

June 12, 2025

Filed Electronically

Marc Morin
Secretary General
Canadian Radio-television and
Telecommunications Commission
Ottawa, Ontario
K1A 0N2

Dear Mr. Morin:

Re: Broadcasting Notice of Consultation CRTC 2024-288: The Path Forward – Defining “Canadian program” and supporting the creation and distribution of Canadian programming in the audio-visual sector – Responses to Requests for Information

1. On May 29, 2025, the Commission issued a letter entitled, “Requests for information regarding the proceeding initiated by *The Path Forward – Defining ‘Canadian program’ and supporting the creation and distribution of Canadian programming in the audio-visual sector*, Broadcasting Notice of Consultation CRTC 2024-288, 15 November 2024,” (the RFI Letter) to a distribution list which included the Writers Guild of Canada (WGC), and which included six questions directed to the WGC. We are pleased to provide our responses to this letter.

Questions 8 & 10: Long-form documentaries and Drama

2. In the RFI Letter, the Commission stated:

8. In your interventions, you submitted that long-form documentaries are at risk.

a. Please provide the Commission with the following trends data for the past four years (2020-2024) to the extent you have such data or can cite such data.

- i. **Availability of Canadian long-form documentaries within the broadcasting system**
- ii. **Audience measurement in relation to Canadian long-form documentaries.**
- iii. **Financial investments in the production of Canadian long-form documentaries.**

10. In your interventions, you submitted that Drama/Feature film programming is at risk.

a. Please provide the Commission with the following trends data for the past four years (2020-2024) to the extent you have such data or can cite such data:

i. Availability of Canadian drama/feature film programming within the Canadian broadcasting system.

ii. Audience measurement data in relation to Canadian drama/feature film programming.

iii. Financial investments in the production of Canadian drama/feature film programming.

3. The WGC feels it is important to preface our answer to these questions with key context. The data that the Commission requests will necessarily reflect: a) a context in which traditional Canadian broadcasters have been held to regulatory obligations, which include minimum spending obligations on programs of national interest (PNI); b) a context in which online undertakings have had no regulatory obligations with respect to supporting Canadian programming; c) data for years that included disruptions due to the Covid-19 pandemic; and, d) an enormous asymmetry of publicly available data, in which historically regulated traditional Canadian broadcasters have long been required to publicly report on key metrics like revenues and Canadian program spending, while comparable data for online undertakings have not been subject to reporting obligations and therefore have not generally been publicly available.
4. Meanwhile, the question of certain genres being at risk in this proceeding necessarily reflects a possible future context in which online undertakings will presumably have regulatory obligations with respect to supporting Canadian programming for the first time.
5. In light of this context, any such data must be interpreted carefully. We submit that the Commission cannot observe relative growth or stability in the data on the past four years of PNI with respect to the regulated broadcasting system, and therefore conclude that such programming is not at risk, because the Commission's own regulation has supported that very growth or stability, and the Commission is now proposing to eliminate that support for PNI going forward. And we cannot provide comprehensive data with respect to the activities of online undertakings and PNI genres, because such data is not publicly available. In brief, the Commission cannot look to data from past circumstances in one context and treat it as a guarantee of future circumstances in a new and different context. What would put PNI programming truly at risk would be the Commission eliminating the policy that currently protects it.
6. We would further reiterate our comments in response to Broadcasting Notice of Consultation CRTC 2023-138 on what history teaches us about removing regulatory requirements, and basing assumptions about the future on the data of the past.¹ To briefly summarize, in Public Notice CRTC 1999-97 (the 1999 TV Policy), the Commission launched a broadly de-regulatory and incentives-based television framework which: removed previous requirements for expenditures on Canadian programming; replaced them with an exhibition regime of 8 hours per week of "priority programming"; defined priority programming in a manner that gave broadcasters wide flexibility to avoid drama and documentaries by, for example, including entertainment magazine programming in the definition; and, reinforced the definition of prime

¹ https://www.wgc.ca/sites/default/files/resource/2023-07/Broadcasting%20Notice%20of%20Consultation%20CRTC%202023-138_The%20Path%20Forward%20.pdf, paras. 17-30.

time as 7pm to 11pm, permitting the scheduling of priority programming in the shoulder time period before 8:00pm. The result was disastrous for Canadian dramas and long-form documentaries. Broadcasters generally spent as little as they thought feasible and directed the results to shoulder periods and weekends on their schedules. It took the Commission a decade to finally attempt to correct its mistake—during which much damage was done—via Broadcasting Regulatory Policy CRTC 2010-167 (the Group-Based Approach), in which it tried to grow spending on Canadian programming by re-implementing a CPE regime. However, the Commission based 2011 CPE (and PNI) levels on historical spending from the three previous years which included: a) the under-spending induced by the 1999 TV Policy; and, b) the effects of the 2008 global financial crisis. The Commission explicitly expected CPE and PNI spending to increase as broadcaster revenues grew, given that CPE and PNI levels were set as a percentage of those revenues. Data on past trends, however, proved a poor predictor of future performance, since broadcaster revenues stagnated and then declined amidst competition from foreign streaming services.

