



Broadcasting Decision CRTC 2026-71

PDF version

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Gatineau, 22 April 2026

TV5 Québec Canada
Across Canada

Public record: 2024-0630-6

TV5/UNIS TV – Application to increase the mandatory per subscriber monthly wholesale rates

Summary

TV5/UNIS TV is a French-language discretionary service that broadcasts two distinct signals (TV5 and UNIS TV) operating under the same licence. The programming of TV5 aims to reflect the international Francophone community while that of UNIS TV aims to reflect the diversity of the Canadian Francophone community, including that of official language minority communities (OLMCs). This service has benefited from a mandatory distribution order issued under paragraph 9.1(1)(h) of the *Broadcasting Act* (the Act) since 2014 because of its exceptional importance.¹

In 2024, TV5 Québec Canada (TV5) filed an application to increase the mandatory per subscriber monthly wholesale rate for TV5/UNIS TV from \$0.24 to \$0.26 in English-language markets and from \$0.28 to \$0.30 in French-language markets (an increase of \$0.02 over the current rate for each market). TV5 stated that, without a rate increase, it would be difficult for it to continue supporting the production of French-language programs and promoting French-language OLMCs in Canada.

In Broadcasting Decision 2025-312, the Commission decided to defer its consideration of the application while it examines structural issues that affect the broadcasting industry as a whole. The Commission noted, however, that it could still consider the application on a shorter timeline, as it deemed appropriate.

Since the above-noted decision, the financial situation of TV5 has continued to deteriorate and is now critical, which could make it difficult for TV5 to fulfill its obligations. Therefore, the Commission has considered the application in order to address the pressing financial issues raised by the applicant.

Based on the public record, the Commission approves the application by TV5. The Commission considers that approval of this application is in the public interest as it would ensure the continuity of

¹ See Broadcasting Regulatory Policy 2013-372.

the service as well as the continuation of programming commitments. The new rates take effect on the publication date of this decision.

In order to reflect the new rates, the Commission also modifies the mandatory distribution order for TV5/UNIS TV, which will expire 31 August 2026.

A joint dissenting opinion by Commissioners Ellen C. Desmond, K. C., and Stéphanie Paquette is attached to this decision.

Background

1. TV5 Québec Canada (TV5) is a not-for-profit corporation controlled by its board of directors.
2. TV5 broadcasts two signals under a single licence:
 - (a) the signal TV5, which offers programming that aims primarily to reflect the international Francophone community; and
 - (b) the signal UNIS TV, which offers programming that aims primarily to reflect the diversity of the Canadian Francophone community, including the diversity of official language minority communities (OLMCs).
3. Both signals (hereafter referred to as TV5/UNIS TV) are also subject to the same mandatory distribution order² issued under paragraph 9.1(1)(h) of the *Broadcasting Act* (the Act).³
4. The applicant has held a broadcasting licence since 1987⁴ for its service's TV5 signal. In Broadcasting Decision 2013-384, the Commission approved the addition of the UNIS TV signal to TV5's licence. Furthermore, in Broadcasting Decision 2013-372, issued on the same day, it approved TV5's application for mandatory distribution of TV5/UNIS TV in English- and French-language markets.
5. In Broadcasting Decision 2023-245, the Commission administratively renewed the broadcasting licences and mandatory distribution orders for a certain number of discretionary services and television networks, including TV5/UNIS TV, until 31 August 2026.
6. In 2024, TV5 filed an application to increase the mandatory per subscriber monthly wholesale rates for TV5/UNIS TV. The application is described in greater detail below.
7. In Broadcasting Decision 2025-312, the Commission deferred its consideration of TV5's application, stating that key policy decisions affecting the broadcasting industry as a whole would

² See Broadcasting Decision 2013-372.

³ At that time, mandatory distribution was granted under paragraph 9(1)(h) of the Act. Under the amended Act, mandatory distribution is now granted under paragraph 9.1(1)(h).

