Research note: CRTC meetings, January 2007 to December 2018

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I.   Introduction

Canada's communications systems have faced and continue to face enormous challenges. As the second largest country on the planet – 9.9 million square kilometers in total area (after Russia with 17.1 million square kilometers, and before China and the United States of America with 9.6 and 9.5 million square kilometers, respectively) – Canada's historic decisions about distribution networks were critical to ensuring the availability of telecommunications and broadcasting to a widely distributed and small population, spread across five time zones and divergent geography (including three coastlines, the Rocky Mountains, the prairies, the Arctic tundra and five Great Lakes).

The construction of Canada's communication system, which began in the 1800s with telegraph wires strung beside railway tracks and continued with transmitters in the mid 1950s and satellites in the 1980s, has not yet ended. Many parts of the country have limited or non-existent wireless and Internet coverage, raising concerns about equitable access to communications services and calling into question the prospect of full participation by all people in Canada, in the 21st century's economy and Canadian society.

Like every other country on the planet, moreover, Canada's communications systems today face enormous challenges brought about by demand for Internet access and expectations about the services delivered by the Internet, not the least of which is the manner in which foreign-owned and -controlled Internet-based program platforms such as Netflix, Amazon, and CBS All Stream ought to be addressed within these systems.

Quite apart from the many challenges to ensure that all Canadians have access to 21st century communications technology, equally serious challenges confront Canadian democracy, society and the economy because of the content available online. What, if anything, could or should be done to address the threat of Internet-based content that might tilt elections, harm communities and individuals, and enable the theft of intellectual and other property?

Since Canada's last federal election in 2015 the Canadian government has taken several steps to consider ways of dealing with these 21st century challenges. In fall 2016 the Minister of Canadian Heritage "led a national conversation and consulted with Canadians and stakeholders from coast to coast to coast on how to strengthen the creation, discoverability and export of Canadian content in a digital world", and published a report on this consultation in September 2017.[1] The Minister of Innovation, Science and Economic Development launched "national consultations on digital and data transformation" in June 2018.[2] In June 2018 the two Ministers established a panel of experts to review

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[1]   Canadian Heritage*, Creative Canada – A Vision for Canada's Creative Industries*, (Ottawa, 28 September 2017), https://www.canada.ca/en/canadian-heritage/campaigns/creative-canada/framework.html, at 9.

[2]   Innovation, Science and Economic Development Canada, "Canadians must have trust and confidence in a digital and data-driven world", News release (Ottawa, 19 June 2018), https://www.canada.ca/en/innovation-science-economic-development/news/2018/06/government-of-canada-launches-national-consultations-on-digital-and-data-transformation.html. The consultations ended 12 October 2018 (https://www.ic.gc.ca/eic/site/084.nsf/eng/home).

Canada's broadcasting and telecommunications legislation, and to report in by January 2020 whether the *Broadcasting Act*, *Telecommunications Act* and *Radiocommunication Act* require changes. In early 2019 the Minister of Innovation, Science and Economic Development proposed to issue a new *Direction* regarding telecommunications policy (even as the Minister of Canadian Heritage remains silent regarding the *Direction to the CRTC* that prohibits the licensing of non-Canadian broadcasting services, enabling them to compete for broadcasting audiences and subscribers without meeting the same requirements as Canadian broadcasters).

Only Parliament has the authority to change Canada's communications statutes, however, and the federal election for Members of Parliament must be held in Canada no later than Monday 21 October 2019. Supposing that the January 2020 report of the Broadcasting and Telecommunications Legislative Review panel (BTLR panel) recommends legislative change, and that a newly elected federal government introduces a bill to amend or rewrite Canada's communications system in the 43rd Parliament,[3] it would take at least a year, and far more likely several years, for new legislation to be studied, debated, be enacted, and enter into force.

From now until at least 2021 or perhaps even until 2024, therefore, Canada's communications systems will continue to be regulated by the CRTC, the quasi-judicial federal tribunal to which Parliament has delegated its authority over broadcasting and telecommunications in Canada, under its existing legislative mandate (set out in the *Canadian Radio-television Telecommunications Act*, *Telecommunications Act* and *Broadcasting Act*).

Operating at arms'-length from the government, the CRTC consists of Commissioners and staff. Although the CRTC's staff make many administrative decisions, formal "determinations" – whether titled 'Decisions', 'Orders', 'Regulations', 'Notices' or 'Policies' – of the CRTC must be made by the 'members' of the CRTC, *i.e.* the Commissioners.

As the Forum's research has previously shown,[4] the CRTC's current decision-making process is not transparent. For instance, the CRTC provides no information about which CRTC Commissioners decide which issues – from applications to policies – will, or even more importantly, will not be considered by the Commission. Similarly, though many determinations of the CRTC result from formal proceedings that are 'heard' by panels of CRTC Commissioners, the "Decisions" and "Orders" that result from these proceedings are not signed by the CRTC Commissioners who participated in those determinations,[5] but are issued over the name of the CRTC's Secretary General. The lack of decision-making attribution makes it unclear which CRTC Commissioners actually 'heard' the evidence and arguments in such proceedings and came to a decision.

Even when it is possible to determine the names of the Commissioners who participated in specific public hearing panels (and hence, made decisions in the specific matters 'heard' by those panels) by

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3   Canada is now governed by its 42nd Parliament.

4   See Forum for Research and Policy in Communications (FRPC), "Who decides what?: Transparency in CRTC decision-making" (Ottawa, 12 June 2018), http://frpc.net/wp-content/uploads/2018/06/FRPC-June-2018-CRTC-decisions.pdf.

5   S. 20 of the *Broadcasting Act* empowers panels of CRTC Commissioners to make decisions on behalf of the entire Commission.

reviewing the transcripts of those hearings,[6] the CRTC also issues determinations that are not related to specific hearings, including policies, regulations and information bulletins.[7] These determinations may sometimes be issued following a notice of consultation (without a hearing), and at other times are simply issued. All that is known is that *some* Commissioners are involved in decision-making – though not necessarily all of them (as broadcast panels need only consist of three CRTC Commissioners, meaning that a majority of two Commissioners may make CRTC decisions about the matters they have heard on behalf of the Commission).

Given the many serious challenges now confronting Canadian communications and, in turn, Canada's political institutions, its social institutions and its economy, the Forum decided to ask the CRTC for information about the number of meetings involving CRTC Commissioners, to determine whether CRTC Commissioners meet to reach determinations at roughly the same frequency each year, whether the frequency of such meetings has increased (given the serious challenges noted previously) or whether Commissioners are meeting less frequently than before. We submitted our request for information about CRTC meetings from 2007 to 2018, under Canada's *Access to Information Act*, at the end of 2018, and received a response in February 2019.

Results from our analysis of the information received in response to this request are set out in detail below. We begin by describing the method used to analyse the information received from the CRTC. We then describe the categories of meetings held by the CRTC, the numbers of such meetings, their timing, the use of electronic 'meetings' and the use of agendas in meetings. A summary of results, our conclusions and several recommendations follow.

II.   Method

A.   Information received from the Canadian Radio-television and Telecommunications Commission (CRTC)

In December 2018 the CRTC was asked "for the dates on which the full Commission has met since 1 January 2007" and "for copies of the agendas of these meetings.

It was anticipated that the CRTC would provide a list of dates on which such meetings were held.

1.   *Scanned calendar pages*

On 12 February 2019 the Forum received 151 PDF'd pages of material from the CRTC's Access to Information and Privacy Coordinator related to dates of meetings. On 14 February 2019 the CRTC notified the Forum that "the remainder of the records will need to be sent via regular mail since there is

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[6]   Transcripts from June 1998 are available at: https://crtc.gc.ca/eng/transcripts/2019/index.htm; transcripts from the preceding 30 years in which the CRTC has been operating (since 1968) are presumably available from the CRTC.

[7]   See *e.g. Guidance for costs award applicants regarding representation of a group or a class of subscribers*, Telecom Information Bulletin CRTC 2016-188 (Ottawa, 17 May 2016), https://crtc.gc.ca/eng/archive/2016/2016-188.htm; *Implementation of new* Rules of Practice and Procedure, Broadcasting and Telecom Regulatory Policy CRTC 2010-958 (Ottawa, 23 December 2010), https://crtc.gc.ca/eng/archive/2010/2010-958.htm; *Amendments to various regulations – Implementation of the regulatory framework relating to vertical integra*tion, Broadcasting Regulatory Policy CRTC 2012-407 (Ottawa, 26 July 2012), https://crtc.gc.ca/eng/archive/2012/2012-407.htm.

a large volume of records"; we assumed these remaining records related to our request for the agendas. At the time of writing (31 March 2019) the Forum had not received this material.

The 151 PDF'd pages from the CRTC were not searchable; even after the pages were run through through Adobe Acrobat's text-recognition software, much of their text remained unsearchable.

Nearly every page[8] depicted a complete calendar month, with notations in the squares of specific dates which described a range of meetings and activities at the CRTC. In many cases the notations included abbreviated references to the Full Commission of the CRTC, the Commission's Broadcast Committee and its Telecom Committee. The page for January 2007 is shown below (Figure 1).

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[8]   In several months the calendar spread over two pages.

Figure 1   CRTC calendar page for January 2007

January 2007
(Most recent)

PROTECTED
2018-12-20
13:52

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 NEW YEAR'S DAY	**2**	**3**	**4**	**5**	**6**
7	**8** 14:00 BCM-eM 14:00 TCM-eM	**9**	**10** 10:30 TCM 11:00 BCM directly following TCM 14:00 - SSM+	**11** 14:00 BCM-eM 14:00 TCM-eM	**12**	**13**
14	**15** 14:00 BCM-eM 14:00 TCM-eM 13:30 - Technical HSD session	**16** 09:00 PANEL 30 April Gatineau PH - BGM-CHUM transaction	**17** 14:00 - SSM+	**18** 10:30 PANEL Television Review 14:00 BCM-eM 14:00 TCM-eM	**19** 14:15 PANEL Television Review Panel Meeting (Cont'd)	**20**
21	**22** 14:00 BCM-eM 14:00 TCM-eM	**23** 09:00 FCM Followed. at the end of the mtg by 18 Dec. (N/A) pnl mtg & Price Cap Panel debrief. 12:30 In Camera	**24** All Day - Industry Consultations (Commissioners)	**25** All Day - Industry consultations (Commissioners)	**26** All Day - Industry Consultations (Commissioners)	**27**
28	**29** 14:00 BCM-eM 14:00 TCM-eM	**30** 30 Jan to 1 Feb. - CMM Retreat	**31** 10:30 TCM 15:00 BCM followed by 12 Feb. Panel Meeting (App.-N/A) 14:00 - SSM+			

2.   *Short-form descriptions: initials, acronyms, abbreviations*

The calendars set out a variety of short-form descriptions, such as FCM, BCM and TCM. When asked for their meaning the CRTC on 25 February 2019 provided this list (replicated as received):

Table 1 CRTC clarification of terms used in its PDF calendars

TCM-eM	Telecommunications Committee Meeting electronic -Meeting
BCM-eM	Broadcasting Committee Meeting electronic-Meeting
SSM	Senior Staff Management
Technical HSD session	Technical High Speed Data Session
CCM Retreat	Corporate Committee Meeting
Ad Hoc	Last minute meeting
OTA Policy	Over-the-air Policy
Reg Frame (BDUs & Disc. Ser.)	Regulatory Frame (Broadcasting Distribution Undertaking & Discretionary services)
App.N/A	Appearing / Non-Appearing
CTVgm	CTV globe media
WAB	Western Association of Broadcasters
C./FTM	Commission/Full-Time Members
CAB's congress	Canadian Association of Broadcasters Congress
Feb.Vanc.panel mtgs	February Vacouver [*sic*] Panel Meetings
SRT	Salon Réal Therrien (CRTC conference room)
COMM/FTM	Commission/Full-Time Members
DNCL	Do not call list
Draft PN on BDUs	Draft Public Notice on Broadcasting Distribution Undertaking
CAB	Canadian Association of Broadcasters
PH	Public Hearing
LPIF panel meeting	Local Programming Improvement fund panel meeting
BCM-SC-eM	Broadcasting Committee Meeting electronic-Meeting
5-7 May BCAB	5-7 May British Columbia Association of Broadcasters
PDR staff Retreat	Policy Developpemnt [*sic*] Research Staff Retreat
UBB	usage-based billing
OPS Retreat	Operations Retreat
FOA	Final Offer Arbritation [*sic*]

The CRTC also clarified by email that "PMP" is its initialism for "Performance Management Process". Some terms were not identified by this list, such as "TVRP", and we relied where possible on text descriptions in the calendars to determine meaning. As a meeting on 21 August 2009 referred to "Telemarketing Violation Review", we assumed that "TVRP" referred to 'telemarketing violation review panel'.

3. *Coloration*

As indicated by the calendar page for January 2007 (above), some meetings were highlighted in either green or pink. The CRTC wrote initially that "the information highlighted in green refers to meetings which [*sic*] no documents are available …" (CRTC letter of 12 February 2019). When asked whether "no documents are available" meant that no documents had been circulated or that the documents were all confidential, the CRTC explained that "'no documents available' means that no agendas were circulated

with respect to the meetings identified in green" (27 February 2019 e-mail). Given the lack of clarity in the CRTC's answer – that green highlighting meant either than no documents at all were available, or no agendas were available (but other documents might be available) – we decided to assume only green highlighting denoted meetings where no agenda had been circulated beforehand. We included meetings marked in green and distinguished them from other meetings as being "no-agenda meetings". We did not include events highlighted in pink.

4. In camera *meetings*

The calendars from 2007 to 2014 included 43 references to *in camera* meals. Figure 2, for example, shows the calendar entry for 26 May 2010 which refers to "In Camera Lunch".   We assumed that references to '*in camera*' meals in these calendars refers to meals involving CRTC Commissioners that either excluded staff, or included staff required not to discuss or disclose the meetings' contents.   As we have not received any materials from the CRTC about the meetings other than the calendar pages, we do not know who attended these meetings, or whether the meetings had agendas; we have included the *in camera* meetings in the meetings dataset on the assumption that only CRTC Commissioners have the authority to hold meetings that include or exclude non-Commissioners.

Figure 2 25-26 May 2010

5. *Meeting categories and sub-categories*

The calendars identified five separate categories of meetings, involving the Full Commission (all or a quorum of all CRTC Commissioners), its Broadcast Committee, its Telecom Committee, hearing Panels, and *in camera* sessions.

