Bleak House:

Accountability and Canada's national public broadcaster

FRPC research note

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Synopsis

On 25 November 2019 the CRTC called CBC to a major public hearing, initially setting 13 February 2020 as the deadline for interventions about CBC's proposals, later extending the deadline to 20 February 2020. The CRTC required CBC to broadcast notifications about the hearing and the intervention deadline; on 20 February CBC sent the CRTC 21 declarations certifying the dates and times on which CBC had broadcast the announcements.

An analysis of CBC's declarations found that CBC certified that 11 of its English- and French-language radio and television services had broadcast 82 announcements about the CRTC proceeding: six French-language services each broadcast 8 announcements and five English-language services broadcast 6 or 7 announcements.

CBC's services often broadcast the announcements on different days; the first was broadcast by CBC's English-language television network on 3 January, more than halfway through the intervention period ending 13 February 2020. The last broadcasts were made on 18 February by three of CBC's English-language radio and television services. CBC's English- and French-language radio and television services broadcast the announcements at different times, from 6:59 am (ICI Première on 30 January) to 11:59 pm (Ici Musique on 31 January).

The main finding of this research was the level of inaccuracy in CBC's 21 declarations: 15 appeared to describe at least one broadcast inaccurately, and in 7 declarations all the descriptions appeared inaccurate. Among the 82 separate broadcasts described by CBC's declarations there appeared to be 44 inaccuracies:

- 8 broadcasts (or 10% of the total number of announcements) may not have been made:
  - 2 TV broadcasts were missing from CBC's TV logs.
  - 6 broadcasts were double-counted, as announcements of the 13 and the 20 February deadlines were certified as having been broadcast by the same service(s) on the same date and at the same time).
- In 8 instances (10%), declarations that announcements had already been made were signed before the dates on which the declarations said the announcements were broadcast.
- 4 (5%) announcements about the extended deadline were broadcast before the CRTC had announced the extension on January 28th, and
- Comparing CBC's declarations about notifications with CBC's TV logs found that the times declared for 24 TV broadcasts (28% of all 82 broadcasts; 65% of all 53 TV broadcasts) were inaccurate by more than 10% of an hour (6 minutes), with the average inaccuracy being half an hour.

The results raise at least three questions about the degree to which CBC is able to meet the CRTC's requirements, the degree to which the CRTC is aware of the inaccuracies in broadcasters' declarations, and whether inaccuracies in broadcasters' declarations have implications for the integrity of the CRTC's proceedings and its decisions.

Recommendations: If it revises its broadcasting statute(s), Parliament should set clear objectives, procedural requirements and operating standards for the administrative bodies to which it has delegated responsibility, including the fundamental requirement that such bodies place the public interest first in their work. These requirements should include transparency and a strong duty to inform the Canadian public about their right to participate in the CRTC's proceedings.

In the interim the CRTC should ensure that licensees are accountable to Canadians by providing clear guidance about the content of notifications, setting higher minimum numbers of notifications for broadcasting and unlicensed services and placing copies of broadcasters' declarations on the public record.

Executive Summary

Parliament has always required the CRTC to notify communities served by broadcasters about the issuance or renewal of broadcasting licences in those areas, and the CRTC has always required broadcasters to broadcast information about CRTC hearings involving their services. This paper analyzes information provided by CBC to the CRTC about 82 notifications that CBC declared that it had broadcast in January and February 2020, advising its audiences of their right to intervene in the CRTC's licensing proceeding regarding CBC's services.

Of CBC's 21 declarations about the broadcast notifications, 15 contained apparent inaccuracies, in the sense that the statements either were imprecise or did not truly reflect the facts. Just over half – 44 (54%) of the 82 announcements that CBC said it broadcast about the CRTC's hearing notifications appeared to be inaccurate, with at least eight (10%) apparently not having been broadcast at all.

Background

On 25 November 2019 the CRTC announced that it had scheduled a public hearing to consider CBC's applications to renew its broadcasting licences and its request that it be permitted to meet any new programming commitments using its now-unlicensed (exempted) online services. The CRTC initially set 13 February 2020 as the deadline for the public to comment or intervene in the proceeding but on 28 January 2020 extended the deadline to 20 February 2020. (The Covid-19 pandemic has since then led the CRTC to postpone the CBC renewal hearing it had initially scheduled for May 2020 to January 2021.)

The CRTC's November 2019 announcement required CBC to broadcast announcements about the CRTC hearing and the intervention deadline. The Forum was unable to locate a copy of CBC's confirmation that it had broadcast the announcements on the public record of the CRTC's proceeding and asked CBC for a copy on 26 February 2020.

On 11 March 2020 the CBC declined to provide information about its broadcast notifications and suggested contacting the CRTC.

The Forum made a procedural request to the CRTC on 12 March 2020, asking that the CBC's broadcast notifications confirmation(s) be placed on the public record. The CRTC denied the request on 22 July 2020.

The CRTC was asked on 23 July 2020 for the confirmation of the broadcast notifications under the *Access to Information Act*.

On 21 August 2020 the Forum received copies of CBC's declarations certifying the dates and times on which its radio and television services had broadcast the required notices.

According to the CBC material provided by the CRTC, the Commission wrote CBC on 25 November 2019 to state the requirements for notifications that CBC was to broadcast about the forthcoming licensing hearing. The CRTC's letter could not be found on its website.

On 20 February 2020 – the CRTC's intervention deadline – CBC sent the CRTC 21 pages of signed declarations which stated the dates and times at which its six radio and television networks and five discretionary television services had broadcast the required notifications.

Analysis

The Forum initially analyzed CBC's declarations simply to determine how many broadcasts had been made by CBC's services, and when. All of the broadcasts were made through CBC's network services; none was reported as having been inserted in the local programming periods of its radio and television stations. We found inaccuracies in relation to 44 or 54% of the 82 notifications CBC said it made, primarily regarding the times at which the notifications were broadcast, but also including the fact that 8 (18%) of the notifications appear not to have been made: two were not confirmed by CBC's TV logs and in 6 cases two different announcements were each shown as having been broadcast by the same service on the same date and at the same time, which appears unlikely.

Briefly,

- CBC's 21 declarations show that
  - all but one service broadcast four announcements about the CRTC's initial (13 February 2020) intervention deadline, with CBC's English-language Radio One service broadcasting five – three nationally, one in the Northwest Territories alone and one in the rest of Canada alone;
  - CBC's French-language services broadcast four announcements about the CRTC's extended deadline (20 February 2020), and CBC's English-language services broadcast 2 or 3 announcements.
- Although it was assumed that CBC's declarations would be accurate – in other words, free from error and reasonably (rather than perfectly) exact with details that were correct – a majority of the broadcast dates and times certified by CBC's declarations appear to be inaccurate:
  - Of CBC's 21 declarations, 15 made statements that appear to be inaccurate, including 7 in which <u>all</u> the statements about broadcast notifications appear inaccurate; statements about the broadcasts of 9 of the 11 programming services that made the required announcements also appear inaccurate.
- Of 82 statements made by CBC about individual broadcasts, 44 (54%) appear inaccurate:
  - 8 broadcasts or 10% of the total broadcasts certified by CBC as having been made may not have been made: 2 TV broadcasts were not recorded in CBC's TV logs, and 6 broadcasts were counted twice – that is, in six cases announcements of the 13 February deadline and of the 20 February deadline were reported as being broadcast by the same service(s) on the same date and at the same time. Since presumably only one set of announcements was made rather than two simultaneously, 6 broadcasts may not have occurred.

- 8 (10%) broadcasts were certified as having been made after the date on which the declarations were signed reporting that the broadcasts had already been made.
- CBC's declarations certified that 4 (5%) announcements about the extended deadline were apparently broadcast before the CRTC had announced the extension on January 28th, and
- Comparing CBC's declarations about notifications with the CBC's TV logs revealed that the times declared for 23 TV broadcasts (28% of all 82 broadcasts; 65% of all 53 TV broadcasts) were inaccurate by more than 10% of an hour (6 minutes), with the average inaccuracy being half an hour.

The CRTC requires broadcasters to notify their audiences of the opportunity to comment on broadcasters' licensing applications in order to enable members of the public to hold broadcasters to account through the regulatory process.

The Forum suggests that the results of this analysis of CBC's declarations about its broadcast notifications raise three questions concerning the Corporation's accountability towards Canadians and the CRTC and the manner in which the CRTC ensures that licensees can be held to account by Canadians in the public hearing process.

1. Is CBC able to meet the CRTC's requirements?

The number of inaccuracies in CBC's declarations about the broadcasts it said it made to announce the CRTC's proceeding and the deadlines for intervening raise a question about the degree to which CBC is able to meet the CRTC's requests. Previous research by the Forum found that funding for CBC's operations decreased by 36% (in constant dollar terms) from 1985 to 2019; has this reduction in funding left CBC unable to meet the CRTC's requirements?

If CBC is unable to fully meet the CRTC's requirements, does this inability have implications for the plans CBC presented to the CRTC in Fall 2019 for its next licence term and/or to fulfill the role set out for Canada's national public broadcaster in the *Broadcasting Act*? In May 2019, the CBC's President pointed to Canadians' trust in CBC as being important to CBC's strategic plan: do the inaccuracies involving more than half of CBC's stated broadcast notifications have implications for the future level of trust that Canadians may have in the CBC?

2. Is the CRTC aware of licensees' regulatory non-compliance?

It is unclear from the public record whether the CRTC itself was aware of the inaccuracies in CBC's declarations about its broadcast notifications. If the CRTC were aware of the inaccuracies, would its lack of public comment to this time suggest that it tolerates inaccuracy by its licensees? Could such tolerance have implications for the CRTC's implementation of Parliament's broadcasting policy for Canada, including its supervision of CBC's programming performance in relation to its commitments and requirements?

How does the broadcast regulatory authority ensure that, if it tolerates such non-compliance, its tolerance extends equitably to all licensees so as to ensure equality before the law?

3. Do inaccuracies regarding broadcast declarations have implications for the integrity of the CRTC's proceedings and its decisions?

The public-participation phase of the CRTC process to consider CBC's programming services began in November 2019 when the Commission published CBC's applications for public review and comment. A number of interveners including the Forum expressed concerns about the applications' lack of information about CBC's unlicensed online services. In June 2020 – seven months after the CRTC published CBC's applications, and four months after the deadline for commenting on those applications – the Commission unexpectedly published financial information about CBC's online services. In July 2020, CBC also declared that it neither could nor would update information set out in its November 2019 applications to address the impact of the 2020 Covid-19 pandemic.

On 4 August 2020, the Forum asked the CRTC to modify its procedures for the 2019-379 process, in part due to CBC's decision to withhold relevant evidence about the significant funding shortfalls it had stated and projected concerning its online services: CBC disclosed that these shortfalls were projected to amount to $1.3 billion in the period 2019 to 2023. The Forum submitted that CBC's withholding this evidence and refusal to update its applications in light of significantly changed circumstances affecting all broadcasters constituted a level of procedural unfairness that had tainted the 2019-379 proceeding.

By 21 September 2020 the CRTC had not yet issued a decision about the Forum's request – but had begun to contact interveners who had previously asked to appear at this CRTC hearing to confirm their wish to appear at the 11 January 2021 hearing.

The results from this analysis support the Forum's argument that procedural fairness in the CRTC's 2019-379 proceeding has been tainted. After learning for the first time in June 2020 that CBC expects the revenues and expenditures of its online services to result in a $1.3 billion shortfall, it now also appears that when CBC certified that it had broadcast notifications of the CRTC proceeding to its audiences, information for over half (44 or 54%) of the 82 broadcasts was inaccurate, with at least 10% of the broadcasts not being made at all. It is difficult to have confidence in the integrity of this important CRTC process when CBC did not grant the public a reasonable opportunity to learn about and participate in it.

Recommendations

Since the report of the Broadcasting and Telecommunications Legislative Review Committee was submitted to the Ministers of Canadian Heritage and Industry, Science and Economic Development in January 2020, speculation about the nature of change to Canada's communications legislation has grown.

Whether Parliament changes its communications legislation or not, the Forum's view is that Canadians are entitled to participate in the making of policies and decisions that shape their communications system.

Long-term recommendations for Parliament:

1. Parliament should establish clear and measurable objectives, procedural requirements and operating standards for the administrative bodies to which it has delegated so much

responsibility, including the fundamental requirement that such bodies place the public interest first in their work.

2. Parliament should make it mandatory for the business of any regulatory authority to be fully transparent and open to public review.

3. Parliament should also make it mandatory for any regulatory authority that it creates or maintains to clearly, repeatedly and correctly inform members of the public about their right to participate meaningfully in the authority's proceedings, and to ensure that programming services also provide this notice clearly, repeatedly and correctly.

Interim recommendation for the CRTC:

Until Parliament amends the *Broadcasting Act*, the CRTC remains the only authority capable of ensuring that licensees are accountable to Canadians. In light of the issues identified in CBC's broadcast notifications, when broadcasters apply to the CRTC to renew their licences (and/or to continue to exempt their services from broadcast), the Commission should consider:

a Providing clear guidance about the matters that the notification should address, so that licensees do not inadvertently mislead audiences about relevant matters
b Increasing the number of broadcast notifications that applicants must broadcast on each of their licensed undertakings to increase opportunities for audiences to become aware of CRTC hearings involving the undertakings
c Specifying that three-quarters or more of the notifications must be scheduled during each service's peak audience periods
d Requiring licensees whose applications involve their exempted broadcasting services to notify those services' users about the applications and the CRTC process for participation, and
e Placing the certifications of notifications on applicants' examination files and on the applications page of the CRTC's website.

I. Introduction: notifying the public about CRTC proceedings

1 Since it was established the CRTC has held hearings at which members of the public may appear, and has encouraged public participation. The CRTC's current website explains the importance the Commission ascribes to public participation:

> **Have your say!**
>
> When it comes to shaping Canada's broadcasting and telecommunications system, we depend on you to tell us what you want and need, and to let us know what is and isn't working for you.
>
> We encourage you to have your say. We invite you to join us in continuing to build a world-class communication system that meets your needs.
>
> **Why your participation matters**
>
> Our activities have a direct effect on you.
>
> The policies and regulations that we help create, the decisions we make, and the actions we take contribute to how well your communication system works for you.
>
> That is why it is to your benefit to be aware of what we are doing and why. It is also to your benefit to play a role in determining the policies and regulations we develop and the actions we take. And that means making your voice heard and your opinions known to us.

Source: CRTC, "It's Your CRTC: Here's How To Have Your Say!: Your 5-minute guide to understanding and participating in our activities", CRTC public proceedings, (Date modified: 2017-05-11), https://crtc.gc.ca/eng/info_sht/g10.htm.

2 Informing the public about the proceedings involving broadcast regulation plays a role in enabling meaningful public participation. In 1968 and again in 1991, Parliament required the CRTC to notify the public before it held hearings to issue or renew broadcasting licences, by publishing announcements of such hearings in the *Canada Gazette* and in one or more newspapers circulated to the areas most likely to be affected by the issuing or renewing of such licences.[1] The goal, presumably, was to

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[1] *Broadcasting Act*, R.S.C. 1970, c. B-11, as am. in R.S.C. 1970, c. 16 (1st Supp.), s. 42(2), and R.S.C. 1970, c. 10 (@nd Supp.), s. 65, s. 20:

> (1) The Commission shall give notice in the *Canada Gazette* of any application received by it for the issue, amendment or renewal of a broadcasting licence, other than a licence to carry on a temporary network operation, of any public hearing to be held under section 19 and of the issue, amendment or renewal of any broadcasting licence.
>
> (2) A copy of a notice given pursuant to subsection (1) shall be published by the Commission in one or more newspapers of general circulation within the area normally served or to be served by the broadcasting undertaking to which the application, public hearing or the issue, amendment or renewal of the broadcasting licence relates.

Broadcasting Act, S.C. 1991, c. 11, s. 19:

> The Commission shall cause notice of
>
> (a) any application received by it for the issue, amendment or renewal of a licence, other than a licence to carry on a temporary network operation,
>
> (b) any decision made by it to issue, amend or renew a licence, and
>
> (c) any public hearing to be held by it under section 18

ensure the public knew about such proceedings in case they wished to exercise their right to comment on the applications by submitting written interventions.

3 For decades the CRTC has also required broadcasters to publicize such hearings by broadcasting notices about the hearing and its deadlines for intervention, and to submit evidence that they had in fact aired such notices. The 1971 *CRTC Rules of Procedure* required broadcast licensees to announce hearings involving their services over the air, specified the announcements' content and their timing.[2] The CRTC's current *Rules of Practice and Procedure* also require such announcements.[3]

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to be published in the Canada Gazette and in one or more newspapers of general circulation within any area affected or likely to be affected by the application, decision or matter to which the public hearing relates.

[2] *CRTC Rules of Procedure*, SOR/71-330 (*Canada Gazette Part II*, 28 July 1971 at 1154; revoking and replacing *Board of Broadcast Governors' Procedure Regulations*, SOR/61-262, *Canada Gazette Part II*, 12 July 1961 at 900, as am. by SOR/67-263, *Canada Gazette Part II*, 24 May 1967 at 797, s. 5:

Subject to subsections (2) and (3), where the Commission proposes to hold a public hearing in respect of an application that was filed
(a) by a licensee who holds a licence for the area in respect of which the application was filed, or
(b) in respect of the broadcasting undertaking of a licensee,
the licensee shall at his own expense, at least twice in the period commencing 35 days before, and ending 25 days before the day fixed for the commencement of the public hearing, broadcast over his own facilities, if any, within the area normally served or to be served by the broadcasting undertaking to which the public hearing relates, a notice of the public hearing stating
(c) the date fixed for the commencement of the public hearing,
(d) the nature of the matters to be heard at the public hearing, and
(e) the rights of all persons in respect of the public hearing, including the time for filing an intervention.
(2) the notice referred to in subsection (1) shall be broadcast,
(a) in the case of AM and FM broadcasting undertakings between 0700 and 0900 hours, or between 1600 hours and 18 hours, local time; and
(b) in the case of television or other broadcasting undertakings, between 1800 hours and 2300 hours, local time.
…

[3] *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure*, SOR/2010-277:

35 (1) When a public hearing is held in respect of an application, the applicant must
(a) no later than five days after the day on which the Commission posts the notice of consultation on its website, post the notice or an electronic link to it on a page of their own website that is accessible from the homepage of the website and keep it posted until the deadline for intervening in the proceeding; and
(b) give notice of the notice of consultation in any manner that the Commission directs, including through broadcast over the applicant's facilities or by service to any person that the Commission directs, which notice must set out
(i) the nature of the matters to be considered,
(ii) the deadline for intervening in the proceeding, and
(iii) the date and time of the commencement of the hearing.
(2) When a public hearing is held in respect of a regulatory policy, the Commission must determine, if it is in the public interest to do so, which licensees and telecommunications service providers must fulfill the obligations set out in subsection (1).