⁴ See Decision 87-895.

arise from ongoing proceedings. The Commission found it would be more appropriate to consider TV5's application in light of those decisions, but indicated that it could do this on a shorter timeline, as it deemed appropriate.

8. Since Broadcasting Decision 2025-312, the financial situation of TV5 has continued to deteriorate, compromising the fulfillment of its commitments with respect to programming. Consequently, the Commission considers it important to accelerate its schedule and examine the application immediately to address the pressing financial issues raised by the applicant.

Application

9. The application by TV5 aims to increase TV5/UNIS TV's mandatory per subscriber monthly wholesale rates as follows:

- (a) from \$0.24 to \$0.26 in English-language markets; and
- (b) from \$0.28 to \$0.30 in French-language markets.

10. TV5's proposal would represent an increase of \$0.02 over the current rate for each market.

11. The new rates would take effect on the publication date of this decision.

12. TV5 noted that the \$0.28 rate in French-language markets has not changed since 1989,⁵ despite rising operating and programming costs along with competitive challenges from foreign online services. It also cited the ongoing decline in the number of cable television subscribers and the resulting erosion of associated revenues, particularly in French-language markets. According to TV5, the increase in operating and programming costs, combined with stagnant revenues, jeopardize the financial viability of TV5/UNIS TV. It indicated that without a reassessment of its rates, it would be difficult for it to fulfill its obligations regarding the production of Canadian programs. Finally, TV5 argued that the proposed increase is essential to enable it to continue supporting the production of French-language programs and promoting OLMCs in Canada.

Interventions and reply

13. The Commission received over 100 interventions in regard to this application, to which TV5 replied.

Positions of interveners

14. Many interveners stated that TV5/UNIS TV plays a vital role in promoting and preserving Francophone culture and the French language, particularly in regard to French-language OLMCs.

⁵ The Commission notes that for English-language markets, the rate was set at \$0.24 in 2013 and has not changed since.

Several organizations⁶ stated that TV5/UNIS TV reflects the realities of Francophones in minority communities, who are often underrepresented on major networks.

15. Several interveners stated that TV5/UNIS TV is a key player in supporting cultural diversity and emerging talent. Producers and creators⁷ noted the service's support for Indigenous peoples and emerging artists. The support program launched by TV5, *Créateurs en série*, was also frequently cited as a way to promote the training and development of new talent.
16. Many interveners⁸ underscored the importance of TV5/UNIS TV for independent French-language audio-visual production, particularly in minority communities. The Association québécoise de la production médiatique (AQPM) indicated that the service's Canadian program expenditures (CPE) depend directly on its revenues and that a decline in revenues automatically leads to a decrease in CPE. The AQPM noted that TV5/UNIS TV's CPE have decreased over the years and could continue to do so if TV5 does not obtain the requested rate increase. The AQPM indicated that it is concerned about this situation, which could have significant consequences for French-language audio-visual production. It noted that the fees paid by public and private broadcasters are the main source of funding for French-language productions, which is not the case for English-language productions. The AQPM also stated that Francophone producers are therefore particularly vulnerable to fluctuations in broadcasters' revenues.
17. In their interventions, educational and teachers' associations⁹ noted the positive influence of TV5/UNIS TV on the learning of French as a second language and to raising the profile of Francophone cultures. Additionally, the online educational platforms *Francolab* and *Francolab Junior*, offered by TV5/UNIS TV, were cited as effective teaching tools for learning French.
18. In their interventions, the *Festival acadien de Clare* and *Cinéfranco* also noted significant cultural partnerships with TV5/UNIS TV, which help promote the Francophonie.
19. The interveners who opposed this application are Cogeco inc. (Cogeco), Quebecor Media Inc. (Quebecor), Rogers Communications Canada Inc. (Rogers), Bragg Communications Inc., operating under the name *Eastlink* (Eastlink), Bell Canada, and TELUS Communications Inc. (TELUS).
20. Although they recognized the financial challenges faced by services that benefit from mandatory distribution under paragraph 9.1(1)(h) of the Act (9.1(1)(h) services), the above-noted interveners

⁶ Such as the Association franco-yukonnaise, the Association canadienne-française de l'Alberta, and the Regroupement des artistes cinéastes de la francophonie canadienne.

