasters “*the right to prohibit the simultaneous retransmission of their programs*” – in other words, a direct regulation of copyright granted specifically in s. 21 of the *Copyright Act*. In this case, by contrast, the Wholesale Code does not regulate the copyright held by programming undertakings: it only provides guidelines on the terms and conditions of an affiliation agreement once a programming undertaking has already decided to licence or consent to the use of its copyright.

*Cogeco, supra* at para 60.

67. For these reasons, there is no operational conflict between the Wholesale Code and the *Copyright Act*.

e) **There is no “purpose” conflict between the Wholesale Code and the *Copyright Act***

68. The Appellants also submit that the Wholesale Code conflicts with the purpose of the *Copyright Act*. They submit that the *Copyright Act* “establishes an exhaustive scheme that fully defines the rights of both copyright owners and users”, and that the Wholesale Code conflicts with the purpose of an exhaustive scheme by creating “new user rights.” Neither of those two premises are borne out in this case: the *Copyright Act* is not an “exhaustive” scheme in this area, and the Wholesale Code does not create “new user rights.”

69. First, the *Copyright Act* is not an “exhaustive” scheme setting out the rights of broadcasters. As set out above when dealing with standard of review, the Supreme Court of Canada has acknowledged that the *Copyright Act* is part of an interlocking scheme along with the *Broadcasting Act*. As the Court put it, “[a]lthough the Acts have different aims, their subject matters will clearly overlap in places.” The *Copyright Act* is simply not an exhaustive scheme in this area.<sup>2</sup>

*Cogeco, supra* at para 37.

70. The core purpose of the *Broadcasting Act* is to empower the CRTC to regulate television (and radio) for cultural and social purposes. This regulation necessarily overlaps with copyright. For example, the CRTC has:

- (a) Required BDUs to offer certain channels in cable packages at rates determined by the CRTC in the event of any dispute;

---

<sup>2</sup> There are, in fact, very few areas in which the *Copyright Act* is exhaustive. The *Status of the Artist Act*, SC 1992, c 33, discussed above, governs some aspects of copyright. The *Competition Act*, RSC 1985 c C-34 also places limits on the fair use of copyright in ss. 32, 76(3), and 79(5), and the *Criminal Code* RSC 1985 c C-46, s. 432 prohibits the unauthorized recording of a (copyright-protected) movie.



For example, *Broadcasting Distribution Regulations*, s. 18(2) requires BDUs to offer “Category A” services – i.e. particular channels – in cable packages. The CRTC has stated that it is phasing out protection for Category A services by 2018: *A World of Choice*, *supra* at paras 97 and 113-119, *Appeal Book vol 1 Tab 7 pp 106 and 110-111*.

- (b) Required BDUs to include certain (generally not-for-profit ) channels in cable packages and fix the cost of these channels as a condition of licence under paragraph 9(1)(h) of the *Broadcasting Act*; and

*Applications for mandatory distribution on cable and satellite under section 9(1)(h) of the Broadcasting Act* CRTC 2013-372 (these are so-called “9(1)(h) services”).

- (c) Set limits on the length of time that certain channels may spend on advertising and specify the content of those advertisements.

*Specialty Services Regulations, 1990*, SOR/90-106, s 4(1) (alcohol advertisements); *Let's Talk TV: The way forward*, Broadcasting Regulatory Policy CRTC 2015-86 at paras 71-77, *Appeal Book Vol 1 Tab 8 pp 142-143* (certain other advertising).

- 71. The *Copyright Act* is not an exhaustive regime, but is designed to overlap with the *Broadcasting Act* in these and many other ways.
- 72. Second, the Wholesale Code does not create a new form of “user right.” As set out above when discussing the absence of an operational conflict, establishing terms and conditions on which a copyright owner may licence or otherwise consent to the use of its copyright does not create a form of user right.
- 73. Contrary to the Appellants’ submissions, the Wholesale Code is entirely consistent with the purpose and history of the *Copyright Act* – which is to balance the interests of creators and consumers. Fundamentally, the purpose of the *Copyright Act* is to create “a balance between promoting the public interest in the encouragement and dissemination of works of the arts and intellect and obtaining a just reward for the creator. . . . The proper balance among these and other public policy objectives lies not only in recognizing the creator’s rights but in giving due weight to their limited nature. In crassly economic terms it would be as inefficient to overcompensate artists and authors for the right of reproduction as it would be self-defeating to undercompensate them.”

The copyright held by programming undertakings fits uncomfortably within this framework, as programming undertakings do not create art, but are really more of a middle-man; therefore, the *Copyright Act* has made their copyright extremely “limited.”

*Théberge v. Galerie d'Art du Petit Champlain inc.*, 2002 SCC 34 at paras 30-31.

*Cogeco*, *supra* at paras 48, 59 and 66 describing the copyright as “limited.”

74. The Wholesale Code is entirely consistent with the purpose and history of the *Copyright Act*. The Wholesale Code preserves the limited copyright of programming undertakings to refuse to permit their copyrighted programs to be re-broadcast by BDUs. At the same time, it ensures that programming undertakings (particularly vertically integrated programming undertakings) cannot use their limited copyright to force BDUs into commercially unreasonable affiliation agreements that would restrict consumer choice.
75. Finally, Parliament has deliberately provided only the most limited copyright to broadcasters (or programming undertakings). Programming undertakings have, for over two decades, contended that they should be granted a copyright that would permit them to refuse to authorize the retransmission of their signals by BDUs. Parliament has continuously rebuffed those efforts. As the Supreme Court of Canada put it in the *Cogeco* decision, “[t]he history evidences Parliament’s intent to facilitate simultaneous retransmission of television programs by cable and limit the obstacles faced by the retransmitters.” The Wholesale Code reflects this intent. For these reasons, there is no “purpose” conflict between the Wholesale Code and the *Copyright Act*.

*Cogeco*, *supra* at paras 71-73.

**PART IV - Order Sought**

76. The Respondent TELUS seeks an order dismissing this appeal, with costs.

ALL OF WHICH IS RESPECTFULLY SUBMITTED



---

**Nelligan O'Brien Payne LLP**  
50 O'Connor, Suite 1500  
Ottawa, ON, K1P 6L2  
Per: Michael H. Ryan  
Christopher Rootham  
Stephen Schmidt  
Tel: 613-231-8311  
Fax: 613-788-3667  
E-mail: [christopher.rootham@nelligan.ca](mailto:christopher.rootham@nelligan.ca)  
Solicitors for the Respondent TELUS

## **PART V - List of Authorities**

### **Statutes**

- 1- *Broadcasting Act*, SC 1991, c 11, ss 2(1) “distribution undertaking”, “programming undertaking”, 3(1), 5(1), 9, 10, 12
- 2- *Canadian Radio-television and Telecommunications Commission Act*, RSC 1985, c C-22
- 3- *Copyright Act*, RSC c C-42, ss 2 “broadcaster”, “distribution undertaking”, “programming undertaking”, 21(1), 31(2)

### **Regulations and other statutory instruments**

- 4- *Broadcasting Distribution Regulations*, SOR/97-555, ss 12-15.01, 18-19
- 5- *Pay Television Regulations, 1990*, SOR/90-105
- 6- *Specialty Services Regulations, 1990*, SOR/90-106
- 7- Order in Council P.C. 2013-1167

### **CRTC Decisions**

- 8- *Applications for mandatory distribution on cable and satellite under section 9(1)(h) of the Broadcasting Act* CRTC 2013-372
- 9- Broadcasting Decision CRTC 2004-8
- 10- *Final offer arbitration request by Bell Canada relating to the distribution of Quebecor Media Inc. 's TVA Sports service*, Broadcasting Decision CRTC 2015-181
- 11- *Final offer arbitration request by Videotron G.P. regarding the distribution on Bell Media Inc. 's RDA services*, Broadcasting Decision CRTC 2016-262.
- 12- *Let's Talk TV - Broadcasting Notice of Consultation* CRTC 2014-190
- 13- *Maximizing the ability of Canadian consumers to subscribe to discretionary services on a service by service basis*, Response to Order in Council P.C 2013-1167, 24 April 2014, online: <http://www.crtc.gc.ca/eng/publications/reports/rp140424e.htm>.
- 14- *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services*, CRTC 2008-100

## Case Law

- 15- *Alberta (Attorney General) v Moloney*, 2015 SCC 51
- 16- *Bell Canada v Amtelecom Limited Partnership*, 2015 FCA 126
- 17- *Canada (Citizenship and Immigration) v Khosa*, 2009 SCC 12
- 18- *Canadian Artists' Representation v. National Gallery of Canada*, 2014 SCC 42
- 19- *Canadian Broadcasting Corp v SODRAC 2003 Inc.*, 2015 SCC 57
- 20- *Canadian Broadcasting League v. Canada (CRTC)*, [1983] 1 F.C. 182 (C.A.), aff'd [1985] 1 S.C.R. 174
- 21- *CKOY Ltd. v. R* (1976), 13 O.R. (2d) 156
- 22- *Lévis (City) v Fraternité des policiers de Lévis Inc.*, 2007 SCC 14
- 23- *Mouvement laïque québécois v Saguenay (City)*, 2015 SCC 16
- 24- *R v Ulybel Enterprises Ltd.*, 2001 SCC 56
- 25- *Reference re Broadcasting Regulatory Policy CRTC 2010-167 and Broadcasting Order CRTC 2010-168*, 2012 SCC 68
- 26- *Rogers Communications Inc. v. Society of Composers, Authors and Music Publishers of Canada*, 2012 SCC 35
- 27- *Saskatchewan (Attorney General) v Lemare Lake Logging Ltd.*, 2015 SCC 53
- 28- *Smith v Alliance Pipeline Ltd.*, 2011 SCC 7
- 29- *Tervita Corp v Canada (Commissioner of Competition)*, 2015 SCC 3
- 30- *Théberge v. Galerie d'Art du Petit Champlain inc.*, 2002 SCC 34
- 31- *Toronto Railway Co. v Paget* (1909), 42 SCR 488
- 32- *VIA Rail Canada Inc. v Cairns*, 2004 FCA 194
- 33- *Volochay v College of Massage Therapists of Ontario*, 2012 ONCA 541

**FEDERAL COURT OF APPEAL**

BETWEEN:

**BELL CANADA and BELL MEDIA INC.**

Appellants

- and -

**7262591 CANADA LTD. (D.B.A. GUSTO TV), ACCESS COMMUNICATIONS  
CO-OPERATIVE LIMITED, ALLARCO ENTERTAINMENT INC.,  
ANTHEM MEDIA GROUP, BLUE ANT MEDIA INC., CANADIAN CABLE  
SYSTEMS ALLIANCE INC., CBC/RADIO-CANADA, COGECO INC.,  
COMPETITION BUREAU, DHX MEDIA LTD., EASTLINK, GROUPE V  
MÉDIA INC., INDEPENDENT BROADCAST GROUP/LE GROUPE DE  
DIFFUSEURS INDÉPENDANTS, L'OFFICE DES  
TÉLÉCOMMUNICATIONS ÉDUCATIVES DE LANGUE FRANÇAISE DE  
L'ONTARIO (GROUPE MÉDIA TFO), MEDIAMIND DIGITAL, MTS INC.,  
PELMOREX COMMUNICATIONS INC., PUBLIC INTEREST ADVOCACY  
CENTRE, QUÉBECOR MÉDIA INC., SASKATCHEWAN  
TELECOMMUNICATIONS, SOGETEL INC., STINGRAY DIGITAL GROUP  
INC., STORNOWAY COMMUNICATIONS LIMITED PARTNERSHIP,  
TEKSAVVY SOLUTIONS INC. AND HASTINGS CABLE VISION LTD.,  
TELUS, TV5 QUÉBEC CANADA, VMEDIA INC. and ZAZEEN INC.**

Respondents

**MEMORANDUM OF FACT AND LAW OF THE APPELLANTS,  
BELL CANADA and BELL MEDIA INC.**

**(Pursuant to Rule 346(1) of the *Federal Courts Rules*)**

**McCarthy Tétrault LLP**  
Suite 5300, TD Bank Tower  
66 Wellington Street West  
Toronto ON M5K 1E6  
**Neil Finkelstein**  
**Steven Mason**  
**Brandon Kain**  
**Richard J. Lizius**  
**Adam Goldenberg**  
Tel: 416-362-1812  
Fax: 416-868-0673  
Solicitors for the Appellants,  
Bell Canada and Bell Media

**TABLE OF CONTENTS**

PART I— STATEMENT OF FACTS..... 1

- 1. Overview..... 1
  - A. Grounds of Appeal..... 1
  - B. The Scope of this Appeal..... 4
- 2. The Facts..... 5
  - A. Regulatory Background ..... 5
    - i. The *Broadcasting Act* ..... 5
    - ii. The *Copyright Act* ..... 6
  - B. The Wholesale Code..... 7

PART II— POINTS IN ISSUE ..... 10

PART III— SUBMISSIONS ..... 11

- 1. The Wholesale Code Conflicts With the *Copyright Act* ..... 11
  - A. *Cogeco* Is Directly Applicable Here..... 11
  - B. The Wholesale Code Creates an Operational Conflict..... 13
  - C. The Wholesale Code Creates a Purpose Conflict ..... 16
- 2. The Wholesale Code Is Not Authorized by the *Broadcasting Act* ..... 22
- 3. The Standard of Review Is Correctness..... 28

PART IV— ORDER SOUGHT ..... 30

## PART I—STATEMENT OF FACTS

### 1. Overview

#### A. Grounds of Appeal

1. This is an appeal pursuant to s. 31 of the *Broadcasting Act* by Bell Canada and Bell Media Inc. (collectively, “**Bell**”) from three (3) CRTC instruments dated September 24, 2015, being Broadcasting Order 2015-439 (the “**Implementing Order**”),<sup>1</sup> Broadcasting Regulatory Policy 2015-438 (“**BRP 2015-438**”)<sup>2</sup> and Broadcasting Information Bulletin 2015-440 (the “**Information Bulletin**”)<sup>3</sup> (collectively, the “**Wholesale Code**”).

2. In promulgating the Wholesale Code, which derives its mandatory basis from the Implementing Order, purportedly pursuant to s. 9(1)(h) of the *Broadcasting Act*, the CRTC has arrogated to itself the jurisdiction to dictate the price and commercial terms by which programming undertakings (“**Programming Undertakings**”) can license their copyrighted programming to broadcast distribution systems (“**Distribution Undertakings**”) for retransmission to the public.

3. The Wholesale Code, and in particular the Implementing Order, is a direct challenge to the Supreme Court of Canada’s decision in *Cogeco* (2012),<sup>4</sup> and should be set aside as *ultra vires* the CRTC.

4. In *Cogeco*, the CRTC proposed to give local television stations a right to prohibit cable and satellite Distribution Undertakings from retransmitting their programs, carried in over-the-air signals, unless the stations and the Distribution Undertakings could agree on a price. The Supreme Court held that the scheme would be *ultra vires* the CRTC, both as (i) conflicting with the *Copyright Act* and, separately, (ii) as being *ultra vires* the *Broadcasting Act*.

---

<sup>1</sup> *Distribution of the programming of licensed programming undertakings by broadcasting distribution undertakings* – Broadcasting Order CRTC 2015-439, 24 September 2015, Appeal Book (“**AB**”), Tab 4.

<sup>2</sup> *The Wholesale Code* – Broadcasting Regulatory Policy CRTC 2015-438, 24 September 2015, AB, Tab 5.

<sup>3</sup> *Interpretation of the Wholesale Code* – Broadcasting Information Bulletin CRTC 2015-440, 24 September 2015, AB, Tab 3.

<sup>4</sup> *Reference re Broadcasting Regulatory Policy CRTC 2010-167 and Broadcasting Order CRTC 2010-168*. [2012] 3 S.C.R. 489, ¶45 and 76 (“*Cogeco*”).



5. Both of those grounds are dispositive here. Pursuant to *Cogeco*, the CRTC cannot:

- (a) effectively create new copyrights or, as here, new user rights, which conflict with the balance between the owner and user interests crafted by Parliament in the *Copyright Act*;<sup>5</sup> or
- (b) regulate the direct economic terms of the carriage relationship between Programming and Distribution Undertakings under the *Broadcasting Act*.<sup>6</sup>

6. *First*, as to operational conflict with the *Copyright Act*, the CRTC is attempting to create new rights. This time, instead of creating a new copyright for Programming Undertakings, as occurred in *Cogeco*, the CRTC is purporting to create a new *user right*, or copyright exception, for Distribution Undertakings. Just as the CRTC could not create a new copyright in *Cogeco*, it cannot create a new user right that circumscribes the copyright granted by Parliament. Both the creation of new copyrights and the creation of new user rights are within the exclusive purview of the *Copyright Act*.

7. In this case, the operational conflict is that, while ss. 3(1)(f) and 13(4) of the *Copyright Act* give Programming Undertakings the “*sole right*” to set the price and terms for retransmission of their copyrighted programs by Distribution Undertakings, the Wholesale Code purports to give that jurisdiction to the *CRTC*.

8. There is thus a clear operational conflict between the Wholesale Code, including the Implementing Order, and the *Copyright Act*.

9. The Wholesale Code also conflicts with the purpose of the *Copyright Act*.

---

<sup>5</sup> *Cogeco*, *supra* note 4, ¶45 and 76 (“[I]n seeking to achieve its objects, *the CRTC may not choose means that either operationally conflict with specific provisions of... the Copyright Act; or which would be incompatible with the purposes of those Acts...* The value for signal regime *would rewrite the balance between the owners' and users' interests as set out by Parliament in the Copyright Act.*”).

<sup>6</sup> *Cogeco*, *supra* note 4, ¶29-31 (“[N]one of the specific fields for regulation set out in s. 10(1) *pertain to... control [of] the direct economic relationship between the BDUs and the broadcasters. ...[T]he broadcasters submit that s. 10(1)(g)... and s. 9(1)(h)... empower the CRTC to 'dictate the terms of the carriage relationship between broadcasters and BDUs'... I cannot agree*”).

10. In the *Copyright Act*, Parliament *deliberately* did not grant Distribution Undertakings the user right to retransmit programs carried in *pay and specialty* signals, which are the focus of the Wholesale Code. Instead, s. 31(2) of the *Copyright Act* limits Distribution Undertakings to a user right to retransmit programs in *over-the-air* signals.

11. Parliament withheld in the *Copyright Act* the very user right the CRTC now purports to create because the *Canada-U.S. Free Trade Agreement* specifically *prohibits the retransmission of all programs not carried in over-the-air signals* unless the copyright holder, in this case the Programming Undertaking, authorizes the retransmission. As such, under the *Copyright Act*, Distribution Undertakings cannot retransmit copyrighted programs in pay and specialty signals without the authorization of the Programming Undertaking. Yet the Wholesale Code purports to give Distribution Undertakings that user right in pay and specialty signals.

12. *Second*, as to the *Broadcasting Act*, *Cogeco* states that s. 9(1)(h) of the *Broadcasting Act*, the only provision relied on by the CRTC as the source of its jurisdiction here, does *not* permit the CRTC to regulate the direct commercial carriage arrangements between Programming and Distribution Undertakings. However, the Wholesale Code, in direct conflict with *Cogeco*, plainly states that its purpose is to “*govern the commercial arrangements between broadcasting distribution undertakings... [and] programming undertakings*”.<sup>7</sup>

13. In addition, s. 9(1)(h) only authorizes the CRTC to impose licence conditions upon *Distribution Undertakings*, not *Programming Undertakings*.

14. The CRTC was clearly aware of this restriction, and has disingenuously attempted to circumvent it. The CRTC purported to frame the Implementing Order to apply only to Distribution Undertakings. However, *first*, the Implementing Order takes direct aim in paragraph 2(b)(ii) at the *contract* between the Distribution and Programming Undertakings, which is the very contract through which Programming Undertakings license their copyrighted material to Distribution Undertakings. *Second*, BRP 2015-438 and the Information Bulletin, both of which are constituent

---

<sup>7</sup> BRP 2015-438, Appendix, AB, Tab 5, *emphasis added*.

parts of the Wholesale Code, state that the Code is “binding on licensed distribution *and programming undertakings by means of [the Implementing Order] issued pursuant to s. 9(1)(h) of the Broadcasting Act*”.<sup>8</sup>

15. This colourable attempt by the CRTC to circumvent the limits of its jurisdiction under s. 9(1)(h) should be set aside.