The calendars also described 79 meeting sub-categories, related to the manner in which meetings were held and/or the matter(s) they addressed.   For example, the calendar entry for 25 and 26 January 2007 (shown above, in Figure 2), refers to all five categories of meetings, and five sub-categories showing how the meetings occurred (in person or e-mail) and whether they did or did not have agendas:

CRTC Commissioners' meetings on 25-26 May 2010	
Category	**Sub-category**
BCM – Broadcast Committee meeting	SC eM – Electronic meeting – no agenda
TCM – Telecom Committee meeting	eM – Electronic meeting – no agenda
FCM – Full Commission meeting	[not by e-mail, presumably in person]
Panel meeting	[not by e-mail, presumably in person]
In camera lunch	*In camera* meal– no agenda

Altogether the calendars included 79 sub-categories of information about CRTC meetings (Table 2).

Table 2 79 Sub-categories of decision-making meetings of the CRTC, 2007-2018

1	BCM-SC-eM WA	1	TCM	1	Panel
2	BCM-SC-eM WA (48-hr)	2	TCM ad hoc	2	Panel CASL
3	BCM eM Ad hoc	3	No-agenda TCM	3	Panel WA
4	BCM-eM Ad hoc (72-hour)	4	TCM em	4	Panel Final Offer Arb'n
5	BCM-eM Ad hoc (48-hour)	5	TCM eM 48-hr	5	Panel CASL WA
6	BCM eM ad hoc WA	6	TCM eM (24-hour)	6	Panel CASL WA (48 hr)
7	BCM-eM URGENT WA	7	TCM-eM ad hoc	7	Panel CASL2

8	BCM eM	8	No-agenda TCM em	8	PanelPPR WA	
9	BCM-SC-eM	9	No-agenda TCM eM 48-hr	9	PanelPPR	
10	No-agenda BCM-SC-eM	10	No-agenda TCM eM WA (48 hr)	10	Panel TM Violation review	
11	No-agenda BCM-SC-eM WA	11	No-agenda TCM eM Ad hoc - URGENT	11	Panel TVRP	
12	No-agenda BCM-SC-eM WA (48-hr)	12	No-agenda TCM-eM ad hoc	12	Panel TVRP WA	
13	No-agenda BCM eM ad hoc			13	No-agenda Panel	
14	No-agenda BCM SC eM ad hoc WA	1	FCM	14	No-agenda Panel ad hoc	
15	No-agenda BCM em	2	Urgent WA (BCE)	15	No-agenda PanelPPR	
16	BCM	3	FCM WA	16	No-agenda Panel final arb'n process	
17	BCM ad hoc	4	FCM including panel meetings	17	No-agenda Panel TVRP WA	
18	BCM WA ad hoc	5	FCM extended Commissioners only	18	No-agenda Panel Final Offer Arb'n	
19	BCM ad hoc WA	6	FCM ad hoc	19	No-agenda Panel TVRP	
20	No-agenda BCM Ad hoc	7	FCM ad-hoc WA 24 hr	20	No-agenda Panel LPIF Oversight Committee	
21	No-agenda BCM	8	FCM WA ad hoc	21	No-agenda Panel costing meeting	
		9	No-agenda FCM WA	22	No-agenda Panel WA	
1	*In camera* meeting	10	No-agenda FCM extended Commissioners only	23	No-agenda Panel CASL	
2	*In camera* meal	11	No-agenda FCM ad hoc	24	No-agenda Panel dispute resolution	
		12	No-agenda FCM WA ad hoc	25	No-agenda Panel Expedited PH	
Subtotals				26	Panel eM	
12 Full Commission meetings				27	Panel eM WA	
21 Broadcast Committee meetings				28	Panel eM Cost Order	
12 Telecom Committee meetings				29	Panel eM Costs	
32 Panel meetings				30	No-agenda Panel eM	
2 *in camera* meetings				31	No-agenda Panel eM ad hoc	
Total: 79 sub-categories of meetings				32	No-agenda Panel-eM proc'l reqt	

We did not include information about the matters discussed at meetings, since in many cases the calendars did not disclose this information (see above examples for 25-26 May 2010, in which only one of the five meetings provided information about the matter that would be discussed – any or all of the 19 items addressed in a non-appearing public hearing held on 14 April 2010.[9] non-appearing public hearing initiated by

6.   Assumptions

We assumed that the meetings shown on the calendars actually took place.

Figure 3 13 May 2010

That said, on some 20 occasions before July 2012 (such as 13 May 2010, in Figure 3), items on the agenda of scheduled meetings were shown as being replaced with another type of meeting. In such cases, we assumed the meeting that occurred was the replacement meeting identified by the calendar. On 13 May 2010 we included a "Panel WA" [Panel Walk Around] meeting instead of the "BCM-eM" [Broadcast Committee Meeting – eMail]). Analysis of the resulting data – that describe 3,069 meetings – is therefore incorrect to the extent that the 20 replacement meetings did not happen (those 20 meetings would represent 0.7% of the total meetings, suggesting that the error, if any, may not be consequential).

One meeting appeared prospective. The calendar notation for 4 December 2009 showed that a Telecom Committee Meeting (TCM) took place at 10:30 am on 4 December 2009, and at 2:30 pm on the same

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[9]   Initiated by Broadcasting Notice of Consultation CRTC 2010-72 (Ottawa, 11 February 2010), https://crtc.gc.ca/eng/archive/2010/2010-72.htm.

day "(if necessary)". As the second meeting, if it occurred, would have been a continuation of the first meeting, a single meeting of the TCM was included in the dataset for this date.

We assumed that two or more meetings of the same committee on the same day involved decision-making by that committee, and therefore counted the meetings as one meeting, rather than two. For example, a Full Commission Meeting (FCM) on 29 October 2018 involved a "Presentation – 5G" at 9:30 am, and at 10:30 a "FCM 31 May panel meeting". As the two meetings each involved the full Commission on the same date, it was shown as a single meeting of the Full Commission. Note as well that while this meeting referred to a CRTC "panel", it was counted solely as a meeting of the Full Commission, as the Panel was not clearly identified as 'following' or being in addition to, the Full Commission meeting (see Table 3, below); meetings were counted separately of one meeting 'followed' another.

Figure 4 29 October 2018

In the case of meetings involving hearing panels, meetings that referred to more than one hearing were counted separately, even if the calendar appeared to refer to a single meeting: on 17 July 2018 in Table 3, below, for example, a single "panel meeting" was identified as two meetings in the data set because the two ownership items referenced - from 30 April 2018 and 12 July 2018 – were initiated by separate CRTC notices of consultation (Broadcasting Notices of Consultation 2018-106 and 2018-154).

Table 3 Meetings of the CRTC

24 July 2007	25	14 June 2012	23 July 2013	17 July 2018
24 10:00 TCM Ad hoc followed by C./FTM 11:00 FCM Followed at the end of the meeting by 18 June (N/A) panel meeting	25 10:00 FCM Foll. at the end of meeting by 27 Aug. (Astral/Standard) (App.-N/A) & 29 Aug. (Rogers) panel mtgs. 14:30 BCM-eM Ad Hoc 11:30-1:30 Diversity Day	14 10:30 FCM AD HOC followed by 16 April Gat. panel meeting 14:00 TCM-eM	23 09:00 FCM followed at end of meeting by the 27 May and 26 June panel meetings 12:00 In Camera Lunch 14:00 BCM-SC-eM Walk-around (48-hour)	17 09:30 FCM 30 April and 12 July (own. Items) panel meeting 14:00 BCM-SC-eM Walk-Around (48-hour)

14 March 2012	3 October 2012
14 14:30 TCM (or imm. foll. the Briefing)	

While a great deal of material provided to the Forum did not describe meetings of the Commission (mentions of electrical shutdowns, for instance), there is a possibility that the materials exclude some meetings involving Commissioners. For example, the notation on the calendar square for 14 March 2012 shows that a meeting was held at 2:30 pm after "the Briefing"; similarly, the notation for 3 October 2012 refers to a "Pre-briefing". No separate notations were found for such 'briefings' in the materials received from the CRTC. Their absence suggests that the CRTC does not view

meetings of Commissioners that consisted of briefings to be 'meetings of the Commission'. To the extent that the two briefings noted actually included all, a majority or a quorum of CRTC Commissioners, and in resulted in decision-making by the Commissioners, the results from our analysis of the information provided by the CRTC may slightly underestimate the actual number of meetings of the Commission.

Some meetings lack description. For instance, the CRTC's 2018 response to access-to-information request to the CRTC (A-2018-00027) included a Powerpoint presentation that included this phrase: "Legal Sector **FCM** February 2016" (Figure 5, bold font added). While FCM may refer to 'Full Commission Meeting', the two full Commission meetings on 9 and 10 February 2018 (**Error! Reference source not found.**) do not mention this presentation. The absence of a reference to the presentation may mean that the presentation was not made to the Full Commission but to some other assembly, that the presentation was one of many different matters discussed at the meeting and that the CRTC chose not to mention it in its calendar description, or that the presentation was not made on these dates but on some other date in February 2018.

Figure 5 February 2016
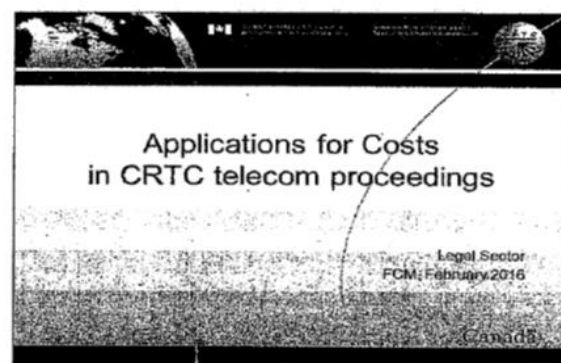
Similarly, in January 2018 the 'Fairplay' coalition filed a Part 1 telecommunications application related to online piracy in January 2018.[10] The CRTC's response to an access-to-information request by the Forum about meetings held with respect to the Fairplay application (available here: http://frpc.net/wp-content/uploads/2018/05/A201700033_release-copy.pdf) included a PDF regarding theft of copyrighted programming content, described a presentation made to the CRTC in May 2017, the firt page of which is shown below (**Error! Reference source not found.**):

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[10]   *Application to disable on-line access to piracy sites*, Application 8663-A182-201800467 (search under "Telecom proceedings", then "Closed Part 1 Applications", for 2018 - https://services.crtc.gc.ca/pub/instances-proceedings/Default-Defaut.aspx?S=C&PA=T&PT=PT1&PST=A&lang=en).

Figure 6   18 May 2017 presentation

The meetings listed on the CRTC's calendar for 18 May 2017 (Figure 7) refer to its Telecom Committee alone, however, rather than to the Full Commission. The calendar description does not include additional information about the substance of the meetings. It is unclear whether the presentation's self-description is accurate – whether its reference "to the CRTC" referred to the Telecom Committee acting on behalf of the CRTC, whether the presentation was made to the full Commission on 18 May 2017 but was not documented in the calendars sent to the Forum, or whether the presentation's self-description was inaccurate (in that the presenters intended to present to the full Commission, but did not). Nor is it known whether the meeting – if it occurred – involved any decision-making. Again, the results of this analysis understate the number of meetings held by the CRTC to the extent that CRTC Commissioners met in numbers exceeding quorum without such meetings being documented in the calendar pages provided by the Commission.

Figure 7 18 May 2017

The CRTC calendars also included notations of get-togethers involving CRTC Commissioners and others, but that were not specific meetings of the Commission. Such get-togethers included but are not limited to a CRTC Golf Day each summer (Figure 8), a Christmas party each December, an Orientation Fair on 8 February 2007, and the "Complete electrical power shut down – Les Terrasses de la Chaudière" (on 12-14 December 2014). We assumed these meetings did not involve decision-making, and as a result, they were excluded from the dataset.

Figure 8   8 February 2007

Apart from meetings that clearly involved the CRTC's Full Commission, its Broadcasting or Telecom Committees, or hearing Panels, just over thirty other types of meetings were identified among the 151 pages of material (Table 4), involving 106 meetings. These meetings were not included in our dataset as they did not appear to involve meetings of the Commission *per se*:

Table 4 Meetings assumed not to involve decision-making by CRTC Commissioners

Number of meetings assumed not to involve decision-making CRTC quorums			
Type of meeting	# meetings	Type of meeting	# meetings
1. PDR Management retreat	1	19. Future Directions process	7

Number of meetings assumed not to involve decision-making CRTC quorums				
Type of meeting	# meetings	Type of meeting		# meetings
2. PD&R	2	20.	Strategic setting exercise	3
3. SSM+	29	21.	Planning review	2
4. SSM+ Ad Hoc	3	22.	WAB	3
5. IIC	4	23.	Telecom summit	3
6. New Media Info Session	1	24.	Banff	4
7. DNCL Telemarketing rules	1	25.	PMP Review Committee	2
8. Telecom 101	3	26.	Presentation on Community radio	1
9. Broadcasting 101	3	27.	Presentation on independent programming services	1
10. Retreat	4	28.	VOD presentation	1
11. Retreat - Members	4	29.	CRTC Invitational Forum	2
12. Retreat - Telecom	1	30.	Industry consultations	8
13. Retreat - Telecom Mgt	1	31.	Corporate Forum	1
14. Retreat - OPS	1	32.	Orientation 2015 to the CRTC English session	1
15. CRTC Managers Forum	1	33.	Orientation 2015 to the CRTC French session	1
16. CRTC U 001	3	34.	Orientation Fair	1
17. Future Directions Ph 2	2	35.	Shaw presentation	1
Total: 106				

We assumed the CRTC's calendars were reasonably accurate. That said, a CRTC panel meeting on 28 June 2012 referred to the "LPIF Oversight Committee". We were unable to find any records about an "LPIF Oversight Committee" on the CRTC's website (Figure 10).

