6 March 2015 **by GCKey**

Mr. John Traversy

Secretary General

Canadian Radio-television and

Telecommunications Commission

Ottawa, ON K1A 0N2

Dear Mr. Traversy:

**Subject: Follow-up to BRP 2012‑362, Biennial Report on Closed Captioning Accuracy Rate – MTS submission**

1. MTS Inc. (MTS) is in receipt of a Commission staff letter, dated 20 February 2015, following up on *Quality standards for English-language closed captioning*, Broadcasting Regulatory Policy CRTC 2012‑362, 5 July 2012 (BRP 2012‑362). In BRP 2012‑362, the Commission established a number of mandatory quality standards for closed captioning of English-language programming services, as set out in the Appendix. Quality standard number 4, *Monitoring of accuracy rate*,requires broadcasters to calculate the accuracy rate each month for two programs containing live content. Every two years broadcasters are also required to provide the Commission with a report describing their efforts made in-house and requests to caption providers in order to improve the accuracy rate of live content captioning. The 20 February 2015 staff letter states that the first of these biennial reports was due by 31 August 2014, but had not been received from a number of parties, including MTS.
2. With regards to this report, we note that quality standard number 4 seems to relate specifically to programs containing live content. In Public Notice CRTC 1997‑83, 2 July 1997 (PN 1997‑83), the Commission concluded that “live events fall outside the parameters of VOD.”[[1]](#footnote-1) Furthermore, when it approved MTS’s video on demand (VOD) programming service,[[2]](#footnote-2) the Commission referred to the VOD licensing framework set out in PN 1997‑83. As well, in BRP 2010‑190,[[3]](#footnote-3) paragraph 125 reinforces differences between VOD and pay-per-view, including how the latter exhibits live sporting events.
3. Given that these rulings form a material element of the regulatory framework for VOD, MTS does not provide any programs containing live content on our VOD service, nor have we ever done so. Further, we were unaware of the expectation that we would provide a report as set out under quality standard number 4. It was our understanding that these reports related to the accuracy rate of programs containing live content only. If quality standard number 4 is to also relate to pre-recorded programs, we respectfully submit the following.

Captioning of Pre-Recorded Programs on MTS VOD

1. MTS employees examine, in detail, the captioning of every transactional VOD program before it is released for exhibition. For this programming, we believe this approach provides more effective quality assurance than simply spot-checking random programs.
2. In examining each program, we ensure that the captioning format is pop-on, that it does not cover any key visual elements, and that it is a verbatim representation of the audio with correct spelling.[[4]](#footnote-4) When captioning is not acceptable, the program is not released for exhibition until the supplier provides a revised copy. Captioning errors are not common, but they do happen. We have rejected programs where portions of the captions were missing or jumbled, and in one instance, where the captioning belonged to a different program entirely.
3. For non-transactional programs (e.g., where viewers must subscribe to a related licensed Canadian linear service), every program is checked to confirm that captioning is present, and select programs are spot-checked for accuracy.

Captioning of Local Expression Programs

1. For MTS’s local expression (community) programming service, *Stories From Home*, every program that has been access-produced or licensee-produced[[5]](#footnote-5) since 1 September 2010 has been captioned. Before being released for exhibition, each program is spot-checked by MTS employees for accuracy. We have not yet captioned all programs produced prior to this date,[[6]](#footnote-6) so our current overall ratio of captioned local expression programs is 88%. However, we will achieve 100% prior to the end of our next licence term.

Complaints Received With Respect to Closed Captioning Quality

1. In the 20 February 2015 Commission staff letter, parties were also asked to include in their report the number of complaints received with respect to closed captioning quality since September 2012, the main concerns raised in these complaints and the number of individuals who submitted a complaint. MTS hereby advises that we have received no complaints concerning closed captioning of pre-recorded programming on our VOD service.

Yours truly,



for Russ Friesen

Vice President, Regulatory

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1. PN 1997‑83, paragraph 14. [↑](#footnote-ref-1)
2. In *Video-on-demand service for Manitoba*, Broadcasting Decision CRTC 2003-590, 21 November 2003 (BD 2003-590). [↑](#footnote-ref-2)
3. *Regulatory framework for video-on-demand undertakings*, Broadcasting Regulatory Policy CRTC 2010-190, 29 March 2010 (BRP 2010-190). [↑](#footnote-ref-3)
4. We permit spelling variants, even when a variant might be considered to be incorrect in Canadian usage, for example, metre vs meter or practice vs practise. [↑](#footnote-ref-4)
5. The vast majority of our Stories From Home programming is access programming. Typically, MTS creates only two licensee-produced programs each year – the official addresses by the Premier of Manitoba and the Mayor of Winnipeg. [↑](#footnote-ref-5)
6. Because we provide Stories From Home on our VOD service, the library of programs continues to grow and remains available for MTS TV customers to watch. [↑](#footnote-ref-6)