#### **B. The Scope of this Appeal**

16. This is a narrow appeal.

17. The appeal is focused exclusively upon the CRTC's jurisdiction to directly regulate the *economic terms of the carriage relationship* between Programming and Distribution Undertakings *by dictating the price and commercial terms of their copyright licences*. It will have no impact upon the CRTC's jurisdiction to set standards of programs, allocate broadcasting times, engage in economic regulation outside the carriage relationship or control the cultural aspects of broadcasting pursuant to ss. 9-10 of the *Broadcasting Act*.<sup>9</sup>

18. Thus, for example, nothing in this appeal limits the CRTC's powers to regulate the types of programs that Distribution Undertakings may retransmit, or how they are packaged for consumers, e.g., by requiring that Distribution Undertakings offer:

- (a) a “basic service” with a capped number of programming services at a fixed retail price, and other programming services on a “pick and pay” basis;<sup>10</sup>
- (b) more Canadian than non-Canadian programming services, and distribute a minimum number of official minority language and Canadian ethnic or third-language programming services;<sup>11</sup> and

---

<sup>8</sup> BRP 2015-438, ¶9(3) and 19-20, AB, Tab 5; Information Bulletin, ¶3 and 5, AB, Tab 3.

<sup>9</sup> *Broadcasting Act*, ss. 9(1), 10(1)(a), 10(1)(c), 10(1)(g) and 10(1)(i).

<sup>10</sup> *Let's Talk TV: A World of Choice - A roadmap to maximize choice for TV viewers and to foster a healthy, dynamic TV market* – Broadcasting Regulatory Policy CRTC 2015-96, 19 March 2015, ¶16-29 and 36-52, AB, Tab 7.

<sup>11</sup> *Let's Talk TV: A World of Choice - A roadmap to maximize choice for TV viewers and to foster a healthy, dynamic TV market* – Broadcasting Regulatory Policy CRTC 2015-96, 19 March 2015, ¶58-60, 125-131 and 138-144, AB, Tab 7.

- (c) as part of their “basic” service, certain Canadian programming services that are deemed to be of national importance, such as Aboriginal Peoples’ Television Network and AMI-tv, a described video service for blind and vision impaired Canadians.<sup>12</sup>

19. By way of further example, the CRTC can require that Programming Undertakings meet minimum exhibition and expenditure requirements for Canadian programming, public interest programming and children’s programming.<sup>13</sup>

20. The appeal only asserts that the CRTC cannot directly regulate the economic terms of the carriage relationship between Programming and Distribution Undertakings, by purporting to create a new user right that overrides the “sole right” of Programming Undertakings to authorize the public telecommunication of their copyrighted programs and set the price and commercial terms under which such retransmission is licensed.

21. Bell therefore requests that the Wholesale Code, and in particular the Implementing Order, be set aside.

## **2. The Facts**

### **A. Regulatory Background**

22. Bell owns television, radio and digital multimedia assets, and is thus a Programming Undertaking within the meaning of the *Broadcasting Act*.

23. The *Broadcasting Act* is careful to separate the powers given to the CRTC in relation to Programming and Distribution Undertakings respectively. The CRTC has combined them in promulgating the Wholesale Code.

#### **i. The *Broadcasting Act***

24. Under the *Broadcasting Act*, Programming Undertakings create or acquire “programs” as defined in that Act. Distribution Undertakings, like cable and satellite

---

<sup>12</sup> *Applications for mandatory distribution on cable and satellite under section 9(1)(h) of the Broadcasting Act – Broadcasting Regulatory Policy CRTC 2013-372*, 8 August 2013, ¶3, 26, 64, 71 and 77.

<sup>13</sup> *Let’s Talk TV: The way forward - Creating compelling and diverse Canadian programming – Broadcasting Regulatory Policy CRTC 2015-86*, 12 March 2015, ¶190-198, 213-225 and 288-299, AB, Tab 8.

companies, license the rights from Programming Undertakings to retransmit those programs to the public.<sup>14</sup>

25. Section 9(1)(h) of the *Broadcasting Act*, which is the only power-granting provision cited by the CRTC here,<sup>15</sup> is limited to orders against Distribution Undertakings, not Programming Undertakings as the CRTC purports to target in the Wholesale Code:

9. (1) Subject to this Part, the Commission may, in furtherance of its objects,

...  
(h) require any licensee who is authorized to carry on *a distribution undertaking* to carry, on such terms and conditions as the Commission deems appropriate, programming services specified by the Commission. [*emphasis added*]

ii. **The Copyright Act**

26. The *Copyright Act* gives Programming Undertakings the “*exclusive right*” and the “*sole right*” to authorize the public telecommunication of their copyrighted programs. As the Supreme Court said in *Cogeco*:

... *The broadcaster*, as a corporation, *may hold copyright in the* pre-recorded program or compilation of *programs carried in its signals*...

...  
*The Copyright Act in s. 3(1)(f) confers on the owner of copyright in a work the exclusive right to communicate it to the public by telecommunication.* Section 3(1)(f) provides:

3. (1) For the purposes of this Act, "copyright", in relation to a work, means *the sole right* ...

...  
(f) in the case of any literary, dramatic, musical or artistic work, *to communicate the work to the public by telecommunication,*

...  
[*and to authorize any such acts.*]<sup>16</sup>

27. It is pursuant to this sole right of authorization in s. 3(1) of the *Copyright Act* that Programming Undertakings make their copyrighted material available to Distribution Undertakings pursuant to contracts. This is expressly permitted by s.

---

<sup>14</sup> *Broadcasting Act*, s. 2(1), s.v., “distribution undertaking” and “programming undertaking”. A similar distinction exists in the *Copyright Act*: see s. 2, s.v., “broadcaster” and s. 31(1), s.v., “retransmitter”.

<sup>15</sup> BRP 2015-438, ¶19, 23, 136, AB, Tab 5; Implementing Order, AB, Tab 4; Information Bulletin, ¶5, AB, Tab 3.

<sup>16</sup> *Cogeco*, *supra* note 4, ¶51 and 53, *emphasis added*. This includes the exclusive right to authorize the public telecommunication of works through *multiple distribution platforms*: *Broadcasting Act*, s. 2.4(1.1).

13(4) of the *Copyright Act*, which expands s. 3(1) (quoted in the *Cogeco* passage above) by allowing Programming Undertakings to “wholly or partially” license “any interest” in their sole right:

[13](4) *The owner of the copyright in any work may assign the right, either wholly or partially, and either generally or subject to limitations relating to territory, medium or sector of the market or other limitations relating to the scope of the assignment, and either for the whole term of the copyright or for any other part thereof, and may grant any interest in the right by licence... [emphasis added]*

28. Distribution Undertakings are not granted any user rights in relation to these copyrights of Programming Undertakings other than in s. 31(2), which is limited to programs in *over-the-air* signals. Specifically, Distribution Undertakings have no right to retransmit the copyright owner’s programs when carried in *pay and specialty* signals, yet the Wholesale Code creates such rights here.

#### B. The Wholesale Code

29. Prior to the Wholesale Code and the Implementing Order, there was no general scheme of mandatory CRTC rules in relation to all contracts, or “Affiliation Agreements”, which governed the copyright licences between Programming and Distribution Undertakings. Instead, there was a voluntary code of conduct, supplemented in some cases by individual licence conditions.<sup>17</sup>

30. On September 24, 2015, the CRTC released the Wholesale Code, which applies to contracts in relation to programs carried in *pay and specialty* signals.<sup>18</sup> Three features are noteworthy here.

---

<sup>17</sup> *Regulatory framework relating to vertical integration* – Broadcasting Regulatory Policy CRTC 2011-601. 21 September 2011, ¶89 and 93-95, AB, Tab 15. This instrument was later amended by the CRTC in *Regulatory framework relating to vertical integration – Correction*, Broadcasting Regulatory Policy CRTC 2011-601-1. 14 October, 2011, AB, Tab 14.

<sup>18</sup> The Implementing Order makes the Wholesale Code “applicable to *all licensed undertakings* other than radio programming undertakings”: BRP 2015-438, ¶19, AB, Tab 5. This includes programming undertakings who provide pay and specialty services, since licensed programming undertakings include those which carry on “a pay television programming undertaking or a pay television network” and “a specialty programming undertaking or a specialty services network”: *Pay Television Regulations, 1990*, s. 2(1), s.v. “licensee”; *Specialty Services Regulations, 1990*, s. 2, s.v. “licensee”. See also BRP 205-438, ¶91 (“[T]he commission finds that the packaging sections should apply to the distribution of premium pay services”). Indeed, the CRTC made the Wholesale Code applicable to certain other services precisely because of their similarity to pay and specialty ones: Information Bulletin, ¶5, AB, Tab 3 (“For clarity, [the Wholesale Code] is binding on licensed video-on-demand (VOD) and pay audio services, as these services are carried by BDUs and operate similarly to pay and specialty television services”).

31. *First*, the Wholesale Code permits the CRTC to prohibit any copyright licence fees and commercial terms sought by Programming Undertakings that the CRTC, in its sole discretion, considers “commercially unreasonable”. BRP 2015-438, as part of the Wholesale Code, states:

4. *The following provisions are prohibited in any affiliation agreement between a programming undertaking, a BDU, or an exempt digital media undertaking:*

...  
d. *veto rights by programming undertakings of BDU packaging changes;*

...  
g. *minimum penetration, revenue or subscription levels...*

5. *A programming undertaking, BDU, or exempt digital media undertaking shall not require that a party accept terms or conditions for the distribution of programming that are commercially unreasonable, such as*

a. *requiring an unreasonable rate (e.g., not based on fair market value);*

...  
e. *imposing unreasonable terms and conditions that restrict the ability of a BDU to provide consumer choice; and*

f. *imposing unreasonable terms and conditions that restrict a programming service or BDU from providing programming on multiple distribution platforms.*

6. *In negotiating a wholesale rate for a programming service based on fair market value, a programming undertaking, BDU, or exempt digital media undertaking shall take into consideration the following factors...*<sup>19</sup>

32. Thus, the Wholesale Code prevents Programming Undertakings from exercising their rights in ss. 3(1) and 13(4) of the *Copyright Act*, those being the “sole right” to authorize retransmission of their copyrighted material, and to set the prices and terms for this with no user exception for Distribution Undertakings in relation to programs carried in pay and specialty signals. Instead, the Wholesale Code confers that power upon the *CRTC* and enables the CRTC to enforce its decisions as to price

---

<sup>19</sup> BRP 2015-438, Appendix (and ¶72-76), AB, Tab 5, *emphasis added*. See also Information Bulletin, ¶10-11, 18, 20, 22 and 29-33, AB, Tab 3.

and terms through the dispute resolution processes provided for by its existing regulations.<sup>20</sup>

33. *Second*, the preamble to the Wholesale Code is clear that its intention is to directly regulate the economic terms of the carriage relationship between Programming and Distribution Undertakings:

***This code sets out the general provisions that shall govern the commercial arrangements between broadcasting distribution undertakings (BDUs), programming undertakings, and exempt digital media undertakings.***<sup>21</sup>

34. *Third*, this is a colourable attempt by the CRTC to circumvent the fact that s. 9(1)(h) of the *Broadcasting Act* does not authorize orders against Programming Undertakings.

35. The Implementing Order purports to apply only to Distribution Undertakings, but is aimed at *contracts* (“affiliation agreements”) between Programming and Distribution Undertakings:

***Pursuant to section 9(1)(h) of the Broadcasting Act*** (the Act), the Commission orders licensees of broadcasting distribution undertakings to distribute the programming of licensed programming undertakings, on the following terms and conditions:

1. ***This order applies to all licensed distribution undertakings, including terrestrial and direct-to-home distribution undertakings. These licensees are collectively referred to in this order as “distribution licensees.”***
2. Effective 22 January 2016:

---

<sup>20</sup> Current CRTC regulations permit a Distribution Undertaking to refer a dispute with a Programming Undertaking to the CRTC that concerns the terms of carriage, including the wholesale rate. Upon such a referral, the CRTC may make a binding determination of the wholesale rate by final offer arbitration (and of any terms that are not exclusively monetary by an expedited hearing) in which it applies the Wholesale Code factors. In cases where the Distribution Undertaking is retransmitting the program without an Affiliation Agreement (as the regulations permit where the program is a new one, or an existing one for which the parties’ Affiliation Agreement has expired during their carriage dispute), the CRTC’s determination will be retroactive to the date when the Distribution Undertaking first began to distribute the programming. In such cases, the Programming Undertaking will be required to provide the Distribution Undertaking with what is effectively a compulsory licence on the prices and terms established under the Wholesale Code: BRP 2015-438, Appendix, AB, Tab 5; Information Bulletin, ¶3 and 35-36, AB, Tab 3; *Broadcasting Distribution Regulations*, ss. 12(1), 12(9), 12(10), 15, 15.01 and 15.02; *Pay Television Regulations, 1990*, ss. 6.3 6.4(1), 6.4(4), 6.4(5) and 7; *Specialty Services Regulations, 1990*, ss. 10.3, 10.4(1), 10.4(4), 10.4(5) and 11; *Practices and procedures for staff-assisted mediation, final offer arbitration, and expedited hearings – Broadcasting and Telecom Information Bulletin CRTC 2013-637, 28 November 2013*, ¶17 and 27, AB, Tab 10; *Regulatory framework relating to vertical integration – Broadcasting Regulatory Policy CRTC 2011-601, 21 September 2011*, ¶70 and 98-99, AB, Tab 15.

<sup>21</sup> BRP 2015-438, Appendix, AB, Tab 5, *emphasis added*. See also Information Bulletin, ¶3, AB, Tab 3.



...  
b. *Each distribution licensee may only distribute a licensed programming undertaking if:*

i. *the licensed programming undertaking has entered into an affiliation agreement with the distribution licensee that complies with the Wholesale Code and that includes a clause requiring the licensed programming undertaking to abide by the provisions of the Wholesale Code; or*

ii. *the licensed programming undertaking is subject to a condition of licence that requires it to abide by the Wholesale Code.*<sup>22</sup>

36. That the Code is aimed at *both* Programming and Distribution Undertakings is explicitly acknowledged by the CRTC in each of BRP 2015-438 and the Information Bulletin.

37. BRP 2015-438 states:

*...[T]he Wholesale Code shall be binding on licensed distribution and programming undertakings by means of an order issued pursuant to section 9(1)(h) of the Act. Through this order, the Wholesale Code will be *applicable to all licensed undertakings* other than radio programming undertakings. ...*

*The Commission has issued this 9(1)(h) order today in Broadcasting Order 2015-439.*<sup>23</sup>

38. Similarly, the Information Bulletin provides:

*The Code is binding on licensed distribution and programming undertakings by means of an order (Broadcasting Order 2015-439) issued pursuant to section 9(1)(h) of the Broadcasting Act (the Act).*<sup>24</sup>

## PART II—POINTS IN ISSUE

39. The issues in this appeal are whether the Wholesale Code is *ultra vires* by:

- (a) conflicting with the *Copyright Act*; and
- (b) exceeding the CRTC's jurisdiction under s. 9(1)(h) of the *Broadcasting Act*.

---

<sup>22</sup> Implementing Order, AB, Tab 4, *emphasis added*.

<sup>23</sup> BRP 2015-438, ¶19-20, AB, Tab 5, *emphasis added*.

<sup>24</sup> Information Bulletin, ¶5 (and ¶3), AB, Tab 3, *emphasis added*.

### PART III—SUBMISSIONS

#### 1. The Wholesale Code Conflicts With the *Copyright Act*

##### A. Cogeco Is Directly Applicable Here

40. The Supreme Court's decision in *Cogeco* is dispositive of this appeal.

41. In *Cogeco*, the CRTC proposed a "value-for signal" regime that permitted local television stations to prohibit retransmission of their programs in over-the-air signals, captured and retransmitted by cable or satellite Distribution Undertakings, unless the parties agreed on a price.<sup>25</sup> The Supreme Court of Canada held that such a regime was *ultra vires* the CRTC.

42. The Supreme Court was clear that the CRTC has no jurisdiction to make s. 9(1)(h) orders that conflict with the *Copyright Act*:

...[T]he broadcasters submit that ss. 9(1)(b)(i) and 9(1)(h) empower the CRTC to dictate the terms of the carriage relationship between broadcasters and BDUs, in furtherance of Canadian broadcasting policy...

...  
...[A]n open-ended power to insert "such terms and conditions as the [regulatory body] deems appropriate" (s. 9(1)(h)) cannot be read in isolation...

...  
...[T]he open-ended jurisdiction-conferring provisions of the Broadcasting Act cannot be interpreted as allowing the CRTC to create conflicts with the Copyright Act.

...  
...[T]his Court has recognized *two types of conflict*. *Operational conflict arises when there is an impossibility of compliance with both provisions*. The other type of conflict is incompatibility of purpose. In the latter type, there is no impossibility of dual compliance with the letter of both laws; rather, the conflict *arises because applying one provision would frustrate the purpose intended by Parliament in another*. ...

... The CRTC's powers to impose licensing conditions and make regulations should be understood as constrained by each type of conflict. Namely, in seeking to achieve its objects, *the CRTC may not choose means that either operationally conflict with specific provisions of the Broadcasting Act, the Radiocommunication Act, the Telecommunications Act, or the Copyright Act; or which would be incompatible with the purposes of those Acts*.<sup>26</sup>

<sup>25</sup> *Cogeco*, supra note 4, ¶7.

<sup>26</sup> *Cogeco*, supra note 4, ¶20, 29, 39 and 44-45 (and ¶2, 30-31 and 78), underlining in original, bolding and italics added.

43. The Court concluded that the CRTC's proposed regime conflicted with the purpose of the *Copyright Act*, since it gave television stations a "functionally equivalent" copyright that upset Parliament's careful balancing of owner and user rights between Programming and Distribution Undertakings:

*... This Court has characterized the purpose of the Copyright Act as a balance between authors' and users' rights. The same balance applies to broadcasters and users. ...*

*... It would be incoherent for Parliament to set up a carefully tailored signals retransmission right in the Copyright Act... only to enable a subordinate legislative body to enact a functionally equivalent right through a related regime. The value for signal regime would upset the aim of the Copyright Act to effect an appropriate "balance..."*

*... [A]lthough the exception to copyright infringement established in s. 31 on its face does not purport to prohibit another regulator from imposing conditions, directly or indirectly, on the retransmission of works, it is necessary to look behind the letter of the provision to its purpose, which is to balance the entitlements of copyright holders and the public interest in the dissemination of works. The value for signal regime would effectively overturn the s. 31 exception to the copyright owners' s. 3(1)(f)... right. It would disrupt the balance established by Parliament.*

*The recent legislative history... supports the view that Parliament made deliberate choices in respect of copyright and broadcasting policy. ...*

*The value for signal regime would rewrite the balance between the owners' and users' interests as set out by Parliament in the Copyright Act. Because the CRTC's value for signal regime is inconsistent with the purpose of the Copyright Act, it falls outside of the scope of the CRTC's licensing and regulatory jurisdiction under the Broadcasting Act.*

*... Describing this new right granted to broadcasters under the value for signal regime as a series of regulatory changes does not alter the true character of the right being created. ...<sup>27</sup>*

44. This case is the mirror image of *Cogeco*.

45. Here, rather than giving *Programming Undertakings* the functional equivalent of a *copyright*, the Wholesale Code gives *Distribution Undertakings* the functional equivalent of a *user right*.

---

<sup>27</sup> *Cogeco*, *supra* note 4, ¶¶64, 67, 70-71, 76 and 82 (and ¶¶36, 43, 78 and 81), *emphasis added*.

46. It does so by restricting Programming Undertakings' "*sole right*" in ss. 3(1)(f) and 13(4) of the *Copyright Act* to set the price and terms for the retransmission of their programs carried in *pay and specialty* signals.

47. Indeed, the fact that the Wholesale Code purports to rebalance copyright owner and user rights is expressly acknowledged by the CRTC in both BRP 2015-438 and the Information Bulletin:

- risk and reward are shared between BDUs and programming services, *striking a fair balance between allowing BDUs to provide their subscribers with more choice and flexibility and ensuring reasonable and predictable levels of revenue for programming services;*

...

- appropriate wholesale fees and other terms of distribution are negotiated based on the fair market value of the service, *regardless of the ownership or other interests of either the BDU or programming service.*<sup>28</sup>

48. For the reasons below, the CRTC's attempt to rewrite Parliament's balance under the *Copyright Act* creates both operational and purpose conflicts that render the Wholesale Code *ultra vires*.