Figure 9 28 June 2012

Figure 10   Search for "LPIF Oversight Committee" on 24 February 2019
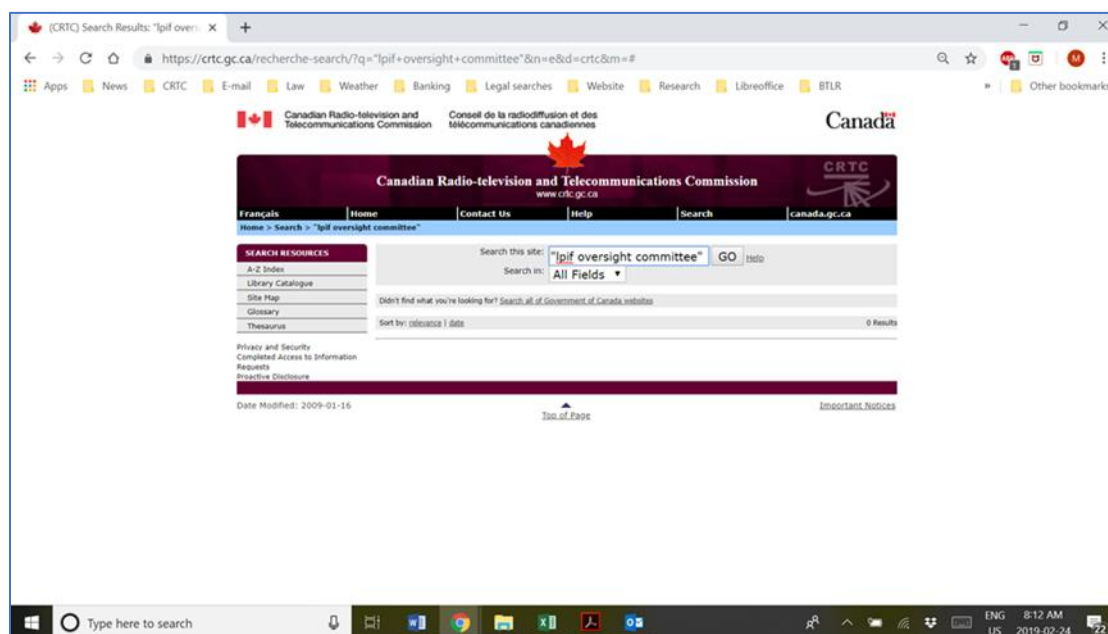
Finally, one clear error was identified – the notation for 17 December 2015 is the "CANADA DAY HOLIDAY"; as this holiday occurs on the first of July each year we assume the notation was made in error, and 17 December 2015 was not a holiday observed by the CRTC.

B.   Dataset created from the CRTC's calendars

We used the calendars provided by the CRTC to create a dataset describing their information. Each row (or line) of an excel spreadsheet consists of a single date from 1 January 2007, to 31 December 2018 – 4,383 lines – or separate days – in total (see Table 5).

Table 5 CRTC meeting dataset – days of the year, by month

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2007	31	28	31	30	31	30	31	31	30	31	30	31	365
2008	31	29	31	30	31	30	31	31	30	31	30	31	366
2009	31	28	31	30	31	30	31	31	30	31	30	31	365
2010	31	28	31	30	31	30	31	31	30	31	30	31	365
2011	31	28	31	30	31	30	31	31	30	31	30	31	365
2012	31	29	31	30	31	30	31	31	30	31	30	31	366
2013	31	28	31	30	31	30	31	31	30	31	30	31	365
2014	31	28	31	30	31	30	31	31	30	31	30	31	365
2015	31	28	31	30	31	30	31	31	30	31	30	31	365
2016	31	29	31	30	31	30	31	31	30	31	30	31	366
2017	31	28	31	30	31	30	31	31	30	31	30	31	365
2018	31	28	31	30	31	30	31	31	30	31	30	31	365
Total	372	339	372	360	372	360	372	372	360	372	360	372	4383

The calendars identified 1,252 weekend days (Table 6).

Table 6 Days of the week

Year	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Total
2007	52	53	52	52	52	52	52	365
2008	52	52	53	53	52	52	52	366
2009	52	52	52	52	53	52	52	365
2010	52	52	52	52	52	53	52	365
2011	52	52	52	52	52	52	53	365
2012	53	53	52	52	52	52	52	366
2013	52	52	53	52	52	52	52	365
2014	52	52	52	53	52	52	52	365
2015	52	52	52	52	53	52	52	365
2016	52	52	52	52	52	53	53	366
2017	53	52	52	52	52	52	52	365
2018	52	53	52	52	52	52	52	365
Total	626	627	626	626	626	626	626	4383

The calendars included references to 139 provincial or federal holidays (see Table 7).

Table 7 Provincial and federal holidays indicated in CRTC's calendars

Year	Months											
	Jan	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2007	1		2	1	1	1		1	1	1	2	11
2008	1	2		1	1	1		1	1	1	2	11
2009	1		2		1	1		1	1	1	2	10
2010	1		2	1	1	1	1	1	1	1	2	12
2011	1		2	1	1	1	1	1	1	1	2	12
2012	1		2	1	1	1	1	1	1	1	2	12
2013	1	1	1		1	1	1	1	1	1	2	11
2014	1		2	1	1	1	1	1	1	1	2	12
2015	1		2	1	1	1	1	1	1	1	2	12
2016	1	2		1	1	1	1	1	1	1	2	12
2017	1		2	1	1	1	1	1	1	1	2	12
2018	1	1	1	1	1	1	1	1	1	1	2	12
Grand Total	**12**	**6**	**18**	**10**	**12**	**12**	**9**	**12**	**12**	**12**	**24**	**139**

Columns were then added for each type of meeting included in the calendars.

Meetings were counted based on their date and type of meeting. Weekdays often included more than one meeting, and each meeting that appeared to be separate was counted as "1" (one) meeting. For example, in the example above (Figure 7), two meetings were entered for 18 May 2017– one (1) meeting of the Telecom Committee which presumably took place in person, and another e-mail meeting, also for the Telecom Committee, which took place electronically.[11] No attempt was made to estimate the duration of meetings as no indication was provided as to the times at which meetings ended.

Results from the remainder of our analysis of CRTC meetings are set out below.

III. Results

Our analysis begins with a description of the total number of meetings held by the Commission from 2007 to 2018. The categories and sub-categories of meetings that took place in this period are then described. We continue with a breakdown of the meetings in terms of the manner in which they took place (in person, or by e-mail), and follow this by reviewing the meetings' timing in terms of season and weekday, and in terms of organization – whether meetings took place *in camera*, without an agenda, or *ad hoc*.

A. All meetings of the Commission

In the twelve years from 2007 to 2018, members of the CRTC met just over three thousand (3,069) times, in person (including *in camera* meetings) or by e-mail (see Table 8). The most CRTC meetings held in a single month (33) occurred in March 2011; the least meetings held in a single month (11) occurred

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11   The two meetings took place simultaneously.

in August 2014. The number of meetings held by the CRTC varied by season: the highest numbers of its meetings tended to occur in the Spring (8 out of 12 years); the lowest numbers of meetings tended to occur in the Winter (8 out of 12 years).

From 2007 to 2018 the total number of meetings decreased by a third (33%), from 315 to 211. The average monthly meetings per year also decreased, by just under a third (31%) from 26 in 2007, to 18 in 2018.

Table 8 Number of CRTC meetings, 2007-2018 (in person, by-email and *in camera*) by year and month

Year and month	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
Jan (Winter)	25	23	*16*	19	25	25	21	21	*16*	*14*	*13*	18	236
Feb (Winter)	22	20	26	24	20	22	21	19	20	22	16	15	247
Mar (Spring)	24	25	28	33	31	28	21	20	25	20	21	15	291
Apr (Spring)	29	*18*	29	21	*18*	21	23	27	18	15	15	19	253
May (Spring)	32	19	22	20	27	24	26	18	18	20	19	23	268
Jun (Summer)	29	24	23	18	23	21	15	20	*16*	21	17	16	243
Jul (Summer)	25	29	25	28	22	26	26	22	23	17	20	17	280
Aug (Summer)	28	22	27	20	19	18	17	11	18	17	14	16	227
Sep (Autumn)	26	25	26	28	26	22	26	18	24	18	17	20	276
Oct (Autumn)	25	25	27	21	23	31	25	25	24	16	21	22	288
Nov (Autumn)	29	20	26	21	25	*16*	15	19	20	16	15	17	239
Dec (Winter)	*21*	21	21	*17*	*18*	22	*14*	18	25	18	16	*13*	224
Total	315	271	296	270	277	276	250	238	247	214	204	211	3069
% change		-14%	9%	-9%	4%	-1%	-9%	-5%	4%	-13%	-5%	3%	-33%
Monthly average	26	23	25	23	23	23	21	20	21	18	17	18	
Yearly maximum	32	29	29	33	31	31	26	27	25	22	21	23	
- Season	Spr	Sum	Spr	Spr	Spr	Aut	Sum	Spr	Spr	Win	Spr	Spr	8 Spring
Yearly minimum	21	18	16	17	18	16	14	11	16	14	13	13	
- Season	Win	Spr	Win	Win	Win	Aut	Win	Sum	Sum	Win	Win	Win	8 Winter

Note: includes all 'in-person' meetings, all meetings held via e-mail, and all meetings (meals or otherwise) held *in camera*
Red font: highest number of meetings that year
Italicized bold font: lowest number of meetings that year
Sum: Summer (June, July and August)
Spr: Spring (March, April and May)
Aut: Autumn (September, October and November)
Win: Winter (December, January and February)

In seven out of twelve years, the highest percentage of meetings per year happened in the spring, and the lowest percentage meetings per month happened in the winter (Table 9).

Table 9 Distribution of meetings of the CRTC, by season

Year		Winter (Dec, Jan, Feb)	Spring (Mar, Apr, May)	Summer (Jun, Jul, Aug)	Autumn (Sep, Oct, Nov)	% of year's meetings
Most mtgs	Fewest mtgs					
2007		21.6%	27.0%	26.0%	25.4%	100.00%
2008		23.6%	22.9%	27.7%	25.8%	100.00%

Year		Winter (Dec, Jan, Feb)	Spring (Mar, Apr, May)	Summer (Jun, Jul, Aug)	Autumn (Sep, Oct, Nov)	% of year's meetings
Most mtgs	Fewest mtgs					
2009		21.3%	26.7%	25.3%	26.7%	100.00%
2010		22.2%	27.4%	24.4%	25.9%	100.00%
2011		22.7%	27.4%	23.1%	26.7%	100.00%
2012		25.0%	26.4%	23.6%	25.0%	100.00%
2013		22.4%	28.0%	23.2%	26.4%	100.00%
2014		24.4%	27.3%	22.3%	26.1%	100.00%
2015		24.7%	24.7%	23.1%	27.5%	100.00%
2016		25.2%	25.7%	25.7%	23.4%	100.00%
2017		22.1%	27.0%	25.0%	26.0%	100.00%
2018		21.8%	27.0%	23.2%	28.0%	100.00%
Total		23.0%	26.5%	24.4%	26.1%	100.00%
# seasons - fewest meetings		7	1	3	1	
# seasons – most meetings		0	7	1	3	

The maximum number of meetings held on any given day changed over time: in 2007, just over two-thirds (104 days, or 68.4% of all meeting days) of the days on which CRTC Commissioners met involved two or more meetings; by 2018, just over a third (38.6%) of the days on which CRTC Commissioners met involved two or more meetings (Table 10).

Table 10   Number of meetings per day, 2007 vs 2018

Number of meetings per day	Number of days			
	2007	% of total meetings	2018	% of total meetings
1	24	15.8%	81	61.4%
2	104	68.4%	30	22.7%
3	16	10.5%	16	12.1%
4	6	3.9%	4	3.0%
5	1	0.7%	0	0.05
6	1	0.7%	1	0.8%
7	0		0	
8	0		0	
9	0		0	
10	0		0	
Total meeting days	152	100.0%	132	100.0%
1 meeting	24	15.8%	81	61.4%
2 or more meetings	128	84.2%	51	38.6%

B.   Categories and sub-categories of meetings

As indicated earlier, we described the CRTC's meetings in terms of five broad categories: meetings involving the Full Commission, its Broadcast Committee, its Telecom Committee and its hearing Panels, as well as *in camera* meetings (whose subject – broadcasting, telecommunications or hearings – could

not be determined). We then used the details provided by the CRTC's calendars to distinguish meetings within the categories from each other, which we describe as "sub-categories" of meetings.

1.   *Five main categories*

In terms of the decision-making bodies of the Commission, only the Broadcast and Telecom Committees met every month of the 12-year period, due to their use of electronic (e-mail) meetings - Table 11 shows, for example, that the Full Commission met every month of the year in 2007 to 2009, in 2011 and in 2014 to 2015, but did not meet every month in six other years (2010, 2012, 2013, 2016, 2017 and 2018).

Table 11   Number of months without CRTC meetings, 2007-2018

Year	Number of months in which *no* meeting occurred							
Year	Full Commission	*In camera* meetings	Broadcast Committee		Telecom Committee		Panels	
	In person only	In person only	In person	E-mail	In person	E-mail	In person	E-mail
2007		6	1				1	12
2008		12	2		2		2	11
2009		8	1		2		2	12
2010	1	6	2		3			11
2011		5						6
2012	1	3			1			**4**
2013	2	5	1		1			2
2014		10	1		1			2
2015		12						1
2016	1	12	1		1			4
2017	1	12	1		4			3
2018	2	12			1			1
'07-'18	8	103	10	0	21	0	14	73

Overall, the number of meetings in four out of the five categories decreased between 2007 and 2018 (Table 12):

- Full Commission: from 30 meetings in 2007, to 20 in 2018, a -33.3% reduction

- Broadcast Committee: from 126 meetings in 2007, to 68 in 2008, a -46.0% reduction

- Telecom Committee: from 117 meetings in 2007, to 86 in 2018, a -26.5% reduction, and

- Panels: from 35 meetings in 2007, to 37 meetings in 2018, a 5.7% increase

- *In camera*: from 7 meetings in 2007, to no meetings from 2015 to 2018.

Table 12   Categories of regular CRTC meetings

Year	Categories of committee meeting					
Year	Full Commission	Broadcast Committee	Telecom Committee	Panels	*In camera* meetings	Total meetings
2007	30	126	117	35	7	315
2008	28	110	106	27	0	271
2009	33	110	104	45	4	296

Year	Categories of committee meeting					
	Full Commission	**Broadcast Committee**	**Telecom Committee**	**Panels**	*In camera* meetings	**Total meetings**
2010	27	85	96	56	6	270
2011	25	80	96	69	7	277
2012	29	72	105	58	12	276
2013	23	69	94	56	8	250
2014	19	69	92	56	2	238
2015	25	71	91	60	0	247
2016	21	65	83	45	0	214
2017	21	62	86	35	0	204
2018	20	68	86	37	0	211
Total	301	987	1156	579	46	**3069**
2007-2018, average	25	82	96	48	8*	256
2007-2018,% change	-33.3%	-46.0%	-26.5%	5.7%	Not applicable	-33.0%
% of total	9.8%	37.7%	32.2%	18.9%	1.5%	100%

* averaged over first six years, as no *in camera* meetings were identified in the remaining six years

Eight sub-categories of meetings occurred every year, and these are set out in Table 13, which follows. 'Regular' meetings that occurred every year made up 59% of all meetings held by the CRTC, and decreased by 39% from 2007 to 2018. 'Regular' meetings that occurred every year made up well over half of the meetings of the Full Commission (89%), the Telecom Committee (85%) and hearing Panels (60%); these meetings decreased from 2007 to 2018 by 38%, 32% and 59%, respectively. 'Regular' meetings of the Broadcast committee made up 21% of all Broadcast Committee meetings, and decreased by 22% from 2007 to 2018.

