



The Community Element in the Broadcasting System:
Vision for a Digital Canada

Further Written Comments
by the
Canadian Association of Community Television Users and Stations (CACTUS)
for
the CRTC's Review of Local and Community TV Policy
Broadcasting Notice of Consultation CRTC 2015-421

January 5, 2015

By fax: (819) 994-0218

Mr. John Traversy
Secretary General
CRTC,
Ottawa, Ontario, K1A 0N2

**RE: Broadcasting Notice of Consultation CRTC 2015-421
A review of the policy framework for local and community television
Submission of CACTUS**

Dear Sir,

1. The Canadian Association of Community Television Users and Stations (CACTUS) is very pleased to file further comments in response to Broadcasting Notice of Consultation CRTC 2015-421-2. These comments are in addition to the submission in this proceeding filed by CACTUS on November 6, 2015.
2. CACTUS set out in detail in its submission filed on November 5, 2015 as to why it required additional time in which to file its more detailed comments in this proceeding. CACTUS now has had time to consider fully consult its members and to consider the information discussed at the Community Media Convergence conference and this information is reflected in our comments below. Both of these events could only take place after the original November 5, 2015 submission date. CACTUS has also been able to complete several studies that it indicated in its November 5, 2015 submission and has incorporated this useful information into these comments. CACTUS submits that its comments reflected in this submission reflect its ability to better inform itself on the issues facing the community media industry as a whole and as a result the comments set out below will be relevant to the Commission's consideration in this proceeding. No party will be prejudiced by this submission and all parties will have ample time to consider these comments prior to the public hearing at the end of January 2016. Accordingly, CACTUS submits that this submission should be permitted to be included as part of the public record of this proceeding.

Executive Summary

- 1 Canadians need community TV (that is, televisual content that is distributed by whatever means and which reflects their local concerns, aspirations, and culture) more than ever. In an environment in which the public and private sectors are challenged to produce local content, it is the community sector's cost-effective production model than can step into the gap. Canada's public and private broadcasters have stations in just 52 cities—Canada's biggest.

- 2 It is the community sector that can step into the gap and provide:
 - Televisual content for everyone else. There is enough money tied up in BDU “community channels” to serve 250 communities with their own TV station... including many communities having fewer than 10,000 people. This was once the 'norm' in Canada, and can be again.
 - A diversity of voices and points of view absent in mainstream media in recent years, in big centres and in small.
 - Training in new and old media, so that Canadians can function in the digital economy to express themselves, to run not-for-profit and service organizations, and small businesses that need to communicate at the local, regional, and national levels.
 - Genre variety that is impossible to generate in the public and private sectors... meeting the viewing tastes and needs of all Canadians - because they will be in the driver's seat. Every Canadian will be able to participate in the production and distribution of media that is meaningful, in-depth, and reflective of their tastes and the communities in which they live.

- 3 Community TV has always had this potential, and once filled this role. But we can't turn back the clock. The cable stewards that communities once relied upon are no longer resident in their communities except for the cable infrastructure that they have left behind - infrastructure which communities can leverage to meet their own communications needs.

- 4 CACTUS proposes that the money currently allocated within the system be used to create a new Community-Access Media Fund (CAMF), to which community-based not-for-profit organizations could apply for operational funding to manage their own community media centres and TV stations. These not-for-profit community organizations would apply for and be granted a Community Access licence by the Commission and it would be these new community owned and controlled entities that would take over the operation of community stations in Canada – the BDUs would no longer be permitted to do so. They would be managed

accountably, with representation from key community institutions such as municipalities, public libraries, educational authorities, the Chamber of Commerce, artistic and cultural organizations, social service organizations---and best of all, me and you!

- 5 The content they would generate would be available on all distribution platforms by which Canadians access TV, to maximize the investment. There would be no more competitive BDU “community channels”, reduced to irrelevance because only certain subscribers can see them, and no service provider can actually afford to train anyone outside the biggest cities. It will be the dawn of a new age, where all Canadians have access to a digital 'townhall'.
- 6 To maximize the investment even further, the community media centres that offer training, production and distribution will be encouraged to teach multimedia skills, so that when community members have a story to tell or an event to promote, they can reach the whole community, on whatever platforms and by whatever media they use and access. Boundaries between different BDU subscribers, and age boundaries among different media users will be removed. All will be encouraged to hone their skills and participate in the digital economy, as creators, viewers, listeners, players.
- 7 Existing infrastructure and expertise in providing media training and access, and digital skills training will be leveraged, including existing community media organizations, former CAP sites, IMAA members, and public libraries. There will be no service 'gap' while CAMF gets up and running. Existing organizations will access operational funding right away to meet the community media mandate. Holes in the current BDU system will start being filled within the first year, on a graduated roll-out.
- 8 In addition to describing how CAMF would work, we make the following additional recommendations, details of which are set out in this further submission:

Recommendation #1: New “Community-Access Licence” Class

Recommendation #2: Clarify Status of For-Profit (Private) Channels

Recommendation #3: Leverage New Media

Recommendation #4: Pool Resources, Ensure Discoverability of Community Content

Recommendation 5: 2% Contribution from All BDUs

Recommendation 6: Requirements for “Community-Access” Licence

Recommendation #7: Distribute Content on Multiple Platforms

- Recommendation #8: Remove Low-Power Limitation; Consider Community-Access License Holders Primary Assignments**
- Recommendation #9: Mandate Carriage by Terrestrial BDUSs throughout Service Area Approved by Commission**
- Recommendation #10: Reserve One Channel for Community Use; Assume Responsibility for Reserved Frequency of the Public Broadcaster?**
- Recommendation #11: Multiplex Community Broadcasters if No Frequency Available**
- Recommendation #12: Satellite Distribution**
- Recommendation #13: Maintain Community Signal Quality**
- Recommendation #14: Seamless Over-the-Air Viewing**
- Recommendation #15: Appoint an Ombudsperson for Community Element**
- Recommendation #16: Initiate a Consultation with Parliament to Re-Examine Restriction on Municipal Licenses**
- Recommendation #17: Cease Dividing Community Channels (and Communities) by Language**

Table of Contents

<u>Preamble</u>	10
Structure of Our Comments.....	10
Comments on Review Framework.....	11
The Invisible Not-for-Profit Community TV Element: Who We Are.....	23
<u>Section I: The Need for Community Media Organizations is Greater than Ever:</u>	
Part I: Definitions	29
Local Programming (questions 1 and 2).....	30
Local News.....	38
Access Programming (questions 13 and 14).....	41
Access Producer.....	41
Community Programming (not a CRTC question; but should have been).....	43
Part II – The Need for Local Training and Production Facilities (questions 5, 14, 17)	
Television Production is a Team Undertaking.....	49
Community-Access Television Production Involves the Whole Community.....	50
The Democratic Role of Community Media as a Content Aggregator.....	50
Social Media Do Not Aggregate Local Content.....	51
Community Media are Trusted and Credible Content Aggregators	52
The Need for Digital Skills Training.....	53
Community Media Drives Innovation.....	57
Community Media Organizations are Repositories for Community History.....	59
Community Media Organizations Advocate for Media Access.....	60
Conclusion: But Don't Take Our Word For It.....	61
Part III – Community Media in a Robust Canadian Media System	64
Responding to the Threat from ‘Over-the-Top’ Services	65
Ensuring Volume and Genre Diversity is Available Across Canada.....	67
Providing a Balance for Media Ownership Concentration.....	68
<u>Section II: The Failure of the Current Policy</u>	70
<u>Section III - Additional Reasons BDU Management Not Practical</u>	74

Section IV: Unleashing the Community Sector	75
Recommendation #1: New “Community-Access Licence” Class	76
Recommendation #2: Clarify Status of For-Profit (Private) Channels	77
Recommendation #3: Leverage New Media	78
Recommendation #4: Pool Resources, Ensure Discoverability of Community Content	80
Community-Access Media Centres: What Will They Cost?.....	84
Sample Budgets for Small, Medium, Large communities.....	87
Captioning and Described Video.....	91
Comparison with Resource Allocation to BDU “Community Channels” ..	92
Comparison with Spending on Private and Public Local Programming...	94
Comparison to Community Radio Funding.....	97
Funding Options.....	98
Advertising.....	99
Existing Model (2-5% BDU Spending Requirement on Local Expression).....	101
All BDUs, 2%, Amounting to Similar Total.....	102
Municipalities.....	103
Federal Funding.....	104
Recommendation 5: 2% Contribution from All BDUs	105
Summary: Funding.	106
Recommendation 6: Requirements for “Community-Access” Licence	108
The Community-Access Media Fund (CAMF): How It Would Work.....	110
Build on Existing Organizations	111
Year by Year Roll-Out.....	114
Role of CACTUS in Assisting Communities.....	116
Responsibilities and Structure of CAMF.....	118

<u>Section V: Distribution of Community Content</u>	120
Recommendation #7: Multiplatform Distribution	120
Recommendation #8: Remove Low-Power Limitation; Consider Community-Access License Holders Primary Assignments	121
Recommendation #9: Mandatory Carriage by Terrestrial BDUSs throughout Service Area Approved by Commission	122
Recommendation #10: One Channel Reserved for Community Use; Assume Responsibility for Reserved Frequency of the Public Broadcaster?	123
Recommendation #11: Multiplex Community Broadcasters if No Frequencies Available	123
Recommendation #12: Satellite Distribution	124
Recommendation #13: Maintain Community Signal Quality	125
Recommendation #14: Seamless Over-the-Air Viewing	125

Section VI: Other Matters

Recommendation #15: Appoint an Ombudsperson for Community Element...	127
Recommendation #16: Initiate a Consultation with Parliament to Re-Examine Restriction on Municipal Licenses	129
Recommendation #17: Cease Dividing Community Channels (and Communities) by Language	131

Section VII: Answers to the Commission's Questions.....134

Appendices.....154

- A: CACTUS Member Stations and TVCs
- B: Study by CREO: *Viewership and Impact of CACTUS Member Community TV Stations*
- C: Report by Numeris: *Viewership to Cable Community Channels*

D: Spreadsheet Generated from Data at www.comtv.org: *Distinct Cable Community Channel Programs and Estimated Cost of Production*

E: *Collapse of the Cable Community Channel System* (Excel Spreadsheet)

F: Proposed New Community TV Policy

Structure of Our Comments

- 9 The questions in the Commission's public notice are divided under categories that suggest that the first set (questions 1-10) deal with local programming produced in the public(?) and private sectors and the second set (11-20) concern community programming. In fact, many of the first ten questions also concern the community sector. Therefore we will answer questions from both lists, but we will base our comments on our experiences working and representing organizations in the community sector. We will not seek to duplicate or answer questions answered most effectively by others in this proceeding regarding local programming produced in the public and private sectors.
- 10 We will present our views on the matters pertinent to this proceeding first in the thematic order that is logical to us. Where pertinent, we will cross-reference the questions posed by the Commission. Lastly, we will answer the Commission's questions in sequential order for completeness. To prevent duplication, we will refer back to the main body if a question has been answered already in our main submission.

Comments on the Review Framework

13. We would like to make three general observations about the questions posed by the Commission in Broadcasting Notice of Consultation CRTC 2015-421 (“**2015-421**”), in order that limitations in the consultation framework regarding community TV should be apparent to other interveners who may be less well-versed in the community sector. This review appears to be structured more around the need to revisit how \$150 million that is currently collected from BDU subscribers and spent by BDUs on their 'community channels' ought to be deployed, than either
- a comprehensive review of community TV, or
 - a comprehensive review of local television

Limitation in Scope to TV

14. As we identified to the Commission during the Let's Talk TV oral hearing phase, if this review were to be truly a comprehensive review of community television, we would have expected the review to include other community media.
15. Community media is a process first, and a product second. The product—which embodies a high level of community engagement and reflection—grows from the process, which is bottom-up. The process is about community engagement: an active reaching out on the part of community media centre staff to make sure everyone is aware of the learning and production opportunities, the enabling of community members with media skills training, their production of content about matters of local concern to them, and the distribution of that content. As the methods of distribution have proliferated—and in particular as the digital aggregation of different media types has become possible on Internet web sites—“TV” is not a separate service anymore. Traditional TV programming—whether distributed over the air, by cable, by satellite; whether according to a linear programming schedule or on demand, is just video content about things that take place in the community.
16. When community members approach community media outlets with a message to distribute, they are typically driven by a desire to obtain 'coverage' for an event, or to obtain visibility for an issue, or possibly a platform for their own or their group's artistic expression. Alternatively, they may not come with a message at all, but just a desire to learn how to make media, because media matters to them. Citizens 'get it' when they're consuming media day to day that this is an important process that they need to understand, whether just to continue to consume it knowledgeably and to interpret its content effectively (aka 'media literacy'), and/or to use it to serve their own ends as individuals wanting to self-promote with a web site, as small business

owners or not-for-profit organizations wanting to figure out how to reach other community members, an audience, or a clientele.

17. They don't come to the community media outlet necessarily thinking about 'producing a TV show' as a monetizable product in the way that a licenced service in the private sector does. For example, suppose community members come to the media centre wanting to generate a debate about land use in the downtown core in order to raise awareness and engage others so that the optimal use of that land results. They want to reach the most people by the most effective methods. That could mean producing a morning radio show for listeners driving to work. It could involve making a video documentary, showing the salient geographic points about the land's location with respect to local waterways and their draining characteristics. It could mean a set of editorials in a local newspaper or on a web site, with the possibility of feedback by other citizens. In the old days, to raise awareness about an issue, you sent press releases to all the separate media: print, TV, radio. Citizens contemplating crafting their own messages had to write an editorial for the community newspaper, go record a community radio program, and make a community TV show, if they were so lucky as to have access to all three in the community where they lived.
18. As public- and private-sector media know well, to reach audiences in today's fragmented and busy media universe, you need to reach them on many platforms. You need to monetize those multiple platforms and leverage editorial efficiencies by getting staff to create content in multiple media.
19. That's what communities want and that's what they said in the "Let's Talk TV" proceeding. Community members want access to local information, local coverage, to be engaged, by whatever means. Audio-visual content, however, remains the most visceral. It's always the last to be freely licenced in new democracies (after print and radio) because former dictators fear its power to sway the masses (—one only need recall the images of residents of Southern Ontario burning a Quebec flag prior to the 1985 referendum on separation—), but also because it's where the most money is made and spent. It was the dominant medium of the 20th century, and it will likely remain so in the 21st. It engages raw emotions in a way that can either enhance the linguistic and analytic abilities that are engaged when we read and listen to the radio, or circumvent them.
20. Audio-visual media are changing, however. The size of the video gaming industries in Canada and the US have surpassed the size of our film and television industries during the last five years —since the CRTC's last review of community television¹. The gaming industry is driven by

1 http://vgsales.wikia.com/wiki/Video_game_industry

<http://www.cbc.ca/news/arts/canada-video-game-industry-report-1.3321384> (This article says the Canadian video game industry is 'catching up', but other recent articles have stated that it's already bigger than TV and film revenue in Canada.

video as its engaging front end, but there's a new, fourth, medium embedded in video games, which is distinct from the mix of print, audio, and video that might contribute to a multimedia web site. The *rules structure* of games is a genuinely new medium since the Commission's first policy for community TV was introduced, not just a new distribution platform or a new tool for accessing and aggregating media (a category into which Facebook, Twitter and social media fall). Games are not static. They have the potential to be the ultimate community media, in enabling the player of the game to engage with the medium and influence its outcome².

21. The rules structure of games, just like print, audio, and video, communicates a vision of reality, about which Canadians both need and are seeking media literacy skills, in order to be 'in the game'. At the recently concluded Community Media Convergence, held at Carleton University from Nov. 22-24, 2015, the organizing committee invited the creators of several specific video games that underscored this point, in addition to several gaming groups that offer Canadians gaming literacy skills (and as such, are community media organizations). Alex Jansen of Pop Andbox described the game *Pipe Trouble*, in which players have to build an oil pipeline within a certain time limit to win. If they don't consult the communities through which the pipeline is built, ecoterrorist characters pop up and threaten to hold up the process. If you don't consult communities, they may ultimately vandalize your pipeline. The game incorporated real-world dollar figures and structural constraints around where pipes could go, how much they cost, how long they take to build. The project was undertaken by Pop Sandbox in partnership with TV Ontario, simultaneous with the production of a traditional documentary entitled *Trouble in the Peace* on the same topic. The intent was to engage youth in an intelligent manner with real-world considerations and debates around sustainable development in the oil industry. Alex shared how when the game and documentary were released, the game was denounced as encouraging ecoterrorism, even though the game's detractors had never played it³. No one questioned the legitimacy of documentary, which explored the same issues.
22. Point-of-view (i.e. not necessarily journalistically balanced) documentaries are produced all the time on many topics, including the oil industry; David Suzuki's are examples. We accept that such documentaries have a place in the Broadcasting System... their airing reflect that we enjoy

There appear to be different measurement tools, including whether hardware is included in game sales, whether DVD sales are included in film and TV numbers and so on. The essential message is the same however: the gaming industry is on a par with the size of the film and television industries. In N. America.

- 2 A video game designer from Amsterdam who present by Skype via his avatar 'Ze Moo' made this point at the Community Media Convergence held Nov. 22-24th in Ottawa. The session was entitled "Community Media 3.0? Gaming, Interaction and Self-Representation" and also featured Izzie Colpitts-Campbell of Dames Making Games in Toronto, and Travis Mercredi of the Montreal-based Aboriginal gaming workshop called "The Skins". For more information about the session, see <http://www.commediaconverge.ca/node/340>.
- 3 See <http://www.cbc.ca/news/canada/calgary/tvo-takes-down-pipeline-bombing-game-from-its-website-1.1351294> for a flavour of the controversy.

free speech in our democracy. We recognize that as long as there is room for a variety of alternate points of view, the need for balance in the system as a whole has been preserved. Yet the fact that one of Alex' two media products was a game engendered an overreaction. TVO eventually published a statement that *"Pipe Trouble's content does not violate TVO's Programming Standards"*.

23. The Pipe Trouble game case highlights the lack of media literacy around games. Their rules structure and potential for audience impact is not well understood by those more used to traditional media. As a culture, we let our impressionable kids spend 1000s of hours playing realistic and graphic warrior games, killing hundreds of opponents an hour, yet the minute we produce one game that tackles the oil industry—even in a demonstrably constructive way from a respected educational authority—red flags are raised.
24. It's an old adage to say that we 'fear what we do not understand'; the media response to *Pipe Trouble* was a great example. The potential of gaming is *not* well understood, nor its role in the wider media landscape.
25. In academic institutions, there's a wealth of literature exploring these issues, but there's been a response by civil society on the street to address this vacuum also. A handful of groups have sprung up in Canada's major cities offering free tutorials and a collaborative atmosphere in which to learn about game design: groups such as the Mount Royal Game Society in Montreal, the Hand Eye Society in Toronto, and Dirty Triangles here in Ottawa. Because gamers primarily share their content online and the online environment is rife with cyber bullying (including death threats directed toward prominent female gamers, for example), gaming groups have sprung up with specifically inclusive and 'safe space' mandates, including Dames Making Games in Toronto, and the Skins, a supportive gaming workshop for Aboriginal storytellers run by faculty, students and graduates of the Department of Computation Arts program at Concordia University⁴. "Hacklabs" (teaching programming and game design) are starting to be held in public libraries as part of a nascent 'maker space' movement, in which public libraries are seeing a role for themselves in digitalizing their traditional media literacy mandates. These initiatives tell us that there is a strong desire by communities to have supportive safe spaces to learn media skills together, in order to participate in wider media trends. The main limitations facing them include an absence of operational funding (they tend to be supported by project and cultural grants that expire) and unavailability outside big cities—our business and artistic capitals where these trends develop first.
26. Filmmaker David Dufresne similarly co-produced a dual documentary/episodic game called *Fort McMoney* with the NFB, with the same intention as Alex of reaching a wider audience about the

4 For more information, see <http://skins.abtec.org/>. Skins participant Travis Mercredi presented with Ze Moo and Izzie Colpitts Campbell in the "Community Media 3.0: Gaming, Interaction and Self-Representation" panel at the Community Media Convergence referenced in footnote 2.

cultural, social, and economic impacts of big oil on a formerly sleepy town in northern Alberta⁵. In the public and private sectors, there is dawning recognition of the importance of gaming culturally and that it should be viewed as part of “broadcasting” (just as television programming distributed on the Internet is defined as “broadcasting”) in two initiatives within the Canada Media Fund:

- the requirement that all television production applications include an online and interactive dimension
- the Experimental Stream, which funds purely rules-based content (i.e. games)

27. Both David Dufresne's and Alex Jansen's projects were initially conceived and developed for two media, to engage different audiences with the medium with which they are most comfortable. They weren't made by a “TV channel” or a “gaming company”. They were made by independent producers interested in an issue. This is how individual Canadians who access community media typically think and work also. They care about their community and an issue that is going on. They want coverage and exposure for that issue and for that place they call home.
28. To serve Canadians, it is CACTUS' conviction that the most cost-effective and public-service-oriented approach to deliver community media skills and production support going forward is from multimedia facilities. Some community media organizations have structured themselves around a multimedia public service model for decades, predating the easy merging of media on digital platforms. Erik Mollberg of Allen County public library in Indiana came to the Community Media Convergence and shared how his library has hosted a community radio and a community TV channel within the library since the 1980s. Recently, the library has added a 'hacklab' where community residents can learn about the rules-structure of video gaming⁶. Grand Rapids Community Media Centre (GRCMC) has hosted a community TV station, community radio station, computer skills lab, and print resource centre since the early 1990s. Clients of the GRCMC first stop in with a counsellor to develop a 'media plan' for their event or issue, before being advised which media might best serve their needs. One campaign involved a traditional bullhorn and buttons that were printed and worn by campaign staff rather than using digital media at all. A video showing how the latter facility is organized has been included on the public record of this proceeding and can be viewed on the front page of CACTUS' web site at cactus.independentmedia.ca. It was also exhibited on the second evening of the Community

5 Fort McMoneY is available online here: fortmcmoney.com. It was presented at the second evening of screenings held at the Community Media Convergence Nov. 22-24, which had the theme: *Community Media 3.0: The Future?*.

6 More information about Erik's presentation on the “Multimedia Production” panel at the Community Media Convergence can be found here: <http://www.commediaconverge.ca/node/311>, including a stream of the session.

Media Convergence as part of a Community Media Festival on the theme *Community Media 3.0: The Future?*

29. Some organizations in Canada do enable and distribute more than one community media, but Canada's evolution toward offering an coherent multimedia model of community media service delivery has been hampered to date by regulation at both the provincial and federal levels:
- CACTUS member CHET-TV and PeaceFM are both managed by the Chetwynd Communications Society in BC⁷. At the federal level, licencing for community radio has always been offered to community-based not-for-profit organizations. Community TV (until 2002) was the exclusive preserve of cable companies, so there was little potential for cross-over. If you wanted to promote an event or generate dialogue around an issue in your community, you had to go to separate places to do it. Since 2002, there has been an over-the-air class of community-based TV station (such as the licence held by CHET-TV) but all the money in the broadcasting system earmarked for 'community TV' has been tied up in branded BDU community channels, as a result very few community-based services that might have pursued a multimedia public-service mandate have launched. (CHET-TV is in fact primarily funded from advertising revenues of PeaceFM. As all private broadcasters know, the greater cost structure of local TV stations makes it more difficult to support via an advertising model, unlike local radio.)
 - In Quebec, the Ministry of Culture and Communications will not fund one board of directors to manage both a not-for-profit community TV and community radio organization, with the result that a competitive rather than a co-operative environment has arisen between the sectors, with historical inequities in the amount of funding available to both (approximately twice as much for radio per channel, even though TV is more expensive to produce).
30. CACTUS reached out to academics and to the other community media sectors (online, radio and gaming) with the idea of conducting research and holding a Community Media Convergence last year to pool ideas and develop a new vision of how community media services can be delivered more coherently and cost-effectively, to the benefit of more Canadians—and what policies would be needed to support that vision. We did not see it as productive for the Canadians we serve to consider community TV policy in isolation from other media.
31. Therefore, we are concerned that due to the fact that the current review is limited to community (and local) TV and not to community media as a whole, and we *question how valid or useful the results can be*. TV is just a platform and *one* form of community media. It doesn't happen in isolation from other media. In a survey CACTUS commissioned CREO to conduct in the communities where CACTUS has not-for-profit community-licence holding member stations, almost 70% of respondents said they obtain information about their community from a local

7 <http://peacefm.ca/chetwynd-communications-society/>

newspaper, over 40% said they obtain local information from the radio and from the Internet, 28% said they obtain local information from the community TV station, and only 16% from other local or regional TV sources⁸. Our planning as a community sector must therefore be a *multimedia* planning process.

32. Both the UK and the US have carried out significant studies of their local media ecologies and how digital media are changing traditional relationships. Christopher Ali of the University of Virginia cited two of these in the panel entitled “International and Historical Perspectives on Community Media” at the Community Media Convergence⁹. No such study has been conducted in Canada. The notice of consultation for this proceeding provided too short a written filing deadline for such a comprehensive study to be undertaken. We made a proposal to the Department of Canadian Heritage regarding the need for such a study, but the process was interrupted by the federal election call in late August. We have been able to initiate a more limited study on the viewership and impact of CACTUS member channels, as aforementioned, whose data we will draw upon as appropriate.
33. As far back as 2003, in the report generated by the Standing Committee on Canadian Heritage, chaired by Clifford Lincoln entitled *Our Cultural Sovereignty, the Second Century of Canadian Broadcasting*, Recommendation 9.2 stated that:

“The desired outcome of this process should be the formulation of one clear and coherent policy for community, local, regional programming and broadcasting, which would also bring together policy parameters for ethnic, low-power, campus and minority language broadcasting.”¹⁰

34. Therefore, we are concerned that the current process may not address the desire by Canadians for adequate local reflection. TV cannot be effectively considered in isolation of other media. This one of the reasons that this consultation appears to us to be more about 'what to do with the \$150 million in the short term' than about comprehensively investigating how to serve

8 See the report based on the survey, entitled *Viewership and Impact of CACTUS Member Community TV Station*, attached as Appendix B.

9 Ofcom in the UK published *Digital Local Options for the future of local video content and interactive services* in 2006. It is available on the web site of the Community Media Convergence at http://www.commediaconverge.ca/sites/default/files/documents/2006-Ofcom_Digital_Local.pdf.

The FCC published *THE INFORMATION NEEDS OF COMMUNITIES The changing media landscape in a broadband age in 2011*, based in large part on the Knight Commission's 2009 report of the same name. It can be found at http://www.commediaconverge.ca/sites/default/files/documents/2011-Waldman_The_Information_Needs_of_Communities.pdf.

10 See <http://www.parl.gc.ca/HousePublications/Publication.aspx?DocId=1032284&File=177#4>.

Canadians' need for adequate local reflection on all platforms in the long term, and what role that \$150 million might play in such a long-term comprehensive multimedia plan.

35. We beg the Commission not to conduct a hurried review of the community TV sector. As detailed in our preliminary comments, the complaints about this sector date back 18 years, to the 1997 review. Every review since has offered a bandaid, with insufficient research, while the Commission's attention has been mainly occupied by the needs of the private sector. We contend that the framing of the current review appears to follow the same pattern.

Contribution of Public-Sector Local Broadcasting Barely Mentioned

36. If this were a comprehensive review of local television, we would have expected more consideration of the vital role of the public broadcaster as a provider of local content. We note at paragraph 30 of 2015-421:

As part of this review, the Commission will consider the availability of local programming throughout the broadcasting system, including the manner in which both the private and the community elements may contribute to its production. The Commission is seeking comments on how best to ensure that compelling local news and other programming that is both locally relevant and locally reflective is made available to Canadians. (underline is ours)

37. Despite this statement, programming made by the public sector such as the CBC is barely mentioned. Why does the notice say "including the manner in which both the private and the community elements may contribute to its production" and not "the private, public and community elements may contribute to its production"? Neither is the budget for public-sector local programming mentioned; nor the budget for local programming made by the private sector, other than the budget contributed by BDUs to their community channels and to the SMLPF. No overall barometric is provided to compare the amount of money available for local programming which might support the statement at paragraph 16 that:

"The Commission maintains the view it expressed in Broadcasting Regulatory Policy 2015-24 that there is sufficient funding within the system to ensure the creation of locally relevant and reflective programming."

38. The only budget source referred to is the \$151 million collected from BDU subscribers to support community TV and \$10 million collected to support small-market local broadcasters via the SMLPF. How can we know whether there is 'sufficient funding within the system' when the notice does not state the total? As aforementioned, the purpose of this review seems to be to find a rationale to redistribute the money earmarked for community programming to the private sector (which controls the vast majority of the budget for community programming already) to support private-sector local programming.

39. Many statements in 2015-421 also compare the similarities between local programming made by BDU community channels (by staff as well as non-professional community members) with local programming made by private broadcasters. The fact that the public broadcaster is excluded from the conversation is significant, because the goals of community media are closer in spirit to the goals of public-sector local media, as was noted in *Public and Community Partnerships to Improve Local Media*, presented at the Journalism Strategies conference at McGill in 2012:

While there have long been partnerships between CBC and private broadcasters through affiliation agreements,⁸ and what has become an unworkable partnership between community channels and cable companies in the community television sector (described above), there has been almost no collaboration between public and community television broadcasters in Canada, despite the fact that both have public-service mandates. Both answer to Canadians as citizens first, consumers second¹¹.

40. Similarly, Dominique recommended that Télé-Québec co-operate with Quebec community media in order to leverage local synergies in her 2010 report *L'information au Québec: Un Intérêt Public*:

Recommendation 19: Le financement d'un projet de réseautage de l'information produite par les médias communautaires, coopératifs et indépendants sur le site web de Télé-Québec¹²

41. A panel at the Community Media Convergence held Nov. 22-24, 2015 in Ottawa was held specifically to explore this potential, where Karen Wirsig presented the former paper, and Cora Leblanc from Telile Community TV transcribed how her station shares a broadcasting tower with the CBC and airs CBC radio content with her community bulletin board¹³.
42. We believe that the questions posed in 2015-421 cannot be meaningfully answered without a full consideration of the contribution and role of public-sector local programming also, and its relationship to local content made by the community and private sectors.

11 Available on the web site of the Community Media Convergence at <http://www.commediaconverge.ca/node/487>.

12 The report is available at http://gpji.ca/media/gtjaiq_rapport_2010.pdf.

13 To watch the panel, see <http://www.commediaconverge.ca/node/343>.

Absence of Not-for-Profit Community Licence Class and Community TV Corporations

43 Finally and most significantly, we would like to note that in every other country that recognizes a 'community' element in the broadcasting system and 'community TV' in particular, not-for-profit community ownership and management is the defining characteristic¹⁴. Canada has a licence class that permits not-for-profit community ownership—introduced in 2002-61—and the class includes 9 licence holders, seven of whom are CACTUS members. Further, Canada has at least 55 not-for-profit community television corporations, which—although not licenced—maintain independent production studios and whose content is distributed on BDU-owned and -operated community channels:

- Twenty (members of the Fédération des télévisions communautaires autonomes du Québec or the Fédétvc) manage the entire schedule on behalf of the BDU that owns the cable infrastructure¹⁵.
- Thirty-five insert their content into the programming schedules of by BDUs. Twenty-five of these are members of the Fédétvc. Ten are members of CACTUS.
- One additional CACTUS member (Wiky TV5) distributes content on a community-owned cable network on Manitoulin Island, and is exempt from licensing.

44. As one of only two organization whose sole focus is to represent and advocate for community television in Canada (the other being the Fédétvc), we find it inconceivable that the existence of this licence class and of these TVCs—defined by the very community TV policy being reviewed (CRTC 2010-622) receives not a mention in the policy notice. They are merely buried in the negative vacuum implied by the words “most of” at paragraph 9 of 2015-421:

The Commission has developed different regulatory approaches for the local and community programming provided by conventional television stations on the one hand and community programming services—most of which are offered by broadcasting distribution undertakings (BDUs).

14 See *Community TV Policies and Practices Worldwide*, commissioned by the CRTC as an input to the 2009/10 community TV policy review. We submitted the document as a reference for this proceeding in our Nov. 6th preliminary filing. It is also available in both official languages on the web site of the Community Media Convergence at <http://www.commediaconverge.ca/research>

15 Fédétvc member TVCs are listed at <http://www.fedetvc.qc.ca/nos-membres/liste-de-nos-membres/>

45. At paragraph 34 of 2015-421, our members are completely invisible:

“The Commission’s long-standing approach to the funding and support of the community channel has relied on BDUs across the country providing both the funds for its operation and the infrastructure to support it.”