4 Until the early 1990s, the public examination files maintained by the CRTC which contain information about licensed broadcasters included statements from those responsible certifying or attesting to the fact that these broadcasts had been made.

A. Public hearing to consider CBC's applications to the CRTC – 13 February 2020 deadline

5 On 25 November 2019 the CRTC announced that it had scheduled a public hearing at which it would consider the applications of CBC to renew its broadcasting licences – last renewed in 2013 – and invited the public to submit comments or interventions on or before 13 February 2020.

6 The CRTC's announcement of the public hearing told CBC "to give notice of this notice of consultation through broadcast over the Corporation's facilities."[4]

7 On 28 January 2020, however, the CRTC extended the deadline for interventions concerning the CBC/Radio-Canada to 20 February 2020.[5]

B. Extension of intervention deadline from 13 February to 20 February 2020

8 The CRTC's second notice of consultation extending the deadline for interventions by a week did not state any requirements for CBC to broadcast notifications with the new intervention deadline.

C. CBC's broadcast notifications

9 In reviewing CBC's applications on the CRTC's website the Forum noticed the absence of any information from either the CRTC or CBC about the dates and times when CBC broadcast the required notifications. We asked for this information.

10 This research note begins by explaining how we obtained information about CBC's broadcast notifications. It then describes what CBC said about the notifications and analyzes CBC's statements about how the notifications were made. Our conclusions follow.

II. CBC's broadcast notifications

A. Six months to obtain CBC's confirmation that it had made the broadcast notifications

11 On 26 February 2020, the Forum asked CBC for the dates on which it had broadcast the information required by Broadcasting Notice of Consultation CRTC 2019-379.

12 CBC confirmed two weeks later that it had broadcast the notifications but suggested that we "reach out to the CRTC if you want further information":

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4 Broadcasting Notice of Consultation CRTC 2019-379 (Ottawa, 25 November 2019), at para. 43.

5 Broadcasting Notice of Consultation CRTC 2019-379-1 (Ottawa, 28 January 2020), at paras. 2-3. In June 2020 the CRTC also changed the date of its public hearing: set originally for 25 May 2020, the hearing was postponed in April 2020, then changed to 11 January 2021: BNoC 2019-379-3 (Ottawa, 22 June 2020).

Figure 1 CBC's refusal to provide information about its broadcast notifications

From: CBC/Radio-Canada <support@cbcradio-canada.zendesk.com>
Sent: March 11, 2020 4:26 PM
To: Ml Auer
Subject: Reply from CBC / Réponse de Radio-Canada

We have received your email/ Nous avons reçu votre message

CBC/Radio-Canada (CBC/Radio-Canada)
Mar 11, 16:25 EDT
Hello,

Further to your request, we confirm that as part of the licence renewal process CBC/Radio-Canada's regulatory team filed this information with the CRTC. We suggest you reach out to the CRTC if you want further information.

Regards,

[redacted]
CBC/Radio-Canada Communications Team

[Name redacted for this research note]

13 The Forum therefore submitted a procedural request to the CRTC the next day (12 March 2020), asking that it post the Corporation's broadcast notifications confirmation on the CRTC's website, as part of its renewal application. CBC's applications, and in particular its strategic plan, had referred several times to the concept of 'trust' in its plans for the future: the Forum argued that information confirming that CBC had broadcast the notifications required by Broadcasting Notice of Consultation CRTC 2019-359 would provide some evidence of the degree to which CBC's performance is trustworthy.

14 Some four months later, on 22 July 2020, the CRTC denied the Forum's procedural request, saying that the Forum had not established that CBC had not met the broadcast notification requirements and also that "[t]his type of information is not normally put on the record of a proceeding". It therefore remained unclear, eight months after the CRTC first required CBC to broadcast notifications of the CRTC's proceeding, just what information had been broadcast about the proceeding by CBC.

15 On 23 July 2020, the CRTC was asked for a copy of the broadcast notifications confirmation provided by CBC to the CRTC under the *Access to Information Act*.

16 The CRTC provided the CBC's broadcast notification confirmation material on 21 August 2020, six months after the Forum first asked CBC to provide copies of this information.

B. Information provided by the CRTC: CBC's broadcast scripts, attestations and times

17 The material provided by the CRTC consisted of a covering letter from CBC to the CRTC and two appendices. Appendix 1 consisted of a one-page, bilingual "Script of Broadcast Notices"; Appendix 2 consisted of 21 "Signed attestations and Schedules of broadcast [*sic*] Notices". The signed[6] attestations set out the names of CBC's services on which the notices were broadcast as well as their dates and times of broadcast:

Table 1 Programming services described by CBC's declarations

Access to information page number of declaration	CBC description: "For the period ending …."	Programming service, by language		Number of broadcast announcements listed
		English	French	
4	31-Jan-20		ICI MUSIQUE	4
			ICI Premiere	4
5	20-Feb-20		ICI MUSIQUE	4
6	20-Feb-20		ICI Premiere	4
7	31-Jan-20		FTV	4
8	20-Feb-20		FTV	4
9	31-Jan-20		Explora	4
10	20-Feb-20		Explora	4
11	31-Jan-20		RDI	4
12	20-Feb-20		RDI	4
13	31-Jan-20		ARTV	4
14	20-Feb-20		ARTV	4
15	31-Jan-20	Documentary		4
16	20-Feb-20	Documentary		3
17	31-Jan-20	Radio Two		4
18	20-Feb-20	Radio Two		2
19	31-Jan-20	Radio One		5*
20	20-Feb-20	Radio One		2
21	31-Jan-20	News Network		4
22	20-Feb-20	News Network		3
23	31-Jan-20	ETV		4
24	20-Feb-20	ETV		3
Total		34	48	82
* CBC's declaration about notifications broadcast by Radio One shows that it made five broadcasts. The 4th broadcast (27 January 2020 at 7:59:10 AM) did not run in the Northwest Territories; the 5th broadcast (28 January 2020 at 7:10 AM) ran only in the Northwest Territories				

Source: CBC's 20 February 2020 letter to CRTC, Appendix 2

18 The CRTC's *Rules of Practice and Procedure* require CBC to "give notice of the notice of consultation in any manner that the Commission directs, including through broadcast over the applicant's facilities". In this case Broadcasting Notice of Consultation CRTC 2019-379 deals in part with the CBC's licensed and exempted audio and audio-visual programming services. The notice does not state the number of services that the CRTC

[6] The English-language attestations for CBC's English-language radio and television services were signed by the Director General of CBC Communications, Marketing, Brand and Research; the French-language attestations for Radio-Canada's French-language radio and television services were signed by the Director General of Marketing, Recherche et Marque.

will be considering but lists 125 of them separately as of June 2019, in a 23-page long appendix. Table 2 summarizes the services in the Appendix by medium, type and language:

Table 2 CBC held 125 radio and television licences in June 2019

Medium and licence type	French	English	Total
Radio			
Networks	2	2	4
Stations	35	52	87
Television			
Networks	1	1	2
Stations	13	14	27
Discretionary	3	2	5
Total	51	71	125

19 (The appendix to Broadcasting Notice of Consultation CRTC 2019-379 does not list any of CBC's online services.)

20 According to the attestations, CBC broadcast the notices on 11 of the 125 licensed radio and television programming services listed in the CRTC's notice of consultation. This suggests that CBC broadcast the required notifications within the programming of its radio and television networks and discretionary television services, rather than individually on each licensed radio and television station:

Table 3 CBC broadcast notifications on 11 radio and television services

Medium	French-language	English-language	Total services
Television	Ici Télé (network)	CBC Television (network)	2
	Explora	CBC News Network	2
	RDI	ARTV Documentary	3
Radio	ICI Premiere (network)	Radio One (network)	2
	ICI Musique (network)	CBC Music (network)	2
Total services	5	6	11

21 The attestations had two apparent typographical errors. CBC certified that a notification on ICI ARTV was broadcast on "Dimanche 10 février [2020][7] {translation: Sunday, 10 February}: Figure 2. February 10, 2020 was, however, a Monday.

[7] CRTC, Access to Information Release Copy A-2020-00016.pdf, at 14.

Figure 2 Date inaccuracy regarding ARTV's notification of 10 February 2020

Sur ICI ARTV

le (date de la première diffusion) : Jeudi 23 janvier 19h24

le (date de la deuxième diffusion) : Vendredi 7 février 19h51

le (date de la troisième diffusion) : Samedi 8 février 18h52

le (date de la quatrième diffusion) : Dimanche 10 février 20h22

22 Similarly, the Documentary broadcast notification for 10 January 2020 is shown as taking place on "Sunday",[8] although 10 January 2020 was actually a Friday: Figure 2

Figure 3 Date inaccuracy regarding Documentary notification of 10 January 2020

On Documentary:
date of 1st broadcast: Sunday, January 5, 2020 time: 8 P.M., segment 7

date of 2nd broadcast: Sunday, January 10, 2020 time: 2 P.M., segment 2

23 We assumed that CBC had used the correct dates but the wrong days of the week, and confirmed this assumption by reviewing the program logs that CBC filed for ARTV and Documentary. (ARTV's log showed that it made an announcement concerning the CRTC proceeding on 10 February 2020 at 20:22:05; Documentary's log showed that it made an announcement about the CRTC proceeding on 10 January 2020 at 14:33:20.) We used the dates provided by CBC in its attestations, and the days of the week indicated by the program logs for those dates.

C. Research method

24 After receiving the copies of CBC's attestations about broadcast notifications from the CRTC, the Forum created a database in which each line describes a separate notification for a separate programming service. Altogether CBC provided the CRTC with 21 declarations; these described 82 notifications (Table 4).

Table 4 Number of notifications stated by CBC as having been made

Service	English	French	Total
FTV		8	8
Explora		8	8
RDI		8	8
ICI MUSIQUE		8	8
ICI Premiere		8	8
ARTV		8	8
ETV	7		7
News Network	7		7

8 *Ibid.*, at 15.

Service	English	French	Total
Documentary	7		7
Radio One	7		7
Radio Two	6		6
Total	34	48	82
Source: CBC's 20 February 2020 letter to CRTC, Appendix B			

25 CBC certified that it had broadcast the notifications in January and February 2020. We therefore also obtained electronic copies of the television program logs[9] that CBC submitted to the CRTC for its television services for these months, on the theory that that CBC's televised notifications about the hearing might be identified in and confirmed by the logs. (CBC's radio logs for these months were unavailable as the CRTC does not post the logs of licensed radio programming services.)

III. CBC's broadcast notifications – research results

26 In considering the CBC's broadcast notifications, the Forum had two main areas of interest: the substance of CBC's notifications, and the manner in which CBC met the CRTC's requirements for those notifications.

27 We begin by reviewing the scripts or text of CBC's notifications and then analyze CBC's declarations of compliance with the CRTC's requirements.

A. CBC's notifications about the CRTC process

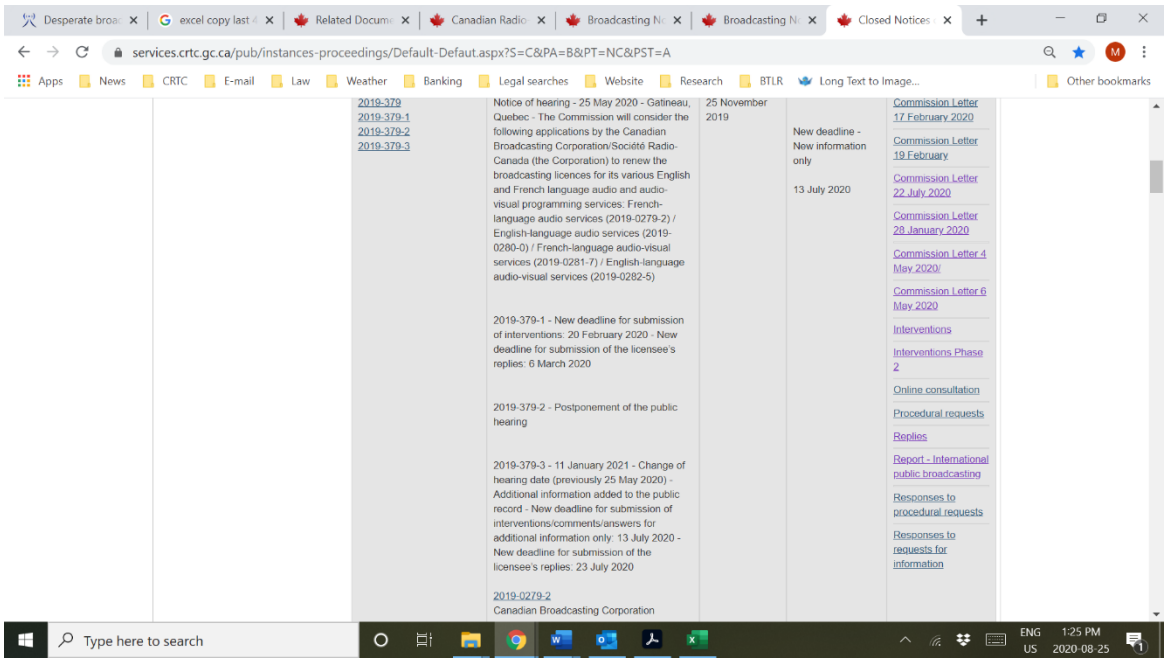
28 According to the cover letter sent by CBC to the CRTC on 20 February 2020, CBC broadcast its notifications in response to a letter sent by the CRTC to CBC on 25 November 2019, the day that the CRTC issued Broadcasting Notice of Consultation CRTC 2019-379.

1. CRTC has not published its 25 November 2019 instructions to CBC about notifications

29 CBC's 20 February letter does not explain whether the CRTC's 25 November 2019 letter included instructions about broadcast notifications in the event that the CRTC's intervention deadline were later to be changed – as, indeed, it was on 28 January 2020: from 13 February to 20 February 2020. Moreover, the CRTC's 25 November 2019 letter does not appear on the list of letters shown on the CRTC webpage concerning the CBC's renewal applications: Figure 4.

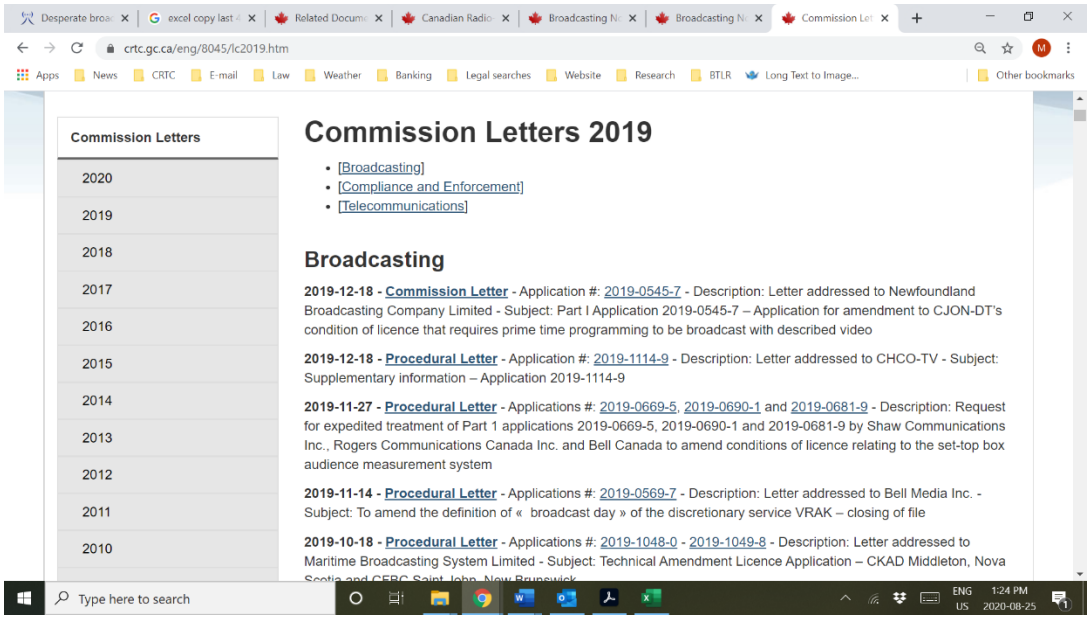
[9] These logs are available from Canada's Open Government portal, at https://open.canada.ca/data/en/dataset/800106c1-0b08-401e-8be2-ac45d62e662e.

Figure 4 CRTC's list of documents related to the CBC renewal proceeding



30 The CRTC's 25 November 2019 letter to CBC also does not appear in the list published by the CRTC of the broadcasting letters it issued in 2019: Figure 5.

Figure 5 Letters issued by the CRTC in 2019 concerning broadcasting matters



31 The absence from the public record of the CRTC's letter to CBC means that the letter's details are unknown. The CRTC may have asked, for instance that CBC ensure that its notifications were broadcast at times when the notifications were most likely to be heard or viewed.

32 That said, CBC's response to the CRTC's 25 November 2019 letter establishes that the letter "detailed" and "requested information" about CBC's broadcast notifications. The language of CBC's letter also suggests that the CRTC asked for the text of the notifications as well as signed documents attesting to the time and date of each broadcast: Figure 1.