⁷ Such as UGO Media, Koze Inc., and Echo Media.

⁸ Including the Association québécoise de la production médiatique (AQPM), Trio Orange, and Zone3 Inc.

⁹ Such as the Association québécoise pour l'enseignement du français langue seconde and the Canadian Association of Second Language Teachers.

cautioned against granting any rate increases prior to the implementation of amendments to the Act.

21. Rogers stated that, in accordance with the Commission's practice, any application by a 9.1(1)(h) service for a rate increase should be evaluated during the renewal of the licence. According to Rogers, this approach would allow for a simultaneous review of the proposed rates, contributions, and service requirements, while ensuring an assessment consistent with other 9.1(1)(h) services. It added that such an approach would also allow for an assessment of the impact on the basic service offering, which should not cost its subscribers more than \$25.
22. Quebecor and Bell Canada argued that broadcasting distribution undertakings (BDUs) are no longer able to absorb further rate increases. Quebecor stated that if the proposed increase were approved, the impact on BDUs would be significant. In its view, this could also encourage other 9.1(1)(h) services to file similar applications.
23. Cogeco asked the Commission to deny the application, noting that the additional funding provided by the federal government in the 2024 federal budget (Budget 2024) offsets the anticipated decline in revenues until the next licence renewal, scheduled for 31 August 2026. The intervener argued that it would therefore not be justified to grant a rate increase before that time. Cogeco and Rogers stated that TV5/UNIS TV's current financial viability is sufficient to ensure the continuity of its operations until 2026.
24. Finally, Quebecor, Rogers, Eastlink and TELUS cited Broadcasting Decision 2024-314, in which the Commission denied a rate increase application submitted by Accessible Media Inc. These interveners stated that they viewed that decision as a potential shift in approach, in which the Commission appeared more responsive to the financial challenges faced by BDUs.

Applicant's reply

25. In its reply to the interventions, TV5 explained that the requested rate increase is crucial for meeting its obligations, particularly in regard to CPE, which account for 55% of its revenue. It stated that without this increase, it expects to have to reduce its investments in Canadian programming. Although some interveners proposed budget cuts, TV5 stated that this approach would not be sufficient to cover its deficit. It also emphasized that its rates remain competitive compared to those of similar services, especially given its obligations regarding the production of and investment in Canadian programming. Finally, it highlighted its key role in supporting the Francophonie and OLMCs in Canada.

Legal and policy frameworks

Obligations under the *Broadcasting Act* and the *Official Languages Act*

26. In accordance with the policy objectives of the *Broadcasting Act* and with section 41 of the *Official Languages Act*, the Commission is required to promote and protect the French language,

which is in a minority situation in Canada and in North America. The Commission meets this obligation by promoting a Canadian broadcasting system that reflects the linguistic duality of Canada through the creation, production, and broadcast of French-language programming. The Commission is also obligated, pursuant to sections 5.1 and 5.2 of the *Broadcasting Act*, to enhance the vitality and support the development of OLMCs, as well as to consult with them when considering any decision that could have an adverse effect on them.

27. The Commission recognizes that denying the application could have an adverse effect on French-language OLMCs outside Quebec, particularly since it would be difficult for TV5/UNIS TV to continue supporting the production of French-language programs and promote French-language OLMCs in Canada. In accordance with section 5.2 of the Act, the Commission therefore sent a letter, on 12 May 2025, to groups representing the interests of OLMCs, informing them that it had received an application for a rate increase filed by TV5. The Commission held a 15-day targeted consultation period reserved for submissions from groups representing the interests of OLMCs. The period for this dedicated consultation ended 27 May 2025.
28. During this second round of consultation, the Alliance des producteurs francophones du Canada (APFC) reiterated its support for TV5's application. It emphasized TV5's essential role in producing and broadcasting content that reflects Francophone diversity in Canada.
29. In its response to the APFC for the targeted consultation period, TV5 reiterated, among other things, the importance of its service to French-language OLMCs.