Table 13   Eight regular meetings of CRTC Commissioners, and their frequency: 2007-2018

Meeting categories and sub-categories	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2007 – 2018	% of sub	% of total	% change 2007-2018
BCM (Broadcast Committee Meeting)	*23*	*17*	*18*	*19*	*19*	*18*	*16*	*17*	*18*	*14*	*14*	*18*	*211*	*21.4%*	*6.9%*	*-21.7%*
Broadcast committee meetings, subtotal	126	110	110	85	81	72	69	69	71	65	62	68	988	100.0%	32.2%	-46.0%
BCM as % of all Broadcast Committee meetings	**18%**	**15%**	**16%**	**22%**	**23%**	**25%**	**23%**	**25%**	**25%**	**22%**	**23%**	**26%**	**21%**			
TCM (Telecom Committee Meeting)	14	12	17	12	13	17	15	16	16	13	10	14	169	14.6%	5.5%	0.0%
TCM em	63	81	64	48	48	48	40	34	40	26	25	29	546	47.2%	17.8%	-54.0%
No-agenda TCM em	33	13	23	31	10	18	19	20	28	15	34	25	269	23.3%	8.8%	-24.2%
Regular TCM meetings, subtotal	*110*	*106*	*104*	*91*	*71*	*83*	*74*	*70*	*84*	*54*	*69*	*68*	*984*	*85.1%*	*32.1%*	*-38.2%*
Telecom Committee meetings, subtotal	117	106	104	96	97	105	94	92	91	83	86	86	1157	100.1%	37.7%	-26.5%
Regular meetings as % of TCM meetings	**94%**	**100%**	**100%**	**95%**	**73%**	**79%**	**79%**	**76%**	**92%**	**65%**	**80%**	**79%**	**85%**			
FCM (Full Commission Meeting)	22	20	18	18	19	16	15	13	10	12	9	16	188	62.5%	6.1%	-27.3%
FCM ad hoc	6	7	14	9	5	9	5	5	5	6	7	3	81	26.9%	2.6%	-50.0%
Regular FCM meetings, subtotal	*28*	*27*	*32*	*27*	*24*	*25*	*20*	*18*	*15*	*18*	*16*	*19*	*269*	*89.4%*	*8.8%*	*-32.1%*
Full Commission meetings, subtotal	30	28	33	27	25	29	23	19	25	21	21	20	301	100.0%	9.8%	-33.3%
Regular meetings as % of FCM meetings	**93%**	**96%**	**97%**	**100%**	**96%**	**86%**	**87%**	**95%**	**60%**	**86%**	**76%**	**95%**	**89%**			
Panel	28	19	15	20	25	26	14	16	8	10	11	8	200	34.5%	6.5%	-71.4%
No-agenda Panel	6	7	21	20	23	14	11	7	14	12	7	6	148	25.6%	4.8%	0.0%
Regular Panel meetings, subtotal	*34*	*26*	*36*	*40*	*48*	*40*	*25*	*23*	*22*	*22*	*18*	*14*	*348*	*60.1%*	*11.3%*	*-58.8%*
Panel meetings, subtotal	35	27	45	56	70	58	56	56	60	45	35	37	580	100.2%	18.9%	5.7%
Regular panel meetings as % of Panel meetings	**97%**	**96%**	**80%**	**71%**	**69%**	**69%**	**45%**	**41%**	**37%**	**49%**	**51%**	**38%**	**60%**			
8 categories of annual meetings	195	176	190	177	162	166	135	128	139	108	117	119	1812	59.0%	59.0%	-39.0%
77 meeting subcategories (excl'g *in camera* meetings)	315	271	296	270	280	276	250	238	247	214	204	211	3072	100.0%	100.1%	-33.0%
Regular meetings as % of all meetings	62%	65%	64%	66%	58%	60%	54%	54%	56%	50%	57%	56%	59%			

2. *Sub-categories of meetings*

The CRTC's calendars show that each broad category of Commissioners meeting included dozens of sub-categories of meetings, distinguished by the mechanism in which the meetings were held, their duration and whether documentation exists for the meetings. The frequency of meetings in these sub-categories varied significantly over time, and as indicated by Table 14, only 8 of these meeting sub-categories (shown in bold font) took place every year. Of these, five sub-categories of meetings decreased between 2007 and 2018, one increased (from 35 meetings in 2007 to 37 meetings in 2018), and two did not change from 2007 to 2018.

Table 14   77 sub-categories of meetings of CRTC Commissioners, and their frequency: 2007-2018

Number	Categories & sub-categories	2007	2018	Total	% of sub-category	% of total
Broadcast Committee meetings						
1	BCM-SC-eM WA	0	0	99	10.0%	3.2%
2	BCM-SC-eM WA (48-hr)	0	3	58	5.9%	1.9%
3	BCM eM Ad hoc	2	3	28	2.8%	0.9%
4	BCM-eM Ad hoc (72-hour)	0	0	2	0.2%	0.1%
5	BCM-eM Ad hoc (48-hour)	0	0	1	0.1%	0.0%
6	BCM eM ad hoc WA	0	0	5	0.5%	0.2%
7	BCM-eM URGENT WA	1	0	1	0.1%	0.0%
8	BCM eM	67	2	211	21.4%	6.9%
9	BCM-SC-eM	0	10	86	8.7%	2.8%
10	No-agenda BCM-SC-eM	0	28	66	6.7%	2.1%
11	No-agenda BCM-SC-eM WA	0	0	63	6.4%	2.1%
12	No-agenda BCM-SC-eM WA (48-hr)	0	3	40	4.0%	1.3%
13	No-agenda BCM eM ad hoc	0	0	2	0.2%	0.1%
14	No-agenda BCM SC eM ad hoc WA	0	0	3	0.3%	0.1%
15	No-agenda BCM em	31	0	93	9.4%	3.0%
16	**BCM**	**23**	**18**	**211**	**21.4%**	**6.9%**
17	BCM ad hoc	0	1	9	1.0%	0.3%
18	BCM WA ad hoc	0	0	4	0.4%	0.1%
19	BCM ad hoc WA	0	0	1	0.1%	0.0%
20	No-agenda BCM Ad hoc	1	0	2	0.2%	0.1%
21	No-agenda BCM	1	0	2	0.2%	0.1%
Broadcast committee meetings, subtotal		126	68	987	100.0%	32.2%
Telecom Committee meetings						
1	**TCM**	**14**	**14**	**169**	**14.6%**	**5.5%**
2	TCM ad hoc	5	1	11	1.0%	0.4%
3	No-agenda TCM	2		2	0.2%	0.1%
4	**TCM em**	**63**	**29**	**545**	**47.2%**	**17.8%**
5	TCM eM 48-hr		8	85	7.3%	2.8%
6	TCM eM (24-hour)			1	0.1%	0.0%
7	TCM-eM ad hoc		1	4	0.3%	0.1%

Number	Categories & sub-categories	2007	2018	Total	% of sub-category	% of total
8	**No-agenda TCM em**	**33**	**25**	**269**	23.2%	8.8%
9	No-agenda TCM eM 48-hr		8	66	5.7%	2.1%
10	No-agenda TCM eM WA (48 hr)			2	0.2%	0.1%
11	No-agenda TCM eM Ad hoc - URGENT			1	0.1%	0.0%
12	No-agenda TCM-eM ad hoc			1	0.1%	0.0%
	Telecom Committee meetings, subtotal	117	86	1156	100.0%	37.7%
Full Commission meetings						
1	**FCM**	**22**	**16**	**188**	62.5%	6.1%
2	Urgent WA (BCE)	1		1	0.3%	0.0%
3	FCM WA			1	0.3%	0.0%
4	FCM including panel meetings			3	1.0%	0.1%
5	FCM extended Commissioners only			1	0.3%	0.0%
6	**FCM ad hoc**	**6**	**3**	**81**	26.9%	2.6%
7	FCM ad-hoc WA 24 hr			2	0.7%	0.1%
8	FCM WA ad hoc			14	4.7%	0.5%
9	No-agenda FCM WA			1	0.3%	0.0%
10	No-agenda FCM extended Commissioners only			1	0.3%	0.0%
11	No-agenda FCM ad hoc	1	1	5	1.7%	0.2%
12	No-agenda FCM WA ad hoc			3	1.0%	0.1%
	Full Commission meetings, subtotal	30	20	301	100.0%	9.8%
Panel meetings						
1	**Panel**	**28**	**8**	**199**	34.5%	6.5%
2	Panel CASL			2	0.3%	0.1%
3	Panel WA		1	35	6.0%	1.1%
4	Panel Final Offer Arb'n			1	0.2%	0.0%
5	Panel CASL WA			1	0.2%	0.0%
6	Panel CASL WA (48 hr)			1	0.2%	0.0%
7	Panel CASL2			2	0.3%	0.1%
8	Panel PPR WA			2	0.3%	0.1%
9	Panel PPR			4	0.7%	0.1%
10	Panel TM Violation review			22	3.8%	0.7%
11	Panel TVRP			6	1.0%	0.2%
12	Panel TVRP WA			1	0.2%	0.0%
13	**No-agenda Panel**	**6**	**6**	**148**	25.5%	4.8%
14	No-agenda Panel ad hoc	1	1	7	1.2%	0.2%
15	No-agenda Panel PPR			1	0.2%	0.0%
16	No-agenda Panel final arb'n process			2	0.3%	0.1%
17	No-agenda Panel TVRP WA			1	0.2%	0.0%
18	No-agenda Panel Final Offer Arb'n			3	0.5%	0.1%
19	No-agenda Panel TVRP		2	9	1.6%	0.3%
20	No-agenda Panel LPIF Oversight Committee			1	0.2%	0.0%

Number	Categories & sub-categories	2007	2018	Total	% of sub-category	% of total
21	No-agenda Panel costing meeting			3	0.5%	0.1%
22	No-agenda Panel WA			6	1.0%	0.2%
23	No-agenda Panel CASL			2	0.3%	0.1%
24	No-agenda Panel dispute resolution			2	0.3%	0.1%
25	No-agenda Panel Expedited PH			1	0.2%	0.0%
26	Panel eM		14	91	15.7%	3.0%
27	Panel eM WA			3	0.5%	0.1%
28	Panel eM Cost Order		3	7	1.2%	0.2%
29	Panel eM Costs			1	0.2%	0.0%
30	No-agenda Panel eM		1	12	2.1%	0.4%
31	No-agenda Panel eM ad hoc		1	1	0.2%	0.0%
32	No-agenda Panel-eM proc'l reqt			2	0.3%	0.1%
	Panel meetings, subtotal	35	37	579	100.0%	18.9%
In camera meetings						
1	*In camera* meeting	1		4	8.7%	0.1%
2	*In camera* meal	6		42	91.3%	1.4%
In camera, subtotal		7	0	46	100.0%	1.5%
Total, 79 sub-categories of meetings		**315**	**211**	**3069**		**100.0%**

Of the 77 meeting sub-categories, 8 occurred every year. In seven out of these, overall meeting frequency decreased between 2007 and 2018:

- Full Commission (188 meetings), decreasing 27.3% from 2007 to 2018

- Ad hoc Full Commission meetings (81), decreasing 50% from 2007 to 2018

- Broadcast Committee (211 meetings), decreasing 21.7 from 2007 to 2018

- Telecom Committee (169 meetings), remaining the same from 2007 to 2018

- No-agenda Telecom Committee (269 meetings), decreasing 24.2% from 2007 to 2018

- Telecom Committee e-mail meetings (546 meetings), decreasing 54% from 2007 to 2018

- Panel meetings (200), decreasing 71.4% from 2007 to 2018

- No-agenda panel meetings (148), remaining the same from 2007 to 2018

Of the 69 sub-categories of meetings that did not take place every year, more than a quarter (21, or 30%) occurred just once in the twelve years from 2007 to 2018 (see Table 15). The largest proportion of such 'one off' meetings involved meetings of the Full Commission:[12]

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[12]   The Full Commission sub-categories that met just once, for example, comprised: an urgent 'walk-around' meeting in 2007, a Full-Commission walk-around meeting in 2015, an extended Full Commission meeting for Commissioners only in 2017, and a second extended Full Commission meeting for Commissioners only in 2018, this time without an agenda.

- 3 of 21 Broadcast Committee meetings, or 14%

- 3 of 12 Telecom Committee meetings, or 25%

- 5 of 12 Full Commission meetings, or 42%

and

- 10 of 32 Panel meetings, or 31%.

Table 15   21 sub-categories of one-off meetings

Meetings that occurred once	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
5 BCM-eM Ad hoc (48-hour)						1							1
7 BCM-eM URGENT WA	1												1
19 BCM ad hoc WA										1			1
21 Broadcast committee meetings, subtotal	126	110	110	85	80	72	69	69	71	65	62	68	988
6 TCM eM (24-hour)										1			1
11 No-agenda TCM eM Ad hoc - URGENT				1									1
12 No-agenda TCM-eM ad hoc									1				1
12 sub-categories of Telecom Committee meetings, subtotal	117	106	104	96	96	105	94	92	91	83	86	86	1157
2 Urgent WA (BCE)	1												1
3 FCM WA										1			1
5 FCM extended Commissioners only											1		1
9 No-agenda FCM WA										1			1
10 No-agenda FCM extended Commissioners only											1		1
12 sub-categories of Full Commission meetings, subtotal	30	28	33	27	25	29	23	19	25	21	21	20	301
4 Panel Final Offer Arb'n										1			1
5 Panel CASL WA										1			1
6 Panel CASL WA (48 hr)										1			1
12 Panel TVRP WA										1			1
15 No-agenda PanelPPR											1		1
17 No-agenda Panel TVRP WA								1					1
20 No-agenda Panel LPIF Oversight Committee						1							1
25 No-agenda Panel Expedited PH					1								1
29 Panel eM Costs										1			1
31 No-agenda Panel eM ad hoc											1		1
21 one-off meetings	2	0	0	1	1	2	0	1	3	7	3	1	
32 sub-categories of Panel meetings, subtotal	35	27	45	56	69	58	56	56	60	45	35	37	580
Total: 77 meeting sub-categories	315	271	296	270	277	276	250	238	247	214	204	211	3069

C.   In person or email?

The records provided by the CRTC included references to "eM" meetings, implying that these meetings took place by e-mail, rather than in person. No e-mail references were made to Full Commission meetings, implying that these meetings all happen in person.

