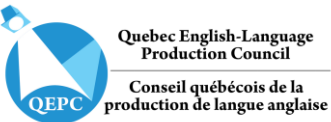


STANDING UP FOR CANADIAN VOICES



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30 May 2023

Filed online

Claude Doucet
Secretary General
CRTC
Ottawa, ON K1A 0N2

Dear Secretary General,

Re: Broadcasting Notices 2023-138 (12 May 2023), -139 (12 May 2023) and -140 (12 May 2023 – Procedural request – replies to respondents

I. Introduction

1. On 19 May 2023 twelve parties filed a procedural request asking that the Commission extend the deadlines it had announced on 12 May 2023 in Broadcasting Notices of Consultation 2023-138, -139 and -140.
2. The parties ('co-applicants') asked that the deadlines in these proceedings be amended as follows:

Stage	Proceeding	CRTC's 12 May deadlines	Co-applicants' proposal
Interventions	2023-138	27 June 2023	Friday, 28 July 2023
	2023-139 &-140	12 June 2023	
Replies	2023-138	12 July 2023	Friday, 1 Sept. 2023
	2023-139 &-140	27 June 2023	
Final replies	2023-138	[not provided]	[No recommendation]
	2023-139 &-140	12 July 2023	Friday, 15 Sept. 2023
Public hearing	2023-138	20 November 2023	20 November 2023
	2023-139 &-140	[not scheduled]	[not applicable]

3. On 24 May 2023 [a CRTC staff letter](#) invited comments on the procedural request, to be filed no later than 5 pm ET on Monday, 29 May 2023.

II. No parties opposed the idea of extending the deadlines

4. We understand that that 17 parties filed comments by the 29 May 2023 deadline. In the remainder of this response we refer to these parties as 'respondents'.
5. No parties opposed the suggestion that the deadlines in the 2023-138, -139 and -140 proceedings be extended.

III. Alternatives to the deadlines proposed by the co-applicants

6. In its response to the co-applicants’ 19 May procedural request the Canadian Association of Broadcasters (CAB) agreed “that all parties to this proceeding would benefit from additional time to consider the proposed framework” of the Commission (paragraph 4), and did not expressly oppose the co-applicants’ procedural request.

7. That said, the CAB’s response addressed itself solely to the deadlines in the 2023-138 proceeding, suggesting that these be extended by one month, as shown below:

Stage	2023-138	Co-applicants	CAB
Interventions	27 June	28 Jul/23	27 July/23
Replies	12 July 2023	1 Sept/23	12 Aug/23
[Final replies]	[none yet given]	15 Sept/23	[Silent]

8. The co-applicants and the CAB essentially agree on the need to extend the deadline for the 2023-328 proceeding to the end of July, and have somewhat different views about the deadlines for replies and final replies. The CAB’s response to the co-applicants’ procedural request suggests that it would be content to file its replies just to the submissions in the 2023-138 proceeding by mid-August and apparently does not require time to undertake final replies in the two related proceedings (2023-139 & -140). The co-applicants consider that a longer time frame is reasonably needed to develop considered and thoughtful submissions with respect to all three proceedings.

9. The co-applicants and 16 of the procedural-request respondents have supported the extensions proposed in our 19 May request. (While Professor Geist proposed that the deadlines be based on a timeline that would depend on the date when the Minister of Canadian Heritage releases their final *Direction* to the CRTC regarding Bill C-11 the co-applicants take no position on this matter except to note that the *Directions’* contents will clearly affect all parties’ submissions in all three proceedings, implying the need for more time overall, rather than less time than proposed in our 19 May procedural request.)

10. The co-applicants note that the CAB will be able to benefit from the well-informed perspectives of the Canadian broadcasters that constitute its membership, many of whom have extensive and detailed, non-public knowledge about the issues raised in 2023-138. By contrast many of the co-applicants will be undertaking this research from scratch (so to speak) for all three issues, and will also need time to consult with their members. The co-applicants respectfully note, however, that as the CAB is not precluded from filing its replies in the 2023-138 proceeding on 12 August 2023 as long as this date precedes (or is the same as) the CRTC’s deadline, the Commission should grant the co-applicants’ procedural request as presented.

11. In the co-applicants' view, extending the deadlines as they have proposed best accords with the goal set out by the CRTC in BNoC 2023-138, that "it is essential for the approach to ensure that the principles of regulatory fairness and equitability are upheld across all contributors".

The co-applicants look forward to the Commission's response to their 19 May procedural request.

Regards,

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BNoCs 2023-138, -139 & -140
(Tuesday, 30 May 2023)
Procedural request, replies to comments, page 4 of 4 pages

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