[Remainder of page left intentionally blank]

Figure 6 CBC's letter to CRTC conveying CBC's broadcast notification declarations

CBC Radio-Canada

February 20, 2020 Filed via GCKey

Claude Doucet
Secretary General
Canadian Radio-television and
Telecommunications Commission
Ottawa, Ontario
K1A 0N2

Subject: **Applications 2019-0280-0, 2019-0279-2, 2019-0282-5 and 2019-0281-7:**
Broadcasting Notice of Consultation CRTC 2019-379

Dear Mr. Doucet:

1 CBC/Radio-Canada is pleased to provide you with the requested information relating to the Broadcast Notices detailed in your letter dated November 25, 2019.

2 As per the Commission's instructions we have attached as Appendix A the text of the notices that were broadcast on our different services.

3 You will find in Appendix B the signed attestations of times and dates of each broadcast.

4 Please do not hesitate to contact me directly if you have any questions.

Yours truly,

Bev Kirshenblatt
Executive Director, Corporate & Regulatory Affairs

cc: Céline Legault, CRTC Senior Broadcasting Analyst
Tina-Louise Latourelle, CRTC Senior Broadcasting Analyst
Lynda Roy, CRTC Supervisor Public Hearings

Attachments

33 As its cover letter also shows, CBC did not mention or explain its approach to scheduling the broadcast notifications – whether, for example, its objective was to broadcast in its highest audience periods to maximize the number of people it informed about the CRTC proceeding.

2. CBC's 20 February 2020 response to the CRTC's 25 November 2019 instructions

34 The materials provided by the Corporation to the CRTC raise three issues: the manner in which CBC confirmed the broadcast of the required notifications, the degree to which the content of CBC's notifications met the CRTC's requirements, and whether the required notifications were broadcast as stated by CBC. We address the first and second of these issues below.

a) Manner of confirmation: undated and unwitnessed attestations

35 CBC confirmed that it broadcast the required notifications in 21 declarations of certification: Table 5. Ten of the declarations made certifications about the broadcasts of CBC's English-language radio and television services; eleven made certifications about CBC's French-language radio and television services.

Table 5 Number of declarations, by medium and language

Medium	English	French	Total
Radio	4	3	7
Television	6	8	14
Radio and television	10	11	21

36 Dates appear beside the signatures on five of the declarations, all having to do with CBC's French-language services: Figure 7.

Figure 7 Five of CBC's declarations were dated

[redacted]

31 janvier 2020

[redacted]
Directrice Générale
Communications, Marketing, Recherche et Marque

000013

37 While the dates on the declarations appear in chronological order, the numbers of the access-to-information pagination do not, with gaps of one to two pages:

Date	ATIA page #	Declarations about
24 January 2020	4	Radio-Canada Première, ICI Musique
27 January 2020	7	Radio-Canada Ici Télé
31 January 2020	9	Ici Explora
31 January 2020	11	Ici RDI
31 January 2020	13	Ici ARTV

38 As the pages in CBC's letter were not numbered, it is unknown whether the order in which they appear in the PDF received from the CRTC is the same as the order in which the CRTC received the pages.

39 Each of the declarations set out at Appendix 2 of CBC's letter to the CRTC states that a CBC representative certifies that the hearing notifications had been duly broadcast by CBC ("a été dûment réalisée", "was duly broadcasted") during two separate periods, the first ending 31 January and the second, 20 February: Figure 8.

Figure 8 Text of certifications

French-language certification:	English-language certification
DECLARATION ATTESTANT LA DIFFUSION DE L'AVIS D'AUDIENCE	DECLARATION AS TO THE BROADCAST OF PUBLIC HEARING
First notice (issued 25 November 2019 and valid up to and including 27 January 2020)	
Je … certifie que le texte ou l'enregistrement, joint à la présente, est celui qui a servi a la diffusion de l'avis d'audience, et que cette diffusion **a été dûment réalisée** au moins quatre fois au cours de la periode commençant à la date de publication de l'avis de demande et se terminant le 31 janvier 2020, et plus spécifiquement ….	In the matter of an application by CBC/Radio-Canada, I … certify that the enclosed continuity, manuscript or reproduction is that of a Notice of Hearing required to be broadcasted and that it **was duly broadcasted** at least four times between the date of publication of the notice of application and 31 January 2020, in particular: …
Second notice (issued 28 January 2020)	

Je … certlfie que le texte ou l'enregistrement, joint à la présente, est celui qui a servi a la diffusion de l'avis d'audience, et que cette diffusion **a été dûment réalisée** au moins quatre fois au cours de la periode commençant à la date de publication de l'avis de demande et se terminant le 20 février 2020, et plus spécifiquement …	In the matter of an application by CBC/Radio-Canada, I … certify that the enclosed continuity, manuscript or reproduction is that of a Notice of Hearing required to be broadcasted and that it **was duly broadcasted** between the date of publication of the notice of application and 20 February 2020, in particular …:
	Highlighting added

40 In other words, all 21 declarations by CBC's representatives stated that the certifications were made after the announcements had been broadcast.

41 Second, while CBC's French-language and English-language declarations certified that their services broadcast four notifications about the 13 February 2020 intervention deadline,[10] only the declarations about CBC's French-language services also stated they had made four broadcasts about the 20 February 2020 deadline. The first of the English-language attestations mentions four broadcasts ("duly broadcasted at least four times …."); the second does not mention a number of broadcasts ("duly broadcasted between the date of publication of the notice of application and 20 February 2020"). The absence from the public record of the CRTC's 25 November 2019 letter to CBC means that it is unknown whether the CRTC had taken the possibility of an extended intervention deadline into account before it actually extended the deadline on 28 January 2020, included requirements in its 25 November 2019 letter to address the possibility of one or more extensions of deadline, and required four or an another number of notifications for the second deadline announcements.

42 Third, of the 21 declarations certifying that CBC had broadcast the scripts provided to the CRTC, none was witnessed and 16 were undated. The absence from the public record of the CRTC's 25 November 2019 letter to CBC means that it is unknown whether the Commission required the declarations to be dated and/or witnessed.

b) Substance of the notifications

43 Broadcasting Notice of Consultation CRTC 2019-379 addressed the content of the notice that CBC was to broadcast. It required CBC to include text about "the nature" of the matters being considered by the renewal hearing, the intervention deadline and the timing of the hearing:

> 44. … This notice must set out the following:
>
> i. the nature of the matters to be considered,
>
> ii. the deadline for intervening in the proceeding, and
>
> iii. the date and time of the commencement of the hearing.

[10] Note that, as previously stated, CBC's declaration about notifications broadcast by Radio One states that it made five broadcasts: its 4th broadcast (27 January 2020 at 7:59:10 AM) did not run in the Northwest Territories; its 5th broadcast (28 January 2020 at 7:10 AM) ran only in the Northwest Territories.

44 CBC sent the Commission bilingual 'scripts' of broadcast notices with respect to its notifications, along with the declarations about the notifications. The scripts appear to show two separate notifications – the first stating the 13 February 2020 intervention deadline, the second stating the 20 February 2020 deadline: Figure 9.

Figure 9 Text of CBC's broadcast notifications

CBC's 20 February 2020 letter to CRTC, Appendix A, access-to-information page 2

Text for the Broadcast messages - English services

Starting May 25th, the CRTC will hold a public hearing to renew the licences for CBC/Radio-Canada's broadcasting services.

For information and to express your opinion, please consult the "Public Proceeding" section of the CRTC's website at CRTC.GC.CA.

The deadline for comments to the CRTC is February 13th [for the first round of announcements and February 20th for the second round].

Text for the Broadcast messages - French services

À compter du 25 mai, le CRTC tiendra une audience publique afin de renouveler les licences de diffusion de CBC/Radio-Canada.

Faites connaître votre opinion sur le sujet d'ici le 13 février [pour le premier tour d'annonces et le 20 février pour le deuxième tour] dans la section INSTANCES PUBLIQUES du site CRTC.GC.CA.

45 The specific text of CBC's announcement raises a question as to whether the text was complete with respect to "the nature of the matters to be considered" at the hearing. While it is true that CBC applied to renew its broadcasting licences, its applications also addressed the continued exemption of CBC's digital services from regulation. In September 2019 CBC told the CRTC that it believed the CRTC should continue to exempt its online services from licensing:

> 6 We strongly support the regulatory approach outlined by the Commission in Harnessing Change. However, we also note that the Commission's proposal assumes there will be amendments to the Broadcasting Act which would enable this more comprehensive form of regulation. In the absence of these legislative changes, **we believe it is necessary to continue with the regulatory approach currently in place under the Broadcasting Act: that is, the continued licensing of traditional services and the exemption of digital services under the Digital Media Exemption Order** (DMEO).[11]
>
> [bold font added]

46 While CBC was therefore applying to the CRTC not just to renew its broadcasting licences, it was also asking the CRTC to maintain the exemption order under which it currently operates its digital services.

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11 CBC, *Supplementary Brief*, (30 September 2019), Application 2019-0282-5, DM#3720734, at para. 6.

47 The CRTC's notice of consultation also addressed the distinction between CBC's licensed and unlicensed services, emphasizing that it wanted to consider whether and how it should regulate "the Corporation's operations as a whole".[12] It commented that CBC was "proposing an approach to content commitments for its English-and French-language television networks that takes into account, for the very first time, both traditional and online exhibition of audio-visual content."[13] Based on the CRTC's statements, CBC's plans for its online services were relevant to the CRTC's proceeding.

48 The scale of CBC's online services was arguably also relevant to the CRTC's proceeding. According to information first made available in June 2020, CBC's online services earned $128 million and spent $572 million in 2018/19 and 2019/20, leaving a $444 million shortfall in those two years. The resulting $444 million shortfall between CBC's online revenues and expenses[14] is arguably a relevant matter for the CRTC licensing of CBC's services because it represents 18% of CBC's Parliamentary appropriations for the same two years or 54% of the income earned by the Corporation's conventional and discretionary programming services. Moreover, according to the new information CBC first made available in June 2020, it planned to spend $1.05 billion on its digital services in the next three years (2020/21 to 2022/23) – while forecasting that those services would earn just $229 million.

49 Funding of CBC's online services therefore also appears relevant to the 2019-379 proceeding because CBC's applications to the CRTC have not explained the funding or impact of these services' financial shortfalls. A Strategic Plan approved by CBC's Board of Directors in March 2019[15] before CBC submitted its applications to the CRTC referred, however, to 'redirecting' and 're-imagining' CBC's local and regional programs, raising questions as to what CBC meant by redirecting or re-imagining these programs and whether this redirection and reimagination is related to the funding of CBC's online services.

50 CBC's broadcast notifications did not mention its online services, the scale of their expenditures, its proposal that the CRTC permit CBC to 'combine' its conventional and online services for the purposes of its programming commitments, or its request that the CRTC continue to exempt its online services from licensing requirements.

51 The text of CBC's notifications also raises several minor points about compliance and clarity. First, while BNoC 2019-379 required CBC to state the date and time that the CRTC's hearing would begin, the CBC's text announced only the date. Second,

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12 Broadcasting Notice of Consultation CRTC 2019-379, at para. 30.

13 *Ibid*., at para. 32.

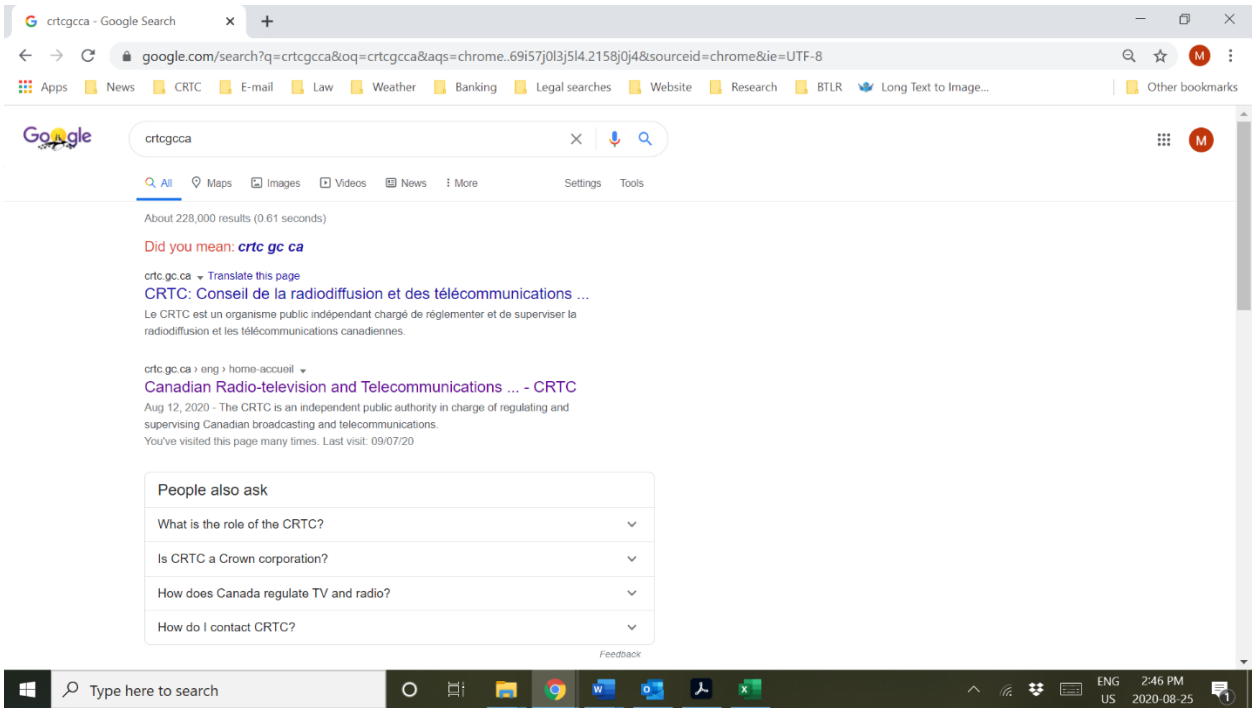
14 This information only became public four months after the 20 February 2020 deadline, when the CRTC posted it online on 22 June 2020: to find the information go to the CRTC's page for the CBC's application, look for "Responses to requests for information", click on the link and select "DM#3876591 – Réponse-Response – 12 June 2020 – Aggregate Financial Summary (EN).pdf".

15 See FRPC, *Chasing down CBC's strategy: from the one-page plan set out in CBC's 2019 licence renewal applications, to the 53-page Strategic plan approved by CBC's Board of Directors in March 2019,* FRPC Research Note (Ottawa, March 2020), at 1, 4, 5, 6 and 7.

comparing the English-language and French-language versions shows a slight discrepancy in wording: the English-language text refers to the renewal of "the licences" for CBC while the French-language text refers to the renewal of "les licences de diffusion" of CBC. While the English-language version of its 2013 decision renewed CBC's "broadcasting licences" in 2013, the French-language version of that decision renewed its "licences de *radiodiffusion*" – not its 'licences de *diffusion'*, a term used by the CRTC to describe the licences held by cable and satellite distribution services.

52 Finally, it is unclear from the text whether the CBC's script correctly announced the online instruction for submitting information. The CRTC's website is not "CRTCGCCA", but "CRTC.GC.CA". That said, entering CRTCGCCA into the Chrome search engine brought up the CRTC's website as the first result: see Figure 10.

Figure 10 August 2020 result from searing for CRTCGCCA instead of CRTC.GC.CA



c) Dates of the announcements about the original and extended deadline

53 The CRTC initially set its intervention deadline for the CBC hearing as 13 February 2020, but on 28 January 2020 extended the deadline by a week: Figure 11.

[Remainder of this page left intentionally blank]

Figure 11 Intervention deadlines set by CRTC on 25 November 2019 and 28 January 2020

Broadcasting Notice of Consultation CRTC 2019-379

PDF version

Ottawa, 25 November 2019

Public record: 1011-NOC2019-379

Notice of hearing

25 May 2020
Gatineau, Quebec

Deadline for submission of interventions: 13 February 2020

Broadcasting Notice of Consultation CRTC 2019-379-1

PDF version

Ottawa, 28 January 2020

Public record: 1011-NOC2019-0379

Notice of hearing

25 May 2020
Gatineau, Quebec

New deadline for submission of interventions: 20 February 2020

54 As Figure 8 showed, CBC's declarations stated that CBC's services broadcast announcements about the CRTC hearing and intervention deadline a number of times during two periods: the first from 25 November 2019 to 31 January 2020, the second from 25 November 2019 to 20 February 2020: Figure 12.

Figure 12 Periods when CBC said it broadcast announcements about the CRTC proceeding

CBC's French-language declarations

Je, [redacted] certifie que le texte ou l'enregistrement, joint à la présente, est celui qui a servi à la diffusion de l'avis d'audience, et que cette diffusion a été dûment réalisée au moins quatre fois au cours de la période commençant à la date de publication de l'avis de demande et se terminant le 31 janvier 2020, et plus spécifiquement :

Je, [redacted] certifie que le texte ou l'enregistrement, joint à la présente, est celui qui a servi à la diffusion de l'avis d'audience, et que cette diffusion a été dûment réalisée au moins quatre fois au cours de la période commençant à la date de publication de l'avis de demande et se terminant le 20 février 2020, et plus spécifiquement :

CBC's English-language declarations

I, [redacted]

certify that the enclosed continuity, manuscript or reproduction is that of a Notice of Hearing required to be broadcasted and that it was duly broadcasted at least four times between the date of publication of the notice of application and 31 January 2020, in particular:

I, [redacted]

certify that the enclosed continuity, manuscript or reproduction is that of a Notice of Hearing required to be broadcasted and that it was duly broadcasted between the date of publication of the notice of application and 20 February 2020, in particular:

CBC's 20 February 2020 letter to the CRTC, Appendix B, access-to-information pages 4, 5, 15 and 16.

55 CBC's declarations state the dates and times when its radio and television programming services broadcast announcements about the CRTC hearing – these are listed in Appendix 1. They show that CBC broadcast its first announcement about the hearing and intervention deadline on its English-language television network on Friday, 3 January, 40 days before the initial intervention deadline: see Table 6. Ten CBC radio and television services then broadcast their first announcements about the hearing on different dates and at different times throughout the month, with Radio-Canada's Explora making its first announcement about the hearing on 28 January 2020 – 15 calendar days before the initial 13 February 2020 intervention deadline.