More than half (60.2%) of the 3,069 meetings held by the Commission from 2007 to 2018 took place by e-mail (see Table 16).

Table 16   Annual meetings that happened in person, or by e-mail, from 2007 to 2018

| Year	Meetings held in person, or *in camera*	Meetings by e-mail	Total meetings per year, including *in camera* meetings	As % of annual meetings	
				In person	E-mail
2007	118	197	315	37.5%	62.5%
2008	83	188	271	30.6%	69.4%
2009	118	178	296	39.9%	60.1%
2010	122	148	270	45.2%	54.8%
2011	130	147	277	46.4%	52.5%
2012	123	153	276	44.6%	55.4%
2013	105	145	250	42.0%	58.0%
2014	95	143	238	39.9%	60.1%
2015	104	143	247	42.1%	57.9%
2016	84	130	214	39.3%	60.7%
2017	66	138	204	32.4%	67.6%
2018	72	139	211	34.1%	65.9%
Total	1220	1849	3069	39.7%	60.2%
% change	-39.0%	-29.4%	-33.0%		

The number of in-person and e-mail meetings of CRTC Commissioners both decreased over time (see Figure 11), with a greater decrease in in-person meetings (39%) than for e-mail meetings (29.4).

Figure 11   Numbers of in-person and e-mail meetings of CRTC Commissioners, 2007-2018
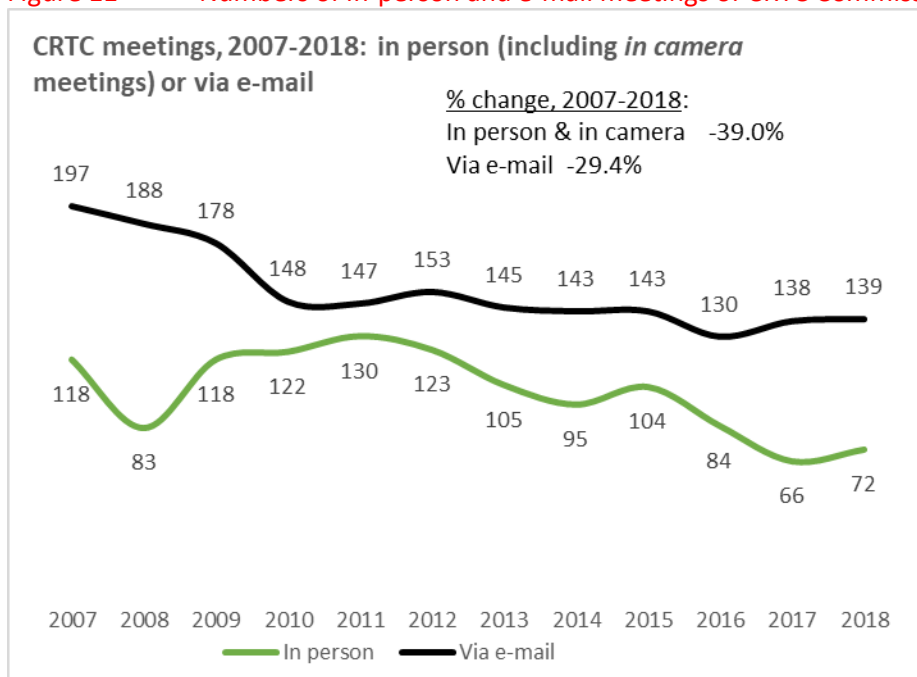
E-mail meetings have increased as a percentage of all meetings since 2009, although this is due to the fact that the number of meetings of the Commission decreased at the same time (see Figure 12).

Figure 12   E-mail vs in-person meetings of the CRTC: 2007-2018
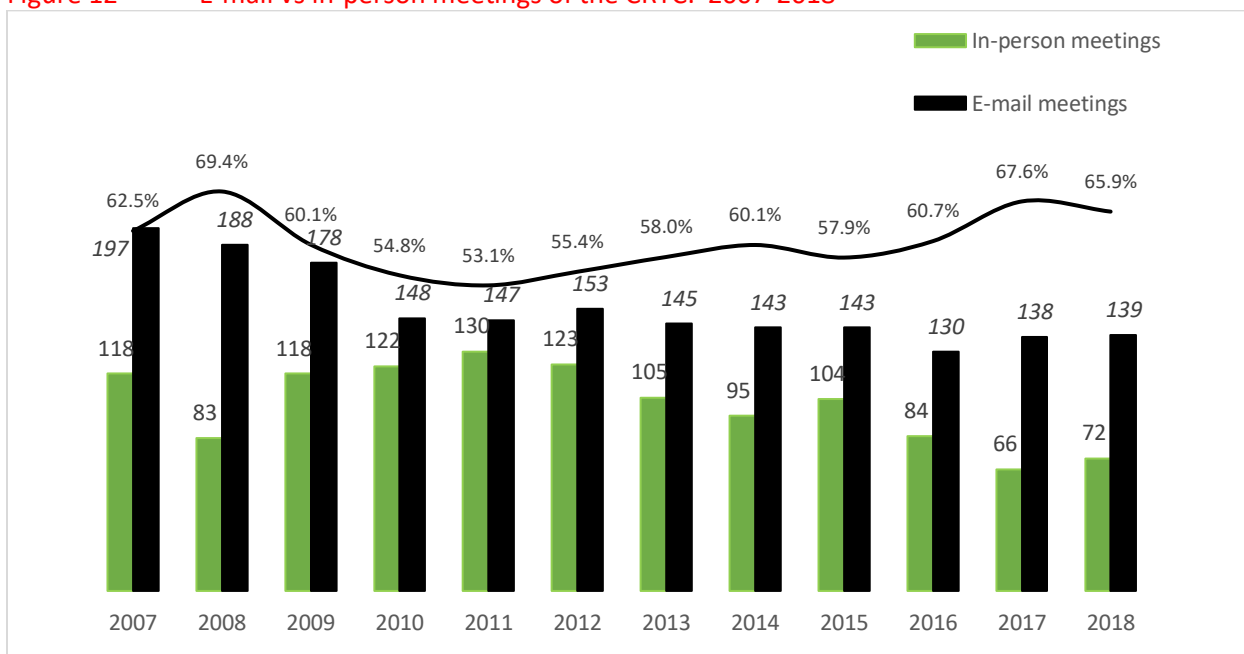
The year in which total e-mail meetings reached a high across the period of 69.4% of all meetings – 2008 – also had the highest number of days of appearing hearings (Figure 13).
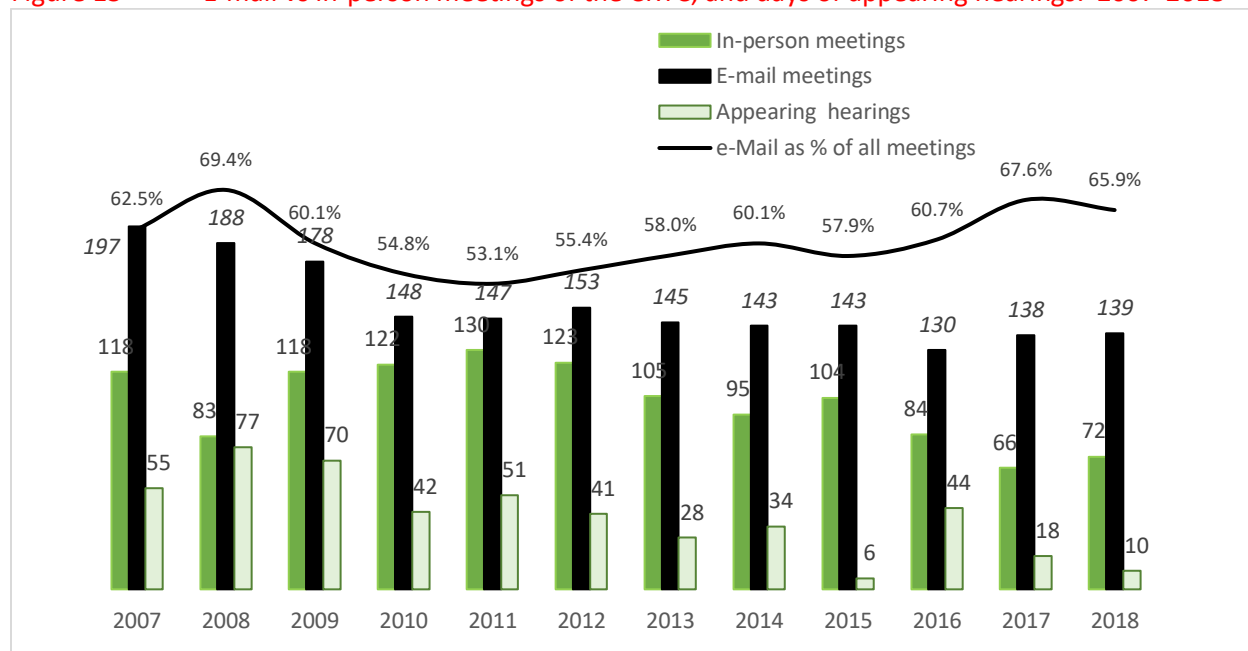
As for the level of e-mail meetings of the Broadcast and Telecom Committees, and of Panels, Figure 14 shows that the proportion of meetings held by e-mail remained relatively stable for both Committees, but increased for panels (from 0% in 2007, to 51.4% in 2018). Over the same period the number of days of appearing CRTC hearings decreased (from 55 days in 2007, to 10 days in 2018).

Figure 14   E-mail meetings of Committees and panels, and appearing hearings
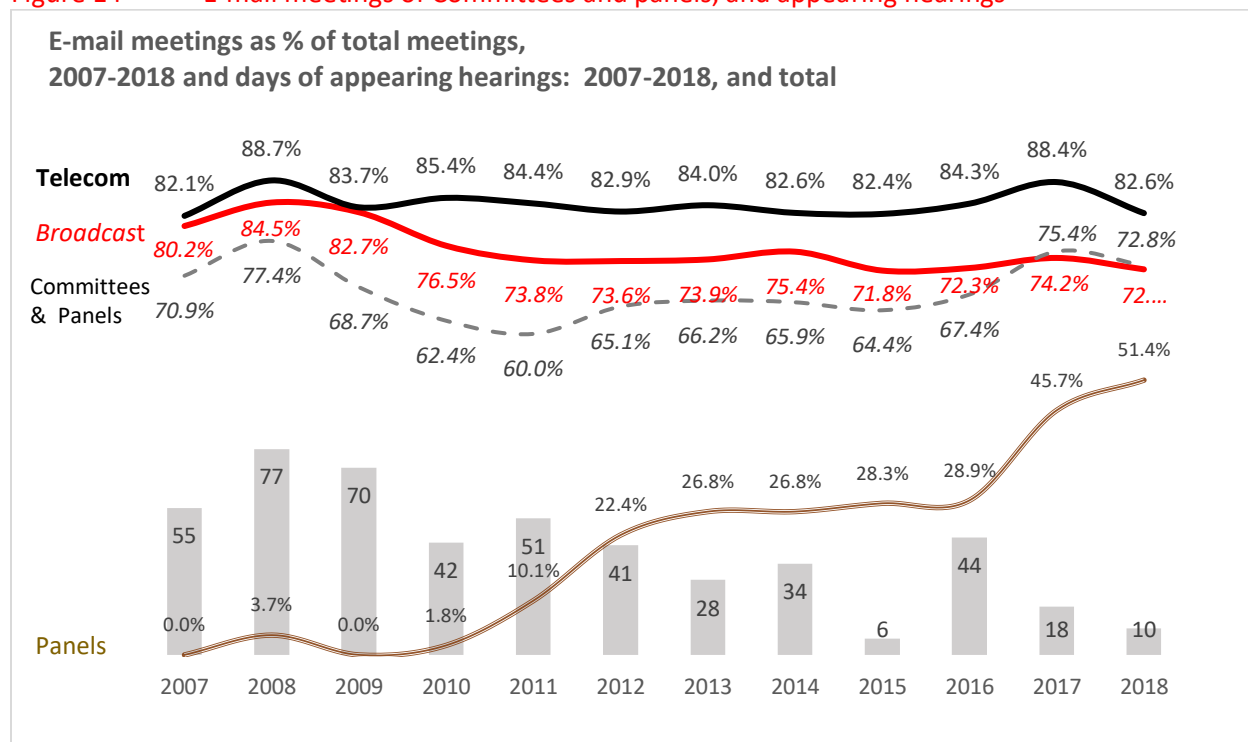
D.   Timing of meetings – Fridays, weekends or holidays

In November 2018 the CRTC launched a proceeding on an Internet Code.[13] After posing 19 questions and 45 sub-questions about a *Code* it had drafted, the CRTC asked interested parties to submit comments by 19 December 2018, 40 calendar or 27 working days later . The Public Interest Advocacy Centre asked the CRTC to extend the deadline in this proceeding, pointing out that the CRTC's deadline overlapped with deadlines in two other federal proceedings. More than half a dozen other parties supported PIAC's request.

The CRTC denied PIAC's request for an extension, in part because it was unconvinced that its schedule "which allows 40 days before initial submissions are due" provided insufficient time for all parties to submit comments.[14] An interesting aspect of the CRTC's response is that the Commission appeared to suggest that parties should, if necessary, work seven days a week to meet its deadline.

Analysis of the materials provided by the CRTC show that no meetings – whether in person, *in camera* or by e-mail – took place on weekends. The materials also show that Commissioners' meetings are not scheduled equally across the week; relatively few (114 out of 3,069 or 3.7%) of its meetings happened on Fridays (Table 17).

