



Oral Comments

in

Response to CRTC Public Notice 2015-421

January 26, 2016

Introductions

- 1 (Cathy) Good afternoon, Chairman Blais, Commissioners Dupras, Simpson, MacDonald and Molnar. I am Catherine Edwards, with the Canadian Association of Community Television Users and Stations or CACTUS, the unintentionally prickly name by which we are known.
- 2 Our members include not-for-profit over-the-air and cable-only community TV stations, community TV corporations such as Metro Vancouver that produce on BDU community channels, and dozens of individual Canadians and community groups that are concerned about the democratic deficit that has arisen in the wake of consolidation in the cable industry.¹
- 3 We agree—as do almost all interveners in this proceeding—that the goals for the community element remain more relevant than ever in an environment of intense media ownership concentration and in which the public and private sectors seem challenged to supply local content.
- 4 With me are members:
 - John Gagnon of Wawatay Native Communications Society, a radio broadcaster wishing to re-instate TV broadcasting using its existing network of towers in Nishnawbe Aski communities
 - John Savage, representing the Ontario Library Association, the Ontario Public Library Association, and endorsed by the Canadian Library Association, with whom CACTUS is partnering to develop public libraries as community media centres
 - Andre Desrochers, of CSUR La Télé in Vaudreuil-Soulanges, representing the interests of Quebecois to the CACTUS board
 - Patrick Watt of St. Andrews Community TV in New Brunswick—who, as an over-the-air license holder—can answer questions about the distribution of independent community TV
 - Deepak Sahasrabudhe of the Internet-based newwest.tv in BC, who has been studying BDU compliance with community TV policy
 - Gary Jessop, CACTUS' legal counsel.
- 5 We are honoured to be joined by Penny McCann, of SAW Video, a member of the Independent Media Arts Alliance, a network of approximately 100

¹ For more information about CACTUS, see cactus.independentmedia.ca.

artist-owned co-operatives across Canada. Many IMAA members offer video training and equipment access, but lack access to broadcasting. CACTUS has developed partnerships with public libraries, video co-operatives, and community radio stations because it will be a big job to rebuild Canada's community TV sector. Together, we have the capacity to meet the Commission's goals for the community sector—but we need your help.

Scope

- 6 The working document released on January 12th focuses on “The Importance of Local News”. We were assured by the Commission in Let’s Talk TV that a full review of community TV would occur during 2015 or 2016. We trust that the challenges facing community TV will be addressed and are as much a concern to the Commission as to us.
- 7 These include widespread station closures in the wake of cable industry technical interconnection and ownership consolidation over the last 15 years, and a lack of citizen access at the relatively few cable community channels that remain, which Deepak detailed yesterday. His online database at www.comtv.org forms the basis of 69 complaints filed by CACTUS and community groups, affecting over 80% of licensed cable systems.

It Is Neither Necessary Nor Appropriate to Rob Peter to Pay Paul

- 8 (Deepak) The vast majority of interveners do not believe that 'rebalancing' funding away from community channels is necessary or appropriate. Friends of Canadian Broadcasting and the Forum for Research and Policy in Communications provide compelling evidence that the profitability of local professional news is likely to continue to decrease, and cannot be addressed by pillaging the community sector. They do not agree that there is “enough money in the system”.
- 9 Only Rogers, Bell, and the SMITS coalition advocate taking money from community TV to support local professional news. For Rogers and Bell, this would mean a reallocation of funding among their own properties. For SMITS coalition members, it would mean a net gain.

Scrutinizing the Data

- 10 (Cathy) The fact that 81% of Canadians surveyed by Harris/Decima 'value' local TV news appears to be driving this proceeding. But comparing this figure to the 32% that said they 'value community channels':
- Is to compare apples with oranges. Respondents were asked to rank program categories including news, comedy, drama. A "Community channel" is a *channel*.
 - It is not stated whether respondents live in urban or rural areas. Urban community channels may have high niche but low overall viewership, while rural channels tend to have *overall* high viewership if they are the only local TV channel. (52% of Atlantic Canadians said they 'valued community channels' in the same survey.)
 - More than 200 community channels have closed and the majority that remain do not promote access or air local content as the CRTC expects. How can Canadians value something to which they don't have access?

But most significantly, the Harris/Decima survey did not ask where respondents source most local information. In the surveys conducted by CREO in our member communities and by the Community Media Policy Working Group, TV trailed the Internet, radio and newspapers. We don't believe 'local reflection' can be effectively studied or regulated on one medium in isolation from others.

The Community-Access Media Fund is an Example of the CRTC's Fund A

- 11 (John Gagnon) The proposal we presented at the Community Media Convergence on November 24th and to this proceeding on January 5th is an instance of the Commission's proposed Fund A.
- 12 Indigenous peoples *need* media that reflect our local concerns, aspirations, and culture. If the public and private sectors are challenged to provide a few hours of local coverage per week in just 59 cities (with populations of 100,000 or more), it is the community sector's cost-effective production model that can step into the gap and provide:
- Televisual content for the rest of us. The \$151 million spent on BDU community channels is enough to serve 250 communities with our own TV station... including communities having fewer than 10,000 people. Base on our member production patterns, 75% of the content will be local news and information.

