



## Broadcasting Decision CRTC 2015-128

PDF version

Route reference: Part 1 applications posted on 13 November 2014

Ottawa, 8 April 2015

### **Rogers Media Inc.**

Calgary and Edmonton, Alberta

*Applications 2014-1130-6 and 2014-1146-2*

### **CJCO-DT Calgary and CJEO-DT Edmonton – Redirection of funding for independent production**

*The Commission **approves** applications to redirect a portion of the funding that CJCO-DT Calgary and CJEO-DT Edmonton provide for independent production. The licensee will redirect \$250,000 in funding approved in Broadcasting Decision 2007-166 from the New Media Micro-site to the development of independent production of ethnic digital content in Alberta.*

*The Commission considers that the proposal will benefit independent producers in Alberta as well as the viewers served by the stations who will have access to additional ethnic programming.*

#### **Applications**

1. Rogers Broadcasting Limited<sup>1</sup> (Rogers) filed applications for authority to redirect one of the independent production funding commitments of CJCO-DT Calgary and CJEO-DT Edmonton (collectively referred to as OMNI Alberta).
2. In Broadcasting Decision 2007-166, the Commission approved applications by Rogers to operate new multilingual ethnic television stations in Calgary (CJCO-DT) and Edmonton, Alberta (CJEO-DT). The Commission also approved the following commitments to be allocated in large part to independent production, to be paid over the licence term and upon commencement of operation of the television stations:
  - \$4 million to the production of third-language dramas and documentaries, a minimum of 10% of which would be Aboriginal programming initiatives;
  - \$4 million to cross-cultural programming initiatives, a minimum of 10% of which would be Aboriginal programming initiatives;

---

<sup>1</sup> On 1 January 2015, Rogers Media Inc., Rogers Broadcasting Limited, Rogers Publishing Limited, 6878458 Canada Inc., 6878482 Canada Inc., Rogers Sports Group Inc., Rogers Sportsnet Inc., Sportsnet 360 Media Inc. and Sportsnet 360 Television Inc. amalgamated to continue as Rogers Media Inc.

- \$1 million to an official languages media educational initiative;
  - \$500,000 to local program pilots for under-served groups;
  - \$250,000 to the development of ethnic new media projects (through the Canadian Ethnic Media Association or CEMA); and
  - \$250,000 to the creation of a New Media Micro-site.
3. The present applications concern the last of these, the New Media Micro-site. This initiative was intended to provide funding for students at an established new media program at an educational institution in Alberta to create online, interactive content or to access other information and resources for ethnic new media producers from around the world. Research results and new media content were to be posted to the New Media Micro-site for review and input from other online users, developers, and producers.
  4. In its current applications, Rogers proposed to redirect the funding for the New Media Micro-site to the creation of third-language digital content that would consist of vignettes produced by independent producers in Alberta.
  5. In support of its applications, Rogers submitted that the objectives of the New Media Micro-site are already being met by its initiative to support the development of ethnic new media projects through the CEMA.
  6. According to Rogers, the CEMA has identified the following research projects:
    - developing and updating its website and adding a blog where features are posted in English with links to different media sites;
    - creating a “who’s who” in ethnic media; and
    - providing research on existing ethnic media in Canada and, in particular, ethnic media in western Canada.
  7. As a result, Rogers submitted that redirecting the \$250,000 allocated to the New Media Micro-site would duplicate the CEMA initiative. It considered that these funds would have a greater impact if used to create digital content by independent producers in Alberta. Rogers also indicated that it had not yet identified an educational institution in Alberta to create the New Media Micro-site.

## **Interventions**

8. The Commission received an intervention supporting the applications from the Alberta Media Production Industries Association (AMPIA) and an intervention commenting on it from the Public Interest Advocacy Centre (PIAC). The public file for these applications is available on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) or by using the application numbers provided above.
9. AMPIA supported the application on the condition that the funds be spent with independent producers in Alberta.
10. PIAC generally supported the applications, considering that the proposed new initiative would be more beneficial to local and regional ethno-cultural communities than the New Media Micro-site. However, PIAC submitted that Rogers should be required to confirm that it has consulted with the OMNI Alberta Advisory Council regarding the allocation of the funding to ensure that the initiative meets the needs of those communities. PIAC also requested that Rogers provide further information on the vignettes that it would produce.
11. In addition, PIAC suggested that the Commission require Rogers to provide the same level of information in its reporting on its new initiative that it provides for other contributions earmarked for independent production in Alberta. This information includes the names of the programs, the producers, the third languages employed and the program categories. PIAC also submitted that the web content that Rogers produces should not count toward the fulfilment of the stations' conditions of licence regarding local, ethnic and Canadian programming.