#### **B. The Wholesale Code Creates an Operational Conflict**

49. The Wholesale Code creates an operational conflict with the *Copyright Act* because the CRTC has arrogated to *itself* the power to set the price and commercial terms on which Programming Undertakings may license their programs to Distribution Undertakings.<sup>29</sup>

50. The Supreme Court was clear in *Cogeco* that "s. 3(1)(f) confers on the *owner of copyright* in a work the *exclusive right* to communicate it to the public by telecommunication".<sup>30</sup>

51. Section 3(1)(f) plainly states that the copyright owner has the "*sole right*" to authorize the public telecommunication of its works.

---

<sup>28</sup> BRP 2015-438, ¶2, AB, Tab 5, *emphasis added*; Information Bulletin, ¶2 and 4, AB, Tab 3, *emphasis added*.

<sup>29</sup> It is no answer to this conflict whether the Programming Undertakings can choose an alternative mode of program distribution not regulated by the CRTC: *Alberta (A.G.) v. Moloney*, [2015] 3 S.C.R. 327, ¶69-71.

<sup>30</sup> *Cogeco*, *supra* note 4, ¶53 (and ¶36 and 74).

52. This is reinforced by s. 27(1) of the *Copyright Act*, which exclusively recognizes the consent of *the copyright owner, not the CRTC*, as a defence to infringement:

27. (1) It is an infringement of copyright for any person to do, *without the consent of the owner of the copyright*, anything that by this Act only the owner of the copyright has the right to do. [*emphasis added*]

53. The *Copyright Act* creates a complete code for copyright infringements pursuant to s. 27(1) that is enforceable by the *courts*, not the CRTC.<sup>31</sup>

54. The operational conflict here is that the CRTC cannot set itself up as the ultimate arbiter of the price and commercial terms of carriage without violating the “sole right” provision in s. 3(1) of the *Copyright Act*.<sup>32</sup> If the CRTC were to insist on one price or term, and the Programming Undertaking another, it would not be possible to simultaneously comply with both ss. 3(1) and 13(4) of the *Copyright Act* and the Wholesale Code.

55. Indeed, the Supreme Court of Canada has recognized that the exclusive rights in ss. 3(1) and 13(4) include the ability to set the precise terms on which a licence of copyrighted material will issue. As Binnie J. held in *Théberge*:

... *The principal economic benefit to the artist or author was (and is) the "sole right to produce or reproduce the work or any substantial part thereof in any material form whatever" (s. 3(1))*... Consistently with this view, *such rights can be bought and sold either wholly or partially, and either generally or subject to territorial limitations, and either for the whole term of the copyright or for any part thereof* (s. 13(4)). ...<sup>33</sup>

56. Justice Rand made the same point over 60 years ago in *Muzak*:

...[T]he scope of copyright... is distributed into a number of interests both "vertical" and "horizontal". By s. 3 of the statute the copyright holder has the sole right "to produce, reproduce", say, a song in sheet form for ordinary

<sup>31</sup> *Copyright Act*, ss. 34(1), 41.24, 42(1) and 42(2.1).

<sup>32</sup> *Cogeco*, *supra* note 4, ¶36 (“*The Copyright Act... creates exclusive economic rights... typically in the nature of a statutory monopoly to prevent anyone from exploiting the work in specified ways without the copyright owner’s consent*”). See also *CCH Canadian Ltd. v. Law Society of Upper Canada*, [2004] 1 S.C.R. 339, ¶11 (“*[O]nly copyright owners have the right to copy or to authorize the copying of their works*”); *Nautical Data International, Inc. v. C-Map USA Inc.*, 2013 FCA 63, ¶10, leave to appeal refused, [2013] S.C.C.A. No. 183 (“*[S]ection 3 of the Copyright Act... is essentially a list of things that can be done in respect of a copyrighted work only by or with the consent of the copyright holder (necessarily including the consent of the copyright holder that is given by way of licence)*”).

<sup>33</sup> *Théberge v. Galerie d'Art du Petit Champlain inc.*, [2002] 2 S.C.R. 336, ¶12 (and ¶163), *emphasis added*.

sale; *to perform* it in public; *to make a record of it* by means enabling it to be performed mechanically; *to adapt and present it publicly* by cinematograph or radio communication. *These rights, again, may be limited to sale or production or performance in specified areas of specified countries and they may be exclusive to one person or open to the market.*<sup>34</sup>

57. Thus, in *Bishop*, the Supreme Court held that it is the *copyright holder*, not a third party or, as here, a regulator unconnected with the *Copyright Act* scheme, who chooses the specific conditions on which it will license users:

*...[Section] 3(1)... lists a number of distinct rights belonging to the copyright holder. ...*

*The right to perform* (including radio broadcast), *and the right to make a recording, are separately enumerated in s. 3(1)*. They are distinct rights...

...

... A composer who authorizes performance of his work... *may choose at a future time to withdraw his authorization*, and be the sole interpreter of his own work, *or he may place conditions on his authorization. He may control the frequency of performance, and choose the audiences which are to hear his work.* ...[I]n practice *a composer may wish to authorize performances but not recordings of his work.*<sup>35</sup>

58. The operational conflict created by the CRTC strikes at the heart of the *Copyright Act*, which is designed precisely to grant copyright owners the economic rights that are denied to Programming Undertakings under the Wholesale Code:

... This Court has in fact stressed the importance placed on the economic aspects of copyright in Canada: *the Copyright Act deals with copyright primarily as a system designed to organize the economic management of intellectual property*, and regards *copyright primarily as a mechanism for protecting and transmitting the economic values associated with this type of property and with the use of it.* ...

... *The Act is primarily concerned with the economic management of copyright.*<sup>36</sup>

59. This operational conflict cannot be avoided through policy arguments about the expansive jurisdiction of the CRTC. The express terms of the *Copyright Act*, and

---

<sup>34</sup> *Muzak Corp. v. Composers, Authors, and Publishers Association of Canada*, [1953] 2 S.C.R. 182 at 188-189, *emphasis added*.

<sup>35</sup> *Bishop v. Stevens*, [1990] 1 S.C.R. 467 at 477 and 479, *emphasis added*. See also *Entertainment Software Association v. Society of Composers, Authors and Music Publishers of Canada*, [2012] 2 S.C.R. 231, ¶33-42.

<sup>36</sup> *Desputeaux v. Éditions Chouette (1987) inc.*, [2003] 1 S.C.R. 178, ¶57-58, *emphasis added*. See also *Théberge v. Galerie d'Art du Petit Champlain inc.*, [2002] 2 S.C.R. 336, ¶12; *Cogeco*, *supra* note 4, ¶36.

in particular the “sole right” provision in s. 3(1), are paramount. As Justice Rothstein said for the majority in *SODRAC*:

*... The scope of a right under the Copyright Act is determined, first and foremost, by the Act itself. ...*

...

*The ordinary meaning of the text of the Copyright Act indicates that broadcast-incidental copying activities do engage the reproduction right. As this Court held in Bishop, the text of s. 3(1) (d) covers such activity by its terms. ... The plain language of the statute itself establishes this much.*

...

*...[T]hough the principles of balancing user and right-holder interests and of technological neutrality are central to Canadian copyright law, they cannot change the express terms of the Copyright Act.*

*Abella J. is of the opinion that, in reaching this conclusion, these reasons employ a “literal approach to the interpretation of s. 3(1) (d), reading the words of the provision without the benefit of the purpose and context of the Act to ascertain its true meaning”: para. 170. It is rather my colleague who uses the principle of technological neutrality to displace the words Parliament has used. ...<sup>37</sup>*

### C. The Wholesale Code Creates a Purpose Conflict

60. The Wholesale Code is also in a purpose conflict with the *Copyright Act*. The *Copyright Act* establishes an exhaustive scheme that fully defines the rights of both copyright owners and users. As stated by the Supreme Court of Canada in *CCH*:

*In Canada, copyright is a creature of statute and the rights and remedies provided by the Copyright Act are exhaustive...*

...

*Canada's Copyright Act sets out the rights and obligations of both copyright owners and users. Part I of the Act specifies the scope of a creator's copyright and moral rights in works.*

*... The exceptions to copyright infringement, perhaps more properly understood as users' rights, are set out in ss. 29 and 30 of the Act. ...<sup>38</sup>*

61. The *Copyright Act* carefully describes the rights of copyright owners, which are limited by user rights in that *same Copyright Act* statute:

*The Copyright Act* is concerned both with encouraging creativity and providing reasonable access to the fruits of creative endeavour. These objectives are furthered by a carefully balanced scheme that *creates exclusive*

---

<sup>37</sup> *Canadian Broadcasting Corp. v. SODRAC 2003 Inc.*, [2015] 3 S.C.R. 615, ¶47, 49 and 51-52 (and ¶45-46 and 55), *emphasis added*.

<sup>38</sup> *CCH Canadian Ltd. v. Law Society of Upper Canada*, [2004] 1 S.C.R. 339, ¶9 and 11-12, *emphasis added*.

*economic rights for different categories of copyright owners in works or other protected subject matter, typically in the nature of a statutory monopoly to prevent anyone from exploiting the work in specified ways without the copyright owner's consent. It also provides user rights such as fair dealing and specific exemptions that enable the general public or specific classes of users to access protected material under certain conditions. ...*

...

*[u]nder the Copyright Act, the rights of the copyright owner and the limitations on those rights should be read together to give "the fair and balanced reading that befits remedial legislation". ...<sup>39</sup>*

62. It follows from the exhaustive nature of the *Copyright Act* that the CRTC cannot create new user rights outside that Act as it purports to do here, just as it could not create new copyrights in *Cogeco*. That is the consequence of the *Cogeco* decision:

... An exception may pre-empt the general theme of the law... But logically it should only do so as precisely as the legislators intended... After all, *an exception represents a balance that the Legislature has struck: Reference re Broadcasting Regulatory Policy CRTC 2010-167 and Broadcasting Order CRTC 2010-168, 2012 SCC 68* at para 70... *It is not for the courts to alter that balance.*<sup>40</sup>

63. The limited user retransmission right in s. 31 of the *Copyright Act* for programs in over-the-air signals is a good illustration. Parliament in s. 31 has considered the issue of retransmission rights, and provided that Distribution Undertakings only have a user right to retransmit programs without copyright owner authorization in *over-the-air* signals, not in *pay and specialty* signals. Indeed, the definition of "signal" in s. 31(1) of the *Copyright Act* makes clear that pay and specialty signals are deliberately excluded from the s. 31(2) user right:

31 (1) In this section,

...

*signal means a signal that carries a literary, dramatic, musical or artistic work and is transmitted for free reception by the public by a terrestrial radio or terrestrial television station. [emphasis added]*

64. The CRTC has itself recognized this limitation on s. 31 in its submissions to Cabinet:

---

<sup>39</sup> *Cogeco*, *supra* note 4, ¶36 and 66, *emphasis added*.

<sup>40</sup> *Thomas v. Edmonton (City)*, 2016 ABCA 57, ¶28, *emphasis added*.



*[T]he compulsory licence scheme set out in section 31 of the Copyright Act applies only to the retransmission of local and distant signals. The compulsory licence is not available for the retransmission of specialty and pay services... Accordingly, specialty and pay services... generally negotiate on a one-to-one basis with cable companies and other BDUs regarding the distribution of their signals.*<sup>41</sup>

65. Further, even for over-the-air signals, s. 31 carefully circumscribes the retransmission user right, and requires that *detailed criteria* be satisfied. As stated in *Cogeco*:

The *Copyright Act* in s. 3(1)(f) confers on the owner of copyright in a work the exclusive right to communicate it to the public by telecommunication. ...

These general words would at first blush *confer on the copyright owner, including a broadcaster in that capacity, the right to control the retransmission of the works* in which it holds copyright. However, s. 31(2) of the *Copyright Act* *proceeds in detailed fashion to circumscribe the right of copyright owners to control the retransmission of literary, dramatic, musical or artistic works carried in signals.* ...

Section 31(2) provides:

[31](2) *It is not an infringement of copyright* for a retransmitter to communicate to the public by telecommunication any literary, dramatic, musical or artistic work *if*

(a) *the communication is a retransmission of a local or distant signal;*

(b) the retransmission is *lawful under the Broadcasting Act;*  
[and]

...

(d) in the case of the retransmission of a distant signal, the retransmitter has *paid any royalties... fixed under this Act;*

...

Read together, ss. 31(1) and 31(2) *create an exception to the exclusive right of the copyright owners* of... works to control the communication of their works to the public by telecommunication. The exception, or *user's right*, in effect, entitles BDUs to retransmit those works without the copyright owners' consent, *where the conditions set out in paras. (a) through (e) are met.* ...

In the case of works carried in distant signals only, the section provides copyright owners with a right to receive royalties as payment for the simultaneous retransmission of those works by a BDU. *The royalties are determined by the Copyright Board...*

---

<sup>41</sup> *Internet retransmission: Report to the Governor in Council pursuant to Order in Council P.C. 2002-1043 – Broadcasting Public Notice CRTC 2003-2, 17 January 2003, Appendix B, emphasis added.*

... *On the one hand, the copyright owner is granted a general right to retransmit the work.* This retransmission right is part of the right, *under s. (3)(1)(f)*, to communicate the work by telecommunication to the public. *On the other hand, the owner's general right to retransmit is restricted by a carve-out in s. 31(2)...*<sup>42</sup>

66. Parliament's decision to limit the s. 31 user right to works in over-the-air signals was deliberately done to implement the *Canada-U.S. Free Trade Agreement*. As stated in *Cogeco*:

... The predecessor to the current s. 3(1)(f) guaranteed copyright holders an exclusive right to communicate works by radio communication. Jurisprudence interpreted the radio communication right as excluding transmissions by cable.... *Section 3(1)(f) was amended in 1988 to confer the exclusive right to "communicate the work to the public by telecommunication" to reflect the obligations entered into by Canada under the Free Trade Agreement...* *The change from radio communication to telecommunication meant that cable companies were now liable for copyright infringement when they communicate copyright-protected works to the public.*

...[A]t the same time, Parliament specifically addressed the question of whether the simultaneous retransmission of *works carried in local and distant television signals* should require the consent of the copyright owner: *it adopted the compulsory licence and exception regime by way of ss. 31...*<sup>43</sup>

67. Essentially, Art. 2006(1) of the *Free Trade Agreement* required that copyright owners only have a right to "remuneration" (i.e., small royalties set by the Copyright Board) for the retransmission of works in *over-the-air* signals. At the same time, Art. 2006(2)(a) required that copyright owners be free to *refuse to authorize* the retransmission of works in *all other* signals, i.e., *pay and specialty* signals:

#### Article 2006: Retransmission Rights

1. Each Party's copyright law shall provide a copyright holder of the other Party with a right of equitable and non-discriminatory remuneration for any retransmission to the public of the copyright holder's program where the original transmission of the program is carried in distant signals intended for free, over-the-air reception by the general public. ...

<sup>42</sup> *Cogeco*, supra note 4, ¶53-58, underlining in original, bolding and italics added.

<sup>43</sup> *Cogeco*, supra note 4, ¶74-75, underlining in original, bolding and italics added. See also *Entertainment Software Association v. Society of Composers, Authors and Music Publishers of Canada*, [2012] 2 S.C.R. 231, ¶24 ("The 1988 amendments to the Copyright Act found at ss. 61 to 65 of the *Canada-United States Free Trade Agreement Implementation Act*, were enacted in order to give effect to Articles 2005 and 2006 of the 1987 *Canada-U.S. Free Trade Agreement*").

2. *Each Party's copyright law shall provide that:*

a) *retransmission to the public of program signals not intended in the original transmission for free, over-the-air reception by the general public shall be permitted only with the authorization of the holder of copyright in the program;*  
... [emphasis added]

68. Therefore, the user right in s. 31(2) of the *Copyright Act* was intended to implement Art. 2006 of the *Canada-U.S. Free Trade Agreement*, and *preserve* the copyright in works carried in *pay and specialty* signals. The House of Commons Standing Committee on Communications and Culture recognized this in 1988:

*... Where the retransmission to the public of program signals was not intended in the original transmission for free, over-the-air reception by the general public, Article 2006(2)(a) provides that retransmission shall be permitted only with the authorization of the copyright holder in the program. Examples of this would include pay television signals, closed circuit transmissions to theatres, background music services intended for subscription use, and satellite-to-cable services involving original transmissions intended for cable homes only.*<sup>44</sup>

69. Parliament had important policy reasons for this. Local and distant signals were *already* free to anyone with an antenna, so a user exception would advance Canadian broadcasting objectives without significantly intruding upon copyright:

... BDUs, such as cable or satellite television service providers, pick up the *over-the-air signals* of broadcasters and distribute them to the BDUs' subscribers for a fee. Even though *broadcasters' signals are free to anyone equipped with a television and an antenna, more than 90 percent of Canadians receive these signals as part of their cable service...*

...  
Parliament... adopted the compulsory licence and exception regime by way of *ss. 31...* Studies on the same question had preceded this enactment; there, too, a major concern was that *copyright owners "should not be permitted to stop retransmission because this activity is too important to Canada's communications system"* ...<sup>45</sup>

70. By contrast, pay and specialty signals were never been intended to be free. As the Ministers of Communications and Consumer and Corporate Affairs said in 1984:

---

<sup>44</sup> House of Commons Standing Committee on Communications and Culture, *Fifteenth Report to the House: A Broadcasting Policy for Canada* (Hull, Quebec: Queen's Printer for Canada, 1988) at 341-342, *underlining in original, bolding and italics added.*

<sup>45</sup> *Cogeco*, *supra* note 4, ¶4 and 75, *emphasis added.*

*With respect to non-broadcast retransmission, such as Pay-TV or local cable programming, the considerations differ. Programs directed by the originator to paying subscribers not intended for reception by the general public. This essentially private arrangement does not involve the public policy considerations applicable to the transmission of public broadcast signals.*<sup>46</sup>

71. The situation here is thus the same as in *Cogeco*, where the Supreme Court found that the CRTC exceeded its jurisdiction by giving broadcasters a copyright which Parliament withheld under the *Copyright Act*:

...[T]he value for signal regime conflicts with s. 21(1) of the *Copyright Act* because *it would grant broadcasters a retransmission authorization right against BDUs that was withheld by the scheme of the Copyright Act.*

...  
... *It would be incoherent for Parliament to set up a carefully tailored signals retransmission right in the Copyright Act, specifically excluding BDUs from the scope of the broadcasters' exclusive rights over the simultaneous retransmission of their signals, only to enable a subordinate legislative body to enact a functionally equivalent right through a related regime. The value for signal regime would upset the aim of the Copyright Act...*<sup>47</sup>

72. The Supreme Court reached a similar conclusion in *SODRAC*, where it ruled that the s. 3(1)(d) copyright extended to broadcast-incidental copies because they fell outside the ss. 30.8 and 30.9 user right for ephemeral recordings:

The broader statutory context of the Act further provides strong indications that *the legislature intended for broadcast-incidental copies to engage the reproduction right. Most significantly, ss. 30.8 and 30.9... establish specific circumstances in which "[i]t is not an infringement of copyright" to make copies to facilitate broadcasting... In order to gain the benefit of ss. 30.8 or 30.9, broadcasters must meet a list of stringent conditions concerning, among other things, the timing, record keeping, and destruction of the copies. As counsel for CBC acknowledged during the hearing before this Court, CBC's broadcast-incidental copying activities do not fit within the language of ss. 30.8 or 30.9...*

...  
... *Abella J. writes that these exceptions are not to be understood as a "comprehensive statement on the content of the reproduction right, or which kinds of copies will trigger it":* para. 175. But before ss. 30.8 and

---

<sup>46</sup> Consumer and Corporate Affairs Canada and the Department of Communications, *From Gutenberg to Telidon: A White Paper on Copyright: Proposals for the Revision of the Canadian Copyright Act* (Hull, Quebec: Minister of Supply and Services Canada, 1984) at 111 (and 90 and 109-110), *emphasis added*.

<sup>47</sup> *Cogeco*, *supra* note 4, ¶62 and 67 (and ¶71-73, 78 and 81), *underlining in original, bolding and italics added*.

30.9 received royal assent, broadcasters asked Parliament to expand their scope. In their view, ss. 30.8 and 30.9 unduly favoured the rights of copyright holders. The pleas of the broadcasters, however, went unanswered... Thus, *the scope of ss. 30.8 and 30.9 was specific and deliberate. Parliament could have adopted broader provisions. It chose not to. It is not for the Court to do by "interpretation" what Parliament chose not to do by enactment.*<sup>48</sup>

73. Indeed, it is instructive in this appeal that one of the criteria for the s. 31 user right in *over-the-air* signals is that the retransmission be "lawful under the *Broadcasting Act*" (s. 31(2)(b)).