Table 6 First broadcast announcement about CBC hearing and intervention deadline, by service

Service	Date of first broadcast announcement	Time of first announcement shown	
		In CBC's declarations	In CBC's logs
CBC Television (CBLT-DT)	Friday 3 January 2020	20:00:00 PM *	[20:32:17]
CBC News Network	Saturday 4 January 2020	22:00:00 PM *	[22:44:33]
Documentary	Sunday 5 January 2020	20:00:00 PM *	[20:28:16]
CBC Radio One	Thursday 9 January 2020	10:59:10 AM	Logs not available
CBC Music	Thursday 9 January 2020	12:04:30 PM	Logs not available
ICI RDI	Saturday 18 January 2020	19:05:00 PM	[19:05:09]

Radio-Canada Télé (CBFT-DT)	Monday 20 January 2020	23:18:00 PM	[23:18:40]
ICI ARTV	Tuesday 21 January 2020	14:51:00 PM	[14:51:17]
Radio-Canada Première	Monday 27 January 2020	14:59:00 PM	Logs not available
ICI Musique	Monday 27 January 2020	9:30:00 AM	Logs not available
ICI Explora	Tuesday 28 January 2020	23:32:00 PM	[23:32:29]
* Time shown in logs differs from time shown in declaration by more than 6 minutes (10% of clock hour); log time shown in square brackets			

56 The CRTC's notices of consultation typically provide the public with 30 days to consider whether to intervene – but in this proceeding the CRTC's intervention period was more than twice as long – 85 calendar days initially. Six of CBC's services – RDI, Radio-Canada Télé, ARTV, Radio-Canada Première, Ici Musique and Explora – broadcast the announcements about the proceeding fewer than four weeks before the initial 13 February 2020 deadline. The announcements made by CBC's French-language radio news network (Radio-Canada Explora), Ici Musique and Explora were all broadcast within three weeks of that deadline.

57 In the absence of the CRTC's 25 November 2019 letter to the CRTC it is unknown whether the CRTC directed CBC to begin broadcasting its announcements on a specific date – say at least a month prior to the intervention deadline. Appendix 2 depicts the time between the CRTC's publication of BNoC 2019-379 and the CBC's broadcast announcements about the CRTC process.

d) Numbers and type of announcements

58 It is also unknown whether the CRTC stipulated the numbers of broadcasts CBC's services were to make. Table 7 summarizes the numbers of notifications declared by CBC. The fact that announcements were broadcast by CBC's English- and French-language radio services on fewer dates (7 and 8, respectively) than the announcements broadcast by its television services (17 and 15, respectively) reflects the fact that CBC was reporting on broadcasts made by four radio services and twice as many (8) television services.

Table 7 Number of days with notifications, and number of announcements

CRTC intervention periods	**CBC's licensed programming services**				
	English		**French**		**Total**
	Radio	**TV**[Note]	**Radio**	**TV**[Note]	
Total days in CRTC intervention process:					
26 Nov/19 to 19 Feb/20 (excludes date of notice and last date of intervention period)	86	86	86	86	86
Total announcements declared by CBC	**13**	**21**	**16**	**32**	**82**
Number of days with broadcast notifications	7	17	8	15	35
% of days in CRTC intervention process with notifications	8%	20%	9%	17%	41%
First intervention deadline (13 Feb/20) – in place from 25 Nov/19 to 27 Jan/20					
Number of days in this period	63	63	63	63	63
Total announcements declared by CBC	8	12	2	13	35
Number of days with broadcast notifications	4	11	1	5	17*

CRTC intervention periods	CBC's licensed programming services				
	English		French		Total
	Radio	TV[Note]	Radio	TV[Note]	
Second intervention deadline (20 Feb/20) – in place from 28 Jan/20 to 20 Feb/20					
Number of days in this period	23	23	23	23	23
Total announcements declared by CBC	4	9	12	17	42
Number of days with broadcast notifications*	2	6	6	9	17*

Note: "TV" includes conventional and discretionary licensed television programming services

*: does not add to sum of columns as some services broadcast announcements on the same date (2 or more announcements on the same day count as a single day on which announcements were made)

59 None of the five English-language programming services broadcast 8 notifications: altogether the services broadcast 21 announcements about the initial deadline, and 13 announcements about the extended deadline: Table **8**.

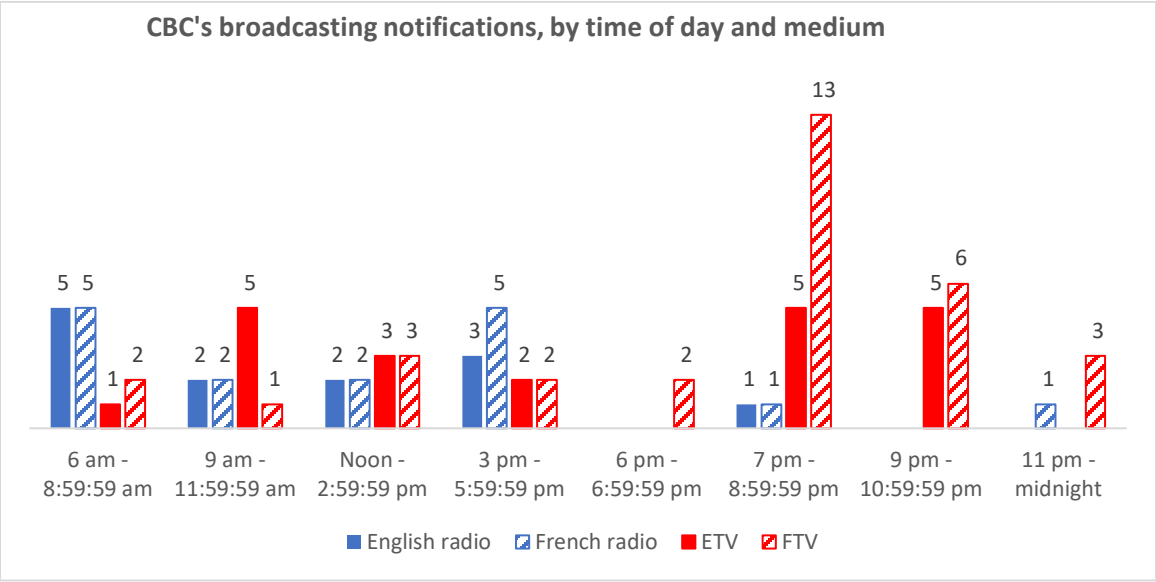
Table 8 Number of certified broadcast notifications about the original and extended deadlines

Language, medium and service	English		French		Total notifications, by service
	Original deadline	Extended deadline	Original deadline	Extended deadline	
Radio					
1 ICI MUSIQUE			4	4	8
2 ICI Premiere			4	4	8
3 Radio One	5*	2			7
4 Radio Two	4	2			6
Radio, subtotal	**9**	**4**	**8**	**8**	**29**
Television					
1 FTV			4	4	8
2 RDI			4	4	8
3 ARTV			4	4	8
4 Explora			4	4	8
5 ETV	4	3			7
6 News Network	4	3			7
7 Documentary	4	3			7
Television, subtotal	**12**	**9**	**16**	**16**	**53**
Total, radio and television	**21**	**13**	**34**	**34**	**82**

* As previously stated, CBC's declaration about notifications broadcast by Radio One states that it made five broadcasts: its 4th broadcast (27 January 2020 at 7:59:10 AM) did not run in the Northwest Territories; its 5th broadcast (28 January 2020 at 7:10 AM) ran only in the Northwest Territories.

60 The CBC's declarations showed a wide range of times when the broadcasts were made during the broadcast day (which runs from 6 am to midnight): Figure 13**.**

Figure 13 CBC's broadcasting notifications, by time of day and medium (Jan – Feb 2020)



61 Table 9 summarizes the notifications broadcast by CBC's radio and television services by time of day, and according to the periods used by CBC to make announcements about the two CRTC intervention deadlines. (The first period relates to announcements made about the 13 February 2020 deadline; the second relates to the 20 February 2020 extended deadline.)

Table 9 Notifications broadcast by CBC radio and television, by time of day

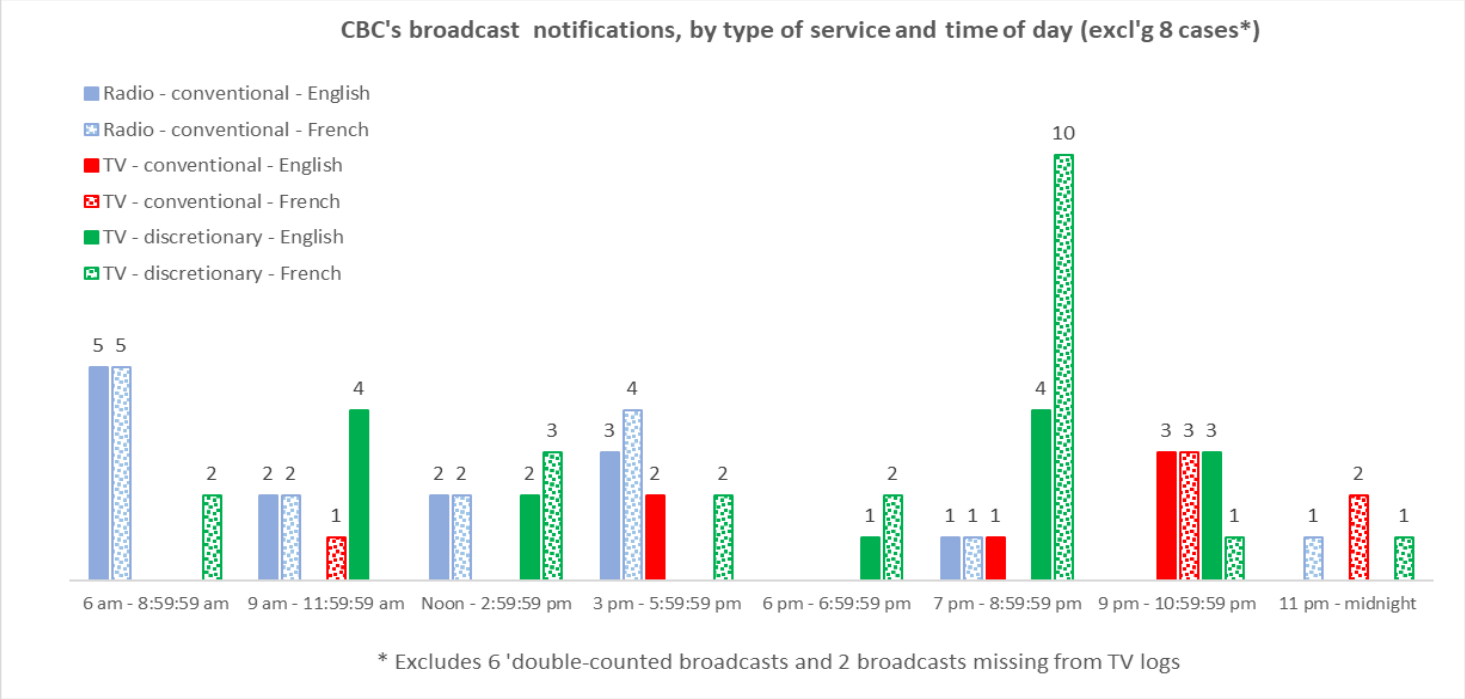
Time of day	For the CBC notification period ending				Total	
	31 January 2020		20 February 2020			
Morning (6-11:59am)	15	33%	8	22%	23	28%
Afternoon (noon-5:59pm)	16	36%	6	16%	22	27%
Early evening (6-6:59pm)			2	5%	2	2%
Mid-evening (7-10:59pm)	10	22%	21	57%	31	38%
Late night (11pm-mdnt)	4	9%			4	5%
Grand Total	45	100%	37	100%	82	100%

62 More than three-quarters of the CRTC notifications were broadcast in the morning, afternoon, early evening and mid-evening periods - 78, or 95%. The timing of the notifications shifted somewhat after the CRTC extended the intervention deadline, however. In the first period (defined by CBC as ending 31 January 2020) more than two-thirds of the CRTC announcements were broadcast in the morning or afternoon; in the second period over half the announcements were broadcast in the mid-evening period.

63 In the absence of the CRTC's 25 November 2019 letter to the CRTC it is unknown whether the Commission asked CBC to broadcast notifications in different services' peak audience periods. We wondered whether similar services – English-language and

French-language radio, for instance – broadcast the announcements at roughly the same times of day. Figure 14 – which excludes 8 broadcasts[16] suggests this may be generally true for CBC's radio services, but not for its television services. While CBC's radio services each broadcast five notifications from 6 to 9 am, two from 9 am to noon and 2 from noon to 3 pm, CBC's television services tended to broadcast notifications at different times of the day. its English-language discretionary services broadcast four announcements from 9 am to noon and from 7 pm to 9 pm, for example, while its French-language discretionary services broadcast 10 of its announcements from 7pm to 9 pm.

Figure 14 Broadcast notifications, by type and language of service, and time of day

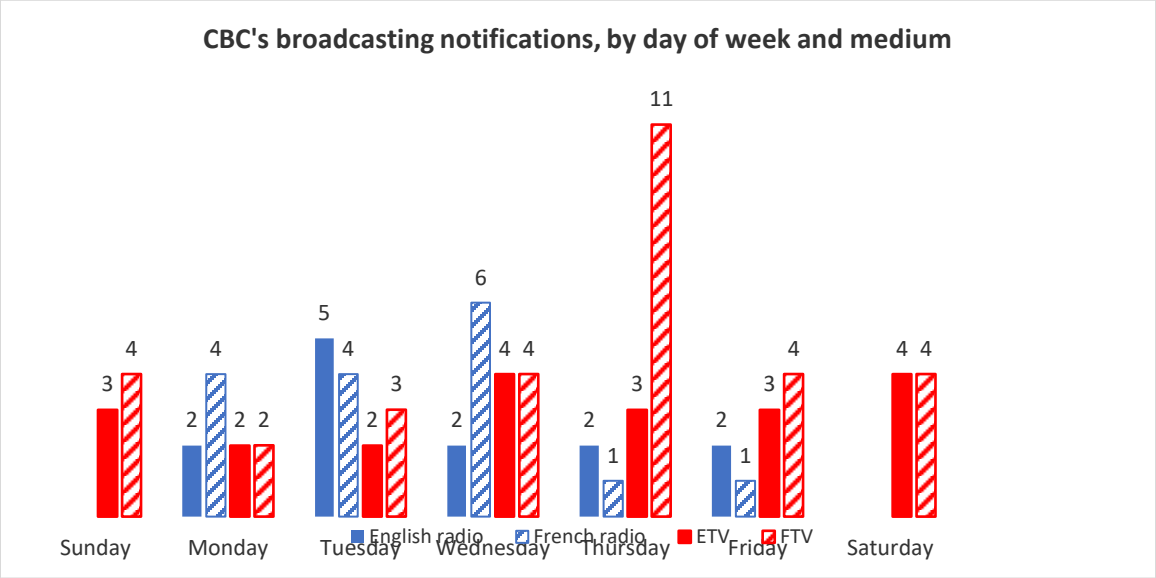


64 Again, without access to the CRTC's 25 November 2019 letter to CBC, it is unknown whether the Commission specified the times or time periods when notifications were to be broadcast.

65 In terms of the days on which notifications were broadcast, none of CBC's radio services broadcast the notifications on weekends, and while CBC's English-language television services broadcast from 2 to 4 notifications each day of the week, its French-language television services broadcast the majority of its 16 notifications on Thursdays: Figure 15.

[16] It excludes 2 TV broadcasts that were absent from CBC's TV logs, and 6 of the 12 broadcasts that were double counted (*i.e.*, 2 separate announcements broadcast 6 times, by the same service(s) on the same date and at the same time).

Figure 15 CBC's broadcasting notifications, by day of the week (Jan – Feb 2020)



66 In summary, any specific requirements set by the CRTC for CBC's notifications are unknown because the CRTC's letter with those requirements was not part of the CRTC's public record. All but five of CBC's 21 declarations were undated and none was witnessed. Each declaration stated that it concerned broadcasts that had already been made – eight in the case of each French-language service and from 6 to 7 among the English-language services.

67 The text of the CBC's broadcast notifications did not clearly state that matters beyond the renewal of CBC's broadcast licences were to be considered in the CRTC proceeding, specifically CBC's online programming services. (It also did not include the time at which the CRTC hearing was to begin and slightly misstated the CRTC's website.) The first date on which CBC's 11 services broadcast the CRTC notifications varied from 3 January 2020 to 28 January 2020. While BNoC 2019-379 gave the public initially just over 12 weeks to decide whether to intervene, six of CBC's programming services broadcast their first notification about the proceeding within four weeks of the CRTC's initial intervention deadline and one of these services first made the announcement only 13 days before the deadline.

68 It is unclear whether the times at which the notifications were broadcast were intended to reach the maximum number of listeners and viewers of CBC's services: the declarations state that ICI Musique, for instance, broadcast one of its announcements on Wednesday, January 29, 2020 at 11:59 pm, and that Ici Télé broadcast one of its announcements just before one in the morning on Thursday, January 30, 2020.[17]

[17] The date shown by CBC's TV log for that broadcast is 26 January 2020 (00:51:13), as the logs do not change dates until the following morning at 6 AM.

e) Types of televised announcements

69 CBC's television logs coded the CRTC hearing announcements as "PRC", the CRTC logging designation or code used by the CRTC to identify promotional announcements about Canadian programs. CBC's television services broadcast thousands of PRC announcements every month: according to the logs sent by CBC to the CRTC, for example, its English-language network television flagship station, CBLT-DT Toronto, broadcast 6,360 Canadian promos in January 2020 and 5,356 such promos in February 2020. From 1 January to 19 February 2020[18] it broadcast 9,861 promotions for Canadian programs and of these, six were the CRTC broadcast notifications: Table 10. Like the CRTC notifications that were repeated six times many of the PRC announcements were also repeated, with fifteen being repeated hundreds of times from January to mid-February.

