

My name is Mike Myette. I am here representing the Emergency Management Office of Nova Scotia.

Good Morning.

Our office spoke at the hearing in April of 2009 on Pelmorex's original application. While many of the concerns we expressed then no longer exist some do still remain.

Firstly, I want to point out that it is clear to us that Pelmorex has diligently completed the work associated with its undertaking to build a National public alerting system.

As would be expected from any public safety system, it appears to be both reliable and fault tolerant, with processes, controls, trained people and secure facilities in place to ensure it works as designed, when needed.

The reason I say it "appears" to be so is I don't believe there are a sufficient number of users in place nor is there evidence to suggest that sufficient system testing has occurred at this point in time.

There has been much progress on alerting policy for Canada. All of the Emergency Management Agencies in the country have collaborated with Pelmorex and representatives of the broadcasting industry to develop practices for public alerting. The Emergency Management Community in Canada has produced comprehensive criteria for broadcast intrusive alerts which is in itself a first for the country. Although a lot of effort has gone into creating these documents the work is not nearly complete because a lot more effort is going to be required to solicit the support of the broadcasting industry.

At the hearing in 2009 you asked for input regarding voluntary versus mandatory participation of broadcasters.

The most significant challenge to broadcaster participation that we've seen thus far is that there is no central association that we can use to engage in dialogue with the industry.

We would suggest that this is contributing not only to the slow pace of participation by broadcasters but more importantly it is inhibiting our ability to promote to broadcasters, the significant benefits of participation.

Fortunately ours is a small Province and we have been able to sit down and meet with all of the 19 full time broadcaster in the Province to ensure that they really understand the benefits of participating – not only to the public but to the broadcasters as well.

As a result of those discussions 18 of 19 or 95% of radio broadcasters have committed to participating.

The 19th broadcaster is citing two issues, the lack of nationally ratified broadcast intrusive criteria and liability exposure as reasons for not participating.

As I've already pointed out, national ratification of the broadcast intrusive criteria is problematic because of the lack of any national association to work with.

That said, we are participating with Pelmorex and some other Provinces and some broadcasters on a task force. We hope to identify a process to engage the wider broadcast community and work towards resolving outstanding issues.

We're confident that we'll get there eventually but it is going to take more time.

On the issue of liability, we understand that broadcasters would be concerned about a message being broadcast in error. Broadcasters are also concerned that someone may sue them because an incorrect message was broadcast by their station. We share those concerns.

Every emergency management office in Canada operates in a high risk environment every day. It is the nature of our work.

Over time, we've adopted tested and time proven risk reduction measures to reduce and manage exposure to risk and we plan on applying those same measures to our use of this system.

This will not guarantee a mistake is never made but it is guaranteed to reduce the risk to a minimum. Recognizing that some degree of risk will always exist, we know we need to deal with the liability issue. We plan on offering indemnity to broadcasters under certain reasonable circumstances. Those circumstances would require that the broadcaster not alter or interfere with our message in any way.

We've explained our proposal for managing risk to the broadcasters and our plan for offering indemnity and again only the one broadcaster remains unsatisfied.

We suggested in 2009 that allowing broadcasters to participate voluntarily would create risk because messages won't reach the greatest number of people unless all broadcasters participate to the same extent.

That risk still exists. In Nova Scotia, we are working very hard to engage radio broadcasters but if despite all reasonable efforts, that one broadcaster still refuses to come on board, our system will not be complete and there will continue to be a risk that a portion of the population will not receive an emergency alert. That is simply not acceptable.

In 2009, we expressed a concern that that some of the smaller broadcasters would not be technically capable of participating in this system.

Today we can confirm that small radio broadcasters are indeed capable of participating from a technical perspective. With the help of Pelmorex and a Canadian equipment distributor, we have conducted trials with two radio stations using commonly available broadcast intrusive equipment. We've proven that those stations can receive an alert message and have that message automatically inserted into the broadcast stream and distributed to the listening public. Indeed we issued our very first direct to air test message on this equipment yesterday afternoon in Yarmouth Nova Scotia at around 4 o'clock local time.

The fact that we can send alert messages direct to air is good news, particularly because based on our research there is not a single radio broadcaster in Nova Scotia that operates with live personnel every hour of every day.

