



15 December 2025

Filed online

Marc Morin  
Secretary General  
CRTC  
Ottawa, ON K1A 0N2

Dear Secretary General,

**Re: *Call for comments – Removing barriers to identifying and accessing programming, BNoC 2025-272 (Ottawa, 16 October 2025)***

1. The Forum for Research and Policy in Communications (FRPC) is a non-profit and non-partisan organization established in 2013 to undertake research and policy analysis about communications, including broadcasting. The Forum supports a strong Canadian communications system that serves the public interest as defined by Parliament in the current [Broadcasting Act](#) to which Royal Assent was given on 27 April 2023 – and as amended by Parliament when it enacted the [Accessible Canada Act](#) nearly five years ago.

## Summary

2. FRPC is submitting brief initial comments on the above-noted proceeding regarding the removal of barriers that prevent persons who are blind or partially sighted from readily identifying and accessing broadcast programming. The CRTC took 19.5 months to respond to a Part 1 application about these barriers and took even longer (24.5 months) to begin a process to re-establish now-ended financial support for public-interest participants in its broadcasting proceedings despite being empowered in April 2023 to do so. A CRTC staff letter in early December 2025 confirmed that public-interest participants in this – the 2025-272 – proceeding should not assume that any funding will be available to reimburse participants' costs. The Forum may respond to other parties in the reply phase of this CRTC proceeding which ends on 2 February 2026,

## Comments

3. Broadcasting Notice of Consultation CRTC 2025-272 refers in paragraph 2 to Broadcasting Decision CRTC 2025-271, issued by the CRTC on 16 October 2025 (along with 2025-272). Decision 2025-271 deals with an application by David Lepofsky



... who argued that barriers to accessibility are preventing persons who are blind or partially sighted from accessing certain broadcasting services provided by Bell Canada and Bell Media Inc. (collectively, Bell). In particular, he argued that individuals who use screen readers should have access to set-top boxes, websites and mobile applications that allow them to access programming independently.

4. The CRTC determined in Broadcasting Decision CRTC 2025-271 at paragraph 40 that

- o there are barriers to the accessibility of programming that negatively impact persons who are blind or partially sighted;
- o the current requirements are insufficient to fully address these barriers; and
- o the voluntary removal of barriers does not appear to be enough to ensure equitable access.

5. Consequently, the Commission said, it was also launching the current, 2025-272 consultation

... aimed at developing more appropriate accessibility requirements to address these barriers, including for individuals who rely on screen readers.  
(2025-271, paragraph 41)

6. BNoC 2025-272 added that the proceeding “advances one of the Commission’s key priorities of implementing the modernized Act [*sic*], which includes holding consultations on accessibility for persons with disabilities” (paragraph 8).

7. The *Summary* of BNoC 2025-272 states that strengthening accessibility requirements that it set for broadcasting in 2025 “will help the Commission continue to identify, remove and prevent barriers to accessing programs for persons with disabilities” and “proceeding will also help make the broadcasting system more accessible, further the policy objectives of the *Broadcasting Act*, and help ensure consistency with the *Accessible Canada Act*.” BNoC 2025-272 also helps the CRTC to demonstrate that it respects the authority of the Governor in Council that, in [November 2023](#), directed the CRTC “to regulate and supervise the Canadian broadcasting system with a view to supporting the provision of programming that is accessible without barriers to persons with disabilities.”



8. The CRTC's recitation of facts in 2025-272 omits several relevant facts, however, including the following:
- That Mr. Lepovsky filed his application regarding the inaccessibility of certain television programming broadcast by Bell on 28 February 2024 (Broadcasting Decision CRTC 2025-271, paragraph 1);
  - That the CRTC did not advise Mr. Lepovsky that it had published his application on its website on 7 March 2024 until after he had attempted "on many occasions to contact the CRTC for an update on the status of his application" (DM# 4591332 – 2024 04 04 – Letter from J. Mastrangelo to CRTC), sometime at the end of March 2024 or beginning of April 2024,
  - That Mr. Lepovsky submitted his reply on 6 May 2024 (*APPLICATION UNDER PART 1 OF THE CANADIAN RADIO-TELEVISION AND TELECOMMUNICATIONS COMMISSION RULES OF PRACTICE AND PROCEDURE, REPLY OF THE APPLICANT, DAVID LEPOFSKY*); and
  - That the public record in the application's proceeding closed on or by 23 December 2024 (CRTC staff letter, [Subject: Close of record for the proceeding addressing the Part 1 application 2024-0069-6](#) (Ottawa, 23 December 2024).
9. These facts are relevant for two reasons.
10. First, they establish the inordinately long time it took for the CRTC to make a decision about Mr. Lepovsky's application. The CRTC's [Departmental Results Report 2024-25](#) states that its target for decisions on these applications is four months within the applications' "close of record" and that in 2024-25 it achieved this result in 95.5% of cases. The record in Mr. Lepovsky's application closed on [23 December 2024](#); the CRTC issued Decision CRTC 2025-271 almost ten (9.8) months later.
11. The Preamble to the *Accessible Canada Act*, meanwhile, clearly states that "a proactive and systemic approach for identifying, removing and preventing barriers to accessibility without delay complements the rights of persons with disabilities under the Canadian Human Rights Act" (underlining added). It defines the concept of "barrier" as "anything – including anything ... attitudinal, ... anything that is the result of a ... practice – that hinders the full and equal participation in society of persons with an impairment ...." Again, and to put the CRTC's practices into perspective, after Mr. Lepovsky filed his application it took the CRTC a further 19.5 months to render the 2025-271 decision.



