

Copyright Board
Canada



Commission du droit d'auteur
Canada

[CB-CDA 2024-105]

ORDER OF THE BOARD

Matters: *Television Retransmission Tariffs (2019-2023 and 2024-2028)*

December 6, 2024

BACKGROUND

[1] On February 23, 2024, several Objectors to the *Tariff for the Retransmission of Distant Television Signals (2019-2023)* and *Tariff for the Retransmission of Distant Television Signals (2024-2028)*—Bell Canada, Cogeco Communications, Quebecor Media, Rogers Communications, Canadian Communications Systems Alliance Inc., and TELUS Communications (the “BDUs”)—wrote to the Board requesting:

- that the Board combine the 2019-2023 and 2024-2028 Television Retransmission proceedings into a single proceeding, and commence at the Board’s earliest convenience.

[2] My predecessor, Nathalie Théberge, noted the BDUs’ request to consolidate and commence consideration of the proposed tariffs (see CB-CDA 2024-018). At the time, the Board did not address the request to combine the consideration of the tariff proposals into a single proceeding, but noted that the Board would inform the Parties when it was ready to proceed, and at that time would provide the Collectives (as defined in that Order) an opportunity to respond to the request to consolidate.

[3] The Board is now ready to proceed in these matters. I have been appointed as case manager for both proposed tariff periods.

[4] I therefore am providing the Collectives the opportunity to make representations on whether the 2019-2023 and 2024-2028 Television Retransmission proceedings should be consolidated. I invite their submissions on this question by **Friday, December 20, 2024**. Submissions may be filed jointly or individually.

CASE MANAGEMENT CONFERENCE

[5] I intend to hold a case management conference (CMC) to discuss next steps and set the most efficient path to the hearing(s), either as a single proceeding or in two separate proceedings.

[6] I note that the Notice of Grounds for Proposed Tariff 2024-2028 indicates that the proceeding “will enable the collective societies to provide a detailed direct-market and proxy valuation analysis to permit the Copyright Board to set an equitable royalty rate for the use of distant signals during the tariff period”.

[7] As such, I anticipate discussing the following items during the CMC:

- A. Potential Consolidation of the two effective periods;
- B. Grounds for the first tariff period;
- C. Statement of issues;
- D. The relevant models or proxies for valuation;
- E. Necessary steps (interrogatories, expert evidence, etc.);
- F. Allocation of royalties among collective societies;
- G. Schedule(s) of proceedings.

[8] I am available for the CMC at the following dates and time:

- Monday, January 27, 2025 from 2 to 3 p.m. EST
- Tuesday, January 28, 2025 from 2 to 3 p.m. EST
- Friday, January 31, 2025 from 2 to 3 p.m. EST

[9] Parties shall confirm their representative as well as their availability for the CMC by **Friday, December 20, 2024**. By that same date, Parties may also propose additional agenda items, if any. A final agenda and Zoom meeting link will be circulated no later than 2 weeks prior to the CMC.

Drew Olsen
Case Manager