

September 10, 2025

Filed Electronically

Marc Morin
Secretary General
Canadian Radio-television and
Telecommunications Commission
Gatineau, Quebec
K1A 0N2

Dear Mr. Morin:

Re: Application # 2025-0412-5: Part 1 Application regarding Rogers' obligation to continue allocating certified independent production fund (CIPF) contributions to the Shaw Rocket Fund

1. The Writers Guild of Canada (WGC) is the national association representing approximately 2,500 professional screenwriters working in English-language film, television, radio, and digital media production in Canada. The WGC is actively involved in advocating for a strong and vibrant Canadian broadcasting system containing high-quality Canadian and Indigenous programming.
2. The WGC **supports** this application by the Shaw Rocket Fund (the Rocket Fund).
3. This Rocket Fund application has been made amidst a crisis in Canadian children's and youth programming. In 2023-2024, production of Canadian children's and youth (C&Y) decreased by 41.2%, and Canadian animation, which is predominantly made up of C&Y programming, decreased by 55.2%.¹ This is mirrored by the WGC's own experience, with declining numbers of episodes, shorter episode durations, and smaller budgets. Recently, Wildbrain announced its decision to cease broadcast of Family Channel, Family Jr., WildBrainTV and Télémagino, calling the channels "no longer commercially viable".² And Corus Entertainment Inc. has "paused" production at its children's content division, Nelvana, which followed a 2024 decision to cut a top animation executive and

¹ *Profile 2024, An economic report on the screen-based media production industry in Canada*, (<https://cmpa.ca/profile/>), pg. 24.

² <https://investors.wildbrain.com/2025-08-25-WILDBRAIN-PROVIDES-UPDATE-ON-ITS-TELEVISION-BROADCAST-BUSINESS>

halt all new project development.³ WGC members report ongoing critical challenges in the C&Y space. Taken together, these developments represent an unfolding catastrophe for the sector.

4. In this context, the continued viability of supports for Canadian C&Y programming, like the Rocket Fund, are more vital than ever.
5. The WGC intervened in Broadcasting Notice of Consultation CRTC 2021-281, the application by Rogers Communications Inc. (Rogers), on behalf of Shaw Communications Inc. (Shaw), for approval to effect a change of ownership and effective control, from Shaw or its subsidiaries to Rogers or its subsidiaries, of certain licensed undertakings, predominantly Shaw's broadcasting distribution undertaking (BDU) business. We highlighted the potential impact of the transaction on the Rocket Fund at that time, pointing out that Rogers' Certified Independent Production Funds (CIPFs) have historically not invested in C&Y programming, and we argued that the Commission should make it a permanent requirement that Rogers continue to contribute to the Rocket Fund at then-current levels.⁴
6. In Broadcasting Decision CRTC 2022-76, the Commission ultimately determined that it, "recognizes the significance of the [Rocket Fund] in supporting the production of programs for children and youth, particularly those from equity seeking groups," and, accordingly, "finds it appropriate to direct Rogers to provide equal support to the Rogers funds and the [Rocket Fund] through its BDU contributions." In light of that, the Commission directed Rogers, "to continue to allocate its allowable CIPF contributions to both the Rogers funds and the [Rocket Fund] in equal amounts for the remainder of Rogers' licence term, as proposed by Rogers."⁵
7. A great deal has happened in the three years since that decision. Bill C-11, the *Online Streaming Act*, was passed by Parliament, and the Commission has embarked upon the overarching review of the entire broadcasting system. To facilitate that process, the Commission administratively renewed existing broadcast licences in 2023.⁶ That was a natural step to take, as it maintains the regulatory *status quo* across the broadcasting system while the Commission can re-examine and re-think virtually everything about that system in light of its new mandate and the realities of the 21st Century digital landscape. As the Commission stated in the administrative renewal decision:

³ <https://broadcastdialogue.com/nelvana-not-shutting-down-corus/>

⁴ https://www.wgc.ca/sites/default/files/resource/2021-12/WGC%20Final%20Written%20Submission_BNC%20CRTC%202021-281_Shaw-Rogers%20Transaction_FINAL.pdf

⁵ Paras. 124, 125.

⁶ <https://crtc.gc.ca/eng/archive/2023/2023-245.htm>

These administrative renewals will allow sufficient time for the Commission to modernize its regulatory frameworks in response to the new *Broadcasting Act* and implement the appropriate changes in the future.

This decision does not dispose of any issue that may arise with respect to the renewal of these licences, including any non-compliance issues. The Commission will consider the substantive issues related to these licences, the various conditions of service and mandatory orders at a later date, and interested persons will have an opportunity to comment at the appropriate time.⁷

8. The Commission deciding the Shaw-Rogers transaction in 2022 could have been expected to assume that extending Rogers' funding obligation towards the Rocket Fund until the end of Rogers' licence term would allow for the reconsideration of the situation when that very licence came up for renewal at the end of the term. The Commission in 2022 did not have a new *Broadcasting Act* to consider, and could not know for certain whether there would be one or exactly what it would say.
9. The clear spirit and intent of the administrative renewals of 2023 was to effectively create a "standstill" period during which the Commission could consider all aspects of the Canadian broadcasting system and then create a new framework that dealt with everything. That standstill is fundamentally undermined by allowing the lapse of a major funding source to a major Canadian programming funder of a genre that is currently in crisis. The clear effect of the lapse of Rogers' funding obligation to the Rocket Fund will be a hammer blow to a C&Y sector that is already reeling, and for which the Commission might otherwise find a policy solution in a licence renewal proceeding.
10. The situation further illustrates a key point that the WGC made in the Broadcasting Notice of Consultation CRTC 2021-281 process, which is the effect of concentration of market power on the underlying logic of the discretionary CIPF system. Directing funding to particular CIPFs is discretionary — BDUs are generally free to set up CIPFs and direct funding to them as they wish. This discretion, however, was created in an ecosystem in which there were multiple BDUs operating across the country. With a diversity of BDUs, the Commission could assume an element of diversity of funding through CIPFs, as each BDU chose which area(s) to focus on through the CIPF(s) they contributed to. Now, however, the Shaw-Rogers transaction has drastically reduced that diversity, by eliminating one of the largest BDUs in the country, and combining it with Rogers to form *the largest* BDU. This results in a meaningful reduction in the diversity of voices in the Canadian system because Rogers has the ability to direct CIPF funding to a much greater degree than before, and to affect the type(s) of programming that gets funded as a result. Rogers is now seeking to exercise that ability to a clear and detrimental effect. The loss of funding diversity is significant, and warrants a response by the Commission that is

⁷ Paras. 6-7.

meaningful to offset its impact. The Commission could have reviewed this situation and acted accordingly in a licence renewal or policy proceeding. Instead, if the Commission staff decision is upheld, no stakeholder will have an opportunity to present evidence on this impact, and Rogers' contributions to the Rocket Fund will lapse by the simple passage of time on the calendar.

11. We respectfully submit that the Commission should not risk letting a key funder in the C&Y space face increased fiscal challenges, or even potential collapse, amid a crisis for C&Y programming and in a transitional period which the Commission clearly intended to be in a "regulatory standstill" while new legislation is implemented. As such, we submit that the Commission should extend the funding obligation by Rogers until the new regulatory framework is in place, or at least for the next broadcast year, pursuant to the timeline of the administrative renewals.
12. We thank the Commission for the opportunity to provide comments in support of this application.

Yours very truly,



Neal McDougall
Assistant Executive Director, WGC

cc: Agnes Augustin, Shaw Rocket Fund (agnes@rocketfund.ca)

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