12. These facts about the CRTC's delay in deciding Mr. Lepofsky's application are relevant, second, because they parallel the Commission's approach to public-interest participation in general, which includes the participation of accessibility organizations.
13. When the CRTC issued this notice of consultation, it explained the intervention process but was silent as to the means, if any, that qualified public-interest participants might use to be reimbursed for their costs in the proceeding. While the CRTC's costs and the costs of those employed by broadcasters are paid, the only mechanism to reimburse public-interest participants for their costs in CRTC broadcasting proceedings – the Broadcasting Participation Fund / Le Fonds de Participation à la Radiodiffusion – is now inactive. In fact the Fund had announced that it would stop accepting applications for costs on [2 September 2025](#), more than a month before the CRTC began the 2025-272 proceeding.
14. On 16 October 2025, therefore, FRPC asked the Commission through its Secretary General to clarify whether participants in the 2025-272 process may submit applications for their costs using the CRTC's telecom costs process.
15. On 10 December 2025 a CRTC staff letter response did not address FRPC's specific question, but referred to the Commission's 2025-94 consultation – *A new approach to funding public-interest participation in Commission proceedings*. The December staff letter stated that “Commission staff does not encourage parties to rely on any such potential future outcome with respect to costs incurred to participate in the present proceeding” (“le personnel du Conseil n’encourage pas les parties à compter sur de tels résultats éventuels futurs à l’égard des coûts encourus pour participer à la présente instance.”)
16. The CRTC launched its 2025-94 proceeding on 12 May 2025. It is the CRTC's first public consultation on funding public-interest participation in its broadcasting and telecom proceedings since Parliament formally empowered the CRTC on 27 April 2023 to devise a mechanism for supporting public-interest participation.<sup>1</sup>
17. In other words, much in the same way that the Commission took 19.5 months from its receipt of Mr. Lepofsky's application to issue a decision, the CRTC also chose to wait just over two years before addressing public-interest participation funding in its broadcasting proceedings. Consequently, and as the CRTC staff letters points out, public-interest participants should not assume that their costs in this, the 2025-272 proceeding, will be reimbursed.
18. The principle that the CRTC is breaching is straightforward: justice delayed is justice denied. The Commission's delay in launching the 2025-94 consultation and in deciding Mr. Lepofsky's application has again effectively placed the



burden of volunteering time and other important resources – to ‘help the Commission to identify, remove and prevent barriers to accessing programs for persons with disabilities, make the broadcasting system more accessible and comply with the Accessible Canada Act’ – on public-interest participants. Those who are most directly harmed by ongoing problems of accessibility must once again subsidize their correction.

19. The Forum therefore appreciates the CRTC staff’s clarification that public-interest participants should not expect to be reimbursed for their costs in this proceeding through the CRTC’s 2025-94 proceeding or any other CRTC proceeding.

20. The Forum may respond to other parties in the reply phase that (currently) concludes on 2 February 2026.

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Yours sincerely,

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<sup>i</sup> The *Online Streaming Act*, formerly known as Bill C-11, amended the 1991 *Broadcasting Act* by adding this section:

11.1 (1) The Commission may make regulations respecting expenditures to be made by persons carrying on broadcasting undertakings for the purposes of

...

(c) supporting participation by persons, groups of persons or organizations representing the public interest in proceedings before the Commission under this Act; ...

...

(4) A regulation made under this section may be made applicable to all persons carrying on broadcasting undertakings or to all persons carrying on broadcasting undertakings of any class established by the Commission in the regulation.

(5) Regulations and orders made under this section may provide that an expenditure is to be paid to any person or organization, other than the Commission, or into any fund, other than a fund administered by the Commission.

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