46. Even the wording “*the* community channel” and “to support *it*” imply that there is only one 'community channel' or community channel type, despite the existence of several types under 2010-622. The notice goes on to analyze the history of this 'approach' and some of the shortcomings (recent tendencies toward technical interconnection, regionalization zoning, and a lack of local reflection), but there is no mention of the introduction of the independent licence class nor of TVCs. This is doubly startling given that both categories respond (and were created) to address the exact problems with regionalization of content noted by the Commission. The Commission even quotes from the 2002 policy in places, but not from the sections that spawned these community-based organizations.

47. Then the Commission asks at question 14:

“Are there ways other than the community channel to ensure that access programming is provided in the broadcasting system as a whole, including both on licensed and exempt services?”

48. It's not even clear what 'community channel' the Commission is talking about. Most interveners will assume the question refers to BDU community channels, since that's the only type mentioned in the notice. How can Canadians and other industry stakeholders consider or weigh alternative approaches when less than the whole of the current story is presented in the review framework?

49. The data posted on the public record also exclusively refers to BDUs: their expenditures on community and access programming, training initiatives, and so on, as well as statistics regarding the quantity of local and local news programming they produce (accessible via the “Additional Community Programming Data” at the bottom of the two-page “Community Programming Data”). CACTUS members also received questionnaires in April of 2015 regarding the amount of local and local news programming as well as access programming that they produce, but this information has not been made available to the public.

50. It's relevant to point out that while \$151 million may be collected from BDU subscribers and that that is where the bulk of the production budget for community TV in Canada is spent—it is not true that the bulk of the production *capacity* rests with BDU community channels. It might, if that money were deployed equitably across all licensed and exempt cable systems, and was really used to leverage the production multiple of volunteer labour and community synergies—but it's not.

51. When CACTUS reviewed cable community channel online programming schedules in preparation for the 2009/10 community TV review, we discovered that there were only 19 distinct production schedules¹⁶ in all of English Canada... produced for a budget of over \$100 million at that time, or an average of over \$5 million per distinct schedule. In other words, only 19 cable community channels would have met the local production minima required by their cable licenses.
52. This year, according to Deepak Sahasrabuhde's database of anglophone cable community channel compliance at www.comtv.org and the non-compliance complaint lodged by Laith Marouf against 9 Videotron community channels in Quebec, only 15 cable licence areas meet both the local and access minima expected by the Commission, implying that the situation has been stable since 2009... Cable companies are still operating vast regional programming networks (often province-wide) with occasional local insertions, despite the more stringent access criteria introduced with 2010-622. These few handfuls of distinct services are what the CRTC calls 'community channels' (actually '*the* community channel').

¹⁶ Defined as having at least 50% distinct programming content from other neighbouring cable licence areas, and not simply part of a regional network with occasional insertion of content specific to the licence area.

The Invisible Not-for-Profit Community TV Element: Who We Are

Cost Structure of Not-for-Profit Community TV

53. Meanwhile, that apparently small collection of not-for-profit licence holders and producing groups that don't merit a mention in the current police notice were generating 30 distinct schedules (typically exhibiting close to 100% local content) on channels they managed as not-for-profits, and a further 35 were contributing content to BDU channels, helping the latter to meet their beleaguered access minima. Fédétvc members produced an estimated 8496 hours of original local production in 2015, for an average of \$553/hour (up slightly from the \$503/hour they reported at the time of the 2009/2010 policy review), while CACTUS members produced an estimated 3458 original hours of production in 2015 for an average of \$268/hour (all expenses included ; that is, calculated by dividing total revenue from all sources by hours of original production).
54. The total budget of the not-for-profit community TV sector (these 65 not-for-profit organizations) is less than \$6 million yet we are producing 11,954 hours of original local content per year.
55. It is difficult to determine exactly how much original content BDU community channels are producing for the \$151 million. Total numbers of hours of original production can't be determined from the two pages of Community Programming Data provided with the notice of consultation for this proceeding. Total aggregated budgets are provided for small, medium and large systems, but the hours "produced" and "exhibited" are provided only as an average "per reporting unit". Since we don't know how many "reporting units" contributed, it's impossible to calculate a total number of hours of production.
56. Further, there is an apparent mismatch between the hours "produced" and "exhibited". One would expect that the hours exhibited would exceed the amount produced (due to replays), but in some cases the amount of hours "produced" exceeds the amount "exhibited" (for example, the figure of 4136 hours of access content produced in large markets in 2013/14, which exceeds the 2136 hours of access content reported as exhibited in those same markets in the same year).
57. If we refer to the data provided by Mr. Sahasrabuhde at www.comtv.org and to the additional spreadsheet he provided to us generated from his data (attached as Appendix D), it is possible to obtain an estimate of the budget per hour of original programming produced, since his data is provided by licence area and by individual program.
58. He provides the total number of hours—828.5—of unique productions exhibited on 87 licensed and exempt BDU community channels whose programming schedule he analyzed for one week during 2015. He also provides an estimated weekly budget for each channel, based on numbers of households, average cable penetration, and average cable bills obtained from Statistics Canada and industry sources. His calculations yield an estimated average budget for an hour of production on

a cable community channel of \$1534, three times to six times the cost on a not-for-profit Canadian community channel.

59. The actual ratio is likely much higher, however, for two reasons:

- The total expenditures on production in Deepak's calculation total only \$66 million, not \$151 million. Figures for Quebec are not included, which might be expected to account for roughly \$37.5 million of the difference or $\frac{1}{4}$ of \$151 million. Many smaller exempt systems are also not included, but it still suggests that each cable license area includes more households than Statistics Canada reports for each community actually named in the description of the license area. In other words, smaller communities near the larger named community are likely being missed and actual revenues for these 87 cable systems outside Quebec is likely closer to \$100 million, which would imply an actual cost of an hour of BDU community production might be $\$1534 \times 100/66 = \$2324/\text{hour}$.¹⁷
- Deepak's estimate is based on a single week, and assumes that each unique series name was a new production the week he audited it, and that this quantity of new production is produced every week, all year long, with no replays in preceding or subsequent weeks, other than the replays that occurred during his review week. A more accurate estimate, given a 26-week program schedule and a general tendency for a higher rate of replays on BDU community channels than on conventional TV channels, is that each hour of production might cost twice as much and that each hour of unique original programming played during the review week was played in a different week at least once. This would yield an average cost per hour of original production of $\$2324 \times 2 = \4648 . This number is likely still low. Analyses of particular BDU community channels over the years has shown that programs may be replayed dozens of times, not just twice, and that the average production cost is similar to the cost of an hour of conventional TV, or in the neighbourhood of \$6000/hour.

60 If we consider total hours of original local production produced on cable community channels per year, and multiple 828.5×52 weeks (and generously assume that BDUs produce 828.5 new hours of production every week), we obtain a figure of 43,082 hours of new production per week outside of Quebec. If we scale this number up by 25% to include Quebec, we arrive at an estimated 53,853 of original production on BDU community channels for 2015 (which is generous, considering that Videotron's Matv Montreal system—containing half the population of Quebec—was producing only 20 hours per week at the time ICTV-Montreal launched its non-compliance complaint, or 1020 per year if we are generous and assume a steady rate of production all year).

61 What we can say with certainty is that not-for-profit community TV stations and corporations in Canada are producing at least 20% (11,954 hours) as much original production hours per year as the most generous estimate we can make for BDU community channels (53,853 hours)

17 The difficulty of monitoring what is actually going on at BDU community channels was noted by the CRTC at the 2009/2010 community TV policy review. The situation has recently been aggravated still more by the practice of no longer publishing cable system boundary maps, making it impossible for members of the public or other stakeholders to monitor expenditures or compliance.

and they're doing it for 1/20th of the budget (under \$7 million). The not-for-profit community production model is therefore *at least* four times as cost-effective as BDU community production \$ for \$, and is 100% compliant with local and access policies. Every not-for-profit community TV station or corporation produces unique content.

62. These Davids in the community sector deserve full consideration by other interveners to this proceeding as a viable alternative to the BDU Goliaths, which the Commission acknowledges in the public notice have strayed far from their roots serving individual communities from individualized head ends in individualized cable systems.
63. CACTUS submits that the framework of questions posed by the Commission for this review are not reflective of:
- digital convergence
 - the fact that Canada has a public broadcaster that contributes significant local content to the system (and has both a bigger budget to do so than either the community or private sector, and a stronger mandate to do so than the private sector), and
 - the existence of not-for-profit community sector, which may be small in size monetarily, but which is mighty in production power televisual local content produced by ordinary Canadian citizens than all the BDUs with their vast budget.
64. CACTUS submits that this incomplete focus is not reflective of a true review of the community and local television sectors but rather signifies a true purpose of determining how the current \$151 million should be redistributed. CACTUS submits that this approach is wrong and unfair to the communities that the Commission is obligated to serve.
65. CACTUS submits that if the Commission is truly interested in a comprehensive review of community television, this current process should be stopped and relaunched as a new proceeding that looks at community media as a whole and takes into account the shortcomings we identified above.
66. If this current proceeding continues and the shortcomings are not rectified, CACTUS submits that the old adage “garbage in-garbage out” will result.

Impacts of Not-for-Profit TV

67. Before we offer our proposals and solutions, we would like to familiarize the CRTC and stakeholders more with our members. In September, after the policy review notice was posted, we commissioned CREO (a Queens-university based student research group) to conduct a random phone survey of communities in which our members are located. We wanted to know

how many people are watching our channels, what they think about them, and what impact they are having in their communities. This data continues to flow in, but CREO's preliminary report is included as appendix B.

68. Some of the most salient data for this proceeding are as follows:

- Forty-six percent (46%) of community members randomly contacted by student CREO callers reported that they watch the local CACTUS member channel at least once per week. An additional 15.5% reported that they watch at least once per month, for a total of 62.2% of residents who regularly watch their CACTUS member channel. Numeris reports that weekly average national viewership to cable community channels as a group is only 1.5%.¹⁸
- Residents of the local area watch CACTUS member channels an average of 2.44 hours per week, compared to 4.84 hours per week of public television and 7.62 hours to all private television stations combined. By comparison, Numeris reports that among the 1.5% of viewers to cable community channels, they watch an average of 1.5 hours per week.
- Local news and events coverage was the most popular category of programming for viewers to CACTUS member channels, consistent with the Commission's findings in Let's Talk TV:

Programming	Percentage of Respondents' Families Who Watch
Local news and events	57.95%
Artistic and cultural programming	29.54%
Municipal council meetings and public affairs	29.54%
Sport	21.59%
Religious	14.77%

¹⁸ Source: Numeris Fall 2014 TV Diary, Community Cable COMMC, Individuals 2+, Mon-Sun 6a-2a, Total Canada.

Numeris does not track monthly reach. CACTUS member stations are not located in markets where Numeris collects data, and so comparison of audience share are not available; only weekly reach. Numeris' report regarding cable community channel viewership is provided as appendix C.

Because CREO uses student callers that work part-time around their studies, the study is not yet complete, and captures averages for 91 completed phone surveys. (Due to the delayed cost claim structure of the Broadcasting Participation Fund, CREO was the only entity with experience conducting phone research that CACTUS could afford.) CACTUS will update the Commission at the oral hearing if average responses vary significantly from those offered as at Jan. 5th, 2015.

Seniors	23.86%
Youth and Children's	6.82%
Telebingo	31.82%
Educational or documentaries	17.05%
Other	11.36%

69. On average, 75% of what CACTUS members produce is community news and event coverage, so these percentages make sense.
70. Television as a source of local and event information trailed the Internet, newspapers, and radio in every community in the survey, which underscores our contention that planning within the Broadcasting System for 'local reflection' cannot occur effectively without considering a multimedia and multiplatform approach that maximizes scarce resources to make sure smaller communities especially get the 'best bang for their buck'.
71. Seventy-nine (79%) of respondents believe it's important that the community channel be accessible to the whole community, regardless of the platform by which community members access TV.
72. Respondents were very articulate about the importance of the CACTUS member channel in their community, citing its ability to:
- give visibility to local events and organizations
 - promote the local economy by providing informations about stores, services, and jobs
 - build a sense of inclusion, pride, and belonging to the community
 - encourage civic engagement, through access to debates and municipal council meetings
 - offer educational opportunities, whether in the form of access to training opportunities at the channel, educational programming, or just hearing about what others in the community are doing
 - promoting local heritage by recording events, recounting history, interviewing seniors, profiling the local museum and collections, and showcasing the arts and artists
73. The CACTUS member channel was associated in many viewers' minds with significant events in the community, such as civic days, election coverage, recording life events such as highschool graduations or notifying residents about funerals, and enjoying memories created through a shared community experience of participation.

74. Some viewers identified resourcing problems that manifested in the form of a lot of repeat programming, the use of community bulletin boards (seen as useful by some, not by others), and a lack of awareness about the programs and volunteering opportunities available at the channel.
75. On the whole, we are extremely proud as an association of what our channels are accomplishing on very limited budgets, and have a clear view of the improvements that can be made with access to more sustainable forms of funding. We are pleased to share the (albeit preliminary) results of this survey with the CRTC and with other stakeholders in this proceeding.

Section I: The Need for Community Media *Organizations* is Greater than Ever

Part I – Definitions

76. We agree with the Commission that the correct place to start with any review of local or community media is to define clearly what we mean. We note that the report compiled by the Standing Committee on Canadian Heritage and chaired by Clifford Lincoln in 2003 observed the challenges in defining local and community media in a section on page 361 entitled “Definitional Ambiguities and Inconsistent Policies”:

“The Committee is of the view that the CRTC’s new [2002] community media policy does very little to resolve the definitional ambiguities and inconsistencies inherent in the existing uses of the terms community, local and regional. On the contrary, it merely sheds light on the problem when it states that: ...

The Commission considers local community television programming to consist of programs, as defined in the Broadcasting Act (the Act), that are reflective of the community, and produced by the licensee in the licensed area or by members of the community from the licensed area. Programs produced in another licensed area within the same municipality will also be considered local community television programming.

In the case of large metropolitan cities such as Montréal, Vancouver and Toronto, the Commission is even less clear:

Licensees that provide community programming in the greater Toronto, Montréal and Vancouver areas will be expected to set out their plans and commitments at licence renewal time as to how they will reflect the various communities within their licensed areas in these urban centres.

While some might argue that these new definitions lend clarity to notions of what is local within the context of community television, the reality remains that they merely amplify the many definitional problems raised by witnesses who appeared before the Committee. Indeed, as should be clear by now, finding satisfactory definitions of community, local and regional is difficult. It is equally clear that many of the issues raised in this chapter stem from the absence of a common understanding of key terms and the bewildering array of policies that the CRTC has developed over time.

77. The definitional challenges are longstanding, and—as the report notes—part of the challenge lies with the fact that Canadians themselves may consider the terms “local” and “community” to mean different things. These terms may refer to a geographic area or they may imply a community of interest. In our discussion below, we propose definitions of “local”, “community”, and “access” that we believe are workable and practical for the community media sector going forward.

Local Programming (Question 1)

78. Question 1 in the public notice asks “What is local programming?” and “What is local news?”.

79. The Commission defines local programming at a conventional television channel as:

*Programming produced by local stations with local personnel or programming produced by locally-based independent producers that reflects the particular needs and interests of the market’s residents.
(Source: Broadcasting Regulatory Policy 2009-406)*

80. Local stations are defined as follows:

“Local television station” means, in relation to an undertaking, a licensed television station that (a) has a Grade A official contour that includes any part of the licensed area of the undertaking, or (b) has, where there is no Grade A official contour, a transmitting antenna that is located within 15 km of the licensed area of the undertaking.

81. While CACTUS and its members are not in the business of producing local conventional programming or local conventional news, these definitions sound like reasonable starting places.

82. With regard to the community sector, the term “local” is used to refer to content produced within the licence boundary of a licenced or exempt cable system. If a cable system having more than 2000 subscribers elects to offer a community channel (thereby retaining between 1.5 and 5% of revenue from the system that would otherwise be owing to the Canada Media and other Canadian production funds), it must air a minimum of 60% 'local' content over the course of the programming week. In this instance, 'local' is defined as having been produced either by cable company staff or residents within the area of the cable system, much as local conventional stations air 'local content' made either by employees or local independent producers.

83. Similar to the way that a 'local (conventional) station' is defined by its broadcasting contour, typically reaching a single urban area or municipality, cable systems were once defined by the urban area they could reach from a single head end. They were physically isolated from one another just as the broadcasting towers that define local conventional stations still are today; TV signals were microwaved from head end to head end, and then out to Canadian homes over cable coax.

84. The Commission went one step farther to ensure that:

- the programming on a cable community channel was *hyperlocal*
- citizens could access training and production equipment and support at the neighbourhood level

... by splitting up large urban areas into two or more distinct cable systems with separate head ends and production studios. For example, Ottawa was split into Ottawa east and west, Calgary into Calgary North and South, and the biggest cities, such as Toronto, Vancouver and Montreal into as many as 12 individual systems, airing content over the programming week specific to the *neighbourhood*. Back in the day, it was understood that these divisions were intended to maintain a semblance of competition among systems; that is, if you didn't maintain your licence obligations, the Commission might award the licence to a different company at renewal. The divisions also ensured that production facilities were accessible to residents in the neighbourhoods where they lived, and that the resulting content was hyperlocal

85. Therefore, for a cable community channel, 'local programming' once was more hyperlocal than 'local programming' in the conventional sector. The two terms have never meant the same thing in practice.
86. In the late 1990s, the Commission began to allow cable systems to consolidate in order to face competition by satellite. The two Ottawa systems were consolidated by Rogers. The two Calgary systems were consolidated by Shaw. Systems in Scarborough, Markham, York, Mississauga were consolidated under Rogers as one regional system. The de facto definition of 'local programming' in the community sector became less so. Every time a small system was subsumed by a larger system or two systems were combined, 'local' meant a larger area. Whenever this happened, a production studio disappeared. The Southern Calgary studio was closed. Studios in York, Scarborough, Mississauga closed. The studio in Westmount, Montreal closed, leaving anglophones unserved within the greater Montreal system under Videotron, and so on.
87. By the late 1990s, "local" in the community system meant roughly what it did in the conventional sector... it meant one city or urban population centre, whether served by a single cable system or a single broadcasting tower. The isolation of urban centres one from the other by swaths of Canadian rural landscape offered a similar boundary to broadcasting as to cable distribution. The possibility that the Commission might need to define a minimum percentage of "local programming" on a cable community channel did not arise until the 1997 community TV policy review (1997-25), by which time the possibility of sharing programming via head end interconnection in large urban centres like Toronto had become possible.
88. Consolidation of cable systems didn't stop, however. Cable operators began going to the Commission as early as 1996 in order to 'zone' community channels. As cable systems themselves were fibre-optically interconnected across the Canadian rural landscape and no longer physically separate, the economic justification for maintaining separate head ends and the production facilities that were co-located with them vanished. Cable operators argued that while the few thousand dollars that 5% in these small licence represented might have been enough to fund a partial salary of someone also running the head end and business office, it wasn't enough to keep a production studio open when the head end and business office had gone. The Commission

heeded the arguments for economic efficiency and allowed the zonings. The result was that the requirement to meet a 60% local schedule only had to be met among multiple municipalities, then whole regions. As mentioned in the preamble, CACTUS can find evidence of fewer than 20 distinct programming schedules (meeting the 60% local minima) in all of Canada today, down from the more than 300¹⁹ unique programming schedules that existed at the height of the cable community system in the late 1980s and early 1990s.

89. The cable exemption order specifically encourages a definition of 'local' that spans multiple municipalities:

“The undertaking is authorized to offer a zone-based community channel (where two or more exempt broadcasting distribution undertaking service areas are combined to share local and community access television programming) under the following condition:

Exempt systems that make up a zone must be part of a community of interest. A community of interest would be determined by the following criteria:. A community of interest is one where it members share one or more of the following attributes:

- *common social and economic interests;*
- *common heritage, culture or history;*
- *the same geographic or politically recognized boundary;*
- *access to the same local/regional media.”*

90. The “community of interest” criterion is so broad as to be meaningless. It has permitted terrestrial BDUs to do whatever they want, without the need to consult communities.

91. Simultaneously, other terrestrial BDUs have been allowed to retain 2-5% of their contributions toward Canadian production in order to offer VOD channels that are no better than YouTube:

- VOD 'channels' have no potential for live connection among community members or to cover live cultural or civic events
- They typically have no training or production facilities on the ground
- They may cover areas as large all of Atlantic Canada (e.g. Bell's Community One).

92. YouTube is, in fact, more community-oriented in its mandate, in being open to all for free, while BDU VOD 'community channels' are available by subscription only. The point is not to try to turn back the clock to expect cable companies (or newer entrants) to deliver services they're not

19 See Appendix E: *Collapse of the Cable Community System* (Excel chart). The Matthews Cable TV Directories reported 323 distinct cable systems in 1989.

structurally positioned or organizationally motivated to do. The point should be (and should always have been) to define 'local' in a community context according to the needs and will of communities themselves. Just as it has become a given in international development circles that development solutions imposed on communities from outside rarely work, so it is for community media.

93. Small 'mom and pop' cable companies were once part of the communities they served. They were there in communities at an opportune time to offer community TV services. But they're not anymore. They've left behind a cable coax and fibre-optic infrastructure, but the production studios and local vision and expertise to fulfill a community media mandate are gone.
94. CACTUS was informed by Commission staff during the summer of 2015 that cable operators are no longer expected to file licence area boundary maps—or at least—that the Commission could not supply us with any. This makes it impossible for any member of the public to determine what might in fact now be considered 'local' on a BDU community channel. (We note that when ICTV Montreal filed its complaint against Videotron's Montreal community channel in late 2013, license boundary maps were still available on demand.)
95. We therefore propose in the context of the community-licensing and funding scheme we advance later in this submission that 'local' in terms of a community TV station's schedule should be defined by the ownership and control structure of the community of interest that applies for the license, and which believes itself capable of managing the license and meeting the needs of residents of the area. By requiring a representative board structure, open to all residents of the proposed license area, the Commission can ensure that the will of residents is met. If small communities *want* to band together to serve a county from one central or several distributed production facilities, for example, they could do so. If the same small *communities* preferred their own hyperlocal service, (possibly drawing on fewer resources but closer to residents) they could do so .
96. This principle currently exists in community channel policy for digital community television undertakings. Part of the application process involves defining the 'community of interest' to be served. Once the licence is awarded to the not-for-profit group, licenced cable companies are required to carry the service within the area licenced to the digital community television undertaking²⁰. This part of the current policy does not offer any financial model to support such community licences to serve communities of interest, however, and these services are also not assured carriage in exempt systems. Unsurprisingly, no community has ever applied for one.
97. The current community channel policy (CRTC 2010-622) does include a clause that theoretically could enable a not-for-profit community-based organization to complain to the CRTC that a cable

20 Carriage of digital community undertakings is not currently mandated in the BDU exemption order, but should be added in order for this part of the Commission's policy to be workable.

company is not meeting the local requirements of its cable license:

"Terrestrial BDUs have the option of distributing a community channel as part of their distribution licences. In situations where the terrestrial BDU does not provide a community channel or does not operate a community channel in accordance with the provisions of this policy, community groups may apply for a community programming undertaking licence."

98. This is the clause according to which ICTV Montreal applied to manage the community channel in Montreal in early 2014 (leading to a finding of non-compliance against Videotron by the CRTC), but its licence application was 'disposed of' according to a letter addressed to ICTV Montreal by CRTC staff.
99. Another not-for-profit community-based group that considered applying for a licence under this clause in order to restore 'local' coverage to his community is CACTUS member Deepak Sahasrabuhde of newwest.tv²¹. He has been frustrated by the lack of content on ShawTV in his hometown of New Westminster, BC since he began monitoring it in 2010. The content produced within the New Westminster licence area has ranged between 0% and 7% since the last review of community TV. He has considered filing a complaint like ICTV, but the technical interconnection and license area boundary that lumps New Westminster with Delta has given him pause. Under current CRTC regulation, a not-for-profit organization that wanted to serve New Westminster (as does newwest.tv) would have to serve Delta as well. Delta is a separate municipality and—according to Deepak—is a separate “community of interest” as it has a distinct history and socio-economic makeup. While Deepak and his board feel well-positioned to offer community media services in New Westminster, with roots and social networking with local educational, municipal and community organizations, they don't feel they have that reach into Delta. In order to best serve New Westminster, it is our (and their) contention that community leaders should be in the driver's seat in defining what is 'local', yet they are not under current CRTC policy.
100. Alternatively, they could apply for a digital community undertaking licence and define their community of interest as New Westminster, but they would have to raise their own budget to fund community TV. In a time when local commercial TV cannot fund itself on commercial advertising—even with the possibility of airing lucrative US hit series (which would be at odds with a community channel mandate and difficult to fit into an 80% Canadian production schedule)—how would they do it?
101. A logical mechanism to serve communities within the ever-larger zones permitted under existing policy (2010-622) might have been to enable communities within a zone or multi-municipality licence area to step forward with a plan to run a community channel for the budget collected from subscribers within a single community within the zone. In the case of New Westminster, Deepak has estimated this annual budget at \$400,000. In smaller communities where the budget was not adequate to sustain an independent, new production facility, it might be co-located it

21 For more information, see <http://newwest.tv/>

with other community services such as the public library, high school, or a community centre. Communities could have been given the opportunity to 'carve out' a municipality or municipalities within the zone and re-establish hyperlocal service according to local demand, ingenuity, and the presence of complementary infrastructure.

101. No one ever thought to consult communities, however, nor what their definition of a 'local' service area or channel should be. The wording in the community channel policy gives the cable operator the first right of refusal to offer a community channel. The community only has the right to the budget (and thereby the practical likelihood of being able to run a channel) if the cable company elects not to do so. Had it been the other way around (if a community wanted to serve an area—however small—it could do so, with the cable company's large 'zoned community channel' as the fallback plan), the 'localness' of community television might have been maintained.
102. The technical interconnection of the cable industry has driven an ever less local definition of 'local' in the community sector. The losers have been small communities, the same losers on the wrong side of the digital divide generally. Cable companies have consolidated their resources to the big cities, serving predominantly the same 52 large markets that are served by the public and private sectors²².
103. Unlike in the conventional broadcasting system, which has enjoyed a consistent definition of 'local' over time (thanks to the consistency of over-the-air broadcasting technology over the period), this has not been so in the community sector. The definition of 'local' and therefore the localism of the community TV services Canadians have received has reflected the pattern of technological consolidation in the cable industry and its responses to competition.
104. While the original separation of cable license areas by the CRTC into neighbourhoods resulted from a strong policy focused on the needs of Canadians to have access to community media training and production support, changes to those policies that have allowed consolidation have had nothing to do with the needs of the Canadian public, and everything to do with cable company expediency. The irony is that it has in fact become more cost-efficient to offer that hyperlocal neighbourhood access. The cable coax and more recently—fibre-optic infrastructure linking homes in communities is all still there... The cost of production equipment (cameras and editing equipment) has in fact fallen. The only thing that has changed is the economy of scale by which the cable industry once co-located head ends, business offices and production facilities and had staff in smaller communities doing multiple roles (installer, business office, access coordinator).

22 The Local Programming Data provided on the public record of this proceeding record 89 private local stations. Along with the CBC/Radio-Canada's 29 local stations, these 118 stations serve only 52 distinct communities (since many are located in the same communities and compete with one another).

105. The missed opportunity is that as cable companies retreated to the big cities, the same economies of scale might have been achieved had the small budgets available per license area been deployed by communities themselves, who—following the same logic of co-location—might have offered the services from public libraries, high schools, colleges, or community centres. It hasn't become more expensive to offer community media services in the hinterland... it has only become more expensive for cable companies to do it.
106. Therefore, CACTUS' view is that the definition of 'local' in the context of the community sector should be programming proposed by each community via a community-elected board that owns and manages the station. Such a board should consist of representatives of the local municipality, educational authorities, social service organizations, and cultural and artistic associations—organizations with a permanent stake in the community and a mandate to serve it. Only by a broadly representative community board with the community's own interests at heart can the creative potential of a community TV station or media centre be maximally leveraged to meet the developmental, cultural, social and economic needs specific to that community.
107. To prevent confusion with the meaning of the term 'local' in the public and private sector, we propose restricting the use of the term 'local' to the public and private sector going forward, and using the term 'community programming' when referring to programming produced within the license boundary or service area of a not-for-profit community-owned broadcaster. These terms capture the different quality to programming produced in the conventional sector compared to the community sector:
- In the conventional sector, local programming should be created by hired professionals *for* a population living in the area. The programming is defined by its local content, not by its process of creation.
 - In the community sector, community programming is created *by* AND *for* ordinary members of the community within a community-owned structure. The term 'community' evokes the geographic origin as well as the collaborative, community-based process that leads to its creation. As will be discussed further on, we don't believe BDUs actually can or should be considered to be producing 'community programming', since the community is not involved in the decision-making process. The programming BDUs produce should be properly recognized as part of the private element, and they should seek separate licensing as local conventional broadcasters.

Does 'Local' Imply Universally Available?

108. Local conventional broadcasting started over the air. Everyone within the broadcasting footprint of the licence could get it—for free. We have a shared cultural notion that local broadcasting is something universally shared and freely accessible within the licence area or broadcast footprint. The Broadcasting Distribution Regulations applicable to terrestrial BDUs have reflected this assumption in requiring terrestrial BDUs to distribute any local over-the-air stations in the local cable system basic tier.
109. When cable companies first rolled out service in the late 1960s and early 1970s, the Commission was looking both for a way to:
- bring the 'mirror machine' process of citizen-generated local reflection discovered via the NFB's Challenge for Change process to every community
 - offer a balance at the community level of Canadian programming for the influx of American programming anticipated by the introduction of cable services
110. The solution it found was 'the community channel': one among the 30-or-so initial cable rollout that would be open to local citizens for their own and the community's self-expression. Because cable had no competition initially except by incumbent OTA TV channels, penetration reached 80%. The 'community channel' could be so-called because most of the community did get it, although not the final 20% of television-viewing households that were satisfied with OTA local channels.
111. The underlying assumption we have about the universal accessibility of "local" channels that has always been true for local conventional channels has become less and less true in the community sector over time. At the same time that cable companies were being allowed to consolidate operations to face satellite competition in the late 1990s, they began to lose market share. While most of their program lineups were also available to satellite customers (e.g. public-sector channels, private-sector channels, specialty channels), the 'community channel' was not. Over time, it has become less and less universally available, limited to a single pay TV platform.
112. In 2002, the Commission wisely created an over-the-air class of community-owned and -operated license that would also be carried on cable to address the increasingly limited access to cable community channels, but none of the money collected from cable subscribers to support 'community TV' (nor from anywhere else within the broadcasting system) has been made available to support channels in the new class. The result is that only nine have ever launched.
113. Less logically, five years previously at the 1997 review of community TV policy, the Commission had encouraged different sorts of 'community channels' on the services of different kinds of competitive BDUs:

“135. ... The Commission intends to give all terrestrial distributors the opportunity to present innovative proposals for providing outlets for local expression” (1997-59)

- 114 This proposal was made despite widespread concerns that encouraging multiple community channels might fracture audiences as well as community channel budgets:

“There was little support among cable distributors and potential new entrants for the proposal that all Class 1 and Class 2 terrestrial distributors be required to provide and fund a community channel. Generally, those opposed considered that the availability of more than one community channel in any market would offer little in the way of new programming benefits to the community. Moreover, some expressed concern that there may not be sufficient volunteer resources or programming opportunities in each market to sustain multiple community channels.”

115. To the CRTC's credit, this move appeared to seek to provide subscribers of non-cable pay TV services with access to a 'community channel', but it failed to recognize the fact that residents of a community don't engage with one another at the local level depending on the pay TV subscription type they have. They engage with one another based on where they live, the bricks-and-mortar organizations they belong to, the local politicians they elect, the schools where they send their children, and the hospitals where they go when they are unwell. Encouraging multiple branded 'community channels' that would fragment both the resources available to support them as well as their audiences never made sense, as Bell as well as CACTUS pointed out at the 2010 community TV hearing. It was a band aid solution to the problem of falling cable penetration, when the obvious solution was over-the-air access in combination with carriage on the services of all BDUs capable of carrying local signals. This principle was present in the new 2002 policy with the introduction of the over-the-air community licence class, but lacked funding support.
116. Community TV—like any kind of TV—requires resources. If it is part of the Canadian Broadcasting system as is expected under the Broadcasting Act, financial provision must be made to support it, as has been done for other elements in the system. If the viable solution to ensure widespread access to community channels is over-the-air channels that have mandatory carriage on local BDU systems, then that solution must be resourced.