7. The lessons of history are clear. Firstly, profit-seeking broadcasting undertakings cannot be expected to invest in costly and risky programming like Canadian drama and documentaries without obligations to do so. And, secondly, past data trends are not guarantees of future events, especially when context changes.
8. With all of that being said, in response to the Commission's questions above, we would like to point to the Commission's data on PNI spending by the large English-language designated broadcast groups² over the past 10 years. In addition, we would like to demonstrate the impact of inflation on that historical spending, as provided by the Bank of Canada inflation calculator,³ adjusted to 2015 dollars, to demonstrate the decline in real terms over that period, as follows (in 000s of dollars):

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Nominal Dollars ⁴	\$212,036	\$186,459	\$151,944	\$219,795	\$209,508	\$167,831	\$173,403	\$183,080	\$199,634	\$182,308
Real Dollars (Inflation-adjusted)	\$212,036	\$183,407	\$147,050	\$208,088	\$194,411	\$156,082	\$155,976	\$154,237	\$161,086	\$143,258

9. As shown above, over the past 10 years, PNI spending by the large English-language designated broadcast groups has dropped in nominal dollars from more than \$212 million to just over \$182.3 million, for a 14% decline. But in real, inflation-adjusted dollars, the decline is from \$212 million to under \$143.3 million, or a dramatic 32.4% drop. This is spending that is very much at risk.

Questions 20-23: CPE Contributions

10. In the RFI Letter, the Commission stated:

20. The Commission has heard from various intervenors on potential levels of CPE contributions. Specifically, it has heard CPE contributions should be set at 5%, 20%, and 30%.

² I.e. the Bell Media Designated Group, the Corus Entertainment Designated Group, and the Rogers Media Designated Group, which are the entities that the Commission applies PNI spending obligations towards.

³ <https://www.bankofcanada.ca/rates/related/inflation-calculator/>

⁴ Data Sources: Aggregate Annual Returns filed by the designated broadcast groups with the CRTC.

- i. Please propose a CPE level for Canadian broadcasters (including their online streaming services).**
- ii. Please propose a level for foreign online streamers.**
- iii. What elements of the two linguistic markets (French and English) should the Commission consider in establishing any expenditure requirements?**

11. The WGC has not proposed specific CPE (or PNI) contribution levels previously in this or related proceedings because, as noted above, we lack detailed and publicly available data on the activities of online undertakings that could inform such proposals.
12. That said, as the Commission is now requesting such a proposal, the WGC proposes that CPE levels should be set at 30% of annual contributions revenues, at a minimum, and this should apply in the English market to both Canadian broadcasters (including their online streaming services), and foreign online streamers. The WGC makes no comment with respect to the French linguistic market.
13. A 30% minimum CPE obligation would maintain the *status quo* for the large, English-language traditional Canadian broadcast groups, while raising applicable foreign streamers to the same, equitable standard. It would also appear to make good on the initial promise of the *Online Streaming Act*, as it was promoted to Canadians during the legislative process, to inject an *additional* \$1 billion annually into the Canadian broadcasting system, based on contribution levels that are equivalent to those of Canadian broadcasters.⁵ The WGC has consistently pointed to this \$1 billion of new investment as the target that the Commission should shoot for in implementing this legislation, taking into account a full and complete reading of the Act, and we continue to do so.

21. What factors should the Commission consider when it establishes expenditure requirements on undertakings owned by different entities that earn over \$25 million in broadcasting revenue in Canada?

