



Sent via Intervention Form

9 October 2025

Marc Morin
Secretary General
Canadian Radio-television and
Telecommunications Commission
Gatineau, Quebec
K1A 0N2

**Re: Reply comments of the Canadian Association of Broadcasters with respect to
Broadcasting Notice of Consultation CRTC 2025-94**

*Call for comments – A new approach to funding public interest participation in
Commission proceedings*

1. As the national voice of small, medium and large Canadian privately-owned and controlled radio, TV and discretionary broadcasters, the Canadian Association of Broadcasters (CAB) is pleased to provide its reply comments with respect to the above noted Notice of Consultation.
2. Based on our review of the initial submissions in this proceeding, the CAB wishes to recommend that the Commission:
 - avoid an expansive approach to public interest participation funding;
 - support greater public engagement through other means; and
 - adopt/require greater rigour in the process(es) for awarding costs.
3. We elaborate on each of these recommendations in the following sections.

Avoid an expansive approach to public interest participation funding

4. While we recognize that the *Broadcasting Act* (the Act) and the government's policy direction to the CRTC¹ (the Direction) give the Commission explicit tools to support the participation of persons or organizations representing the public interest and directs the Commission to "consider"² whether to use those tools, the Commission need not, and must not, be too expansive in this area.

¹ [*Order Issuing Directions to the CRTC \(Sustainable and Equitable Broadcasting Regulatory Framework\)*](#)

² *Ibid*, section 12(h).

5. As described in our initial submission, Section 11.1(1)(c) of the Act permits the Commission to make regulations respecting expenditures to be made to support participation “*by persons, groups of persons or organization representing the **public interest** in proceedings before the Commission.*” And section 12(h) of the Direction requires the Commission to “*consider the need for sustainable and predictable funding to support participation by persons, groups of persons or organizations representing the **public interest** in proceedings before the Commission.*” [our highlights]
6. This does not mean the Commission *must* implement such a regime; however, if it does, the Commission must ensure that funding is directed only to individuals and groups who represent the *public/consumers* that might not otherwise be heard.
7. More importantly, such a regime must not be expanded to support stakeholders who do not represent the public interest, and especially not other broadcaster or stakeholder associations that participate in Commission proceedings with the ultimate goal of triggering additional spending from broadcasters to the benefit of their members. These organizations do not represent the public interest, but rather their members’ interests. It is not appropriate for parties that have an economic interest in the outcome of a proceeding to be funded by the very broadcasters they are seeking to regulate. Nor should the Commission expand the regime to include parties with “unique sectoral perspectives.”³
8. As noted by Corus, “*Public interest funding should be reserved for organizations who truly represent consumers.*” In addition, it must be clear that public interest funding recipients actually consult with members of the public to inform their regulatory positions. To our knowledge, the current system does not require recipients of funding or cost awards to demonstrate that they are indeed proxies for the public they purport to represent.
9. For these reasons, the Commission should be cautious not to simply assume that additional measures are needed in this area or that its criteria should be expanded. Instead, like many intervenors, we recommend a greater level of rigour and scrutiny over existing measures and the adoption of other mechanisms to support broader engagement by the public and public interest groups, as discussed further below. We also support the adoption of a revenue threshold such that public interest organizations that do not need funding would not be eligible.⁴
10. Finally, under no circumstances should public interest participation funding be expanded to provide operational support⁵ or support attendance at conferences.⁶

³ As recommended by the Canadian Association of Film Distributors and Exporters (CAFDE).

⁴ As recommended by, for example, the Disability Screen Office and Black Screen Office. The Public Interest Advocacy Centre similarly recommended that more vulnerable groups be prioritized over those that have other sources of financial assistance.

⁵ As recommended, for example, by Consumers Council of Canada.

⁶ As recommended, for example, by the Forum for Research and Policy in Canada

Support greater public engagement through other means

11. The record of this proceeding provides a wealth of recommendations for improving the Commission's engagement with the public through means other than participation funding. Almost all parties recommended additional outreach, building on what the Commission has already started to do, including more plain language information on the website, FAQs, targeted outreach and educational sessions ("CRTC 101s"), and mentoring or pairing programs. Some parties also recommended longer timelines, more accessible formats, and downloadable templates. Still others recommended building other engagement teams within the Commission like the Indigenous Relations Team and providing greater transparency and predictability on upcoming proceedings.
12. As noted by Rogers, funding is not the only way to improve public participation in Commission proceedings:

Financial compensation should not be considered the benchmark for meaningful engagement. The Commission should continue to focus on empowering a broader range of voices to engage meaningfully in its proceedings through ongoing procedural reforms and investments in accessibility, clarity, and outreach initiatives. Public interest funding should remain a supporting mechanism, not a substitute for well-designed processes that foster genuine engagement.