74. Thus, where Parliament intends the CRTC to have a role in administering copyright exceptions in relation to retransmission rights, such as in the s. 31 user right for over-the-air signals, it expressly cross-references the *Broadcasting Act* in the *Copyright Act* itself. There is no similar carve-out for the CRTC in relation to *pay and specialty signals*.

75. It is also noteworthy that royalties in relation to over-the-air signals in s. 31(2)(d) are fixed by the *Copyright Board*, not the CRTC.<sup>49</sup> As this Court has held before, "[r]oyalty-setting is within the exclusive jurisdiction of the [*Copyright Board*]."<sup>50</sup>

76. By creating a new user right for Distribution Undertakings in pay and specialty signal programs, the CRTC has brought the Wholesale Code into both operational and purpose conflict with the *Copyright Act*. It is therefore *ultra vires*.

## **2. The Wholesale Code Is Not Authorized by the *Broadcasting Act***

77. Even apart from the *Copyright Act*, the Wholesale Code is *ultra vires* the CRTC's statutory grant of authority under s. 9(1)(h) of the *Broadcasting Act*.

78. As the Supreme Court held in *Cogeco*:

---

<sup>48</sup> *Canadian Broadcasting Corp. v. SODRAC 2003 Inc.*, [2015] 3 S.C.R. 615, ¶50 and 53, *underlining in original, bolding and italics added*.

<sup>49</sup> See also ss. 71-76 of the *Copyright Act*.

<sup>50</sup> *Society of Composers, Authors and Music Publishers of Canada v. Canadian Assn. of Internet Providers*, [2002] 4 F.C. 3 (C.A.), ¶85, *var'd on other grounds*, [2004] 2 S.C.R. 427, *emphasis added*. See also *Neighbouring Rights Collective of Canada v. Society of Composers, Authors and Music Publishers of Canada*, [2004] 1 F.C.R. 303 (C.A.), ¶64; *Rogers Communications Inc. v. Society of Composers, Authors and Music Publishers of Canada*, [2012] 2 S.C.R. 283, ¶12 (and ¶20) ("*[T]he core of the Board's mandate is 'the working out of the details of an appropriate royalty tariff'*").

In substance, *the value for signal regime would regulate the economic relationships between BDUs and broadcasters. ...*

*No provision of the Broadcasting Act expressly grants jurisdiction to the CRTC to implement the proposed regime. However, the broadcasters submit that ss. 9(1)(b)(i) and 9(1)(h) empower the CRTC to dictate the terms of the carriage relationship between broadcasters and BDUs, in furtherance of Canadian broadcasting policy ...*

...  
*...[A]n open-ended power to insert "such terms and conditions as the [regulatory body] deems appropriate" (s. 9(1)(h)) cannot be read in isolation...*

However, *the broadcasters submit that... s. 9(1)(h), which empowers the CRTC to require a licensed BDU "to carry ... programming services specified by the Commission", together with the broad wording of ss. 10(1)(k) and 9(1)(b)(i), empower the CRTC to "dictate the terms of the carriage relationship between broadcasters and BDUs"...*

*I cannot agree. ...*<sup>51</sup>

79. Three points about *Cogeco* are noteworthy here.

80. *First*, the *Cogeco* decision was based upon the principle that the CRTC cannot regulate the direct economic terms of the carriage relationship between Programming and Distribution Undertakings:

... In my opinion, *none of the specific fields for regulation set out in s. 10(1) pertain to the creation of exclusive rights for broadcasters to authorize or prohibit the distribution of signals or programs, or to control the direct economic relationship between the BDUs and the broadcasters.*

However, *the broadcasters submit that s. 10(1)(g)... and s. 9(1)(h)... together with the broad wording of ss. 10(1)(k) and 9(1)(b)(i), empower the CRTC to "dictate the terms of the carriage relationship between broadcasters and BDUs"...*

*I cannot agree. ...[I]t is a far cry from concluding that, coupled with ss. 10(1)(k) and 9(1)(b)(i), they entitle the CRTC to create exclusive control rights for broadcasters.*<sup>52</sup>

81. *Second*, the Supreme Court reached this conclusion despite the "wide discretion" given to the CRTC:<sup>53</sup>

---

<sup>51</sup> *Cogeco*, *supra* note 4, ¶19-20 and 29-31, *emphasis added*. See also *Capital Cities Communications Inc. v. C.R.T.C.*, [1978] 2 S.C.R. 141 at 169.

<sup>52</sup> *Cogeco*, *supra* note 4, ¶29-31, *emphasis added*.

<sup>53</sup> The *Cogeco* majority also did so the face of the prior case law purporting to uphold its jurisdiction over direct economic regulation cited by the dissent: *Cogeco*, *supra* note 4, ¶102-106 (and ¶93-101 and 122).

*The Broadcasting Act grants the CRTC wide discretion to implement regulations and issue licences with a view to furthering Canadian broadcasting policy as set out in the *Broadcasting Act*. ...*

...  
*There is no doubt that the licensing and the regulation-making powers granted to the CRTC are broad. ...*

...  
*...[T]he provisions on which the broadcasters seek to rely in this case... consist of a general power to make regulations under s. 10(1)(k) and a broad licensing power under s. 9(1)(b)(i). ...*<sup>54</sup>

82. *Third*, the Supreme Court held that the value-for-signal CRTC's regime could not be justified on the basis that the CRTC sought to achieve a policy objective in s. 3(1). Those s. 3(1) policy objects cannot shore up a lack of jurisdiction in the licensing and regulation-making powers in ss. 9-10:

In its 2010 Policy, *the CRTC determined*:

*...in order to fulfil the policy objectives set out in section 3(1) of the Act, the system needs revision...*

...  
*Policy statements, such as the declaration of Canadian broadcasting policy found in s. 3(1) of the *Broadcasting Act*, are not jurisdiction-conferring provisions.* They describe the objectives of Parliament in enacting the legislation and, thus, they circumscribe the discretion granted to a subordinate legislative body... As such, *declarations of policy cannot serve to extend the powers of the subordinate body to spheres not granted by Parliament in jurisdiction-conferring provisions.*

In my opinion, *to find jurisdiction, it was not sufficient for the CRTC to refer in isolation to policy objectives in s. 3 and deem that the proposed value for signal regime would be beneficial for the achievement of those objectives.* ... It is therefore *necessary to consider the jurisdiction granted to the CRTC under ss. 9 and 10 of the Act* to attach conditions to licences and to make regulations.

...  
*...CKOY cannot stand for the proposition that establishing any link, however tenuous, between a proposed regulation and a policy objective in s. 3 of the Act is a sufficient test for conferring jurisdiction on the CRTC. ...*

...  
*Were the only constraint on the CRTC's powers under s. 10(1) to be found in whether the enacted regulation goes towards a policy objective in s. 3(1), the only limit to the CRTC's regulatory power would be its own discretionary*

---

<sup>54</sup> *Cogeco*, supra note 4, ¶2, 15 and 27, *emphasis added*.

determination of the wisdom of its proposed regulation in light of any policy objective in s. 3(1). *This would be akin to unfettered discretion.* ...<sup>55</sup>

83. As in *Cogeco*, s. 9(1)(h) does not authorize the Wholesale Code. Indeed, the plain terms of s. 9(1)(h) only grant the CRTC powers in relation to “**Distribution Undertakings**”, not the **Programming Undertakings** which the Wholesale Code purports to regulate in regard to their *economic carriage requirements*. As the Supreme Court said in *Cogeco*:

... *On their face, ss. 9(1)(h) and 10(1)(g) could, for example, allow the CRTC to require the BDUs to distribute to Canadians certain types of programs, arguably, because they are deemed to be important for the country’s cultural fabric. However, it is a far cry from concluding that, coupled with ss. 10(1)(k) and 9(1)(b)(i), they entitle the CRTC to create exclusive control rights for broadcasters.*

... *The Broadcasting Act has a primarily cultural aim.* ... Parliament must be presumed to have empowered the CRTC to work towards implementing these *cultural objectives*...<sup>56</sup>

84. This limitation of s. 9(1)(h) to Distribution Undertakings rather than Programming Undertakings was clearly known to the CRTC. Yet as discussed at paragraphs 35-38 above, it drafted each of the three (3) constituent elements of the Wholesale Code to regulate the *contracts* between Programming and Distribution Undertakings<sup>57</sup> and to *expressly bind Programming Undertakings*.<sup>58</sup>

85. This limitation of s. 9(1)(h) to Distribution Undertakings is not simply a technical one.

86. The purpose of s. 9(1)(h) is to ensure that **Distribution Undertakings** do not abuse their “gatekeeper” status to block Programming Undertakings from accessing viewers. The House of Commons Standing Committee emphasized this in 1987:

...[N]othing is more important to broadcasting policy than the principles and regulations governing the channels that cable television and other distribution undertakings are required or permitted to carry. ...

...[J]ust as it is appropriate and important to establish a basis for requiring

<sup>55</sup> *Cogeco*, supra note 4, ¶21-23, 25 and 28, *emphasis added*.

<sup>56</sup> *Cogeco*, supra note 4, ¶31-32, *emphasis added*.

<sup>57</sup> Implementing Order, s. 2(b), AB, Tab 4.

<sup>58</sup> BRP 2015-438, ¶19-20, AB, Tab 5; Information Bulletin, ¶3 and 5, AB, Tab 3.



that licensed broadcasters give priority to carrying Canadian programs, it is at least as *important to establish a legislative basis for requiring that distribution undertakings give priority to carrying Canadian stations and networks.* ...

...[T]he Minister of Communications... noted that “The new generation of satellite delivered services depend on cable distribution to reach their audiences” and that “*cable can act either as a gateway for exciting new services or it can close the door on them.*” The Committee shares the Minister’s concern...<sup>59</sup>

87. Parliament enacted s. 9(1)(h) specifically to respond to this concern about Distribution Undertakings. The Department of Communications was clear in that regard in its 1988 analysis of s. 9(1)(h) of the draft *Broadcasting Act*:

... *This is one of the clauses in which the “cable-as-gatekeeper” problem is addressed. It ensures that the cable industry cannot frustrate the licensing of new satellite to cable services simply by refusing to carry them.*<sup>60</sup>

88. This is confirmed by the policy objectives in s. 3(1) of the *Broadcasting Act*.<sup>61</sup> The only policy requirements which s. 3(1) imposes upon *Programming Undertakings* are *cultural*, and only then to the extent that Programming Undertakings possess the financial resources necessary to fulfil them:

3. (1) It is hereby declared as the broadcasting policy for Canada that

...  
(s) private networks and *programming undertakings* should, *to an extent consistent with the financial and other resources available to them,*

(i) contribute significantly to the creation and presentation of *Canadian programming*, and

(ii) be responsive to the *evolving demands of the public*; and

---

<sup>59</sup> House of Commons Standing Committee on Communications and Culture, *Sixth Report to the House: Recommendations for a New Broadcasting Act* (Hull, Quebec: Queen’s Printer for Canada, 1987) at 77, *emphasis added*. This Standing Committee report contained many of the proposals for the new *Broadcasting Act*: P.S. Grant and G. Buchanan, *Canadian Broadcasting Regulatory Handbook, 2014*, 12<sup>th</sup> ed. (Toronto: McCarthy Tétrault LLP, 2014) at 1. See also Government of Canada, Task Force on Broadcasting Policy, *Report of the Task Force on Broadcasting Policy* (Ottawa: Minister of Supply and Services Canada, 1986) at 569.

<sup>60</sup> Department of Communications, *The Broadcasting Act 1988: A Clause-by-Clause Analysis of Bill C-136* (Ottawa: Department of Communications, 1988) at s. 9(1)(h), *emphasis added*. See also Department of Communications, *Canadian Voices, Canadian Choices: A New Broadcasting Policy for Canada* (Ottawa: Minister of Supply and Services Canada, 1988) at 40 (“[A] power of the CRTC (Section 9(1)) enabling the CRTC to require distribution services to carry specified programming services... should ensure that *distribution services* act in a fair and responsible fashion”).

<sup>61</sup> *Cogeco*, *supra* note 4, ¶32.

89. By contrast, s. 3(1)(t)(iii) speaks of Distribution Undertakings providing *reasonable terms* in their *contractual arrangements* for the *carriage* of programming:

(t) *distribution undertakings*

...  
(iii) should, where programming services are supplied to them by broadcasting undertakings pursuant to contractual arrangements, *provide reasonable terms for the carriage, packaging and retailing of those programming services...* [emphasis added]

90. In a report tabled by the Minister of Communications when the *Broadcasting Act* was introduced,<sup>62</sup> the Government drew a clear link between this s. 3(1)(t)(iii) policy object (at the time, s. 3(1)(q)(iii))<sup>63</sup> and the CRTC's power in s. 9(1)(h):

*As regards carriage priorities, the Bill provides for a package of measures to ensure that conflicts of interest can be resolved in the public interest and will not be detrimental to the interests of licensed Canadian programming services. The expectations of distribution undertakings in clause 3.(1)(q)(iii) require them to provide reasonable access. Clause 10.(1)(h) gives the CRTC the power to resolve any disputes arising between programming undertakings and distribution undertakings about the carriage of programming. Under clause 9.1(h), the CRTC can require carriage of specified services.*<sup>64</sup>

91. It is also instructive to compare the general language of s. 9(1)(h) with the detailed rate-setting provisions in the *Telecommunications Act*.

92. As the Supreme Court said in *Cogeco*, the *Telecommunications Act* and *Broadcasting Act* form part of "the same interconnected statutory scheme".<sup>65</sup> It is thus important to note that there is no analogue in the *Broadcasting Act* to the CRTC's rate-setting jurisdiction in ss. 25-27 of the *Telecommunications Act*.<sup>66</sup>

---

<sup>62</sup> P.S. Grant and G. Buchanan, *Canadian Broadcasting Regulatory Handbook, 2014*, 12<sup>th</sup> ed. (Toronto: McCarthy Tétrault LLP, 2014) at 1.

<sup>63</sup> Department of Communications, *Canadian Voices, Canadian Choices: A New Broadcasting Policy for Canada* (Ottawa: Minister of Supply and Services Canada, 1988) at 39.

<sup>64</sup> Department of Communications, *Government Response to the Fifteenth Report of the Standing Committee on Communications and Culture: A Broadcasting Policy for Canada* (Ottawa: Department of Communications, 1988) at 90 (and 89), *emphasis added*. See also Department of Communications, *The Broadcasting Act 1988: A Clause-by-Clause Analysis of Bill C-136* (Ottawa: Department of Communications, 1988) at s. 3(1)(q) (noting that s. 3(1)(t)(iii) establishes that Distribution Undertakings "are not to use their position as 'gatekeepers' to restrict or impose excessive charges").

<sup>65</sup> *Cogeco*, *supra* note 4, ¶34 (and ¶2 and 37-38).

<sup>66</sup> See also *Telecommunications Act*, ss. 29(a-c), 32(c), 32(g) and 40(1-2).

25 (1) *No Canadian carrier shall provide a telecommunications service except in accordance with a tariff filed with and approved by the Commission that specifies the rate or the maximum or minimum rate, or both, to be charged for the service.*

...  
[27](5) *In determining whether a rate is just and reasonable, the Commission may adopt any method or technique that it considers appropriate, whether based on a carrier's return on its rate base or otherwise. [emphasis added]*

93. Parliament drafted the *Broadcasting Act* and the *Telecommunications Act* differently, and did *not* give the CRTC the same rate-setting powers under the *Broadcasting Act* in relation to carriage. Now, the CRTC in the Wholesale Code seeks to arrogate those powers to itself, despite the lack of any comparable statutory jurisdiction-granting provisions in the *Broadcasting Act*. This is again contrary to the Supreme Court's pronouncements in *Cogeco*:

*... The CRTC's jurisdiction over the setting of rates under s. 27 of the Telecommunications Act... provides that rates must be just and reasonable... [T]he CRTC is specifically empowered to determine compliance with that requirement and is conferred the express authority to "adopt any method or technique that it considers appropriate" for that purpose...*

*This broad, express grant of jurisdiction... stands in marked contrast to the provisions on which the broadcasters seek to rely in this case, which consist of a general power to make regulations under s. 10(1)(k) and a broad licensing power under s. 9(1)(b)(i). Jurisdiction-granting provisions are not analogous to general regulation making or licensing authority because the former are express grants of specific authority from Parliament while the latter must be interpreted so as not to confer unfettered discretion not contemplated by the jurisdiction-granting provisions of the legislation.<sup>67</sup>*

94. Therefore, the Wholesale Code goes well beyond the language of s. 9(1)(h).

### 3. The Standard of Review Is Correctness

95. The standard of review in this appeal is correctness, for two (2) reasons.

96. *First*, a significant part of this appeal concerns the *Copyright Act*. This is not a home statute of the CRTC. Instead, it comes before the courts for interpretation at

---

<sup>67</sup> *Cogeco*, *supra* note 4, ¶26-27 *emphasis added*.

first instance. There is no requirement for a CRTC decision before a court may be seized of questions concerning its interrelationship with the *Broadcasting Act*.<sup>68</sup>

97. In cases like this, not even the Copyright Board is entitled to deference:

...[W]hether *the Copyright Act* allows SODRAC to seek a licence... is a question of law... [T]here is a presumption that the decisions of administrative bodies should receive deference when interpreting or applying their home statute. However, *because of the "unusual statutory scheme under which the [Copyright] Board and the court may each have to consider the same legal question [under the Copyright Act] at first instance"*, the presumption is rebutted... Thus, *a standard of correctness applies*...<sup>69</sup>

98. *Second*, with respect to the *Broadcasting Act* standing alone, the presumption of deference is rebuttable where the question is a true jurisdictional one.<sup>70</sup> While the Supreme Court has left open whether such questions *generally* exist,<sup>71</sup> *there can be no doubt that they do for the CRTC*. Section 31(2) of the *Broadcasting Act* allows appeals from CRTC orders “on a question of law *or a question of jurisdiction*”.

99. The *Broadcasting Act* question in this appeal is a true jurisdictional one. The issue is whether s. 9(1)(h) of the *Broadcasting Act* allows the CRTC to regulate the economic terms of the carriage relationship between Programming and Distribution Undertakings. That “raises a broad question of the tribunal’s authority”<sup>72</sup> of the same type as *Cogeco*, i.e., “whether the CRTC has *jurisdiction* to implement the proposed regime”.<sup>73</sup>

100. Since the pre-*Dunsmuir* jurisprudence applies the correctness standard to jurisdictional decisions of the CRTC,<sup>74</sup> correctness is the applicable standard here.<sup>75</sup>

---

<sup>68</sup> See, e.g., *Leuthold v. Canadian Broadcasting Corp.*, 2012 FC 748, ¶128, aff’d, 2014 FCA 173, leave to appeal refused, [2014] S.C.C.A. No. 417.

<sup>69</sup> *Canadian Broadcasting Corp. v. SODRAC 2003 Inc.*, [2015] 3 S.C.R. 615, ¶35, *emphasis added*. See also *Rogers Communications Inc. v. Society of Composers, Authors and Music Publishers of Canada*, [2012] 2 S.C.R. 283, ¶10, 13 and 15.

<sup>70</sup> *Canadian National Railway Co. v. Canada (A.G.)*, [2014] 2 S.C.R. 135, ¶55.

<sup>71</sup> *Canadian Broadcasting Corp. v. SODRAC 2003 Inc.*, [2015] 3 S.C.R. 615, ¶39.

<sup>72</sup> *Nolan v. Kerry (Canada) Inc.*, [2009] 2 S.C.R. 678, ¶34 (and ¶33 and 35).

<sup>73</sup> *Cogeco*, *supra* note 4, ¶1 (and ¶14), *emphasis added*.

<sup>74</sup> *Bell Canada v. Canada (C.R.T.C.)*, [1989] 1 S.C.R. 1722 at 1743-1747; *British Columbia Telephone Co. v. Shaw Cable Systems (B.C.) Ltd.*, [1995] 2 S.C.R. 739 at 759; *Barrie Public Utilities v. Canadian Cable Television Assn.*, [2003] 1 S.C.R. 476, ¶9-19. *cf.* *Bell Canada v. Bell Aliant Regional Communications*, [2009] 2 S.C.R. 764, ¶33-38.

<sup>75</sup> *Alberta (Information and Privacy Commissioner) v. Alberta Teachers' Association*, [2011] 3 S.C.R. 654, ¶33.