Table 10 CBC's promotional announcements from 1 January 2020 to 19 February 2020

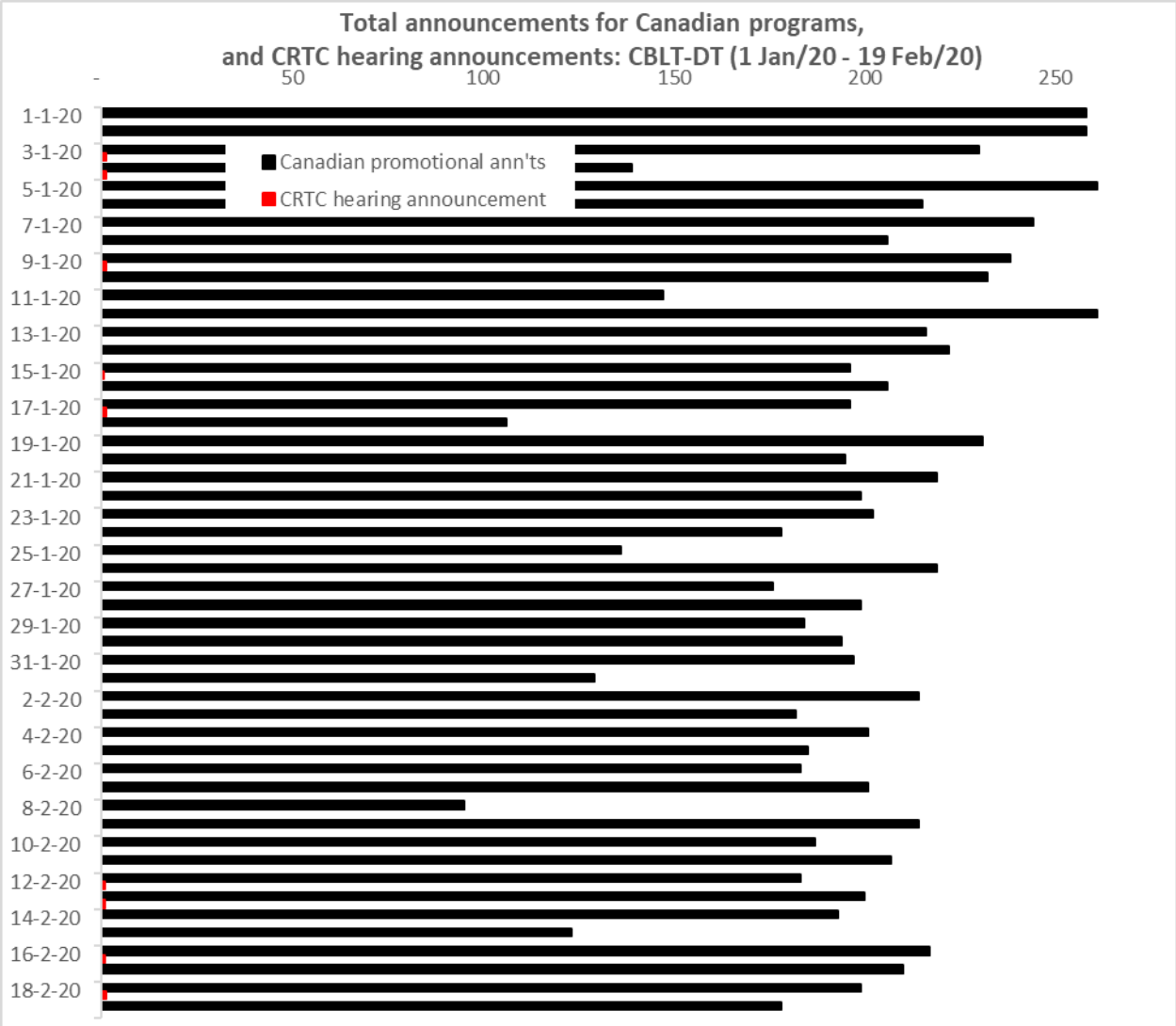
CBLT - PRC's from 1 Jan to 20 Feb 2020 (5:49 AM)			
Promotion for a Canadian program – CBC title	**Number**	**Promotion for a Canadian program – CBC title**	**Number**
ZZZCBC Coroner Season 2 2019.20	816	CBC Toxic Beauty Stream on GEM 2019.20	43
CBC Kim's Convenience S4 2019.20	780	ZZZCBC Winter Premiere Week 2019.20	43
zzCBC Schitt's Creek Season 6 2019.20	639	CCBB: BAYER HYDRASENSE MARCH 2019	37
CBC Described Video Bumpers 2014	578	zzzCBC The National Daily 2019.20 w/o 2020/01/27	36
ZZZCBC Fortunate Son 2019.20	523	zzzCBC The National Daily 2019.20 w/o 2020/01/13	35
Toronto Local News Hits 2015.2017	498	CBC Party Lines Podcast Refresh 2019.20	30
ZZZCBC Back in Time for Winter 2019.20	443	CBC Family Feud Next Promos 2019.20	29
ZZZCBC Burden of Truth Season 3 2019.20	432	zzzCBC The National Daily 2019.20 w/o 2020/02/03	29
CBC Listen 2019.20	432	zzzCBC The National Daily 2019.20 w/o 2020/02/10	29
CBC Junos 2019.20	372	zzzCBC The National Daily 2019.20 w/o 2020/01/20	26
CBC Fridge Wars 2019.29	369	zzzCBC The National Daily 2019.20 w/o 2020/01/06	24
CBC Family Feud Canada Season 1 2019.20.21	326	zzzCBC The National Daily 2019.20 w/o 2019/12/30	24
ZZZCBC High Arctic Haulers 2019.20	303	CBC Viewer Advisories 2014	21
CBC Workin' Moms S4 2019.20	302	CCBB: BELAIR DIRECT - INSURANCE :10	20
zzCBC CBC Sports 2019.20	248	CCBB: CC DRUM TAO - PLAYING FEB 27TH MERIDAN HALL	15
ZZZCBC Alpine Skiing 2019.20	198	zzzCBC The National Daily 2019.20 w/o 2020/02/17	15
zzCBC The Detectives Season 3 2019.20	190	CBC & NN The Weekly with Wendy Mesley Cluster Bust	14
zzCBC Murdoch Mysteries S13 2019.20	188	CBC Dragons' Den Season 15 2019.20	12
ZZZCBC 22 Minutes S27 2019.20	168	zzCBC & NN Marketplace Cluster Busters 2019.20	12
CBC Tokyo 2020 2019.20	159	CCBB: HOME HARDWARE - JAN 2020	11
CBC & NN The National Campaign 2019.20	135	CCBB: GERRY DEE COMEDY TOUR	10
zzCBC Diggstown 2019.20	120	CCBB: SHEN YUN ONT - DEC 2019	10
CBC Original Program Bumpers 2014	107	CCBB: WESTJET - FREE BAG	10
ZZZCBC FIBA Basketball 2019.20	107	CCBB: WESTJET ELITE	10
zzCBC Brand 2019.20	105	TORONTO Sunday Local News Hit 2015.2017	7
CCBB: VALEANT - COLD FX :10	102	CBC The Weekly with Wendy Mesley 2019.20	6
CBC Red Bull Signature Series 2019.20	97	CBC Utopia Falls 2019.20	6
ZZZCBC The Fifth Estate 2019.20	93	ZZZCBC CRTC Hearing 2019.20	6
zzCBC The Nature of Things 2019.20	90	RECON Promo Errors	5
ZZZCBC Gordon Lightfoot on GEM 2019.20	85	CCBB: Family Feud Ancestry V3 this program version	3

[18] Under the CRTC's logging system the broadcast day for 19 February 2020 ended at 5:59:00 am on 20 February 2020.

CBLT - PRC's from 1 Jan to 20 Feb 2020 (5:49 AM)			
Promotion for a Canadian program – CBC title	**Number**	**Promotion for a Canadian program – CBC title**	**Number**
CCBB: VITAMINS	80	CCBB: SHEN YUN - VERSION A	3
CCBB SPORTS BB - RTTOG SPONSORSHIP - RBC	49	ZZZCBC & NN News Network Special 2019.20	2
BB - RTTOG Petro Sponsorship IS PRESENTED BY BB -	49	zzAM1 CBC Art Hurts	1
zzCBC Marketplace 2019.20	47	CCBB: SHEN YUN - VERSION B	1
CBC Kids 2019.20	45	zzCBC Docs POV 2019.20	1
Subtotal:	9275	Subtotal:	586
Total	**9861**	**CRTC announcements as % of total:**	**0.1%**

70 Figure 16 compares the number of daily promotional announcements (including the CRTC hearing announcements) reported to the CRTC by CBC in its logs with the CRTC announcements declared by CBC.

Figure 16 Total announcements for Canadian programs and CRTC hearing announcements on CBLT-DT in January and February 2020



71 The volume of Canadian promotional announcements broadcast by CBC's English-language television network suggests that CBC's six announcements about the CRTC proceeding did not deprive Canadian television programs of opportunities to become known to prospective viewers. CBC was able to broadcast 369 announcements for *Fridge Wars* in this period, for example. What is unclear is whether the CRTC's 25 November 2019 letter to CBC required the Corporation to broadcast a specific number of announcements – and whether CBC then broadcast that specific number.

B. Accuracy of CBC's declarations to the CRTC

72 CBC's 21 declarations certified that 11 of its radio and television programming services had broadcast 82 announcements notifying their audiences of the CRTC hearing and intervention deadline(s) and, at the CRTC's request, CBC subsequently submitted these declarations to the CRTC.

73 As the CRTC's letter is unavailable, it is unknown whether the CRTC asked CBC to provide an accurate statement of the broadcast dates and times of the notifications. We note, however, that the CRTC's *Television Regulations, 1987* require licensees to submit their television program logs each month to the CRTC, "together with a certificate signed by or on behalf of the licensee attesting to the accuracy of the contents of the log or record.[19]

74 How should one understand "accuracy"? An online definition from Lexico – "powered by Oxford" – describes "accuracy" as the "quality or state of being correct or precise" and the "degree to which the result of a measurement, calculation, or specification conforms to the correct value or a standard".[20] Canadian caselaw has also addressed the meaning of "accuracy", as "truly representing the facts",[21] as being "true and accurate"[22] and as "agreeing with reality".[23] Where accuracy involves correctness, precision, conformity with the correct value and true representation of facts, inaccuracy presumably involves incorrectness, imprecision, lack of conformity with a correct value and an untrue representation of facts.

75 In entering the information provided in the declarations into a spreadsheet we realized that some of the dates shown for broadcasts appeared inaccurate. For example, five declarations with dates by their signatures described broadcasts with dates later than the signatures' dates. Three declarations described announcements about the CRTC's extended deadline that were apparently broadcast days before the CRTC announced the extension. While 15 of the declarations precisely stated the hour and minute (and in many cases, the second) when notifications were broadcast, six stated only an hour and

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19 S. 10(3). The same is true for discretionary television programming services (*Discretionary Services Regulations*, s. 8(1)(d)). If the CRTC requests logs from radio broadcasters, they must also provide "a certificate signed by or on behalf of the licensee attesting to the accuracy of its content" (*Radio Regulations, 1986*, s. 8(4)).

20 "accuracy", https://www.lexico.com/definition/accuracy (24 September 2020).

21 *Regina v. Creemer and Cormier*, NS CA, 1967 CanLII 711 (NS CA) – dealing with photographs;

22 *Regina v. Maloney (No. 2)*, 1976 CanLII 1372 (ON CJ).

23 *R. v. MacDonald*, 2000 CanLII 16799 (ON CA), at para. 46.

the segment in which the broadcasts were apparently made. Just over half – 53 – of the broadcasts were announced on television, making it possible to compare the declarations' reported dates and times with CBC's television logs: while one of the TV broadcast times shown by the declarations were slightly inaccurate (a declared broadcast of 9:13 pm appeared in CBC's logs as 9:15 pm – a 3% error based on an hour) 24 broadcasts were inaccurate by six minutes (10% of a clock hour) or more inaccurate, with the differences ranging from 7 to 99 minutes.

76 Altogether inaccuracies appeared with respect to broadcasts identified by 15 of the declarations in that the dates and/or times stated; the broadcasts listed in the remaining 6 declarations did not appear to have any inaccuracies: Table 11. In seven declarations the information provided by CBC about all of the broadcasts appeared to be inaccurate.

Table 11 Number of apparent inaccuracies, by declaration

Declaration – page number (Note)	**Services**	**Total broadcasts identified**	**Apparent inaccuracies** (#)
4	Radio-Canada Musique, Première	8	8
5	Radio-Canada Musique	4	1
6	ICI Premiere	4	0
7	FTV	4	3
8	FTV	4	3
9	Explora	4	0
10	Explora	4	1
11	RDI	4	2
12	RDI	4	3
13	ARTV	4	1
14	ARTV	4	1
15	Documentary	4	4
16	Documentary	3	3
17	Radio Two	4	0
18	Radio Two	2	0
19	Radio One	5	0
20	Radio One	2	0
21	News Network	4	4
22	News Network	3	3
23	ETV	4	4
24	ETV	3	3
Total	11 services	82	44
	Green shading – no apparent inaccuracies		
	Pink shading – all stated broadcasts appeared to be inaccurate		
Note: Appendix B of CBC's 20 February 2020 letter to the CRTC consists of 21 separate declarations about broadcasts, with the access-to-information pagination beginning with page 00004.			

77 Analysis of CBC's declarations that it broadcast the notifications required by the CRTC disclosed several types of inaccuracy. As Table 12 shows, these had to do with CBC's declarations about the dates of broadcasts, the timing of announcements about the second intervention deadline, inconsistencies about when the announcements of the initial and second intervention deadlines were made, and differences between the declarations' statements about televised announcements and the logs provided by CBC to the CRTC about CBC's television programming – including statements about timing that were inaccurate by more than 10% of the clock hour (*i.e.*, 6 minutes).

Table 12 Summary of apparent inaccuracies by declaration

Declaration page number	Issue	Number of broadcasts
4	Declaration signed before broadcast date	8
5	Doublecounted – two different announcements by same service on same date and at same time	1
7	Declared and CBC log times differ by more than 10% (6 minutes)	1
	Signed before broadcast date; declared and CBC log times differ by more than 10% (6 minutes)	1
	Doublecounted – two different announcements by same service on same date and at same time	1
8	Broadcast before deadline extended; doublecounted	1
	Declared and CBC log times differ by more than 10% (6 minutes)	1
	Does not appear in CBC's TV log	1
10	Doublecounted – two different announcements by same service on same date and at same time	1
11	Doublecounted – two different announcements by same service on same date and at same time	2
12	Broadcast before deadline extended	2
	Declared and CBC log times differ by more than 10% (6 minutes)	1
13	Doublecounted – two different announcements by same service on same date and at same time	1
14	Broadcast before deadline extended	1
15	Declared and CBC log times differ by more than 10% (6 minutes)	4
16	Declared and CBC log times differ by more than 10% (6 minutes)	3
21	Declared and CBC log times differ by more than 10% (6 minutes)	4
22	Declared and CBC log times differ by more than 10% (6 minutes)	3
23	Declared and CBC log times differ by more than 10% (6 minutes)	3
	Does not appear in CBC's TV log	1
24	Declared and CBC log times differ by more than 10% (6 minutes)	3
Total apparent inaccuracies among 21 declarations		**44**

78 The remainder of this section discusses these types of inaccuracies in greater detail.

1. Declarations signed before notifications were broadcast

79 Five of the declarations provided by CBC included dates beside the signing representative's signature.[24] The dates of these signatures precede eight dates when the signatories declared that the broadcasts had (already) been made. Notifications made by Radio-Canada Première, Radio-Canada Musique and Ici Télé are shown as having been broadcast from two to six days after the declarations that they had already been broadcast, were signed: see Figure 17.

[24] Access-to-information pages 4 and 7.

Figure 17 9 broadcasts made after the declarations were signed

Sur ICI RADIO-CANADA PREMIÈRE

le (date de la première diffusion) : 27 janvier 2020 heure : 14h59

le (date de la deuxième diffusion) : 28 janvier 2020 heure : 20h59

le (date de la troisième diffusion) : 29 janvier 2020 heure : 11h29

le (date de la quatrième diffusion) : 30 janvier 2020 heure : 6h59
(dans l'émission du matin, TOUT UN MATIN)

Sur ICI MUSIQUE

le (date de la première diffusion) : 27 janvier 2020 heure : 9h30
(dans l'émission du matin, L'EFFET POGONAT)

le (date de la deuxième diffusion) : 28 janvier 2020 heure : 13h30

le (date de la troisième diffusion) : 29 janvier 2020 heure : 17h30

le (date de la quatrième diffusion) : 30 janvier 2020 heure : 23h59

[redacted]

24 janvier 2020

.....

[redacted]

Directrice Générale, Communications, Marketing et Marque

Sur ICI RADIO-CANADA TÉLÉ

le (date de la première diffusion) : 20 janvier 2020 heure : 23h18

le (date de la deuxième diffusion) : 23 janvier 2020 heure : 21h25

le (date de la troisième diffusion) : 26 janvier 2020 heure : 11h06

le (date de la quatrième diffusion) : 29 janvier 2020 heure : 23h12

[redacted]

.....

27 janvier 2020

80 CBC's declarations do not explain why certifications that broadcasts had been made show dates indicating they were signed after eight of those broadcasts had already occurred. If signed on the dates shown, the declarations could not certify broadcasts as having been made if they were, in fact, made on future dates. More briefly, the declarations may not represent reality.

2. Time identified by segment or hours:minutes(:seconds)

81 The Forum also notes the difference in the way CBC's declarations registered the certified time of broadcast. As Figure 18 shows, some declarations certify that broadcasts occurred at specific times, while others occurred in program segments.

Figure 18 CBC's English-language television services did not show precise times of broadcast

On CBC Music:

date of 1st broadcast: Thursday, January 9, 2020 time: 12:04:30 P.M.

date of 2nd broadcast: Tuesday, January 14, 2020 time: 1:04:30 P.M.

date of 3rd broadcast: Wednesday, January 22, 2020 time: 4:29:00 P.M.

date of 4th broadcast: Monday, January 27, 2020 time: 7:59:30 A.M.

