

NOTICE OF GROUNDS FOR OBJECTION

Filed by Bell Canada, Rogers Communications Canada Inc., and Québecor Média Inc.

In relation to proposed tariff *SOCAN Tariff 22.C – Internet – Other Audio Services (2027-2029)*

Filed with the Copyright Board (the “Board”) on 2025-12-17 pursuant to Rule 18 of *Copyright Board Rules of Practice and Procedure*.

General Statement of Objection

This is the Notice of Grounds for Objection of Bell Canada, Rogers Communications Canada Inc., and Québecor Média Inc. (the “BDUs”) to the Proposed Tariff for Internet – Other Audio Services for 2027-2029 (the “Proposed Tariff”) filed by SOCAN and published on the Copyright Board website on November 17, 2025, pursuant to the provisions of section 68.2 of the *Copyright Act*.

The BDUs respectfully reserve the right to rely upon objections raised by other parties to the proceedings, *mutatis mutandis*. The BDUs also reserve their right to raise additional substantive points of objection throughout the proceedings related to the Proposed Tariff.

These objections are filed in accordance with the *Copyright Act* and the Practice Notice on the Filing of Grounds for Objection.

Inter alia and without limiting their general objection, and without admitting that they are liable for the payment of royalties pursuant to the proposed tariff, the BDUs object to the following:

Grounds for Objecting to Royalty Rates in the Proposed Tariff

The BDUs object to the rates set out in section 3 of the Proposed Tariff for the following reasons:

- Said proposed fees do not reflect the fair, reasonable, and appropriate value of the public performance or the communication to the public by telecommunication of works in SOCAN’s repertoire.
- Said proposed fees do not reasonably reflect either the amount or the type of the impact of music use by a licensee.
- Said proposed fees have a “minimum fee” that is unnecessary or in the alternative, much too high and does not adequately reflect subscriptions.

- The BDUs object to the fact that the Proposed Tariff seeks to include in the rate base revenues which are in no way connected to the use or value of SOCAN's repertoire.
- Further, the BDUs object to the fact that the Proposed Tariff does not adequately reflect the principle of technological neutrality in that it seeks to collect higher royalty rates from prospective users of the SOCAN Tariff 22.C licence than from other users who make substantially similar uses of music.

Grounds for Objecting to Terms and Conditions in the Proposed Tariff

The BDUs object to the reporting and auditing provisions contained in the Proposed Tariff at sections 4, 5 and 8. Said provisions are intrusive, require the disclosure of potentially sensitive confidential information, require the disclosure of information that is not necessarily available to licensees, and place a disproportionate burden on licensees.

The fact that the Proposed Tariff requires licensees to retain records for a period of six years at section 8(1) is also unreasonable and places a disproportionate burden on licensees. The fact that services are required to pay for audit costs as per section 8(3) is also not standard.

The BDUs object to the confidentiality provision at section 9. In particular, they object to section 9(2)(d) where SOCAN is given the right to share information with anyone who is presumed to know confidential information received pursuant to the tariff. This provision could allow for the release of sensitive confidential information to uninvolved third parties.

The BDUs also object to SOCAN's proposal that no adjustment may be made to royalties paid more than six years in the past at section 7, other than by an audit conducted by SOCAN itself. This is unbalanced, unreasonable, and does not appropriately account for the fact that tariff proceedings can begin and only be fully resolved years after interim royalties have been paid.

Finally, the BDUs object to section 1(3) of the Proposed Tariff (relating to the training of any artificial intelligence system) to the extent it purports to limit the use of works in a manner consistent with the principles of fair dealing and other exceptions under the *Copyright Act*.

Additional Grounds for Objecting to the Proposed Tariff

The BDUs object to the fact that the Proposed Tariff does not adequately reflect the risk and investment by users in new technology.

The BDUs also object to the vague description of what use applies to 22.C as well as the overlapping nature of SOCAN's proposed Internet tariffs (SOCAN's proposed Tariffs 22.A-G). SOCAN has not clearly differentiated its proposed Internet tariffs, which leaves prospective users unable to determine which tariffs may apply to them.

Yours truly,