Definition: Local News

117. The Commission's current definition of “News” is as follows:

News means programming that consists primarily of Newscasts, newsbreaks, and headlines. Programs reporting on local, regional, national, and international events. Such programs may include weather reports, sportscasts, community news, and other related features or segments contained within “News Programs.”

118. The CRTC does not provide a definition of “local news”. Presumably one infers it by combining the definition of local programming and local station with the definition for local news: news programming produced by a local station either with its own personnel or by locally-based independent producers that reflects the particular needs and interests of the market's residents.
119. The Commission's definition of news includes “community news”, and the Commission's definition of “local” applies to the kind of “news” that is produced by CACTUS member channels. This content is indeed produced by employees and residents of the licenced areas they serve.
120. The discussion of what constitutes ‘local news’ for the purposes of reporting and evaluating the contribution of different elements to the overall local coverage of our communities is important. Although the Commission's definition of local news is broad, it's worth pointing out that what most Canadians think of when they think 'local news' (a tightly edited package of short 3-5 minute segments) is primarily an urban format produced by conventional television in response to several conditions:
- In urban areas, viewers can't be assumed to know the people on the screen. They tend to want to know what happened conceptually (a bus collided, there was a hail storm), without needing to hear much from individuals involved in the story.
 - People tend to live faster, busier lives, and they want a quick summary of the day's events.
 - Time on conventional television is expensive; therefore, most of it is used to air dramas that sell ads. Stories need to be condensed and packaged in 30 or 60-minute formats.
121. The reality for community TV channels is different:
- In urban areas, where community TV responds to the needs of niche groups not served by mainstream media, audiences tune in to particular programs made by and for their group e.g. Sikhs, LGBTQ, Aboriginals, an alternative political viewpoint. They want to hear more than a short clip because they're hungry for any coverage at all.
 - In rural areas, audiences can be assumed to know some if not all the protagonists in the programs. They want to see and hear individual stories. They want to watch the whole high school football game in which their teenager appears, rather than a clip. They will tolerate the whole talk show about a local health issue, because it affects the whole community, not someone else's neighbourhood in a big city.
 - Life tends to be slower. The latest edition of the community TV news magazine is an event.

- Time on community TV is cheap. We don't have to cut everything to 30 minutes to get off air before *Game of Thrones*.

122. Therefore, the topics on a rural community TV channel tend to be the same as those on an urban local news program: health, sports, the economy, politics, the weather. But instead of a 3 -minute clip that provides just the highlights, the topic may occupy a whole program. Instead of 30 minutes of local original production a day produced to fit a big-city news format, those same topics will each become a different program and fill the week. This is partly the function of community TV audiences as described above, and partly the function of community TV volunteers. If a volunteer spends his or her afternoon covering a football game, why wouldn't they air all of it? There is the time on the channel, and audiences will watch it. The same afternoon of work by a professional news crew would result in 3 minutes on a big-city channel.
123. Therefore a traditional rural community TV station provides more, not less than a local conventional news channel. The same topics are covered, but in more depth, because there is the focus and the manpower (volunteers) and airtime. Some community TV channels do produce a condensed form of news or news magazine, but many opt for longer form coverage for these reasons.
124. In urban settings, 'the news' is available on conventional TV channels, and community TV (or community media generally) has no reason to repeat it. In urban settings, community TV has a different role. It is serving niche groups and needs not met by conventional TV. This could include serving niche audiences (the same events covered from an Aboriginal, Sikh, LGBTV, environmental perspective) or it could mean providing alternative genres and formats to conventional TV, which in recent years has been challenged to produce just local news let alone local programming in other genres that are common on community TV; for example, arts reviews, musical showcases, book shows, shows by and for seniors and children, and so on.
125. Therefore, community TV (and community media generally) tends to cover similar categories and underlying themes as the news, but local conventional news is a particularly resource-intensive, sound-bite oriented, time-and resource-limited formulation of those same events. The news offers unanalyzed highlights, while community media may offer uncut gavel-to-gavel coverage, analysis and local audience response to the same events at greater length and in greater depth, because it can.
126. As noted in the preamble, CACTUS members completed a questionnaire in April of 2015 sent to us by the Commission, asking how much access content and local news we produce. The equivalent information has been provided for BDUs in the current policy notice in the Related Documents column, by clicking "Community Programming Data", sliding down to the bottom of the page, and clicking "Additional Community Programming Data". The information CACTUS member channels provided in answer to the same questions—for independent, not-for-profit

community media organizations—has not been provided, puzzlingly²³. As stated in the preamble, an average of 75% of content that airs on our member stations is community news and event coverage.

Access Content and Producers (questions 11 and 12)

127. CACTUS is in agreement with the CRTC's current definition of access programming, but we believe additional wording should be added to eliminate the possibility of future misinterpretation. The current wording is as follows:

"The key criterion for defining access programming is that creative control is in the hands of a community member, i.e. an individual or group residing within the licensed area of a terrestrial BDU. Creative control consists of two elements:

- The idea for an access program must originate from a community member not employed by a BDU; and*
- The community member must be involved in the production team either:*
- in an on-camera role (e.g., a personality or actor that appears in a predominant portion of the production); and/or*
- as a creative member of the production crew (e.g., directing, producing, writing)."*

128. Access content has always been understood in CRTC policy as content created by ordinary citizens (as opposed to professional broadcasters), as a platform for their free expression. For example, CRTC policies for the community channel since 1975 have included this statement:

"The Commission considers that the role of the community channel should be primarily of a public service nature, facilitating self-expression through free and open access by members of the community."

129. The statement of role has always been followed by a list of how cable operators are expected to make this role a reality. The first two have always been to:

- engender a high level of citizen participation and community involvement in community programming*
- actively promote citizen access to the community channel and provide and promote the availability of training programs;*

130. It's clear that 'free and open access' means free and open access by everybody, and that the 'citizens' the Commission has in mind are ordinary folk who may need training in order to be able to participate.

131. Access producers are ordinary citizens exercising their right to free speech, as is provided for under the Canadian Charter of Rights and Freedoms.

23 Get it from members.

132. That being said, community media has always—in addition to its role in providing open access and free expression to ordinary citizens—provided an outlet for professional journalists and artists to experiment with new ideas, test pilots, and build experience in new areas. For example, it's common for radio professionals to volunteer as a host of a community TV channel to acquire TV experience. This is a legitimate use of community media and offers both professionals and non-professionals important opportunities to cross-pollinate ideas—provided that the professional is using the platform in his or her capacity as a private citizen seeking experience, and the views they express and content they produce are their own. Similarly, if a Canadian filmmaker or producer could not find a distributor or outlet for content and they approached their community channel, it would be appropriate for the film to be aired as an outlet of last resort. The channel would be meeting its free-speech mandate.
133. The moment that such an 'access producers' ceases to be an 'access producers' and their content ceases to be "access programming" is when it is compensated. Then, the individual crosses the line and should be understood to have produced community content (if it is about the area in which they reside) but not access content.
134. Since the Commission has been encouraging multiple branded community channels within the same territories, new entrants (such as Bell Aliant) may believe they lack a sufficient subscriber base to offer a traditional linear community channel and production facility. The Commission has allowed them to offer VOD services and to retain 2-5% of their contribution to Canadian production for these purposes. Aside from our reservation about the limited usefulness of VOD services as a community media platform (on their own), this practice has led to abuse of the definition of 'access producer'. We know of many instances of independent professional producers being sent cheques by Bell as compensation for the productions that appear on the VOD platform, and which Bell presumably claims as part of its 'access expenditures'. While the line between 'professional' and 'amateur' production may not be clear in the mediaverse with the ubiquity of blogging and self-posted content on the Internet, the dividing line with respect to the community element is the issue of compensation. If someone is compensated for a production, it's commissioned content, and not access content. If someone is not compensated (regardless of their media background), it constitutes access content.
135. As long as there are bricks and mortar production facilities at which the community can meet, learn, and produce together, the line is clear. Access producers benefit from training, equipment access, and production support (which have economic value), but they are not paid for their time. The practice of sending cheques to 'access producers' has crept in because:
- i) services such as Bell Aliant are not offering bricks-and-mortar training and production facilities within communities, and
 - ii) the Commission requires accounting for "access expenditures".

136. Companies pursuing this practice may rationalize that if they can't provide community members with facilities, they should compensate them for having to hire or acquire equipment. But this presupposes that *those community members are already trained, know what equipment they need, and need no production support*. They are professionals. The whole point of encouraging the community to create media together as a process of dialogue is undermined. You can't make community media without places in the community to collaborate.
137. We therefore propose the following definition of 'access content' and 'access producer':

The key criterion for defining access programming is that creative control is in the hands of a community member, i.e. an individual or group residing within the licensed area of the community channel, and that this individual or group is not compensated for their involvement in the production. That is, the production is an act of personal or communal expression; it cannot be commissioned. Creative control consists of two elements:

- *The idea for an access program must originate from a community member or group who is not compensated for their role in the production; and*
- *The community member must be involved in the production team either: in an on-camera role (e.g., a personality or actor that appears in a predominant portion of the production); and/or as a creative member of the production crew (e.g., directing, producing, writing).*

The Definition of Community Programming

138. Notable by its absence in the policy notice is a definition of *community programming*. The Commission has divided the questions to be addressed in this consultation under the two headings "Local Programming" and "Community-Access Programming". It appears that the Commission is equating the 'local origination' programming (category A) made by the staff of cable community channels with the 'local content' made by conventional public and private broadcasters, and separating everything made by community producers under the title "access". This approach is not valid, and why we propose limiting the term 'local programming' to programming made by conventional broadcasters, and using the term 'community programming' to describe content produced at a community station. A CRTC employee made this inference with CACTUS staff in a phone call. They said, "Well, there isn't any difference between the 50% of programming that cable company staff are allowed to make on their community channels with what the staff of one of the private conventional channels they own would make".
139. This comparison is invalid:
- As previously discussed, the actual definition of 'local content' produced by cable community channels has fluctuated over time as the licence boundaries of cable systems have increased. The same cannot be said of public and private conventional channels, for which 'local' is defined by the perimeter of their broadcast signal.

- While it may be true in recent years that a viewer to a cable community channel might not see much difference between its staff-produced content and content on a public or private local conventional channel, this is due to the lapsed knowledge and practice by cable company staff regarding:

i) what constitutes *community programming* as a whole

ii) their role in facilitating the community to make content, and

iii) the consolidation of cable community channel budgets into big urban centres, which has made it financially possible for cable companies to produce all-professional programming with teams entirely composed of employees, without the need for volunteers.

140. It is the *lapsed practice* of producing *community programming* as a blended team effort between cable staff facilitators and voluntary members of the community that has made it possible for the Commission to believe there isn't much difference between staff-produced content on a cable community channel and at a conventional news station. An example of the original practice and approach of these channels will illustrate what has changed.

141. There's a concept useful from economics when analysts consider employment rates that applies. Even when an economy is said to have 'full employment', economists know that the unemployment rate is actually about 7%. This is called the "frictional employment" rate: everyone who is between jobs, temporarily unemployed because of disability, on maternity leave, and so on. At the height of the community channel system in Canada, when the principles of "Challenge for Change" were still fresh in the minds of cable employees, cable companies hired community and social facilitators, not TV school graduates. It was understood that the purpose of community channels (their 'cornerstone' to use the Commission's term) was to facilitate a process of community dialogue, to enable 'free and open expression' by citizens, and to promote community development. An almost accidental spin-off was that there was programming to be aired ("local reflection"), resulting from the completion of particular media projects undertaken among community members and organizations in order to give voice to local issues. This programming was different from that on conventional television:

- It was interactive, soliciting a high degree of community involvement, whether by phone, by studio audience, by taping on site in the community, or production by community members
- It had community development dimensions beyond simple entertainment
- It went into more depth than conventional TV, because there was the time and motivation to explore issues

- It gave voice to those whose voices were not heard on mainstream TV: children, seniors, the deaf, disabled, minorities, Aboriginals, those of an alternative political stripe.
142. It had a fundamentally different quality. It felt unmanaged, raw, from the heart, and real. Its appeal had much in common with today's long-form documentary or reality show. It responded to our hunger to hear real people speak, and for us as individuals TO speak.
143. The program schedules during the 1980s and 1990s were driven by what *the community wanted to produce*. Cable staff members had job titles such as "Volunteer Co-ordinator" and "Community Facilitator". There were no "Producers" on staff. Producing is what the community did. At a typical "cable access channel" (that's what they used to be called... they weren't RogersTV or TV Cogeco with a minority of 'access content'), community producers brought their ideas through the door, and staff were divided up to help them. Staff, to keep fresh, often produced their own 'pet projects' after hours or on weekends, but not during chargeable time; at least not at stations CACTUS members have worked at, including former Rogers systems, Shaw systems, Cogeco and Eastlink. Their paid job was to enable the community to express itself.
144. This is not to say that no program was ever initiated or led by a staff person. There were such programs, but there were akin to 'frictional unemployment'. They arose to fill gaps in volunteer-driven programming, and to address specific training needs of volunteers or missing skillsets in order to make a community-requested program possible. For example:
- Municipal council meetings, since they were regarded virtually as a regulatory obligation and the foundational democratic *raison d'être* of the channel (although never an actual regulatory obligation since city councils could not be forced to be on camera)
 - To create production opportunities for volunteers. For example, community news magazine programs were often beyond the ability or time commitment possible for a single volunteer, but many volunteers with different specialties (education, health, politics) could contribute different segments, coordinated by a staff person to make sure the programs went to air on time. It allowed volunteers to hone their segment production skills before taking on the responsibility of a regular weekly program, while offering local coverage for viewers.
 - To cover events where a community organization had requested coverage, such as a cultural parade or festival. In these cases, a staff person might be in charge of the mobile sent into the community, but with an all-volunteer production crew, who obtained a learning opportunity in live, on-location production.
145. As long as community channel staff knew that serving the community and enabling volunteer training and expression was their job, there didn't in the early days need to be a set percentage of "staff-produced content" versus "access content". It was all *community programming*. There was a

seamless partnership between staff (who understood their role as facilitators and had the titles to prove it) and community members, whom the channels were understood to serve.

146. Three factors contributed to change the collaborative relationship that existed between volunteers and cable-company staff (two of which have already been mentioned):

- As the cable industry began to face competition from satellite in the late 1990s, it was looking for a way to distinguish its services from satellite. The only channel it could own or manage at that time was the community channel. In 1996, the cable industry conducted market research surveys across the country to find out what people thought of the 'community channel' in order to figure out how they might leverage it. For a year, the industry experimented with a coast-to-coast network concept called *Plugged In*, in which the same cookie-cutter news magazine graphics were distributed coast to coast to all cable systems, into which local staff were supposed to insert content... at first with the assistance of volunteers. The following year, many channels dispensed with volunteers altogether, and transitioned to a fully professional model of *Plugged In* produced entirely staff.
- This was possible only because of the technical interconnection and industry consolidation going on at the same time. Budgets that had previously been spent in rural licence areas on a single or a few staff who needed volunteers to produce a viable schedule were consolidated to fewer larger centres at the hub of regional zones. Suddenly, there was enough money to produce content with fully professional production teams.
- The first generation of cable employees who had been "facilitators" and "community animators" retired. They were replaced with film and TV school graduates who knew nothing about community networking, outreach, or development. They wanted to produce their own productions. They saw themselves as directors and content producers, and their jobs at 'community channels' as stepping stones. Their titles began to change to reflect this shift: the title "Producer" became common. It's worth noting that Lethbridge Community College realized during the 1990s that the community sector represented a different broadcasting sub-industry, with different training needs. They introduced a "Community Broadcasting" diploma in about 1995, a hybrid course in community development and technical broadcasting skills. The University of Massachusetts in Boston has a similar program to serve the US PEG (public-educational-government) access sector²⁴. Unfortunately, the Lethbridge program had been converted back into a standard broadcasting course by the end of the 1990s, when the professors realized that the cable industry was no longer facilitating public access, and that their graduates had no 'market'.

²⁴"Community Media and Technology", part of its College of Public and Community Service.

147. This is when competition between staff-produced and community-produced content began in earnest. Even the internal organization of erstwhile community channel production facilities changed. For example, at Shaw's consolidated single Calgary headquarters channel, the collaborative newsroom layout that had once facilitated open access by the public to computers, edit suites and the studio on the same footing as staff was reorganized in 1996. Staff were moved back to offices and meeting spaces behind a cypher lock system. "Volunteers" had to wait in the green room, and had no computers or facilities accessible to them except by prearrangement. Staff and community producers no longer worked shoulder-to-shoulder. It was no longer the staff facilitating community production, and the term 'community producer' was rarely used. It was about permitting the occasional 'volunteer' (typically TV school-trained) to provide crew assistance to a staff 'producer' with a ShawTV or RogersTV production. The complaints began to flow. At the 2002 community TV policy review, the Commission for the first time felt it had to prescribe minimum amounts of exhibition, expenditure, and prime-time airing slots for 'access' content. 'Access content', while still nominally the 'cornerstone' of the Commission's policies for 'the community channel', had become a rare beast on channels that the cable industry wanted to program itself.
148. 'Local' content was increasingly made by all-professional production teams seeking to emulate commercial productions. They weren't volunteer crews led by a single staffer in a coordinating role as they had been previously.
149. But you can't turn back the clock when the structural conditions that once made the cable industry a near-ideal delivery system for community TV services have gone, along with the stable monopolistic conditions that enabled the cable industry to regard public access to their 'community channels' with a benign eye.
150. The importance of this discussion is to flag that the Commission's list of questions in this consultation is structured around the flawed notion that 'local programming' on the community channel (what we call 'category A' under the Commission's community TV policy) is the same thing as local programming in the conventional sector, and 'access programming' is separate and might be delivered in a different way. Community channels once facilitated and aired 'community programming', period. Community programming arose from a productive partnership between staff trained in both broadcasting and community development—and members of the licence area. It was all *community programming* because a commitment to serve the community by facilitating the self-expression of its members was at the heart of the design of the facility, the structure of the program facility, and the training and roles of the staff. The split into 'access' and 'local' as sub-categories reflects the polarized relationship that has sprung up between cable companies and the community for control of the community channel over time.

151. If we review the Commission's original 1971 definitions regarding the community channel, this drift is clear. Page 16 stated:

"Cable television systems... provide programmes which are substantially different from those available from off-air sources"

152. Page 17 reiterated the distinction:

"[The community channel] ... should not duplicate the programming available from conventional broadcasting outlets.

Part II – The Need for Common Training and Production Facilities (questions 5, 14, 17)

153. The Commission raises the issue at questions 5, 14, and 17 whether *“a physical local presence still needed in the digital age? ... Are studio facilities and local staff required to provide meaningful locally reflective and locally relevant programming?”* Questions 14 and 17 appear to tackle the same issue... Is there a way other than a traditional TV station with production facilities and support staff to enable Canadian citizens to have meaningful access to the Broadcasting System and to produce their own content? The answer to this question is a resounding yes – locally available studio facilities and local staff are needed now more than ever.

Television Production is a Team Undertaking

154. Television production is a team undertaking. From the point of view of conventional television, you can't produce in-depth meaningful coverage of an area without staff that live there, know it, are familiar with and connected to its neighbourhoods, public spaces, services, and politics. Other interveners from the conventional sector will make this case.

Community-Access Television Production Involves the Whole Community

155. The necessity of local presence and staff is even greater in the community sector. Training of local residents is an explicit part of the community television mandate. Every project means putting together a different team of volunteers and enabling their respective contributions, whether accompanying their shooters in the community, helping a member of the team edit, or coaching a rookie host. A community channel has a predominantly local schedule and requires a street presence for volunteers to access support, training, and to build awareness and a feedback relationship with the community over time. This is what “local reflection” means. It's the “mirror machine” process developed over the course of the NFB's Challenge for Change project.

156. The need for a local presence has been ignored in many recent CRTC decisions. For example, when CACTUS intervened in Shaw's licence renewal process in Western Canada in 2010, we provided evidence to show that of 51 original Shaw Western licence areas from Manitoba to BC which had originally had devoted production where volunteers could access training and support, we could find evidence of only 10 by 2010. We presented our view that Shaw could not meet the local and access programming requirements of its licences, nor conduct training (also expected under community TV policy) without local facilities in each license area. The Commission did not at that time agree with our view, and accepted Shaw's promise to serve these areas with mobile production vehicles:

*Though the use of mobile studio facilities is not ideal, where the size of a community does not make the establishment of a fixed studio facility viable, the Commission accepts the use of mobile studio facilities as a reasonable alternative to a fixed studio facility.*²⁵

157. In Deepak Sahasrabuhde's review of these licence areas in 2015, not one is compliant with its local and access program requirements, confirming our view that you cannot effectively serve licence areas without local presence. The only reason the presence of an access facility is not an explicit expectation of current policy is that the cable systems themselves used to be physically separate, served by physically separate head ends. It was obvious that a production facility was necessary to train volunteers and produce television programming.
158. A local presence and point of congregation for community members is a necessary requirement to make *community media*. The creation of community media is a *communal* process. Not every program distributed on a community media service is made by a team (e.g. some are created by individual artists), but the creative environment that fosters self-expression, the moral and technical support structure, the shared goal to provide meaningful coverage and a platform for dialogue within the community—these are defining characteristics of community media. A meeting place where community members are guided by staff that advocate for local resources, who build networks with local decision-makers and authorities, and who lobby for space on distribution networks. The credibility of the local elected board and editorial process provide a focus for the content generated and 'discoverability' in an increasingly fragmented media universe.
159. Tara Mahoney of Gen Why Media from Vancouver articulated the magic that occurs at a community media centre in her presentation as part of the Youth Media panel at the Community Media Convergence on Nov. 23rd, 2015:

*"I think the community media piece is really essential... The idea for Gen Why Media really came out of a community centre and being inspired by other people that were there and seeing what they were doing. I don't know if I would have done this if I hadn't had that space and that inspiration".*²⁶

The Democratic Role of Community Media as a Content Aggregator

160. Neither freedom of expression nor freedom of association have meaning if a person can only reach an audience with a bullhorn on a street corner. In our media-complex world, the right to express oneself freely and to associate with others only have meaning when individuals can be heard in significant public fora and can find other like-minded individuals with whom to share ideas and take action.

25 Broadcasting Decision CRTC 2010-820 at paragraph 35.

26 For the video stream of the panel and Ms. Mahoney's comment, see <http://www.commediaconverge.ca/node/321>, starting at 55:30.

161. Community media production and distribution centres are the grassroots nodes where this happens. People can come together and use media tools at such centres. They learn which buttons to push as they always have done, but more importantly how to pitch ideas, how to present and integrate alternative views, how to listen to other voices with tolerance and respect, how to conduct research, and how to generate calls to action. Media literacy involves a suite of self-promotional skills that leverage technology, but are more about how to articulate and package ideas than to master any one tool.
162. As citizens learn to use these tools and processes side-by-side with others of both similar and divergent views, their increasingly sophisticated messages can be shared in their immediate community, and beyond to the world at large. Everyone benefits. As the expression goes, "It's not the destination, but the trip". In community media what matters more than the final product (although there are products), is the process of creating messages, receiving feedback, and seeing the impact in the world. Community programming arises from the interaction among community residents, technology, media literacy activation, and the real-world issues to be addressed through media.
163. The aggregation of the content as a single service or 'channel' (however distributed) must reach the whole community, be promoted, and be known to be effective. This may require distribution on multiple platforms, both free and by subscription, live and on demand, and using multiple tools including social media to promote it. But social media cannot replace community media. Community media consist of people relating to one another as part of a network. The technology is just the tool. Human management and permanent technological infrastructure is required to leverage community media to make sure that is effective, known, and available to the whole community.
164. Community media is a recognized element in the broadcasting system. While distribution of content made by over-the-air and specialty broadcasters on the Internet is recognized as "broadcasting", posting a blog is not. Distribution by the Internet alone is akin to e-mail, unless the source organization has sufficient visibility, power to aggregate audiences, or a licence such that it can function as a one-to-many platform with a regular distribution schedule and feedback relationship with that audience. This coherency is provided by community media organizations.

Social Media Does Not Aggregate Local Content: They are an Electronic Bullhorn, No More

165. New media, including Internet-based social media like Facebook and video distribution tools such as YouTube, permit people to connect and create communities of interest in cyberspace, but:
 - they do not aggregate content locally

- they are used by a certain segment of the population only
- there is a disconnection with action in the real world, unless those tools are managed by knowledgeable media makers with sophisticated real-world campaigns. Individuals who successfully mobilize communities of interest with new media in cyberspace tend to have media training.

166. Posting a 'blog' is much like standing on the street corner with a bullhorn, although paradoxically *less* visible in your own community. How many of your neighbours would find your blog if you didn't build an online following first, through persistent coverage of issues about which you are knowledgeable, by connecting with other like-minded campaigns, and by developing a multi-pronged outreach campaign? The average blogger is more likely to have his or her message heard by their immediate neighbours by standing on a street corner with the bullhorn... at least a few would see you on the way to the grocery store. Even if everyone with an Internet account can blog in theory, it is only those with the self-confidence to put themselves out there, on their own—generally privileged individuals with strong educational backgrounds—who do so. Community media exists in part to help those who cannot, because they lack the tools, the knowledge to articulate themselves, and the confidence not to fear reprisals or ridicule.

Community Media are Trusted and Credible Content Aggregators

167. Community media are trusted sources of local content:

- Training programs teach journalistic practices
- Program committees plan coherent schedules
- Programmers are answerable for content to both the organization's board of directors, the community at large, and ultimately to the CRTC through the licencing process.
- Content is created as a team process, with staff oversight. The variety of inputs during the production process and the contribution by members of the community affected by the story offers natural checks and balances that limits the exploitation of marginalized groups and sensitive issues that can occur on commercial media, as well as the abusiveness and randomness of content that can proliferate on the unregulated Internet. The content offered to the community at large is (generally) a productive result of community consultation, and becomes part of a larger process of dialogue when distributed throughout the community.

The Need for Digital Skills Training

168. The more complex and varied the media creation tools, the more we need physical places in communities where people from all walks of life can congregate to learn how they are used. How does a small non-profit organization or start-up company with a limited budget design a web site that will be found quickly by search engines? How does this same non-profit or business produce a video that will capture the attention of web site visitors? How can the non-profit stage a debate to stimulate a community to take action on an issue, and then rebroadcast that debate to segments within the community that couldn't attend in person?
169. The idea that democracy lacks meaning unless people can communicate with each other is not our idea. It comes from international bodies that recognize that "democracy" is meaningless unless citizens have equal access to media as power elites to influence the public agenda. The first significant international statement regarding the democratic role played by community media was made at the 2003 World Summit on the Information Society in Geneva. The resulting *Declaration* stated at paragraph 24:

"The ability for all to access and contribute information, ideas and knowledge is essential in an inclusive Information Society."

170. Paragraph 23 is more specific:

"The establishment of ICT [Information and Communications Technology] public access points in places such as post offices, schools, libraries and archives, can provide effective means for ensuring universal access to the infrastructure and services of the Information Society."²⁷

171. In October of 2009, the Knight Commission presented a report entitled *Information Needs of Communities in a Democracy* to the FCC, which stated:

"Information is as vital to the healthy functioning of communities as 'clean air, safe streets, good schools, and public health...Informed communities can effectively coordinate activities, achieve public accountability, solve problems, and create connections...To achieve the promise of democracy, it is necessary that the creation, organization, analysis and transmission of information include the whole community".

The World Association of Community Radio Broadcasters and UNESCO held an International Community Media Seminar in Paris on the 11 November 2009, which observed:

27 For the full *Declaration of Principles*, see <http://www.itu.int/wsis/docs/geneva/official/dop.html>

“... the community media sector is closely associated with movements for social change and its impact and effectiveness often contingent on wider political contexts and we assert the importance of defending the freedom and independence of community media from the influence of governments, political parties and commercial interests... We call on UNESCO Member States to ensure policies, laws, regulations and funding mechanisms enable and support development of community media including in the transition to digital platforms.”

172. If we are tempted to imagine that the mere existence of the Internet (if broadband access were universal, which it isn't) is the great democratic leveler, it's important to be clear what a social medium like “Twitter” offers – 132 characters is not a long-form documentary about the environment. To function in our culture—to be seen, heard, to network, to apply for jobs, to fill out your tax return, to start a business, to run an arts organization, to build momentum for changes in your neighbourhood or around the world—the basic media literacy skills we need as citizens haven't changed:
1. We need to master print (reading and writing). This is taught in school.
 2. We need to produce audio content. We have to learn to record and edit it (what button to push), as well as what questions to ask, how to provide a balanced analysis or to argue a point, and how to package programming. These are all editorial skills that are not taught in school in Canada except fleetingly as part of a single Media Literacy module offered by most provinces in grade 11 Language Arts. These skills build on print literacy.
 3. We need to produce video content. We have to learn to record and edit it (what button to push), as well as what questions to ask, how to provide a balanced analysis or to argue a point, and how to package programming *using moving pictures*. These are editorial skills and are not taught in school (except with the briefest of introductions as part of the Media Literacy module offered by most provinces in grade 11 Language Arts). These skills build on print literacy and incorporate audio literacy.
 4. There is a genuinely new medium since the introduction of moving pictures: the programming structure of games, which combine the other three elements with interactivity. Programming skills are taught in school as an elective, but need to be combined with print, audio and video/graphic literacy skills for an individual to participate in or even to clearly understand the impact of North America's largest media industry, which is employing record numbers of post-secondary graduates.
173. Of these media, video is still arguably dominant as far as shaping our understanding of what is going on in the world. As noted in the preamble to this submission, the gaming industry has outstripped the size of the film and television industries in both Canada and the US since last the CRTC reviewed its policies for community TV, however, video graphics still provide the engaging

front end for the rules structure at the heart of video games, and the use of gaming as a conduit for community, regional, national and international event coverage is nascent.

174. So, yes, anyone can in theory shoot a video with a small camcorder or smartphone and upload it to YouTube. But the skill to interview a politician, direct a multi-camera production, shoot documentary-quality footage that will arrest the attention of your would-be audience, synthesize information and package it into a credible documentary need to be learned. These skills don't come in the camcorder box. In order for the necessary skills to be taught, there has to be places in our communities where these skills can be shared. It's the *skills transfer* that creates democracy, not the mere presence of a technology. If we are committed to democracy, we must be committed to see that this skills transfer can take place in our smallest communities as well as our largest.
175. On top of these basic four media (print, audio, video, (games) rules structure), there are an endless array of tools for accessing, combining, and distributing content, all of which have to be mastered as well, if you want to be seen and heard and interact with other individuals, local, regional, national businesses, organizations and institutions, in a multimedia universe.
176. These media will keep changing, as will the tools for accessing, distributing, and combining them. The need to lobby to maintain spaces for public-service and community use of frequencies and bandwidth and resources will always be with us.
177. This is why we need strong community media organizations—to enable Canadians to learn and then maintain the media literacy skills they need over their lifetimes, and to give them support to express themselves and exchange information about the things that matter using media.
178. The Digital Economy Strategy published by Industry Canada last year articulated this need:

“To harness the limitless potential of an interconnected global economy, Canadian companies and consumers need to be able to access advice and support to make the best use of digital technology ... We will help make that possible by supporting ... Canadians with opportunities to acquire in-demand digital knowledge and skills.”²⁸

28 See <http://www.ic.gc.ca/eic/site/028.nsf/eng/home#item5>

179. The Standing Committee on Canadian Heritage also published a report in 2012 entitled *Emerging and Digital Media: New Challenges and Opportunities* in 2012 that included four related recommendations:

“Recommendation 9

The Committee recommends that the Department of Human Resources and Skills Development review its policies and programs in order to ensure that priority is given to training in digital skills.

Recommendation 14

The Committee recommends that the Government of Canada review the system of grants and contributions in order to encourage innovation in the digital media sector.

Recommendation 15

The Committee recommends that the Government of Canada strengthen the digital media components of its programs for arts and culture

Recommendation 8

The Committee recommends that the Government of Canada examine the proposal of the Canadian Association of Community Television Users and Stations (CACTUS) for the establishment of community-operated multimedia centres and access to its material online as a way of encouraging people to develop digital skills. (underline is ours)²⁹

180. On Tuesday, December 15, 2015 ccart.ca published a story entitled, “Why the digital economy’s biggest threat is lack of user participation” A key point made in the story was the following:

“95% of survey respondents said they have access to the Internet in some way, shape or form, but 56% were identified as being only moderate or low (including very low) in terms of digital participation...“the lesson for governments in this is you may build it and they may not come. So you need to build and then at the same time communicate the benefits and spend a lot of time (on education and awareness)...There’s a bit of myth-busting ... that has to happen around the opportunities of what is out there around the Internet”

182. The need for places for Canadians to physically congregate to share these skills and strategies is greater than ever.