Wholesale rate for 9.1(1)(h) services

30. Under paragraph 9.1(1)(h) of the Act, the Commission has the authority to impose conditions on distribution undertakings requiring them to carry programming services and to set the terms and conditions for distribution.
31. The Commission has used this important regulatory tool to require the distribution of services that contribute in an exceptional manner to the objectives of the Act. Mandatory distribution ensures that more diverse programming is produced and made available to Canadians, and helps to ensure that smaller and diverse audiences benefit from having access to content that is relevant to, and reflective of them, but may not be available to them. For a service to be granted mandatory distribution, an applicant must demonstrate that the service is of exceptional importance to the achievement of the objectives of the Act, by meeting the criteria set out in Broadcasting Regulatory Policy 2010-629.
32. The Commission sets the wholesale rate for 9.1(1)(h) services when it grants them mandatory distribution. The Commission generally assesses requests to increase rates at licence renewal, as this allows it to review at the same time the service's contributions and its requirements. However, the Commission can review rates outside of licence renewal when circumstances warrant.

33. The Commission considers whether the rate increase is necessary for the service to meet its programming commitments and remain of exceptional importance to the Canadian broadcasting system. Additionally, the Commission evaluates whether the service contributes appropriately to the fulfillment of the policy objectives of the Act.
34. The Commission has historically considered declining BDU subscription levels as a factor justifying the approval of a rate increase.¹⁰ However, this factor is always weighted against the ability of a 9.1(1)(h) service to continue contributing in an exceptional manner to the broadcasting system. Beyond simply exposing the challenges faced by traditional players, an applicant requesting a rate increase outside of the licence renewal process should be able to demonstrate its inability to meet its requirements without the rate increase. If not, the applicant should clearly establish that the requested rate increase would add sufficient value to the broadcasting system to justify approval of the increase.

Issues

35. In light of the above and of the information on the public record, the Commission considers that it must address issues relating to the following:
- whether TV5 has demonstrated a financial need for the requested rate increase; and
 - whether TV5 could continue to make a significant contribution to the broadcasting system in the absence of an immediate rate increase.

Has TV5 demonstrated a financial need for the requested rate increase?

36. TV5 maintained that the application for a rate change is justified in particular by the fact that its wholesale rate has not been adjusted for French-language markets since 1989, despite significant changes in the broadcasting environment. For English-language markets, the rate was set at \$0.24 in 2013 and has also remained unchanged since then. In 2014, the Commission approved the addition of the UNIS TV discretionary service to the TV5 discretionary service licence and granted mandatory distribution to this service while maintaining the same rates.
37. The Commission notes that, despite the absence of a rate increase, the increase in the number of subscribers has permitted TV5's revenues to grow. However, the Commission acknowledges that this trend reversed when the number of subscribers to BDUs began to decline, placing increased pressure on the financial capacity of the services, including TV5/UNIS TV.
38. TV5 also justified its application by noting the consequences of the decrease in the number of BDU subscribers and the resulting erosion in revenues.
39. In this regard, the Commission notes that between the 2019-2020 and 2023-2024 broadcasting

¹⁰ See Broadcasting Decisions 2018-340, 2018-329, and 2018-307.

years, the number of subscribers to BDUs (with more than 2,000 subscribers) fell, leading to an average annual decline in their subscription revenues of approximately 5%. TV5 experienced a similar change over the course of this period.