This is confirmed by the fact that the appeal raises questions about the jurisdictional lines between the CRTC and the Copyright Board.<sup>76</sup>

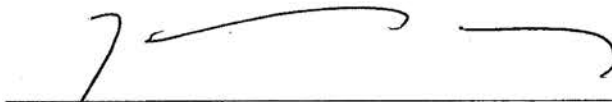
101. In any event, whether the CRTC has jurisdiction to enact the Wholesale Code is a question which only admits of a single “yes” or “no” answer. Therefore, even if deference is owed to the CRTC, the answer “will necessarily be limited to a single reasonable interpretation — and the administrative decision maker must adopt it”.<sup>77</sup>

102. For the reasons above, the only reasonable interpretation of the *Copyright Act* and *Broadcasting Act* is that the CRTC has no jurisdiction to promulgate the Wholesale Code. Accordingly, the Wholesale Code should be set aside regardless of the applicable standard of review.

#### **PART IV—ORDER SOUGHT**

103. Bell requests that the Wholesale Code be set aside.

ALL OF WHICH IS RESPECTFULLY SUBMITTED this 16<sup>th</sup> day of June, 2016.



---

Solicitors for the Appellants, Bell Canada and Bell Media Inc.  
Neil Finkelstein  
Steven Mason  
Brandon Kain  
Richard J. Lizius  
Adam Goldenberg

<sup>76</sup> *Canadian National Railway Co. v. Canada (A.G.)*, [2014] 2 S.C.R. 135, ¶55.

<sup>77</sup> *McLean v. British Columbia (Securities Commission)*, [2013] 3 S.C.R. 895, ¶38.

## PART V—LIST OF AUTHORITIES

### A. Statutes and Regulations

1. *Broadcasting Act*, S.C. 1991, c. 11, ss. 2(1), “distribution undertaking” and “programming undertaking”, 9(1)(b)(i) and 9(1)(h), 10(1)(a), 10(1)(c), 10(1)(g) and 10(1)(i)
2. *Broadcasting Distribution Regulations*, SOR/97-555, ss. 12(1), 12(9), 12(10), 15, 15.01 and 15.02
3. *Copyright Act*, R.S.C. 1985, c. C-42, ss. 2, “broadcaster”, 3(1)(f), 13(4), 27(1), 30.8, 30.9, 31(1), “retransmitter”, 31(2), 34(1), 41.24, 42(1), 42(2.1) and 71-76
4. *Pay Television Regulations*, 1990, SOR/90-105, ss. 2(1), “licensee”, 6.3, 6.4(1), 6.4(4), 6.4(5), and 7
5. *Specialty Services Regulations*, 1990, SOR/90-106, ss. 2, “licensee”, 10.3, 10.4(1), 10.4(4), 10.4(5) and 11
6. *Telecommunications Act*, S.C. 1993, c. 38, as am., ss. 29(a-c), 32(c), 32(g) and 40(1-2)

### B. Case Law

#### CRTC Decisions

7. *Internet retransmission: Report to the Governor in Council pursuant to Order in Council P.C. 2002-1043* – Broadcasting Public Notice CRTC 2003-2, 17 January 2003, Appendix B

#### Judicial Decisions

8. *Alberta (A.G.) v. Moloney*, [2015] 3 S.C.R. 327
9. *Alberta (Information and Privacy Commissioner) v. Alberta Teachers' Association*, [2011] 3 S.C.R. 654
10. *Barrie Public Utilities v. Canadian Cable Television Assn.*, [2003] 1 S.C.R. 476
11. *Bell Canada v. Bell Aliant Regional Communications*, [2009] 2 S.C.R. 764
12. *Bell Canada v. Canada (C.R.T.C.)*, [1989] 1 S.C.R. 1722
13. *Bishop v. Stevens*, [1990] 1 S.C.R. 467
14. *British Columbia Telephone Co. v. Shaw Cable Systems (B.C.) Ltd.*, [1995] 2 S.C.R. 739
15. *Canadian Broadcasting Corp. v. SODRAC 2003 Inc.*, [2015] 3 S.C.R. 615
16. *Canadian National Railway Co. v. Canada (A.G.)*, [2014] 2 S.C.R. 135
17. *Capital Cities Communications Inc. v. C.R.T.C.*, [1978] 2 S.C.R. 141
18. *CCH Canadian Ltd. v. Law Society of Upper Canada*, [2004] 1 S.C.R. 339
19. *Desputeaux v. Éditions Chouette (1987) inc.*, [2003] 1 S.C.R. 178

20. *Entertainment Software Association v. Society of Composers, Authors and Music Publishers of Canada*, [2012] 2 S.C.R. 231
21. *Leuthold v. Canadian Broadcasting Corp.*, 2012 FC 748, aff'd, 2014 FCA 173, leave to appeal refused, [2014] S.C.C.A. No. 417
22. *McLean v. British Columbia (Securities Commission)*, [2013] 3 S.C.R. 895
23. *Muzak Corp. v. Composers, Authors, and Publishers Association of Canada*, [1953] 2 S.C.R. 182
24. *Nautical Data International, Inc. v. C-Map USA Inc.*, 2013 FCA 63, leave to appeal refused, [2013] S.C.C.A. No. 183
25. *Neighbouring Rights Collective of Canada v. Society of Composers, Authors and Music Publishers of Canada*, [2004] 1 F.C.R. 303 (C.A.)
26. *Nolan v. Kerry (Canada) Inc.*, [2009] 2 S.C.R. 678
27. *Reference re Broadcasting Regulatory Policy CRTC 2010-167 and Broadcasting Order CRTC 2010-168*, [2012] 3 S.C.R. 489
28. *Rogers Communications Inc. v. Society of Composers, Authors and Music Publishers of Canada*, [2012] 2 S.C.R. 283
29. *Society of Composers, Authors and Music Publishers of Canada v. Canadian Assn. of Internet Providers*, [2002] 4 F.C. 3 (C.A.), var'd on other grounds, [2004] 2 S.C.R. 427
30. *Théberge v. Galerie d'Art du Petit Champlain inc.*, [2002] 2 S.C.R. 336
31. *Thomas v. Edmonton (City)*, 2016 ABCA 57

### **C. Secondary Sources**

32. *Applications for mandatory distribution on cable and satellite under section 9(1)(h) of the Broadcasting Act – Broadcasting Regulatory Policy CRTC 2013-372*, 8 August 2013, paras. 3, 26, 64, 71 and 77
33. *Canada-United States Free Trade Agreement Implementation Act: 1988 Amendments to the Copyright Act*, 37 Eliz., c. 65, ss. 61 to 65
34. *Articles 2005 and 2006 of the 1987 Canada-U.S. Free Trade Agreement.*
35. Consumer and Corporate Affairs Canada and the Department of Communications. *From Gutenberg to Telidon: A White Paper on Copyright: Proposals for the Revision of the Canadian Copyright Act* (Hull, Quebec: Minister of Supply and Services Canada, 1984) at 90, 109-110 and 111
36. Department of Communications, *The Broadcasting Act 1988: A Clause-by-Clause Analysis of Bill C-136* (Ottawa: Department of Communications, 1988) at ss. 3(1)(q) and 9(1)(h)
37. Department of Communications, *Canadian Voices, Canadian Choices: A New Broadcasting Policy for Canada* (Ottawa: Minister of Supply and Services Canada, 1988) at 1, 39 and 40

38. Department of Communications, *Government Response to the Fifteenth Report of the Standing Committee on Communications and Culture: A Broadcasting Policy for Canada* (Ottawa: Department of Communications, 1988) at 89-90 and 341-342
39. Government of Canada, Task Force on Broadcasting Policy, *Report of the Task Force on Broadcasting Policy* (Ottawa: Minister of Supply and Services Canada, 1986) at 569
40. P.S. Grant and G. Buchanan, *Canadian Broadcasting Regulatory Handbook, 2014*, 12<sup>th</sup> ed. (Toronto: McCarthy Tétrault LLP, 2014)
41. House of Commons Standing Committee on Communications and Culture, *Sixth Report to the House: Recommendations for a New Broadcasting Act* (Hull, Quebec: Queen's Printer for Canada, 1987) at 77



**FEDERAL COURT OF APPEAL**

**BETWEEN**

**BELL CANADA and BELL MEDIA**

Appellants

- and -

**7262591 CANADA LTD. (D.B.A. GUSTO TV), ACCESS COMMUNICATIONS CO-OPERATIVE LIMITED, ALLARCO ENTERTAINMENT INC., ANTHEM MEDIA GROUP, BLUE ANT MEDIA INC., CANADIAN CABLE SYSTEMS ALLIANCE INC., CBC/RADIO-CANADA, COGECO INC., COMPETITION BUREAU, DHX MEDIA LTD., EASTLINK, GROUPE V MÉDIA INC., INDEPENDENT BROADCAST GROUP/LE GROUPE DE DIFFUSEURS INDÉPENDANTS, L'OFFICE DES TÉLÉCOMMUNICATIONS ÉDUCATIVES DE LANGUE FRANÇAISE DE L'ONTARIO (GROUPE MÉDIA TFO), MEDIAMIND DIGITAL, MTS INC., PELMOREX COMMUNICATIONS INC., PUBLIC INTEREST ADVOCACY CENTRE, QUÉBECOR MÉDIA INC., SASKATCHEWAN TELECOMMUNICATIONS, SOGETEL INC., STINGRAY DIGITAL GROUP INC., STORNOWAY COMMUNICATIONS LIMITED PARTNERSHIP, TEKSAVVY SOLUTIONS INC. AND HASTINGS CABLE VISION LTD., TELUS, TV5 QUÉBEC CANADA, VMEDIA INC. and ZAZEEN INC.**

Respondents

---

**MEMORANDUM OF FACT AND LAW  
OF THE APPELLANTS,  
BELL CANADA and BELL MEDIA INC.**

---

**McCarthy Tétrault LLP**  
Suite 5300, TD Bank Tower  
Toronto Dominion Centre  
66 Wellington Street West  
Toronto ON M5K 1E6  
**Neil Finkelstein**  
**Steven Mason**  
**Brandon Kain**  
**Richard J. Lizius**  
**Adam Goldenberg**

Tel: 416-362-1812  
Fax: 416-868-0673

Solicitors for the Appellants,  
Bell Canada and Bell Media Inc.

**FEDERAL COURT OF APPEAL**

BETWEEN:

**BELL CANADA  
and BELL MEDIA INC.**

Appellants

AND:

**7262591 CANADA LTD. (D.B.A. GUSTO TV), ACCESS COMMUNICATIONS  
CO-OPERATIVE LIMITED, ALLARCO ENTERTAINMENT INC.,  
ANTHEM MEDIA GROUP, BLUE ANT MEDIA INC., CANADIAN CABLE  
SYSTEMS ALLIANCE INC., CBC/RADIO-CANADA, COGECO INC.,  
COMPETITION BUREAU, DHX MEDIA LTD., EASTLINK, GROUPE V  
MÉDIA INC., INDEPENDENT BROADCAST GROUP/LE GROUPE DE  
DIFFUSEURS INDÉPENDANTS, L'OFFICE DES  
TÉLÉCOMMUNICATIONS ÉDUCATIVES DE LANGUE FRANÇAISE DE  
L'ONTARIO (GROUPE MÉDIA TFO), MEDIAMIND DIGITAL, MTS INC.,  
PELMOREX COMMUNICATIONS INC., PUBLIC INTEREST ADVOCACY  
CENTRE, QUÉBECOR MÉDIA INC., SASKATCHEWAN  
TELECOMMUNICATIONS, SOGETEL INC., STINGRAY DIGITAL GROUP  
INC., STORNOWAY COMMUNICATIONS LIMITED PARTNERSHIP,  
TEKSAVVY SOLUTIONS INC. AND HASTINGS CABLE VISION LTD.,  
TELUS, TV5 QUÉBEC CANADA, VMEDIA INC. and ZAZEEN INC.**

Respondents

---

**MEMORANDUM OF FACT AND LAW  
OF THE RESPONDENT COGECO COMMUNICATIONS INC.**

---

**NORTON ROSE FULBRIGHT CANADA LLP**  
1 Place Ville Marie, Suite 2500  
Montréal QC H3B 1R1

Claude Brunet  
Martin Masse  
Eric Bellemare  
Telephone: +1 514.847.4747  
Telecopier: +1 514-286.5474

Solicitors for the Respondent Cogeco  
Communications Inc.

**TO:**           **The Chief Administrator**  
Federal Court of Appeal  
30 McGill Street  
Montréal QC H2Y 3Z7

**AND TO:**   **McCarthy Tétrault LLP**  
Toronto-Dominion Bank Tower  
66 Wellington Street West, Suite 5300  
Toronto ON M5K 1E6

Neil Finkelstein  
Brandon Kain  
Richard Lizius  
Adam Goldenberg  
Telephone: +1 416.362.1812  
Telecopier: +1 416.868.0673  
E-mail: [nfinkelstein@mccarthy.ca](mailto:nfinkelstein@mccarthy.ca)  
E-mail: [bkain@mccarthy.ca](mailto:bkain@mccarthy.ca)  
E-mail: [rlizius@mccarthy.ca](mailto:rlizius@mccarthy.ca)  
E-mail: [agoldenberg@mccarthy.ca](mailto:agoldenberg@mccarthy.ca)

Solicitors for the Appellants Bell Canada and Bell Media Inc.

**AND TO:**   **Fasken Martineau DuMoulin LLP**  
The Stock Exchange Tower  
800 Place Victoria, Suite 3700  
Montréal QC H4Z 1E9

Christian Leblanc  
Michael Shortt  
Telephone: +1 514.397.7400  
Telecopier: +1 514.397.7600  
E-mail: [cleblanc@fasken.com](mailto:cleblanc@fasken.com)  
E-mail: [mshortt@fasken.com](mailto:mshortt@fasken.com)

Solicitors for the Respondents Blue Ant Media Inc., CBC/Radio-Canada, DHX Media Ltd., Groupe V Média Inc., Independent Broadcast Group/Le Groupe de Diffuseurs Indépendants (on behalf of its members Aboriginal Peoples Television, Allarco Entertainment Inc., BBC Kids, Channel Zero, Ethnic Channels Group Ltd., Hollywood Suite, OUTtv Network Inc., Stingray Digital Group Inc., TV5 Québec Canada, Zoomermedia), Pelmorex Communications Inc.

**AND TO: Nelligan O'Brien Payne LLP**  
Suite 1500  
50 O'Connor Street  
Ottawa ON K1P 6L2

Christopher Rootham  
Telephone: +1 613.231.8311  
Telecopier: +1 613.788.3667  
E-mail: [christopher.rootham@nelligan.ca](mailto:christopher.rootham@nelligan.ca)

Solicitors for the Respondent TELUS

|  |           |
|--|-----------|
| <b>OVERVIEW.....</b>   | <b>1</b>  |
| <b>PART I STATEMENT OF FACTS.....</b>  | <b>2</b>  |
| 1. The parties.....  | 2         |
| 2. The Wholesale Code.....   | 3         |
| 3. The regulatory history of the Wholesale Code.....                                       | 5         |
| <b>PART II POINTS IN ISSUE.....</b>  | <b>8</b>  |
| <b>PART III SUBMISSIONS.....</b>   | <b>8</b>  |
| 1. The standard of review is reasonableness.....   | 8         |
| 2. This is not a narrow appeal.....  | 10        |
| 3. The Value for Signal Reference has no application in this case.....                     | 11        |
| A. The VSR Reference decided a narrow issue that does not arise in this case.....          | 11        |
| B. Bell's interpretation of the VSR Reference's discussion of copyright is flawed.....     | 13        |
| C. The VSR Reference did not fundamentally alter the CRTC's jurisdiction.....              | 15        |
| 4. The Wholesale Code does not conflict with the <i>Copyright Act</i> .....                | 18        |
| A. Conflict must be defined narrowly.....  | 18        |
| B. The Wholesale Code creates no operational conflict with the <i>Copyright Act</i> .....  | 19        |
| C. The Wholesale Code does not conflict with the purpose of the <i>Copyright Act</i> ..... | 22        |
| 5. The Wholesale Code is authorized by the <i>Broadcasting Act</i> .....                   | 24        |
| A. Bell's jurisdiction analysis is fundamentally flawed.....                               | 24        |
| B. The 438 Policy was authorized by the <i>Broadcasting Act</i> .....                      | 25        |
| C. The 439 Order was authorized by the <i>Broadcasting Act</i> .....                       | 27        |
| <b>PART IV ORDER SOUGHT.....</b>   | <b>30</b> |
| <b>PART V AUTHORITIES.....</b>   | <b>32</b> |

## OVERVIEW

1. This is an appeal by Bell of three related CRTC regulatory decisions dated September 24, 2015 (**Wholesale Code**)<sup>1</sup> on the grounds that they conflict with the *Copyright Act*<sup>2</sup> and are not authorized under the *Broadcasting Act*<sup>3</sup>. Bell's appeal of the Wholesale Code should be dismissed for four reasons.

2. First, this appeal does not raise a true question of jurisdiction and the Wholesale Code falls squarely within the CRTC's mandate under the *Broadcasting Act*. The Wholesale Code should not be disturbed as the CRTC chose reasonable means to promote programming choice and flexibility, based on its understanding of its statutory mandate and its careful review of a thorough factual record.

3. Second, most of Bell's argument relies on the applicability of the 2012 Supreme Court's *VSR Reference*<sup>4</sup> to the facts of this case. This decision is entirely distinguishable, as it decided the narrow issue of whether a specific regime, which granted over-the-air broadcasters new exclusive control rights over their local communication signals, was within the CRTC's jurisdiction. As the Wholesale Code does not create any such new rights, the *VSR Reference* is not applicable in this case.

4. Third, the Wholesale Code does not conflict with the *Copyright Act*. Bell did not discharge its heavy onus of showing that the provisions of the Wholesale Code conflicted with specific sections of the *Copyright Act* and instead relied on a strained analogy to the *VSR Reference*. In the present instance, no specific operational conflict is created with the *Copyright Act*, as the Wholesale Code cannot be reasonably read as creating alleged "user rights" for broadcasting distribution undertakings (BDUs) that make compliance with ss. 3 and 13 of the *Copyright Act* impossible. Moreover, the Wholesale Code is fully in line with the purpose of the

---

<sup>1</sup> Broadcasting Regulatory Policy CRTC 2015-438 ("**438 Policy**"); Broadcasting Order 2015-439 ("**439 Order**"); and Broadcasting Information Bulletin CRTC 2015-440, Appeal Book (AB) Vol I, Tabs 3-5.

<sup>2</sup> *Copyright Act*, RSC 1985, c C-42 [*Copyright Act*].

<sup>3</sup> *Broadcasting Act*, SC 1991, c 11 [*Broadcasting Act*].

<sup>4</sup> *Reference re Broadcasting Regulatory Policy CRTC 2010-167 and Broadcasting Order CRTC 2010-168*, 2012 SCC 68, [2012] 3 SCR 489 [*Value for Signal Reference* ("*VSR Reference*")].

*Copyright Act* since it creates fair negotiation parameters between broadcasting programming undertakings (**programming undertakings**) and BDUs, with a view to ensuring that BDUs will provide subscribers with more choice and flexibility of programming services while ensuring reasonable levels of revenue for these services.

5. Fourth, the Wholesale Code is authorized by the *Broadcasting Act*. Bell's jurisdiction argument fails to appreciate that the Wholesale Code is the result of two presumptively valid exercises of discretion by the CRTC: a regulatory policy setting out the Wholesale Code<sup>5</sup> and a broadcasting order making the Wholesale Code immediately binding.<sup>6</sup> Bell's tangential attack against the validity of the regulatory policy erroneously assumes that the Wholesale Code creates exclusive control rights on pay and specialty programming services as in the *VSR Reference*. In reality, the Wholesale Code simply sets certain parameters respecting the economic relationship between two actors in the Canadian broadcasting system. Bell's challenge of the broadcasting order would restrict the CRTC's jurisdiction under s. 9(1)(h) of the *Broadcasting Act* in a manner that Parliament never intended.

## **PART I STATEMENT OF FACTS**

### **1. The parties**

6. The Respondent Cogeco Communications Inc. (**Cogeco**) owns and operates telecommunications and broadcasting distribution facilities and provides television, telephone and Internet services to its subscribers. It is a BDU under the authority of the *Broadcasting Act*.<sup>7</sup> Since Cogeco has no financial interest in any television programming service supplier, it can be referred to as an "independent BDU". Cogeco took part in the various CRTC proceedings that culminated in the adoption of the Wholesale Code.<sup>8</sup>

---

<sup>5</sup> 438 Policy at pp 57-59, AB Vol I, Tab 5.

<sup>6</sup> 439 Order, AB Vol I, Tab 4.

<sup>7</sup> See definition of definition of "distribution undertaking" at s. 2 of the *Broadcasting Act*.