29 See <http://www.parl.gc.ca/HousePublications/Publication.aspx?DocId=4838683&Language=E&Mode=1&Parl=40&Ses=3>

Community Media Drives Innovation

183. An awareness has also increased in recent years of the social, economic and cultural value of bringing together people from different backgrounds to drive *innovation*. Many high-tech firms deliberately design facilities that mix technicians with creative personnel, and individuals with different skills in order to innovate solutions to problems and to take maximum advantage of opportunities. This is an old idea in community media, whose goal has always been to generate the possibility and space for dialogue, by bringing together actors from different sides of issues and different walks of life. For example, representatives of health or educational authorities can mix with their clientele (local community members) in the course of making a documentary about wait times or access to special education. In this community media process, service deliverers and their clients becomes research partners, instead of finding themselves on opposing sides at a town hall. Among different programs, there is also mixing, as volunteers or producers on one show volunteer on another. Users of community media centres come to see their communities as a community, with many working parts and individuals with skills and views that are complementary to their own. When views clash on key issues—especially around community resource use--the process of making media together helps articulate where compromises, further debate, and solutions are needed.
184. Young volunteers often come through the doors without specific 'messages' to share, but simply to learn about media. In the process of working on projects led by more senior community members, they develop their own voices, and evolve into the next season's producers. It's the open environment of seeing other unique individuals leverage media for their purposes that teach us to leverage it for ours, as Tara Mahoney realized. Creativity begets creativity; media literacy begets media literacy.
185. A recent Harvard business review captures the importance of open environments that mix user groups for innovation:

In Silicon Valley the tight correlation between personal interactions, performance, and innovation is an article of faith... Google's new campus is designed to maximize chance encounters. Facebook will soon put several thousand of its employees into a single mile-long room. Yahoo notoriously revoked mobile work privileges because, as the chief of human resources explained, "some of the best decisions and insights come from hallway and cafeteria discussions." And Samsung recently unveiled plans for a new U.S. headquarters, designed in stark contrast to its traditionally hierarchical culture. Vast outdoor areas sandwiched between floors will lure workers into public spaces, where Samsung's executives hope that engineers and salespeople will actually mingle. "The most creative ideas aren't going to come while sitting in front of your monitor," says Scott Birnbaum, a vice president of Samsung Semiconductor. The new building "is really designed to spark not just collaboration but that innovation you see when people collide."³⁰

186. Media is a communally shared form of communication by definition; it doesn't happen in a basement or 1000 miles away—at least, not if it is to have meaningful application at the local level, which is community media's goal and *raison d'être*.
187. The innovativeness of community media as a grassroots driver for our professional media industries cannot be overemphasized. Many of Canada's most creative media artists got their start on community television, including Mike Meyers (Scarborough Cable, which doesn't exist anymore), Tom Green (Rogers Ottawa), Guy Maddin (Winnipeg Videon) and Dan Aykroyd (Ottawa Cablevision). A generation of mid-career media professionals will tell you that community TV (and radio) is where they began. At a town hall CACTUS held in Toronto in June of 2014 to explore the need for a community-media network in that city, more than half the audience (to our surprise) consisted of professional journalists and filmmakers who were concerned that there be any platform – even uncompensated platforms:
- where their work could be seen and their voices heard
 - where they could experiment with new ideas, create trailers, and test-drive concepts with low risk.
188. They told us “money for development had dried up”. This conversation unfolded in Toronto, the capital of Canada's English production sector, where one would think the opportunities for professional media creation should be the most diverse and rewarding... and yet *professional and seasoned media creators were coming to us to make sure there would be accessible platforms for experimentation*.
189. One of the competitive challenge for Canadian creators who compete against the US English-language market, is the sheer size of the US, and the diversity and competition of content. For every US blockbuster presented in a Canadian cinema or in our living rooms, 100 less popular productions may have failed, and for 100 failed production that were at least produced, there might have been 100 scripts that never saw the light. To compensate for its size, *Canada needs low-risk platforms where ideas can be tested, where creative thinkers can mix with decision-makers*.
190. At the Community Media Convergence held in late November, 2015 one session was called “Getting Out of the Box: Experimental Approaches to Programming”. Speakers included Veronica Simmonds, who does an interview program on CKDU in Halifax in which she braids the hair of guests, and the intimate medium shapes an intimate message. Julie Gendron presented an interactive video, in which audience input shaped a computer-generated piece of video art. Barbara Eppensteiner, the Manager of the Okto-8 community channel in Vienna, spoke about Okto's avant-garde program schedule, including:
- programs in which ethnic minorities critique the mainstream news from the point of view of their community

- students turn poetry from Dante's *Inferno* into video in an abandoned warehouse
- out-of-work actors air comic bids for work³¹.

191. In the “Open Governance” panel at the conference, David Diamond of Theatre for Living described his 'legislative theatre' productions, which are broadcast over the Vancouver Lower Mainland. The local government sends lawyers to nightly theatre presentations to source the community's ideas about homelessness or addiction, and viewers from around the region can weigh in. Adnan Tarabshi from Galilee in Israel, described televised puppet shows made by the deaf, and circus programs in which Arab and Jewish youth get together to create interdependent performance teams. This is television that is not just innovative, but transformative of their communities and is television that does not exist but for community media and more importantly a physical place for such programming to be developed and produced.
192. Community media can only fulfill this role when community members actually physically come together for the purpose of making media together.

Community Media Organizations are Repositories for Community History

193. Stable community media organizations with a long-term commitment to their communities also ensure that Canada's audio-visual history is preserved. CACTUS has documented the destruction of community TV archives in numerous interventions since the last policy review, as for-profit companies managing community television have pulled out of communities for reasons of technical efficiency³². The losses have been greatest in small communities that may have had few other audio-visual records of community life, including council meetings, local sporting and cultural organizations, festivals, history, and development.
194. Even in large cities that still have cable community channels—such as Winnipeg and Calgary—entire pre-1990s archives of community life have been put in dumpsters. Community history is not viewed by private companies as a business asset.
195. While some public libraries will accept donations of audio-visual content, many do not have archiving strategies in place, nor budgets or strategies for digitalization. They tend to be less familiar with audio-visual formats and the preservation of audio-visual content.
196. At the Community Media Convergence, a panel discussion as well as an archiving workshop were held, that included participants from the National Library and Archives, the Ottawa Archives, US

31 The video stream of the panel can be seen at the web site of the Community Media Convergence at <http://www.commediaconverge.ca/node/314>.

32 See <https://services.crtc.gc.ca/Pub/ListeInterventionList/Documents.aspx?ID=131201&en=2010-497&lang=e&S=C&PA=b&PT=nc&PST=a>.

community media archival specialist John Hauser, and Carleton researchers Kirsten Kozolanka, the Principal Investigator for the SSHRC grant that enabled the Community Media Convergence. It became clear in these sessions that a national archiving strategy is needed for community media, including community partners who value these archives. A significant realization that surfaced during the discussion was the fact that when the infrastructure that serves alternative voices is weak and unstable, the historical record of these voices is lost and as a result history risks only being the record of elites³³.

Community Media Organizations Advocate for Media Access

197. Community media organizations are needed on the ground to ensure that communications infrastructure develops with the local public in mind. For example, “first or last mile” initiatives are typically undertaken by communities themselves when they are outside the main hubs and highway corridors served by Canada's telecommunications giants.
198. Over-the-air transmission infrastructure was priceless for the ability of rural communities to plan for their own telecommunications needs. When TVO and CBC were decommissioning broadcasting towers in 2011-2012, only communities that already had local not-for-profit TV societies or community radio stations, active public libraries with an eye on media infrastructure or other groups sensitized to telecommunications needs in their locality were media savvy enough to act decisively to obtain towers and transmitters. It's widely acknowledged that the most feasible way to reach rural areas with broadband is wireless Internet. The majority of TVO's and CBC's transmission infrastructure was torn down and wasted. There need to be informed community media entities to actively intervene in government processes and industry trends that affect residents' ability to participate actively in the broadcasting and telecommunications system, not simply as passive consumers, as is stipulated by the Broadcasting Act. Participation doesn't magically happen on its own – it needs to be supported.

33 The video stream from the Archiving session at the Community Media Convergence is available at <http://www.commediaconverge.ca/node/266>.

Conclusion: But Don't Take Our Word For It...

199. The Community Media Policy Working Group (“the Working Group”) that organized the Community Media Convergence under an SSHRC research grant, distributed an online survey throughout community media networks during August and September of this year. Over 400 community media practitioners and users completed this survey, the largest survey of its kind ever undertaken in Canada. The Working Group (of which CACTUS is a part) discovered that the community media sector desperately wants to talk about community media policy—as a group, and cross-sectorally. As part of the survey, respondents (70% of whom had participated in the creation of community media) were asked:

“Given that most Canadians have access to the Internet and social media, do you think that formal policies and funding are necessary to support community media organizations?”

200. Ninety-six percent of respondents said “Yes”. Their testimony fills 15 pages, regarding why community media organizations are needed in the age of the Internet, and why the Internet alone is not a sufficient outlet for freedom of speech in a digital democracy³⁴. These are the voices of the community media sector—those who work in the trenches and understand the dynamics of community facilitation, dialogue, and the local networking and outreach required to ensure that everyone in a community can take part and have a voice.

201. Their arguments capture why adequately funded community media organizations with permanent staff are required to facilitate the production of community media:

- **CommunityTV (and community media production generally) is a team undertaking, requiring local co-ordination:**

“Unlike the Internet and social media, community media organizations provide ‘in person’ or ‘face to face’ interaction among content providers and content consumers. This personal contact is a mechanism for community action that requires communities of interest to take responsibility for their messaging, rather than just expressing a ‘digital opinion’ as exemplified by most Internet and social media outlets.”

“Community media organisations can make intentional, in-depth, focused content that achieves more significance than social media and more local grounding than corporate media. When community media organisations are supported, more community members have access to quality local content and can themselves become trained in media-making, which in developing practices of critical inquiry alone is a substantial benefit.”

- **Community Media Has a Key Democratic Role as a Content and Audience Aggregator**

³⁴ See the raw data files for the survey submission to this proceeding by the Community Media Policy Working Group, for the answer to question 24.

“Everyone deserves a chance to be "heard" by a larger audience, not everyone can do that on their own.”

“The diversity of voices and the space provided by community media are even more needed in today's globalizing world, to ensure we continue to hear each other and speak to each other in our diversity, in our communities.”

“The Internet is global and broad, there is still need for aggregators to filter for local content and bring local under represented groups forward.”

- **Community Media Provide Digital Skills Training**

“The social engagement and production training afforded by funding community access television is not the same as having access to information on the internet.”

“Social media and the internet, unregulated to the degree that broadcast is through the CRTC, provides little to no relevant training to employability regarding teamwork, taking direction, being accountable beyond one's username and IP address, and thus lends itself to higher levels of content being produced, less quality though per capita of information disseminated and less value infused into the community.”

- **Community Media Promote Local Networking and Galvanize Action**

“I strongly believe that community media organizations should be funded and promoted, not only to provide alternatives to conventional news reporting (which is often biased towards corporations and for-profit) but also as a way to make communities stronger and link people together in local initiatives.”

“It galvanizes like-minded people into social and work groups while creating programming.”

- **Community Media Offer Credible and Co-ordinated Sources of Local Content**

“Les réseaux sociaux offrent beaucoup de désinformation et d'opinions personnelles. Un diffuseur réglementé par le CRTC s'assure de la qualité de l'information et du contenu transmis.”

“Social media is no substitute for community media. It is disconnected from real life, often lots of racist crap and bullying on it. Internet is okay for following national and international stuff, but I still need my community radio to hear local music, and to know about events.”

The term 'social media' is a horrible misnomer. As John Downing suggests, 'digital connective media' would be better - and add corporate/commercial to that. Such commercial networks do not automatically generate public-oriented info or the thoughtful presentation and exchange of ideas, or the monitoring of power. Those tasks require resources, investment, ongoing and collective effort, and dare I say, a certain amount of expertise. i.e. journalism.

“Community media organizations offer training, community, networking, support, curation, local content, the voices of the community in way that is overseen by a board and staff (not just

individuals posting random information), which gives it more authority as a source of information and content. Policy frameworks and regulation also keep organizations accountable for their content in a way that doesn't exist on the internet.”

Part III – Community Broadcasting in a Robust Canadian Media System

202. The Community sector's largest contributions to the broadcasting system and to Canadian society continues to be in the volume and diversity of local content on the one hand and the enabling of freedom of expression by Canadian citizens on the other. The importance of these roles has increased in recent years.
203. The 2015 "Let's Talk TV" consultation as well as this proceeding occur in the context of two long-term trends in the broadcasting system that are destabilizing
- its ability to generate Canadian content
 - its ability to ensure effective democratic discourse on matters of public concern.
204. As is well documented, the difficulty of monetizing Canadian content is due both to a fragmented audience environment, as well as one in which Canadian content providers face competition by OTT (over-the-top) services, delivered via the Internet, a platform not regulated by the CRTC. The latter market conditions provided the context for "Let's Talk TV", in which there was an assumption that it would not be possible much longer to control or even influence percentages of Canadian screen content to which Canadians will have access. The former market condition (audience fragmentation) has been a factor since the introduction of cable TV, intensifying with the introduction of satellite TV in the late 1990s, and intensifying as digital compression technologies have enabled a proliferation of program service offerings on both cable and TV that were unimaginable 30 years ago.
205. With respect to the unabated rate of media ownership concentration. The issue of reduced editorial diversity was raised first by the Commission at the 2008 Diversity of Voices hearing. This concern expressed by the Commission, however, has not slowed the trend toward consolidation. Since that proceeding, Shaw Communications has bought Global Television. Bell Media has been permitted to purchase first CTV and most recently Astral, leaving no national independent broadcasting networks in the private sector.
206. The power of the CBC as an independent editorial voice outside the BDU-ownership groups has also been seriously curtailed in recent rounds of budget cuts.
207. Both these trends shine the spotlight on the strengths the community sector could be bringing to the Broadcasting system, if it had effective leadership by the communities it is meant to serve.

Responding to the Threat from 'Over-the-Top' Services

208. The CRTC-published a report entitled *Shaping Regulatory Approaches for the Future* on the 24th of March 2011 as an input to a think tank it hosted to debate new directions that might be necessary in an OTT-dominated content delivery environment. The report recognized that efforts to regulate the private sector to offer Cancon might soon reduce their ability to compete with OTT services from beyond our borders, and that more emphasis might soon be placed on the community and public sectors to supply the public-service minded content envisaged under the Broadcasting Act:

“Long-term approaches to ensuring the prominence and quality of Canadian production may increase the importance of public and community broadcasters as instruments of public policy. Local and regional programming will also be important, and community broadcasters may play a key role.”³⁵

209. We felt at the time that the contribution the public and community sectors might and should be playing in fulfilling the expectations of the Broadcasting Act had long been undervalued. It always seemed bizarre to us, for example, that multiple production funds had been created to stimulate, cajole and ‘incent’ the private sector to produce programming that it likely wouldn’t do on its own (because the public-service nature of such programming didn’t fit a commercial model), rather than ensuring that non-commercial sources of funding were available to fully support content creation in the two sectors that actually have a public-service mandate to produce Canadian content as envisaged under the Act: the public and community sectors.

210. Instead of three distinct and unique sectors with complementary mandates as is expected under the Broadcasting Act, Canada has had until this point three hybrid sectors with muddled mandates and often indistinguishable programming. We’ve had a strapped public broadcaster forced to raise almost half its budget through advertising, chasing lucrative but extremely expensive sporting contracts with taxpayer money, a private sector that has to be incented to half-heartedly generate Cancon that doesn’t bring in the ad revenue of big-name US drama series (and which would happily have supplied the sporting programming), and a community sector that is actually managed by the private sector that no longer trains citizens or facilitates citizen access, but instead churns out relatively limited amounts of fully professional content on soft non-threatening community topics that few Canadians watch³⁶.

211. Precise definitions of the three 'elements' are not provided in the Broadcasting Act, perhaps because they are assumed to be obvious. The private sector is understood to be privately owned.

35 See <http://www.crtc.gc.ca/eng/publications/reports/rp110324.htm>.

36 Data published by the CRTC as inputs to CRTC 2009-661 (the community TV policy review) revealed that viewership to BDU community channels was between 0.1 and 0.2 %. The current notice of consultation states that viewership to BDU community channels have remained “relatively stable”, a statement borne out by the low 2014 Numeris ratings for cable community channels provided in Appendix C.

The public sector too, would seem to be clearly understood as referring to the CBC, a Crown Corporation. The element with the most vague references to it is the community sector—that late edition to the Act only in its most recent 1991 incarnation.

212. In Florian Sauvageau and Gerald Caplan's 1986 *Report on the Taskforce on Broadcasting*—whose publication prepared the way for the 1991 Broadcasting Act—made the following recommendations to make it clear that 'the community channel' should be defined by not-for-profit ownership under separate licencing, as existed for community radio, recommendations that have yet to be implemented:

1. *The Canadian broadcasting system be recognized as comprising not-for-profit community elements as well as the "public and private elements" already acknowledged In the 1968 Broadcasting Act*
2. *The CRTC license community television associations on terms similar to those developed for community radio stations...*
3. *The CRTC regulate the relations between licensed community television broadcasters and cable system operators, recognizing the rights and responsibilities of community broadcasters. Other than those currently exempted by reason of size, the regulations should include the existing obligation of cable system operators to contribute to the communities they are licensed to serve through material support of the community channel.*
4. *Cable system operators who themselves program community channels be licensed separately as community broadcasters*³⁷.

213. When we read that it was the CRTC's considered opinion that an OTT environment might help cut loose the private sector to do what it does best (compete commercially) and focus public resources instead on the two sectors with a public-service mandate, we welcomed that future, and thought that the stifled potential of the community sector might finally have room to prove itself. The FCC, too, seemed to have come to the same conclusion in its 2011 report *The Information Needs of Communities*, which was presented by Christopher Ali of the University of Virginia at the Community Media Convergence. The report recommends at page 352:

*"Some types of journalism are so costly, and provide such a poor short-term financial return on investment, that commercial entities will likely underfinance their production. We therefore believe that the non-profit sector, broadly defined, should play a greater role in filling the gaps in labour-intensive reporting."*³⁸

37 At page 502.

38 For the full report, see http://www.commediaconverge.ca/sites/default/files/documents/2011-Waldman_The_Information_Needs_of_Communities.pdf. To see Professor Ali's presentation, see the web site of the Community Media Convergence at <http://www.commediaconverge.ca/node/229>.

214. So it was troubling that the “Let’s Talk TV” public notice as well as 2015-421 suggest that the funding formula that is intended (at least on paper) to direct a portion of the industry’s considerable wealth to communities for their own self-expression is now open for renegotiation, and might be redirected to private local broadcasting—a possibility that is reminiscent of the LPIF, which was viewed by many as an exercise by BDUs of taking money out of one pocket and putting it into the other.
215. It seems we are being sucked into an argument by the private sector to prop up a failed business model than devoting adequate resources to the two sectors with the clearest mandates under the Act to serve Canadians as citizens: the public and community sectors.

Ensuring Volume and Genre Diversity is Available Across Canada

216. The genius of the community sector is its ability to leverage local community resources (volunteer labour, creativity, and networking) to create volume and variety of local content that are not possible in the public and private sectors. As discussed in the preamble to this submission, the cost of an hour of community-facilitated production (under not-for-profit community administration) averaging \$268 and \$553, inside and outside Quebec, respectively. The cost of an hour of local production in the public or private sector is over \$6000 (in all likelihood including on BDU-managed 'community channels')
217. The impact of this production multiplier is two-fold:
- Many more communities can enjoy local coverage and reflection, if scarce resources are devoted to the community sector dollar for dollar compared to the same investment in the public and private sectors.
 - Greater volume of content can be produced by the community sector, and in many more genres. Even in big population centres where there may be a presence by a public or a private news bureau, the latter produce little more than local news. A community media organization in the same community can cater to both the niche groups that don't see themselves in public- and private-sector coverage, as well as provide the genres of content that the public and private sectors cannot: including music and arts coverage, seniors and children's programming, local current affairs, health and educational programming, and so on.

Providing a Balance for Media Ownership Concentration

218. A community element outside BDU control can ensure that the greatest diversity of credible, trained, editorial voices reach the airwaves, that the most geographic diversity of content is produced, and the most variety of genres are produced, thanks to the incredibly cost-efficient community production model. The community sector *needs* the money that has been ear-marked for it to meet its mandate under the Act
219. Every media merger has made BDU administration of the 'community element' less logical. The Commission has handed the responsibility for distribution of our television content, ownership of our erstwhile independent broadcasters and specialty channels, and the so-called community sector as well to BDUs, during the same decade that the one national network outside BDU control (the CBC/Radio-Canada) was dealt crippling financial blows by the federal government. The "Let's Talk TV" proceeding has now 'streamlined' licencing and removed genre protection, so that anyone can ask for a licence with almost no CRTC oversight, and it will be BDUs who become sole gatekeepers of content, making decisions on purely commercial terms.
220. So much consolidated media power is surely not what the Act mandates.
221. On the contrary, the Act embodies the knowledge that you need different funding, management, and program creation strategies in order to serve different needs and to achieve diversity in the system as a whole. When we create new production funds to prop up failing private-sector production models and make it easier for them to meet Cancon expectations, we seem to want to hand ever more production power to the private sector on the mistaken assumption that commercial competition will produce public-sector programming.
222. We submit that the private sector cannot make public-service programming as well as the public and community sectors can. It is the public and community sectors that have the potential to make the biggest and most important contributions to achieving the cultural goals of the Broadcasting Act. This potential is built into the DNA of these organizations. They just need to be given adequate support to do so.
- 223.. There are *three* elements in the broadcasting system, not one. The elements have complementary and *different* roles. The 'local programming' made in the community sector would *not* be the same as the 'local programming' made in the private sector if community-based entities that understand community media's goals and methodology were in charge.
224. It has been unbelievably galling for years to watch the CRTC try to 'incent' BDUs to 'innovate' community content on new platforms such as VOD as if posting a video on a web site is a novel thing, when the result has been to isolate community members from one another according to the pay TV service they buy, and to fragment the dollars available per community to facilitate training and production support. Private corporations can't 'innovate' community content – they have no

commercial incentive to do so. Only communities can 'innovate' new kinds of community content. BDUs can only distribute it, and that should be the limit of their role.

225. Professor Dwayne Winseck of the School of Journalism and Communication at Carleton University commented on the role of community media in an environment of media ownership concentration at the Community Media Convergence at Carleton University on November 23rd:

With weak economics and high levels of concentration, the need for community media is greater than ever before ³⁹.

226. The relationship between community media and media pluralism in an environment of media ownership concentration was not lost on the European Union in its 2008 report by the Committee on Culture and Education on community media:

*"Community media are an important means of empowering citizens and encouraging them to become actively involved in civic society, whereas they enrich social debate, representing a means of internal pluralism (of ideas), and whereas concentration of ownership presents a threat to in-depth media coverage of issues of local interests for all groups within the community..."*⁴⁰

227. This relationship was also highlighted in the report *Our Cultural Sovereignty: The Second Century of Canadian Broadcasting*, written by the Standing Committee on Canadian Heritage in 2003 and chaired by Clifford Lincoln:

*"The Committee firmly believes that citizen access should remain a fundamental objective of the Canadian broadcasting system as it is only through access that a diversity of voices, views and representations can be ensured."*⁴¹

39 The video for the panel is available at <http://www.commediaconverge.ca/node/269>. Professor Winseck's comments begin at 1:08:58.

40 REPORT on Community Media in Europe(2008/2011(INI) by the Committee on Culture and Education

41 See <http://www.parl.gc.ca/content/hoc/Committee/372/HERI/Reports/RP1032284/herirp02/herirp02-e.pdf> at page 381.

SECTION II - Failure of Current Policy

228. In our preliminary submission, we provided a detailed history of the evolution of BDU community channels since 1997, when widespread complaints by communities about lack of access and closures began. We detailed:
- the process of technical interconnection and ownership consolidation that has obviated the need for rural head ends and business offices
 - the fact that studios closures have followed the removal of head ends and cable business offices as it has been economically unfeasible for cable companies to maintain just the studios
 - the changing competitive environment for cable operators facing satellite and other pay TV subscription models
 - ... leading to increased staff control of content, in an effort (in cable companies' minds) to better leverage their 'community channel's as a competitive advantage
229. We detailed how these factors have led to both the regionalization of BDU-managed community TV in Canada (acknowledged by the Commission at paragraphs 35 and 36 in the current policy notice) and the gradual exclusion of the communities they are meant to serve. In addition to a narrative description of this process in our preliminary submission, we also included a copy of Deepak Sahasrabuhde's non-compliance database at www.comtv.org, which confirmed CACTUS' own 2009/2010 findings that fewer than 20 distinct 'community channel' schedules are being offered across English Canada—that is, schedules whose 'local' content meet the 60% minimum across the broadcasting week⁴². Canada's BDU 'community channel' system has devolved into a system of large regional and provincial networks, with occasional local insertions where production studios still exist⁴³.
230. Aggregated totals can seem nebulous without names and individual communities. In order to rectify this, we compiled a list of all Canadian communities that once had community channels, so that the service losses might have a human face.
231. We offer this information in the form of an Excel spreadsheet, attached as Appendix E. The two leftmost columns list the names of 773 communities in alphabetical order by province that are reported as having hosted their own community channels over the years, according to Matthews Cable TV Directories (“Matthews”). We picked 1989 as an arbitrary base and tracked these communities and their channels through the years to see how Canada ends up with an estimated ? distinct systems in English Canada today. In 1989, 343 distinct services were listed in Matthews as

42 These findings were filed with our intervention to 2009-661, the Commission's last review of its community TV policy. We did not analyze Quebec community channels at that time because we felt Quebecois were well served by the Fedetv. Since 2009, ICTV-Montreal has been monitoring compliance of Quebec's largest cable community TV provider: Videotron.

43 Check this statement. There may be more 'local' than meeting 'access' requirements.

having a community channel among the cable lineup specific to their community. Cable providers also often listed the hours of production and the production facilities available to the community, including studio space, edit suites, a mobile production vehicle, or the number of cameras.

232. If one examines Statistics Canada population figures, Canada has only 170 communities with more than 10,000 residents. Therefore, it seems safe to assume that most of those 170 communities once had their own TV production studios, in addition to over 100 smaller communities whose names appear in column B in appendix E. It is astonishing to realize that there was—up until the 1990s—nearly universal access to television production training, technical support, and coverage—to Canadian communities having over 10,000 people, and many communities as small as 5,000.
233. Progressing to the right, we have charted the history of the attrition of cable community channels. In some years in the early 1990s, the cable industry was in fact still expanding, and new cable community channels were reported, with apparently distinct programming lineups, reaching an apparent maximum of over 500 community channels by 1999. By 2004, BDUs had started to exempt systems and to interconnect them fibreoptically, so it becomes more difficult to determine how many community channels listed in Matthews are really distinct systems with a unique cable production studio, and which were airing content distributed out to them from larger hubs. By 2009, the Commission listed only 139 remaining licensed systems, and there are only 66 today, the largest communities in Canada—and the majority of them are not compliant with the Commission's policies for community TV.
234. While the underlying reasons leading to studio closures were technical interconnection and ownership consolidation as discussed, the regulatory record typically caught up to the actual situation on the ground in the form of zoning and exemption decisions. In other words, as a production studio was closed following either a transfer in ownership or technical interconnection, the system may have been in non-compliance for some years before a zoning decision or exemption order enabled the system to achieve compliance to a lower (i.e. less local) standard or obviated the need for compliance. For example, the disappearance of (do New Brunswick as an example).
235. Just because a system is recorded in Matthews' as having existed, it doesn't of course, mean that the system was necessarily compliant, but it's generally safe to assume:
 - that before technical interconnection became possible in the late 1990s, program schedules were virtually 100% local, as tape bicycling (sending large videotapes through the mail) was cumbersome
 - volunteers contributed a large part of the labour to produce content out of necessity, because systems were small and could not afford more than a few employees

236. Where monitoring of cable company compliance occurred, the findings are also noted; for examples, compliance findings for systems audited by the Commission in 2002, 2003, 2004 and 2005 are noted, as well as CACTUS' analyses in 2009, 2011, and in the current year according to Deepak's database at www.comtv.org.
237. The rural and smaller population bases that have lost service tend to be the same communities that are still on dial-up, and which lost free-to-air access to TVO and to the CBC/Radio-Canada in 2012 –and with it access to tower infrastructure which might have been used to restore community TV facilities and wireless Internet.
238. We reiterate the comments we made in our preliminary submission that the Commission has not been adequately collecting or publishing data about the community TV services in these communities in order to enable dialogue between communities, the Commission and service providers about how to maintain such services cost-effectively in the long term, nor to examine alternate management models to maintain service. Deepak's database demonstrates that data collection is easy. If a volunteer such as he can do it with an Internet connection and without access to logs that cable companies must keep anyway, how much more accurate and streamlined it could be if the Commission simply requires cable companies to upload their logs weekly or monthly in batch processes for public scrutiny?
239. The Commission noted at the last community TV policy review that:

“The Commission agrees with many parties that there is a lack of accountability and transparency regarding how BDU contributions to local expression are spent. The Commission also recognizes that insufficient reporting requirements have likely contributed to a general lack of trust between many community stakeholders, to the detriment of the relationships that the community element was intended to foster.”⁴⁴

The lack of accurate reporting about BDU community channels was noted by the Standing Committee on Canadian Parliament as far back as 2003:

“The Committee was very frustrated by the absence of data on community television and is dismayed that virtually no information exists on what happens as a result of cable company expenditures (approximately \$75 to \$80 million) in support of community television each year.”⁴⁵

Where is the promised additional reporting in order to establish this new trust with community stakeholders? The Commission receives it, but does not publish it. We note in the current policy review that BDU information is aggregated across all systems in Canada. How can individual members of the public assess whether community TV policy is working, without access to data for their own community? As noted in the preamble, without knowing how many “reporting units”

44 CRTC 2010-622

45 See <http://www.parl.gc.ca/content/hoc/Committee/372/HERI/Reports/RP1032284/herirp02/herirp02-e.pdf> at page 389.

they are, it's impossible even to calculate a total number of original or exhibition hours for the country, let alone by community.

240. As we also observed in our preliminary comments, whereas it may on the surface seem easier for the Commission to continue to let BDUs manage the majority of the funding available to the community TV sector because it's easier to deal with a few BDUs than to interface with the communities served, the current system has been unworkable for a long time. There is a byzantine network of policies:

- the main community TV policy
- exemption orders with different access and local minima than the main policy
- different definitions of 'local' depending on individual zoning decisions
- and multiple classes of community channel licence:
 - licence-less and largely unmonitored BDU community channels
 - community channel undertakings (which must be not-for-profit)
 - low-power community undertakings (with may be for-profit or not-for-profit bizarrely)
 - low-power digital undertakings.

We would be willing to wager that no one other than ourselves and a few Commission staff even understand the nuance of the different kinds of community TV licences, the majority of which no one has ever requested.

241. We also detailed in our preliminary submission how we had, in good faith, nonetheless attempted to make the 2010 policy 'work' through collaborative audits with CRTC staff, by filing complaints as appropriate, and by using Commission paperwork and procedures to apply for community-owned and -operated channels.

242. But these efforts have borne no fruit. Deepak's findings are consistent with those in 2009/2010: an extremely low percentage of licenced BDUs are compliant with Commission policy, and the actual number of licenced systems that are expected to meet minimum standards to achieve such compliance has continued to decline. A tiny minority of Canadians have access to a cable community channel production facility where they are actively invited to participate in training in broadcast television and receive support to express themselves on mainstream TV.