40. TV5 stated that its service went from profitable to operating at a loss during the 2022-2023 broadcast year and has since exhausted all of its financial reserves. It submitted that without a rate increase, its situation would become unsustainable as of the 2025-2026 broadcast year. It stated that it would then risk running out of cash to pay its employees and suppliers. TV5 also argued that the rate increase would allow it to reduce its deficit, but not enough to return to a balanced budget.
41. The Commission notes that although TV5 still has some cash on hand and receives financial support under Budget 2024, its operations have been running deficits since the 2022-2023 broadcast year and its situation has since worsened. According to available financial projections, a \$0.02 increase in the monthly rate per subscriber would eliminate the projected deficit or, at the very least, significantly reduce it.
42. In light of the above, the Commission considers that TV5 has demonstrated a financial need for the requested rate increase.

Could TV5 continue to make a significant contribution to the broadcasting system in the absence of an immediate rate increase?

43. The Act provides that the broadcasting system should reflect Canadian diversity and meet the needs of OLMCs by ensuring their representation in programming and making content available to them in their language. TV5's contribution to the Canadian broadcasting system is based on its ability to meet these objectives. For this purpose, the Commission imposed specific obligations on TV5, as described above. Consequently, the Commission considers it necessary to assess whether, in the absence of a rate increase, TV5 would still be able to meet its programming commitments and, by extension, continue to make an exceptional contribution to the Canadian broadcasting system.
44. In Broadcasting Decision 2018-344 and again in Broadcasting Decision 2013-384, the Commission imposed an obligation on TV5 to devote 55% of its annual revenues to CPE, 75% of which must be allocated to original first-run Canadian programs, including a significant portion dedicated to OLMCs.
45. In its intervention, the AQPM noted that TV5's CPE fell by 14.3% between 2019 and 2024, and that a further reduction is projected by 2026 if the requested rate increase is not granted.
46. The Commission notes that TV5 has experienced fluctuations in its CPE over the past five years, reflecting variations in its subscription revenues and changes in the number of BDU subscribers.
47. Although TV5 has demonstrated some resilience in the face of financial challenges, the

Commission considers that this resilience is not sufficient to ensure the stability necessary for the service's long-term sustainability. It also acknowledges that the predictability of resources is an important factor for the development of quality programming.

48. In light of the above, the Commission recognizes that denying the requested rate increase could undermine TV5's contribution relating to CPE and thus limit its ability to meet its programming commitments.
49. In Broadcasting Decision 2013-384, the Commission noted that the service's programming offering would promote the representation of French-language communities and the visibility of French-language Canadian producers from OLMCs. In its view, it would also showcase the artists and cultures of these communities, reflecting their lives, aspirations, and achievements. For this reason, in Broadcasting Decision 2013-372, the Commission granted TV5/UNIS TV mandatory distribution on the basic service.
50. As noted above, the fluctuation in CPE is partly linked to the decline in TV5/UNIS TV's subscription revenues. The Commission considers that in the event of a prolonged decline in CPE, this situation could limit collaboration with independent producers from OLMCs, which would necessarily impact the diversity of programming offered to Francophones outside Quebec. It notes that this support for OLMCs is the reason the service received mandatory distribution.
51. In light of the above, the Commission is of the view that in the absence of an immediate rate increase, it could be difficult for TV5 to continue making an exceptional contribution to the Canadian broadcasting system.

Commission's determination

52. As the Commission noted in Broadcasting Decisions 2024-314 and 2024-106, neither a decline in subscription revenue nor cost inflation is, on its own, sufficient to justify a rate increase. In fact, the financial difficulties caused by the loss of subscribers are felt by all 9.1(1)(h) services, as well as by BDUs. However, in the case of TV5, this revenue decline occurs in a context where:
 - the wholesale rate for French-language markets has not been adjusted since 1989, despite significant changes in the broadcasting environment;
 - there is no recurring public structural funding (the funding granted by Budget 2024 being of a one-time nature); and
 - any reduction in CPE would compromise TV5's ability to meet its programming obligations and its ability to fulfill the objectives of the Act, including those relating to OLMCs and to the promotion and protection of the French language.
53. Given TV5's exceptional contribution to the Canadian broadcasting system, particularly through its contribution to original French-language production and the creation of programs made for

and by French-language OLMCs, the Commission is of the opinion, based on all of the above-noted factors, that an increase in TV5/UNIS TV's wholesale rate would be justified.