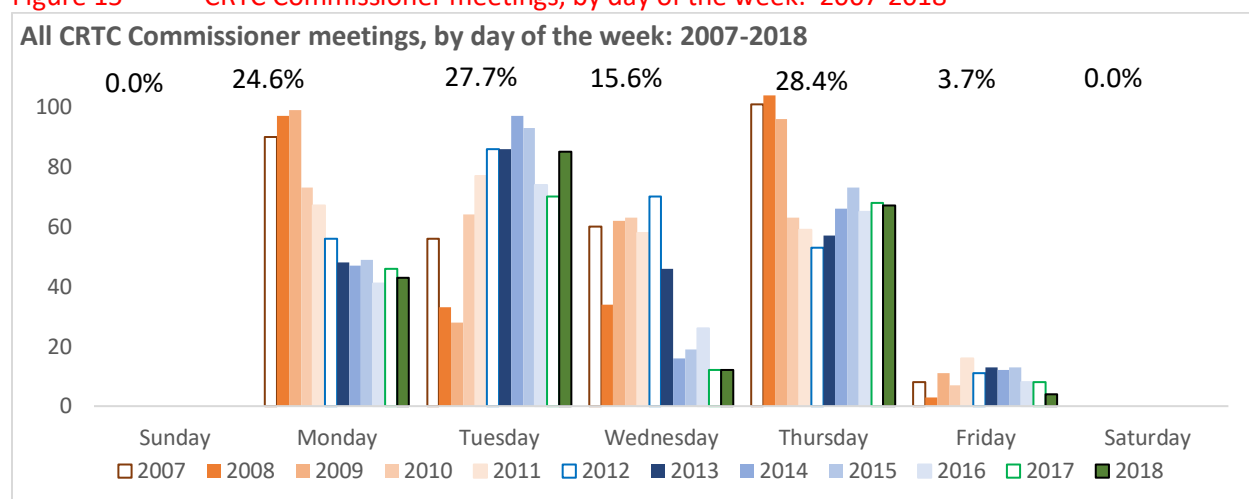Table 17   CRTC meetings, by day of week: 2007-2018

All CRTC meetings, 2007-2018: in person, e-mail and *in camera*							
Year	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total
2007	0	90	56	60	101	8	0	315
2008	0	97	33	34	104	3	0	271
2009	0	99	28	62	96	11	0	296
2010	0	73	64	63	63	7	0	270
2011	0	67	77	58	59	16	0	277
2012	0	56	86	70	53	11	0	276
2013	0	48	86	46	57	13	0	250
2014	0	47	97	16	66	12	0	238
2015	0	49	93	19	73	13	0	247
2016	0	41	74	26	65	8	0	214
2017	0	46	70	12	68	8	0	204
2018	0	43	85	12	67	4	0	211
Total	0	759	849	478	872	114	0	3069
% of week	0.0%	24.7%	27.6%	15.6%	28.4%	3.7%	0.0%	

As Figure 15 shows, the scheduling of meetings on weekdays varies significantly from one year to the next. From 2007 to 2009, for instance, most meetings occurred on Mondays and Thursdays; in 2017 and 2018, the most meetings occurred on Tuesdays.

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13   Telecom Notice of Consultation CRTC 2018-422 (Ottawa, 9 November 2018).
14   CRTC, *Re: Proceeding to establish a mandatory code for Internet services - Procedural Requests*, Telecom Commission Letter Addressed to Various Parties, CRTC reference 1011-NOC2018-0422, (Ottawa, 22 November 2018), Our reference:
https://crtc.gc.ca/eng/archive/2018/lt181122.htm?_ga=2.75262550.594168999.1553855738-18065054.1505399347.

Figure 15   CRTC Commissioner meetings, by day of the week: 2007-2018

In-person meetings of the CRTC's Commissioners tend to be concentrated on Tuesdays and Wednesdays; in 2018 no in-person meetings were held by the Commissioners on Fridays (Table 18 and Figure 16).

Table 18   In-person meetings of CRTC Commissioners, 2007-2018

	In person and in camera only						
Year	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total
2007	0	4	42	57	10	5	0	118
2008	0	5	25	34	16	3	0	83
2009	0	11	21	57	22	7	0	118
2010	0	15	21	60	20	6	0	122
2011	0	18	24	55	20	13	0	130
2012	0	10	26	63	14	10	0	123
2013	0	6	29	40	20	10	0	105
2014	0	5	41	12	28	9	0	95
2015	0	14	39	15	27	9	0	104
2016	0	8	25	22	23	6	0	84
2017	0	10	22	8	20	6	0	66
2018	0	4	37	9	22	0	0	72
Total	0	112	352	432	242	84	0	1222
% of week	0.0%	9.2%	28.8%	35.4%	19.8%	6.9%	0.0%	100.0%

Figure 16   In-person meetings of CRTC Commissioners, 2007-2018

In-person meetings of CRTC Commissioners (including *in camera* meetings), by day of the week: 2007-2018

0.0%   9.0%   28.9%   35.4%   19.8%   6.9%   0.0%

Legend: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018
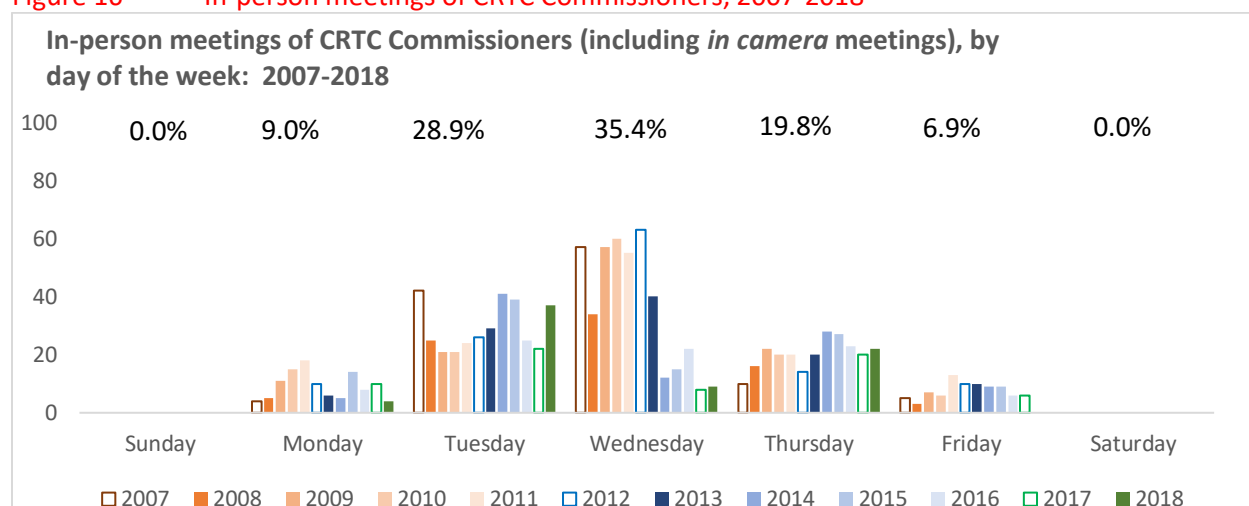
We wondered whether the number of meetings held by CRTC Commissioners in person had changed due to scheduling conflicts with CRTC hearings.

The CRTC currently holds appearing and non-appearing hearings. During appearing hearings applicants and/or interveners present their submissions to, and answer questions from, panels of CRTC Commissioners; in non-appearing hearings panels of CRTC Commissioners meet but neither applicants nor interveners are present to make submissions or answer questions. (Whether a specific hearing is appearing or non-appearing can only be determined by reviewing the transcripts of a given hearing, as CRTC determinations as its 'decisions' and 'policies' do not consistently describe the type of process used by the CRTC.) Appearing hearings generally take up much of the time from 9 am to 5 pm on the days on which they are held, with the exception of lunch and "health" breaks; non-appearing hearings typically take up less than fifteen minutes. We counted each day on which a hearing took place as a full day (regardless of whether the hearing used a full day, or fifteen minutes).

As the number of CRTC appearing and non-appearing hearings also decreased between 2007 and 2018 from 58 to 16 (see Table 19), with as few as six days of hearings in 2015 (see Table 20), it is unlikely that the number of in-person meetings decreased due to scheduling conflicts with those hearings.

Table 19   CRTC appearing and non-appearing hearings, by day of week: 2007-2018

Year	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total
2007	0	14	13	15	10	6	0	58
2008	0	15	19	18	14	14	0	80
2009	0	13	16	14	16	15	0	74
2010	0	10	9	13	10	6	0	48
2011	0	15	16	9	8	8	0	56
2012	0	8	10	11	10	5	0	44
2013	1	7	6	8	9	5	0	36
2014	0	7	8	11	9	4	0	39
2015	0	0	2	6	6	2	0	16
2016	0	8	11	14	10	6	0	49
2017	0	4	5	5	6	1	0	21
2018	0	3	4	2	6	1	0	16
Total	1	104	119	126	114	73	0	537

Year	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total
% change	0%	-78.6%	-69.2%	-86.7%	-40.0%	-83.3%		-72.4%

Table 20   CRTC appearing hearings, by day of week: 2007-2018

Year	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total
2007		12	13	14	10	6		55
2008		14	18	17	14	14		77
2009		11	15	14	16	14		70
2010		8	9	11	10	4		42
2011		13	15	9	8	6		51
2012		8	10	9	9	5		41
2013		5	6	7	6	4		28
2014		7	7	9	7	4		34
2015			1	2	2	1		6
2016		8	9	11	10	6		44
2017		4	5	5	3	1		18
2018		3	3	2	1	1		10
Total		93	111	110	96	66		476
% change		-75.0%	-76.9%	-85.7%	-90.0%	-83.3%		-81.8%

The CRTC's calendars identified 139 holidays occurring on weekdays (Table 21):

Table 21   Months with civic holidays on a weekday

Year	Jan	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2007	1		2	1	1	1		1	1	1	2	11
2008	1	2		1	1	1		1	1	1	2	11
2009	1		2		1	1		1	1	1	2	10
2010	1		2	1	1	1	1	1	1	1	2	12
2011	1		2	1	1	1	1	1	1	1	2	12
2012	1		2	1	1	1	1	1	1	1	2	12
2013	1	1	1		1	1	1	1	1	1	2	11
2014	1		2	1	1	1	1	1	1	1	2	12
2015	1		2	1	1	1	1	1	1	1	2	12
2016	1	2		1	1	1	1	1	1	1	2	12
2017	1		2	1	1	1	1	1	1	1	2	12
2018	1	1	1	1	1	1	1	1	1	1	2	12
Total	**12**	**6**	**18**	**10**	**12**	**12**	**9**	**12**	**12**	**12**	**24**	**139**

While the CRTC did not meet in person on any of these dates, its Telecom Committee met on six out of 139 (4.3%) weekday holidays, via e-mail (shown in grey in Table 21), suggesting that from 2010 to 2013, and in 2016 and 2018, a standard process was in place to provide information to the Telecom Committee:

Monday, August 2, 2010

Monday, August 1, 2011

Monday, August 6, 2012

Monday, August 5, 2013

Monday, August 1, 2016, and

Monday, August 6, 2018.

E. *Ad hoc* meetings, and meetings without agendas

The CRTC's records identified a range of meetings that either took place *ad hoc*, or last minute, or had no agenda (being *in camera* or no-agenda meetings)

1. *Ad hoc meetings*

Just under two hundred (187, or 6%) of the CRTC's meetings took place on an *ad hoc* or last-minute basis, and of these last-minute meetings, half (105 or 56%) involved the Full Commission (Table 22).

Table 22   *Ad hoc* (last minute) meetings of the CRTC

Year	Full Commission		Panel		Broadcast committee		Telecom Committee		Total		
	Ad hoc	All meetings	*Ad hoc*	All meetings	*Ad hoc*	All meetings	*Ad hoc*	All meetings	*Ad hoc*	All meetings	*Ad hoc* as % of total
2007	7	30	1	35	3	126	5	117	16	315	5.1%
2008	8	28	0	27	0	110	0	106	8	271	3.0%
2009	15	33	0	45	5	110	0	104	20	296	6.8%
2010	9	27	0	56	5	85	3	96	17	270	6.3%
2011	6	25	0	69	9	80	2	96	17	277	6.1%
2012	13	29	0	58	4	72	1	105	18	276	6.5%
2013	8	23	4	56	8	69	0	94	20	250	8.0%
2014	6	19	1	56	2	69	0	92	9	238	3.8%
2015	10	25	0	60	6	71	2	91	18	247	7.3%
2016	9	21	0	45	6	65	1	83	16	214	7.5%
2017	10	21	0	35	5	62	1	86	16	204	7.8%
2018	4	20	2	37	4	68	2	86	12	211	5.7%
Total	105	301	8	579	57	987	17	1156	187	3069	6.1%
%	35%	100%	1%	100%	6%	100%	1%	100%	6%	100%	
% subtotal	56%		4%		30%		9%		100%		
% of total	3.4%	9.8%	0.3%	18.9%	1.9%	32.2%	0.6%	37.7%	6.1%	100.0%	

More than four-fifths (87%) of the 187 *ad hoc* or 'last minute' meetings held by the CRTC had agendas, and all 34 *ad hoc* meetings held in 2012 and 2016 all had agendas (Table 23).

Table 23   *Ad hoc* meetings, with and without agendas: 2007-2018

Year	*Ad hoc* meetings with agenda	All *Ad hoc* meetings	*Ad hoc* with agenda as % of all ad hoc
2007	13	16	81%
2008	7	8	88%
2009	19	20	95%

Year	*Ad hoc* meetings with agenda	All *Ad hoc* meetings	*Ad hoc* with agenda as % of all ad hoc
2010	15	17	88%
2011	15	17	88%
2012	18	18	100%
2013	14	20	70%
2014	8	9	89%
2015	14	18	78%
2016	16	16	100%
2017	14	16	88%
2018	9	12	75%
Total	162	187	87%

2. *In camera and no-agenda meetings*

Just over a quarter (869, or 28.3%) of the CRTC's meetings from 2007 to 2018 took place without an agenda or were held *in camera* (Table 24). Relatively few (46) of the meetings took place *in camera* and the CRTC's records show these sessions ended in 2014. We assume that *in camera* CRTC meetings involved meetings of the full Commission, or a quorum of those Commissioners, and may have involved some form of decision-making.