## **Rogers' reply**

12. In its reply to interventions, Rogers stated that its annual report will demonstrate that the new initiative is incremental to other initiatives and commitments. Rogers also confirmed that all of the money for the new initiative will be spent on Alberta independent producers.
13. Rogers provided further details in response to a letter from the Commission dated 26 January 2015. Rogers indicated that it would produce 50 vignettes to help new Canadians adapt and adjust to life in Canada as well as help better inform the ethno-cultural viewers on major life decisions in their new country. All of the vignettes would appear in each of the following languages: Mandarin, Hindi and English. Based on the informal consultations with the ethno-cultural communities in Alberta, Rogers submitted that the Mandarin and Hindi languages are under-represented in locally produced programming. Rogers committed to spend the full sum before 31 August 2015. Rogers also indicated that it may produce other types of ethnic digital content in addition to the vignettes.

## **Commission's analysis and decisions**

14. After examining the record of this proceeding, the Commission finds that the issues to be addressed are the following:

- Is there an overlap between the New Media Micro-site and the development of ethnic new media projects through the CEMA?
- Is the creation of third-language digital content by independent producers in Alberta as proposed by Rogers in the public interest?
- What reporting requirements would be appropriate for the initiative that Rogers has proposed?

### **Assessment of overlap**

15. Rogers argued that there is overlap between the objectives of the New Media Micro-site and the development of ethnic new media projects through the CEMA. As a result, Rogers was of the view that the money that had been committed to the New Media Micro-site would have a greater impact if it were used to create independently produced third-language digital content from Alberta.

16. Based on Rogers' description of the projects supported by the CEMA, it appears that there is overlap between the two initiatives as both give access to information and resources to ethnic new media producers and serve as a platform to exchange research results and the new media content.

### **Public interest**

17. Rogers submitted that the topics presented in the proposed vignettes and other digital third-language content would help new Canadians adapt and adjust to life in Canada as well as help better inform viewers on major life decisions in their new country.

18. The Commission considers that the proposed digital content would likely be of interest and benefit the ethnic communities served by the OMNI Alberta stations. It would also benefit the independent production sector in Alberta since the content would be produced by independent producers based in that province. The Commission further considers that this initiative would be of more benefit than the New Media Micro-site initiative given its overlap with the development of ethnic new media projects through the CEMA, as discussed in the previous section.

19. In light of the above, the Commission considers that approval of Rogers' proposal would be in the public interest.

20. To ensure that the proposed third-language digital content would be incremental to OMNI Alberta's other regulatory requirements, the Commission determines that the digital content associated with this initiative will not count toward fulfilment of the

following conditions of licence imposed on CJCO-DT Calgary and CJEO-DT Edmonton in Broadcasting Decision 2014-399:

- not less than 60% of the total number of hours broadcast monthly between 6 a.m. and midnight must be devoted to ethnic programs (applies to both stations);
- a minimum of 50% of its programming broadcast each broadcast month must be devoted to third-language programming (applies to both stations);
- not less than 55% of the total programming broadcast between 6 a.m. and midnight must be devoted to Canadian programming (applies to both stations);
- CJCO-DT Calgary must broadcast not less than three and a half hours of Canadian local programming in each broadcast week; and
- CJEO-DT Edmonton must broadcast not less than one and a half hours of Canadian local programming in each broadcast week.

### **Reporting requirements**

21. PIAC argued that the Commission should require Rogers to provide the same information on the redirected initiative that it currently provides in its annual reports in order to demonstrate that the funds are truly incremental. In its reply, Rogers submitted that its current reports satisfy PIAC's request.
22. As indicated in Broadcasting Decision 2007-166, Rogers agreed to report annually to the Commission on the disbursement of its financial commitments for these television stations. The Commission considers that Rogers should submit a final report on the fulfillment of all of its financial commitments, including the new initiative approved in this decision, by **30 November 2015**. The report should include the names of the programs, the producers, the third languages used and the program categories. The Commission will assess the fulfillment of these commitments at the time of licence renewal.

### **Conclusion**

23. In light of all of the above, the Commission **approves** the applications by Rogers to redirect a portion of the funding that CJCO-DT Calgary and CJEO-DT Edmonton provide for independent production. The licensee will redirect \$250,000 in funding for independent production approved in Broadcasting Decision 2007-166 from the New Media Micro-site to the development of independent production of ethnic digital content in Alberta.

24. None of the third-language digital content produced under this initiative will count toward the fulfilment of these television stations' commitments and requirements for local, ethnic and Canadian programming set out above.
25. Rogers must submit a final report on the disbursement of all of its financial commitments for these television stations, as set out in Broadcasting Decision 2007-166 and in the present decision, by **30 November 2015**.

Secretary General

### **Related documents**

- *Rogers Media Inc.– Group-based licence renewals*, Broadcasting Decision CRTC 2014-399, 31 July 2014
- *Ethnic television stations in Calgary and Edmonton*, Broadcasting Decision CRTC 2007-166, 8 June 2007