



Broadcasting Notice of Consultation CRTC 2022-272-1

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Reference: 2022-272

Ottawa, 15 November 2022

Public record: 1011-NOC-2022-0272

Call for comments on an application by TVA to remove the advertising time limit of 12 minutes per clock hour on its discretionary services and on the possibility of removing this limit for other discretionary services – New deadlines for the submission of interventions and replies

New deadline for the submission of interventions: 24 November 2022

New deadline for the submission of replies: 9 December 2022

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1. On 27 October 2022, the Commission received a procedural request from the Public Interest Advocacy Centre (PIAC) in regard to *Call for comments on an application by TVA to remove the advertising time limit of 12 minutes per clock hour on its discretionary services and on the possibility of removing this limit for other discretionary services*, Broadcasting Notice of Consultation CRTC 2022-272, 6 October 2022 (the Proceeding).
2. PIAC requested that the Commission suspend the Proceeding until Bill C-11 (the *Online Streaming Act*) is enacted and the Commission renders its decision on the reconsideration of the licence renewal decision for the Canadian Broadcasting Corporation (CBC).¹ It alleged mainly that these regulatory and legislative reforms will potentially provide broad solutions to the problems raised by TVA Group Inc. (TVA) in its application (including competition from online platforms and inequities between private broadcasters and the public broadcaster). According to PIAC, the suspension of the Proceeding would not prejudice the parties since revenues from discretionary and on-demand services in the 2020-2021 broadcast year appear to be comparable to pre-pandemic levels. Conversely, it considered that removing the advertising time limit for discretionary services could drive more subscribers to online platforms, exacerbating the audience fragmentation on which TVA relied to justify its application.

¹ See [Order Referring Back to the CRTC Broadcasting Decision CRTC 2022-165](#), PC 2022-0995.

3. PIAC further stated that the 30-day intervention period is not sufficient to allow interveners to file evidence, including studies and detailed financial data, to support their interventions.
4. In its reply dated 31 October 2022, Quebecor Media Inc., on behalf of TVA, strongly opposed the requested suspension.
5. The Commission notes that in the context of the Proceeding, all parties were invited to consider whether it is appropriate to address the issue of the current limit on advertising at this time. It therefore considers that it would be premature and unjustified to suspend the Proceeding by considering only the positions of PIAC and TVA. The Commission finds that it would be more appropriate to address this issue after reviewing the complete public record in light of the evidence and arguments filed by all interveners.
6. In regard to the intervention period, the Commission notes that it is possible that the late filing of PIAC's procedural request may have created uncertainty for some parties. Accordingly, under these circumstances, the Commission considers that an additional seven business days for the submission of interventions would ensure that parties have the opportunity to submit their interventions in a timely manner.
7. In light of all of the above, the Commission **denies** PIAC's request to suspend the Proceeding. However, it **reopens**, on an exceptional basis, the intervention period for an additional seven business days. This additional intervention period is granted to all parties, whether or not they have already filed an intervention/reply.
8. The deadline for the submission of interventions is **24 November 2022** and the deadline for the submission of replies is **9 December 2022**.

Secretary General