



Broadcasting Notice of Consultation CRTC 2019-91-1

Reference: 2019-91

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Call for comments on the Commission's policy on Canadian programming expenditures – Direction to comply with a request for information

*The Commission **directs** certain broadcasters to comply with a request for information regarding data on revenues and expenditures associated with their digital media broadcasting activities. The deadline for the submission of replies is extended to **3 June 2019**.*

*Consequently, the new deadline for the submission of interventions in regard to the call for comments announced in Broadcasting Notice of Consultation 2019-91 is **8 July 2019**. The new deadline for the submission of replies to those interventions is **23 July 2019**.*

1. In Broadcasting Notice of Consultation 2019-91 (the Notice), the Commission called for comments on a proposal to update its policy on Canadian programming expenditures (CPE) and, in doing so, to take into account the digital media broadcasting environment.
2. In paragraph 32 of the Notice, the Commission stated that it would be appropriate to further its own understanding of the revenues and expenditures of Canadian broadcasters related to digital media broadcasting, specifically in the context of CPE. Accordingly, in a request for information letter dated 28 March 2019, which was sent to 20 broadcasters operating conventional television and discretionary services in Canada, Commission staff requested data on revenues and expenditures associated with those broadcasters' digital media broadcasting activities, with a reply deadline of 11 April 2019. Following a procedural request by one of those broadcasters, the reply deadline was extended to 18 April 2019. In the Notice, the Commission also indicated that it expected to publish some of the data on an aggregated basis.
3. Certain of the broadcasters that were sent the request for information letter complied with that request. However, in a joint reply dated 17 April 2019, fourteen of those broadcasters¹ (the Broadcasters) indicated that they would not comply with the

¹ Aboriginal Peoples Television Network Incorporated, Allarco (Superchannel), BCE Inc., Channel Zero, Corus Entertainment Inc., DHX Media Ltd., Fairchild Property Group Ltd., Remstar Diffusion inc. (V Média), Jim Pattison Broadcast Group Ltd., Les Placements Péladeau inc., RNC Média inc., Rogers Communications Inc., TV5 Québec Canada and ZoomerMedia.

request. The reply from the Broadcasters has been added to the public record for this proceeding.

4. In their joint reply, the Broadcasters expressed concerns regarding the disclosure of confidential financial information, the difficulty involved in separating traditional and digital data, and potential variations in the accounting practices of respondents.
5. In regard to the Broadcasters' concerns regarding the confidentiality of financial information, the Commission reminds parties that they may designate information filed as confidential. In such a case, consistent with the Commission's standard practice, parties must provide a detailed rationale to explain why the disclosure of the information is not in the public interest. At that time, parties may also argue why the information should not be published, even in aggregate form.
6. In regard to the Broadcasters' concerns regarding the difficulty involved in separating traditional and digital data and regarding potential variations in the accounting practices of respondents, the Commission notes that broadcasters are responsible for the development of internal accounting policies. Further, the Commission emphasizes that recourse to comprehensive information is fundamental for its understanding of the digital media broadcasting activities of Canadian broadcasters and of the impact of those activities on traditional television services. In this regard, Commission staff can assist broadcasters as needed, providing guidance in regard to the scope of information to be provided.
7. In light of the above, in accordance with paragraph 4 of the Exemption order for digital media broadcasting undertakings, set out in the appendix to Broadcasting Order 2012-409, and pursuant to section 9(2)(a) of the *Discretionary Services Regulations* and section 12(3)(a) of the *Television Broadcasting Regulations, 1987*, the Commission **directs** the Broadcasters to comply with the request for information. The deadline for the submission of replies is extended to **3 June 2019**. Consequently, the Commission extends the deadline for the submission of interventions in regard to the call for comments announced in Broadcasting Notice of Consultation 2019-91 to **8 July 2019** and the deadline for the submission of replies to those interventions to **23 July 2019**.

Secretary General

Related documents

- *Call for comments on the Commission's policy on Canadian programming expenditures*, Broadcasting Notice of Consultation CRTC 2019-91, 28 March 2019
- *Amendments to the Exemption order for new media broadcasting undertakings (now known as the Exemption order for digital media broadcasting undertakings)*, Broadcasting Order CRTC 2012-409, 26 July 2012