Table 24   CRTC meetings that took place *in camera* or without an agenda, 2007-2018

Year	*In camera* meetings	No-agenda meetings					No agenda & *in camera*, total	All meetings	No agenda as % of total meetings
		FCM	BCM	TCM	Panel	Total			
2007	7	1	33	35	7	76	83	315	24.1%
2008	0	1	30	13	7	51	51	271	18.8%
2009	4	0	25	23	30	78	82	296	26.4%
2010	6	0	22	34	21	77	83	270	28.5%
2011	7	1	4	21	28	54	61	277	19.5%
2012	12	0	6	24	18	48	60	276	17.4%
2013	8	0	19	24	22	65	73	250	26.0%
2014	2	0	26	29	13	68	70	238	28.6%
2015	0	3	21	33	19	76	76	247	30.8%
2016	0	0	26	30	16	72	72	214	33.6%
2017	0	3	28	42	9	82	82	204	40.2%
2018	0	1	31	33	11	76	76	211	36.0%
Total	46	10	271	341	201	823	869	3069	28.3%
% of total	1.5%	0.3%	8.8%	11.1%	6.5%	26.8%	28.3%	100.0%	

While the proportion of meetings held without an agenda increased from 2008 (18.8%) to 2018 (36%), this growth reflects the declining numbers of CRTC meetings overall: the actual numbers of no-agenda

meetings remained relatively stable over the twelve years (Figure 17), fluctuating between a one-year low of 51 and a one-time high of 82 meetings.

Figure 17   CRTC *in camera* and no-agenda meetings relative to all meetings: 2007-2018
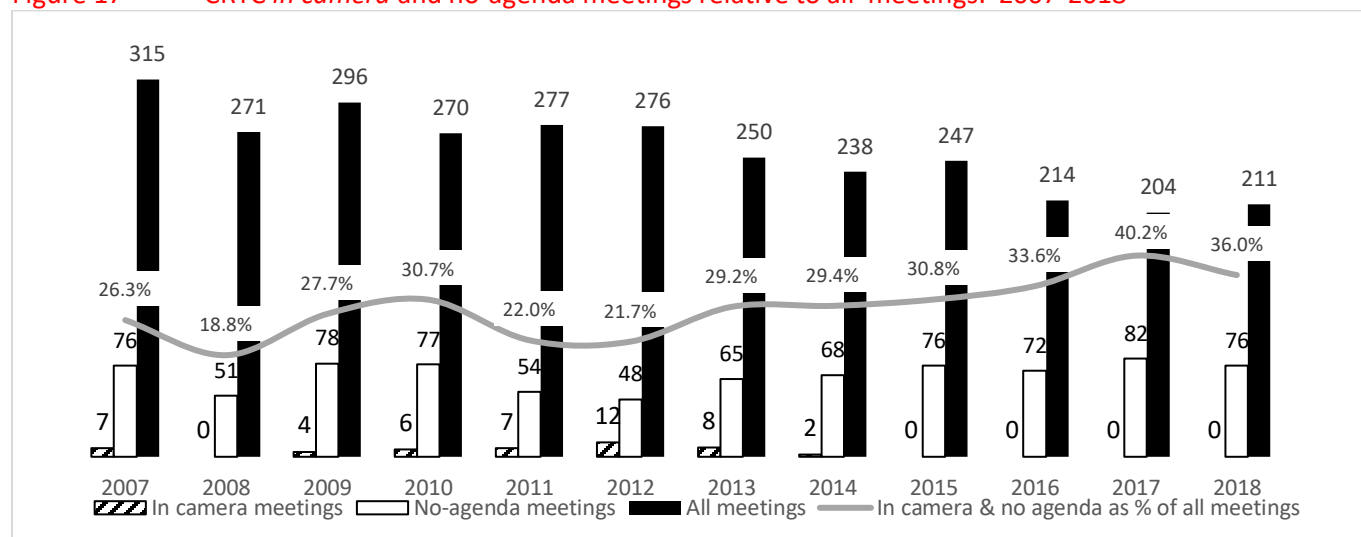
Although the number of no-agenda meetings remained relatively stable over time, the categories of meetings for which agendas were or were not available changed slightly (Table 25). In 2007, 8 of 30 Full Commission meetings –21.6% - occurred *in camera* or without an agenda. By 2018 just 1 (5%) of 20 Full Commission meetings took place without an agenda. While the percentage of no-agenda meetings of these categories grew because the total number of these meetings decreased, the number of no-agenda meetings of the Broadcast Committee, of the Telecom Committee and of hearing panels remained relatively stable.

Table 25   No-agenda or *in camera* meetings of the Full Commission, CRTC committees and hearing panels, 2007-2018

Year	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
Full Commission													
# no agenda	8	1	4	6	8	12	8	2	3	0	3	1	56
Total meetings	37	28	37	33	32	41	31	21	25	21	21	20	347
% of total meetings	21.6%	3.6%	10.8%	18.2%	25.0%	29.3%	25.8%	9.5%	12.0%	0.0%	14.3%	5.0%	16.1%
Broadcast Committee													
# no agenda	33	30	25	22	4	6	19	26	21	26	28	31	271
Total meetings	126	110	110	85	80	72	69	69	71	65	62	68	987
% of total meetings	26.2%	27.3%	22.7%	25.9%	5.0%	8.3%	27.5%	37.7%	29.6%	40.0%	45.2%	45.6%	27.5%
Telecom Committee													
# no agenda	35	13	23	34	21	24	24	29	33	30	42	33	341
Total meetings	117	106	104	96	96	105	94	92	91	83	86	86	1156
% of total meetings	29.9%	12.3%	22.1%	35.4%	21.9%	22.9%	25.5%	31.5%	36.3%	36.1%	48.8%	38.4%	29.5%
Panel meetings													

Year	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
# no agenda	7	7	30	21	28	18	22	13	19	16	9	11	201
Total meetings	35	27	45	56	69	58	56	56	60	45	35	37	579
% of total meetings	20.0%	25.9%	66.7%	37.5%	40.6%	31.0%	39.3%	23.2%	31.7%	35.6%	25.7%	29.7%	34.7%
All meetings													
Total, no agenda meetings	76	51	78	77	54	48	65	68	76	72	82	76	823
All meetings	315	271	296	270	277	276	250	238	247	214	204	211	3069
No agenda meetings as % of all meetings	24.1%	18.8%	26.4%	28.5%	19.5%	17.4%	26.0%	28.6%	30.8%	33.6%	40.2%	36.0%	26.8%

Despite the absence of agendas for 823 CRTC meetings from 2007 to 2018, the calendars provided by the CRTC sometimes offer descriptions of such meetings' purpose, with examples set out in Table 26.

Table 26   Examples of meetings without agendas, 2010-2018

5 March 2010	3 March 2011	27 May 2011	22 Sept 2011	21 Oct 2011
5 14:30 PANEL Video conference with Commissioners re: s. 15 Report	3 14:00 TCM-eM 15:00 PANEL 28 Sept. PH Cogeco-Corus (Conditions of approval)	27 09:30 PANEL APP/N-A 20 June Gat. PH (Vertical Integration)	22 10:00 PANEL APP/N-A 24 Oct. Gat PH (Review of Network Interconnection) 14:00 TCM-eM	21 10:00 FCM 14:30 PANEL Panel meeting (11 July UBB PH) (or imm. following FCM)
3 Jul 2012	**29 Aug 2012**	**7 March 2016**	**25 Oct 2016**	**2 June 2018**
Tuesday 3 11:00 Panel-eM (10 Sept. Mtl. Bell/Astral PH) 14:00 BCM-SC-eM Walk-around 14:00 TCM-eM	29 11:30 PANEL APP/N-A 10 Sept. Mtl. PH (Bell/Astral) 14:00 BCM	7 13:00 PANEL APP/N-A 11 April Gat. PH (Review of Basic Telecom Services) 14:00 TCM-eM	25 08:30 PANEL APP/N-A 22 Nov. Laval - 28 Nov. Gat. PH (Television renewals for large ownership groups) 09:00 FCM and 7 September panel meeting 14:00 BCM-SC-eM Walk-around (48-hour)	2 14:00 BCM 14:00 BCM-SC-eM Walk-Around 14:30 PANEL 19 June Gatineau PH Non – Compliance Radio (renewal applications) or imm. after BCM

According to the CRTC's records, the CRTC organized a videoconference for CRTC Commissioners to meet on 5 March 2010, to discuss a "s. 15 Report" (perhaps the CRTC's 23 March 2010 report on *The implications and advisability of implementing a compensation regime for the value of local television signals*[15], requested by the Governor in Council, or Cabinet, pursuant to section 15 of the *Broadcasting Act*[16]). Apparently this meeting took place without an agenda.

The CRTC's records also show that Commissioners met to discuss the following issues without agendas:

- On 3 March 2011 – conditions for approving Cogeco's acquisition of 11 radio stations licensed to Corus, after the CRTC panel's 2-day public hearing in Montreal in September 2010

- On 27 May 2011 – the six-day hearing in June 2011 on vertical integration

- On 22 September 2011 – the six-day hearing in October 2011 on network interconnection

- On 21 October 2011 – the six-day hearing in July 2011 on usage-based billing

- On 3 July 2012, and on 29 August 2012– the five-day hearing in September 2012 which included Bell's acquisition of Astral

- On 7 March 2016 – the fourteen-day hearing in April 2016 to review basic telecommunications services

- On 25 October 2016 – the four-day hearing in November 2016 to renew large ownership groups' television licences, and

- On 2 June 2018 – a hearing on 19 June 2018 to consider regulatory non-compliance by radio stations applying for their licence renewals.

Finally, the CRTC's records show that the CRTC held different kinds of meetings for the same issue. In thinking about aggressive telecommunications sales practices, for instance, for which the CRTC held a public hearing that began 22 October 2018, the hearing panel also held meetings

- By e-mail on 16 August 2018 ("NofC 2018-246", likely referring to *Report regarding the retail sales practices of Canada's large telecommunications carriers*, Telecom and Broadcasting Notice of Consultation CRTC 2018-246, (Ottawa, 16 July 2018), which invited public comments[17])

- By e-mail on 7 September 2018

- In person meeting on 18 September 2018, without an agenda

- In person meeting (with agenda) on 25 September 2018

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[15]   See https://crtc.gc.ca/eng/publications/reports/rp100323.htm.
[16]   S. 15 (1) The Commission shall, on request of the Governor in Council, hold hearings or make reports on any matter within the jurisdiction of the Commission under this Act.
[17]   https://crtc.gc.ca/eng/archive/2018/2018-246.htm.

- In person meeting (with agenda) on 15 October 2018

- By email (with agenda) on 18 October 2018

- In an *ad hoc* in person meeting on 30 October 2018, without an agenda, and

- In an *ad hoc* e-mail meeting on 6 November 2018, without an agenda.

IV.   Summary of results

Results from the Forum's review of the 151 pages of calendar images received from the CRTC are summarized below.

Types of meetings

- Apart from meetings of the Full Commission, its Broadcast Committee, its Telecom Committee and its hearing panels, CRTC Commissioners appear to have been involved in another 35 types of meetings, ranging from retreats, industry summits and consultations, to orientation fairs (these meetings were excluded from further analysis on the grounds that they did not appear to involve formal CRTC decision-making)

- Altogether the CRTC's calendars listed 77 sub-categories of meetings among CRTC Commissioners which likely involved decision-making (see Table 14)

  - 21 sub-categories of Broadcast Committee meetings

  - 12 sub-categories of Telecom Committee meetings

  - 12 sub-categories of Full Commission meetings

  - 32 sub-categories of hearing panel meetings, and

  - 2 sub-categories of *in camera* meetings (but only from 2007 to 2014).

- Of the 77 sub-categories of CRTC meetings, just 8 were scheduled every year

Summary Characteristics of CRTC meetings

- From 2007 to 2018, members of the CRTC met 3,069 times in person or by e-mail, though never on weekends

- The annual number of meetings of CRTC Commissioners decreased 33% in the past twelve years, from 315 in 2007, to 211 in 2018

- The average number of times the CRTC met per month decreased 31% in the past twelve years, from an average of 26 times per month in 2007, to 18 times per month in 2018

- In 2007 the CRTC met on 152 days, in which 84% of the days involved two or more meetings; in 2018 the CRTC met on 132 days, and 61% of these days involved just one meeting

- From 2007 to 2014 the CRTC met *in camera* on 46 occasions

- More than two-thirds (69.9%) of the meetings involving CRTC Commissioners related to the CRTC's Broadcast and Telecom Committees

Meetings of the Broadcast and Telecom Committees

- Of the CRTC's meetings of its Full Commission, Broadcast Committee, Telecom Committee and hearing Panels, only the Broadcast and Telecom Committees met every month, due in part to meetings held by e-mail (that is, the Committees did not meet every month in person)

  - Meetings of the Full Commission have decreased 33.3% over the past 12 years, from 30 in 2007 to 20 in 2018

  - Meetings of the Broadcast Committee, which made up 37.7% of all CRTC meetings, have decreased 46% over the past 12 years, from 126 meetings in 2007, to 68 meetings in 2018

  - Meetings of the Telecom committee, which made up 32.2% of all CRTC meetings, have decreased by 26.5% over the past 12 years, from 117 meetings in 2007, to 86 in 2018, and

  - Meetings of CRTC hearing panels, which related to 18.9% of all CRTC meetings, increased slightly by 5.7%, from 35 meetings in 2007, to 37 meetings in 2018 (although, over the same period, the number of days on which the CRTC held either appearing or non-appearing hearings decreased 72%, from 58 in 2007 to 16 in 2018)

Manner of meeting

- From 2007 to 2018 the majority of meetings among CRTC Commissioners took place by e-mail (60.2%) rather than in person (39.7%) (see Table 16)

  - The numbers of in-person and e-mail meetings each declined over the twelve years

  - Annual e-mail meetings decreased 29.4% from 2007 to 2018, from 197 to 139,

  - In-person meetings decreased 39% from 2007 to 2018 from 118 to 72 (see Figure 11).

  - E-mail meetings of CRTC panels increased from 0% in 2007, to 514% in 2018, while the days of appearing hearings decreased over this period from 55 in 2007, to 10 in 2018

Scheduling of meetings during the week, on weekends and on holidays

- CRTC Commissioners did not meet on weekends, and met infrequently on Fridays: of 3,069 meetings, just 114 (3.7%) took place on Fridays (Table 17); the CRTC did not meet in person on any Friday in 2018 (Table 18)

- With the exception of six Telecom Committee e-mail meetings (in August 2010, 2011, 2012, 2013 and 2016), no CRTC meetings were shown on any of the national or provincial holidays identified in the CRTC's calendars from 2007 to 2018

Planning

- 187 (6.1%) of the CRTC's 3,069 meetings occurred *ad hoc*, or last minute

- Just over half (105, or 56%) of the *ad hoc* or last-minute meetings involved meetings of the Full Commission

- The Broadcast Committee had three times as many *ad hoc* meetings as the Telecom Committee (57, to 17)

- More than four-fifths of the CRTC's 187 *ad hoc* or last-minute meetings had agendas

Transparency

The CRTC held both *in camera* meetings, and meetings without an agenda

- Just over a quarter of the CRTC's meetings (869 or 28.3% of 3,069 meetings) occurred *in camera* (46) or without an agenda (823)

- While the percentage of Broadcast and Telecom Committee meetings that took place without an agenda increased (from 26.2% and 26.9%, respectively in 2007, to 45.6% and 38.4% in 2018, respectively) the actual number of no-agenda meetings remained relatively stable, while the total number of Committee meetings decreased

V. Questions raised by the results

The Forum's analysis of the information provided by the CRTC about meetings of a majority or a quorum of CRTC Commissioners raises a number of questions, set out below.

