



Date	2026-03-18
Ruling of the Board	CB-CDA 2026-037
Proceeding Number	PT25-10
Proceeding	SOCAN Tariff 2.C – Télé-Québec (2023-2028)
Member	Katherine Braun

I. Overview

[1] On November 7, 2025, Télé-Québec (TQ) requested leave to intervene in respect of the proceeding.

[2] On November 21, 2025, SOCAN informed the Board that it was engaged in settlement discussions with TQ. With the consent of TQ, SOCAN requested that the Board suspend the proceeding for three months.

[3] On November 27, 2025, in Ruling of the Board CB-CDA 2025-114 (the “November Ruling”), I granted SOCAN’s request to suspend the proceeding to pursue settlement discussions. I also requested that SOCAN provide an update on the status of its negotiations with TQ no later than February 27, 2026.

[4] On February 25, 2026, SOCAN requested an additional three-month extension to pursue discussions with TQ.

[5] On March 3rd, 2026, I granted SOCAN’s second request to suspend the proceeding and ordered SOCAN to file a detailed update on the status of negotiations no later than May 27, 2026 (the “March 3rd Ruling”). I also granted TQ’s request to be granted intervenor status, with the parameters set out in the March 3rd Ruling.¹

¹ The March 3rd Ruling provides that TQ can make written submissions; will receive copies of communications from the Board and SOCAN; has to copy the Board and SOCAN on any communications originating from it; will receive a copy of the record as it now stands; and can make oral submissions, if an oral hearing is ordered.

[6] On March 5, 2026, SOCAN asked that I vary the March 3rd Ruling. It argues that the March 3rd Ruling breached its rights to procedural fairness by ruling on TQ's motion to be granted intervenor status without giving SOCAN the opportunity to comment:

Following TQ's request for leave to intervene [on November 7, 2025] and before 15 days had elapsed, SOCAN and TQ jointly requested that the Board suspend the proceeding for three months. The Board granted that request [...] As a result, SOCAN has not yet had the opportunity provided for by the Rules to respond to TQ's request for leave to intervene because the 15-day period provided for in the Rules has not elapsed. Indeed, SOCAN understood that the request for leave to intervene was suspended along with the remainder of the proceeding.

[7] SOCAN also argues that I should have granted TQ intervenor status with the same rights and obligations as those of an objector instead of those of a "limited intervenor status without the obligations attendant to with full participation". It argues that this could cause prejudice to SOCAN because TQ is relieved from the obligations to respond to interrogatories and cannot be subject to cross-examination.

[8] In light of the foregoing, SOCAN asks that I vary the March 3rd Ruling to either provide SOCAN with an opportunity to respond to TQ's request to intervene or amend the March 3rd Ruling to grant TQ the right to participate to the proceeding as a party "with the same rights and obligations that would be granted to an objector".

II. Ruling

[9] SOCAN's request is denied.

[10] While the Board will typically issue a notice seeking comments, this was not required in this case. As SOCAN is aware, Subrule 52(4) of the *Copyright Board Rules of Practice and Procedure* (the "Rules") states the following:

Any party may make submissions with respect to the request for leave to intervene by filing them with the Board and serving a copy of them on the requester within 15 days after the day on which the served request to intervene is received.

[11] TQ's request for leave to intervene was filed on November 7, 2025. Pursuant to Subrule 52(4), SOCAN had until November 24, 2025 to comment on TQ's request to intervene. It did not provide comments within the prescribed timeframe, which expired before the temporary suspension granted on November 27, 2025. There is no breach of procedural fairness.

[12] With respect to TQ's intervention, SOCAN notes that granting TQ intervenor status with limited rights and obligations would relieve TQ of all obligations to respond to

interrogatories or be subjected to cross-examination as would a full Objector. This observation is true.

[13] However, on February 25 2026, SOCAN informed the Board that “SOCAN and TQ have been engaged in settlement discussions and are making progress”. I find it difficult to reconcile this assertion with the fact that the proceeding might warrant a process that could include exchange of interrogatories and cross-examination of witnesses.

[14] In the event that settlement discussions fail and that other steps, including an interrogatory process, become necessary, SOCAN may ask the Board to modify the parameters of TQ’s participation. At this point in the proceeding, SOCAN’s request is premature.