We all know that disasters are not respectful of anyone's business hours so the ability to transmit emergency alert messages when a station is not staffed is critical to the success of this public alerting service.

It is also good news, that the equipment is reasonably inexpensive. It would appear that a radio station can be equipped at a cost of less than \$3,000.

In 2009, we said that what Pelmorex was proposing is certainly of benefit to emergency management but it was not and is still not a true "end to end" solution for public alerting. It still only delivers a message to broadcasters and makes it available for them to receive it.

The system still does nothing to provide equipment to stations to enable messages to be broadcast direct to air.

We said there were some important pieces missing that needed to be added before this system can be relied upon as a true "end to end" public safety system that will function equally well at all hours of the day or night. Again, not much has changed, those pieces are still not in place today.

We have been told that for many small radio stations an investment of \$3000.00 in equipment to enable broadcast intrusive alerts is significant, and indeed, we've been told that it is significant enough as to create an impediment to their voluntary participation in supplying this equipment.

The Province of Nova Scotia has therefore made a policy decision to acquire the equipment at public expense and supply it to every radio broadcaster in the Province.

This will ensure that the public alerting system is, at least so far as radio is concerned, a true end to end public safety system in Nova Scotia.

We are focusing our efforts on radio as opposed to television, because battery operated radios are still universally available and remain reliable during a disaster impacting electrical power supplies.

There are a number of important public policy reasons why our having a controlling stake in this equipment makes a lot of sense in terms of managing risk and managing expectations –for the broadcasters, for the emergency management office and for the public.

We believe that our approach to engaging the broadcast community in Nova Scotia is pivotal in demonstrating that the system can and will work as designed, to enhance public safety.

Our hope is that this demonstration will contribute to building the much needed critical mass, both in terms of users and broadcasters, that will be necessary to make the system a true success story.

Rest assured, everyone, the applicant, Provinces and Territories and the Federal Government as well as some of the broadcasters, are working hard to make this system a reality. As we said in our written response to today's hearing, there is much work being done but there is much more that needs to be done.

We would like to point out that the long term viability of the NAADS service is important to us as is the ongoing ability for Pelmorex to continue supporting it. We believe it is still early days with this system and that the broadcasting industry has not yet had the chance to fully understand the benefits of the system. We need to get to the point where broadcasters are not asking themselves why should we participate but rather why shouldn't we? We are not there yet.

Frankly, with only 5 provinces and one territory currently signed up, we believe that governments have yet to demonstrate full support for the system and must do so before we fault the broadcast industry for not participating and we've made that feeling known to our Provincial and Territorial colleagues.

To sum up - the National Alerting Aggregation and Dissemination Service represents significant and positive progress on public alerting in Canada – in fact, more progress in the last 18 months than in the past 18 years.

More progress is needed however in terms of engagement with broadcasters, testing of the system and indeed engagement of more users in the form of Provinces and Territories.

We've already invested and we are willing to invest much more in terms of time and effort to engage the broadcasting industry and convince our colleagues across the country that haven't signed on that they should.

Frankly, however if there is a risk that Pelmorex will stop supporting the system or turn it off because they can't afford to keep running it, I'm concerned that all that effort might be wasted.

In your consideration of Pelmorex's licence renewal and extension of the mandatory distribution order, we urge you to consider the fact that having Pelmorex's continued support and development of the service is essential to making this service the National Success Story that it deserves to be.

Pelmorex has already said that a mandatory carriage order is essential to their ability to continue supporting and developing this system. We urge you to view your decision as a much needed opportunity to bring long term sustainability and permanency to the system and to reassure both users and distributors alike that this system is here to stay.

The equipment we've just purchased has an expected life span of between 12 and 15 years and we would like to know that our return on investment can be spread out over that same time frame.

It concerns us that others who at this moment may be considering making an investment, whether they be Provinces or Territories or distributors, might rethink that decision if they perceive a risk exists that the system won't be here beyond 2015 when the mandatory distribution order expires.

The assurances that the commission can bring in that respect would, I'm sure, be welcome to all.

Thank you for the opportunity to make these comments and I would be happy to respond to your questions.