14. As noted above with respect to CPE levels, the WGC lacks detailed and publicly available data on the activities of online undertakings that could fully inform such proposals. We don't know which services meet the \$25 million threshold, nor do we have insight or specifics on the factors that may be at issue regarding those services. Given the nature of the WGC's membership, our knowledge, experience, and focus in this proceeding are with respect to the large English-language broadcasting undertakings that have historically made meaningful contributions to the production and presentation of drama and documentary programming, and to the comparable online undertakings that are in a position to do the same. But we cannot speak beyond generalities to other, unnamed services, and we do not have the benefit of their own proposals on the public record regarding what they feel they can do, should do, will do, or why.
15. In the absence of such information, the WGC believes that the Commission should take as the baseline a simple formula of applying a 30% CPE to all undertakings that meet the \$25 million threshold. Because such a CPE would be based on a percentage of revenues, it will automatically scale to the size of the undertaking in question. For example, a 30% CPE on an undertaking earning \$25 million in Canada would

⁵ <https://globalnews.ca/news/8901527/canadian-programming-will-see-at-least-1-b-a-year-from-online-streaming-bill-minister/>

result in a \$7.5 million CPE obligation; a 30% CPE on an undertaking earning \$100 million in Canada would result in a \$30 million CPE obligation. The formula self-adjusts to the size of the undertaking.

16. Based on publicly available information, the WGC is not aware of specific factors beyond these simple and straightforward ones. Under the *Broadcasting Act*, broadcasting undertakings, including online undertakings, shall contribute to the implementation of the objectives of the broadcasting policy for Canada in a manner that is appropriate in consideration of the nature of the services provided by the undertaking.⁶ The Commission has already proposed to take into consideration the nature of the services provided by setting the \$25 million threshold itself. In the absence of a complete picture of all the broadcasting undertakings in the system, and without proposals from those undertakings themselves on what their contributions should be and why, the WGC is not currently in a position to provide more detail.

22. In determining an expenditure requirement, what should be allowable expenses that count towards fulfilling these requirements? What ratio of expenses should be devoted to direct programming expenses, other direct expenses such as contributions to funds and other more intangible expenses such as training and infrastructure? Additionally, what factors should the Commission consider when establishing these ratios as a part of overall tailored conditions of service?

17. Broadly speaking, allowable expenses for CPE requirement should be overwhelmingly focused on the development and production of Canadian programming.
18. If the Commission chooses to allow contributions to funds that support Canadian programming to count towards fulfilling these requirements, it should ensure that the funds are indeed directed to the development and production of Canadian programming, and that the recipient funds' eligibility criteria are fully aligned with the Commission's policy objectives, including with respect to key creative positions, and support those objectives as well or better than the Commission's own definition of "Canadian program" itself. In particular, if the Commission requires two points for a Canadian showrunner to be mandatory points where the showrunner role exists for its definition of "Canadian program", and/or that points for screenwriter and director are mandatory, then such requirements must also form part of the eligibility criteria of recipient funders. To do otherwise would be to create a loophole that would allow undertakings to avoid such requirements by directing contributions to certain funds with lower standards than the Commission's own, rather than through direct expenditures. Such a loophole would effectively lower the bar for the support of truly Canadian programming.
19. The Commission should not allow CPE to include "intangible expenses" such as training and infrastructure. Canadian programming expenditures requirements should be requirements for expenditures *on Canadian programming*. That is their name and that is their function. While the Commission may be empowered to address other things, such as those listed in section 11.1(1) of the *Broadcasting Act*, we submit that the current proceeding is about the definition of Canadian programming and the regulatory support thereof. As such, the Commission should focus this discussion on CPE supporting Canadian programming, and not dilute its support for that programming with other, non-programming issues or objectives, which would be better dealt with in other contexts and/or proceedings.
20. With respect to training, in our view, it is not lack of training that is at a crisis point in the Canadian broadcasting system today, it is lack of work opportunities. Simply put, all the training in the world serves

⁶ Section 3(1)(a.1).

no purpose if there are no jobs for those trainees to move into once their training is complete. Scarce resources should be prioritized to production of Canadian programming.