<sup>8</sup> See Comments of Cogeco Cable Inc. and Reply Comments of Cogeco Cable Inc., AB Vol II, Tabs 32-33.

7. In its submissions, Bell states that it owns “television, radio and digital multimedia assets, and is thus a Programming Undertaking within the meaning of the *Broadcasting Act*.”<sup>9</sup> Bell omits to mention that it owns and is licensed under the *Broadcasting Act* to operate major distribution undertakings, which also makes it a BDU. Being both a programming undertaking and a BDU, Bell is known as a “vertically integrated”<sup>10</sup> entity. Other vertically integrated entities include Rogers, Québecor and Shaw.<sup>11</sup> Bell is the only vertically integrated entity to appeal the Wholesale Code.

## 2. The Wholesale Code

8. The CRTC adopted the Wholesale Code on September 24, 2015 through three related decisions: Broadcasting Regulatory Policy CRTC 2015-438;<sup>12</sup> Broadcasting Order 2015-439;<sup>13</sup> and Broadcasting Information Bulletin CRTC 2015-440.<sup>14</sup>

9. Broadcasting Policy CRTC 2015-438 (438 Policy) sets out the provisions of the Wholesale Code<sup>15</sup>. It consists of 15 sections, divided into 5 headings:

- Application (sections 1-3): The Wholesale Code applies to licensed programming undertakings (with the exception of radio and over-the-air television programming undertakings) and distribution undertakings.<sup>16</sup>
- Prohibitions (section 4): Seven provisions are prohibited in affiliation agreements between programming undertakings and BDUs. These include terms prohibiting the distribution of programming services on a stand-alone basis or the offering of such services on a “build-your-own-package” or

---

<sup>9</sup> Bell Memorandum of Fact and Law at para 22 (**Bell Memorandum**). See also definition of “programming undertaking”, s. 2 of the *Broadcasting Act*.

<sup>10</sup> CRTC Broadcasting Regulatory Policy CRTC 2011-601 at p 305, AB, Vol I, Tab 15.

<sup>11</sup> CRTC Broadcasting Regulatory Policy CRTC 2011-601 at p 305, AB, Vol I, Tab 15.

<sup>12</sup> 438 Policy, AB Vol I, Tab 5.

<sup>13</sup> 439 Order, AB Vol I, Tab 4.

<sup>14</sup> Broadcasting Information Bulletin CRTC 2015-440 AB Vol I, Tab 3.

<sup>15</sup> 438 Policy at pp 57-59, AB Vol I, Tab 5.

<sup>16</sup> The Wholesale Code serves as a non-binding guideline for exempted programming and distribution undertakings. See 438 Policy at p 57, AB Vol I Tab 5.



“small packages basis”, as well as terms giving veto rights by programming undertakings of BDU packaging changes or most favoured nation clauses.

- Commercially unreasonable practices (section 5): Six practices are designated as unreasonable. Those include requiring unreasonable rates, requiring the acquisition of a program or service in order to obtain another (tied-selling), imposing unreasonable terms and conditions that restrict a BDU’s ability to provide consumer choice, and imposing unreasonable terms and conditions that restrict the ability of a programming service or a BDU to provide programming on multiple distribution platforms.
- Commercially reasonable practices (sections 6-12): Commercially reasonable practices include seven specific factors to consider when negotiating a wholesale rate for a programming service. Such practices also include parameters for the distribution of “theme packages” as well as various requirements seeking to promote access of programming services to multiple distribution platforms and timely provision of content.
- Affiliation agreements (sections 13-15): A dispute resolution mechanism is provided for the renewal of affiliation agreements in situations where both the BDU and the programming undertaking intend to renew the agreement but are unable to agree on terms. These sections also provides various requirements regarding the filing of affiliation agreements.

10. The CRTC’s stated objective in the Wholesale Code is to ensure, through the regulation of certain types of commercial arrangements between programming undertakings and BDUs, “that subscribers have greater choice and flexibility in the programming services they receive, that programming services are diverse, available and discoverable on multiple platforms”.<sup>17</sup> This is in accordance with the core policy

---

<sup>17</sup> 438 Policy at p 29, AB Vol I, Tab 5.

objectives of the *Broadcasting Act* of promoting diverse and quality programming, and lies at the very heart of the CRTC's mandate.<sup>18</sup>

11. The 438 Policy also provides a regulatory history of the Wholesale Code and presents the reasoning supporting the CRTC's conclusions.

12. Broadcasting Order 2015-439 (439 Order), effective January 22, 2016, makes the Wholesale Code applicable to all licensed BDUs, requiring them under s. 9(1)(h) of the *Broadcasting Act* to abide by the Wholesale Code in their dealings with any licensed or exempt programming undertaking. It also provides that licensed BDUs can only distribute a licensed programming undertaking if:

- the programming undertaking entered into an affiliation agreement with the BDU that complies with the Wholesale Code and includes a clause requiring the programming undertaking to abide by the Wholesale Code; or
- the licensed programming undertaking is subject to a condition of licence that requires it to abide by the Wholesale Code.<sup>19</sup>

13. The CRTC indicated that it intends to impose the Wholesale Code on all licensed BDUs and programming undertakings over time by means of conditions of licence such that, eventually, the 9(1)(h) order will be repealed.<sup>20</sup>

14. Finally, Broadcasting Information Bulletin CRTC 2015 provides general guidance for the interpretation of the Wholesale Code. These interpretative guidelines are non-binding and are meant to complement the Wholesale Code.<sup>21</sup>

### **3. The regulatory history of the Wholesale Code**

15. The Wholesale Code is born of a long series of related CRTC proceedings and conditions of licence imposed on individual broadcasting licensees. Through those

---

<sup>18</sup> *Broadcasting Act*, ss. 3(1) and 5(1). See also *VSR Reference* at para 18.

<sup>19</sup> 439 Order, AB Vol I, Tab 4.

<sup>20</sup> 438 Policy at paras 136-140, AB Vol I, Tab 5.

<sup>21</sup> Broadcasting Information Bulletin CRTC 2015-440 AB Vol I, Tab 3.

efforts, the CRTC sought to adapt its regulatory framework to the changing broadcasting landscape, and in particular, to limit the power of vertically integrated entities to threaten the public's access to diverse and quality programming services.

16. In 2011, the CRTC adopted Broadcasting Regulatory Policy CRTC 2011-601, entitled "Regulatory framework relating to vertical integration". This policy issued after a year-long review of the CRTC's regulatory framework relating to vertical integration in which multiple stakeholders were invited to make submissions.<sup>22</sup> The CRTC concluded that increased consolidation and vertical integration in the broadcasting industry was creating potential for abuse of market power.<sup>23</sup>

17. To "ensure that the Canadian broadcasting system remains competitive and healthy and delivers a diversity of high quality programming services to Canadians",<sup>24</sup> in accordance with the core objective of the *Broadcasting Act*, the CRTC introduced a "Code of conduct for commercial arrangements and interactions" (**2011 Code of Conduct**).<sup>25</sup> This non-binding code sought "to guide the commercial interactions between the various industry stakeholders and to ensure that no party uses its market power to engage in anti-competitive behaviour", as well as to "permit all industry players to negotiate on fair and equal terms".<sup>26</sup> Most of the provisions of the 2011 Code of Conduct were adapted and incorporated in the Wholesale Code.<sup>27</sup>

18. In 2013, Bell acquired Astral Media Inc. (**Astral**). This acquisition raised "substantial concerns" over "the impacts on the Canadian broadcasting system relating to competition, ownership concentration in television and radio, vertical integration (VI) and the exercise of market power".<sup>28</sup> Following an initial denial and a second application by Bell, the CRTC approved the acquisition, subject to certain conditions addressing the CRTC's concerns. The conditions of approval of the

---

<sup>22</sup> Broadcasting Regulatory Policy CRTC 2011-601, AB Vol I, Tab 15.

<sup>23</sup> Broadcasting Regulatory Policy CRTC 2011-601 at para 93, AB Vol I, Tab 15.

<sup>24</sup> Broadcasting Regulatory Policy CRTC 2011-601 at para 93, AB Vol I, Tab 15.

<sup>25</sup> Broadcasting Regulatory Policy CRTC 2011-601-1, AB Vol I, Tab 14.

<sup>26</sup> Broadcasting Regulatory Policy CRTC 2011-601 at paras 93-94, AB Vol I, Tab 15.

<sup>27</sup> Compare Broadcasting Regulatory Policy CRTC 2011-601-1, AB Vol I, Tab 14 to the 438 Policy at pp 57-59, AB Vol I, Tab 5.

<sup>28</sup> Broadcasting Decision CRTC 2013-310 at para 8, AB Vol I, Tab 11.

merger included the requirement for Bell to apply to the CRTC to amend the broadcasting licences of its television programming undertakings to add specific conditions of licence. These conditions of licence are very similar to several provisions of the Wholesale Code.<sup>29</sup>

19. Without challenging the CRTC's jurisdiction to impose such conditions of licence, Bell applied to have its conditions of licence so modified. On January 27, 2014, the CRTC approved Bell's application to amend the broadcasting licences for its television programming undertakings.<sup>30</sup> Similar conditions of licence were imposed on other vertically integrated entities in various regulatory contexts.<sup>31</sup>

20. These regulatory interventions by the CRTC were followed in 2014 by another proceeding, entitled "Let's Talk TV". The purpose of Let's Talk TV was to review the CRTC's television policies, with a focus on fostering a Canadian television system that encourages, among other things, choice and flexibility in selecting programming services.<sup>32</sup> In the resulting policy, the CRTC expressed that "a vigorous wholesale market is essential to fostering an environment and a retail market that enhance greater subscriber choice."<sup>33</sup> To achieve this objective, the CRTC decided to amend the 2011 Code of Conduct.<sup>34</sup>

21. The CRTC next issued a call for comments, inviting all interested parties and the public to make submissions regarding proposed changes to the 2011 Code of Conduct.<sup>35</sup> Critically, the CRTC proposed to make the Code of Conduct binding on all licensed undertakings.<sup>36</sup>

---

<sup>29</sup> Compare Appendix 2 to Broadcasting Decision CRTC 2013-310 at pp 271-274 to the 438 Policy at pp 57-59, AB Vol I, Tab 5. The multiplatform rights section of the Wholesale Code was directly adapted from one the conditions of licence imposed on Bell further to its acquisition of Astral: 438 Policy at para 113, AB Vol I, Tab 5.

<sup>30</sup> CRTC Letter, Re Application 2013-1101-8 – Follow up to Broadcasting Decision CRTC 2013-310, Astral broadcasting undertakings, 27 January 2014, AB Vol IV Tab 82.

<sup>31</sup> Broadcasting Regulatory Policy CRTC 2015-96 at para 70, AB Vol I, Tab 7.

<sup>32</sup> Broadcasting Regulatory Policy CRTC 2015-96 at para 2, AB Vol I, Tab 7.

<sup>33</sup> Broadcasting Regulatory Policy CRTC 2015-96 at para 2, AB Vol I, Tab 7.

<sup>34</sup> Broadcasting Regulatory Policy CRTC 2015-96 at para 87, AB Vol I, Tab 7.

<sup>35</sup> Broadcasting Notice of Consultation CRTC 2015-97, AB Vol I, Tab 6

<sup>36</sup> Broadcasting Notice of Consultation CRTC 2015-97, AB Vol I, Tab 6

22. After considering the positions of the parties who participated in the consultation,<sup>37</sup> the CRTC enacted the Wholesale Code.

23. Most of the provisions of the Wholesale Code are adapted from conditions of licence that were previously in force, including those Bell applied to be subject to in its 2013 acquisition of Astral, or derive from the 2011 Code of Conduct, which has been applied several times by the CRTC when making determinations based on complaints or other applications in cases of failed negotiations between the parties.<sup>38</sup>

24. The Wholesale Code is not a spontaneous exercise of the CRTC's jurisdiction. It is rather the culmination of an organic and fully transparent regulatory process in which all major stakeholders of the Canadian broadcasting system participated, including Bell.

## **PART II POINTS IN ISSUE**

25. Bell's framing of the issues incorrectly assumes that the *VSR Reference* is determinative of this appeal. Accordingly, there are four issues central to this appeal:

- 1) The standard of review is reasonableness;
- 2) The *VSR Reference* does not apply to this appeal;
- 3) The Wholesale Code does not conflict with the *Copyright Act*; and
- 4) The CRTC had the jurisdiction to enact Wholesale Code under the *Broadcasting Act*.

## **PART III SUBMISSIONS**

### **1. The standard of review is reasonableness**

26. Bell's attempt to characterize this appeal as raising a true question of jurisdiction is without merit. The presumptive standard of review is reasonableness.

---

<sup>37</sup> See Intervention Comments and Replies, AB Vols II-III, Tabs 16-81.

<sup>38</sup> Broadcasting Regulatory Policy CRTC 2015-96 at para 66, AB Vol I, Tab 7.

27. The Supreme Court recently held that “true questions of jurisdiction, if they exist as a category at all, are rare and exceptional.”<sup>39</sup> It follows that jurisdictional challenges do not automatically give rise to a correctness standard of review. Bell’s attempt to frame the appeal in such terms<sup>40</sup> runs contrary to the Supreme Court’s guidance in *Dunsmuir v New Brunswick*.<sup>41</sup>

28. This Court has also cautioned against this mischaracterization. Determining the extent of its powers is a legitimate exercise of a tribunal’s competence, and cannot be equated to statutory interpretation. In *Wheatland County v Shaw Cablesystems Ltd*, this Court stated: “[b]y attributing a jurisdiction limiting-label, such as ‘statutory interpretation’ [...] to what is in reality a function assigned and properly exercised under the enabling legislation, a tribunal’s expertise is made to defer to a court’s generalism rather than the other way around.”<sup>42</sup>

29. The presumptive standard of review of the CRTC’s jurisdiction is reasonableness. This was recently confirmed by this Court in *Bell Canada v Amtelecom Limited Partnership*, which concerned the CRTC’s jurisdiction to make retrospective orders or to interfere in vested rights. Rather than characterize the issue as a true question of jurisdiction or as a matter of statutory interpretation, the court found that the presumptive standard of review was reasonableness.<sup>43</sup>

30. Just as in *Amtelecom*, the CRTC’s decision that it had jurisdiction to adopt the Wholesale Code should be presumptively reviewed on the reasonableness standard. The CRTC conducted extensive public consultations and reasonably concluded that

---

<sup>39</sup> *ATCO Gas and Pipelines Ltd v Alberta (Utilities Commission)*, 2015 SCC 45 at paras 27, 28, [2015] 3 SCR 219; *Canadian Broadcasting Corp v SODRAC 2003 Inc.*, 2015 SCC 57 at paras 35, 39, [2015] 3 SCR 615.

<sup>40</sup> Bell Memorandum at para 99.

<sup>41</sup> *Dunsmuir v New Brunswick*, 2008 SCC 9 at para 35, [2008] 1 SCR 190.

<sup>42</sup> *Wheatland County v Shaw Cablesystems Ltd*, 2009 FCA 291 at paras 33-41, [2009] FCJ No 1264.

<sup>43</sup> *Bell Canada v Amtelecom Limited Partnership*, 2015 FCA 126 at paras 35-36, 39, [2016] 1 FCR 29 [*Amtelecom*].

the Wholesale Code was needed to promote a “vigorous wholesale market [...] that favours greater subscriber choice.”<sup>44</sup>

31. The CRTC is uniquely positioned to determine its jurisdiction with respect to enacting the Wholesale Code for three reasons, all supporting deference to the CRTC.

32. First, s. 17 of the *Broadcasting Act* states that the CRTC “has authority to determine questions of fact or law in relation to any matter within its jurisdiction under this Act.”<sup>45</sup> Second, the interpretation of its enabling statute, and therefore the limits of its own jurisdiction, falls within the CRTC’s expertise.<sup>46</sup> Third, the determination of its jurisdiction requires the balancing of multiple interests and policy objectives.<sup>47</sup> This is evidenced in the 438 Policy, where the CRTC systematically lays out each issue considered in the Wholesale Code, the respective positions taken by parties, and the Commission’s decision.<sup>48</sup>

33. Even if the correctness standard applies, the Wholesale Code is *intra vires* the CRTC.

## **2. This is not a narrow appeal**

34. In this appeal, “Bell requests that the Wholesale Code be set aside”.<sup>49</sup> As seen above, the Wholesale Code is not an isolated exercise of the CRTC’s jurisdiction. What Bell seeks to undo is the culmination of an organic regulatory process. Most of its substantial provisions are already included in one form or another in the conditions of licence of numerous licensed undertakings, including those owned by Bell.

35. Bell is silent on the fate of the many decisions rendered by the CRTC where licence conditions identical or very similar to those of the Wholesale Code were imposed through the regulatory and supervisory activities of the CRTC. That would

---

<sup>44</sup> Broadcasting Information Bulletin CRTC 2015-440 at para 4, AB Vol I, Tab 3.

<sup>45</sup> *Broadcasting Act*, s. 17.

<sup>46</sup> *Amtelecom* at para 38.

<sup>47</sup> See *Bell Canada v Bell Aliant Regional Communications*, 2009 SCC 40 at paras 33-38, [2009] 2 SCR 764.

<sup>48</sup> Notice of Appeal issued February 24, 2016, AB Vol Tab 1; 438 Policy, AB Vol I Tab 5.

<sup>49</sup> Bell Memorandum at para 103.

include CRTC decisions regarding Bell's acquisition of Astral. If the CRTC does not have jurisdiction to impose terms affecting the "direct economic relationship" between licensed undertakings, all those decisions would also need to be set aside.

36. The same would apply to all the decisions directly enforcing the Wholesale Code rendered by the CRTC – or that will be rendered by the time this Court decides this appeal – since it is in force. This would include licence renewal applications, applications for exemptions, ownership transactions reviews and applications for final arbitrations in disputes between programming undertakings and BDUs.<sup>50</sup>

37. Setting aside the Wholesale Code on the basis of Bell's jurisdictional arguments would cast uncertainty over numerous CRTC decisions. This is therefore far from a narrow appeal and is likely to have wide-ranging implications should Bell succeed.

### **3. The Value for Signal Reference has no application in this case**

38. Understood in its context, the holding in the *VSR Reference* is not dispositive of this appeal as Bell suggests.

#### **A. The VSR Reference decided a narrow issue that does not arise in this case**

39. A guiding principle of jurisprudential interpretation is that "a case is only authority for what it actually decides".<sup>51</sup> To understand a case's holding, one must understand the context within which it arose.

40. In 2010, the CRTC became concerned about the economic viability of broadcasters. In order to ensure that the public would continue to benefit from the diversity of programming offered by broadcasters, and relying on s. 3(1) of the *Broadcasting Act* as the source of its jurisdiction, the CRTC proposed to create a "value-for-signal" regime (**VSR**).

---

<sup>50</sup> See eg Broadcasting Decision CRTC 2016-262.

<sup>51</sup> *R v Henry*, 2005 SCC 76 at para 53, [2005] 3 SCR 609 [*R v Henry*].



41. The VSR sought to alleviate the “financial crisis”<sup>52</sup> faced by broadcasters by granting them new exclusive rights to control the exploitation of their communication signals or works by retransmission. The VSR would have allowed over-the-air broadcasters to negotiate directly with BDUs for the retransmission of their signals. Where broadcasters were unable to agree with a BDU on compensation for the distribution of their programming services, the VSR would have given broadcasters “deletion rights”, thereby preventing BDUs from retransmitting them.

42. The VSR dealt directly with the subject matter of ss. 21 and 31 of the *Copyright Act*. Section 21(1)(c) of the *Copyright Act* grants a broadcaster a limited copyright in the over-the-air signals it broadcasts, giving it the sole right to authorize or prohibit the simultaneous retransmission by another broadcaster to the public. Since BDUs are not considered “broadcasters” under s. 2 of the *Copyright Act*, a broadcaster’s exclusive copyright does not include a right to authorize or prohibit a BDU from retransmitting its communication signals.<sup>53</sup>

43. Section 31 of the *Copyright Act* creates a “user right” that allows BDUs to retransmit copyright protected works carried in local signals without the authorization of the copyright holder. The copyright holders in those works do not have the right to block the retransmission by BDUs of local signals carrying their works.<sup>54</sup>

44. The CRTC referred the question of its jurisdiction to enact the VSR to the courts. In a split 5-4 decision, the Supreme Court held that the VSR was *ultra vires* the CRTC. The majority reached two conclusions which are relevant to this appeal.