On Documentary: date of 1st broadcast: Sunday, January 5, 2020 segment 7	time: 8 P.M.,
date of 2nd broadcast: Sunday, January 10, 2020 segment 2	time: 2 P.M.,
date of 3rd broadcast: Tuesday, January 14, 2020 segment 1	time: 11 A.M.,
date of 4th broadcast: Thursday, January 16, 2020 segment 2	time: 11 A.M.,
On Documentary: Date of 1st broadcast: Wednesday, February 12, 2020 Segment 1	Time: 9 P.M.,
Date of 2nd broadcast: Saturday, February 15, 2020 Segment 3	Time: 6 P.M.,
Date of 3rd broadcast: Monday, February 17, 2020 Segment 2	Time: 8:30 P.M.,
On CBC News Network: date of 1st broadcast: Saturday, January 4, 2020 segment 3	time: 10 P.M. ,
date of 2nd broadcast: Wednesday, January 8, 2020 segment 2	time: 12 P.M.,
date of 3rd broadcast: Thursday, January 12, 2020 segment 2	time: 10 A.M.,
date of 4th broadcast: Monday, January 20, 2020 segment 4	time: 10 A.M.,
On CBC News Network: Date of 1st broadcast: Wednesday, February 12, 2020 Segment 2	Time: 10 P.M.,
Date of 2nd broadcast: Saturday, February 15, 2020 Segment 4	Time: 7 P.M.,
Date of 3rd broadcast: Sunday, February 16, 2020 Segment 3	Time: 7 P.M.,
On CBC Television: date of 1st broadcast: Friday, January 3, 2020 Segment 3	time: 8 P.M. ,
date of 2nd broadcast: Saturday, January 4, 2020 Segment 3	time: 1 P.M.,
date of 3rd broadcast: Thursday, January 9, 2020 Segment 1	time: 3 P.M.,
date of 4th broadcast: Friday, January 17, 2020 Segment 4	time: 4 P.M.,
On CBC Television:	
Date of 1st broadcast: Wednesday, February 12, 2020	Time: 9 P.M., Segment 1
Date of 2nd broadcast: Thursday, February 13, 2020	Time: 9 P.M., Segment 4
Date of 3rd broadcast: Tuesday, February 18, 2020	Time: 10 P.M., Segment 4

82 CBC's covering letter and declarations do not provide any other information about its use of 'segments' – such as, for instance, whether specific segments consistently begin and end at particular times.

83 All 11 of CBC's French-language declarations identified specific times of broadcast for radio and television notifications, as did all four declarations about English-language radio notifications. All six declarations about CBC's English-language television services identified the segments in which announcements were broadcast, rather than the specific times of broadcast: Table 13.

Table 13 Declarations by manner of identifying time of broadcast: segment or hh:mm(:ss)

Declaration Page number	Service language	Medium	Manner in which time of broadcast described		Total broadcasts
			Time (hh:mm/hh:mm:ss)	Segment	
4	French	Radio	8		8
5	French	Radio	4		4
6	French	Radio	4		4
7	French	Television	4		4
8	French	Television	4		4
9	French	Television	4		4
10	French	Television	4		4
11	French	Television	4		4
12	French	Television	4		4
13	French	Television	4		4
14	French	Television	4		4
15	English	Television		4	4
16	English	Television		3	3
17	English	Radio	4		4
18	English	Radio	2		2
19	English	Radio	5		5
20	English	Radio	2		2
21	English	Television		4	4
22	English	Television		3	3
23	English	Television		4	4
24	English	Television		3	3
Total	11 French 10 English 21 total	7 radio 14 television 21 total	61	21	82
By time	11 French 4 English	7 radio 8 television			
By segment	6 English	6 television			

84 The difference between the segment time stated in CBC's declarations and the broadcast times shown in CBC's logs ranged from 9 to 55 minutes, with a median[25] difference of 30 minutes. CBC's declarations do not explain why it used precise times for all of its French-language television services and imprecise times for all of its English-language television services.

3. Broadcasts about deadline change made before change announced

85 On 28 January 2020 the CRTC extended the deadline for interventions in its CBC proceeding from 13 February 2020 to 20 February 2020. CBC's declarations certify that

[25] Meaning that in half of the cases the difference was less than 30 minutes and in the other half, more than 30 minutes.

it broadcast four announcements about the extended deadline before 28 January – in other words, CBC announced the extension before the CRTC itself publicly announced it, once on Ici Télé, twice on RDI and once on ARTV: Figure 19.

Figure 19 CBC broadcasts announcing intervention extension before CRTC's announcement

Je, [redacted] certifie que le texte ou l'enregistrement, joint à la présente, est celui qui a servi à la diffusion de l'avis d'audience, et que cette diffusion a été dûment réalisée au moins quatre fois au cours de la période commençant à la date de publication de l'avis de demande et se terminant le 20 février 2020, et plus spécifiquement :

Sur ICI TÉLÉ

le (date de la première diffusion) : Jeudi 23 janvier 21h25
le (date de la deuxième diffusion) : Jeudi 6 février 21h13
le (date de la troisième diffusion) : Vendredi 7 février 22h30
le (date de la quatrième diffusion) : Samedi 8 février 22h20

Je, [redacted] certifie que le texte ou l'enregistrement, joint à la présente, est celui qui a servi à la diffusion de l'avis d'audience, et que cette diffusion a été dûment réalisée au moins quatre fois au cours de la période commençant à la date de publication de l'avis de demande et se terminant le 20 février 2020, et plus spécifiquement :

Sur ICI RDI

le (date de la première diffusion) : Samedi 18 janvier 19h05
le (date de la deuxième diffusion) : Jeudi 23 janvier 20h27
le (date de la troisième diffusion) : Mercredi 5 février 21h20
le (date de la quatrième diffusion) : Jeudi 6 février 20h45

Je, [redacted] certifie que le texte ou l'enregistrement, joint à la présente, est celui qui a servi à la diffusion de l'avis d'audience, et que cette diffusion a été dûment réalisée au moins quatre fois au cours de la période commençant à la date de publication de l'avis de demande et se terminant le 20 février 2020, et plus spécifiquement :

Sur ICI ARTV

le (date de la première diffusion) : Jeudi 23 janvier 19h24
le (date de la deuxième diffusion) : Vendredi 7 février 19h51
le (date de la troisième diffusion) : Samedi 8 février 18h52
le (date de la quatrième diffusion) : Dimanche 10 février 20h22

CBC letter to CRTC, (20 February 2020), Appendix B, access-to-information pages 8, 12 and 14.

86 Ici Télé's broadcast on 23 January (shown above, in Figure 19) may, incidentally, reflect two inaccuracies. It apparently announced the new intervention deadline before the CRTC itself announced the change, but also apparently broadcast the new deadline on

the same date and at the same time it broadcast the announcement for the original deadline: Figure 9.

Figure 20 Ici Télé's broadcast of two different announcements on 23 Jan/20 at 21h25

Je, [redacted] certifie que le texte ou l'enregistrement, joint à la présente, est celui qui a servi à la diffusion de l'avis d'audience, et que cette diffusion a été dûment réalisée au moins quatre fois au cours de la période commençant à la date de publication de l'avis de demande et se terminant le 31 janvier 2020, et plus spécifiquement :

Sur ICI RADIO-CANADA TÉLÉ
le (date de la première diffusion) : 20 janvier 2020 heure : 23h18
le (date de la deuxième diffusion) : 23 janvier 2020 heure : 21h25
le (date de la troisième diffusion) : 26 janvier 2020 heure : 11h06
le (date de la quatrième diffusion) : 29 janvier 2020 heure : 23h12

Je, [redacted] certifie que le texte ou l'enregistrement, joint à la présente, est celui qui a servi à la diffusion de l'avis d'audience, et que cette diffusion a été dûment réalisée au moins quatre fois au cours de la période commençant à la date de publication de l'avis de demande et se terminant le 20 février 2020, et plus spécifiquement :

Sur ICI TÉLÉ

le (date de la première diffusion) : Jeudi 23 janvier 21h25
le (date de la deuxième diffusion) : Jeudi 6 février 21h13
le (date de la troisième diffusion) : Vendredi 7 février 22h30
le (date de la quatrième diffusion) : Samedi 8 février 22h20

Source: CBC Letter to CRTC (20 February 2020), Appendix B, access-to-information page numbers 7 and 8.

87 Rather than ascribing two inaccuracies to this broadcast in the dataset created from the notifications (double-counted date and time, and new deadline announced before deadline changed), we counted it as a single inaccuracy, made by broadcasting the changed deadline before CRTC announced the change.

88 CBC's declarations certify that it broadcast four notifications about the CRTC's extended deadline before the date on which the CRTC published the extension:

ARTV	23 January 2020
French TV network (CBFT-DT)	23 January 2020
RDI	18 January 2020 and 23 January 2020

89 CBC's declarations about the deadline extension before the extension existed appear not to reflect reality. Neither the declarations nor its cover letter to the CRTC explain how CBC knew of and therefore announced the CRTC's decision to extend the intervention deadline, before the CRTC announced its decision.

4. Broadcasts counted twice in separate declarations

90 Several of CBC's declarations showed different announcements broadcast by the same service on the same date and at the same time. As Figure 21 shows, announcements about the two different intervention deadlines were broadcast by five of CBC's French-language radio and television services:

- Ici Musique on 29 January 2020 at 17h30
- Ici RDI on 18 January at 19h05, and also on 23 January at 20h27
- Ici Télé on 23 January 2020 at 21h25
- Ici Explora on 30 January 2020 at 20h28 and by
- Ici ARTV on 23 January 2020 at 19h24.

Figure 21 Broadcast notifications counted twice

Je, [redacted] certifie que le texte ou l'enregistrement, joint à la présente, est celui qui a servi à la diffusion de l'avis d'audience, et que cette diffusion a été dûment réalisée au moins quatre fois au cours de la période commençant à la date de publication de l'avis de demande et se terminant le 31 janvier 2020, et plus spécifiquement :

Sur ICI RADIO-CANADA PREMIÈRE

le (date de la première diffusion) : 27 janvier 2020 heure : 14h59

le (date de la deuxième diffusion) : 28 janvier 2020 heure : 20h59

le (date de la troisième diffusion) : 29 janvier 2020 heure : 11h29

le (date de la quatrième diffusion) : 30 janvier 2020 heure : 6h59
(dans l'émission du matin, TOUT UN MATIN)

Sur ICI MUSIQUE

le (date de la première diffusion) : 27 janvier 2020 heure : 9h30
(dans l'émission du matin, L'EFFET POGONAT)
le (date de la deuxième diffusion) : 28 janvier 2020 heure : 13h30

le (date de la troisième diffusion) : 29 janvier 2020 heure : 17h30

le (date de la quatrième diffusion) : 30 janvier 2020 heure : 23h59

Je, [redacted] certifie que le texte ou l'enregistrement, joint à la présente, est celui qui a servi à la diffusion de l'avis d'audience, et que cette diffusion a été dûment réalisée au moins quatre fois au cours de la période commençant à la date de publication de l'avis de demande et se terminant le 20 février 2020, et plus spécifiquement :

Sur ICI MUSIQUE

le (date de la première diffusion) : Mercredi 29 janvier 17h30
le (date de la deuxième diffusion) : Lundi 10 février 7h32
le (date de la troisième diffusion) : Mardi 11 février 16h30
le (date de la quatrième diffusion) : Mercredi 12 février 8h32

Je, [redacted] certifie que le texte ou l'enregistrement, joint à la présente, est celui qui a servi à la diffusion de l'avis d'audience, et que cette diffusion a été dûment réalisée au moins quatre fois au cours de la période commençant à la date de publication de l'avis de demande et se terminant le 31 janvier 2020, et plus spécifiquement :

ICI RDI

le (date de la première diffusion) : 18 janvier 2020 heure : 19h05

le (date de la deuxième diffusion) : 23 janvier 2020 heure : 20h27

le (date de la troisième diffusion) : 26 janvier 2020 heure : 7h57

le (date de la quatrième diffusion) : 28 janvier 2020 heure : 14h58

Je, [redacted] certifie que le texte ou l'enregistrement, joint à la présente, est celui qui a servi à la diffusion de l'avis d'audience, et que cette diffusion a été dûment réalisée au moins quatre fois au cours de la période commençant à la date de publication de l'avis de demande et se terminant le 20 février 2020, et plus spécifiquement :

Sur ICI RDI

le (date de la première diffusion) : Samedi 18 janvier 19h05
le (date de la deuxième diffusion) : Jeudi 23 janvier 20h27
le (date de la troisième diffusion) : Mercredi 5 février 21h20
le (date de la quatrième diffusion) : Jeudi 6 février 20h45

Je, [redacted] certifie que le texte ou l'enregistrement, joint à la présente, est celui qui a servi à la diffusion de l'avis d'audience, et que cette diffusion a été dûment réalisée au moins quatre fois au cours de la période commençant à la date de publication de l'avis de demande et se terminant le 31 janvier 2020, et plus spécifiquement : Sur ICI RADIO-CANADA TÉLÉ le (date de la première diffusion) : 20 janvier 2020 heure : 23h18 le (date de la deuxième diffusion) : 23 janvier 2020 heure : 21h25 le (date de la troisième diffusion) : 26 janvier 2020 heure : 11h06 le (date de la quatrième diffusion) : 29 janvier 2020 heure : 23h12	Je, [redacted] certifie que le texte ou l'enregistrement, joint à la présente, est celui qui a servi à la diffusion de l'avis d'audience, et que cette diffusion a été dûment réalisée au moins quatre fois au cours de la période commençant à la date de publication de l'avis de demande et se terminant le 20 février 2020, et plus spécifiquement : Sur ICI TÉLÉ le (date de la première diffusion) : Jeudi 23 janvier 21h25 le (date de la deuxième diffusion) : Jeudi 6 février 21h13 le (date de la troisième diffusion) : Vendredi 7 février 22h30 le (date de la quatrième diffusion) : Samedi 8 février 22h20
Je, [redacted] certifie que le texte ou l'enregistrement, joint à la présente, est celui qui a servi à la diffusion de l'avis d'audience, et que cette diffusion a été dûment réalisée au moins quatre fois au cours de la période commençant à la date de publication de l'avis de demande et se terminant le 31 janvier 2020, et plus spécifiquement : ICI EXPLORA le (date de la première diffusion) : 28 janvier 2020 heure : 23h32 le (date de la deuxième diffusion) : 29 janvier 2020 heure : 7h27 le (date de la troisième diffusion) : 30 janvier 2020 heure : 20h28 le (date de la quatrième diffusion) : 31 janvier 2020 heure : 14h48	Je, [redacted] certifie que le texte ou l'enregistrement, joint à la présente, est celui qui a servi à la diffusion de l'avis d'audience, et que cette diffusion a été dûment réalisée au moins quatre fois au cours de la période commençant à la date de publication de l'avis de demande et se terminant le 20 février 2020, et plus spécifiquement : Sur ICI EXPLORA le (date de la première diffusion) : Jeudi 30 janvier 20h28 le (date de la deuxième diffusion) : Jeudi 6 février 18h40 le (date de la troisième diffusion) : Vendredi 7 février 20h40 le (date de la quatrième diffusion) : Dimanche 9 février 19h44
Je, [redacted] certifie que le texte ou l'enregistrement, joint à la présente, est celui qui a servi à la diffusion de l'avis d'audience, et que cette diffusion a été dûment réalisée au moins quatre fois au cours de la période commençant à la date de publication de l'avis de demande et se terminant le 31 janvier 2020, et plus spécifiquement : ICI ARTV le (date de la première diffusion) : ...21 janvier 2020 heure :14h51 le (date de la deuxième diffusion) : ...23 janvier 2020 heure : 19h24 le (date de la troisième diffusion) : ...26 janvier 2020 heure : 16h42 le (date de la quatrième diffusion) : ...29 janvier 2020 heure : 16h22	Je, [redacted] certifie que le texte ou l'enregistrement, joint à la présente, est celui qui a servi à la diffusion de l'avis d'audience, et que cette diffusion a été dûment réalisée au moins quatre fois au cours de la période commençant à la date de publication de l'avis de demande et se terminant le 20 février 2020, et plus spécifiquement : Sur ICI ARTV le (date de la première diffusion) : Jeudi 23 janvier 19h24 le (date de la deuxième diffusion) : Vendredi 7 février 19h51 le (date de la troisième diffusion) : Samedi 8 février 18h52 le (date de la quatrième diffusion) : Dimanche 10 février 20h22

91 CBC's declarations did not clarify how the double broadcasts occurred, and do not explain which broadcast times are correct.

5. Broadcasts declared but not shown in CBC's TV logs

92 The publication of the logs submitted to the CRTC by television services means that it may be possible to confirm the accuracy of CBC's declarations about 53 of 82 of CBC's broadcast notifications (see Table 8, television subtotal); the remaining notifications

involve radio, the logs of which are not published by the CRTC.[26] The CRTC's television regulations require licensees to submit the logs with a statement signed by or on behalf of the licensee attesting that the logs are accurate.[27]

93 In reviewing the CBC's television logs to locate announcements about the CRTC public hearing, we were unable to find information about two broadcasts listed in CBC's declarations. The 8 February 2020 log of CBFT-DT, the flagship station of CBC's French-language television network, did not list an announcement about the CRTC hearing at 22h20 or at any other time that day: Table 14. The 4 January 2020 log for CBLT-DT, the flagship station of CBC's English Television network, did not show an announcement made on that date at 1 pm (or at any other time that day): Table 15.

[Remainder of page intentionally left blank]

[26] According to s. 8 of the *Radio Regulations, 1986*, licensees are not required to submit their logs to the CRTC except when the CRTC asks for the logs.

[27] *Television Regulations, 1987*, s. 10(3): "Except as otherwise provided under a condition of its licence, a licensee shall furnish to the Commission, within 30 days after the end of each month, the program log or machine-readable record of the licensee for that month, together with a certificate signed by or on behalf of the licensee attesting to the accuracy of the contents of the log or record."

Discretionary Services Regulations, s. 8(1)(d): "Except as otherwise provided under a condition of its licence, a licensee shall … within 30 days after the last day of each month, provide to the Commission the log or record of its programming for the month and a certificate attesting to the accuracy of the contents of the log or record."

