



Broadcasting Public Notice CRTC 2008-6

Ottawa, 15 January 2008

Notice of Consultation

Call for comments on the public disclosure of aggregate financial data for large ownership groups of over-the-air television and radio broadcasters

*The Commission requests comment on its proposal to publicly disclose aggregated financial data for large ownership groups of over-the-air television and radio broadcasters. The deadline for comments is **14 February 2008**. The deadline for reply comments is **29 February 2008**.*

In Diversity of Voices, Broadcasting Public Notice CRTC 2008-4, 15 January 2008, the Commission also sets out its determinations with respect to the proceeding on the diversity of voices in Canada that was the subject of the 17 September 2007 Public Hearing.

Matters related to a proposed Journalistic Independence Code drafted by the Canadian Broadcast Standards Council that were discussed as part of this proceeding are addressed in Journalistic Independence Code, Broadcasting Public Notice CRTC 2008-5, 15 January 2008.

Introduction

1. The Commission currently treats annual returns and historical financial statements of over-the-air (OTA) television and radio broadcasters as confidential, as set out in Circular No. 429. Only the aggregated financial data at the national and regional levels for the industry as a whole is made available to the public. At the time that this practice was established, the broadcast environment was characterized by a greater variety of locally based owners, and the rationale for confidentiality was that disclosure might prejudice an undertaking's ability to compete and contribute positively to the broadcasting system.
2. Since 2000, however, increased consolidation in the broadcasting industry has resulted in a relatively small number of large multi-station ownership groups, most of whom also control significant numbers of pay and specialty services. These large ownership groups have a privileged position in the Canadian broadcasting system.

3. On 7 September 2007, the Commission sent a letter to the large broadcasting ownership groups, which include Quebecor Media Inc., Cogeco Cable Canada Inc., CTVglobemedia Inc., CanWest MediaWorks Inc. (Canwest), Rogers Cable Inc. (Rogers), Corus Entertainment Inc. and Astral Media Inc. (Astral), and to the Canadian Association of Broadcasters inviting these parties to provide comments at the 17 September 2007 Diversity of Voices Public Hearing on the potential impact of disclosing the financial information of OTA television and radio broadcasters in a manner similar to that set out for pay and specialty services.¹
4. These parties were generally of the view that additional disclosure was unjustified. Representatives from Canwest and Rogers noted that the Commission had released additional information prior to the licence renewals of the large OTA groups in 2001.² They submitted that it would be acceptable for the Commission to release such information only in the context of particular proceedings where such additional disclosure was warranted.
5. For its part, Astral stated that if the Commission goes forward with its proposal to publicly disclose the aggregate financial data for the large ownership groups of OTA television and radio, it must do so for everyone including the Canadian Broadcasting Corporation (CBC).
6. The Commission is of the preliminary view that public disclosure of aggregated financial data of OTA television and radio broadcasting undertakings operated by large ownership groups could serve the public interest. Such information would be valuable for parties interested in submitting comments in a number of hearings and proceedings.
7. The Commission proposes to disclose to the public the following information from the annual returns of the large ownership groups on an annual basis:
 - financial summaries of OTA television and radio stations
 - overall contributions to Canadian content development by radio
 - Canadian programming expenditure data subdivided by program category for OTA television
8. This information would be aggregated at the ownership group level. For those groups with interests in both television and radio undertakings, separate group-level aggregates for each of television and radio would be made public. Group-level aggregates would also be made public for English and French services separately. Where aggregated information would reveal the results of an individual undertaking, the aggregate would be kept confidential.
9. The Commission is also interested in comments on whether it should disclose to the public the aggregated financial data of the CBC as between television and radio and between English and French services.

¹ See Circular No. 429.

² See Public Notice 2001-27.

Other matters

10. The Commission will seek comments from large broadcasting distribution undertakings on a similar proposal in the proceeding initiated by Broadcasting Notice of Public Hearing 2007-10.

Call for comments

11. The Commission invites comments that address the proposal set out in this notice. The Commission will accept comments that it receives on or before **14 February 2008**.
12. Parties may file replies on or before **29 February 2008**.
13. The Commission will not formally acknowledge comments. It will, however, fully consider all comments and they will form part of the public record of the proceeding, provided that the procedures for filing set out below have been followed.

Procedures for filing comments

14. Interested parties can file their comments to the Secretary General of the Commission:
 - **by using the**
[Broadcasting Intervention/Comments Form](#)

OR

 - **by mail to**
CRTC, Ottawa, Ontario K1A 0N2

OR

 - **by fax at**
819-994-0218
15. Submissions longer than five pages should include a summary.
16. Please number each paragraph of your submission. In addition, please enter the line *****End of document***** following the last paragraph. This will help the Commission verify that the document has not been damaged during transmission.

Important notice

17. Note that all information that you provide as part of this public process, except information granted confidentiality, whether sent by postal mail, facsimile, e-mail or through the Commission's Web site at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's Web site. This information includes your personal information, such as your full name, e-mail address, postal/street address, telephone and facsimile number(s), and any other personal information you provide.
18. The personal information you provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.
19. Documents received electronically or otherwise will be put on the Commission's Web site in their entirety exactly as you send them, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.
20. Please note that the information you provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the webpage of this particular public process. As a result, a general search of our Web site with the help of either our own search engine or a third-party search engine will not provide access to the information which was provided as part of this public process.
21. The Commission encourages interested parties to monitor the public examination file and the Commission's Web site for additional information that they may find useful when preparing their comments.

Examination of public comments and related documents at the following Commission offices during normal business hours

Toll-free telephone: 1-877-249-2782

Toll-free TDD: 1-877-909-2782

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Les Terrasses de la Chaudière
1 Promenade du Portage, Room 206
Gatineau, Quebec K1A 0N2
Tel.: 819-997-2429
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Metropolitan Place
99 Wyse Road
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Dartmouth, Nova Scotia B3A 4S5
Tel.: 902-426-7997
Fax: 902-426-2721

205 Viger Avenue West
Suite 504
Montréal, Quebec H2Z 1G2
Tel.: 514-283-6607

55 St. Clair Avenue East
Suite 624
Toronto, Ontario M4T 1M2
Tel.: 416-952-9096

Kensington Building
275 Portage Avenue
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Tel.: 204-983-6306
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530-580 Hornby Street
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TDD: 604-666-0778
Fax: 604-666-8322

Secretary General

Related documents

- *Diversity of Voices*, Broadcasting Public Notice CRTC 2008-4, 15 January 2008
- *Journalistic Independence Code*, Broadcasting Public Notice CRTC 2008-5, 15 January 2008
- *Review of the regulatory frameworks for broadcasting distribution undertakings and discretionary programming services*, Broadcasting Notice of Public Hearing CRTC 2007-10, 5 July 2007, Broadcasting Notice of Public Hearing CRTC 2007-10-1, 12 September 2007, Broadcasting Notice of Public Hearing CRTC 2007-10-2, 26 September 2007, Broadcasting Notice of Public Hearing CRTC 2007-10-3, 5 November 2007, and Broadcasting Notice of Public Hearing CRTC 2007-10-4, 30 November 2007
- *Contents of the public file for upcoming TV group renewal hearings – Commission’s determination pursuant to consideration of comments received in response to Public Notices CRTC 2001-5 and 2001-5-1*, Public Notice CRTC 2001-27, 19 February 2001
- *Guidelines respecting the confidential treatment of annual returns and material or information filed in support of a broadcasting application before the Commission*, Circular No. 429, 19 August 1998

This document is available in alternative format upon request and may also be examined in PDF format or in HTML at the following Internet site: <http://www.crtc.gc.ca>