



10 February 2026

Marc Morin
Secretary General
CRTC
Ottawa, ON K1A 0N2

Filed online

Dear Secretary General,

Re: Canadian Association of Broadcasters, *Amendment to conditions of service relating to TV logs*, Part 1 Application 2025-0593-3 (Ottawa, 4 December 2025) – Procedural request

- 1 On 4 December 2025 the Canadian Association of Broadcasters (CAB) submitted an application (Application) to the CRTC under Part I of the CRTC's *Rules of Practice and Procedure*. The CRTC published the application on its website on 11 December 2025.
- 2 On 30 January 2026, having reviewed the Application, the Forum for Research and Policy in Communications (FRPC) submitted its intervention opposing the Application's approval.
- 3 The CAB today issued its Reply to interveners. The Reply significantly changes the nature of the Application the CAB made on 4 December 2025. Consequently and for the reasons set out below, FRPC asks the CRTC pursuant to subsection 5(1) of its *Rules of Practice and Procedure* to exercise its authority under section 8 of the *Rules* to either return the Application and Reply to the CAB so that its deficiencies may be remedied, to treat the Application and Reply as non-process-related correspondence, or to close the file.
- 4 In the alternative, FRPC asks the CRTC pursuant to subsection 5(1) of its *Rules* to exercise its authority under subsection 10(d) to strike out parts of the Application and of the Reply.

I. The CAB's 4 December 2025 Application

- 5 Section 22(2)(e) of the CRTC *Rules* required the CAB Application to "contain a clear and concise statement of the relevant facts, of the grounds of the application and of the nature of the decision sought" (underlining added).
- 6 The CAB Application asked the CRTC to change two subsections of its regulations for conventional and discretionary television services, by replacing the requirement that broadcasters submit their

logs every month with a requirement that they submit a log for one month when the CRTC requests it.¹

- 7 Specifically, the CAB asked the CRTC under the heading, “Proposed Changes”, to amend subsections 10(3) and 8(1)(d) of the conventional and discretionary regulations, respectively, by replacing “within 30 days after the end of each moth” with “upon request”: Figure 1.

Figure 1 CAB Part 1 Application 2025-0593-3, page 3, paragraph 13

13. Second, we also propose that the Commission initiate a process to amend the regulations, as follows (additions in bold, deletions in strikethrough):

TV Regulations:

*Except as otherwise provided under a condition of its licence, a licensee shall furnish to the Commission, **upon request** ~~within 30 days after the end of each month~~, the program log or machine-readable record of the licensee for ~~that a month~~ **designated by the Commission**, 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 Regulations:

*Except as otherwise provided under a condition of its licence, a licensee shall ... **upon request** ~~within 30 days after the end of each month~~, provide to the Commission the log or record of its programming for ~~the a month~~ **designated by the Commission** and a certificate attesting to the accuracy of the contents of the log or record.*

- 8 The Application then set out a “Rationale and Policy Context” for the two regulatory changes it was proposing, setting out five arguments. The Application argued that ‘detailed monthly filing requirements’: “... have outlived their purpose” (paragraph 16), are duplicated elsewhere (paragraph 17), are irrelevant because exhibition requirements are less relevant for online and on-demand broadcasters (paragraph 18), are “... hampered by operational issues, notably the unavailability of C-numbers at the time of filing” (paragraph 19) and do not serve a practical regulatory purpose (paragraph 20).

- 9 The Application then repeated its request that the CRTC amend the regulations as to when logs are to be filed (as shown in Figure 1, above) in its “Conclusions” at paragraphs 25 and 26:

25. For all of the foregoing reasons, the Canadian Association of Broadcasters respectfully requests that the Commission initiate an audit-based approach to television compliance, **only requiring the filing of a monthly log report on request.**

26. To operationalize this change, we ask the Commission to (a) issue a condition of service amending the reporting requirements set out in the regulations by requiring local television

¹ CAB Part 1 Application 2025-0593-3, at paragraph 4: “change the television log filing requirements for all private television stations and discretionary services”; at paragraph 12: “urgently adopt a condition of service that ... should require licensees to submit their logs only upon request”; at paragraph 13: “amend the regulations” to replace monthly requirement to furnish logs with “upon request” requirement, and at paragraph 25: “initiate an audit-based approach to television compliance, only requiring the filing of a monthly log report on request”.

and discretionary service licences **to file log reports only at the request of the CRTC**, and (b) initiate a proceeding to amend the TV Regulations and Discretionary Regulations so that television licensees are required to submit program logs and records only upon request by the Commission.

[bold font added]

- 10 The CAB Application did not ask the CRTC to change any other section or subsection of its television and discretionary regulations.

II. CAB Reply amends its Application

- 11 Section 24 of the *Rules* states that the CAB “must not amend an application ... after the application has been posted on the Commission’s website.” Rather, as section 27(2) of the CRTC *Rules of Practice and Procedure* provides, the CAB’s Reply must

- (a) be restricted to the points raised in the answer or the document;
- (b) admit or deny the facts alleged in the answer or the document; [and]
- (c) state the grounds of objection or opposition, if any, to points raised in the answer or the document; ...

- 12 The CAB’s Reply does not adhere to the *Rules* because its Reply – made 61 calendar days after the CRTC posted the Application – makes three amendments to that Application. The Reply expands the number of regulations it wants the CRTC to amend, sets out a new request that its Application did not make and states that the CAB cannot support a fact alleged in the Application. FRPC addresses these changes below.

