



August 20, 2008

Sent by fax

Mr. Robert A. Morin
Secretary General
Canadian Radio-television and
Telecommunications Commission
Ottawa, Ontario K1A 0N2

Dear Mr. Morin:

Re: CBC/Radio-Canada's request for deferral of the process initiated by Broadcasting Public Notice CRTC 2008-62: Call for comments on proposed amendments to the benefits policy set out in *Building on Success: A Policy Framework for Canadian Television*; and the English-language Canadian independent production community's request for deferral of the process initiated by Broadcasting Public Notice CRTC 2008-58: Call for comments on proposed amendments to the criteria of the Certified Independent Production Funds policy for broadcasting distribution undertakings

1. This is a letter by a coalition of the English-language Canadian independent production community, specifically the Canadian Film and Television Production Association (CFTPA), the Alliance of Canadian Cinema, Television and Radio Artists (ACTRA), the Writers Guild of Canada (WGC), the Directors Guild of Canada (DGC), and the Documentary Organization of Canada / Documentaristes du Canada (DOC), hereinafter collectively referred to as the "independent production community". Please see Appendix A attached hereto for more details about the signatory organizations.
2. We are in receipt of a letter to the CRTC dated August 15, 2008 by CBC/Radio-Canada requesting that the Commission defer the proceeding initiated by *Broadcasting Public Notice CRTC 2008-62* (BPN 2008-62). The independent production community is writing to express **strong support** of CBC/Radio-Canada's request.
3. We agree with the arguments made by CBC/Radio-Canada as to why a deferral of the BPN 2008-62 public process is both appropriate and necessary. As the Commission is aware, the Department of Canadian Heritage has yet to make any decisions regarding the future structure and direction of the Canadian Television Fund (CTF). This information is critical in order for interested parties to provide the Commission with informed and meaningful comments on possible amendments to the benefits policy that affect the CTF.

4. Equally critical to the discussion is the outcome of the CRTC's review of Canadian broadcasting in new media. This review has yet to progress past the preliminary "agenda-setting" stage. As such, it is premature to solicit views from the public and consider amendments to the benefits policy that affect the CTF until the new media review has been completed.
5. This position also extends to the public process initiated by *Broadcasting Public Notice CRTC 2008-58* (BPN 2008-58). From the independent production community's perspective, seeking comment on proposals such as the one to amend the criteria of the CRTC's Certified Independent Production Funds in order to provide these funds with greater flexibility to support new media is akin to putting the cart before the horse.
6. A fundamental question to be considered as part of the new media proceeding, as detailed in *Broadcasting Public Notice CRTC 2008-44: Call for comments on the scope of a future proceeding on Canadian broadcasting in new media* (BPN 2008-44), is whether new or enhanced support mechanisms are required for the development and production of Canadian new media broadcasting content, and if so, in what form? It is, therefore, logical that this and the many other questions posed in BPN 2008-44 be debated and answered prior to making any changes to existing policies or funding criteria in order to support new media, such as that proposed in BPN 2008-58.
7. For all of the reasons articulated by CBC/Radio-Canada in its letter to the Commission of August 15, 2008, including those highlighted above, we respectfully urge the Commission to defer the public process initiated by BPN 2008-62 until Canadian Heritage has determined the future structure and direction of the CTF, and the Commission has completed its review of broadcasting in new media. Moreover, we strongly believe it is equally necessary and appropriate to defer the public process initiated by BPN 2008-58 until the Commission's comprehensive review of new media is completed, or at a minimum that the key issues raised in BPN 2008-58 be incorporated into the new media proceeding.
8. The independent production community firmly believes that the principles of regulatory efficiency and natural justice strongly support the deferral of the processes initiated by BPN 2008-62 and BPN 2008-58.

Sincerely,



Stephen Waddell
National Executive Director
ACTRA



Guy Mayson
President and CEO
CFTPA



Brian Anthony
National Executive Director and CEO
DGC



Lisa Fitzgibbons
Interim Executive Director
DOC



Maureen Parker
Executive Director
WGC

Appendix A

About the Independent Production Community

The CFTPA represents the interests of almost 400 companies engaged in the production and distribution of English-language television programs, feature films, and interactive media products in all regions of Canada. Our member companies are significant employers of Canadian creative talent and assume the financial and creative risk of developing original content for Canadian and international audiences.

ACTRA and its predecessor organizations have represented the interests of professional performers working in the English-language media in every region of Canada for more than 60 years. ACTRA bargains collectively on behalf of 21,000 performers. In addition, ACTRA represents the interests of thousands of singers and musicians through the work of the ACTRA Performers' Rights Society, which collects and distributes royalties from the public performance of musical recordings.

The WGC is the national association representing more than 1,800 screenwriters working in English-language film, television, radio, and digital media production in Canada. The WGC is committed to building a vibrant industry showcasing Canadian imagination and talent.

DGC is a national labour organization that represents key creative and logistical personnel in the film and television industries. Its membership includes over 3,800 individuals drawn from 47 different craft and occupational categories covering all areas of direction, production, editing, and design of film and television programming in Canada.

DOC is a bilingual, national, not-for-profit national arts service organization comprised of independent documentary filmmakers, producers, directors, and craftspeople. It was founded in 1983 and now has over 800 members working in both official languages in all provinces and territories of Canada.

The independent production community creates high-quality domestic programming in various genres, as well as feature films for theatrical release and content for new digital platforms. We provide Canadian television viewers with a Canadian perspective on our country, our world, and our place in it. Through the content we produce, we help foster Canadian cultural choices and reflect the rich diversity of this country. As such, we play a vital role in the Canadian broadcasting system.

*** End of Document ***