13. We also agree with the position of the Canadian Telecommunications Association (CTA), that "*the Commission should not assume that any barrier to participation is related solely to the availability of funding or the speed of disbursement.*"
14. As the record of this proceeding clearly demonstrates, there are a myriad of ways to support broader public participation in CRTC proceedings besides increasing the financial burden that applies to Canadian broadcasters who – as demonstrated in our initial submission – are struggling with decreasing revenue and increasing costs. This is not the time to be adding any additional regulatory burden to Canadian broadcasting companies, especially new obligations with direct financial consequences. Instead, the Commission should favour other mechanisms that also better serve the government's directive to the Commission to "*where appropriate, minimize the regulatory burden on the Canadian broadcasting system.*"⁷

Adopt/require greater rigour in the process(es) for awarding costs

15. The CAB fully supports those intervenors who called for greater rigour in determining who is eligible for cost awards in any given proceeding and stronger oversight. We believe this rigour should apply regardless of whether the Commission is awarding costs (as per the telecom model) or a third-party fund is assigned responsibility.

⁷ The Direction, at section 8(a).

16. We fully endorse the recommendations of the CTA that the Commission should strengthen the eligibility criteria, as follows:

- Parties should have to demonstrate that they represent a specific group of Canadians with a specific interest in the proceeding at hand and how they differ from other groups that represent the same population. As noted by the CTA, this should help mitigate duplication of positions and effort.
- Parties should have to demonstrate how their participation will help (or helped) the Commission develop a better understanding of the issues, with information that the Commission might not have otherwise received, and which is directly relevant to the proceeding. As noted by the CTA, this would reduce the likelihood that participants will undertake work that is not directly related to the proceeding and help them to focus and contain costs while also ensuring that their participation actually contributes to the Commission's understanding of consumer interests in any given proceeding.
- Finally, parties should have to demonstrate that they participated in a responsible way, including by working with like groups to minimize duplication and by ensuring that their interventions are actually germane to the scope of the consultation and the matters under consideration. They must also ensure that cost claims are reasonable and specifically related to their participation in a particular proceeding.

17. Furthermore, as noted by Cogeco:

19. The industry should not be obligated to fund the participation of every public-interest group if they cannot demonstrate the relevance of their intervention to the specific proceeding, that they represent the interests of consumers, or that they are not sufficiently capitalized to self-fund their participation. Public interest groups must demonstrate they meet these eligibility criteria for each cost award application, and given that each proceeding differs in scope and nature, relevance in one proceeding does not guarantee relevance in subsequent proceedings.

18. We also support Rogers' proposals for a more efficient coordinated and cost-effective framework, including mandatory pre-registration for cost applicants, and Bell's proposal to require parties to submit a budget as part of their initial application for costs.

19. Should the Commission mandate a third-party fund to manage the process, equally rigorous criteria and processes should apply.

20. In addition, if the Commission chooses to mandate the Broadcast Participation Fund, it must be required to ensure greater transparency in its decision-making, adopt a stricter governance model that includes contributors on its Board, keep contributors informed about how funds are being used, and provide an opportunity for contributors to review

and comment on cost-award applications, as is currently the case under the telecom cost model.

21. We note that proponents of the fund approach also supported additional rigour; and while PIAC prefers the fund approach as being “less litigious,” we believe that giving contributors an opportunity to comment on or question the appropriateness of any cost allocation is an important part of the process and recommend that this important aspect of the cost regime remain in place, under whatever model the Commission adopts.
22. Finally, noting that many parties support a fund approach as faster than Commission processes, we believe that should the Commission decide to proceed with the telecom costing approach, it can find ways to improve the timeliness of its processing and decision-making, including, for example, adopting recommendations about standardized and templated forms, a modern online portal, and the creation of a dedicated “one-stop-shop” (single point of contact) office within the CRTC to process cost award applications, expedite the process, and field questions from applicants and respondents.⁸

In conclusion

23. As a final thought, the CAB wishes to address the perception that broadcasting companies are massively resourced in comparison to non-profit stakeholders. The reality is the opposite. The vast majority of radio and television stations and station groups have no regulatory staff. And while the very largest broadcasting groups may have regulatory personnel, these teams are shrinking as part of significant cost-cutting within those organizations, and the remaining regulatory staff is tasked with a much broader ambit than it had before. In today’s broadcasting environment, borrowing the metaphor used by the Consumers Council of Canada, broadcasters are the “David” to the “Goliath” of online streamers. This is the fundamental reason why we recommend caution when considering any measure that might add to the burden of Canadian radio and television broadcasters.

24. All of which is respectfully submitted.

Yours sincerely,

[Original signed by]

Kevin Desjardins
President | Canadian Association of Broadcasters

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⁸ As recommended, for example, by the First Mile Connectivity Consortium.