



CAB | ACR

**Proceeding on the Review of the
Regulatory Frameworks for Broadcasting Distribution Undertakings and
Discretionary Programming Services**

Notice of Public Hearing 2007-10

**Closing Remarks by
The Canadian Association of Broadcasters**

April 10, 2008

**CAB Vision: The goal of the CAB is to represent and advance the
interests of Canada's private broadcasters in the social, cultural and
economic fabric of the country.**

We would like to conclude our presentation today by expressing our appreciation for the opportunity to participate in this dialogue. There is no doubt that we feel strongly about the positions we have presented. We also understand and appreciate that you have heard and will hear many other voices throughout this proceeding that take differing views. Canadians have been debating broadcasting policy for many, many years because we genuinely care about Canadian radio and television. And we sincerely consider it a privilege to be sitting in this room today, debating how to take the best broadcasting system in the world and go forward and face the challenges that lie ahead.

The public record of this proceeding is replete with evidence of success in accomplishing the objectives of the Broadcasting Act. We find no evidence to the contrary, even from those who suggest wholesale change.

The simple fact is that this system is the product of hard work by generations of broadcasters, distributors and regulators. Our journey to this point did not always unfold under sunny skies and over well-paved roads. There were many challenges along the way. Challenges that would have severely crippled or compromised the outlook of a less committed, innovative and industrious group of builders. Instead, while both numerous and formidable, the challenges only offered more inspiration to those who believed in the vision of building a unique Canadian broadcasting system, a system of opportunity and inclusion, of Canadian expression.

Our broadcasting history has scores of examples of defining junctures, crossroads where tough choices were required by this Commission and broadcasting and cable pioneers. When you look back, it's interesting to observe how at every crossroad we encounter challenges relating to access, diversity and choice in one form or another.

1. Some will recall that in the early days of cable, many of the systems were owned by Famous Players or by CBS. On the heels of the recommendations expressed by the 1964 Fowler Committee regarding foreign ownership of cable, Parliament adopted the 1968 Broadcasting Act – stating that the broadcasting system was to be “owned and controlled by Canadians”. Under its Chairman, Pierre Juneau, the regulator announced that all broadcasting undertakings – cable included – had to be at least 80% Canadian-owned. This opened the door to Canadian cable pioneers like Ted Rogers, Henri Audet and Francis Shaw, who became some of the first major system operators in the

country, imposing Canadian control over what had been an essentially US-run industry.

2. I'll give you a second example of a time when our predecessors had to stare down formidable challenges. As late as 1980, there were still Canadians who had no access to television at all. A CRTC-appointed committee, chaired by Vice-Chairman Réal Therrien, was created to find solutions.

The Therrien Committee's report broke ground in two major areas: first, for Aboriginal broadcasting and, second, for encouraging the use of satellite television to reach remote communities. With respect to Aboriginal Canadians, the Therrien Committee report recommended that the CRTC issue a call for licences for native broadcasting, paving the way for Television Northern Canada, the predecessor to today's APTN. In 2008, APTN reaches over 10 million households and broadcasts in 28 different languages.

The Therrien Committee also urged the CRTC to issue a call for licences for satellite services to serve remote and northern communities. Shortly thereafter, CANCOM was launched. Quickly, it became possible to extend cable service to communities with as few as 100 households.

Since that time, DTH has emerged as an essential component of our broadcasting system, today serving over 2.6 million subscribers across the country.

3. And finally a third example. Throughout the '70s cable operators had been pushing for pay TV in Canada, since the service was already available in the US (HBO had launched in the early 70s). By the early 80's, A&E was carried in Canada by cable. In 1982, the CRTC, awarded the first Canadian pay TV licences. However, the CRTC was concerned that pay TV, in particular, would be a conduit for US programming, while undermining the financial base of Canadian television.

Acting on the deliberate language in its pay licensing decision the CRTC set out to *“use its powers under the Broadcasting Act to meet this challenge by fostering the development of a distinctive pay television system that will further the objectives of the broadcasting policy set out in the Act.* Under its new Chairman André Bureau, from those decisive words was born the regulatory framework for Canada's first specialty services two years later, including TSN and MuchMusic.

As a result of that framework, today we have access to over 170 Canadian discretionary services, operating in English, French and more than 40 other languages.

I refer to these historic examples to simply put this proceeding in context, as we see it.

Here in 2008, in this room, is yet another appointment with chapters of Canadian broadcasting history waiting to be written. The history of the system is much richer in remarkable stories than time can afford us the opportunity to recall in all of their colorful details. Yet, throughout the many accounts of how this tremendous broadcasting system success story was built, we find a common thread and a recurring theme. At its very core our broadcasting system provides inclusion and voice for Canadians. And what is a people without a voice?