54. The Commission notes that the issues raised by the BDUs relate to more general systemic regulatory issues. Such issues are currently being examined in Commission proceedings addressing the establishment of a sustainable broadcasting system and support for the creation and distribution of Canadian programming in the audio-visual sector.¹¹ Decisions on this matter will be issued in the near future.

Conclusion

55. In light of all of the above, the Commission approves, by majority decision, the application by TV5 to increase the mandatory per subscriber monthly wholesale rates for its service TV5/ UNIS TV from \$0.24 to \$0.26 in English-language markets and from \$0.28 to \$0.30 in French-language markets (an increase of \$0.02 over the current rate for each market).
56. The Commission amends the mandatory distribution order for TV5/UNIS TV, which is set out in the appendix to this decision. Condition C set out in Broadcasting Order 2018-345 (order administratively renewed until 31 August 2026 in Broadcasting Decision 2023-245) is replaced with the following: "Each distribution licensee distributing the programming service shall remit to the licensee of the programming service a wholesale rate of \$0.26 per subscriber per month where the service is carried as part of the basic service in an anglophone market and \$0.30 per subscriber per month where the service is carried as part of the basic service in a Francophone market."
57. The new rates take effect on the publication date of this decision.
58. This decision is to be appended to the licence.

Secretary General

¹¹ See Broadcasting Notices of Consultation 2025-2 and 2024-288.

Appendix to Broadcasting Decision CRTC 2026-71

Broadcasting Order CRTC 2018-345

Distribution of TV5/UNIS TV by licensed broadcasting distribution undertakings

Pursuant to section 9.1(1)(h) of the *Broadcasting Act*, the Commission orders licensees of broadcasting distribution undertakings to distribute the programming service of TV5 Québec Canada known as TV5/UNIS TV as part of the digital basic service, on the following terms and conditions:

- (a) This order applies to all licensed distribution undertakings, including terrestrial and DTH distribution undertakings. The licensees of these undertakings are collectively referred to in this order as distribution licensees.
- (b) Notwithstanding the foregoing, distribution licensees shall not be required to distribute the TV5/UNIS TV programming service pursuant to this order unless the licensee or a third party:
 - (i) ensures the transmission of the services from their production facilities by any technological means available to the broadcasting distribution undertaking's head end or satellite uplink centre or to another location agreed upon by the broadcasting distribution undertaking and the service; and
 - (ii) bears the costs of the transmission to the connection point.
- (c) Each distribution licensee distributing the programming service shall remit to the licensee of the programming service a wholesale rate of \$0.26 per subscriber per month where the service is carried as part of the basic service in an anglophone market and \$0.30 per subscriber per month where the service is carried as part of the basic service in a francophone market.
- (d) This order shall take effect on the publication date of Broadcasting Decision 2026-71 and expire 31 August 2026.

For the purposes of this order, “anglophone market,” “basic service,” “DTH distribution undertaking,” “francophone market,” “licensed,” “programming service” and “terrestrial distribution undertaking” shall have the same meanings as those set out in the *Broadcasting Distribution Regulations*, as amended from time to time.

Dissenting opinion of Commissioners Ellen C. Desmond, K. C., and Stéphanie Paquette

1. With respect for the majority, we unfortunately cannot agree with the decision to increase the per subscriber monthly wholesale rate by \$0.02 for the TV5 and UNIS TV services (TV5/UNIS TV). We consider such a decision to be premature in the context of the Commission's ongoing exercise to modernize the Canadian broadcasting regulatory framework and given the challenges currently facing the cable sector.