1. After being asked for meetings of the Commission in which a majority of CRTC Commissioners or a quorum of the Commissioners met, the CRTC provided 151 pages that depict the calendar months from January 2007 to December 2018.

   Does the CRTC not have an information retrieval system capable of generating the dates on which its Full Commission, Broadcast Committee, Telecom Committee and hearing panels have met?

2. The number of meetings of the CRTC's Full Commission, its Broadcast and Telecom Committees and its hearing panels have steadily declined since 2007. In 2018 the CRTC held 33% fewer meetings, held 39% fewer meetings in person and held 29% fewer meetings via e-mail than in 2007. Over the same period the number of hearings in which applicants and/or interveners appeared before CRTC Commissioners decreased from 55 in 2007, to 10 in 2018.

   Does the decrease in CRTC meeting frequency mean that the CRTC is becoming more efficient in making decisions, or that it has chosen to address fewer broadcasting- and telecommunications-related issues?

3. The CRTC has for many announced its plans and priorities for the next twelve months in an annual *Report on Plans and Priorities*. As shown below, for example, the CRTC announced its intention to review its radio policy three times over the twelve years from 2007 to 2018 (in 2006/07, 2008/09, 2013/14). Other policies – such as the CRTC's 29-year old policy for Indigenous broadcasting, and its 20-year old policy for ethnic broadcasting – were not reviewed in this period.

CRTC's plans to review specific policies			
Reports on Plans and Priorities	1990 "Native" radio policy	1999 Ethnic broadcasting policy	Other policies
Report on Plans and Priorities, 2006-2007	We will consider granting new licences to Aboriginal and ethnic services in order to meet the needs of Canadians of diverse backgrounds, and continue to require that the broadcasters reflect the cultural and racial diversity of Canadian society, as well as people with disabilities, in their programming.		2006 Commercial radio policy
Report on Plans and Priorities, 2007-2008	"The CRTC …. licenses many services that focus on ethnic and Aboriginal communities, and requires television and radio broadcasters to reflect Canada's diverse reality on Canadian airwaves."		
Part III, Report on Plans and Priorities, 2008-2009 Estimates	To achieve its desired outcomes, the CRTC will: … • improve the representation of our ethnocultural and Aboriginal societies ….		2006 Commercial radio policy Radio hits policy BDU policy Discretionary services policy
Report on Plans and Priorities, 2009-2010	The Commission will review progress with respect to improving representation and reflection of linguistic and visible minorities, Aboriginal peoples and persons with disabilities on television during licence renewals of English- and French-language over-the-air television broadcasters.		
Departmental Plan, 2010-2011			Campus and community radio policy Community television policy
Report on Plans and Priorities, 2011-2012			Review of vertical integration regulatory framework Regulatory approach in the digital economy Commercial radio
Report on Plans and Priorities, 2012-2013			Local Programming Improvement Fund Telecommunications retail services Price cap frameworks Northwestel
Report on Plans and Priorities, 2013-2014		"Review the Ethnic Broadcasting Policy through a public consultation" *[no consultation notice issued this year on this subject]*	Ethnic radio and television Accessibility in telecommunications Regulatory framework for Northwestel Commercial radio policy Tangible benefits policy Specialty TV Genre Protection Policy Unsolicited Telecommunications Rules Radio exemption orders Emergency Alerting System
Report on Plans and Priorities, 2013-2014		1999 Ethnic Broadcasting Policy *[no consultation notice issued this year on this subject]*	Television policy review Basic telecommunications service Wholesale telecommunications services National Public Alerting System
Report on Plans and Priorities, 2014-2015		"The CRTC will review, by means of a public consultation process, the 1999 Ethnic Broadcasting	Television policy Radio policies Wholesale telecommunications services

CRTC's plans to review specific policies			
Reports on Plans and Priorities	**1990 "Native" radio policy**	**1999 Ethnic broadcasting policy**	**Other policies**
		Policy as it pertains to radio programming." *[no consultation notice issued this year on this subject]*	
Report on Plans and Priorities, 2015-16	*[CRTC called for radio applications to serve urban Aboriginal communities, in Broadcasting Notice of Consultation CRTC 2015-399, and did not announce a policy review]*		Community Television Policy Television policy Basic telecommunications services 9-1-1 network reliability and resiliency
Report on Plans and Priorities 2016-2017	The CRTC will continue to ensure that a broad variety of programming that reflects the diversity of Canadians (linguistically, geographically, culturally and demographically) is made available in the Canadian broadcasting system. Specifically, it will take measures to ensure that its policies on cultural diversity, ethnic radio, native radio, as well as local and community programming are up to date and responsive to the current environment.		Basic telecommunications services French-language vocal music policy Northwestel regulatory framework C-band fixed satellite services Competitor quality of service indicators Rate rebate plan
Departmental Plan, 2017-2018	"The CRTC will continue work to ensure that its policies on cultural diversity and indigenous radio are up to date and that the needs of official language minority communities are met."		Review of Wireless Code Review Quality of Service indicators and rate rebate plan for competitors
Departmental Plan 2018-2019	Indigenous radio policy framework *[no consultation notice issued this year on this subject]*	*[CRTC called for national, multilingual multi-ethnic TV applications in Broadcasting Notice of Consultation CRTC 2018-127, and did not announce a policy review]*	Review of French-language vocal music Review of Video Relay Service

Has the decrease in CRTC meetings from 2007 to 2018 limited its plans to review all its policies on a regular basis?

The planned work announced by the CRTC before a specific year may not reflect the work that the CRTC actually completes in a specific year: in some years the CRTC did not undertake the work it planned to address, and in others it completed work it had not previously announced – in other words, the CRTC's annual workload may have remained steady from 2007 to 2018.

Assuming that the CRTC has maintained its annual workload over the past twelve years, does the decrease over this period in meetings of CRTC Commissioners suggest that the Commission's staff have come to play a more significant role in decision-making than in previous years?

4. A third (105 of 301, or 35%) of the meetings of the Full Commission – which all take place in person – took place *ad hoc* – that is, they were scheduled at the last minute. The CRTC held far fewer *ad hoc* meetings of its Broadcast and Telecom Committees, and Panels: 57 (6%), 17 (1%) and 8 (1%), respectively (see Table 22).

Does the fact that a third of the CRTC's Full Commission meetings take place at the last minute suggest that the CRTC is struggling with the organization of its workload?

5. More than four-fifths of the *ad hoc* meetings held by the CRTC from 2007 to 2018 took place with agendas (162 *ad hoc* meetings with agendas, out of 187 *ad hoc* meetings in total, or 87%) – despite the fact that the meetings were held at the 'last minute'.

Is the description of 162 meetings as 'last minute' consistent with the fact that 87% of these meetings were provided with agendas?

6. More than a quarter (823, or 26.8%) of the CRTC's meetings from 2007 to 2018 took place without an agenda, with the Telecom Committee having the highest number of no-agenda meetings (341 of 1156, or 29.5%).

What impact does the absence of an agenda have on decision-making by Commissioners participating in such meetings? Are all Commissioners able to prepare effectively for meetings if the meetings take place without a description beforehand of their purpose?

If the CRTC's decision-making processes should, as an independent quasi-judicial tribunal, be transparent, is it possible for the CRTC to meet this objective when more than a quarter of its meetings take place without documentation?

7. A number of meetings – see the eight shown in Table 26 – are described as having no agenda (denoted by green highlighting), while dealing with specific matters:

- A videoconference to deal with a report requested by Cabinet under the *Broadcasting Act*
- Conditions for approving an important ownership transaction
- Bell's purchase of Astral (two separate meetings, both lacking agendas)
- Large television ownership groups' renewal, and
- Broadcasters' regulatory non-compliance
- Vertical integration
- Network interconnection policy
- Usage-based billing policy, and
- Basic Telecom Service policy.

We assume, for the purposes of this discussion, that the notations about the matters discussed at the meetings set out in the CRTC's calendars were not added subsequent to the meetings.

If so, and if it is plausible that the CRTC arranged videoconferences without providing participating CRTC Commissioners with an agenda for such meetings, was it productive for the meeting to take place without an agenda?

Similarly, if it is plausible that when CRTC Commissioners met to consider major ownership transactions and its vertical integration policy, regulatory non-compliance, major broadcasters' licence renewals, and the CRTC's telecommunications policies for network interconnection, usage-based billing and basic telecom service, was it practical for such meetings to take place without participating Commissioners having access to the meetings' agenda?

> *To what extent does the absence of agendas for such meetings affect the Commissioners' ability to participate equitably and effectively with their colleagues?*

8. In 2005 the CRTC wrote that it planned to assess its work to find ways of issuing decisions on matters that are key to its stakeholders and the public, "in a more timely manner":

> [i]t is a high priority for the Commission to ensure that our own processes are fair, effective and transparent, so that we can continue to enjoy the confidence of the public and the industries we regulate. Over the past two years we have improved the quality and clarity of our decision writing. In the year to come, we will be assessing the way we work in order to find the means of delivering those determinations that are key to our stakeholders and to the public, in a more timely manner.[18]

> *Have the decreases from 2007 to 2018 in total CRTC meetings (-33%), in in-person meetings (-39%) and in e-mail meetings (-29%) affected the CRTC's priority of ensuring that "determinations that are key to" CRTC stakeholders are issued "in a more timely manner"?*

The CRTC has encouraged public participation and public-interest group participation in its proceedings. Previous research notes by the Forum[19] determined that the time taken by the CRTC to issue determinations after receiving costs applications have increased: from an average of 3.7 months in 2013, 6.9 months in 2014, 7.6 months in 2015, 6.6 months in 2016, 8.6 months in 2017 and 9.6 months in 2018.

The CRTC's calendars included 11 references to 'costs' or 'costs orders' from 2007 to 2018, and that just over half (six) of these meetings occurred in 2017 and 2018 (Table 27). The meetings involved Panels only.

In the same period CRTC panels identified in relation to 'TVRP' met 39 times. (As noted previously, the CRTC did not provide a description of this term, but other meetings (see *e.g.* **Error! Reference source not found.**) referred to 'telemarketing violation review', and we assume that TVRP relates to telemarketing violation reviews by panels.)

Figure 18   30 September 2013

Table 27   CRTC panel meetings on costs orders and telecom violations

Year	eM Costs	No-agenda costing meeting	eM Cost Order	Total, Costs	TM Violation review	TVRP	TVRP WA	No agenda TVRP WA	No agenda TVRP	Total,TVRP
2007				0						0
2008				0						0
2009		3		3					3	3
2010				0	3				1	4

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[18]   Canadian Radio-television and Telecommunications Commission, *2004-2005 Estimates, Part III – Report on Plans and Priorities*, http://publications.gc.ca/collections/collection_2015/crtc/BC9-22-2005-eng.pdf, at 7 ("Chairperson's message").

[19]   See "The CRTC's Costs-Order Process in Telecommunications", (Ottawa, 24 November 2017), http://frpc.net/crtc-cost-orders-nov-2017-final-2/; "The CRTC's costs-orders process in telecommunications: a year later", (3 December 2018), http://frpc.net/wp-content/uploads/2018/12/CRTC-cost-orders-Nov-2018.pdf.

Year	eM Costs	No-agenda costing meeting	eM Cost Order	Total, Costs	TM Violation review	TVRP	TVRP WA	No agenda TVRP WA	No agenda TVRP	Total,TVRP
2011				0	7				1	8
2012				0	4					4
2013				0	3				1	4
2014			1	1	5			1		6
2015				0		6				6
2016	1			1			1		1	2
2017			3	3						0
2018			3	3					2	2
Total	1	3	7	11	22	6	1	1	9	39

This apparent imbalance – in whiich telecom violation review meetings outnumber meetings to consider costs – could give rise to a concern that the imbalance exists because the former involve determinations that may generate revenue for the government, while the latter involve meetings that will only generate expenditures for telecommunications companies.

VI.   Recommendations

Previous research by the Forum established that the CRTC's decision-making process lacks transparency. The fact that the CRTC does not itself post any information about the meetings of those responsible for making decisions on its behalf reinforces our concern about the Commission's transparency.

To the extent that transparency serves the public interest, the Forum has three recommendations about meetings of the CRTC's Commissioners:

1.   The CRTC should post its meeting schedules every month, with sufficient information for interested parties to know what matters will be addressed.

A disadvantage of posting this information is that it might lead to increased private lobbying or advocacy with respect to the matters under discussion – but this would only happen if Commissioners agreed to meeting with parties interested in specific matters, outside of the process established for CRTC proceedings, which seems unlikely.

An advantage of posting meeting schedules is that awareness of this information would offer interested parties more certainty about the timing of outcomes in CRTC proceedings, and would also enable members of the public to determine the extent of private lobbying that occurs outside of the CRTC's formal processes, as many of such meetings would have to be reported to the Commissioner of Lobbying.

2.   The CRTC may wish to consider developing a more organized framework for its meetings. The fact that only one meeting was ever held with respect to more than a quarter (21, or 30%) of the CRTC's 77 sub-categories of meetings, suggests that the CRTC's current approach to scheduling is somewhat unsystematic. A more systematic scheduling approach may strengthen the CRTC's ability to respond to the many challenges of the 21st century for Canadian communications and cultural sovereignty, in the timely manner to which it committed in 2005.

3.   Part of an organized framework for CRTC meetings should include a commitment to ensure that an agenda is provided for each meeting of its Commissioners. More than a quarter (869, or 28.3%) of the CRTC's meetings from 2007 to 2018 were held without an agenda, and it is striking that, as the total numbers of CRTC meetings decreased over this period, the number of meetings without agendas remained relatively steady across this period.

Lack of time does not appear to account for the absence of agendas from meetings, as 87% of the 187 *ad hoc* or last-minute meetings held by the CRTC in the same period actually had agendas.

The absence of agendas has at least two potentially negative effects. It may limit effective participation by Commissioners who are unprepared for meetings that occur without notification, and it complicates subsequent efforts by the public or others (such as scholars) to understand the Commission's decision-making process.