

REPLY TO NOTICE OF GROUNDS FOR OBJECTION

Filed by CMRRA and SOCAN (the “Collectives”)

In relation to proposed tariff Non-Commercial Radio Reproduction Tariff (CMRRA and SOCAN 2027-2029)

Filed with the Copyright Board on 2026-02-19 pursuant to Rule 21 of the *Copyright Board Rules of Practice and Procedure*

1. This Reply is in response to the Notice of Grounds for Objection (“NOGO”) filed by L’Alliance des radios communautaires du Canada, L’Association des radiodiffuseurs communautaires du Quebec; and the National Campus and Community Radio Association/ L’Association nationale des radios étudiantes et communautaires (collectively, the “Objectors”).
2. The Objectors have filed numerous grounds for objection. The Collectives deny these grounds, and any factual or evidentiary assertions made therein, and put the Objectors to the strict proof thereof.
3. The Collectives deny the objections to the proposed royalty rate structure and the proposed royalty rates. The proposed royalty structure and royalty rates are fair and equitable and properly reflect the value of the uses of musical works by non-commercial radio stations covered by the proposed tariff. The Collectives will advance evidence in support of their position in this proceeding.
4. The Collectives deny that the Board’s decision on September 2, 2022 (2022 CB 12) (the “2022 Decision”) is relevant to the proposed tariff. The 2022 Decision was based on unique and specific facts that are not relevant in relation to the proposed tariff.
5. The Collectives deny that the royalty rates in the last-approved tariff are “too high”. The royalty rates in the proposed tariff, like those in the last-approved tariff, reflect royalty rates agreed upon in a settlement agreement between the Collectives and the Associations. In its decision approving the last-approved tariff (2025 CB 7) (the “2025 Decision”), the Board held that the settlement agreement constituted a good basis to approve fair and equitable tariffs.
6. Similarly, the Collectives deny the Objectors’ grounds for objection to the terms and conditions of the proposed tariff. The terms and conditions of the proposed tariff are effectively identical to those of the last-approved tariff, which the Board found to be fair and equitable in the 2025 Decision.
7. In the non-commercial radio industry, generally, the royalty rates and terms and conditions reflected in the settlement agreement and the last-approved tariff have proven to be practical, fair, and equitable.