Unfavourable context

2. Our Canadian broadcasting system rests on a fragile balance. It relies in particular on the central role played by broadcasting distribution undertakings (BDUs), which contribute to the production and distribution of content through fees paid to broadcasters and through their contributions to Canadian production funds. However, at this time, the cable television model is in serious decline as a result of online competition that is changing consumer viewing habits. This decline results in revenue decreases of around 5% per year for BDUs, equivalent to losses of over \$500 million, which accumulate year after year and greatly impair their ability to contribute to the Canadian broadcasting ecosystem.
3. The industry as a whole is currently feeling the repercussions of this decline. This is particularly true of TV5, which is seeing a decline in subscriptions to TV5/UNIS TV and consequently must absorb a 3% drop in distribution revenues, along with a 6% decline in linear advertising sales. The broadcaster has reached a point where insufficient means are compromising its ability to fulfill its mandate and respect its conditions of service. This is what led TV5 to submit its application for the rate increase that is the subject of this decision.
4. Like our colleagues in the majority, we recognize that TV5 plays a unique role in the Canadian media landscape. The broadcaster makes an exceptional contribution to the influence of the Francophonie both in Canada and abroad. Its productions considerably enrich the supply of French-language content in the market, while creating an opening to the world. There is no doubt that this channel deserves support from our broadcasting ecosystem to continue to reflect the Francophonie and to support production in French-speaking communities across the country.

Premature decision

5. In our view, however, the issue in this case is not so much to decide whether TV5 should be granted a rate increase as it is to determine whether the broadcaster's application should be reviewed at this stage. With respect for the majority opinion, we consider that, in the current context, the decision to approve the application has the effect of widening a gap that makes cable television less and less competitive with online broadcasting. By continuing in this way to add regulatory weight to a single pillar of our ecosystem without proposing any overall solutions, this

decision undermines the ability of BDUs to renew their business model and accelerates their decline in the face of international giants who do not face the same constraints.

6. In our view, the solution for supporting TV5/UNIS TV resides more in the Commission's ongoing exercise to modernize the broadcasting regulatory framework to restore balance in the Canadian broadcasting ecosystem. This is what the Commission determined in Broadcasting Decision 2025-312, in which, by majority decision, it was decided to defer consideration of TV5's application on the following basis:

7. The Commission recognizes the importance of the present applications, which concern services of exceptional importance. However, given the key policy decisions that will arise from these proceedings, the Commission considers that it would be more appropriate to consider the applications in light of those decisions. The Commission continues to act promptly to implement the modernized [*Broadcasting Act*] by issuing, as quickly as possible, key decisions that affect the entire broadcasting system. Key policy decisions concerning the two aforementioned applications will be issued in the coming months.

7. As such, in November 2025, the Commission majority determined that deferring the application was the best approach. Just a few months later, it reversed its decision, exercising its discretionary power to consider these applications within a shorter timeframe. The majority cited TV5's pressing financial challenges and critical situation as reasons for its hasty decision.
8. As for the urgency of the situation invoked by TV5, it should be remembered that the decline of cable television is currently affecting the entire industry. In fact, several specialty services have had to cease broadcasting, while others are not only experiencing subscriber reductions, but are also having to cope with rate cuts. It should be emphasized that, in this context, TV5, by means of a mandatory distribution order on the basic television service and a regulated fixed rate,¹ benefits from a privileged status that provides it with a form of protection against the hazards of the market, and more particularly against the phenomenon of "cord-shaving."
9. Furthermore, the granted increase will allow TV5/UNIS TV to receive approximately \$2 million more in fees per year from cable television operators. While recognizing the need for a sustainable solution for the broadcaster, we consider that other measures, in particular financial support from the government, already allow for a temporary alleviation of the broadcaster's financial difficulties.
10. In our view, the Commission is not proceeding in the correct order and should have maintained the approach advocated in Broadcasting Decision 2025-312. Following two hearings on the modernization of the regulatory framework in the spring of 2025,² the Commission will in the coming months issue important decisions to ensure that the objectives of the *Broadcasting Act*, which include support for the Canadian Francophonie, are met. Thus, it is neither prudent nor

¹ Under paragraph 9.1(1)(h) of the *Broadcasting Act*.