243. The system as currently constituted is unworkable and has been so for a long time.

Section III - Additional Reasons BDU Management of Community Media Is No Longer Practical Nor Can Meet the Objectives of the Broadcasting Act Going Forward

244. Since the last community TV policy review, several other changes in the telecommunications industry have made it impractical for BDUs to continue to manage community media service delivery (aside from the questionable practice of putting the private sector in charge of a public resource and the attendant high risk that the current conflict of interest would result):

- Almost all the resources earmarked within the Canadian Broadcasting system are tied up in terrestrial BDU channels available to only 56% of the population, a percentage which continues to decline. No industry or public money is available to support over-the-air community channels that are available to the other 44% over the air, in addition to cable and satellite subscribers, and anyone with an Internet connection.
- Allowing IPTV and other kinds of pay TV services to offer competitive 'community channels' over large areas has meant that the dollars for community media are fragmented, and no one company has sufficient resources outside big cities to maintain the bricks-and-mortar training and production facilities that are needed on the ground for 'community media' to actually be produced as a community process (and not by independent producers who receive cheques from Bell Aliant in Toronto, which happens now)⁴⁶.
- Competitive, subscription-specific community channels fragment audiences, so that the community dialogue function of a channel is defeated.
- The most marginalized members of a community (and the most marginalized communities as a whole) are often the ones that can neither afford a subscription TV service that would give them access to a 'community channel', nor have access to broadband Internet.
- The immediacy of live TV as a means of sharing community information and events in real time—including vital interactive elements such as call-ins or other forms of new media live comment—is impossible on VOD services
- The fact that no training is being offered in new media.

46 The possibility that this fragmentation could occur was anticipated by the CRTC as far back as 1997 in CRTC 1997-25. See paragraph 129: *"In the Commission's view, participants raised valid concerns about the fragmentation of community resources among potentially duplicative services."*

Section IV – Unleashing the Community Element

245. The report *Community Media in the Digital Age: Relic or Renewal*, the draft report issued by the Community Media Policy Working Group on October 29th (published on the web site of the Community Media Convergence at www.ComMediaConverge.ca and submitted to the current proceeding on Nov. 6, 2015) made an important and interesting observation. The report noted that the majority of recommendations made by community media survey respondents to strengthen community media in Canada and to enable it to fulfill its role under the Broadcasting Act are values or ideas that *are already present in the CRTC's policies for community media*. The report pointed out that there's no current lack of vision in our policy-making as a country, it's in the details of implementation where our work lies:

"The challenge for the sector and for agencies whose policies impact community media is therefore not only to update policy goals in the digital environment, but to review the methods for achieving existing goals."⁴⁷

Specifically:

- There are inconsistencies among media, so that a policy point that has been implemented and working for either community radio or community TV may never have been implemented for the other one or may no longer be effective.
- There are inconsistencies in implementation in different parts of the country.
- Policies have failed to keep pace with changing technologies and market conditions.

246. With this nuance in mind, it's time to unleash the community audio-visual sector so that it can fulfill its role in a healthy Canadian broadcasting system:

- to unleash the dormant potential of communities from coast to coast to leverage platforms for their own self-expression, and
- to unleash the sector structurally from control by the private sector.

247. The first and most significant inconsistency is to bring the licensing regime for community TV into alignment with the regime that exists for our community radio sector, and as exists everywhere else in the world that recognizes community broadcasting⁴⁸. ***It must be defined by not-for-profit community ownership*** to overcome the structural mismatch and the insurmountable conflicts of interest in administering 'the community channel' that have developed for commercial cable

47 See <http://www.commediaconverge.ca/node/245>.

48 See *Community TV Policies and Practices Worldwide*, commissioned by the CRTC as an input to its 2009/2010 review of community TV. The report is available on the web site of the Community Media Convergence at <http://www.commediaconverge.ca/node/179>

operators since they began restructuring to face competition in the late 1990s. Separation of cable companies from community TV administration by separate licencing was recommended in the 1986 Report by the Task Force on Broadcasting that led to the 1991 Broadcasting Act:

- 1 *The Canadian broadcasting system be recognized as comprising not-for-profit community elements as well as the “public and private elements” already acknowledged In the 1968 Broadcasting Act*
- 2 *The CRTC license community television associations on terms similar to those developed for community radio stations...*
- 3 *The CRTC regulate the relations between licensed community television broadcasters and cable system operators, recognizing the rights and responsibilities of community broadcasters. Other than those currently exempted by reason of size, the regulations should include the existing obligation of cable system operators to contribute to the communities they are licensed to serve through material support of the community channel.*

247. It's time to heed and implement these recommendations.

CACTUS RECOMMENDATIONS

Recommendation #1: New “Community-Access Licence” Class

248. Community-access television should be defined:

- By community control, as it is in the community radio sector, and as it is in every other country where it is recognized as a distinct element in broadcasting.
- By its non-profit character, providing a public-service platform to a community, where any surplus generated reverts to the channel to improve both its programming and non-programming services (for example, training).
- By its open access to all members of the community on a non-discriminatory basis to participate in the management, day-to-day operations, and programming activities of the channel.

249. There are some “community TV broadcasters” that are characterized by the first two attributes of community control and not-for-profit status, but which do not necessarily have the third (open-access policies). For example, some community broadcasting undertakings in the existing low-power class rebroadcast programming from other channels in the private and public sectors, some broadcast religious programming. Future applicants may wish to cater to linguistic or ethnic minorities.

250. We recognize such broadcasters as belonging to the “community broadcasting element” (they’re not part of the public or private sectors) and agree with previous decisions of the

CRTC not to unduly limit experimentation by unnecessarily restricting the definitions of licences.

251. However, where there is frequency scarcity, or when public or industry funding support is in question, we believe that “community-access channels”, which are open to all on a non-discriminatory basis (and would for example, welcome programming from any of the special interest groups given in the examplea above should there be too few frequencies available for all such purposes in a given area), should be given first priority.

Recommendation #2: Clarify Status of For-Profit (Private) Channels

252. We further recommend that channels that are distributed by any means (over the air, on cable, on satellite, or via phone lines) and that are operated by for-profit undertakings, should not be called “community channels”. These channels are local channels in the private sector. The word "community" should refer henceforth to ownership, not to coverage. Coverage of content is already defined by the word 'local' and the interchangeable use of these terms has caused considerable confusion. It is possible that community, public and private-sector channels might all be "local" but their goals and modus operandi are different.

Recommendation #3: Leverage the Power of New Media

253. As discussed in Section I, the Internet is not a substitute for the community channel, just as we do not expect YouTube to replace Newsworld or local evening newscasts. “Let’s Talk TV” respondents were clear on this point—they still want access to authoritative, aggregated sources of local content.
254. Nevertheless, both in Canada and around the world, community television channels are using the Internet to increase the reach and impact of their programming. Many are web-streaming their programming live. Others are making past programs available from on-line archives. Incorporating new media into community programming is key for increasing access by the community as viewers to the programming produced on community television. In the viewership study to CACTUS member channels executed by CREO, local TV audiences source more local content from non-TV sources than from TV⁴⁹.
255. In Canada, when cable-administered “community channels” were in their hey-day, cable penetration in Canada was upwards of 80%. At that time, “the community channel” could be said to be accessible to the vast majority of Canadians, and could be considered to be a common platform, easy for community members to find. Now, however, Canadian cable penetration rates hover around 56% and ‘discoverability’ of content has become an issue.
256. Ensuring distribution of community programming by the Internet offers at least three benefits:
- Archived programming can be accessed by the community at any time.
 - Residents in surrounding communities (or around the world) can also see the programming.
 - Some residents may prefer to access programming on the Internet for a variety of reasons, including lack of easy access to a TV, wishing to simultaneously work on a computer, or the possibility of sharing views or having input to programming presented on the Internet.
257. The first two advantages are shared by television channels in the public and private sectors (although some cable community channels are not made available for free on-line so as not to undercut their own business model).
258. The third advantage—the increased potential for interactivity—is especially important and attractive for the community sector, given its participatory mandate.

49 See Appendix B.

259. Community television traditionally popularized and made wide use of the live phone-in format, the use of studio audiences, and on-location mobiles as parts of their participative strategies. The potential for further interaction on the Internet is almost unlimited, since viewers can contribute their own text, audio, or images (still or moving) to the content of a community television program... or to create interactive structures and content that may not fit the definition of a traditional "television program", including video gaming.
260. One of the most innovative use of community television in Canada is being undertaken by Theatre for Living of Vancouver, which made a presentation at the Community Media Convergence in November. This company specializes in "forum theatre", in which a short issues-based play is presented to an audience. The audience can intervene in the production to influence the outcome. It's a method of theatre that overlaps the community television concept that when the walls between performer and viewer are broken down, real dialog results and stakeholders can pool ideas for community development.
261. Theatre for Living has been using the community television channel to the extend the reach of its live interactive performances to the whole of the Lower Mainland. Viewers can call in from home and participate directly in the outcome of plays about such diverse issues as homelessness, Meth addiction, and global warming.
262. In its most recent seasons, Theatre for Living has extended its community broadcast onto the Internet. Viewers from the around the world can influence the outcome on stage in Vancouver by sending text messages from their cell phones.⁵⁰

David Diamond, Director of Theatre for Living elaborated at the Community Media Convergence as part of the panel called "Maximizing Community Impact and Engagement":

*" The very first intervention we took [over the Internet] in 2000 was really remarkable. There I was standing on the theatre in Vancouver saying "Hello Sasha in Croatia" He was connected live into this play. It has extended our range across the planet."*⁵¹

Homelessness, Meth addiction, and global warming are issues that affect communities around the world. The ability for local residents to interface with others who may have workable solutions and suggestions is invaluable.T

263. Examples of video games that engage viewers in considering local issues and themes are also proliferating, such as the *Pipe Trouble* and *Fort McMoney* examples cited in the

50 However, CACTUS was disturbed to note that after more than 15 seasons offering this unique experience on Vancouver community TV, Shaw would not provide the company with live coverage for its most recent production, destroying the point of the theatre's (and the community channel's) unique interactive mandate.

51 To see Mr. Diamond's presentation at the Community Media Convergence, see <http://www.commediaconverge.ca/node/272> <http://www.commediaconverge.ca/node/272>.

preamble.

264. To stay relevant, traditional television production skills (camera work, hosting, graphic design, audio mixing, editing) need to be taught alongside new tools that enhance the interactivity, accessibility and most importantly—impact—of community-generated content. Traditional “television production” can no longer be meaningfully taught, created, or distributed in isolation.
265. Therefore, while the CRTC licensing process for a community-access television undertaking that we proposed in Recommendation #1 is for a linear service (over the air or on cable), industry and public funding to support community-access licensees should be tied to multimedia skills training, equipment access, and content generation, just as a digital component is required for all applicants to the Canada Media Fund.

Recommendation 4: Pool Resources to Ensure Discoverability of Community Content” Creation of the Community-Access Media Centres

266. The Commission has in various policy documents encouraged new video service providers to experiment with offering different forms of “community expression”. The hope was, perhaps, that discovering innovative ways would emerge to serve this part of the Broadcast Act’s mandate, as the community TV channel was itself an innovation.⁵²
267. But while an argument can be made for encouraging a multitude of community media and ways people can connect with their communities, a stronger argument exists in the current climate of fractured audiences, globalized media and busy lives—that there be at least one properly resourced, viable and visible technological “townhall” platform where residents of a community know they can go to make a point, debate a local issue, advertise a cultural event—with a reasonable chance of being found by other residents.
268. For example, many public-access channels in the United States are linked directly to the web site of the municipality or other core community institutions. Erik Mollbert of Fort Wayne Public Access shared with Community Media Convergence participants how Fort

⁵² For example, at 46 of the CRTC’s 1995 Competition and Culture on Canada’s Information Highway, the Commission writes that “Parties wishing to operate new broadcasting distribution undertakings should come forward with innovative proposals for providing community expression.”

Wayne Public Library hosts a licensed over-the-air radio station, a cable community channel, and a computer hacklab for teaching gaming.⁵³

269. These two ideas need not and should not conflict with one another. Diversity and multiple outlets are important. But to prevent all individual community media from occupying the fringes or hobbyist status, there's value to creating a hub for the community to come together, share what it knows about creating media, and distributing content such that everyone can participate in the debate when important issues arise, whether it be local elections, municipal council coverage, festivals and cultural events, or debates about land use, the environment, or taxation.
270. Creating a media creation and distribution hub can increase traffic, visibility, and awareness of the media centre, without reducing diversity, because it is open to everyone. The goal is to complement and amplify the role of a local library. Whereas libraries provide an essential archival and research repository for communities, the community-access media centre should offer the public the training and tools it needs to transform information to action... to take an active voice in the community and in the larger world beyond.
271. Some public libraries are taking the lead in offering community 'maker spaces' where residents can access audio-visual recording and editing equipment, green screens, or attend a hacklab about gaming. Since 2009/2010, CACTUS has fostered relationships with both the Canadian Library Association (which offered a letter of support to CACTUS' community multimedia centre vision in the 2009/10 community TV policy review) as well as the Ontario Library Association, with whom we have been working to support the evolution of maker spaces into full-fledged community media production and distribution centres. For examples, CACTUS presented a workshop for public libraries in community media at the OLA's Annual Superconference in January of 2015, and – as a partner in organizing the Community Media Convergence – organized two panels to develop partnerships between community media and libraries: one entitled “Public Library Maker Spaces” and another entitled “Archiving Community Media”⁵⁴.
272. For all these reasons – to create visibility, to respond to the public need for technological support for the multitude of media technologies available to them, and in response to media convergence – CACTUS proposes that it is a more modern solution, better in keeping with how Canadians now access AND create media, that the money traditionally ear-marked for “local expression” and “community access” in CRTC policies be directed not toward traditional broadcasting on a cable-only platform, but toward multimedia

53 To see Mr. Mollbert's presentation, see <http://www.commediaconverge.ca/node/311>.

54 For the panel on Public Library Maker Spaces, see <http://www.commediaconverge.ca/node/332>.

For the panel on Archiving Community Media, see <http://www.commediaconverge.ca/node/266>.

access production and distribution centres that would be managed by communities themselves and whose output would be available on all platforms for video distribution. These centres will be referred to henceforth as “community-access media centres”.

273. Our vision is that each community in Canada should be invited to take inventory of its current media training and production resources (which might include film or video production co-operatives, existing community-operated television or radio channels, high school, college or university media training facilities, and former CAP facilities or maker spaces in public libraries) and decide:
- In which areas of media production it is weakest and needs to expand services
 - How best to distribute content from existing and new production facilities. This might imply sharing or consolidating facilities in the college, university, library, community centre, existing video co-operative or radio channel so that all can access a broadcast tower, a high-speed Internet connection, and the local cable head-end, or it could imply a distributed multi-hub structure, managed by a single not-for-profit entity that co-ordinates access across the license area, according to the neighbourhood public library model. We note that cable community channel services were once offered according to this model in big cities, where there were as many as 12 neighbourhood offices throughout Metro Vancouver.
274. The particular solution should be *proposed by the community*.
275. The CRTC’s commendable and innovative role in defending the place of “the community element” in the broadcasting system (even before Parliament had legally established its existence under section 3 of the *Broadcasting Act, 1991*) must be updated to emphasize ownership and responsibility for the community channel by communities, not by for-profit entities selling a single competitive service offering.
276. Communities can recruit the expertise they need on their own terms to devise the appropriate technological solutions. The role of national co-ordinating associations such as CACTUS would be to make sure effective dissemination of information about such solutions is shared among communities.
277. We therefore recommend that all BDUs (licensed and exempt) be required to contribute 2% of their gross revenues to a new fund to support community-access media production and distribution centres that hold a community-access television undertaking license. We will refer to this fund henceforth as the Community-Access Media Fund or CAMF.
278. As discussed in more detail in Section VI (Distribution), all BDUs would also be required to carry the televisual output of these centres, and would thereby have access to the

content generated. The new community-access media centres would be better resourced and offer a greater range of programming than was formerly available in the territory on separate competitive services.

Community-Access Media Centres: What Will They Cost?

279. So what will it cost to unleash the creativity of communities in the broadcasting system again—and as an added benefit—enable their self-expression on digital new media platforms?
280. Existing community-owned and operated community TV channels and producing organizations have budgets that range from a few thousand dollars (operated often by a few volunteers with limited equipment) to a few hundred thousand, although most are in the lower range. For example, the average budget of the six OTA community licence holders that are members of CACTUS is \$130,000⁵⁵. The number of staff ranges from none to 3. The average budget of members of the Fédération des télévisions communautaires autonomes du Québec (the Fédétvc) is comparable.
281. Most are not facilitating the community to produce to capacity due to budgetary restraints. A common complaint is “I spend half my time trying to raise money, instead of programming.” Another is that the need to fund-raise (by selling DVDs or advertising) makes them favour certain kinds of productions over others (such as sporting events).
282. Current sources of funding among the 6 OTA community licence holders include but are not limited to:⁵⁶
- Advertising and sponsorship (0-90% of budget).
 - Bingos and other special-event fundraising (0-90% of budget).
 - Sales of program copies (0-40% of budget)
 - Municipal tax revenue collected for OTA rebroadcasting services (0-100%).
- As the range of funding sources demonstrates, no one formula characterizes the group. Different models evolved in different communities.
283. The lack of stable non-commercial sources of funding, along with technical limitations (low power and lack of frequency protection) account for the low uptake of community television OTA licences to date.
284. For current licence holders, the need to constantly search for funds reduces already scarce staff resources needed to facilitate community programming, and often puts them in the position of considering funding alternatives that may compromise the station’s public

55 The Ashcreek TV Society recently informed us that they have ceased offering television services in favour of concentrating scarce resources in radio production.

56 This information applies to organizations in English Canada only, since Quebec organizations are well documented in the submission prepared by the Federation des télévisions communautaires autonomes du Québec. However, the ensuing discussion takes into account the needs of community channels in Quebec, since solutions must be found that are equitable and feasible for all regions of the country.

service and community mandate. For example, many are uncomfortable seeking advertising, running bingos, and exhausted by fund-raising when they'd prefer to be focussing on programming.

285. To achieve the goals of the Broadcasting Act that the community sector should facilitate the free expression of all citizens and be technologically neutral, CACTUS proposes as a reasonable target that community-access media centres should be made available within 30 minutes on public transportation of 90% of Canadians. Unlike the public and private sectors, the community sector is defined by an individual Canadian's ability to participate directly in the broadcast system. This means being able to reach facilities for production and dissemination of content, not just the ability to watch TV.
286. Fifty-three communities in Canada have populations in excess of 100,000 people. In the ensuing discussion, we refer to these as "large communities". A further 32 have population between 30,000 and 100,000, which we refer to as "medium-sized". There are an additional eighty-five communities that have populations between 10 and 30,000 people, which will be referred to as "small communities"⁵⁷.
287. Ninety percent of Canada's population lives in communities having more than 10,000 people. If access production and distribution hubs can be established in these 171 communities, 90% of Canada's population will have such a centre in their communities.
288. The amount of capital funding required to reinstate a healthy community-access sector and equip it for a digital future will be affected by several factors:
 - The need for additional access centres in large cities, to achieve the 30-minute access requirement, and also to offer a reasonable level of service on a first-come, first-served basis. We suggest at least one access centre for every 500,000 people. The CRTC used to divide large Canadian cities into cable service areas of approximately this size, which led to the same service ration. For example, Calgary, Winnipeg and Ottawa all had two community channels and studios in the 1990s, which have since been consolidated (add 25 access centres)
 - The need for centres that can be shared in rural areas where there may be many small communities with fewer than 10,000 people; for example, the existing community OTA licence holder in St. Andrews, Charlotte County NB is interested to offer a combined service for other two other small communities in Charlotte County (add 60 channels)
 - The need for partial access facilities (not a full studio, but camera, recording, editing, and Internet connections) and part-time staff support in communities having fewer than 10,000 people, to enable content to be relayed to larger centres for shared playback (difficult to estimate without further study and feedback from communities)

57 See Statscan population by municipality at <http://www12.statcan.gc.ca/census-recensement/2011/dp-pd/hlt-fst/pd-pl/Table-Tableau.cfm?LANG=Eng&T=301&SR=1&S=3&O=D&RPP=100&PR=0&CMA=0>.

- The fact that most of the existing OTA licence holders and the community TV corporations (TVCs) inside and outside Quebec are currently located in communities having fewer than 10,000 people, yet already have full studio facilities. Although some of the infrastructure already exists, many need financial assistance for equipment upgrades for HD and digital, and to hire staff. (subtract 70/2⁵⁸)
- The fact that existing infrastructure is available in many communities which can be developed into full-service community-access media centres, including interested community radio channels, video and media co-operatives, university, college and highschool media facilities, libraries and community centres. (subtract 60/2)⁵⁹

289 In summary, various factors may inflate or deflate the starting figure of 171; but it's a reasonable number to use for the increase in spending on community-access needed to make centres available to 90% of Canadians, assuming that 70 partially funded community controlled TV organizations already exist. This would bring the total of community-controlled TV organizations to just under 250, which was close to the maximum that was achieved under the cable-administered model, as cited previously⁶⁰

290 The following are start-up and operating budgets (showing main expense categories) for access centres in small, medium and large communities. These budgets were reviewed by the current OTA community licence holders and with input from the National Community Radio Association⁶¹. Due to differences in terrain, approaches, and individualized community needs, different categories will be greater or lesser in some communities. (Because of these variations, further breakdown was not considered useful at this time.)

58 Existing community-owned channels and corporations total 70; their capital upgrade needs to offer a full suite of multimedia services are estimated at 50% of the cost of a new centre.

59 The number 60 is an estimate. We won't the exact number that might be interested until CAMF launches, but we have preliminary lists of community radio stations, video co-operatives, and public libraries that are interested in hosting multimedia access centres totalling approximately 60.

60 294, reported by Frank Spiller in 1982, although the numbers indicated by Matthews Cable TV Directories for the late 1990s indicate that the number of distinct channels could have been as high as 500. See Appendix E.

61 Further research needs to be undertaken regarding the overlap in equipment use that is reasonable to expect for radio and television, given expected traffic in communities of different sizes. These budget figures assume overlap; so radio figures appear considerably lower than stand-alone budgets for radio-only facilities.

Sample Budgets

Small Community: 10,000 to 30,000

291 Our estimated start-up and annual operational costs for Canada's eighty-five small communities are set out below:

Small Community Estimate	
Startup Costs	
Television	
Studio	\$60,000
Control room	\$160,000
Online edit suite	\$6,000
ENG kits (3)	\$18,000
Laptop editing consoles for loan (3)	\$1,500
Mobile (van with portable cameras)	\$50,000
Headend/servers/web hosting	\$30,000
Radio	
Studio and control room	\$30,000
Voiceover booth	\$2,000
On-location recording equipment	\$500
Computer-hacklab (offline audio and video editing, Internet, game design: 5 computers)	\$10,000
Office equipment and furniture	\$2,000
Transmission equipment	\$100,000 ⁶²
Engineering consultancy	\$20,000
Total	\$498,000.00
Yearly Operational Costs	
4-6 staff (manager, community outreach co-ordinators/trainers with different media	

62 This is possibly a low average. Two of the existing low-power OTA licence holders report that their transmission equipment cost them less than \$20,000, by buying second-hand, lesser known brands designed for community use, and by mounting the transmitter on existing buildings. Others report costs estimate \$100,000, while industry estimates (for example, the Canadian Media Guild) are between \$150,000 and \$200,000 (for a more powerful transmitter, longer range).

specialties, technician)	\$250,000-\$500,000
Repairs (parts)	\$10,000
Materials (e.g. Recording materials, office supplies)	\$30,000
Rent or mortgage, building maintenance	\$25,000
Professional fees	\$3,000
Captioning and described video (assuming 10 hours/week original production)	\$75,000*
Total	\$393,000-\$643,000

* See Captioning Discussion, following "Large Communities"

Medium-Sized Communities: 30,000 to 100,000

292. Our estimated start-up and annual operational costs for Canada's thirty-two medium-sized communities currently are set out below.

Medium-Sized Community Estimate	
Startup Costs	
Television	
Studio	\$60,000
Control room	\$160,000
Online edit suites (2)	\$12,000
ENG kits (5)	\$30,000
Laptop editing consoles for loan (5)	\$2,500
Mobile (van with ENG cameras)	\$50,000
Headend/servers	\$30,000
Radio	
Studio and control room	\$30,000
Voiceover booth	\$2,000
On-location recording equipment	\$500
Computer-hacklab (offline audio and video editing, Internet, game design: 8 computers)	\$16,000
Office equipment and furniture	\$3,000
Transmission equipment	\$100,000.00

	Engineering consultancy	\$20,000
	Total	\$536,000.00
Yearly Operational Costs		
	6-8 staff (manager, community outreach co-ordinators/trainers with different media specialties, technician)	\$350,000-\$660,000
	Repairs (parts)	\$10,000
	Materials (e.g. Recording materials, office supplies)	\$30,000
	Rent or mortgage, building maintenance	\$25,000
	Professional fees	\$3,000
	Captioning and described video (assuming 20 hours new production per week)	\$150,000.00*
	Total	\$568,000-\$878,000

* See Captioning Discussion, following "Large Communities"

Large Communities(Serving up to 500,000; Multiple Facilities in Communities with Populations >500,000)

293 Our estimates for startup and annual operational costs for community media centres in Canada's fifty-three large communities are set out below.

Large Community Estimate	
Startup Costs	
Television	
Studio(s)	\$100,000
Control room(s)	\$200,000
Online edit suites (3)	\$18,000
ENG kits (6)	\$36,000
Laptop editing consoles for loan (6)	\$3,000
Mobile (specialized vehicle, committed equipment)	\$75,000
Headend/servers	\$25,000

	Radio	
	Control room and studio	\$30,000
	Voiceover booth	\$2,000
	On-location recording equipment	\$500
	Computer/Hacklab (10 computers, modem, network)	\$20,000
	Office equipment and furniture	\$6,000
	Transmission equipment	\$100,000.00
	Engineering Consultancy	\$20,000
	Total	\$635,500.00
Yearly	Operational Costs	
	8-11 staff (manager, community outreach co-ordinator/trainer(s), technician)	\$450,000-900,000
	Repairs (not including labour)	\$20,000
	Materials (e.g. Recording materials, office supplies)	\$40,000
	Rent or mortgage, building maintenance	\$50,000
	Professional fees	\$3,000
	Captioning and described video (assuming 30-40 hours new production per week)	\$225,000-300,000
Total		\$788,000-1,313,000

294 The start-up costs country-wide for 171 new access centres comes to approximately \$93,000,000. The yearly operational costs to maintain these 171 new centres and also to triple the budgets of the existing 77 community-controlled organizations to bring them into line with the yearly operational cost estimates above (while there are large disparities between the least and most well funded, they are underfunded by about two thirds on average) comes to approximately \$132,000,000 not including the cost of captioning and described video (a regulatory) expectation for BDU-funded community channels currently or approximately \$169,000,000 (an additional \$37,000,000) including captioning and

described video.

Captioning and Described Video

- 295 Our analysis above regarding the budget to re-establish community access to television production for Canadians (and at the same time to offer training and distribution in new media) has not changed substantially since 2009/2010. Every passing year has made the rationale stronger. The one element in CRTC regulatory policy that has changed in the intervening years, however, is the expectation that BDU community channels should caption 100% of their content and offer a proportion of described video.
- 296 As everyone in the industry knows, captioning and described video remains expensive: a minimum of about \$3/minute for captioned programming (done by an operator), and upwards of \$10/minute for described video. Captioning can be done more cheaply with speech recognition programs, but accuracy depends on whether the speaker is known to the speech recognition program, the amount of background noise, and many other factors, which are difficult to control in the multi-user environment of a community-access television station.
- 297 The way BDUs have operated their channels in recent years—consolidating resources and staff in large centres at the expense of outlying areas, and producing relatively few hours of production—has followed a commercial model, with production budgets comparable to those in the commercial sector. In this environment of low overall hours of original production, captioning is a significant expense, but not crushing. For example, the captioning budget for MAtv in Montreal, which was producing only 20 hours of new production a week for a budget of between \$10 and \$20 million at the time of ICTV-Montreal's complaint of non-compliance against it last year, might have been in the neighbourhood of \$150,000. The estimated captioning budget for all BDU channels was \$10 million, assuming that they produced over 50,000 hours of new production last year with their combined budget of \$150 million. Even so, the Commission has allowed BDUs to spend up to 0.5% of their revenues in order to caption and offer described video on their community channels⁶³.
- 298 Under a true community-access media centre model such as we propose, in which resources have been repatriated to communities to enable maximum access to production facilities to all Canadians via many more production facilities (with a target of 250), the average yearly budget of stations will be in the neighbourhood of a half million dollars, producing 20 hours of new production per week each, or an estimated total of 260,000 hours of new production per year countrywide. It would cost an estimated \$46 million dollars in captioning, for this amount of programming, or roughly one third of the

63 See CRTC 2012-154,

available budget for the community TV sector. In that context, an average budget of \$150,000 for captioning per station would be crushing. The genius of volunteer-facilitated production is its ability to generate volumes of community-specific content, but it's prohibitively expensive to caption all of it.

299. Possibilities include:

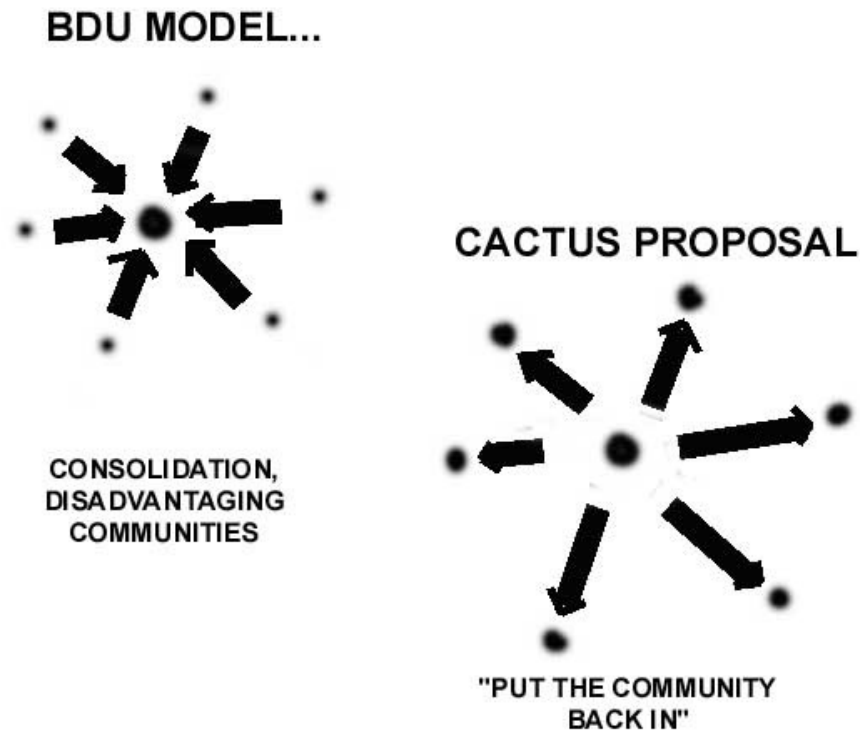
- Captioning news and informational programming as a priority, so that the same overall number of hours of content is captioned (and the same overall spending on captioning continues) as under a BDU-administered system. These hours would be available to a greater number of hearing-impaired Canadians in more communities (as they will be available over the air, on the Internet, on cable), and would be more likely to be produced within their own communities, compared to the current urban-centred BDU production pattern.
- Reliance on automated systems that have a higher error rate. This solution is likely the most practical, as community-access content generally is more likely to be live and interactive, which precludes the 7-10 day typical turnaround to have content professionally captioned. Paying live operators is even more expensive. Over time, as speech recognition systems improve, the difference in quality is likely to be less noticeable.

Comparison with Resource Allocation to BDU-Administered "Community Channels"

300. The budget to maintain 250 community-access media centres that will support multimedia content creation by 90% of Canadians (\$132 million without captioning or \$169 with captioning) is roughly what the cable industry has been spending on its remaining 66 licensed community channels and an unknown number of exempt license areas in recent years, according to the public notice for this proceeding.

301 As BDUs have professionalized their channels, they have closed channels in smaller centres to consolidate resources in larger centres, enabling them to pay more staff and rely less (or not at all) on volunteer labour. So while the total amount required by the two production models is similar, spending patterns are different. Under the current BDU model, subscriber revenues are collected in every community, but local production is mostly confined to larger centres where employees are concentrated. Under a community-administered model, communities that pay for community access will benefit from community access facilities and local production. The money will be more equitably spent, reflective of its origins. In fact, because in larger centres it is possible to serve more people from a single studio, it will be possible to spend relatively more (per capita) in smaller communities than those communities have contributed. This is the reverse of the

BDU pattern of regionalization. Under this model, communities will really be put back into “community media”.



- 302 Production resources will not only be redistributed back to Canada’s underserved communities, but the content will be available to everyone in those communities on all platforms for the first time (OTA, cable, Internet, possibly satellite).
- 303 As aforementioned, the volume produced under a community-access media centre model will be more 5-10 times as great, as hyperlocal channels are able to leverage volunteer labour and creativity, and take advantage of local synergies and facility sharing, consistent with the ratio of production volumes and budgets of CACTUS and Fedetvc members today.