Table 14 CBFT-DT log for 8 February 2020, 10pm to 11pm

Program Type	Station Group	Callsign	Year	Month	Date	Start			End			Duration			Title
						Hour	Minute	Second	Hour	Minute	Second	Hour	Minute	Second	
PGR	20	CBFT	20	2	8	22	0	0	22	30	0	0	30	0	LE TÉLÉJOURNAL (WEEK-END)
COM	20	CBFT	20	2	8	22	0	0				0	0	30	Fondation Lucie et André Chagnon
PRC	20	CBFT	20	2	8	22	11	16				0	0	15	DOC HUMANITÉ 2020/02/08 - L'ÉTHIOPIE DE MON COEUR
PRC	20	CBFT	20	2	8	22	11	31				0	0	15	DÉCOUVERTE 2020/02/09
COM	20	CBFT	20	2	8	22	11	46				0	0	30	EXPEDIA GROUP INC.
COM	20	CBFT	20	2	8	22	12	16				0	0	30	Heart & Stroke
COM	20	CBFT	20	2	8	22	12	46				0	0	30	Toyota Canada
COM	20	CBFT	20	2	8	22	13	16				0	0	30	Telus Communications Company
COM	20	CBFT	20	2	8	22	13	46				0	0	30	Gouvernement du Québec
COM	20	CBFT	20	2	8	22	14	16				0	0	15	Trivago
COM	20	CBFT	20	2	8	22	14	31				0	0	30	Merck Frosst Canada inc.
COM	20	CBFT	20	2	8	22	15	1				0	0	15	Sail Plein Air Inc.
PRC	20	CBFT	20	2	8	22	20	30				0	0	30	FAITS DIVERS 3 - 2020/02/17
COM	20	CBFT	20	2	8	22	21	0				0	0	30	EXPEDIA GROUP INC.
COM	20	CBFT	20	2	8	22	21	30				0	0	15	Mondelez Canada
COM	20	CBFT	20	2	8	22	21	45				0	0	30	ARPE-Québec
COM	20	CBFT	20	2	8	22	22	15				0	0	30	Trivago
COM	20	CBFT	20	2	8	22	22	45				0	0	15	PepsiCo Foods (Quaker)
COM	20	CBFT	20	2	8	22	23	0				0	0	30	Association Concessionnaires Ford Québec
COM	20	CBFT	20	2	8	22	23	30				0	0	30	Merck Frosst Canada inc.
COM	20	CBFT	20	2	8	22	24	0				0	0	15	Sportium
COM	20	CBFT	20	2	8	22	24	15				0	0	15	Trivago
PGR	20	CBFT	20	2	8	22	30	0	23	30	0	1	0	0	L'ÉTHIOPIE DE MON COEUR (PRIX RIDM 2019)
PRC	20	CBFT	20	2	8	22	47	7				0	0	30	FAITS DIVERS 3 - 2020/02/17
COM	20	CBFT	20	2	8	22	47	37				0	0	30	Association Concessionnaires Ford Québec
COM	20	CBFT	20	2	8	22	48	7				0	0	30	TJX
COM	20	CBFT	20	2	8	22	48	37				0	0	15	Tim Hortons Canada (THC)
COM	20	CBFT	20	2	8	22	48	52				0	0	30	Fondation Lucie et André Chagnon
COM	20	CBFT	20	2	8	22	49	22				0	0	15	Johnson & Johnson
COM	20	CBFT	20	2	8	22	49	37				0	0	30	Trivago
COM	20	CBFT	20	2	8	22	50	7				0	0	30	Ordre des ingénieurs du Québec
COM	20	CBFT	20	2	8	22	50	37				0	0	30	Subaru
PRC	20	CBFT	20	2	8	22	51	7				0	0	15	PAYS D'EN HAUT 5 - 2020/02/10
PRC	20	CBFT	20	2	8	22	51	22				0	0	15	LIAISON TROUBLE 2020
PRC	20	CBFT	20	2	8	22	58	5				0	0	30	TOUT LE MONDE EN PARLE 2020/02/09
COM	20	CBFT	20	2	8	22	58	35				0	0	30	Subaru
COM	20	CBFT	20	2	8	22	59	5				0	0	30	Association des optométristes du Québec (AOQ)
COM	20	CBFT	20	2	8	22	59	35				0	0	15	Mondou
COM	20	CBFT	20	2	8	22	59	50				0	0	15	Prestige Brands
COM	20	CBFT	20	2	8	23	0	5				0	0	30	Association Concessionnaires Ford Québec

Notes for preceding table:

Television logs submitted to the CRTC are posted on the Federal government's Open Government portal, at https://open.canada.ca/data/en/dataset/800106c1-0b08-401e-8be2-ac45d62e662e, along with a "Data Dictionary" and "Data Dictionary STAR2" that are posted on the same page.

The data appear without titles or headings; these have been added based on the Data Dictionary and Data Dictionary STAR2 noted above.

The CBFT-DT program log shows that the station broadcast a 30-second "PRC" on 6 February 2020 (21:15:08) and 7 February (22:40:08), entitled "AUDIENCES DU CRTC 2020".

Table 15 CBLT-DT log for 4 January 2020, 1pm to 2pm

Program Type	Station Group	Callsign	Year	Month	Date	Start			End			Duration			Title
						Hour	Minute	Second	Hour	Minute	Second	Hour	Minute	Second	
PGR	10	CBLT	20	1	4	13	0	0	14	0	0	1	0	0	Absolutely Toronto
PRC	10	CBLT	20	1	4	13	0	0				0	0	5	CBC Original Program Bumpers 2014
PRC	10	CBLT	20	1	4	13	8	57				0	0	30	CBC Family Feud Canada Season 1 2019.20.21
COM	10	CBLT	20	1	4	13	9	27				0	0	30	Premier Tech Home & Garden
COM	10	CBLT	20	1	4	13	9	57				0	0	30	Peloton
COM	10	CBLT	20	1	4	13	10	27				0	0	30	Caztel Communications Inc.
COM	10	CBLT	20	1	4	13	10	57				0	0	30	Nissan Corporate.
COM	10	CBLT	20	1	4	13	11	27				0	1	0	Acorn Stairlifts (Canada) Inc
COM	10	CBLT	20	1	4	13	12	27				0	0	30	Petsmart
COM	10	CBLT	20	1	4	13	12	57				0	0	15	Bausch Health Canada Inc
PRC	10	CBLT	20	1	4	13	13	12				0	0	10	CBC Junos 2019.20
PRC	10	CBLT	20	1	4	13	13	22				0	0	5	zzCBC CBC Sports 2019.20
PRC	10	CBLT	20	1	4	13	13	27				0	0	15	ZZZCBC 22 Minutes S27 2019.20
PRC	10	CBLT	20	1	4	13	13	42				0	0	30	CBC Listen 2019.20
PRC	10	CBLT	20	1	4	13	30	11				0	0	15	ZZZCBC The Fifth Estate 2019.20
COM	10	CBLT	20	1	4	13	30	26				0	0	30	Peloton
COM	10	CBLT	20	1	4	13	30	56				0	0	30	OLG IGaming - QIG
COM	10	CBLT	20	1	4	13	31	26				0	0	30	Nissan Dealers.
COM	10	CBLT	20	1	4	13	31	56				0	0	15	Glaxo Smithkline
COM	10	CBLT	20	1	4	13	32	11				0	0	15	Leon's Furniture
COM	10	CBLT	20	1	4	13	32	26				0	0	30	CashMoney
COM	10	CBLT	20	1	4	13	32	56				0	0	15	A & W Food Services of Canada Limited
COM	10	CBLT	20	1	4	13	33	11				0	0	30	TO Live
COM	10	CBLT	20	1	4	13	33	41				0	0	15	Nissan Dealers.
COM	10	CBLT	20	1	4	13	33	56				0	0	30	inVentiv Canada Inc.
PRC	10	CBLT	20	1	4	13	34	26				0	0	30	ZZZCBC Back in Time for Winter 2019.20
PRC	10	CBLT	20	1	4	13	34	56				0	0	10	ZZZCBC High Arctic Haulers 2019.20
PRC	10	CBLT	20	1	4	13	44	36				0	0	30	CBC Red Bull Signature Series 2019.20
COM	10	CBLT	20	1	4	13	45	6				0	0	30	Peloton
COM	10	CBLT	20	1	4	13	45	36				0	0	30	HomEquity Bank
COM	10	CBLT	20	1	4	13	46	6				0	0	30	inVentiv Canada Inc.
COM	10	CBLT	20	1	4	13	46	36				0	0	30	Caztel Communications Inc.
COM	10	CBLT	20	1	4	13	47	6				0	0	15	Chapman's Ice Cream

Program Type	Station Group	Callsign	Year	Month	Date	Start			End			Duration			Title
						Hour	Minute	Second	Hour	Minute	Second	Hour	Minute	Second	
COM	10	CBLT	20	1	4	13	47	21				0	0	15	Air Transat
COM	10	CBLT	20	1	4	13	47	36				0	0	15	Glaxo Smithkline
COM	10	CBLT	20	1	4	13	47	51				0	0	15	Nissan Dealers.
COM	10	CBLT	20	1	4	13	48	6				0	0	15	Leon's Furniture
COM	10	CBLT	20	1	4	13	48	21				0	0	15	CashMoney
COM	10	CBLT	20	1	4	13	48	36				0	0	30	Petsmart
COM	10	CBLT	20	1	4	13	49	6				0	0	15	Bausch Health Canada Inc
PRC	10	CBLT	20	1	4	13	49	21				0	0	15	ZZZCBC Burden of Truth Season 3 2019.20
PRC	10	CBLT	20	1	4	13	49	36				0	0	30	ZZZCBC Alpine Skiing 2019.20
PRC	10	CBLT	20	1	4	13	50	6				0	0	5	zzCBC CBC Sports 2019.20
PGR	10	CBLT	20	1	4	14	0	0	15	0	0	1	0	0	The Nature of Things

Notes for preceding table:

Television logs submitted to the CRTC are posted on the Federal government's Open Government portal, at https://open.canada.ca/data/en/dataset/800106c1-0b08-401e-8be2-ac45d62e662e, along with a "Data Dictionary" and "Data Dictionary STAR2" that are posted on the same page.

The data appear without titles or headings; these have been added based on the Data Dictionary and Data Dictionary STAR2 noted above.

The CBLT-DT program log shows that the station broadcast a 30-second "PRC" on 3 January 2020 (20:32:17), 9 January (15:13:28) and 17 January (16:46:56), entitled "ZZZCBC CRTC Hearing 2019.20".

IV. Summary and conclusions

A. Summary of findings

94 The Forum analyzed 21 declarations made by CBC to the CRTC about 82 broadcast notifications involving CBC's May 2020/January 2021 licence renewal hearings by the CRTC. The analysis was initially undertaken simply to learn when CBC had broadcast the announcements and latterly to determine the level of apparent accuracy in CBC's declarations about the announcements.

95 It is unclear whether the CRTC asked for any specific information from CBC. The contents of a letter sent by the CRTC to CBC on 25 November 2019 which stated requirements about the notifications are unknown as the letter was not available through the CRTC's website, but CBC confirmed the existence of this letter when it sent the CRTC copies of the broadcast notifications scripts and declarations about the broadcast notifications on 20 February 2020.

96 The English-language and French-language version of the text of the announcements broadcast by CBC state the hearing date but not the time it was to begin.[28] While the CRTC's notice of consultation required CBC to inform audiences about the matters that the CRTC proceeding would consider, the CBC's announcements did not mention CBC's plans to count the programming of its online services towards CRTC broadcast programming requirements.

97 The analysis for this research was undertaken using information from CBC's declarations about each service's broadcasts of these notifications entered into a spreadsheet. CBC's declarations for its television services were then also compared with the program logs of the services that CBC declared as having broadcast the notifications; the logs were sent by CBC to the CRTC and are published on the open government portal.

98 CBC sent the CRTC 21 declarations, 11 for its French-language services' broadcasts and 10 for its English-language services' broadcasts. Signatures on four of the French-language declarations were dated; none of the declarations was witnessed. All 21 declarations state that CBC certified that the notifications about the CRTC hearing and (two) intervention deadlines had been duly broadcast by CBC in two periods, one ending 31 January 2020 and the other ending 20 February 2020.

99 All but one CBC broadcast service initially broadcast four notifications about the CRTC proceeding. CBC's Radio One network broadcast three announcements across Canada, a fourth announcement to Canada excluding the Northwest Territories and a fifth announcement to just the Northwest Territories. When the CRTC changed the

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28 The CRTC hearing originally scheduled for May 2020 has since then been postponed to January 2021.

intervention deadline, CBC's French-language services again broadcast four notifications while CBC's English-language services broadcast two or three notifications.

100 The CRTC's intervention period began 25 November 2019, when it published Broadcasting Notice of Consultation CRTC 2019-379. Initially ending 13 February 2020, the intervention period was extended on 28 January 2020 to 20 February 2020, and lasted 85 calendar days or 12 weeks. One of CBC's services broadcast its first announcement 40 days before the 13 February deadline, and three others broadcast their first announcements at the end of January, less than three weeks before the initial deadline.

101 Just over half of the declarations provided by CBC to certify that it had made the broadcast notifications required appeared to have inaccuracies. Five types of apparent inaccuracy were identified with respect to 44 (54%) of the 82 notifications:

- 9 instances when the declarations certifying that broadcasts had already been made were signed after the broadcast dates (inaccurate as the declarations did not depict the reality of the broadcasts)
- 4 instances when CBC broadcast the new (20 February) deadline days before the CRTC announced the change on 28 January (inaccurate as the declarations did not depict the reality of the extension period)
- 6 instances when the announcements about the two different deadlines were broadcast by the same CBC service on the same date and at the same time (inaccurate to the degree that it is unlikely that the two different announcements were actually broadcast simultaneously)
- 2 instances when TV broadcasts that the declarations said had been made did not appear in CBC's TV program logs (inaccurate as the declarations did not state the true facts), and
- 23 instances when TV broadcast times stated in the declarations varied by more than 10% of a clock hour (*i.e.*, more than six minutes) (inaccurate as the times stated by the declarations were imprecise and did not conform with the correct times).

102 These inaccuracies are described in Table 16:

Table 16 Type of inaccuracy appearing in CBC's declarations about its broadcast notifications

Types of inaccuracy apparent in notifications	English		French		Total
	Radio	Television	Radio	Television	
No apparent inaccuracy	13		7	18	38
Apparent inaccuracies					
Broadcast before deadline extended				3	3
Broadcast before deadline extended & doublecounted				1	1
Doublecounted			1	5	6
Incorrect time		20		3	23
Not shown in log		1		1	2
Signed before broadcast			8		8

Types of inaccuracy apparent in notifications	English		French		Total
	Radio	Television	Radio	Television	
Signed before broadcast; incorrect time				1	1
Subtotal, inaccuracies	*0*	*21*	*9*	*14*	*44*
Total	13	21	16	32	82
Inaccuracies as percent of tota	*0%*	*100%*	*56%*	*43%*	*54%*

B. Three questions raised by this analysis

1. Is CBC able to meet the CRTC's requirements?

103 Based on the information provided by CBC to the CRTC, inaccuracies were apparent with respect to 44 (54%) of the 82 broadcasts that CBC said it made to announce the CRTC's proceeding. One question this raises is whether CBC is able or unable to meet the CRTC's requests with a high degree of accuracy. Perhaps reductions in CBC's financial resources – detailed in a February 2020 research note by the Forum which found that funding (in constant dollars) for CBC's operations has decreased 36% since 1985 – have affected CBC's operational capacity so that it is unable to meet the CRTC's broadcast notification requirement with complete accuracy. If that is the case, does this have implications for the achievement of plans CBC has presented to the CRTC for its next licence term which, as of June 2020, involved total expenditures by CBC in 2021, 2022 and 2023 of just over $5.3 billion?

104 In the alternative, reductions in CBC's financial resources may not have affected its operational capacity. In that case, it may be useful to remember that when CBC's President announced the Corporation's new strategy in May 2019 she said that, "In today's global media world our deep connection with Canadians, and their trust in us, are our most important competitive advantages"[29]; do the inaccuracies that appear to affect more than half of CBC's stated broadcast notifications have any implications for the trust that CBC's new strategic plan hopes to inspire among Canadians?

2. Is the CRTC aware of CBC's inaccuracies with respect to the broadcast notifications?

105 The Forum was unable to locate any statement on the CRTC's record of the 2019-379 proceeding about CBC's broadcast notifications. In light of the fact that the CRTC is the sole authority responsible for regulating broadcasting in Canada, is the Commission aware or unaware of the inaccuracies in the declarations submitted by CBC six months ago?[30]

106 If the CRTC is aware of CBC's inaccuracies, might its lack of comment on the public record indicate toleration of a certain level of inaccuracy from licensees? If that is the case, could such tolerance have implications going forward for the CRTC's

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[29] CBC, "Your Stories, Taken to Heart: CBC/Radio-Canada shares strategic vision in new three-year plan", (Montreal, 22 May 2019), https://cbc.radio-canada.ca/en/media-centre/strategy-2019.

[30] On 2 September 2020 the Forum made a procedural request to the CRTC, asking that the Commission permit FRPC to amend its 20 February 2020 intervention in the BNoC 2019-379 proceeding by adding information about CBC's broadcast notifications; the information included the inaccuracies described in this research note.

implementation of Parliament's broadcasting policy for Canada, and for the Commission's supervision of CBC's programming commitments and the CRTC's requirements?

3. Does the current procedural approach to broadcast notifications have implications for the integrity of the CRTC's proceedings and its decisions?

107 The results from this analysis raise a question about the integrity of the CRTC's proceedings, which the CRTC has previously said rely in part on the public's participation.

108 While specialized public interest groups may well be aware of many CRTC proceedings, the general public is less likely to know when the CRTC is considering matters involving the broadcasters that serve their communities.