45. First, the majority concluded that the CRTC lacked the jurisdiction to create “exclusive control rights” or to control the “direct economic relationship between the BDUs and the broadcasters”.<sup>55</sup> This first holding cannot be understood in isolation from the second. As will be demonstrated below, this is the root of Bell’s error.

---

<sup>52</sup> *VSR Reference* at para 6.

<sup>53</sup> *VSR Reference* at para 50.

<sup>54</sup> *VSR Reference* at para 59.

<sup>55</sup> *VSR Reference* at para 29.

46. Second, the majority concluded that the VSR created an operational and purpose conflict with the *Copyright Act*. The VSR created a first operational conflict with s. 21(1)(c) of the *Copyright Act* by granting broadcasters authorization rights against BDUs in their communications signals.<sup>56</sup> The VSR created a second operational conflict with s. 31 of the *Copyright Act*, by giving broadcasters deletion rights against BDUs contrary to the exception found at s. 31(1).<sup>57</sup> The majority also held that the VSR conflicted with the purpose of the *Copyright Act*'s signals retransmission regime. In granting broadcasters a functionally equivalent copyright expressly withheld by Parliament in the *Copyright Act*, the CRTC upset the intended balance between broadcasters and the users of broadcasters' signals.<sup>58</sup>

47. In summary, the majority held in that specific instance that, even though the CRTC has a broad jurisdiction to regulate the broadcasting system, the CRTC overstepped its jurisdiction by creating exclusive control rights analogous to those found in the *Copyright Act* which Parliament had explicitly withheld. This is not a novel holding that fundamentally alters the scope of the CRTC's jurisdiction.

**B. Bell's interpretation of the *VSR Reference*'s discussion of copyright is flawed**

48. Understood in light of the particular regime which was challenged, the majority's holding in the *VSR Reference* is of no assistance in deciding the alleged copyright issues raised by Bell in this appeal.

49. First, the Wholesale Code does not regulate copyright subject matter. The VSR modified the ambit of the broadcasters' copyright in their over-the-air signals set out in the *Copyright Act*. In contrast, the Wholesale Code pertains to the distribution of pay and specialty programming services to the public, which are not broadcast over the air. Even if programming undertakings can sometimes hold the copyright in works included in their programming services, the Wholesale Code

---

<sup>56</sup> *VSR Reference* at para 62.

<sup>57</sup> *VSR Reference* at para 69.

<sup>58</sup> *VSR Reference* at para 67.

focuses on the affiliation agreements between BDUs and programming undertakings, which are both required to be regulated and licensed under the *Broadcasting Act*.

50. Second, the Wholesale Code does not create exclusive control rights and does not directly interfere with specific provisions of the *Copyright Act*. Bell cannot point to a provision of the *Copyright Act* which the Wholesale Code alters in the same manner as the VSR did. Rather, Bell argues that the Wholesale Code, which seeks to enhance programming choice and diversity through fair negotiation parameters between BDUs and programming undertakings, somehow “gives Distribution Undertakings the functional equivalent of a user right”.<sup>59</sup> This alleged “functional equivalent” of a “user right” cannot be assimilated to the creation of an actual new copyright.

51. According to Bell, “it does so by restricting Programming Undertakings’ ‘sole right’ in ss. 3(1)(f) and 13(4) of the *Copyright Act* to set the price and terms for the retransmission [*sic*] of their programs carried in pay and specialty signals”.<sup>60</sup> By forcing an analogy between the Wholesale Code and the VSR, Bell suggests that the *VSR Reference* prohibits the CRTC from making any regulation that would incidentally impact copyright protected content when distributed on the Canadian broadcasting system that the CRTC is expressly mandated by Parliament to supervise and regulate.

52. This is contrary to the majority’s holding in the *VSR Reference*, which stated that, although the *Copyright Act* and the *Broadcasting Act* “have different aims, their subject matters will clearly overlap in places”.<sup>61</sup> The Supreme Court was clear that “two provisions applying to the same facts will be given effect in accordance with their terms so long as they do not conflict.”<sup>62</sup>

---

<sup>59</sup> Bell Memorandum at para 45.

<sup>60</sup> Bell Memorandum at para 46 [emphasis added; emphasis in the original omitted].

<sup>61</sup> *VSR Reference* at para 37.

<sup>62</sup> *VSR Reference* at para 37. The majority also suggested, at para 70, that the CRTC could impose conditions on the retransmission of copyright protected works even if such is the subject matter of s. 31 of the *Copyright Act*, provided that any such conditions respect the purpose of this section.

53. As will be seen below, imposing conditions on how a person holding rights under ss. 3 and 13 of the *Copyright Act* can reach a given public through a regulated market does not conflict with these provisions. Furthermore, by seeking to enhance subscribers' programming choice and flexibility, the Wholesale Code is fully in line with the Supreme Court's recent jurisprudence on the purpose of the *Copyright Act*.

54. That Bell's analogy between the present situation and the Wholesale Code is strained is evident from the language it uses in its submissions. Bell first argues that the *VSR Reference* is "directly applicable"<sup>63</sup> to this case. However, Bell later claims this case is the "mirror image" of the *VSR Reference*.<sup>64</sup> This change is necessary given that, in the VSR, the CRTC attempted to create a new copyright in order to alter Parliament's intended balance between authors' and users' rights. On this appeal, Bell is advancing the opposite view and argues for a dramatic expansion of programming undertakings' ability to assert copyright in their dealings with BDUs.

55. To support its analogy with the VSR, Bell is forced to twist the scope of the Supreme Court's decision to fit the facts of the present case. When properly read, the *VSR Reference* provides no support to Bell's contention that the Wholesale Code is *ultra vires* the CRTC because it conflicts with the *Copyright Act*.

**C. The VSR Reference did not fundamentally alter the CRTC's jurisdiction**

56. According to Bell, since the Wholesale Code targets certain aspects of the commercial arrangements between BDUs and programming undertakings, it violates the *VSR Reference*'s holding that the CRTC cannot "control the direct economic relationship"<sup>65</sup> between BDUs and programming undertakings.

57. Bell's reliance on this passage is misplaced. Bell has fallen prey to the fallacy that "each phrase in a judgment of this Court should be treated as if enacted in a

---

<sup>63</sup> Bell Memorandum at p 11.

<sup>64</sup> Bell Memorandum at para 44.

<sup>65</sup> *VSR Reference* at para 29.

statute.” The Supreme Court explained that this approach “is inconsistent with the basic fundamental principle that the common law develops by experience”.<sup>66</sup>

58. According to Bell’s reading, the CRTC no longer has jurisdiction to regulate the commercial arrangements between BDUs and broadcasters in any manner. However, Bell’s interpretation rests on an artificially narrow interpretation of paragraph 29 of the *VSR Reference* which divorces the passage in question from its context and its narrow application to the signals of over-the-air broadcasters. That paragraph reads, in whole:

A broadly drafted basket clause, such as s. 10(1)(k), or an open-ended power to insert “such terms and conditions as the [regulatory body] deems appropriate” (s. 9(1)(h)) cannot be read in isolation. Rather, “[t]he content of a provision ‘is enriched by the rest of the section in which it is found ...’” In my opinion, none of the specific fields for regulation set out in s. 10(1) pertain to the creation of exclusive rights for broadcasters to authorize or prohibit the distribution of signals or programs, or to control the direct economic relationship between the BDUs and the broadcasters.<sup>67</sup>

59. Bell’s interpretation does not hold up to scrutiny for three reasons.

60. First, Bell wrongly reads paragraph 29 as establishing two separate and distinct holdings. The phrase “direct economic relationship” cannot be understood without reference to the majority’s discussion about “exclusive rights”. Outside of paragraph 29, the phrase “economic relationship” appears only once, at paragraph 19:

In substance, the value for signal regime would regulate the economic relationships between BDUs and broadcasters. The salient feature is that the CRTC would grant individual broadcasters an exclusive right to require deletion of the programming to which they hold exhibition rights from all signals transmitted by the BDU. This program deletion right is intended to give the broadcasters the necessary leverage to require compensation from the BDUs.<sup>68</sup>

61. In the majority’s words, the “salient feature” of the VSR is that it would have fundamentally altered the balance of economic rights between broadcasters and BDUs by granting broadcasters rights that Parliament never intended them to have.

---

<sup>66</sup> *R v Henry* at para 57.

<sup>67</sup> *VSR Reference* at para 29 [emphasis added][references omitted].

<sup>68</sup> *VSR Reference* at para 19.

This is the foundation for the majority's statement that the CRTC cannot control the direct economic relationship between BDUs and broadcasters.<sup>69</sup> Read in context, the references to the direct economic relationship between BDUs and programming undertakings are simply "commentary, examples or exposition that are intended to be helpful and may be found to be persuasive, but are certainly not 'binding'."<sup>70</sup>

62. If Bell's interpretation of paragraph 29 were correct, one would have expected the majority to offer some guidance on how to interpret this purported distinct holding. However, even the most generous reading of the surrounding paragraphs does not offer any support for Bell's interpretation.

63. Second, Bell erroneously argues that the majority effectively overturned past precedent confirming the CRTC's ability to regulate commercial matters. Bell argues that the majority's holding was made in spite of "the prior case law purporting to uphold its jurisdiction over economic regulation cited by the dissent".<sup>71</sup> Essentially, Bell argues that a significant body of jurisprudence which has consistently held that the CRTC's jurisdiction under the *Broadcasting Act* extended to both cultural and economic matters has been overturned by silent omission.

64. Bell's approach to *stare decisis* lacks merit. The fact that the majority disagreed with the dissent about whether the VSR was *ultra vires* the CRTC does not mean that the majority was overturning past precedent. Overturning past precedent is not lightly done.<sup>72</sup> If the majority had wanted to overturn past precedent, it would have done so explicitly and provided reasons for doing so.

65. Finally, the Supreme Court in the *VSR Reference* was not asked to invalidate or overturn the jurisprudence in question. Rather, it was simply asked to clarify the scope of the CRTC's jurisdiction to create a new copyright right for broadcasters on

---

<sup>69</sup> This discussion about Parliament's intended balance of economic relationship is repeated again at paras. 36 and 52 of the *VSR Reference*.

<sup>70</sup> *R v Henry* at para 57.

<sup>71</sup> Bell Memorandum at para 81, footnote 53.

<sup>72</sup> *R v Craig*, 2012 SCC 43 at para 24, [2012] 2 SCR 489; *Canada (AG) v Fraser*, 2011 SCC 20 at para 56, [2011] 2 SCR 3 [*Fraser*].

their over-the-air signals. As no party took the position that *CKOY* and its progeny were inapplicable or should be overturned, Bell's attempt to marginalize this jurisprudence must be rejected.<sup>73</sup>

#### 4. The Wholesale Code does not conflict with the *Copyright Act*

66. Bell's copyright argument is premised on a flawed analogy with the *VSR Reference* and on a mischaracterization of the rights granted to the copyright owner.

##### A. Conflict must be defined narrowly

67. Operational conflicts arise when there is an "impossibility of compliance" with both the subordinate legislation and an act of Parliament. Purpose conflicts arise when applying a provision from the subordinate legislation would frustrate Parliament's purpose in another act. The Supreme Court has repeatedly insisted that "conflict is defined narrowly" and that "overlapping provisions will be given effect according to their terms, unless they 'cannot stand together'."<sup>74</sup>

68. Regulations benefit from a presumption of validity. According to the Supreme Court,<sup>75</sup> this presumption has two aspects: (i) challengers have the burden to establish the invalidity of regulations; (ii) it favours an interpretative approach that reconciles the regulation with its enabling statute or another act of Parliament so that the regulation is construed in a manner which renders it *intra vires*.

69. Bell had the burden to show that specific provisions of the Wholesale Code do not simply overlap, but actually conflict with provisions of the *Copyright Act* in such a way that it is either impossible to comply with both or that compliance with the former would frustrate the purpose of the latter. Bell has not discharged this burden.

---

<sup>73</sup> *Fraser* at para 59.

<sup>74</sup> *VSR Reference* at para 41.

<sup>75</sup> *Katz Group Canada Inc v Ontario (Health and Long-Term Care)*, 2013 SCC 6 at para 25, [2013] 3 SCR 810 [*Katz Group Canada*].

**B. The Wholesale Code creates no operational conflict with the *Copyright Act***

70. Bell's argument that the Wholesale Code operationally conflicts with the *Copyright Act* relies on a mischaracterization of the rights granted under ss. 3(1) and 13(4) of the *Copyright Act* and of the provisions of the Wholesale Code.

71. Bell argues that the Wholesale Code conflicts with the *Copyright Act* by "restricting" programming undertakings' sole right in ss. 3(1)(f) and 13(4) of the *Copyright Act* "to set the price and terms for the retransmission [*sic*] of their programs carried in pay and specialty signals".<sup>76</sup> According to Bell, any limit on how programming undertakings can exercise rights they may own on certain individual programs amounts to "the functional equivalent of a user right".<sup>77</sup> Bell suggests that this new "user right" benefits BDUs<sup>78</sup>, but is exercised by the CRTC, which has "arrogated to itself the power to set the price and commercial terms on which Programming Undertakings may license their programs to Distribution Undertakings".<sup>79</sup>

72. It is striking that Bell neither mentions a specific provision from the Wholesale Code which would enter in direct conflict with ss. 3 and 13 of the *Copyright Act* nor explains exactly how the CRTC exercises the alleged user right.

73. The closest Bell comes to pointing to a specific operational conflict is when it raises the alleged impossibility of complying simultaneously with both the Wholesale Code and ss. 3(1)(f) and 13(4) of the *Copyright Act*. Bell states that "[i]f the CRTC were to insist on one price or term, and the Programming Undertaking another, it would not be possible to simultaneously comply with both ss. 3(1) and 13(4) of the *Copyright Act* and the Wholesale Code".<sup>80</sup> As will be seen below Bell's characterization is misleading. The Wholesale Code does not allow the CRTC to "insist" on a price as if the CRTC were a party to the affiliation agreements.

---

<sup>76</sup> Bell Memorandum at para 46.

<sup>77</sup> Bell Memorandum at para 45.

<sup>78</sup> Bell Memorandum at para 45.

<sup>79</sup> Bell Memorandum at para 49.

<sup>80</sup> Bell Memorandum at para 54.



74. Section 3(1)(f) of the *Copyright Act* grants the copyright holder the sole right to communicate his works to the public by telecommunication.<sup>81</sup> Section 13(4) of the *Copyright Act* provides that the copyright owner can assign or licence, in part or in full, his right in a work and set limitations for such an assignment or licence.<sup>82</sup> The combined effect of those two provisions is to allow, for instance, the director of a movie to assign his copyright in the cinematographic work to a producer in exchange for a sum of money contractually negotiated.

75. Nothing in the Wholesale Code enables the CRTC to step into the shoes of the copyright owner and to authorize the communication of his work or assign/licence his rights contrary to his will.

76. The CRTC is not “arrogating to itself” the exclusive right to set prices or limitations to the grant under s. 13(4) of the *Copyright Act*. Through final arbitration involving monetary disputes, the CRTC will at most select between the final offer of the BDU and that of the programming undertaking who may be the owner or licensee of a copyright protected work imbedded in its programming service. Contrary to Bell’s repeated allegations, the CRTC does not substitute itself to the parties by fixing a different price.<sup>83</sup> Moreover, the CRTC’s intervention only takes place after both parties want to renew their affiliation agreements but are unable to agree on terms. Bell has availed itself of this process in the past and abided by its outcomes as a licensee of pay and specialty programming services.<sup>84</sup>

77. Similarly, the Wholesale Code does not allow the CRTC to fix the terms of the affiliation agreements between the BDUs and the programming undertakings. By setting out commercially reasonable practices and prohibited terms, the CRTC is putting in place parameters to ensure that the wholesale market promotes flexibility and choice for subscribers, despite the market power of vertically integrated entities. In doing so, the CRTC is not creating a so-called new “user right” for BDUs.

---

<sup>81</sup> *Copyright Act*, s. 3(1).

<sup>82</sup> *Copyright Act*, s. 13(4).

<sup>83</sup> Broadcasting and Telecom Information Bulletin CRTC 2013-637 at paras 17-26, AB, Vol I, Tab 10.

<sup>84</sup> See eg Broadcasting Decision CRTC 2012-393. See also Broadcasting Decision CRTC 2016-262.

78. In a system built on a negotiated, market-based approach – as opposed to the compulsory licence regime applicable to the retransmission of signals at the heart of the VSR – unprecedented vertical integration and consolidation forced the CRTC to impose safeguards to protect the public from the risks of anti-competitive behaviour. Pursuant to the Wholesale Code, a vertically integrated entity like Bell can still enter in free negotiations with unrelated BDUs or programming undertakings for the carriage of pay and specialty programming services. However, it cannot use its market power to impose unfair terms that would negatively impact programming diversity and accessibility to the Canadian public.

79. Bell's contention appears to be that ss. 3(1) and 13(4) of the *Copyright Act* provide the copyright owner with unfettered prerogatives regarding its works.

80. Should that argument be accepted, it would make any regulation imposing conditions on how a copyright holder can reach a given public through a regulated market *ultra vires* its originating body. That would for example prohibit the CRTC from mandating the carriage of programming services under s. 9(1)(h) of the *Broadcasting Act* at a fixed price.<sup>85</sup>

81. Bell has failed to show anything resembling an operational conflict with the *Copyright Act*. In particular, Bell has failed to show that the Wholesale Code cannot be read in a way that renders it *intra vires* the CRTC and has not rebutted the Wholesale Code's presumption of validity.

82. Given the high deference owed to the CRTC when it chooses the means to pursue its policy objectives, it was reasonable for the CRTC to implement a regime seeking to preserve consumer choice and programming diversity by imposing fair negotiation parameters which may incidentally guide the exercise of copyright.

---

<sup>85</sup> See para 111ff below for more detail on how CRTC regulations under 9(1)(h) of the *Broadcasting Act* can incidentally impact copyright.

**C. The Wholesale Code does not conflict with the purpose of the *Copyright Act***

83. Bell's contention that the Wholesale Code creates a new "user right" which alters the balance struck by Parliament in the *Copyright Act* is unfounded.

84. Bell essentially submits that the Wholesale Code is creating a "new user right in pay and specialty programs".<sup>86</sup> Bell describes at length the user transmission right at s. 31 of the *Copyright Act* and presents it as an illustration of how Parliament proceeds when it creates a legitimate user right.<sup>87</sup> Bell insists that, when Parliament creates a user right, it cross-references the *Broadcasting Act* and the administration of ensuing royalties is given to the Copyright Board, not the CRTC.<sup>88</sup>

85. No such "user rights" are directly or indirectly created by the Wholesale Code. Similarly, the CRTC does not fix or administer any royalties pursuant to the Wholesale Code. It is striking that Bell neither defines this alleged "user right" nor points to the specific provisions of the Wholesale Code in which it is set out.

86. As with the alleged operational conflict, Bell clings to a strained analogy to the VSR. In the *VSR Reference*, the majority held that the VSR would have been incompatible with the purpose of over-the-air signals retransmission rights in the *Copyright Act*, which specifically excluded BDUs from the scope of the broadcasters' exclusive right to prohibit the retransmission of their signals. This interfered with Parliament's attempt to balance broadcasters' rights in their communication signals and the rights of the users, including BDUs, thereof.

87. In the present case, nothing in the *Copyright Act* suggests that Parliament "withheld" a vague "user right" allegedly created by the CRTC or that it restricted the CRTC's power to set certain negotiation parameters between parties to affiliation agreements based on an alleged impact on copyright content in works embedded in programming services.

---

<sup>86</sup> Bell Memorandum at paras 62, 72, 76.

<sup>87</sup> Bell Memorandum at paras 63-70.

<sup>88</sup> Bell Memorandum at paras 73-75.

88. If anything, the purpose of the Wholesale Code is fully in line with the purpose of the *Copyright Act*, as defined by the Supreme Court. The Wholesale Code seeks to ensure “that subscribers have greater choice and flexibility in the programming services they receive, that programming services are diverse, available and discoverable on multiple platforms.”<sup>89</sup> The CRTC pursues this objective by “striking a fair balance between allowing BDUs to provide their subscribers with more choice and flexibility and ensuring reasonable and predictable levels of revenue for programming services.”<sup>90</sup>

89. Such statements echo the Supreme Court’s teachings in *Théberge*, in which the majority held that the “*Copyright Act* is usually presented as a balance between promoting the public interest in the encouragement and dissemination of works of the arts and intellect and obtaining a just reward for the creator.”<sup>91</sup> According to the Supreme Court, the proper balance “lies not only in recognizing the creator’s rights but in giving due weight to their limited nature.”<sup>92</sup>

90. In the *VSR Reference*, the Supreme Court relied on *Théberge* to determine that granting broadcasters new deletion rights on their over-the-air signals would upset the aim of the *Copyright Act* by unduly expanding the broadcasters’ copyright control.<sup>93</sup> Bell is now seeking to turn the *VSR Reference* on its head by advocating for unfettered control rights for pay and specialty programming services that also own copyright in works imbedded in their programming services. Rather than the Wholesale Code, it is Bell’s interpretation of the scope of the statutory monopoly granted at ss. 3 and 13 which is incompatible with the aim of the *Copyright Act*.