Comparison with Spending on Private- and Public-Sector Local Programming

304 The Broadcasting Act states that there are three elements in the system, which should make complementary contributions to the creation of distinct Canadian programming: public, private, and community. It's useful to review current spending on programming in the public and private sectors to put spending in the community sector in context.

Sector	Total Program Spending (2014)	Total Spending on Canadian Programming (2014)	Canadian Programming Budget from Non-commercial Sources (Parliamentary Allocation or Funds)	Spending on Local Programming (2014)	Number of Hours of Local Production and Price/Hour
Public (CBC/Radio-Canada, and provincial and educationl broadcasters)	\$967,932,051	\$867 million	\$743,564,469 + unknown amount from Funds	... at 32 bureaux, or an average of ?/bureau	
Private	\$2,806 million	\$2,089 million	\$22,059,220 ⁶⁴ + unknown amount from Funds	\$470 million, at 86 stations, or an average of \$546,000 per station ⁶⁵	74,574 exhibition hours or \$6088 per exhibition hour
Community	n/a	n/a	\$151,000,000	\$151 million ⁶⁶ ; <i>CACTUS proposes should be distributed among 250 community media centres,</i>	150,000 to 300,000 original hours, for a cost of between \$312 and \$553 per hour

64 Communication Monitoring Report

65 Source: 2015-421 Review Notice

66 Current notice of consultation 2015-421

*with average
budgets of
~\$600,000*

Total	\$2,972,000 ⁶⁷	\$1,218,564,469
--------------	---------------------------	-----------------

- 305 There are three sets of numbers that can be compared to get a sense of whether \$151 million seems a 'reasonable' figure to invest the community element: total programming spending in the three sectors, total spending on Canadian programming in the three sectors, total spending on local programming in the three sectors (since the community sector generates exclusively local programming) or expenditures on local programming deriving from non-commercial sources (i.e. BDUs directly or government and industry-supported production funds).
- 306 The key ratio to keep in mind is the ratio of the average cost to produce an hour of local content in the public and private sectors versus an hour of content in the community sector. CACTUS and Fedetvc members spend between \$213 and \$553 on average per hour of content. This figure is consistent with David Keeble's findings when he surveyed community-owned and -operated TV channels and TVCs in 2009/10 and with public-access channels in the United States⁶⁸. This is less than 1/10th the cost to produce an hour of local programming in the private sector last year, according to the data published by the CRTC in this proceeding (\$6088, shown in the rightmost column).
- 307 Therefore, if we compare *total* spending on programming in the public and private sectors, we see that the public sector spends almost \$1 billion, the private sector spends almost \$3 billion, six and twenty times as much as the \$151 million spent in the community sector, respectively.
- 308 If we compare spending on *Canadian* programming, the public sector spends just under \$800 million and the private sector spends just over \$2 billion, more than 5 and 12 times as much as the \$151 million spent in the community sector, respectively.
- 309 If we compare spending on *local* programming, the public sector spends an unknown amount and the private sector spends \$470 million, ? and 3 times the \$151 million spent in the community sector⁶⁹.
- 310 If we compare spending on Canadian programming in the three sectors that is supported from non-commercial sources, we find that over \$1.2 billion is made available to the public and private

67 <http://www.crtc.gc.ca/eng/publications/reports/policymonitoring/2015/cmr4.htm#a42e>

68 See the Keeble Report, posted with 2009-661, and CACTUS' intervention to that review.

69 We could not find figures providing the split between total and local spending on public-sector programming.

sectors through either the CBC's parliamentary allocation or production funds, eight times the \$151 million spent in the community sector and supported by BDUs.

- 311 But which numbers make the most sense to use as a comparison? The goal of the Act is to make sure that adequate Canadian content is available to Canadians, and that the three elements make complementary contributions toward this goal. On this basis, if the public sector spends just over 5 times as much on Canadian programming as the community sector, and the private sector spends over 12 times, it seems reasonable. These ratios straddle the 1/10th cost to produce content in the community sector. That is, with these respective budgets for Canadian programming, the sectors might be expected to produce in the same order of magnitude of content: we might expect the public sector to produce about half as much Canadian content as the community sector, and the private sector to produce slightly more Canadian content than the community sector.
- 312 *Where* the content is produced matters, however. The CBC maintains 29 news bureaux across Canada. The private sector comprises 86 stations according to the public notice for this proceeding. It seems roughly right that the private sector is spending twice as much on programming as the public sector if it is maintaining more than twice as many stations. If we examine the list of 86 local private stations and where the CBC has its news rooms, we discover that the public and private sectors have a local presence in only 59 different communities. Many stations compete against one another, which may be good for democracy but not good if you live anywhere but in those 59 communities and you want local coverage.
- 313 Therefore, with a budget of between 1/5th and 1/12th the size of the public and private sectors respectively, we might expect the community sector to be able to 'hold its own' and produce a similar volume of coverage, if it maintained production facilities in the same 59 communities as the public and private sectors, producing niche content and a variety of genres to complement predominantly news production created by public and private broadcasters. We expect *more* of the community sector, however:
- Historically, community TV studios were present in more than 300 communities, and we propose re-developing community access media centres in 250, in order to serve an additional 191 communities that currently *have no presence* by a public or private broadcaster.
 - Wherever there is a community broadcaster, we expect it to produce *more* volume of content than public and private broadcasters, in a range of genres that the former have been unable to do in recent years: arts and cultural coverage, civic affairs programming, seniors and children's programming, local sports, and so on.
- 314 Therefore, \$151 million is the *minimum* the sector needs to maintain viability and fulfill its role under the Broadcasting Act.

- 315 If we compare the amount of non-commercial funding available to the public, private and community sectors, \$151 million also seems reasonable. Over \$1.2 billion is available to public and private broadcasters by direct government subsidy or via industry funds such as the Canada Media Fund... roughly 8 times the size of BDU support for the community sector. Given that the community sector is meant to be non-commercial in nature, and that the CRTC has resisted commercializing it and permitting the airing of full-blown ads on community channels historically, a level of non-commercial subsidy that is at least on par with subsidies available to the public and private sectors is consistent—which is the case (given the 1/10th production cost ratio).
- 316 We note that funding support for community TV has steadily *decreased* since community channel policy was first established, from an initial 10% of gross revenues in the 1970s, to 5% by the early 1990s, to 2% in large systems and 5% in small systems by 1997. Offering a community channel at all is optional, and systems under 20,000 are exempt from licensing, and only have to meet much lower access content minima (30% compared to 50% in licensed systems).
- 317 If community TV funding is reduced anymore, or if it is not redistributed to communities themselves to manage, the sector will not be able to achieve the important goals set for it under the Act or CRTC policy.

Comparison to Community Radio Funding

- 318 Another useful figure is the amount spent on community radio. According to the NCRA, 178 community radio channels survive on a combined budget of about \$40 million dollars, mostly raised from commercial ad revenues. Various indicators—from the cost to produce a TV versus radio program, from the size of the overall TV and radio sectors in Canada (\$6.6 billion compared to \$1.6 billion)—suggest that it costs about 4 times as much to produce television as radio. So once again, a budget in the neighbourhood of \$150-\$160 million for community television seems about right. The difference between the sectors is that most of the revenue for community radio is raised through commercial advertising, which is viable. Numerous funds (such as the SMLPF and LPIF) have been introduced to address the fact that the same cannot be said for local TV, and particularly for *community TV*, which must create the majority of its own content and cannot replay US series or international music.

Other Funding Options

- 319 Parliament's expectation in the *Broadcasting Act* is that each of the three elements of the Canadian broadcasting system – public and private and community – would contribute a unique kind of programming to the system as a whole, complementary to one another. Community TV policies of the Commission for decades have specifically addressed the complementary and alternative nature of community programming.
- 320 The expectation that the sectors should deliver different kinds of programming assumes:
- different ownerships structures (as dealt with already), which result in different programming mandates, and
 - different sources of funding, which may not affect the stated mandate of each sector, but which can have the result of affecting the nature and types of programming just the same (as noted with the discussion of the trend toward bingos and fund-raising formats of TV even on community-controlled channels when sources of non-commercial funding are insufficient).
- 321 Many countries—and Canada to the extent that public funding is available—define public broadcasting not just by public ownership, but by reliance on public funding. In theory, public funding should free the public broadcaster from having to program for mass audiences to attract advertising, and enable it to focus on programming deemed to have a public service character. It is widely understood that Canada's public broadcaster's ability to fulfill its public-service mandate is compromised currently by its dependence on advertising as a source of revenue.
- 322 The same reasoning applies to the community sector, only more so. Whereas the main focus of the public broadcaster is to deliver programming content, the community sector not only has a public service mandate, but its mandate is as much about teaching and process as it is about content delivery. Not only would a need to chase advertising tend to focus channel resources on certain kinds of programming, it would also focus resources on generating volumes of programming, as opposed to focussing on community processes that foster participation. For these reasons, it is vital that non-commercial sources of funding be found for it.
- 323 The public-service character of community TV has been recognized since its inception and defended by the Commission.
- 324 Nonetheless, it is worth revisiting why advertising as a source of revenue is problematic paired with a community-access mandate.

Advertising

- 325 Fewer than half of the 29 countries studied by the TimeScape report rely on advertising to fund community television. Only one (Peru) relies exclusively on advertising, while eight others permit advertising as one source of revenue. The report found that most countries that permit advertising on community television do so because there are few or no sources of stable non-commercial funding. Advertising-supported community television sectors do not thrive, as stations frequently close. This has been the case in both Australia and the United Kingdom, which otherwise might be expected to have cultural similarities.
- 326 If private broadcasters are having difficulty surviving on advertising revenues inserted into professionally produced programs intended for mass audiences, it is not surprising that it would be risky to expect community channels to survive on this revenue source, and it accounts for why the OTA community licence class created under the 2002 community TV policy has had so few takers to date.
- 327 A first-come, first-served access mandate tends not to lend itself to the placement and attraction of ads. Community broadcasters are by nature niche-casters that don't generally program to compete for the same mainstream audiences for whom commercial broadcasters program. At least, this is the case in urban markets where there are enough potential sources of advertising revenue available that might justify seeking it. It is in these markets that community TV tends to serve the niche audiences and alternative points of view. In smaller communities where community TV may be the only and therefore "mainstream" broadcaster, there generally isn't enough of an ad market to maintain a television channel.
- 328 Since community channels depend on just a few employees to facilitate programming from the community (i.e. each staff person is the liaison for numerous groups and individuals), diverting even one employee to the pursuit of advertising has a dramatic reduction on the volume of output.
- 329 Most volunteers are not willing to seek advertising. They volunteer in order to gain production experience and to express themselves.
- 330 As the TimeScape report also discusses, there are several philosophical problems with a traditional advertising model, which include:
- The principle of equal access on a non-discriminatory basis for all members of a community. This implies that no one member of that community should be able to "buy" time to replay priority messages that interrupt programming created by others.
 - The need to sell ads creates several incentives for a channel that may run contrary to providing access, including the need to create "popular" shows rather than shows that

serve underrepresented groups, and an incentive to generate volume or series of programming by which ads can be presold, rather than focussing on facilitating training, access and innovation.

- The principle of self-representation. Audiences of a community-access channel understand that programs are made by other members of the community expressing their own views or addressing topics of interest to them. The potential for advertising changes this audience relationship, by introducing the possibility that actors or messages present views that have been paid for by for-profit entities.
- Traditional ads violate most of the requirements for balance and objectivity expected by good journalism.

331 The business community is an important part of any community, however, and its support for and participation in a community channel is vital. At the policy development forum held on the third day of the Community Media Convergence in November, there was a very engaged debate about the exhibition of commercial advertising on community media. A sizable subgroup of community media practitioners in the room wanted permission to air ads, in order to diversify sources of income, since non-commercial sources of income are currently inadequate to their needs (e.g. members of the Fédétvc). When asked whether they would happily forego the right to air ads if adequate non-commercial sources of income were available to them, a few persisted that they would still want the ability to air ads in small markets, in order to serve the need of local businesses to have visibility for their products and services.

332 Our response to that group is that the Broadcast Act stipulates that programming from the three sectors is meant to be different and to complement one another. The community sector has the mandate to be alternative and has a history of engagement with communities through innovative and participative techniques. It is the view of CACTUS that there are better ways to engage the business community—ways that promote a more integrated understanding of communities—than through traditional ads. Examples include sponsored series in which the series content may focus on topics relevant to a business sector, profiles of local businesses, or even some of the information that businesses typically want to communicate (such as product or pricing information) in a special part of a web site that residents can access by choice, equivalent to looking through the classified ad section in a community newspaper, or by linking to a web site managed by the business community with such information.

333 We are of the view that a seat on the board of community-access media centres could and should be reserved for the local Chamber of Commerce, to make sure that such innovative new relationships can be developed between community channels and local businesses. Interestingly, the Community Media Convergence had a category at its Community Media

Festival entitled “Best collaboration between community media and local business to promote local development”⁷⁰, which was won by Wiky TV5 on Manitoulin Island, for a program that showcased local business initiatives in full stories that set them in a community context. This kind of collaborative community-building approach to business involvement is the approach the majority of CACTUS members favour.

334 The difficulty for ads for community television is that television is still a linear medium. When you interpose ads, you force viewers that have paid for that service, who program that service as volunteers, and who own the service to watch self-promotional messages before they can see the program that they tuned in to see. It’s a fundamentally manipulative relationship.

Existing Model (2-5% BDU Spending Requirement on Local Expression)

335 The source of funding for community television that would create the least disruption to our heavily integrated Broadcasting System would be to continue to use the funds earmarked for local expression and access: the percentage that BDUs currently spent on their own ‘community channels’. This financing, would however be redirected to CAMF.

336 No new funding would be required, as the BDUs' own spending on their ‘community channels’ is adequate to operate access centres that would be accessible to more than 90% of Canadians, as described above.

337 No other sector of the broadcasting system would be negatively impacted. Since the community-access media centres that we propose would have primary distribution over the air, and current CRTC policy requires that they be carried on the basic service, terrestrial BDUs would be required to distribute these community services to subscribers. Existing community-controlled TV organizations (such as members of the Fedetvc) that are currently carried on cable, would continue to be available terrestrially.

338 There would be a net benefit to the broadcasting system that content from the new OTA community channels would become available to the 44% of Canadians that do not currently have service by a terrestrial BDU. This almost doubles the reach of each channel, enabling them to carry out their community-inclusive and community townhall role in a way that has not been possible in recent years on terrestrial services alone.

70 See <http://www.commediaconverge.ca/festival-entry> for the full list of categories.

- 339 The original rationales for asking cable BDUs to contribute to community programming included:
- Using public rights of way to lay cable on an exclusive basis.
 - Access to a public resource (the broadcasting system) to make profit.
 - Giving something back to communities in which they operate (this principle has been eroded since the trend toward consolidation of spending on community programming in larger centres at the expense of smaller ones)
 - Giving something back in the form of local, Canadian content, to balance the influx of mostly American programming.
- 340 As terrestrial pay TV services continue to be extremely lucrative (their revenues have continued to rise since the last policy review, despite stories of cord-cutting), these rationales for cable BDUs to support community programming are equally valid today.
- 341 The 2%-5% contribution is still just enough to bring direct access to the broadcasting system within reach of most Canadians again, but this spending commitment should not be lowered, or service will suffer. Some communities will again find themselves cut off.⁷¹

All BDUs, 2%, Amounting to the Same Total

- 342 A more stable (from the point of view of communities) and more fair (from the point of view of BDUs) solution might be to make up the \$150,000,000 operational budget for community TV from equal contributions from all BDUs (terrestrial and satellite, licenced and exempt). This would ensure:
- More stable funding for the sector, in the event that terrestrial BDU market share decreases.
 - Terrestrial BDUs are not the only ones expected to pay for community television.
 - However, this would imply a reduction in contributions to the Canadian Media Fund by non-cable BDUs, unless the amount were made up by terrestrial BDUs. On the other hand, just as an equal contribution by all BDUs to the Canadian Media Fund would imply more stability for that fund, so too does CAMF also require stability.

Municipalities

343 As the TimeScope report details, other countries have funded community television at the municipal level, either partially or completely. Pros include:

- Greater commitment, investment, and understanding of the role of community channels by municipal authorities.
- Greater use of community channels as a means of two-way communication between residents and local government.
- Greater accountability arguably may result if local municipal funds are used.
- A greater possibility of partnerships between libraries and community-access centres, since they have complementary mandates, and would both be administered by municipalities.

344 Cons include:

- The potential for censorship. Local media should ideally be separate from government, to ensure an independent voice on local issues. Instances of local censorship are enumerated in the report by TimeScope outside of North America, although such instances have been rare in the experience of public-access channels in the US (whose funding is channeled through municipalities from cable operators). We note that Canadian law currently prohibits municipalities themselves from holding broadcasting licenses for this reason, an issue we discuss in Section VII "Other Matters".
- The fact that most municipalities are already stretched to the limit for their funding resources, and this expense is not at this point viewed as a municipal responsibility. Exceptions include Metro Vancouver, which currently funds two programs that appear on the community channel, and several of the current OTA community license-holders. Valemount and Chetwynd, B.C. and Hay River, NWT tax area residents for rebroadcasting services from remote private and public broadcasters. Funding for the community channel is included for from this tax base.

345 The cable co-operative model that until recently was used in Campbell River, B.C., and is still used in Western Manitoba through the Westman Group, and Access Communications in Saskatchewan pays for community programming from retransmission of other services. Municipalities themselves do not provide direct funding for community programming, but residents pay for it through the cable fees that support their community-owned infrastructure.

346 On balance, these models are attractive because they put control and financing of community programming in the hands of those communities. Community-owned infrastructure further puts communities “in the driver's seat” regarding distribution of content and telecommunications services.

Federal Funding

- 347 While federal funding for community television channels that would be accessible to all might be considered more “fair” than a levy on terrestrial and non-terrestrial BDUs, (since the levy would be assumed to be passed on to subscribers and non-BDU subscribers would get access to the channels for free), when considering the system as a whole and how to fund the sectors in a way that is harmonized, we note that the “public” broadcaster is already underfunded from federal sources and reliant on advertising to the point that its ability to offer a real alternative to the private sector is in jeopardy.
- 348 We stand by our argument that what distinguishes the programming in the three sectors from one another is not only their ownership structures, but how they are funded. It is therefore logical that federal taxpayers pay for a national public service.
- 349 Similarly, there is a rationale that community television ought to be funded via the broadcasting undertakings that take their profits from communities, and which rely on free use of community infrastructure (public rights of way) to distribute their services. (In the US, municipalities charge franchise fees for this right, which in turn is used to support public, educational and municipal access to cable channels.)
- 350 A case was made by the Fedetvc at the Community Media Convergence that BDU revenues from television should only be used to support television production, and not new media. We note that the Canada Media Fund (whose revenues derive largely from BDU pay TV subscription revenues) is already supporting interactive and digital content as well as games—consistent with CACTUS' proposal that community-access media centres that create multimedia be supported from BDU revenues. Nonetheless, direct contributions to the new Community-Access Media Fund from Heritage (for example) could provide funding diversity and address this critique over time.

351 Resourcing communities directly to create community-access media on all platforms would serve multiple goals of the Broadcast Act as well as Canada's Digital Economy Strategy:

- Ensure access by Canadians to their own broadcasting system.
- Increase the availability of Canadian and local content by a factor of 10, by restoring the production multiplier of volunteer labour and community synergies
- Increase access to local production facilities and content in more than 200 communities that have lost production studios during the last two decades as cable BDUs have consolidated their operations.
- Multiply the diversity and range of opinions that can be found within the Canadian broadcasting system, both by enabling the voices of Canadians as individuals, as well as the voices of communities as independent not-for-profit entities outside BDU control.
- Strengthen Canada's professional industry production by once again providing a fertile and imaginative training ground within every community.
- Bring digital media skills training within reach of 90% of Canadians, to equip them to participate as individuals, and as part of community organizations and businesses in the digital economy.

RECOMMENDATION 5: 2% Contribution from All BDUs

352 CACTUS proposes that all BDUs (terrestrial and satellite, licenced and exempt) be required to contribute 2% of broadcasting revenues to fund community media. This amount would be paid into and administered by the CAMF. It is the view of CACTUS that this source of funding to rebuild the community-access television sector that would cause the least disruption to the other elements in the broadcasting system as a whole, which is adequate in size to the task, which is most fair to community residents offer, and which offers the most stable solution for both the Canada Media Fund and the community TV sector.

353 As a transitional phase, we would suggest that payments to CAMF be phased in as follows:

- Starting in September of 2016, half of terrestrial BDU revenues for local expression (either 1% in markets having over 20,000 subscribers, and where the current expenditure or local origination is 2%, or 2.5% in markets having fewer than 20,000

subscribers and the current expenditure on local origination is 5%) shall be payable from the local expenditure half of a BDU's community channel budget. The 1% of revenues currently expended on access production will be retained by BDUs currently operating community channels during the transitional period, in order that they can continue to meet their access exhibition and expenditure requirements.

- Starting in September of 2018, all BDUs will contribute 2% of their revenues to CAMF. (Satellite BDUs will cease directing 2% to other production funds; the shortfall to those funds will be made up by the increase of 3% to be directed to those funds by small-market terrestrial BDUs.)

354 This phased in approach will:

- Make available funding for existing not-for-profit organizations that are ready to 'launch' as multimedia access centres immediately.
- Enable time for CAMF to conduct educational and outreach activities about the goals and existence of the fund during the 2016-2017 broadcasting year.
- Enable sufficient time and resources for interested communities to develop licence applications, acquire or lease facilities, and hire staff, prior to a full country-wide launch of the fund in September of 2018. As described in more detail below, we anticipate it would take a total of five years until CAMF would reach a steady state providing operational funding 'top-ups' for 250 community-access media centres.

Summary: Funding

355 We note that since community television policy was first implemented by the CRTC, the commitment to fund it adequately has steadily eroded, from:

- In 1975, an initial recommendation by the CRTC that cable operators spend 10% of their gross revenues on community television.
- With 1991-59 a requirement that cable operators spend 5% of their gross revenues on community television, in all systems having more than 2,000 subscribers.
- With 1997-25, community channels became optional. If offered, cable operators were allowed to retain up to 2% of their 5% contribution to Canadian programming on them, in communities with more than 6,000 subscribers. In communities having between 2,000 and 6,000 subscribers, cable operators were allowed to retain the full 5% for community programming.

- With 2002-74, a revised requirement that communities with fewer than 6,000 subscribers were exempted from licensing, and therefore from contributions to community programming.
- With 2009-544, revised requirement that communities with fewer than 20,000 subscribers were exempted from licensing, and therefore from contributions to community programming.
- Since 2010-622, the capping of spending on community TV at 2010 \$ levels, until the percentage falls to 1.5%.

357 It is puzzling why this erosion should have occurred, as the cable industry has continued to thrive throughout its forty year history in this country, recording a record profit margin of 25.9% in 2008, and over 20% for each year since 2004. Since it has faced competition by satellite and telephony service providers (a change in the business environment that likely lead to the partial deregulation of the community channel in 1997), its profits have climbed. Meanwhile, basic cable rates were deregulated in 2002, giving cable customers no control over how much they had to pay to the companies that use their public rights of way to do business. Despite stories of cable-cord cutting and forecasts (even in the current policy notice) that cable revenues may soon decrease, the reality is that they have climbed to \$151 million from \$113 million at the time of the 2009/2010 community TV policy review.

358 Therefore, any amount less than the 2% of gross revenues that is currently spent by cable BDUs on their own community channels, we would regard as short-changing Canadians and communities. This would be a message that after forty years of contributing their time and ideas in good faith to community channels run by cable companies, that Canadians are not viewed as having won the right to manage their own channels, and can somehow offer a viable and meaningful public service for less than the cable industry was able to do so.

359 Any amount less than 2% (or a total of at least the \$152 million available—if captioning and described video remains an expectation under the policy) would result either in some communities having no community-access centre (resulting in regional disparities), or all communities being inadequately funded, resulting in community media that fails to achieve its potential as a genuine local platform for discourse, debate, and cultural expression. Underfunding would result in community media never achieving more than hobbyist status, a fringe voice at best, unable to fulfill its mandate under the Broadcast Act.

RECOMMENDATION 6: Establish Requirements for New “Community-Access” Licence

360 We propose that community organizations that undertake to meet the requirements set out below would qualify both for “community-access” licences and for funding from CAMF:

- At least 75% access production, meaning programming produced by individuals and groups within the local community, with or without the help of employees of the community-access centre. We recommend twenty-five percent leeway for the reasons detailed in section I: the fact that certain kinds of access are best facilitated when there is co-ordination of multiple contributing community members or groups by channel staff, flexibility to enable channel staff to show production leadership, and flexibility to show non-local productions that nonetheless have relevance to the community, including government PSAs, shows bicycled from other community channels, NFB films or others.
- At least 80% content produced within the licensed area.
- Regular training for the community, including technical and media literacy and content training, at no cost.
- The availability of equipment for loan to the community for program production, including ENG and mobile production units, and studio and editing facilities. Members of the community should be able to reach the facility and access equipment within 30 minutes on public transportation.
- Assistance to the community to produce programming of whatever genre and type it chooses, within the resources of the channel.
- Airing of programming completed by individuals and groups within the community without discrimination or censorship, so long as the content does not violate Canadian law.
- Advertisement on the channel and via other means of the availability of training, program production opportunities, equipment and distribution opportunities.
- The seeking out of underrepresented and/or marginalized groups within the community for training and production opportunities.
- Participation from all major sectors within the community (including at the board level), including local government, NGOs, community service organizations, local business, educational facilities (primary, secondary, tertiary), artistic and cultural groups, and individuals. License applications should be assessed according to this broad representation.

- The production of programs on community topics and from community points of view not available via other means.
- Regular monitoring, included number of hours of community and access production per week, volunteers trained, and individuals and groups using the service, as under current policy. This encourages at least minimal compliance with policy expectations, but is essentially passive. To justify the investment of public funds in community media centres, regular reporting should in addition cite examples of projects that:
 - Benefit the community in concrete, measurable terms.
 - Stimulate community debate on important issues.
 - Capture and promote local culture or history.
 - Involve previously excluded groups.
 - Approach the use of media from new or alternative perspectives.

In particular, communities should stipulate community development targets or goals at the time they apply for operational grants to CAMF, and report back on progress toward those targets at the end of the granting period, before renewing their applications.

As the “professionals”, it behoves channel staff to provide leadership in fulfilling the communication needs of that community. Channels that receive public monies should be accountable in the same way that the Canada Council and other arts administration bodies expect accountability for public funding.

- Existing definitions of sponsorship should be permitted, but not traditional ads as currently defined. As discussed, CACTUS is of the view that participation by the business community in community media centres is important, but that traditional ads have characteristics that are at odds with an access mandate. CACTUS is confident that the ingenuity and alternative tradition of the community sector can explore and find better models of ways to package information about this important part of community life in a manner consistent with its public service mandate.

361 If some of these requirements are onerous for the Commission to assess or monitor (some but not all are included in existing community radio and community television policies), we suggest that details not deemed to be an explicit requirement of the license class could be required from CAMF. An example might be the monitoring role, since this task may have proved onerous for the Commission in the last dozen years, and had the unexpected effect of ensuring that minima were met, not that licensees would be encouraged to innovate to exceed those minimums.

CAMF: How It Could Work

- 362 We propose that the Community-Access Media Fund establish long-term targets to distribute funds evenly throughout the regions, with proportionately more in smaller communities since: minimum staffing, equipment and facilities are necessary to get on air in the smallest communities, and the sharing of common resources becomes more efficient in larger population centres.⁷²
- 363 As described previously, the goal is to provide operational funding to 'top up' what communities can raise themselves to achieve minimum budgets for small, medium, and large communities to deliver a full multimedia skills training and production mandate.
- 364 The long-term size of the fund is determined by estimates of on-going operational costs and not startup costs, and publicity and community education about the existence of the fund, how to apply for licenses, and how to operate access television channels will take time (not all within a single calendar year).
- 365 Therefore, the CAMF strategy will be to:
- Upgrade facilities and establish adequate staffing at existing independent community TV organizations (including enabling the transition to holding OTA licences for those currently on cable only, and the transition to digital and HD where appropriate).
 - Establish a minimum number of access production centres in each region in the first year (at least one large and one small), which can become models and training centres to enable nearby communities to get up and running in subsequent years.
 - In subsequent years, as more channels are established, the bulk of the financing will shift to operating costs, and relatively less to startup costs.
 - Once access centres have been established in all communities that want them (the target total of approximately 250, or reaching 90% of Canadians), the fund will achieve a steady state where it will all be expensed on operating costs, with some buffer for administration of the national association that has the role of co-ordination (CACTUS), the fund management itself (which is separate), and for special projects.

72 This principal exists currently in the 2-5% distinction among cable license classes, in which smaller communities are allowed to retain the entire 5% cable levy for local programming.

Build on Existing Organizations

366 At present, there are:

- Eight over-the-air community television licence holders that are accessible free to air (who could reach 520,000 Canadians over the air if their current low-power restrictions were removed, and they had the financial resources to upgrade their transmitters) and could qualify for the new “community-access license class” whose creation is addressed with Recommendation #2.
- Forty-five members of the Fedetvc, whose programming is carried on cable and reaches an estimated 1,700,000 Quebecois.
- Nineteen community-owned channels in the Westman cable co-operative and six studios that provide programming to the Access cable co-op network in Saskatchewan, reaching approximately 300,000 viewers.
- At least 12 other community-based organizations that have indicated their interest in applying for a community-access over-the-air license and funding from CAMF, pending the outcome of these hearings, most of which are located in major Canadian cities from which access has disappeared. These are organizations that have identified themselves as having significant and relevant skills, equipment, infrastructure, and the community ownership necessary to carry out the mandate of a community-access media centre. They are mostly members of the Independent Media Arts Alliance (IMAA), a national association of media arts organizations including film and video production co-operatives. These organizations already offer training and equipment support to their communities, but lack broadcast distribution. Taken together, these 12 could reach an additional 4 million Canadians.

367 The locations of these organizations are shown in the following map.



368 In addition, there are currently 138 community radio licence holders whose signals reach over 75% of Canadians⁷³. Some of these are interested in expanding their mandates to include television and new media. Many already make use of new media components and understand that media convergence affects community as much as it does mainstream media. CACTUS has begun a dialogue with the three Canadian campus and community radio associations that represent these channels about their interest in this proposal, all three of which attended the Community Media Convergence in which the proposal for CAMF was presented and refined.

73 Sources: the web site of the National Campus and Community Radio Association and the submission to CRTC public policy review 2009-418 by the NCRA, ARC du Canada, and ARC du Quebec.

369 Finally, public libraries in many parts of the country are already experimenting offering 'maker spaces' that have some of the services of a community media centre, including access to audio-visual production equipment, although training and distribution are so far limited. At the presentation to the Ontario Library Association (the largest public library association in Canada) at its yearly Superconference in Januar of 2015, CACTUS pitching the benefits of a licensed community-access media centre model. Thirty public libraries attended, most of whom were already facilitating the creation of audio-visual content in some form.

370 Not including interested community radio licence holders and public libraries (the exact number yet to be identified), there are therefore 89 non-profit community organizations that are already enabling video production that will be targetted for upgrades to become multiplatform access centres within the first year.