² See Broadcasting Notices of Consultation 2025-2 and 2024-288.

practical to consider TV5's application at this stage, since the traditional regulatory framework will soon be revised. The ecosystem must first be stabilized before increasing its burden. To put it another way, we must first refloat the boat before we increase the weight of its cargo.

Conclusion

11. We consider that the Commission majority would have been well advised to wait and offer more comprehensive solutions as part of the overhaul of the broadcasting regulatory framework. The Commission is currently working hard to deliver major blocks of this modernization as early as 2026, notably in regard to Canadian programming expenditure obligations and the financing of services benefiting from mandatory distribution orders. Proceeding in the correct order would have given the industry a better overview, while avoiding decisions whose impact could be short-lived.

Related documents

- *CPAC, TV5/UNIS TV, and Canal M – Applications to increase the mandatory per subscriber monthly wholesale rates – Deferral of consideration of the applications*, Broadcasting Decision CRTC 2025-312, 21 November 2025
- *The Path Forward – Working towards a sustainable Canadian broadcasting system*, Broadcasting Notice of Consultation CRTC 2025-2, 9 January 2025, as amended by Broadcasting Notices of Consultation CRTC 2025-2-1, 24 March 2025; 2025-2-2, 31 March 2025; 2025-2-3, 23 July 2025; and 2025-2-4, 1 August 2025
- *AMI-tv and AMI-télé – Application to increase the monthly per subscriber wholesale rates*, Broadcasting Decision CRTC 2024-314, 3 December 2024
- *The Path Forward – Defining “Canadian program” and supporting the creation and distribution of Canadian programming in the audio-visual sector*, Broadcasting Notice of Consultation CRTC 2024-288, 15 November 2024, as amended by Broadcasting Notices of Consultation CRTC 2024-288-1, 26 February 2025; 2024-288-2, 24 March 2025; 2024-288-3, 31 March 2025; and 2024-288-4, 29 May 2025
- *Aboriginal Peoples Television Network Incorporated – Licence amendment and mandatory distribution order of the service across Canada*, Broadcasting Decision CRTC 2024-106 and Broadcasting Order CRTC 2024-107, 14 May 2024
- *Various television programming services and networks, and broadcasting distribution undertakings – Administrative renewals*, Broadcasting Decision CRTC 2023-245, 8 August 2023
- *Distribution of TV5/UNIS TV by licensed broadcasting distribution undertakings*, Broadcasting Order CRTC 2018-345, 31 August 2018
- *TV5/UNIS TV – Licence renewal and renewal of mandatory distribution order*, Broadcasting Decision CRTC 2018-344, 31 August 2018
- *APTN – Licence renewal and renewal of mandatory distribution order*, Broadcasting Decision CRTC 2018-340, 31 August 2018
- *Cable Public Affairs Channel – Licence renewal and renewal of mandatory distribution order*, Broadcasting Decision CRTC 2018-329, 29 August 2018
- *Canal M – Licence renewal and renewal of mandatory distribution order*, Broadcasting Decision CRTC 2018-307, 23 August 2018

- *TV5 and UNIS – Licence renewal and amendments*, Broadcasting Decision CRTC 2013-384, 8 August 2013
- *Applications for mandatory distribution on cable and satellite under section 9(1)(h) of the Broadcasting Act*, Broadcasting Regulatory Policy CRTC 2013-372, 8 August 2013
- *Criteria for assessing applications for mandatory distribution on the digital basic service*, Broadcasting Regulatory Policy CRTC 2010-629, 27 August 2010
- *Decision*, Decision CRTC 87-895, 1 December 1987