21. Broadcasting undertakings have historically preferred to direct financial obligations towards training and education, or other “intangible expenses”, rather than production of Canadian programming. This has required the Commission to expressly limit such contributions in the context of the Tangible Benefits Policy.⁷ For foreign online undertakings in particular, they may have an incentive to prefer to direct expenditures to training and education programs because the talent developed will be free to exit the Canadian system and move to the American industry. The U.S. streamers may well prefer to invest in Canadian talent for the benefit of Hollywood, rather than invest in Canadian programming for the benefit of Canadians. Other intangibles, such as infrastructure, festivals, or events, may present broadcasting undertakings with branding and promotion opportunities that they may, again, prefer over support of Canadian programming.
22. If, however, despite the above, the Commission allows such “intangible expenses” to be included within CPE, it should strictly limit those expenditures. In doing so, the Commission should *not* be guided by the generous allocation of such expenses in the Tangible Benefits Policy. The Tangible Benefits Policy currently requires 80% of benefits monies to be directed to the Canada Media Fund (CMF) or various certified independent production funds, with up to 20% of tangible benefits available to “discretionary initiatives”. The previous incarnation of the policy required that at least 85% support on-screen programming-related initiatives, while the remainder could go to “social benefits”. This, however, was and is a completely different context. Tangible benefits are about benefits to the Canadian broadcasting system as a whole and, as such, deal with a very broad set of objectives.⁸ CPE is a more targeted policy tool that is specifically about supporting Canadian programming. CPE is just one part of the Commission’s overall approach to regulating the Canadian broadcasting system. Taking that targeted CPE policy instrument and treating it like the much broader Tangible Benefits Policy by expanding it to include “intangible expenses” would seriously dilute CPE and its purpose in the overall context of the regulatory framework.
23. As such, the WGC submits that the Commission should not water down CPE obligations with the ability to redirect such expenditures to “intangible expenses” at all. If the Commission nevertheless chooses to do so, it should be considering ratios of programming to “intangible” expenses along the lines of 95% programming and 5% “intangible”, if that, and only if the Commission is considering very specific expenses that cannot be better dealt with through other policies or mechanisms. The 80/20 split in the Tangible Benefits Policy is decidedly *not* a model to replicate in the vastly different context that is CPE, which should ultimately be 100% about Canadian programming.

⁷ <https://crtc.gc.ca/eng/archive/2014/2014-459.htm>.

⁸ See the Tangible Benefits Policy, *ibid*, para. 1: “Since the Commission does not solicit competing applications for changes to the ownership or effective control of broadcasting undertakings, the burden is on the applicant to show that the application is the best possible proposal and that approval is in the public interest, consistent with the overall objectives of the *Broadcasting Act*. As one way of ensuring that the public interest is served, the Commission expects applicants to propose financial contributions (known as “tangible benefits”) that are proportionate to the size and nature of the transaction and will yield measurable improvements to the communities served by the broadcasting undertaking to be acquired, as well as the Canadian broadcasting system as a whole. These overall requirements are referred to as the “benefits test.””

23. What factors should the Commission consider in determining what types of programming are at risk in the Canadian broadcasting system and who should contribute to supporting that programming?

24. In determining what types of programming are at risk in the Canadian broadcasting system, the Commission should consider and, ultimately, rely upon its longstanding view that categories 2(b) and 7, long-form documentary and drama, are and remain at-risk programming. The Commission has identified relevant factors in the Notice of Consultation of this proceeding, noting that PNI genres are, “expensive to produce and difficult to monetize”.⁹
25. “Expensive to produce and difficult to monetize” represent the two sides of virtually any economic proposition. In order to see a profit on something, one must be able to sell it for more than it cost to make it. The greater the cost to make it, the more one must hope to obtain in selling it, which equals higher stakes and therefore greater risk. Uncertainty in commercial success further increases risk. PNI genres represent all of these factors. With respect to drama in particular, as stated in the 2020 final report of the Broadcasting and Telecommunications Legislative Review Panel, *Canada's communications future: Time to act*:¹⁰

[S]ince the early 1980s, the CRTC and successive Canadian governments have implemented a combination of regulations and subsidies, which have led to the creation of a significant number of hours of Canadian drama each year.

Why? The answer comes down to the importance of story, particularly stories that are relevant to a local audience. Policymakers in many countries have recognized that there is a need for TV to tell local stories — stories that come out of a country's experience and that resonate with local references and local relevance. Over the years, Canadian viewers have enjoyed a wide range of such programs. In the English-language market, these programs include *Degrassi: The Next Generation*, *Corner Gas*, *The Rick Mercer Report*, *Little Mosque on the Prairie*, *The Republic of Doyle*, *Murdoch Mysteries*, and *Kim's Convenience*. In the French-language market, these programs include *Unité 9*, *La Petite Vie*, *Fugueuse*, *19-2*, *Lâcher prise*, *Les beaux malaises*, *Les Invincibles*, and *Au secours de Béatrice*. **These programs would not have existed without the panoply of CRTC and government policies.**

In the world of TV and movies, no one can predict success. In the fall of 2018, the four US TV networks — ABC, CBS, NBC, and FOX — introduced 55 new TV series. But 22 of them — 40 per cent — were not renewed for a second season because of insufficient viewership. In this kind of risky environment, the only answer is to commission a number of different TV series, with the expectation that at least some will succeed.¹¹

26. The Commission should also look to the behaviour of traditional Canadian broadcasters who seek to relieve themselves of PNI obligations, and expect similar behaviour from online undertakings which, according to both sets of interveners, directly compete with each other and therefore are under similar market pressures and constraints. The fact that they don't want to do PNI clearly demonstrates that it is at risk.