- Training in traditional and new media, so that all Canadians can participate in the digital economy. Community members with a story to tell or an event to promote will be able to reach the whole community, on all platforms and by whatever media. This is Wawatay's vision for the Nishnawbe Aski communities we serve.
 - Genre and editorial diversity that are impossible to generate in the public and private sectors.
- 14 (John Savage) CACTUS proposes that the \$151 million spent on BDU community channels be directed to a new Community-Access Media Fund (CAMF) to support channels owned and operated by community-based not-for-profit organizations. They will be accountable, with representation from community institutions such as public libraries, cultural, educational and social service organizations—and best of all, me and you!
- 15 Existing infrastructure and expertise will be leveraged among 200 community media organizations, over 600 public libraries, 3000 former CAP sites, and 100 IMAA members. There will be no service 'gap' while CAMF gets up and running. Existing organizations will access operational funding right away to meet the Commission's community-access mandate **and** the need for local information outside the 59 markets served by public and private stations. Community-based organizations are the only players that can address both challenges.
- 16 (Penny) It is significant that although every BDU gives lip service to the importance of citizen access—some in glowing terms—every one requests less de facto access. How can access be 'the cornerstone of the CRTC's policy' for community TV if just a minority of the content is produced by citizens?
- 17 These requests—in combination with their inability to meet existing access minima in the majority of license areas—show that BDUs fundamentally don't *get it*. They imply that access is expensive and request more 'flexibility', yet it's when you don't have many resources that you need volunteers and collaboration with communities *more*. BDUs see as a burden what communities know is an opportunity.
- 18 The fund we propose will:
- serve 5 times as many communities as a private-sector fund
 - reduce the regulatory burden for BDUs and the Commission
 - restore accountability at two levels:

- community-elected boards will manage local budgets, and
- CAMF will oversee the national community TV budget.

Another LPIF (FAPL)?!

- 19 (Andre) Nous trouvons déconcertant qu'il y a à peine deux ans, lors du retrait du Fonds d'amélioration de la programmation locale (FAPL) parce que « le Conseil estime qu'il n'est pas souhaitable de dépendre du financement du fonds à long terme dans le contexte du nouvel environnement de la radiodiffusion... » qu'aujourd'hui il revienne demander la création d'un même fonds. Comme le souligne PIAC, le FAPL a été perçu comme une manœuvre de la part des EDR pour sortir l'argent d'une poche et se le remettre dans une autre. Pourquoi retourner dans cette direction encore une fois et compromettre l'unique secteur avec un mandat local exclusif et positionné pour générer la proportion de contenu local dont tout le monde dit avoir besoin ?
- 20 Nous avons le devoir de disperser cette rare ressource financière vers les groupes et les régions qui sauront faire fructifier au maximum ces argents.
- 21 Remettre une portion du fonds aux stations locales privées ne résoudra pas le problème à long terme. Pour y arriver, il faut une sérieuse restructuration. Pourquoi ne pas se baser sur la proposition de Friends of Canadian Broadcasting, de copier le FCC aux États-Unis, qui utilise les approches plus axées sur le marché, comme « retransmission consent » ou « local market rights protection » ?
- 22 Ou, tel que le mentionne PIAC, la grande concentration des médias a été rendu possible parce que les EDR avaient les reins assez solides pour financer la production de bulletins de nouvelles et de séries dramatiques. Le Conseil a mentionné que les EDR sont dans une ère de « croissance modérée ». Nous sommes en accord qu'il y a suffisamment d'argent dans le système, mais il serait contreproductif de prendre le seul argent prévu au secteur communautaire.

Proposal B

- 24 (Patrick) The Commission's Proposal B would allow BDUs to direct money from their urban to rural community channels to create 'professional news':
- 25 However, the elements are meant to be complementary, not competitive. In any facility in which professional news is made, citizen access will lose out—which Rogers confirms in proposing to reduce the amount of access if this plan is adopted. BDU community channels would become local private

news stations that would exploit volunteers as cheap labour if they are permitted any access at all.

- 26 BDUs have already closed more than 200 stations, including over 20 in my province of New Brunswick. Rogers acknowledges that more than 2/3rds of its remaining production facilities are in communities already served by private and public stations.
- 27 The best way to meet the needs of smaller communities is to empower us to allocate resources to the program formats we need—not BDUs.

Unleash Communities

- 29 (Cathy) \$151 million will not prop up private local broadcasting, but it is enough to unleash the dormant power of communities to program for themselves. \$151 million is 1/10th the budget of the public sector and 1/20th that of the private sector. As one pillar in the system, surely communities have earned the right to manage this modest budget. After 40 years of BDU management, 18 years of watching our community channels close, and fighting BDUs for control of what was meant to be a community resource, surely Canadians have won the right to show that we can answer our own need for local information in markets not served by conventional broadcasters. If communities come clamouring back to BDUs to take the reins, we would be surprised.
- 30 Thank you for the opportunity to participate in this proceeding. We look forward to your questions.