YEAR BY YEAR ROLL-OUT

371 The following table shows how this might roll out in the first five years of the fund, assuming that CAMF is created from 2% of the existing BDU levy, or about \$150 million, but is phased in at 1% for the first two years:

Year 1 (2016-2017, assuming 1% contribution by BDUs totalling \$75 million):	
Set up CAMF. Advertise existence of funding, goal, community outreach and education (including national office and one outreach co-ordinator per province and territory).	\$2,300,000
Infrastructure grants and upgrades to existing independent community-based media organizations (approximately 82, including members of the Fedetvc in Quebec, including cable co-operatives if their own portion of the cable levy is insufficient in small communities, since as not-for-profits — they would not have to contribute to CAMF—, and existing media access and production centres that want to add distribution. This number could rise depending on interest by the community radio sector and public libraries):	
Estimate per channel	
General equipment upgrades (could include digital and HD)	\$100,000
Addition of OTA transmission equipment	\$100,000

Addition of Internet access terminals, webstreaming, on-line program archives	\$30.00
Addition of radio broadcasting for communities that don't have it and want it	<u>\$32,500</u>
ESTIMATE OF TOTAL UPGRADES PER CHANNEL:	\$262,500
ESTIMATE OF TOTAL UPGRADES	\$21,525,000
Supplement staffing for existing 82 community-based media organizations:	\$18,450,000
New channel startups, including year 1 operational costs: 10 small, 10 medium, 10 large	<u>\$42,975,000</u>
Total Year 1:	\$75,000,000
Year 2:	
Operational costs for 11 existing large channels (>100,000) :	\$11,550,000
Operational costs for 32 existing medium channels (30,000 – 100,000) :	\$23,616,000
Operational costs for 69 existing small channels (<30,000)	\$30,567,000
Fund and national association:	\$1,500,000
New channel startups, including year 2 operational costs: 2 small, 2 large	<u>\$7,767,000</u>
Total Year 2:	\$75,000,000
Year 3:	
Operational costs for 13 existing large channels (>100,000)	\$13,390,000
Operational costs for 32 existing medium channels (30,000-100,000)	\$23,616,000
Operational costs for 71 existing small channels (<30,000)	\$31,453,000
Fund and national association:	\$1,500,000
New channel startups, including year 3 operational costs: 14 remaining small channels and 39 large channels	\$14,574,000 \$65,467,000
7/24 additional neighbourhood offices in cities > 500,000	<u>\$24,530,000</u>
Total Year 3:	\$150,000,000

Year 4:	
Operational costs for 52 existing large channels (>100,000)	\$53,560,000
Operational costs for 32 existing medium channels (30,000-100,000)	\$23,616,000
Operational costs for 85 existing small channels (<30,000)	\$37,655,000
Fund and national association:	\$1,500,000
Setup and operational costs for single remaining large channel	\$1,665,500
19/24 additional neighbourhood offices in cities > 500,000	<u>\$32,003,500</u>
Total:	\$150,000,000
Year 5:	
Operational costs for 52 existing large channels (>100,000)	\$54,590,000
Operational costs for 32 existing medium channels (30,000-100,000)	\$23,616,000
Operational costs for 85 existing small channels (<30,000)	\$37,655,000
Fund and national association:	\$1,500,00
5 remaining additional neighbourhood offices in cities > 500,000	\$8,277,500
Setup and operational costs for 24/50 regional media centres to serve rural populations	<u>\$24,362,000</u>
Total:	\$150,000,000

372 In year 6, the remaining 26 regional media centres to serve rural areas. By year 7, the fund would reach a steady state and be dispensing primarily operational funding.

ROLE OF CACTUS in Assisting Communities

373 Because the access mandate of community television is now poorly understood in English Canada, and only sporadically practiced, the role of a pan-provincial body to give leadership to revitalize the sector is crucial. The role of CACTUS could include:

- Publicizing the availability of funding for community groups to set up community-access media centres.
- Assisting groups to liaise with Industry Canada regarding frequency availability.

- Supporting community groups in preparing license applications.
- Assisting the CRTC in assessing applications, since an application in the new community-access license class would trigger eligibility for funding from CAMF. For example, CACTUS might assist the Commission in assessing the strength of the application from the point of view of involvement and support by a broad cross-section of community stakeholders, and the knowledge and understanding by the applicant of the role and responsibility of a community-access channel.
- Supporting community groups to prepare funding application; for example, assistance in preparing budgets, equipment lists, station design, engineering.
- Providing technical and organizational guidance to community groups setting up new as well as existing channels; for example, who to hire, what equipment to buy, how to engage the community in production.
- Creating, pooling and distributing training materials for media centre staff, community producers, and volunteers.
- Lobbying for the community sector.
- Program sharing via a web site and archives, and (long term) supporting an application for a national public-access channel to share programming.
- Web site maintenance to share educational materials, member news and progress.
- Liaising with CAMF to achieve long-term growth targets in the community-access sector.
- Since community television organizations in Quebec are better established and are represented by the Fédération des télévisions communautaires autonomes du Québec, part of CACTUS' role could be to liaise with the Federation to harmonise the opportunities and support available to the sector inside and outside Quebec.
- The board of directors for CACTUS consists of member channel staff and community producers. Therefore, CACTUS will advocate for the immediate needs of those working and volunteering within the sector.

RESPONSIBILITIES AND STRUCTURE OF CAMF

374 We envision that CAMF would:

- Have final responsibility for assessing applications by would-be grantees.
- Administer grant monies.
- Monitor that applicants fulfill grant requirements. Regular reporting would be required not only about programming volumes, genres, and numbers of individuals and community organizations that participate, but also about projects that:
 - Benefit the community in concrete, measurable terms.
 - Stimulate community debate on important issues.
 - Capture and promote local culture or history.
 - Involve previously excluded groups.
 - Approach the use of media from new or alternative perspectives.
- Ensure that long-term regional targets for community-access are met.

375 We suggest that the board of directors for CAMF consist of a range of organizations with both a stake in the expression of local cultural identity as well as expertise to offer the sector, such as:

- National co-ordination and education (CACTUS)
- Representation of Quebec community channels (Fédération des télévisions communautaires autonomes du Québec)
- Leadership in media literacy training.
- Assistance integrating and help build partnerships between new access centres and existing municipal resources
- The independent media arts sector (IMAA)
- The educational sector
- The new media technologies sector, including gaming, to provide leadership in new media technologies and approaches.

- The Aboriginal community, since Aboriginal communities have been underrepresented in community TV use historically.
- The campus and community radio sector.
- Accounting and legal counsel
- Governance⁷⁴

376 With this makeup, it will be the Fund's responsibility to make sure that no regions or major sectors within Canadian society are excluded from community media centres, and that they represent centres of excellence and experimentation in the use of new tools and technology for communications.

⁷⁴ We have received expressions of interest from the Canadian Association of Media Literacy Education Organizations (CAMEO), the Canadian Association of Public Libraries, the Independent Media Arts Association (IMAA), the Association of Canadian Universities and Colleges, the Assembly of First Nations, the National Indigenous Media Arts Coalition, and the National Campus and Community Radio Association. CACTUS proposes that these positions be self-selecting once the appropriate body has been identified for each role. For example an organization such as CAMEO or the IMAA could select a board representative from among their own membership.

SECTION V – Distribution of Community Content

Recommendation #7: Multiplatform Distribution

377 For “the community channel” to remain a known and viable resource for communities, it must:

- be available on all platforms by which community residents obtain video programming. Cable can no longer be the sole option.
- Offer training, production support, and distribution of in all media, whether offered at a central facility, or through co-ordination among multiple facilities across neighbourhoods.

378 CACTUS proposes that community-access media centres work toward achieving distribution:

- Over the air, as a primary platform, so that the programming is free to all and the distribution infrastructure is in community hands. Over-the-air distribution can include both radio and televisual content.
- On cable (both licenced and exempt), as part of the basic service tier. A majority of Canadians have cable, so community media needs a presence here.
- On satellite, proportionate to the public and private-sector presence, as Canadian transponder space increases, and as spot-beaming becomes more prevalent.
- Over the Internet, both live and on-demand.
- On new media, such as broadcasting to wireless devices, and podcasting.

379 The distribution goal is both for:

- Community producers to know that there is the potential for the whole community to hear their messages on multiple platforms and media.
- Community viewers to know that if there is an important event going on or an issue being debated they will be able to participate and find that content on whatever service platform(s) and media they have access to.

In a true community, warm bodies can congregate in one place. Everyone can get to the town square and hear the message. That’s the goal of community media, using technology and wide spread distribution over all platforms is required to meet this goal.

Benefits of Over-the-Air Licences for the Community Sector

380 The CRTC should be congratulated for encouraging communities to apply for over-the-air community licences that it created in its 2002 policy. The Commission recognized that another alternative was needed for the community sector. Eight communities in Canada now distribute community programming with these licenses. It is CACTUS' goal to encourage all communities to seek over-the-air distribution using the new "community-access license" we propose in Recommendation 1. Over-the-air licenses have several advantages:

- The signal can be made available free to all in the community.
- The infrastructure is in community hands and not in the hands of for-profit entities that may withdraw from the community, or with whom they would have to negotiate carriage on unequal terms.
- Having licenses from the CRTC gives communities a clear legal relationship to the Commission.
- Local OTA licences have must-carry status in the basic cable tier.
- Through the transition to digital, smaller Canadian communities lost access to free OTA public-sector TV. As a sector, we would like the potential to continue to offer our communities free signals from remote broadcasters in the public and private sectors. Three OTA community licence holders already offer this service, as well as several dozen others that don't have a community channel (called RDUs or "Remote Distribution Undertakings).
- Digital OTA allows communities the option to distribute rich data services over the air; including emergency and weather updates.

Recommendation 8: Remove Low-Power Limitation; Consider all Community-Access License Holders Primary Assignments

381 Communities should not be arbitrarily limited to low power.

382 The effective radiated power for community OTA should be determined by the terrain within which the community lives, just as it would be in the public and private sectors. Many communities identify themselves as part of one community which cannot now all be reached with low-power transmitters, particularly in sparsely populated rural areas.⁷⁵

75 For example, the six OTA community licence holders that are CACTUS members all say they could immediately expand their reach and/or improve the quality of their signals if this restriction were removed. The four who said a higher power transmitter could extend their reach said that their audiences would increase

- 383 Small communities that on their own might not be able to fill a channel and which wish to share programming with nearby communities should have the option of sharing a transmitter and single service to share costs. The extents of the community that can be reached by the service should be determined by each community on a case by case basis and not be limited to an arbitrary low power level requirement for their transmitter
- 384 The removal of the low-power designation would also give community frequencies protected status once assigned. The people who live in communities are there for the long haul. It's not right that the community sector, one of three "elements" recognized under the Broadcast Act—should be disadvantaged. There are currently very few of these license holders countrywide, and there would likely only ever be one per community.
- 385 Furthermore, communities that do only need a low-power transmitter should not automatically be assigned to a 'secondary assignment', which lacks frequency protection and can be bumped by any incoming high-power broadcaster who has a 'primary assignment'. This mistaken practice appears to stem from the fact that a higher power transmitter is more costly than a low-power transmitter, and therefore it is assumed that the party owning the higher power transmitter has or will make a bigger economic investment in the area. In fact, the reverse may be true. Communities don't pull out of communities. They're there for the long haul. If they've gone to the trouble of raising a budget that may be large in per capita terms to invest in their own tower and transmitter, they are investing much more in the overall system in terms of Canadian content than a repeater of a commercial broadcaster that may produce very little for the local market.

**Recommendation #9: Mandatory Carriage by Terrestrial BDUs throughout Service Area
Approved by Commission**

- 386 We propose that the community-access license convey the right to distribute both over the air and on cable (licenced and exempt systems) throughout a service area that is defined at the time the license application is submitted—based on municipal boundaries, common school board or electoral boundaries, or whatever other service criteria make sense to the community—and which is approved by the Commission:
- If the community applicant were technically and financially ready to start OTA broadcasting immediately and had obtained its certificate from Industry Canada, they would do so, reaching whatever portion of the service area they could with their broadcast signal, given the terrain and their resources.

by an average factor of 7, (ranging from one who said her audience would double, to one who said it would multiply by a factor of 15).

- If the service area approved by the Commission overlaps the service area of a terrestrial BDU, the BDU would distribute the community signal throughout the service area approved by the Commission.
- Cable carriage will be mandatory for both licenced and exempt BDUs. As there are many more exempt terrestrial BDU systems than there are licensed systems, this requirement needs to be present in the Exemption order also.

Recommendation 10: One Channel Reserved for Community Use; Assume Responsibility for Reserved Frequency of the Public Broadcaster?

- 387 The community radio sector has flagged the lack of a presence by the community element in many markets due to the lack of frequency availability also, and that there should be frequency reservation for the community sector just as there is for the public sector. In order to rectify this at least one 6 MHz channel should be reserved for community use in every community, just as a list of reserved frequencies (two radio frequencies per market and two television frequencies per market) have traditionally been set aside for the public broadcaster. Canadians own the broadcasting system. As citizens, their right to access and use bandwidth must be protected. Communities should be able to offer HD quality digital service should they wish, and still have enough space to offer rich data services. The community sector has long been an innovator in integrating participative and interactive components into its communication services. It is in the interests of both communities, and of the Canadian broadcasting sector as a whole that there be the possibility for experimentation at the community level in addressing community needs with new technologies.
- 388 In light of the public broadcaster's decommissioning of its rural over-the-air infrastructure since the last time community TV policy was reviewed, a possibility would be to transfer the list of reserved frequencies that the public broadcaster has vacated to the community sector. Going forward, communities that develop these frequencies could multiplex their community-access channel signal with the signal(s) of the public broadcaster to restore rural free OTA access to the CBC and Radio-Canada. We note that wherever our members could acquire a CBC transmitter (for example in Hay River and in Chetwynd), they have continued to maintain access for their residents to a free CBC signal, at their own cost⁷⁶.
- 389 Both the NCRA and CACTUS attended meetings of Industry Canada's Broadcasting Technical Advisory Committee (BTAC) or a number of years, but we were both told that

⁷⁶ CACTUS mounted a concerted campaign to salvage all CBC towers and transmitters for maintenance by communities in 2012, but the CBC preferred to offer most of them for sale. We were, however, successful in working with TVO to encourage the transfer of ownership of more than 80 former TVO towers to communities in Ontario.

that forum is not a policy-development forum. We need assistance from the CRTC to facilitate co-ordination with Industry Canada to make this request a reality.

Recommendation #11: Multiplex Community Broadcasters if No Frequencies Available

- 390 If no frequency is available for a community-access TV applicant (for example, in an urban market near the US border), community broadcasters should be multiplexed with an incumbent broadcaster. We note that two HD signals can easily be multiplexed within the 6 MHz digital allotments assigned to incumbents during the digital transition.
- 391 In general, we believe that incumbent broadcasters should be asked to multiplex their signals with new OTA broadcasters (public, private or community) in order to encourage diversity.
- 392 The need to create new multiplexed allotments is particularly important in the community sector, since there is no over-the-air presence by community TV broadcasters in any of Canada's large urban centres.
- 393 We note that in other countries in both the developed and developing world (US and Kenya are two that have been particularly active in promoting the value of multiplexing), the digital transition has resulted in a renaissance for OTA broadcasting, with many more services available than prior to the transition. This is possible in Canada too, but multiplexing must be deployed more widely.

Recommendation #12: Satellite Distribution

- 394 Community, local and regional channels should be made available to satellite customers living in the area of origination of those signals to the extent that is technologically possible, *especially signals that originate in rural areas outside the service area of terrestrial BDUs*. This was recommended by the Lincoln Report, *Our Cultural Sovereignty*⁷⁷, and is already possible using Canadian-made satellites offering spot-beaming services in the US, under FCC regulation.
- 395 In order to increase the presence of community, we recommend that local and regional content on satellite that the following measures be taken:
- That a minimum percentage of bandwidth on satellite BDUs be used for the distribution of community, local, and regional services.

77 See Recommendations 9.5 through 9.7 in the section, "Community, Local and Regional Broadcasting".

- That compression to SD quality be considered as acceptable in order to make more such channels available
- That priority carriage be accorded to community channels that:
 - i) originate in rural areas that are not served by terrestrial BDUs, and whose service areas exceed the over-the-air broadcast contour; priority being given to those with the most residents outside the broadcast contour; and
 - ii) have the highest percentages of local and Canadian content.

For example, it may at first consideration seem counter-intuitive to occupy space on satellite transponders for local signals, when their coverage is national; however, much space on both Bell and Shaw services at present are occupied by time-shifted versions of 'local' channels belonging to the Global and CTV networks, with the result that the same Canadian programs are available at multiple times, as well as multiple time-shifted copies of US series. Community broadcasters such as our members air 80% Canadian content and are serving customers with no other access to local content.

396 We note that the Bell Freesat proposal and the Shaw “OTA Satellite Delivery Service Proposal” that formed part of the 2009-413 hearing process both envisaged this recommendation as technically feasible, and that both Bell and Shaw have increased satellite capacity since the community TV policy was last reviewed in 2009/2010.

397 In particular, we congratulate Bell for including 43 additional local channels as part of its tangible benefits when it purchased CTV; 7 community channels were included.

Recommendation #13: Maintain Community Signal Quality

398 The signals of over-the-air community services should not be unduly compressed nor modulated by a BDU carrying them, nor should the signal be modified or divided into its component parts; for example, if it includes rich data services in addition to the basic television signal.

Recommendation #14: Seamless Over-the-Air Viewing

399 The transition from watching a satellite service to watching a community OTA service should be seamless. If satellite service providers cannot distribute an OTA service, their set-top receivers should provide simple instructions and operation for OTA viewing, such

that viewers can switch between the over-the-air signal and the satellite signal using their remote controls.

SECTION VI – Other Matters

Recommendation #15: Appoint an Ombudsperson for the Community Element

400 CACTUS has found it challenging over the years in dealing with the CRTC that about every 6 months, we are directed to deal with a different person; typically someone randomly assigned to the current complaint or proceeding, with no background or experience in community media. There is no single 'community TV' person, or department at the CRTC responsible either for:

- Developing community media policy expertise, to ensure that the CRTC maintains the community media policy leadership it once had in the world.
- Following community media policy developments in other countries to make sure we applying the latest technologies and trends in Canada.
- Harmonizing different CRTC policies that impact the community element (for example, community TV and radio policies, the BDU Exemption Order, the BDU regulations, individual administrative renewals and applications by BDUs that affect cable community channel service and boundaries, etc.).
- Acting as a single point of contact for the community element to advocate on behalf of the community sector within the Commission.
- Monitoring compliance with community media policies.

401 There are over 300 employees at the CRTC, including not only a Broadcasting department, but also a department of “Strategic Directions and Social Policy”. If the community element is one of three elements in our broadcasting system, we would respectfully submit that there ought to be a department or group within the CRTC that specializes in community media policy, which is resourced to conduct its own research in the sector, is mandated to monitor compliance with community media policies, and which has a mandate to establish Canada as a community media policy leader. We note that the NCRA have asked that such a committed position, department, or group be established, and it was one of the recommendations made by the Community Media Policy Working Group in the report it submitted to this proceeding, *Community Media in the Digital Age: Relic or Renewal*. 79% of the more than 400 respondents to the Community Media Policy survey done by the group agreed that an ombudsperson's position should be created to oversee compliance with community TV policy.

402 The lack of an ombudsperson has contributed to the gradual collapse of the cable community channel system. No one at the Commission was watching or monitoring, except in sporadic short bursts around policy renewals.

403 The lack of committed resources to develop the sector within the CRTC has also resulted in community radio and television policies that have little in common, a lack of consistency among policies that impact community media, and a lack of leadership in coming to terms with new media in the community element. For examples:

- There is no common definition of what constitutes 'community media'. In community radio policy, not-for-profit ownership is a defining characteristic (consistent with policy and practice elsewhere in the world). This principle has not been articulated yet with regard to community TV, although we have recommended it since 2010, others have recommended it since the 1970s, and we advance it again as our single biggest 'ask' in this hearing.
- There is no common approach to funding community media. BDU community channels that have an access mandate have traditionally been well funded and traditional advertising has not been permitted. The Commission has recognized that their public-service character precludes traditional advertising.

Community radio stations, on the other hand—while fulfilling the same free speech, media literacy, and training mandate in the radio sector—receive no operational funding from government or industry sources. They are expected to survive on commercial advertising, despite numerous complaints by small private radio broadcasters that community broadcasters compete with them. While the Community Radio Fund of Canada is a great start, so far it just offers small amounts of project funding.

- Various policies, orders, and conditions of license contradict one another and undermine the effectiveness of community TV policy. For examples:
 - i) The current community TV policy (2010-622) expects BDU licensees to ensure that at least 50% of expenditures and exhibition hours are for access content; the Exemption order stipulates 30%.
 - ii) The current community TV policy (2010-622) encourages communities of interest to apply for digital community television undertaking licenses, including stipulating the service area. The Exemption order that applies to the vast majority of cable systems in Canada does not stipulate that terrestrial BDUs must carry these channels. As a result, no community has ever requested one.
 - iii) While the current community TV policy stipulates that not-for-profit organizations can step in to offer community TV services if a BDU does not wish to offer one (or does not offer one according to the expectations of CRTC policy), the BDU exemption order does not have a similar stipulation. In many exempted areas where zoned community channels are permitted, there is no mechanism by which communities could be funded to provide a community channel if the BDU elects

not to do so or is unable to meet the minimum requirements of the Exemption order.

iv) Community over-the-air channels are available on Bell ExpressVu (as a result of the tangible benefits offered by Bell Media when it purchased CTV) but community channels are not available on Shaw Direct.

v) The individual license conditions that permit various cable operators to zone their community channels and to merge former license areas has undermined the hyperlocal service character of community TV as it is defined under CRTC 2010-622, enabling terrestrial BDUs to meet the 60% local exhibition criteria over larger and larger service areas.

vi) Other kinds of terrestrial BDUs have been permitted enormous service areas with no requirement to offer training or access facilities at locations where the public can access them. 'Access producers' (really professional independent producers) are sent cheques in the mail in order to expend the 'access' budget.

404 This situation has to change. The Community-Access Media Fund will enable a more coherent approach to funding community media in the digital environment, leveraging trends in digital convergence, but the CRTC will need an informed contact for the Fund, as well as an ability to monitor its performance and the performance of the sector over time.

Recommendation #16: Initiate a Consultation with Parliament to Re-Examine the Restriction on Municipal Licenses

405 In the United States, whose community TV policies developed in parallel to ours, and which originated from the same NFB staff and "Challenge for Change" stream of programming that gave rise to our community TV policy, 'the community channel' was never one channel, it was always a proportion of bandwidth, with the possibility of three different types of community-owned and -operated channels, including:

- Public-access channels, at which citizens and community organizations could receive training and a platform for self-expression
- Educational access channels, operated by schools, colleges and universities (similar to campus radio channels in Canada)
- Government access channels, offering gavel-to-gavel coverage of municipal council and local governmental meetings, and programming about local government services such as park hours, programs, utilities, fire and policing

This tri-partite system is known as PEG. In larger municipalities, a set proportion of cable channel bandwidth (e.g. 10%) is set aside for PEG channels. There may be one Government channel, several Educational channels operated by different educational institutions individually or collaboratively, and one or more Public-Access channels.

- 406 Since the Canadian population tends to be concentrated in much smaller urban centres than in the US, the need for three (or more) different community channels in each jurisdiction was not as apparent here. However, what is apparent when one attends the yearly or regional conferences of the Alliance for Community Media (the US' equivalent to CACTUS) is how specialized and vibrant the government access sector is. More than 500 US municipal governments directly program a local TV channel paid for by cable companies (along with the local public-access and educational channels). The programming and programmers have become extremely specialized, offering a range of information and access to government services and programs that is entirely absent in Canada. The participation by municipalities at Canadian community channels has tended to be restricted to coverage of municipal council meetings and the occasional appearance by councillors as invited guests on talk shows hosted by community producers.
- 407 In an environment where governments at every level are being encouraged to adopt open governance practices, Canada can do better. Direct communication with residents about local government initiatives, programs and services are necessary for the smooth running of the community as well as for accountability for spending. Internet is enabling many municipalities to circumvent the restriction on broadcasting by streaming content on the web, but CACTUS regularly hears frustration expressed by municipalities who are seeking better and more direct ways to engage with the community about services available. Audio-visual media is a 'natural' for municipalities because their messages concern the streets and neighbourhoods where taxpayers live. Services such as fire, policing, and snow removal can often best be understood visually. Consequently, Metro Vancouver produces two programs internally that it airs on Shaw. Toronto recently conducted an experiment with podcasting that it considered unsuccessful, and is experimenting with YouTube and Facebook. At recent conferences of the Association of Municipalities of Ontario and the Federation of Canadian Municipalities, many municipalities have approached us wanting guidance about how to acquire a presence on local television.
- 408 The reason that apparently underlies the current Parliamentary restriction—fear of political interference—appears never to have materialized in the United States, according to Sue Buske of the Buske Group⁷⁸. According to Ms. Buske, as long as there is also a public-access channel available in a jurisdiction, by which residents can explore local issues from their own point of view, political interference on Government access channels

78 The Buske Group assists Public, Educational, and Government Access channels in the US to launch, and assists municipalities in cable franchising agreement negotiations. For more information, see http://www.buskegroup.com/html/about_us.html.

has never been an issue. On the contrary, the latter provide a range of vital information. At the recent Community Media Convergence, Donna Monacci of Fairfax County Virginia Government Access channel explained how her channel works. It is a platform or distribution 'front end' for videos generated by the many departments and intergovernmental agencies active in Fairfax County, including everything from local history, events for teens and seniors, public works, county taxation, consumer protection information, parks and recreation, and public works. The accompanying web site provides an impressive complement, and can be viewed here: <http://www.fairfaxcounty.gov/cable/channel16/vod.htm>

- 409 The ability of municipalities to have community TV licenses in the US has stimulated the development of knowledge and expert practices in how to communicate about local government programs and services audio-visually. In Canada, we lag behind.
- 410 We therefore recommend that the CRTC initiate a consultation with Parliament to see whether the current restriction on municipalities holding licenses could be lifted, particularly since the restriction has become largely meaningless in an era where municipalities can 'broadcast' on the Internet.
- 411 To encourage direct municipal support and involvement in community-access television undertakings, we recommend that one seat on the board of community-access TV channels that would be eligible to CAMF should be reserved for the municipality, and have included language to this effect in our Proposed Community TV Policy

Recommendation #17: Cease Dividing Community Channels (and Communities) by Language

- 412 When Canada's community TV policies began and there were hyperlocal community TV stations, often several to a city, they were shared by all members of the community and became a reflection of the communities in which they were located. For example, here in Ottawa, the Ottawa East channel (originally operated by Skyline Cable) aired a higher proportion of French-language programming, reflective of the character of Ottawa East. This wasn't a staff decision. As with all true 'community-access' channels, the staff were there to facilitate the creation of content initiated by the community. The community was predominantly francophone, and so francophones made programs in French and the staff helped them. Similarly, more English programs were aired at the Ottawa West location on Richmond Rd., at the channel that was at that time operated by Ottawa CableVision. Both channels, however, welcomed anglophones and francophones, trained anglophones and francophones side by side, and aired programs in both languages. Similarly, third-language programs were made and aired. All were welcome, and a community was built around a common resource and a common mission: a media centre at which community members could have dialogue about their common and individual challenges, and showcase their common and individual culture and achievements.

- 413 It was Rogers, we believe, that first went to the Commission and to propose to retain double the amount of money collected in the license area for Canadian production (4% instead of 2%), in order to program two *separate* community channels. The proposal never made any sense, except for Rogers to retain twice as much money. For a country that has been to the brink of separation over linguistic issues twice, it made no sense at all to remove the once common and highly visible platform for dialogue that was easily accessible to everyone. That's the point of community media... to have these safe spaces to talk to one another.
- 414 But practically Rogers' arguments made no sense either. Ottawa has a population of about a million people. It only takes twice as much money to program two television stations in two different languages as to program one under a commercial production model in which staff are making all the programs. Under a community-access model, it takes the same amount of staff and resources to facilitate production for a city of a million people whether all of the one million want to make programs in a single language, or whether half of them want to make programs in one language and half of them want to make programs in another language. You just have to make sure that your staff consists of speakers of both languages to serve them—which would naturally be the case hiring from the local area. You would also have to make training programs available in both languages, but that would be the case at one merged facility as it would at two separate facilities. As far as the facilities themselves: studio space, editing suites, office space... you're still serving a population of a million people. Their demand for studio time and editing space doesn't double overnight because you're now sending half of them to the facility on one side of town and half to the facility on the other side of town.
- 415 Dividing the programming on two separate channels just made the facilities less accessible to both populations, who now may have to travel to the other side of the city to access staff who will speak to them in their language and let them in to use facilities, and you've made it a lot more difficult for them to talk to one another about issues of health, infrastructure, transportation, leisure, and everything else residents of an area care about.
- 416 And what about everyone else? Where do the Aboriginals go? Which facilities do immigrants use? Are they forbidden to use the facilities nearest them if they're willing to speak the dominant language of that facility? The whole point of creating a safe inclusive space where we can all speak to one another is undermined.
- 417 As a response to the application by Videotron to launch a unilingual English community channel in Montreal, many community groups wrote eloquently about the backward step the second channel would have represented for that city. For example, l'Institut de recherche et d'informations socio-économique (IRIS), one of the most prominent public interest think-tanks in Quebec wrote:

“Que les médias montréalais n’offrent guère de points de rencontre entre les communautés francophones, anglophones, allophones et autochtones. Une culture de référence dans une salle de rédaction n’est pas un problème en soit, au contraire, mais un média ayant pour objectif de refléter la

*diversité montréalaise dans son ensemble tant dans sa programmation que son fonctionnement serait un atout pour la communauté.”*⁷⁹

Regroupement intersectoriel des organismes communautaires de Montréal (RIOCM), the largest umbrella representing more than 300 community groups in the province, wrote with respect to Quebec's divisive Charter of Values:

Dans le contexte des débats entourant le projet de Charte de laïcité du gouvernement québécois, il nous apparaît urgent de contrer la xénophobie ambiante en faisant en sorte que les différentes communautés culturelles vivant sur le territoire montréalais puissent mieux se connaître et se faire connaître. Une télévision communautaire peut jouer un grand rôle pour briser les préjugés et peut devenir un lieu de rencontre virtuel pour toutes les communautés, favorisant ainsi l'échange, le dialogue et la compréhension mutuelle.

- 418 Our plea to the Commission is *Dare to make the community channel relevant* as these communities so desperately and obviously want. Enable the resourcing and management structure so that it can finally be viable and *matter*. Listen to the communities these channels are meant to serve.
- 419 Dividing channels based on language was a money grab, nothing more. There might have been more of a case for separate channels divided by language if Canada had large enough population centres that the amount of access content being produced demanded a second broadcast channel. But even in this theoretical scenario, we would have recommended dividing channels by theme (e.g. governmental, civic affairs issues versus entertainment and culture possibly) rather than by language. We encourage subtitling and bilingual hosting of content to promote communication between minority groups making programs and the larger community.

⁷⁹ See CRTC 1746-2, ICTV's reply comments, available at <file:///C:/Documents%20and%20Settings/Owner/My%20Documents/Downloads/195d701!.PDF>. See paragraph 87.

SECTION VI I– Answers to the Commission's Questions

Q1. How should local programming be defined? How should local news be defined?

420 Please see our answers to these questions in Section I (paragraphs 76 - 137).

Q2. Should the regulatory approach focus on local news programming, or should it include other types of local programming?

421 This question is ambiguous. Should the regulatory approach to what focus on local news programming? The regulatory approach to local programming? Or the regulatory approach to community programming? The community element has a different and complementary role compared to the public and private elements. As discussed in Section I (paragraphs ___ - ___), community channels generally do not seek to produce tightly packaged 'news' as it is understood in urban markets served by a public or private broadcaster. In those markets, community TV tends to serve niche groups, and to produce longer form programming that examines many of the same issues touched on by the news (e.g. sports, health, education, local politics, culture and entertainment) but in more depth, or from the point of view of minority groups.

422 In smaller markets where community broadcasters are the only broadcasters, some produce news-magazine programming (i.e. more condensed overviews of community events), in addition to longer form programming on the same topics.

423 From the point of view of the community sector, we do not think it is appropriate to create regulatory incentives for the production of community coverage in a large-market traditional "news" packaging. Community license holders are best placed to work out in consultation with community members (viewers) as well as community producers what they are best positioned to produce and what will best serve the viewing community. One formula does not fit all; that's why there is a community broadcasting sector and it is vital that it be controlled by community-elected boards of directors, so that the right mix of programming is developed for the community.

424 We note that in the survey conducted among community networks in September of 2015 by the Community Media Policy Working Group:⁸⁰

- 91.2% of respondents agreed that community media in their area "advertised local events"
- 91.3% agreed that community media provided visibility for community organizations

80 Available on the web site of the Community Media Convergence at www.ComMediaConverge.ca/research

- 78% agreed that community media increased civic engagement; for example, by airing municipal council meetings
- 70.8% agreed that community media profile local jobs and economic opportunities
- 60.2% agreed that community media in their area provided weather and emergency information

425 When asked how community media in their area might improve, the primary concerns expressed were that community media be available on more platforms, and that they be better resourced. Respondents did not identify a lack of coverage of local events, nor recommend that community media focus on more traditional 'news' or current events coverage. On the contrary, respondents generally enthused about their community media as filling a much-needed gap as a source for local information. The following is a typical example:

“With the commercial stations in the area increasingly being bought out and run by cities in Eastern Canada, community media is the only way we have of informing local people of what’s going on. It’s the only way we have of promoting local events, local celebrities, providing local news, and so much more. “

426 In the random phone survey done by CREO⁸¹ in communities where CACTUS has a member over-the-air community TV license holder, when asked to rank what categories of programming respondents watch most on the CACTUS member channel, the most watched category by a large margin was Local News and Events, at 73.3% of respondents. So while on the one hand, this affirms the importance of news and events coverage, it also affirms that community producers of not-for-profit owned community channels managed by community boards of directors are naturally responding to the desire of their communities to know what is going on. Any regulatory incentive imposed by the Commission would distort the natural resource management and motivation to serve the community that exists already via an elected not-for-profit structure.

