



February 23, 2010

Mr. Robert A. Morin
Secretary General
CRTC
Ottawa, ON K1A 0N2

Online: <http://support.crtc.gc.ca>

**Broadcasting Notice of Consultation CRTC 2009-732:
Call for comments on proposed revisions to the criteria used to assess applications
for mandatory distribution pursuant to an order under section 9(1)(h) of the
Broadcasting Act**

Dear Mr. Morin,

1. The Alliance of Canadian Cinema, Television and Radio Artists (ACTRA) ACTRA welcomes the opportunity to participate in this process on behalf of our 21,000 members and will bring to it the particular perspective of professional performers working in the English-language recorded media in Canada. This letter also represents the views of the more than 17,000 members of the American Federation of Musicians, Canada.
2. ACTRA **supports** the Commission's proposed revisions to the criteria used to assess applications for mandatory distribution pursuant to an order under section 9(1)(h) of the *Broadcasting Act*.
3. ACTRA's primary regulatory objective is making sure that Canada has an independent, robust domestic television, film and new media production, distribution and exhibition system. Specifically we are motivated by the need to ensure that Canadian creative resources are predominantly used on the public airwaves; and there is a reasonable supply of high-quality English-language drama, and scripted comedy programs and series in every medium.
4. These changes will increase the onus on programming services to prove in a concrete, measurable way that their service makes an 'exceptional' contribution to the objectives of the *Broadcasting Act*, and in particular the provision of uniquely Canadian content.
5. While the current criteria have served the broadcasting system quite adequately, we applaud the Commission's forward-thinking approach and desire to ensure flexibility for consumers in an increasingly digital environment while meeting the objectives of the *Broadcasting Act*.

Alliance of Canadian Cinema, Television and Radio Artists

ACTRA National Office

625 Church Street · Suite 300 · Toronto ON M4Y 2G1
Toll free 1-800-387-3516 · Tel (416) 489-1311
Fax (416) 489-8076 · E-mail national@actra.ca · www.actra.ca

Affiliated with the Canadian Labour Congress (CLC)
and the International Federation of Actors (FIA)

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Toronto · Ottawa · Montreal · Halifax · St. John's

6. ACTRA is particularly pleased to see the following new requirements:
 - to provide evidence that the service is making meaningful contributions to original Canadian programming in terms of exhibition and expenditures; and
 - to provide the score the service would obtain based upon the revised Morin Model.
7. These additional requirements will go far in ensuring that applicants are making a substantial contribution to delivering and supporting original, Canadian content through financial support and scheduling.
8. ACTRA's only additional thought is that the Commission might also consider establishing limits on the foreign content of a service applying for mandatory carriage under 9(1)(h). For example, it could determine that a foreign program be scheduled only if that program is not otherwise available on the basic service. Alternatively limits could be placed on the percentage of foreign content that can come from one foreign country.
9. ACTRA supports the Commission's desire to restrict the number of services acquiring mandatory carriage under 9(1)(h). We also agree that such approvals should not be 'indefinite'. Services receiving mandatory carriage under 9(1)(h) indeed must not only prove they are making an 'exceptional contribution', but that they are constantly and consistently exceptional.
10. We thank the Commission for the opportunity to provide comment on this matter.

Thank you.



Stephen Waddell
National Executive Director, ACTRA

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