⁹ Para. 44.

¹⁰ <https://ised-isde.canada.ca/site/broadcasting-telecommunications-legislative-review/en/canadas-communications-future-time-act>

¹¹ Section 3.3.1. Emphasis added.

27. With respect to who should contribute to supporting that programming, in the absence of more detailed information, the WGC would start with every undertaking that meets the Commission's \$25 million contribution threshold. Every such undertaking and/or group has demonstrated that it is big enough to make a material contribution to the system by virtue of meeting that threshold.
28. A common refrain that has emerged from this proceeding is that if a given undertaking is not normally in the business of the production and/or presentation of certain types or genres of programming, then it should not be required to contribute to those types or genres. This cannot be treated as the end of the discussion, however. The Commission has already established a mechanism for contributing to funds in support of particular programming in Broadcasting Regulatory Policy CRTC 2024-121. This includes contributions to Canadian news by undertakings that are not themselves in the business of producing or presenting news (currently). The WGC understands that this issue is now under consideration at the Federal Court of Appeal but, subject to any applicable judicial rulings, the Commission will have the option to allow undertakings to contribute to funds for other genres and should use that regulatory tool as appropriate.
29. As noted above, the public currently lacks detailed data upon which to base specific recommendations for specific undertakings' contributions to PNI or other at-risk programming. In general, however, the larger the undertaking is in terms of Canadian revenues, the more reasonable it is to require that such services contribute to PNI. In our view, that includes the three large English-language designated broadcast groups—i.e. Bell, Corus, and Rogers—plus the major foreign streaming services, including Netflix, Amazon, Disney+, Apple TV+, and Paramount+.
30. Again, however, we would return to the \$25 million revenue threshold as the ultimate arbiter of who should contribute to support at-risk Canadian programming.

Question 30: Data and Programming Categories

31. In the RFI Letter, the Commission asked:

30. The Commission currently collects programming and production expenditures data by programming category. The programming categories are currently divided into 14 groups:

- News (category 1);
- Analysis and Interpretation (category 2(a)),
- Long-form documentary (category 2(b)),
- Other information (category 3 to 5),
- Sports (category 6),
- Drama and Comedy (category 7(a), (b), (f), (g)),
- Films (category 7(c), (d)),
- Animated programs & films (category 7(e)),
- Music/variety (category 8 and 9),
- Game shows (category 10),
- Human interest excluding award shows (category 11(a)),
- Reality television (category 11(b)),
- Award Shows (not incl. in 11(a)),

• **Others (category 12 to 15)**

a. Should the data collection be amended to further group the categories in the reporting to reduce reporting burden? If so, how and if not, why?

32. No, the Commission should not amend its data collection to further group these categories to “reduce reporting burden”.
33. Firstly, such a re-grouping would effectively make it impossible for stakeholders to compare the same data from before and after it was re-grouped. This would make historical analysis difficult or impossible, thereby destroying one of its key functions for it existing in the first place. This will make it difficult or impossible for the Commission and the public to assess the impacts of policy decisions during the applicable time period.
34. Secondly, there is no evidence that the WGC has seen that broadcasters are materially burdened by this level of reporting. Indeed, they already have the processes and procedures in place to issue this reporting, as they have been doing it for some time. It may actually *increase* administrative burden to have to amend those procedures now.
35. Finally, as we stated at the public hearing, the Commission should prioritize public transparency and accountability above all other factors, including mere “reporting burden,” and especially when such a burden is merely alleged, and/or is not demonstrated to be meaningful or material.

Question 34: Identification of Reflective Programming

36. In the RFI Letter, the Commission asked:

34. In order to identify programming that is representative of the cultural diversity in Canada, should the Commission work with an organization to collect relevant information and coordinate the identification of reflective programming? If so, what organization would be the best positioned to fulfill that mandate? What safeguards should be in place and what information should be collected?