81 Attached as appendix B.

Q3. *What role should the community element play in providing local programming?*

427 As detailed in various parts of our main submission, the community element plays a different role in urban than in rural areas:

428 In urban areas where there may be public and private local broadcasters, community channels tend to:

- Offer a voice and a source of programming for niche groups not represented in the mainstream (aka on public and private-sector channels). Viewership to these programs as a percentage of total urban audience share may be low, but it may be high among the particular niche group *by and for whom the programs are made*.

Several statements in the Broadcasting Act underscore the importance of expression by a wide cross-section of the Canadian public, including:

The Canadian broadcasting system should

(i) serve to safeguard, enrich and strengthen the cultural, political, social and economic fabric of Canada

(ii) encourage the development of Canadian expression by providing a wide range of programming that reflects Canadian attitudes, opinions, ideas, values and artistic creativity

The programming provided by the Canadian broadcasting system should

(i) be varied and comprehensive, providing a balance of information, enlightenment and entertainment for men, women and children of all ages, interests and tastes,

(iv) provide a reasonable opportunity for the public to be exposed to the expression of differing views on matters of public concern

In enabling niche groups to access the broadcasting system, we safeguard, enrich and strengthen our cultural, political, social and economic fabric, by building a sense of belonging, inclusion, and by leveraging the ideas and creativity of all.

In enabling niche groups, we ensure that a “wide range of programming that reflects Canadian attitudes, opinions, ideas, values, and artistic creativity” is offered, we ensure that programming is “balanced and comprehensive” and that the “interests and tastes” of people from many walks of life are addressed. We also ensure that the public will be exposed to the expression of “different views” on matters of public concern. In fact the Broadcasting Act espouses diversity of views and access in several different ways as a core value. The community sector more than any other sector ensures that such

diversity is guaranteed, because individuals and groups can themselves step in to ensure such diversity if it is not being offered in public- and private-sector programming.

- Offer genre diversity at the local level, while the public and private local broadcasters may be focused on creating traditional 'news'. For example, the community broadcaster may cover amateur sporting groups, host in-depth public affairs programming, create programming for children or seniors, or cover local cultural festivals and events. The importance of genre diversity is embodied in two of the statements above from the Act also:

*(ii) encourage ... **a wide range of programming** that reflects Canadian attitudes, opinions, ideas, values and artistic creativity ...*

(i) be varied and comprehensive, providing a balance of information, enlightenment and entertainment for men, women and children of all ages, interests and tastes,

- Fulfill a dual democratic role of providing gavel-to-gavel municipal council coverage, as well as a voice for individual citizens and groups on matters of local concern.

The statement above from the Broadcasting Act that deals with the importance of the expression of diverse views is the following:

(iv) provide a reasonable opportunity for the public to be exposed to the expression of differing views on matters of public concern"

Statement (i) above deals with the notion that programming should be comprehensive, which is a special quality of community channels, in which there is adequate time to explore local topics in depth, and involving a range of stakeholders and players directly.

- 428 In rural areas where the community broadcaster may offer the only television coverage, the first of these three roles is different. It becomes 'mainstream' and is more likely to produce community news magazine programming, and less likely to produce volumes of ethnic or multicultural programming (since smaller communities tend to be less ethnically diverse). The second and third roles—in providing a range of genres of programming and in offering both a democratic outlet for gavel-to-gavel council coverage and the expression of the widest range of views on civic affairs—are the same as in urban centres.

Q4. Should the Commission place a greater emphasis on expenditure requirements (the amount of money spent on the programming) or on exhibition requirements (the number of hours of programming broadcast) when it comes to ensuring the presence of local programming in the broadcasting system? What other measures, if any, should be taken to ensure that appropriate amounts of locally relevant and reflective news content is made available to Canadians across the country whether through local television stations or community services?

- 429 Those who work in the public and private sectors are in the best position to comment on what appropriate expenditure and exhibition requirements for local programming should be in their sectors.
- 430 With regard to the community sector, the exhibition and expenditure requirements introduced in 2009/2010 don't make sense according to the way in which BDUs currently manage community channels. In Section I, Part I (Definitions), in the discussion of what constitutes *community programming*, we describe the seamless relationship between staff facilitators and community producers that was once common at cable-managed community channels. There was never more than one staff person working on a program, with a crew of volunteers from the community. Whether a community member initiated the idea for the program or whether the program was one of the minority of programs led by a staff person (such as a news magazine program involving multiple community producers), the 'cost' was the same: you needed one staff person as a technical producer, guide, and crew chief for the group. Under that model, having a matching minimum 50% exhibition and a 50% expenditure requirement makes sense (although the actual exhibition and expenditure on 'access' programs would once have been over 75% at community channels organized around the principle of supporting citizen access).
- 431 The way BDUs have operated their channels in recent years, however, with staff and resources consolidated at larger centres, they have been able to create staff productions that not only originate with and are led by a member of staff, but which are *crewed entirely by employees as well*. This practice has led to the high budgets per hour of production—equivalent to those in the public and private sectors—reflected in (refer to the two pages of information provided... calculate an average).
- 432 Under this model, a matching percentage for exhibition and expenditures doesn't make sense, and we can't imagine how BDUs have been making the accounting work. As explained elsewhere in this submission, an all-staff produced hour of production at a BDU community channel costs about 10 times as much as a production made by volunteers but facilitated by a single staff person, as is the norm at not-for-profit community TV channels and TVCs today. In other words, if 50% of the exhibition schedule is staff-produced at \$6000/hour, and 50% of the exhibition schedule is

volunteer-produced with a single staff co-ordinator at \$600/hour, the 50% of the exhibition schedule that is produced by all-professional staff crews will eat up 90% of the budget.

- 433 Under our proposals, all community programming would be created and delivered from not-for-profit community-owned and -operated media centres, funded primarily by CAMF. Once the doors are open for community access, you won't be able to keep people out. In the proposed policy attached in appendix A, we nonetheless recommend an access exhibition minimum of 75% of the programming week and a matching expenditure requirement, based on our experience of how community-access works when the community stations are organized for access from the bottom up.
- 434 Regarding the second part of the question... whether other measures should be taken to ensure that 'appropriate amounts of news' are available ... through community services', we believe we already answered this question in our discussion in Section I, Part I about the definition of local news, and in this section in response to question 2. We believe that the community-elected board structure of the community-access license class we propose and the open-access mandate of these channels will ensure that the community itself can both plan for and generate via its own participation the local reflection community members need and want, whether the format is a tightly edited package of short segments such as big-city news channels offer, or whether they opt for longer-form news magazines or individual programs treating the same subjects.

Q5. Is a physical local presence still needed in the digital age? In considering this question, are studio facilities and local staff required to provide meaningful locally reflective and locally relevant programming? If so, what financial resources, infrastructure and staff are necessary?

- 435 For the first two parts of this question, please see Section I, Part II *The Need for Local Training and Production Facilities*, beginning at paragraph 153. For the third part of the question, please see Section IV *Unleashing the Community Sector*, beginning at paragraph 245, and the subsection entitled *What Will It Cost* specifically, beginning at paragraph 279.

Q6. Is regulatory intervention needed to foster local programming by both the private and community elements of the broadcasting system and to ensure the presence of local programming?

- 436 We can't comment on the need for regulatory intervention in the private sector, but our answer regarding the community element is a resounding "Yes". We note that over 400 respondents familiar with community media who took the Community Media Policy survey circulated by the Community Media Policy Working Group in September of 2015 agree with us. When asked "Given that most Canadians have access to the

Internet and social media, do you think that formal policies and funding are still needed to support community media organizations?" 96.2% said "yes". They also provided 15 pages of passionate testimony to support why they think so, which we attach as Appendix B.⁸²

- 437 The Commission's mistaken assertion that the community channel had proved itself and is no longer needed to be mandated in CRTC 1997-25 is what precipitated its demise in our view:

"130...While the Commission remains of the view that community programming, and the broader goal of local expression, are vital components of the broadcasting system, it does not intend to require any distributor to provide an outlet for local expression under the new regulations.

131. This policy reflects the Commission's belief that opportunities for local expression would continue to be provided in the absence of a regulatory requirement. In the Commission's view, after more than twenty-five years of operation, the community channel has achieved a level of maturity and success such that it no longer needs to be mandated."

- 438 The 1997 policy—which made the provision of a community channel optional—sent a signal to cable companies that they could do whatever they wanted, and they have done so. This fact was not lost on the Standing Committee on Canadian Heritage in its 2003 report *Our Cultural Sovereignty: The Second Century of Canadian Broadcasting*:

The Committee firmly believes that citizen access should remain a fundamental objective of the Canadian broadcasting system as it is only through access that a diversity of voices, views and representations can be ensured. Indeed, it is gravely concerned that the CRTC's post-1997 community television policy has significantly altered the way community cable stations are operated (for example, through centralization and networking by the cable companies).⁸³

The Committee's recommendation 9.1 was as follows:

*The Committee recommends that the CRTC require **all** broadcast distribution undertakings to provide community groups and volunteers with greater access to community television **facilities** for the production of local and community television programming. [bolding is ours]⁸⁴*

The Committee recognized that at issue was access to bricks and mortar facilities for *production*.

82 See the the answer to question 24 in the raw data file of the survey filed by the Community Media Policy Working Group to this proceeding.

83 See *Our Cultural Sovereignty, The Second Century of Canadian Broadcasting* at <http://www.parl.gc.ca/HousePublications/Publication.aspx?DocId=1032284> at chapter 9.

84 Ibid.

439 CACTUS submits that adequate local reflection cannot be generated by the community TV sector on its own without regulation, but the regulation needs to be *of the right kind*. Regulating BDUs to manage these facilities and facilitate this content has not worked since 1997, because the environment in which they operate has changed forever. The regulation that is required for the sector to flourish and generate the volumes of diverse locally reflective content that community media is uniquely positioned to do is for:

- a) financial support for communities themselves to operate the bricks and mortars facilities at which their members can meet, learn, and generate content together
- b) distribution on the services of BDUs of all types

440 Our proposals impose *no new costs*, and embody accountability by communities at two levels:

- to their own community-elected boards
- to CAMF

441 The regulatory and administrative burden for both the CRTC and BDUs under our proposals will be reduced to little more than writing a cheque, as it is for payments BDUs make to the Canada Media Fund. There will be no more community program logs for BDUs and no more monitoring of BDU reports by the CRTC (since it will be handled by CAMF).

442 There may never be a commercial case for many categories of Canadian programming. We are a small market. The majority of us speak the same language as a country ten times our size, which is the larger exporter of film and television in the world, and with whom we share the longest undefended border in the world as well as a Free Trade Agreement. The Broadcasting Act embodies the idea that Canadian cultural expression — specifically the Broadcasting System — may always need protection in order to fulfill its civic and cultural goals to affirm Canada as a sovereign nation. This is OK. The community element offers an incredibly cost-effective way to generate 200,000 hours of local content each and every year in 250 communities across Canada, reaching 90% of Canadians... every community with over 10,000 people. Our proposal will make sure this content will be available to all Canadians, regardless of the platforms by which they access media content.

Q7. Should the Commission differentiate between small and large markets? Should there be a different approach for small market independent stations?

443 With regard to the community sector, our submission has referred to several different mechanisms to ensure effective production and distribution of community content in different-sized markets, as follows:

- In *Section IV – Unleashing the Community Sector: What Will It Cost* (beginning at paragraph 279), we provide target budgets for community media centres to serve small, medium and large communities. The per capita spending per person in a small community is higher than that in large communities, consistent with the current practice of allowing BDUs to retain 5% of their contribution to Canadian production to offer community channels in rural areas compared to 2% in urban areas. The difference is that under our system, communities smaller than 10,000 people will be encouraged to maintain their own hyperlocal training and production facility, and to distribute that service on all platforms by which residents access content.
- In *Section V – Distribution of Community Content* starting at paragraph 377, we propose solutions to ensure that:
 - rural communities outside the service areas of terrestrial BDUs can access community content by satellite
 - rural Canadians have the same access as urban Canadians to hyperlocal community channels to serve them via modifications to the BDU exemption order to ensure that its requirements for community channels are consistent with those in the CRTC's main community TV policy
 - we recommend multiplexing in urban areas to ensure that urban Canadians can access over-the-air community channels

Q8. BDUs currently allocate approximately 40% of local reflection contributions to indirect costs (facilities, equipment, etc.) and 60% to programming. Is this still an appropriate allocation of costs? If not, propose an alternative allocation.

444 BDUs shouldn't be in the business of managing budgets for local reflection. Communities themselves should manage these budgets, as per our proposals.

Q9. How should funding for locally relevant and locally reflective programming be allocated from the various existing funding sources to ensure the continued presence of this programming in the Canadian broadcasting system as a whole?

- 445 Please see section *Section IV: Unleashing the Community Sector*. We discuss possible ways of funding community TV and conclude that the method that involves the least disruption to the current system, the most stability for communities and Canada Media Fund recipients, and *no new costs* is via a 2% contribution from all BDUs (terrestrial and satellite, licenced and exempt).
- 446 We agree with the CRTC Chair's various public statements that there is enough money in the system to fund both local programming and community programming (as we have defined them; that is, local public- and private-sector programming, and programming made by not-for-profit community-based entities). The current allocation for community TV is adequate to its needs.
- 447 With regard to local programming in the public sector, we believe in a fully funded public broadcaster and that public funding from Parliamentary sources should be increased so that the public broadcaster's reliance on advertising can be eliminated. We have not studied 'how much local programming' is enough in the public sector (versus programming of national interest), and were not able to find any data about the amount of the CBC/Radio-Canada's current budgets are spent on local programming.
- 448 With regard to local programming generated in the private sector, we make the observation that since the last review of community TV in 2009/10, BDUs have been permitted by the CRTC to purchase private broadcasters and to consolidate the Canadian broadcasting industry to unprecedented levels. The rationale that seems to have underpinned the Commission's thinking is that Canada needs large enough entities that can compete in an open market against international sources of programming flowing into the country via satellite and over-the-top services such as Netflix. The thinking has been that the large entities that we have permitted to consolidate will have deep enough pockets to fund expensive but culturally important categories of programming such as drama and local news production. If that was the rationale, then let's let them do it. Let's let them reach into those deep pockets as there is enough money in them:
- We note that at the time of the Diversity of Voices hearing in 2008, the 2% of BDU revenues that was spent on community television amounted to \$80 million.
 - When the community TV policy review was announced in 2009/2010, we heard that it was \$113 million.

- By the time the oral hearing took place, the published figure was over \$130 million.
- Today it is \$151 million.

449 These increases far outstrip inflation. The CRTC deregulated cable rates in 2002, and the cable industry has reaped record profits every since. We do not see the evidence that BDUs are suffering financially. The public notice states:

“BDU revenue growth has moderated and subscription growth has stagnated.”

450 The 'growth has moderated'? Does that mean that previously the 'growth' was immoderate, and now it's just a reasonable amount of growth? Growth is growth, and these figures demonstrate substantial growth.

451 Even if revenues from *cable subscriptions* were not growing, these are the fully integrated companies to whom we are also auctioning Internet bandwidth. They own the ISPs that are bringing us Netflix and over-the-top services, who are reaping the bandwidth upload and download costs to view that content. Yes, there's plenty of money in the system, and it would *not* be appropriate to allow BDUs to 'raid' the money available for community TV after years of dismantling a previous robust system, in order to feed their private local broadcasters. They bought those companies because they said they had the deep enough pockets to support them. So let them.

452 Perhaps we need a new LPIF, although the LPIF was regarded largely an exercise in enabling BDUs to take money out of one pocket and into another, and only a weak relationship was demonstrated at the LPIF review between the extra dollars made available for local news and the actual additional local news made.

453 However don't touch the money set aside for the community sector, because that money is what is needed to generate content in the other 200 communities where the BDUs and the public broadcaster have no presence. If those communities are not supported to generate their own content, *no one else will*. You will get additional content creation (and lots of it) if you diversify the management of BDU money, and make more of it available to other parties. The most efficient creators of local content are communities themselves, by a factor of 10:1.

Q10. *How should the Commission and Canadians measure the success of proposed approaches?*

454 See the answer to question 20 (which is the same question, but following the community-access specific questions). We are not qualified to answer on behalf of local conventional content.

Q11. *How should access programming be defined?*

Q12. *How should an access producer be defined?*

455 Please see Section I, Part I, at paragraph 127.

Q13. *Is access programming on the community channel still necessary? Should the Commission approach linear community channels and community channels offered on video-on-demand services differently?*

456 The answer to both questions is yes.

457 With regard to the first question, access programming has defined the community channel and been its 'cornerstone' for over forty years. It's surprising that the Commission could even ask this question, given that the community element (defined by citizen access) is stipulated as a one third part of the Canadian broadcasting system under the Broadcasting Act.

458 Regarding the second question, we discussed the necessity of having bricks and mortar community media organizations resident within the communities they serve in Section I, Part II. Linear community channels are still necessary just as public- and private-sector linear channels are still necessary, but even more so. Communities like to congregate around live events at certain times—such as during the coverage of cultural and civic festivals, around elections to experience debates and review results in real time with others in your community. In the community sector, the function of a the channel as a platform for dialogue that can receive live input (whether via traditional means such as phone-ins or new media methods such as texting or content uploading) is even more important than in the public and private sectors.

458 Alternate distribution platforms such as VOD services are a useful auxiliary method of distribution of community content, but they are not sufficient on their own. Our community TV Policy Proposal includes a requirement that BDU VOD services include the content generated at any community-owned and -operated channels within their licensed or exempted service areas as a means of giving community content the widest visibility and accessibility.

459 But in truth, VOD services are no better than YouTube. Unlike YouTube, you can only access BDU VOD services if you subscribe to the BDU's service, but they do afford an extra place where members of a community who subscribe to a particular BDU platform can find the content, alongside content offered from the public and private sectors.

Q14. Are there ways other than the community channel to ensure that access programming is provided in the broadcasting system as a whole, including both on licensed and exempt services?

- 460 It is unclear in this question whether 'channel' refers to a station with a physical presence or only to a distributed programming service. We note that the community radio sector doesn't use the term 'channel'. It uses the term 'station' so the confusion does not arise.
- 461 As discussed at length in Section I, Part II, you need a physical presence and a linear service to generate community content and distribute it effectively and aggregate sufficient viewers and content such that the service is viable.
- 462 The second part of the question that is unclear concerns the phrase "the community channel". What community channels are we talking about? Erstwhile BDU community channels? Community-owned and -operated channels? Or all 'community channels' however owned, operated and distributed? It appears that the Commission is referring only to BDU-owned and -operated community channels, because the sentence ends with the phrase "including both on licensed and exempt services"?
- 463 As discussed in "Section VI: Distribution", we encourage communities to obtain over-the-air licenses, in order that local distribution be in their own hands and so that the content is available to all free of charge. Our members' services are also available on the systems of both licensed and exempt services.
- 464 Is there another (better) way to make community-access content available in the Broadcasting System than by *BDU-owned and -operated channels*, the answer is a resounding YES! This intervention and the accompanying Community TV Policy Proposal make a clear case for community-owned and -operated delivery of community-access content via all distribution platforms, including the licensed and exempt services of BDUs, but also including new media platforms, over-the-air distribution, and satellite.
- 465 The role of BDUs should be confined henceforward to the funding and distribution of community channels. They own their own local conventional channels, which are clearly part of the private sector and have private ownership. Community channels should be defined by community ownership.

Q15. Are the current access programming requirements for community channels appropriate? Should a different approach to current expenditure and exhibition requirements be taken? Should a different approach for small and large markets be taken? Should there be a different approach for zone-based or regionally licensed services?

466 We propose raising the access programming and expenditure minima to 75% for the community-access license class that would be eligible to apply to CAMF for operational funding.

467 As discussed above in reply to question 4, matching expenditure and exhibition requirements for access on BDU community channels don't make much sense in the way that BDUs have operated their community channels in recent years. (Please refer to that question for the explanation.)

468 Under the community-owned and -operated model that we propose with the new community-access license class, we make no distinction between the approach for small and large markets regarding access exhibition and expenditures. Since the exhibition requirements for community channels have always referred to total hours aired over the programming week and not to original hours produced, a 75% access minimum for a small system is just as easy to reach as in a better resourced large system. Small systems may have fewer hours of new production per week, but the percentage which is created by individual community members versus staff should be the same.

469 The current lower access minimum for exempt BDU systems (30%) versus licensed systems (50%) is actually counter-intuitive. In smaller communities with fewer staff, you need more volunteers to help create a viable quantity of original production. The 'takeover' of BDU community channels by staff that has occurred over the past 15 years has occurred precisely because BDUs have been allowed to consolidate their staff, resources and offices in large communities, enabling them to produce content with all-professional crews.

470 Regarding the final question in this cluster, we don't approve of zone-based or regionally based licenses; the introduction of such licenses has destroyed the community TV system as we knew it and the Commission admits as much in asking this question. They do not meet the definition of a community-access television station, because they can't offer training, equipment access, and production support that is accessible to residents locally.

471 The area to be served by a community media centre should be determined, proposed, and licensed by each community according to its needs. If very small communities (e.g. under 10,000) elect to partner with others nearby that share common governance structures to deliver community media services, that must be up to the communities

involved via a democratic board process, as described in our Proposed Community TV Policy.

Q16. How can the Commission ensure that the smaller markets and the communities served by BDUs operating under regional licences or zone-based approaches are provided with appropriate levels of locally relevant and locally reflective programming, including community access programming?

472 The Commission can't ensure that the smaller markets and the communities served by BDUs operating under regional licenses or zone-based approaches are provided with appropriate levels of locally relevant and locally reflective programming, including community-access programming. The question itself captures the problem. Regional licenses and zone-based approaches do not result in community media production, because there's nowhere for communities to access training, equipment, and production support.

473 Communities themselves must be provided with the resources to address their own needs for local reflection and access content. They can leverage local synergies and facilities that BDUs can't. Our proposal to establish CAMF, to which all BDUs would contribute and to which all communities could apply—effectively redistributes resources from large communities to smaller communities to address regional disparities in service. The large communities will still be well-served under CAMF, and in fact will benefit from more neighbourhood facilities, staff that really want to help them produce their own content, and national networking with CACTUS and other channels that are specialists in community media creation. The budgets available in big cities in recent years have been much larger than you need to enable community-access content (e.g. budgets in excess of \$10 million in cities such as Toronto, Montreal or Vancouver) while small communities have had nothing. Both community sizes will be better served under our Proposed Community TV Policy.

Q17. Should BDUs operating in competitive markets or in markets that are close geographically continue to offer distinct technical and production facilities or are there other options to make more efficient use of funding?

474 As described in “Section IV: Unleashing the Community Sector”, there is sufficient resources within the current allocation for community TV (\$151 million) to offer distinct technical and production facilities such that 90% of Canadians can reach one within 30 minutes on public transportation. Such distinct production facilities are necessary for 'community media' to be 'community media', but these facilities should not be operated by BDUs. The record is clear. BDUs do not understand community media production,

and are no longer technically nor organizationally equipped to deliver community media services, even had they the will and understanding to do it.

475 Furthermore, community media must be available to the whole community for it to serve as a viable digital townhall for the community. Local content that is available only to the subscribers of different BDU services is not 'community media'. The term 'community' refers to the inclusive process and ownership structure by which it is created, as well as the open sharing and possibility of wide community feedback to the content.

Q18. What measures should be taken to ensure that programming from diverse linguistic groups including OLMCs and ethnic groups as well as Aboriginal groups is made available and is reflective of the communities BDUs serve?

476 BDUs should not serve communities. Communities need to serve communities. That has been the problem with the model. APTN raised the problem with the lack of Aboriginal content on BDU community channels countrywide at the time of the 2009-2010 community TV policy review. The Commission raised the problem with the lack of Aboriginal content on Videotron's Montreal MATv at its 2006 license renewal, and specifically asked Videotron to be more sensitive going forward. In ICTV's complaint against MATv,⁸⁵ they noted that there had been a handful of short segments and one program on Aboriginal issues in 5 years, and the one program was created by the community-owned and -operated TVC in Vaudreuil-Soulanges (CSUR) not by Videotron. ICTV also noted the complete absence of English language content on MATv as well as content in third languages.

477 BDUs are not interested in facilitating the creation of this kind of programming. Their record is clear. The solution is community-owned and -operated community media. In Aboriginal communities, BDU money will be deployed to support entirely Aboriginal-run media centres, which will be eligible to apply to CAMEF. CACTUS has two such First Nations members at present, Wiky TV5 in Manitoulin Island, and Wawatay Communications, which operates in 17 Anishnabe-Aske communities throughout Northern Ontario.

478 In communities with mixed ethnic and multilingual composition, minorities will have seats on community-elected boards, and affirmative access policies that are published and to which the community-elected boards commit when applying to CAMEF.

479 For more information, please refer to our comments on multilingual programming in the "Other Matters" section starting at paragraph 400. We recommend multilingual

85 See CRTC 2013-1746-2.

policies that are consistent with the dialogue and inclusive function of community media as it is recognized internationally.

Q19. How should funding for community access programming be allocated from the various existing funding sources to ensure the continued presence of this programming in the Canadian broadcasting system as a whole?

480 Please see “Section IV – Unleashing the Community Sector”. We recommend that all BDUs (terrestrial and satellite, licenced and exempt) should contribute 2% of revenues to CAMF, to support 250 community media centres that would be accessible to more than 90% of Canadians.

Q20. How should the Commission and Canadians measure the success of any framework that is proposed?

481 We propose several measures to ensure the success of the Community TV Policy we propose and of CAMF:

1. Establish concrete targets. We have done so. We have outlined a plan by which BDU contributions to local expression (2% as currently occurs) can be maximally leveraged by directing them to a national fund that can support 250 community-access media centres that would be accessible to a minimum of 90% of Canadians. We estimate that when the Fund is fully operational and the target number of centres have been established (building on existing community resources and infrastructure), that over 200,000 hours of original community production will be generated per year, as follows:
 - In Canada's 53 largest communities, at 78 different access centres (generating a minimum of 40 hours per week of original production each): 162,240 hours/year
 - In Canada's 32 medium-sized communities (generating an average of 25 hours of original production each per week): 41,600 hours/year
 - In Canada's 85 small communities, and at 50 regional centres to serve the smallest (generating an average of 10 hours of original production per week): 70,200 hours/yearfor a total of over 274,000 hours of original community production per year.
2. We propose that the Fund report annually regarding the:
 - number of community-access media centres established by province and region and where they are located

- the number of Canadians reached by each centre via multiplatform distribution
- aggregated figures and information derived from the reports provided by individual grant recipients (which would in addition be individually be available on the web site of the Fund) detailing:
 - hours of original community production including access production (with suggested targets of 10, 25, and 40 hours of original production a week at small, medium, and large communities respectively)
 - numbers of volunteers trained, and in which digital media skills
 - numbers of community organizations profiled and involved
 - **community impact and development focus areas for each year of funding received**
 - **progress toward community impact and development targets, updated when operational funding is renewed.**

We cannot over-emphasize the importance of the latter two bullets. Quantitative measurements of production by community media centres ensure only that staff are actively soliciting involvement by community members and that production is occurring (a good start), but it doesn't tell you whether the community as a whole is involved, benefitting or watching. As community-building and the promotion of dialogue and a more inclusive community is the goal, qualitative measurements are also needed, and most importantly, the community must be involved in developing *what those qualitative measurements and targets should be*. We note that the CRTC-commissioned report submitted by TimeScape Productions to the 2009/10 policy review entitled *Community TV Policy and Practice Worldwide* observed that channels that were most watched and had the most impact worldwide were *those with explicit development mandates*, and whose development targets were actively updated over time.

A useful external measurement tool could be the Canadian Index of Wellness developed at the University of Waterloo in 2011, and chaired by former Saskatchewan Premier Roy Romanow⁸⁶.

We note that Dr. Michael Lithgow, in the summary report he wrote for the Community Media Policy Working Group based on the survey and focus group results, also discusses ways to measure community capital, and the beneficial impacts of community media:

86 For more information about the Canadian Wellness Index, see

http://www.thestar.com/news/gta/2011/10/20/new_canadian_index_of_wellbeing_reveals_how_canadians_are_really_faring.html.

“One way to make sense of these wide-ranging responses [describing positive impacts of community media identified by survey respondents] is by organizing them into thematic clusters based on an asset-based community economic development approach to understanding community capacity (Kretzmana and McKnight 1993; Lithgow 2008; Markey et al. 2005; Roseland 2005). The goal in this approach is to identify community-based strengths in the form of what is referred to in the literature as community capital.”⁸⁷

3. While CAMF would be the body that would co-ordinate funding, scrutinize how the funding is used, and report to the CRTC on progress and success, a separate body with a sole focus and expertise in community television is needed to help promote the existence of the fund, how to apply for licenses to Industry Canada and the CRTC, how to apply for funding, and how to get a new community centre operational, including what skills are needed by staff and what kind of volunteer training to offer. This would be the role of CACTUS, working in partnership with the Fedetvc, the NCRA, the ARC du Quebec and the Arc du Canada, the Independent Media Arts Alliance, public library associations such as the OLA, municipalities through bodies such as the FCM., and Aboriginal Communities through bodies such as the Assembly of First Nations.
4. The CRTC itself needs an ombudsperson or department with a sole focus on community media policy to act as an informed liaison to provide leadership and co-ordination for both CAMF and community media associations. (Please see our recommendation that the CRTC appoint a community media ombudsperson or permanent community media group at paragraph 307 in the section *Other Matters*.)
5. CAMF, the CRTC, and individual industry associations could also use surveys (online or by phone) as the NCRA, CACTUS and the Fedetvc have recently done, and as has the Community Media Policy Working Group—to determine satisfaction with and the effectiveness of the new policy both with member groups as well as with the general public.
6. Finally, it would be beneficial to involve other government ministries whose work benefits from, intersects and impacts community media, including the new ministries of:
 - Democratic Institutions (because of the democratic role played by the free speech mandate of community channels)
 - Infrastructure and Communities (because community media centres represent important community infrastructure)

⁸⁷ See the web site of the Community Media Convergence at

<http://www.commediaconverge.ca/sites/default/files/documents/Community%20Media%20Policy%20Survey%20Report%20Oct%2029.pdf> for the full report.

- Science, Innovation, and Economic Development (because of the digital media skills training mandate of community media)
- Employment, Workforce Development, and Labour (because of the digital media skills training mandate of community media).

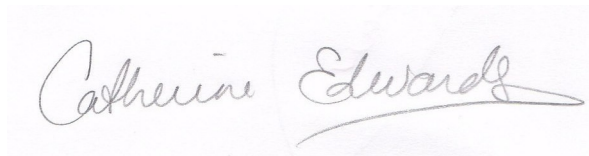
These departments could provide suggestions for how best to measure the impact of the new community media centres according to their own barometrics and focus areas (community media as a democratic institution, as infrastructure, and as centres for skills training for the digital economy). CACTUS has requested meetings with all these ministries to discuss new Community TV (and Media) Policies for Canada.

Community media is not strictly a broadcasting issue, and new media is not yet directly regulated by the CRTC at all.

We note that the development and successful implementation of Canada's original community channel policy and the NFB's "Challenge for Change" stream of filmmaking that preceded it were collaborations among the NFB, the CRTC, and nine government departments that got together to find ways to reduce endemic poverty in communities that had been resistant to government programs aimed at improving their economic condition. The community element was not conceived as a 'fluffy extra' to be sidelined every time the private sector finds itself short of cash. It was conceived as an essential tool of community expression and development.

483. We thank the Commission for the opportunity to comment in this important proceeding. It's time for a new vision... or perhaps to rediscover the old one, but using the new tools.

Sincerely,

A handwritten signature in cursive script that reads "Catherine Edwards". The signature is written in dark ink on a light-colored background.

on behalf of the
Canadian Association of Community Television Users and Stations
Catherine Edwards
ce

* END OF THIS DOCUMENT (6 appendices following) * *