109 Members of those communities may rely on the information provided by broadcasters themselves to learn of CRTC proceedings and their right to intervene, but CBC's first announcements about the proceeding were in all cases broadcast in the last half of the intervention period, and in four cases were broadcast in the last three weeks of the intervention period:

	Previous days in (% of) intervention period	**Date and time individual CBC services broadcast first notification of CRTC hearing and intervention deadline**	**Days remaining in (% of) intervention period (to 13 Feb/20)**
ETV	44 days (52%)	Friday-03-Jan-20, at: 20:32:17	41 days (48%)
News Network	45 days (53%)	Saturday-04-Jan-20, at: 22:44:33	40 days (47%)
Documentary	46 days (54%)	Sunday-05-Jan-20, at: 20:28:16	39 days (46%)
Radio One	50 days (59%)	Thursday-09-Jan-20, at: 10:59:10	35 days (41%)
Radio Two	50 days (59%)	Thursday-09-Jan-20, at: 12:04:30	35 days (41%)
RDI	59 days (69%)	Saturday-18-Jan-20, at: 19:05:09	26 days (31%)
FTV	61 days (72%)	Monday-20-Jan-20, at: 23:18:40	23 days (27%)
ARTV	62 days (73%)	Tuesday-21-Jan-20, at: 14:51:17	17 days (20%)
ICI MUSIQUE	68 days (80%)	Monday-27-Jan-20, at: 09:30:00	17 days (20%)
ICI Premiere	68 days (80%)	Monday-27-Jan-20, at: 14:59:00	17 days (20%)
Explora	69 days (81%)	Tuesday-28-Jan-20, at: 23:32:29	16 days (19%)

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110 The six notifications made by CBLT-DT in its English-language television network programming represented 0.1% of the 9,861 promotional announcements made by the service from the beginning of January to the 20 February intervention deadline: is it possible that these six announcements – broadcast from 3:13 pm to 10:10 pm, and half of which were broadcast after 9 pm – were effectively lost in the crowd of nearly 10,000 promotional announcements along with the 31,700 commercial advertisements also broadcast in the same period?

CBLT-DT: broadcast notifications (Jan-Feb 2020)	
Date	**Time**
Friday-03-Jan-20	20:32:17
Thursday-09-Jan-20	15:13:28
Friday-17-Jan-20	16:46:56
Wednesday-12-Feb-20	21:18:40
Thursday-13-Feb-20	21:46:11
Tuesday-18-Feb-20	22:19:55

111 The number of apparent inaccuracies in CBC's declarations also raise concerns about whether the current notification process is effective. The public's participation in the CRTC process to consider CBC's programming services began in November 2019 when the Commission published CBC's applications for comment. Many interveners including the Forum expressed serious concerns about lack of information in the applications concerning CBC's unlicensed online services. In June 2020 – after the February intervention deadline – the CRTC unexpectedly published financial information about CBC's online services along with CBC's clear statement (in Phase 2) that it neither could nor would update information set out in its November 2019 applications to address the impact of the Covid-19 pandemic.

112 In addition to learning after the CRTC's February 2020 intervention deadline that CBC expects that the revenues and expenditures of its online services may result in a $1.3 billion shortfall, it now also appears that over half (15) of CBC's 21 declarations that it broadcast notifications of the CRTC proceeding to its audiences may be inaccurate, with at least 10% of the 82 broadcasts apparently not made at all (2 not confirmed by CBC's TV logs and 6 cases of two announcements being broadcast by the same service on the same date and at the same time) and apparent inaccuracies overall regarding 44 of the broadcasts.

113 Is it reasonable to assume that Canadians had a fair opportunity to be informed by CBC about this important proceeding, or did the inaccuracies with respect to CBC's broadcast notifications contribute towards a tainted process? If the CRTC's procedures are tainted, how confident should Canadians be in the integrity of its decisions?

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Appendices

Appendix 1: CBC's broadcast declarations 1
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Appendix 1: CBC's broadcast declarations

Service	Page	For the period ending	Date of signature	Broad-cast	Date	Comment	Time - 24 hr	Log time
ARTV	13	2020-01-31	2020-01-31	1st	Tuesday-21-Jan-20		14:51:00	14:51:17
	13	2020-01-31	2020-01-31	2nd	Thursday-23-Jan-20	Doublecounting	19:24:00	19:24:08
	14	2020-02-20	Undated	1st	Thursday-23-Jan-20	Broadcast before deadline extended	19:24:00	Doublecounted
	13	2020-01-31	2020-01-31	3rd	Sunday-26-Jan-20		16:42:00	16:42:12
	13	2020-01-31	2020-01-31	4th	Wednesday-29-Jan-20		16:22:00	16:22:04
	14	2020-02-20	Undated	2nd	Friday-07-Feb-20		19:51:00	19:51:05
	14	2020-02-20	Undated	3rd	Saturday-08-Feb-20		18:52:00	18:52:16
	14	2020-02-20	Undated	4th	Monday-10-Feb-20		20:22:00	20:22:05
Documentary	15	2020-01-31	Undated	1st	Sunday-05-Jan-20	Inaccurate time	20:00:00	20:28:16
	15	2020-01-31	Undated	2nd	Friday-10-Jan-20	Inaccurate time	14:00:00	14:33:20
	15	2020-01-31	Undated	3rd	Tuesday-14-Jan-20	Inaccurate time	11:00:00	11:10:24
	15	2020-01-31	Undated	4th	Thursday-16-Jan-20	Inaccurate time	11:00:00	11:29:31
	16	2020-02-20	Undated	1st	Wednesday-12-Feb-20	Inaccurate time	21:00:00	21:09:16
	16	2020-02-20	Undated	2nd	Saturday-15-Feb-20	Inaccurate time	18:00:00	18:43:41
	16	2020-02-20	Undated	3rd	Monday-17-Feb-20	Inaccurate time	20:30:00	20:49:17
ETV	23	2020-01-31	Undated	1st	Friday-03-Jan-20	Inaccurate time	20:00:00	20:32:17
	23	2020-01-31	Undated	2nd	Saturday-04-Jan-20	Not shown in log	13:00:00	Missing
	23	2020-01-31	Undated	3rd	Thursday-09-Jan-20	Inaccurate time	15:00:00	15:13:28
	23	2020-01-31	Undated	4th	Friday-17-Jan-20	Inaccurate time	16:00:00	16:46:56
	24	2020-02-20	Undated	1st	Wednesday-12-Feb-20	Inaccurate time	21:00:00	21:18:40
	24	2020-02-20	Undated	2nd	Thursday-13-Feb-20	Inaccurate time	21:00:00	21:46:11
	24	2020-02-20	Undated	3rd	Tuesday-18-Feb-20	Inaccurate time	22:00:00	22:19:55
Explora	9	2020-01-31	2020-01-31	1st	Tuesday-28-Jan-20		23:32:00	23:32:29
	9	2020-01-31	2020-01-31	2nd	Wednesday-29-Jan-20		07:27:00	07:27:11
	9	2020-01-31	2020-01-31	3rd	Thursday-30-Jan-20		20:28:00	20:28:37
	10	2020-02-20	Undated	1st	Thursday-30-Jan-20	Doublecounting	20:28:00	Doublecounted
	9	2020-01-31	2020-01-31	4th	Friday-31-Jan-20		14:48:00	14:48:33
	10	2020-02-20	Undated	2nd	Thursday-06-Feb-20		18:40:00	18:40:22
	10	2020-02-20	Undated	3rd	Friday-07-Feb-20		20:40:00	20:40:10
	10	2020-02-20	Undated	4th	Sunday-09-Feb-20		19:44:00	19:44:43
FTV	7	2020-01-31	2020-01-27	1st	Monday-20-Jan-20		23:18:00	23:18:40

Service	Page	For the period ending	Date of signature	Broad-cast	Date	Comment	Time - 24 hr	Log time
	7	2020-01-31	2020-01-27	2nd	Thursday-23-Jan-20	Doublecounting	21:25:00	21:25:20
	8	2020-02-20	Undated	1st	Thursday-23-Jan-20	Broadcast before deadline extended	21:25:00	Doublecounted
	7	2020-01-31	2020-01-27	3rd	Sunday-26-Jan-20	Inaccurate time	11:06:00	11:16:22
	7	2020-01-31	2020-01-27	4th	Wednesday-29-Jan-20	Signed before broadcast	23:12:00	00:51:13
	8	2020-02-20	Undated	2nd	Thursday-06-Feb-20		21:13:00	21:15:08
	8	2020-02-20	Undated	3rd	Friday-07-Feb-20	Inaccurate time	22:30:00	22:40:08
	8	2020-02-20	Undated	4th	Saturday-08-Feb-20	Not shown in log	22:20:00	Missing
ICI MUSIQUE	4	2020-01-31	2020-01-24	1st	Monday-27-Jan-20	Signed before broadcast	09:30:00	Unavailable
	4	2020-01-31	2020-01-24	2nd	Tuesday-28-Jan-20	Signed before broadcast	13:30:00	Unavailable
	4	2020-01-31	2020-01-24	3rd	Wednesday-29-Jan-20	Signed before broadcast	17:30:00	Unavailable
	5	2020-02-20	Undated	1st	Wednesday-29-Jan-20	Doublecounting	17:30:00	Doublecounted
	4	2020-01-31	2020-01-24	4th	Wednesday-29-Jan-20	Signed before broadcast	23:59:00	Unavailable
	5	2020-02-20	Undated	2nd	Monday-10-Feb-20		07:32:00	Unavailable
	5	2020-02-20	Undated	3rd	Tuesday-11-Feb-20		16:30:00	Unavailable
	5	2020-02-20	Undated	4th	Wednesday-12-Feb-20		08:32:00	Unavailable
ICI Premiere	4	2020-01-31	2020-01-24	1st	Monday-27-Jan-20	Signed before broadcast	14:59:00	Unavailable
	4	2020-01-31	2020-01-24	2nd	Tuesday-28-Jan-20	Signed before broadcast	20:59:00	Unavailable
	4	2020-01-31	2020-01-24	3rd	Wednesday-29-Jan-20	Signed before broadcast	11:29:00	Unavailable
	4	2020-01-31	2020-01-24	4th	Thursday-30-Jan-20	Signed before broadcast	06:59:00	Unavailable
	6	2020-02-20	Undated	1st	Friday-07-Feb-20		07:59:00	Unavailable
	6	2020-02-20	Undated	2nd	Monday-10-Feb-20		16:59:00	Unavailable
	6	2020-02-20	Undated	3rd	Tuesday-11-Feb-20		07:59:00	Unavailable
	6	2020-02-20	Undated	4th	Wednesday-12-Feb-20		17:59:00	Unavailable
News Network	21	2020-01-31	Undated	1st	Saturday-04-Jan-20	Inaccurate time	22:00:00	22:44:33
	21	2020-01-31	Undated	2nd	Wednesday-08-Jan-20	Inaccurate time	12:00:00	12:33:53
	21	2020-01-31	Undated	3rd	Sunday-12-Jan-20	Inaccurate time	10:00:00	10:28:56
	21	2020-01-31	Undated	4th	Monday-20-Jan-20	Inaccurate time	10:00:00	10:45:25
	22	2020-02-20	Undated	1st	Wednesday-12-Feb-20	Inaccurate time	22:00:00	22:22:04
	22	2020-02-20	Undated	2nd	Saturday-15-Feb-20	Inaccurate time	19:00:00	19:55:58
	22	2020-02-20	Undated	3rd	Sunday-16-Feb-20	Inaccurate time	19:00:00	19:47:40
Radio One	19	2020-01-31	Undated	1st	Thursday-09-Jan-20		10:59:10	Unavailable
Radio One	19	2020-01-31	Undated	2nd	Tuesday-14-Jan-20		09:59:10	Unavailable
	19	2020-01-31	Undated	3rd	Wednesday-22-Jan-20		19:59:10	Unavailable
	19	2020-01-31	Undated	4th	Monday-27-Jan-20		07:59:10	Unavailable

Service	Page	For the period ending	Date of signature	Broad-cast	Date	Comment	Time - 24 hr	Log time
	19	2020-01-31	Undated	5th	Tuesday-28-Jan-20		07:10:00	Unavailable
	20	2020-02-20	Undated	1st	Friday-14-Feb-20		17:59:10	Unavailable
	20	2020-02-20	Undated	2nd	Tuesday-18-Feb-20		07:59:10	Unavailable
Radio Two	17	2020-01-31	Undated	1st	Thursday-09-Jan-20		12:04:30	Unavailable
	17	2020-01-31	Undated	2nd	Tuesday-14-Jan-20		13:04:30	Unavailable
	17	2020-01-31	Undated	3rd	Wednesday-22-Jan-20		16:20:00	Unavailable
	17	2020-01-31	Undated	4th	Monday-27-Jan-20		07:59:30	Unavailable
	18	2020-02-20	Undated	1st	Friday-14-Feb-20		17:29:00	Unavailable
	18	2020-02-20	Undated	2nd	Tuesday-18-Feb-20		08:59:30	Unavailable
RDI	11	2020-01-31	2020-01-31	1st	Saturday-18-Jan-20	Doublecounting	19:05:00	Doublecounted
	12	2020-02-20	Undated	1st	Saturday-18-Jan-20	Broadcast before deadline extended	19:05:00	19:05:09
	11	2020-01-31	2020-01-31	2nd	Thursday-23-Jan-20	Doublecounting	20:27:00	Doublecounted
	12	2020-02-20	Undated	2nd	Thursday-23-Jan-20	Broadcast before deadline extended	20:27:00	20:27:35
	11	2020-01-31	2020-01-31	3rd	Sunday-26-Jan-20		07:57:00	07:57:06
	11	2020-01-31	2020-01-31	4th	Tuesday-28-Jan-20		14:58:00	14:58:18
	12	2020-02-20	Undated	3rd	Wednesday-05-Feb-20	Inaccurate time	21:20:00	21:27:34
	12	2020-02-20	Undated	4th	Thursday-06-Feb-20		20:45:00	20:45:33

Notes for preceding table:

Television logs submitted to the CRTC are posted on the Federal government's Open Government portal, at https://open.canada.ca/data/en/dataset/800106c1-0b08-401e-8be2-ac45d62e662e, along with a "Data Dictionary" and "Data Dictionary STAR2" that are posted on the same page.

The data appear without titles or headings; these have been added based on the Data Dictionary and Data Dictionary STAR2 noted above.

Appendix 2: CRTC notification periods and all dates of broadcast declared by CBC, by language and medium

Date	English		French		Total
	Radio	TV*	Radio	TV*	
Tuesday-26-Nov-19					
Wednesday-27-Nov-19					
Thursday-28-Nov-19					
Friday-29-Nov-19					
Saturday-30-Nov-19					
Sunday-01-Dec-19					
Monday-02-Dec-19					
Tuesday-03-Dec-19					
Wednesday-04-Dec-19					
Thursday-05-Dec-19					
Friday-06-Dec-19					
Saturday-07-Dec-19					
Sunday-08-Dec-19					
Monday-09-Dec-19					
Tuesday-10-Dec-19					
Wednesday-11-Dec-19					
Thursday-12-Dec-19					
Friday-13-Dec-19					
Saturday-14-Dec-19					
Sunday-15-Dec-19					
Monday-16-Dec-19					
Tuesday-17-Dec-19					
Wednesday-18-Dec-19					
Thursday-19-Dec-19		Grey shading: no announcements made			
Friday-20-Dec-19					
Saturday-21-Dec-19					
Sunday-22-Dec-19					
Monday-23-Dec-19					
Tuesday-24-Dec-19					
Wednesday-25-Dec-19					
Thursday-26-Dec-19					
Friday-27-Dec-19					
Saturday-28-Dec-19					
Sunday-29-Dec-19					
Monday-30-Dec-19					
Tuesday-31-Dec-19					
Wednesday-01-Jan-20		**~ halfway point of 13 February 2020 intervention period**			
Thursday-02-Jan-20					
Friday-03-Jan-20		1			1
Saturday-04-Jan-20		2			2
Sunday-05-Jan-20		1			1
Monday-06-Jan-20					
Tuesday-07-Jan-20					
Wednesday-08-Jan-20		1			1
Thursday-09-Jan-20	2	1			3
Friday-10-Jan-20		1			1
Saturday-11-Jan-20					
Sunday-12-Jan-20		1			1

Date	English		French		Total
	Radio	TV*	Radio	TV*	
Monday-13-Jan-20					
Tuesday-14-Jan-20	2	1			3
Wednesday-15-Jan-20					
Thursday-16-Jan-20		1			1
Friday-17-Jan-20		1			1
Saturday-18-Jan-20				2	2
Sunday-19-Jan-20					
Monday-20-Jan-20		1		1	2
Tuesday-21-Jan-20				1	1
Wednesday-22-Jan-20	2				2
Thursday-23-Jan-20				6	6
Friday-24-Jan-20					
Saturday-25-Jan-20					
Sunday-26-Jan-20				3	3
Monday-27-Jan-20	2		2		4
Tuesday-28-Jan-20	1		2	2	5
Wednesday-29-Jan-20			4	3	7
Thursday-30-Jan-20			1	2	3
Friday-31-Jan-20				1	1
Saturday-01-Feb-20					
Sunday-02-Feb-20					
Monday-03-Feb-20					
Tuesday-04-Feb-20					
Wednesday-05-Feb-20				1	1
Thursday-06-Feb-20				3	3
Friday-07-Feb-20			1	3	4
Saturday-08-Feb-20				2	2
Sunday-09-Feb-20				1	1
Monday-10-Feb-20			2	1	3
Tuesday-11-Feb-20			2		2
Wednesday-12-Feb-20		3	2		5
Thursday-13-Feb-20		1			1
Friday-14-Feb-20	2				2
Saturday-15-Feb-20		2			2
Sunday-16-Feb-20		1			1
Monday-17-Feb-20		1			1
Tuesday-18-Feb-20	2	1			3
Wednesday-19-Feb-20					
Thursday-20-Feb-20					
Total announcements	**13**	**21**	**16**	**32**	**82**
Intervention duration	86	86	86	86	86
Number of days with notifications	7	17	8	15	35

*: Conventional and discretionary television services

Green outlining	Announcements made with respect to 1st period of notification identified by CBC's scripts – 25 November 2019 to 31 January 2020
Red outlining	Announcements made with respect to 2nd period of notification identified by CBC's scripts – 25 November 2019 to 20 February 2020

Note: the 1st and 2nd periods of notification overlap in the case of CBC's programming services because of duplication (broadcasts announcing the two intervention deadlines were made by the same service on the same date and at the same time, in CBC's first and second notification periods).