37. The WGC understands that this question expands upon Q33 and Q34 from the Notice of Consultation in this proceeding. In its initial written comments, in response to Q33 and Q34, the WGC recommended that the Commission work with organizations representing the affected groups, as well as funders like the Canada Media Fund, which we understand have already done significant work on tracking this information. At this time, given our available resources and the applicable timeframes, the WGC cannot provide substantially more information than this. The WGC has not been closely engaged in such initiatives to date ourselves, and while we have reached out to others working on these issues, this has not put us in a position to provide a detailed response to this question at this time. We nevertheless recommend that the Commission continue its efforts, in consultation with the sector, to identify programming that is representative of the cultural diversity in Canada.

Question 36: Aggregation of Revenues Data

38. In the RFI Letter, the Commission asked:

36. What level of aggregation for revenues and programming expenditures would best provide relevant information for stakeholders to participate effectively in public proceedings and measure and monitor developments in the Canadian broadcasting system as it relates to supports for Canadian programming?

39. The WGC reiterates our comments in our initial written intervention on this issue, set out at paragraphs 79-83. As we stated there, the Commission should require the public disclosure of the revenues and programming expenditures of all broadcasting undertakings subject to CPE requirements. This information should be as detailed as possible. At a minimum, it must be broken down by language and by program categories and sub-categories. Reporting by individual broadcasting/online service is ideal, given that such reporting exists for many traditional broadcasting services now, and it is entirely possible that online undertakings that are currently a single service today could choose to split into multiple “speciality” services in the future, in the same way that broad-service over-the-air undertakings diversified into many different channels in the “cable era” of television.
40. That said, reporting by ownership group (provided that’s how the Commission intends to regulate, i.e., a group-based approach) would also likely be sufficient. In this regard, the public disclosure of aggregate financial returns for owners of large broadcasting groups (the Aggregate Annual Returns) first required under Broadcasting Regulatory Policy CRTC 2009-560 serves as a useful model for reporting by all broadcasting undertakings, including online undertakings, going forward. We strongly urge the Commission to require all broadcasting undertakings subject to CPE requirements, including online undertakings, to file public Aggregate Annual Returns consistent with current reporting applicable to the large traditional broadcasting groups.
41. The issue of reporting by language is particularly important. By combining English- and French-language PNI spending data as the Commission currently does, the published data becomes significantly skewed and misleading. For example, in 2023, while the Quebec market made up 22% of total national private conventional TV revenue, it accounted for 55% of all conventional TV PNI spending.¹² The Act clearly directs the Commission to consider the conditions of the English and French markets.¹³ The ability of the public to participate in regulatory proceedings in this regard requires public reporting that reflects this distinction. Breaking out data by language is absolutely essential to the integrity and relevance of the data in all Commission data reporting.
42. As a general data reporting principle, reporting should correlate to how the Commission is actually regulating. If the Commission regulates by individual undertaking (e.g., imposes a CPE requirement by individual undertaking), then detailed reporting should be done by individual undertaking. If the Commission imposes a CPE requirement by ownership group (or a designated group with select services included in that group, as it does now with the large television broadcast groups), reporting by ownership or designated group may be sufficient.

¹² Conventional Television Statistical and Financial Summaries, 2019-2023, published by the CRTC.

¹³ *Broadcasting Act*, s. 3(1)(c).

43. In our view, the Commission has not always followed this principle. For example, the Commission has begun reporting as part of its Communications Market Reports (CMR) Open Data releases the revenues of audiovisual online undertakings collected from its Annual Digital Media Survey. One problem with this data is that revenue is not broken down by language, rendering it almost completely useless given that the Canadian audiovisual content market consists of two distinct language-markets with very unique operating characteristics. Another problem is that the revenue number does not correlate to how the Commission currently regulates audiovisual undertakings. In Broadcasting Order 2024-194, the Commission required online undertakings earning \$25 million or more in annual contributions revenues either alone or as part of an ownership group and that are not affiliated with a Canadian broadcaster to contribute 5% of their annual contributions revenues to certain funds. By reporting all audiovisual online revenues (which is necessary) only, and not also revenues by audiovisual online undertakings that earn \$25 million or more in annual contributions revenues, the Canadian public does not have access to the base revenues that apply to the base contributions regime and, presumably, any CPE requirements that may apply in the future to that subset of audiovisual online undertakings.

Conclusion

44. We thank the Commission for the opportunity to respond to these questions.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Neal McDougall', with a stylized, cursive script.

Neal McDougall
Assistant Executive Director, WGC

Cc: Victoria Shen, Executive Director, WGC
Council, WGC

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