



January 27, 2010

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

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

Dear Mr. Morin,

**Re: Broadcasting Notice of Consultation CRTC 2009-803  
Application by ZoomerMedia Limited ("ZML") for authority to acquire the specialty television undertakings "Vision TV" and "ONE: The Body, Mind and Spirit Channel" and the television undertakings CHNU-TV (Fraser Valley) and CIII-TV (Winnipeg)**

1. On behalf of our 21,000 members, the Alliance of Canadian Cinema, Television and Radio Artists (ACTRA) welcomes the opportunity to comment on Zoomer Media Limited's (ZML) application to acquire the above-listed specialty television undertakings. ACTRA's comments in this submission reflect the unique perspective of professional performers working in the English-language recorded media in Canada.
2. ACTRA has no issues with the transfer of these services to ZML in principle. However, we would like to flag for the Commission our concern that the valuation of the sale of Vision TV appears to be quite low. While we are not privy to all of the detailed financial data, we urge the Commission to carefully review the transaction with this issue in mind.
3. ZML and Vision Ltd. have agreed that the value of Vision TV is \$17 million. Vision TV is a basic analogue service that has built a solid subscriber base of 3,969,458 since it was licensed 23 years ago and had revenues of \$23.3 million in 2008. According to the broadcaster's own website:
4. "VisionTV is available as a 'basic' service on cable and satellite, and can be seen in 7.8 million households across Canada. VisionTV ranks among the country's top 25 specialty channels in audience awareness, attracting 1.6 million viewers each week."

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**Alliance of Canadian Cinema, Television and Radio Artists**

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Affiliated with the Canadian Labour Congress (CLC)  
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5. Last November, in Broadcasting Decision 2009-706, the Commission approved Corus' acquisition of two digital discretionary services, SexTV and Drive-In Classics Channel. While we realize these are not directly comparable scenarios, we do note with interest the purchase prices approved by the Commission. SexTV, with only 767,472 subscribers and revenues of \$3.5 million in 2008 had a value of \$16 million. Drive-In Classics Channel with 1,256,261 subscribers and \$4.2 million in revenues was valued at \$24 million.
6. Without full financial details, we cannot comment whether the value that ZML and Vision Ltd. have determined is an accurate market value. However, on the surface, it seems odd that two smaller, discretionary category 2 services with lower revenues and less reach were determined to have similar, if not higher, values than VisionTV.
7. We also note that VisionTV has applied for 'mandatory distribution' status under s. 9(1)(h) of the *Broadcasting Act*. We ask that the Commission ensure that if this request is approved, the increased revenues VisionTV would receive as a result are calculated into the value of any transaction.
8. If as the result of a review, the Commission finds the sale of VisionTV to have been undervalued, we ask the CRTC to require that any additional benefit monies be directed to independently-produced dramatic programming.
9. Again, there may be legitimate reasons for the valuation of VisionTV to be a modest \$17 million. However not being privy to the financial details, we urge the Commission to undertake a thorough assessment to determine the appropriate value of the transaction.
10. ACTRA thanks the Commission for the opportunity to provide comment on this matter.

Thank you.



Stephen Waddell  
National Executive Director, ACTRA

Cc:

Sent via fax to ZoomerMedia Limited – 416-363-7394

And via email to VisionTV c/o Bill Roberts - broberts@s-vox.com

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