91. As with the alleged operational conflict, Bell failed to show that the Wholesale Code conflicts with the purpose of the *Copyright Act*.

---

<sup>89</sup> 438 Policy at p 29, AB, Vol I, Tab 5.

<sup>90</sup> 438 Policy at p 29, AB, Vol I, Tab 5.

<sup>91</sup> *Théberge v Galerie d'Art du Petit Champlain inc*, 2002 SCC 34 at para 30, [2002] 2 SCR 336 [*Théberge*].

<sup>92</sup> *Théberge* at para 31.

<sup>93</sup> *VSR Reference* at paras 64-67.

**5. The Wholesale Code is authorized by the *Broadcasting Act***

92. Bell's jurisdiction argument fails for three reasons. First, Bell conflates the CRTC's jurisdiction to make the 439 Order with its jurisdiction to enact the 438 Policy. Second, Bell's relies on the mistaken belief that the CRTC cannot regulate the economic relationships between broadcasting licensees in any way. Finally, Bell's interpretation of s. 9(1)(h) of the *Broadcasting Act* is unduly narrow and would frustrate Parliament's intent.

**A. Bell's jurisdiction analysis is fundamentally flawed**

93. Bell's failure to distinguish between the components of the Wholesale Code has fatal consequences for its jurisdiction argument.

94. The first component is the 438 Policy, which sets out the provisions of the Wholesale Code. In the 438 Policy, the CRTC states its intention to make all BDUs and programming undertakings subject to conditions of licence which require compliance with the Wholesale Code.<sup>94</sup> However, it could potentially take years for the Wholesale Code to apply uniformly in this way.<sup>95</sup>

95. The second component is the 439 Order, which in the interim prevents BDUs from carrying programming services that do not comply with the Wholesale Code. The 439 Order impacts programming undertakings by affecting their ability to renew affiliation agreements that expire after January 22, 2016 and before they are subject to a Wholesale Code condition of licence.

96. Bell's failure to address these two exercises of discretion distinctly leads Bell to make the untenable argument that the Wholesale Code as a whole must be struck down, while only specifically targeting the 439 Order.<sup>96</sup> In the event that the 439 Order is struck down, Bell provides no guidance with respect to the fate of the 438

---

<sup>94</sup> 438 Policy at paras 136-140, AB, Vol I, Tab 5.

<sup>95</sup> Pursuant to ss. 9(1)(b), 9(1)(c) and 9(1)(d) of the *Broadcasting Act*, conditions of licence can only be imposed in four circumstances: (a) upon issuance, (b) upon application by the licensee; (c) on the CRTC's own motion, five years after a licence has been issued or renewed, or (d) upon renewal.

<sup>96</sup> Bell Memorandum at para 77.

Policy or other CRTC decisions applying the 438 Policy. Due to Bell's failure to provide an appropriate analytical framework, Cogeco proposes to discuss the validity of both the 438 Policy and the 439 Order separately.

**B. The 438 Policy was authorized by the *Broadcasting Act***

97. The 438 Policy benefits from a presumption of validity. As such, it can only be set aside if Bell succeeds in showing that it is "irrelevant", "extraneous" or "completely unrelated" to the purposes of the *Broadcasting Act*.<sup>97</sup>

*Bell's attack on the validity of the 438 Policy cannot succeed*

98. Due to Bell's insistence on treating the Wholesale Code as a unitary policy, Bell does not directly address the validity, let alone the reasonableness, of the 438 Policy. Rather, Bell makes the tangential argument that the CRTC cannot control the direct economic relationship between BDUs and programming undertakings.<sup>98</sup>

99. The 438 Policy is authorized by the provisions of the *Broadcasting Act*.<sup>99</sup> First, it concords with s. 3 of the *Broadcasting Act* as it aims to promote programming diversity. Second, section 10(1)(g) of the *Broadcasting Act* authorizes the CRTC to make regulations "respecting the carriage of any foreign or other programming services by distribution undertakings".<sup>100</sup> Third, s. 10(1)(k) of the *Broadcasting Act* provides that the CRTC may make regulations "respecting such other matters as it deems necessary for the furtherance of its objects."<sup>101</sup>

100. In addition, the licensing decisions which will be made under the 438 Policy, intended to render the 439 Order obsolete, are authorized by ss. 9(1)(b), 9(1)(c), and 9(1)(d) of the *Broadcasting Act*.<sup>102</sup> It is particularly telling that Bell does not challenge these provisions, given that Bell has itself applied for amended conditions

---

<sup>97</sup> *Katz Group Canada* at paras 25-28.

<sup>98</sup> Bell Memorandum at para 80.

<sup>99</sup> The CRTC need not specifically invoke these articles. See *VSR Reference* at para 23.

<sup>100</sup> *Broadcasting Act*, s. 10(1)(g).

<sup>101</sup> *Broadcasting Act*, s. 10(1)(k).

<sup>102</sup> *Broadcasting Act*, ss. 9(1)(b), 9(1)(c), 9(1)(d).

of licence for both its BDU and programming undertaking to incorporate provisions that largely mirror those found in the Wholesale Code.<sup>103</sup>

*The CRTC has always had jurisdiction to regulate economic relationships*

101. Nonetheless, Bell relies on the *VSR Reference* to argue that the Wholesale Code is *ultra vires* because it trenches on the “exclusive economic relationship” between BDUs and programming undertakings.<sup>104</sup> However, as explained above, this argument cannot succeed. The Wholesale Code simply does not create the type of exclusive control rights which would render the Wholesale Code *ultra vires* as contemplated by the *VSR Reference*.

102. Bell’s argument also runs contrary to long-established jurisprudence that has affirmed the CRTC’s jurisdiction to regulate the economic relationships between the various actors in the broadcasting system. While Bell argues that the *VSR Reference* overturned those cases, they remain good law.

103. In *Canadian Broadcasting League*, the Federal Court of Appeal held that the CRTC’s jurisdiction to regulate the rates that BDUs charge subscribers could be found either in its licensing power or its regulatory power.<sup>105</sup> In a nutshell, this case confirms the CRTC’s jurisdiction to regulate rates between BDUs and subscribers even in the absence of a specific provision under ss. 9 or 10 of the *Broadcasting Act*.

104. In *TWU*, the Federal Court of Appeal affirmed the CRTC’s jurisdiction to enact regulations that allowed the deregulation of BDUs’ rates in markets with sufficient competition. The Court held that part of the CRTC’s mandate under the *Broadcasting Act* was to promote “effective competition in the delivery of broadcasting services.”<sup>106</sup> The Court presciently added that “the competitive environment will continue to develop and market forces will have an increasingly

---

<sup>103</sup> *Supra* notes 29-30.

<sup>104</sup> Bell Memorandum at para 80.

<sup>105</sup> *Canadian Broadcasting League v Canadian Radio-television and Telecommunications Commission*, [1983] 1 FC 182 at paras 23-24, aff’d [1985] 1 SCR 174 [*Canadian Broadcasting League*].

<sup>106</sup> *Telecommunications Workers Union v Canadian Radio-television and Telecommunications Commission*, 2003 FCA 381 at para 123, [2004] 2 FCR 3 [*TWU*] [our emphasis].

important influence.”<sup>107</sup> As seen above, the Wholesale Code seeks to ensure effective competition by preventing vertically integrated entities from abusing their market power.

105. These cases show that the CRTC regularly intervenes in the economic relationships that comprise the broadcasting system. As will be seen below, the CRTC also uses s. 9(1)(h) of the *Broadcasting Act* to directly regulate the economic relationship between BDUs and programming undertakings. Absent such basic authority, the CRTC would be powerless to enforce Parliament’s delegated mandate.

**C. The 439 Order was authorized by the *Broadcasting Act***

106. In its memorandum, Bell has conflated the “Wholesale Code” with the 439 Order. Bell’s jurisdiction arguments focus primarily on the validity of the 439 Order, and on the strength of those arguments, asks for the entire Wholesale Code to be struck down. As explained above, this would be inappropriate given that the 438 Policy falls squarely within the CRTC’s jurisdiction. In any event, the 439 Order was a valid exercise of the CRTC’s jurisdiction and should not be disturbed.

107. Bell’s attack on the 439 Order relies on an artificially narrow reading of s. 9(1)(h) of the *Broadcasting Act*. Ironically, Bell’s interpretation ignores the guidance of the very case which Bell insists disposes of this appeal. In the *VSR Reference*, the Supreme Court stated that a section which purports to grant jurisdiction cannot be read in isolation.<sup>108</sup> As will be shown below, s. 9(1)(h) orders go far beyond the scope of what Bell argues is authorized by the *Broadcasting Act*.

108. Ultimately, this is a question of the CRTC interpreting the scope of its own jurisdiction within its home statute.<sup>109</sup> As established above, this is at the very heart of the CRTC’s expertise. Moreover, the CRTC’s interpretation is reasonable.

---

<sup>107</sup> *TWU* at para 123.

<sup>108</sup> *VSR Reference* at para 29.

<sup>109</sup> *Amtelecom* at paras 39-40.



Bell's interpretation of the CRTC's jurisdiction would frustrate Parliament's intent

109. Bell's complaint that the 439 Order cannot impact programming undertakings flies in the face of the plain meaning s. 9(1)(h) of the *Broadcasting Act*. A basic tenet of statutory interpretation is that "the words of an Act are to be read in their entire context in their grammatical and ordinary sense harmoniously with the scheme of the Act, the object of the Act and the intention of Parliament."<sup>110</sup> Section 9(1)(h) of the *Broadcasting Act* plainly states that the CRTC can specify conditions for the carriage of programming services. Thus, it is impossible to contemplate a s. 9(1)(h) order that does not impact programming undertakings in some manner.

110. Second, Bell's interpretation would create a jurisdictional black hole that would frustrate Parliament's intent. Parliament created the CRTC to act as the sole regulator for a single broadcasting system.<sup>111</sup> It simply makes no sense that Parliament intended for programming undertakings to be exempt from CRTC regulation under s. 9(1)(h) of the *Broadcasting Act*.

111. Third, Bell's interpretation also ignores the practical reality that s. 9(1)(h) orders routinely dictate the "commercial arrangements" between BDUs and programming undertakings. The scope of existing s. 9(1)(h) orders demonstrates Bell's error. In 2013, the CRTC approved the Aboriginal Peoples Television Network (APTN) application for a renewal of its s. 9(1)(h) mandatory carriage order.<sup>112</sup> However, the CRTC rejected APTN's requested rate increase on the basis that the proposed increase would increase consumers' costs.<sup>113</sup>

112. Broadcasting Order CRTC 2013-373 (**373 Order**), which implemented the above decision is instructive. The 373 Order mandates: 1) that BDUs must offer APTN as part of any basic cable package and remit to APTN "a wholesale rate of

---

<sup>110</sup> Driedger, E., *The Construction of Statutes*, 2nd ed., Toronto, Butterworths, 1983 at p 87.

<sup>111</sup> *Broadcasting Act*, ss. 3(2), 5. See also: *Genex Communications Inc v. Canada (Attorney General)*, 2005 FCA 283 at para 72, [2006] 2 FCR 199.

<sup>112</sup> Broadcasting Regulatory Policy CRTC 2013-372 at para 22.

<sup>113</sup> Broadcasting Regulatory Policy CRTC 2013-372 at para 25.

\$0.31 per subscriber per month”<sup>114</sup>; 2) that APTN pay the costs of transmission<sup>115</sup>; and 3) that BDUs cannot increase subscribers’ rates by more than the cost of distributing APTN.<sup>116</sup>

113. Via the 373 Order, the CRTC regulated the wholesale relationship between BDUs and programming undertakings and the retail relationship between subscribers and BDUs. Notably, the CRTC had the final say with respect to the rate paid by the BDU to the programming undertaking. As noted above, if Bell’s copyright argument were correct, this decision which also applies to Bell’s BDUs, would be *ultra vires* the CRTC and would mean that the CRTC has long been acting outside of its jurisdiction. As a result, all existing s. 9(1)(h) orders would have to be revisited as they exceed the CRTC’s jurisdiction. This absurd conclusion shows that Bell’s jurisdiction arguments run contrary to Parliament’s intent in the *Broadcasting Act*.

*Bell’s jurisdictional argument cannot be reconciled with its concessions*

114. Bell concedes that the CRTC has the jurisdiction to enact regulations requiring BDUs to offer a “‘basic service’ with a capped number of programming services at a fixed retail price, and other programming services on a ‘pick and pay’ basis”.<sup>117</sup> Bell also argues that Parliament enacted s. 9(1)(h) of the *Broadcasting Act* in order to ensure that BDUs did not abuse their role as “gatekeepers”.<sup>118</sup> Cogeco agrees with Bell on these points.

115. Indeed, preventing BDUs from abusing their role as gatekeepers is one of the main reasons why the CRTC enacted the Wholesale Code. The Wholesale Code’s primary purpose is to regulate affiliation agreements to ensure, among other things, that they do not allow BDUs, and in particular vertically integrated ones, to abuse their market power in a way that would prevent Canadians from accessing the programming services they desire.

---

<sup>114</sup> Broadcasting Order CRTC 2013-373 at para (c).

<sup>115</sup> Broadcasting Order CRTC 2013-373 at para (b).

<sup>116</sup> Broadcasting Order CRTC 2013-373 at para (d).

<sup>117</sup> Bell Memorandum at para 16(a).

<sup>118</sup> Bell Memorandum at para 86.

116. Bell's jurisdiction argument directly undermines Bell's concessions. Taking Bell's argument to its logical conclusion, the CRTC has jurisdiction to create programming packages, but cannot prevent the various actors in the Canadian broadcasting system from concluding contracts that would frustrate the delivery of those packages to the Canadian public.

Conclusion on jurisdiction

117. In essence, this appeal is a disguised attack on the reasonableness of the 438 Policy. Having failed to seriously challenge the CRTC's jurisdiction to enact the 438 Policy, or even discuss its reasonableness, Bell instead makes an end run by attempting to overturn the Wholesale Code as a whole by attacking the 439 Order. This is far from a true question of jurisdiction.

118. In the alternative, should this Court find the 439 Order was not authorized solely by s. 9(1)(h) of the *Broadcasting Act*, jurisdiction can be found via the doctrine of necessary implication. If the CRTC has the jurisdiction to enact the 438 Policy, it must have the power to implement it.<sup>119</sup> In addition, the Supreme Court has held that, "[a]lthough courts must refrain from unduly broadening the powers of such regulatory authorities through judicial law-making, they must also avoid sterilizing these powers through overly technical interpretations of enabling statutes."<sup>120</sup>

119. Simply put, a holding that the CRTC does not have power to do by a s. 9(1)(h) order that which it has power to do under other sections of the *Broadcasting Act* would result in the CRTC's jurisdiction being sterilized.

**PART IV ORDER SOUGHT**

120. For the reasons above, Cogeco requests that this appeal be dismissed.

---

<sup>119</sup> *VSR Reference* at para 32.

<sup>120</sup> *Bell Canada v. Canada (Canadian Radio-Television and Telecommunications Commission)*, [1989] 1 SCR 1722, at p 1756.

ALL OF WHICH IS RESPECTFULLY SUBMITTED, at Montréal, Province of  
Quebec, this 1<sup>st</sup> day of August, 2016.



**NORTON ROSE FULBRIGHT  
CANADA LLP**

1 Place Ville Marie, Suite 2500  
Montréal QC H3B 1R1

Claude Brunet

Martin Masse

Eric Bellemare

Telephone: +1 514.847.4747

Telecopier: +1 514-286.5474

Solicitors for the Respondent Cogeco  
Communications Inc.

## **PART V      AUTHORITIES**

### **Statutes**

*Broadcasting Act*, SC 1991, c 11

*Copyright Act*, RSC 1985, c C-42

### **CRTC Decisions**

Broadcasting Decision CRTC 2012-393

Broadcasting Decision CRTC 2016-262

Broadcasting Order CRTC 2013-373

Broadcasting Regulatory Policy CRTC 2013-372

### **Case Law**

*ATCO Gas and Pipelines Ltd v Alberta (Utilities Commission)*, 2015 SCC 45, [2015] 3 SCR 219

*Bell Canada v Amtelecom Limited Partnership*, 2015 FCA 126, [2016] 1 FCR 29

*Bell Canada v Bell Aliant Regional Communications*, 2009 SCC 40, [2009] 2 SCR 764

*Bell Canada v Canada (Canadian Radio-Television and Telecommunications Commission)*, [1989] 1 SCR 1722

*Canada (AG) v Fraser*, 2011 SCC 20, [2011] 2 SCR 3

*Canadian Broadcasting Corp v SODRAC 2003 Inc*, 2015 SCC 57, [2015] 3 SCR 615

*Canadian Broadcasting League v Canadian Radio-television and Telecommunications Commission*, [1983] 1 FC 182, aff'd [1985] 1 SCR 174

*Dunsmuir v New Brunswick*, 2008 SCC 9, [2008] 1 SCR 190

*Genex Communications Inc v Canada (Attorney General)*, 2005 FCA 283, [2006] 2 FCR 199

*Katz Group Canada Inc v Ontario (Health and Long-Term Care)*, 2013 SCC 6, [2013] 3 SCR 810

*R v Craig*, 2012 SCC 43, [2012] 2 SCR 489

*R v Henry*, 2005 SCC 76, [2005] 3 SCR 609

*Reference re Broadcasting Regulatory Policy CRTC 2010-167 and  
Broadcasting Order CRTC 2010-168*, 2012 SCC 68, [2012] 3 SCR 489

*Telecommunications Workers Union v Canadian Radio-television and  
Telecommunications Commission*, 2003 FCA 381, [2004] 2 FCR 3

*Théberge v Galerie d'Art du Petit Champlain inc*, 2002 SCC 34, [2002]  
2 SCR 336

*Wheatland County v Shaw Cablesystems Ltd*, 2009 FCA 291, [2005] 3  
SCR 609

### **Doctrine**

Driedger, E., *The Construction of Statutes*, 2nd ed., Toronto,  
Butterworths, 1983

---

**FEDERAL COURT OF APPEAL**

---

BETWEEN:

**BELL CANADA and BELL MEDIA INC.**

Appellants

AND:

**7262591 CANADA LTD. (D.B.A. GUSTO TV), ACCESS COMMUNICATIONS CO-OPERATIVE LIMITED, ALLARCO ENTERTAINMENT INC., ANTHEM MEDIA GROUP, BLUE ANT MEDIA INC., CANADIAN CABLE SYSTEMS ALLIANCE INC., CBC/RADIO-CANADA, COGECO INC., COMPETITION BUREAU, DHX MEDIA LTD., EASTLINK, GROUPE V MÉDIA INC., INDEPENDENT BROADCAST GROUP/LE GROUPE DE DIFFUSEURS INDÉPENDANTS, L'OFFICE DES TÉLÉCOMMUNICATIONS ÉDUCATIVES DE LANGUE FRANÇAISE DE L'ONTARIO (GROUPE MÉDIA TFO), MEDIAMIND DIGITAL, MTS INC., PELMOREX COMMUNICATIONS INC., PUBLIC INTEREST ADVOCACY CENTRE, QUÉBECOR MÉDIA INC., SASKATCHEWAN TELECOMMUNICATIONS, SOGETEL INC., STINGRAY DIGITAL GROUP INC., STORNOWAY COMMUNICATIONS LIMITED PARTNERSHIP, TEKSAVVY SOLUTIONS INC. AND HASTINGS CABLE VISION LTD., TELUS, TV5 QUÉBEC CANADA, VMEDIA INC. and ZAZEEN INC.**

Respondents

---

**MEMORANDUM OF FACT AND LAW  
OF THE RESPONDENT COGECO COMMUNICATIONS  
INC.**

---

**NORTON ROSE FULBRIGHT CANADA LLP**  
1 Place Ville Marie, Suite 2500  
Montréal QC H3B 1R1

Claude Brunet  
Martin Masse  
Eric Bellemare  
Telephone: +1 514.847.4747  
Telecopier: +1 514.286.5474

**Solicitors for the Respondent Cogeco Communications Inc.**