A. Application asked CRTC to change two regulations; Reply asks for 27 changes

- 13 The CAB’s Reply no longer refers to the two changes proposed by its Application. The Reply states instead at paragraph 9 that the “[o]ne simple and impactful change it [the CRTC] can make now is to no longer require the monthly filing of minute-by-minute data and adopt an audit-based approach similar to the approach used in the review of Canadian radio stations”.
- 14 This change is significant because the Application proposed changes to subsections 10(3) and 8(1)(d) of the conventional and discretionary regulations. These regulations state when licensees are to furnish logs to the Commission:² they do not address the ‘minute-by-minute data’ as the CAB’s Reply now states.
- 15 ‘Minute-by-minute’ descriptions of broadcast programming are instead required by eleven other subsections in the *Television Regulations, 1986* – subsections 10(1)(c)(i), 10(1)(c)(ii), 10(1)(c)(iii), 10(1)(c)(iv), 10(1)(c)(v)(A), 10(1)(c)(v)(B), 10(1)(c)(v)(C), 10(1)(c)(v)(D), 10(1)(c)(v)(E), 10(1)(c)(v)(F) and subsection 10(2), and by sixteen other subsections in the *Discretionary Services Regulations* – 8(1)(c)(i), 8(1)(c)(ii), 8(1)(c)(iii), 8(1)(c)(iv)(A), 8(1)(c)(iv)(B), 8(1)(c)(iv)(C), 8(1)(c)(iv)(D), 8(1)(c)(iv)(E),

² FRPC included these regulations in Appendices 4 and 6 of its 30 January 2026 intervention; these Appendices are attached to this procedural request for readers’ convenience.

8(1)(c)(iv)(F), 8(1)(c)(v)(A), 8(1)(c)(v)(B), 8(1)(c)(v)(C), 8(1)(c)(v)(D), 8(1)(c)(v)(E), 8(1)(c)(vi) and subsection 8(2).

- 16 The Reply's revision of the request made in the Application consequently expands the regulations it wants the CRTC to amend from two (2) to 27. Interveners such as FRPC could not have known that the arguments made in the Application's "Rationale and Policy Context" in support of the CRTC's changing subsections 10(3) and 8(1)(d) of the television and discretionary regulations, respectively, *were in fact a request to eliminate 27 regulatory subsections* as noted in paragraph 18, above.
- 17 Section 8 of the *Rules* states that when applications do not meet the *Rules*, the CRTC may return them to correct deficiencies or may also close the file. Given the Application and Reply's failure to adhere to the *Rules*, they should be returned to the CAB to correct their deficiencies.

B. From changing two regulations to "a deep and thorough review...of all...reporting requirements"

- 18 The second change proposed by the CAB regarding its Application is made at paragraph 9 of its reply. Its Reply now 'urges' the CRTC "to undertake a deep and thorough review of all aspects of its reporting requirements with a view to meaningfully reducing the administrative burden it imposes on Canadian broadcasters": Figure 2.

Figure 2 CAB Reply, page 4, paragraph 9

9. In sum, we urge the Commission to undertake a deep and thorough review of all aspects of its reporting requirements with a view to meaningfully reducing the administrative burden it imposes on Canadian broadcasters. We highly recommend that you apply a "utility lens" or, as suggested by Corus Entertainment, a "prism of policy necessity" to all reporting requirements. The Commission must be confident that the information it is collecting is actually imperative to the supervision of the broadcasting system and it must explore whether there are better, more efficient, less onerous ways to track and analyze performance.

- 19 The CAB's Application did not request this review, meaning in turn that interveners such as FRPC were unable to address the matter in their interventions. Also and contrary to subsection 22(2)(d) of the *Rules*, the CAB's Reply does not state the specific regulatory provisions that the CRTC should amend – assuming the CRTC were to accept the Reply's attempt to amend the Application – except to ask for a "deep and thorough review of all aspects of" the CRTC's "reporting requirements" (paragraph 9).
- 20 The central question raised by the "deep and thorough review of all aspects of its reporting requirements" requested by the Reply is whether the CAB qualifies as an applicant for the purposes of the *Rules*. In 2010 the CRTC explained that

56. An applicant is someone who asks the Commission to make a decision, whether on a matter specific to its circumstances, like a new licence or a tariff, or on a more general policy issue.

57. Note that a broadcasting licensee that is called to a public hearing to show cause why an order should not be issued is treated like an applicant for the purposes of certain sections of the Rules of Procedure (section 56).

58. An applicant initiates a proceeding and is responsible for ensuring that its application includes all of the information the Commission will need to make an informed decision (section 22). The applicant must serve its application on persons who might be affected by the application, called respondents, where it is required to do so (section 22(1)). The applicant can reply to the submissions filed by other parties (section 27) and will appear both first and last at any public hearing (section 40).³

- 21 If the CAB's Reply expands the scope of its Application beyond the ambit of sections 56 to 58 of the CRTC's 2010 *Guidelines* as it appears to do, the CRTC should treat the Application and Reply as a letter from the CAB, rather than as an application. This approach would effectively close this file (as provided by section 8 of the *Rules*), while permitting the CAB to correct any deficiencies and submit a new application.

C. *Reply acknowledges applicant cannot support fact alleged in Application*

- 22 The CAB Application made this statement in its conclusions:

22. Canadian broadcasters have demonstrated a strong culture of compliance and regulatory good faith. Non-compliance with television exhibition requirements is rare and generally minor or inadvertent. It is reasonable and proportionate for the Commission to rely on a spot-audit model rather than blanket monthly filings.

- 23 The CAB Reply now states that it cannot provide facts to support the statement that non-compliance is rare, at least as it concerns levels of broadcast Canadian content:

[a]lthough **we do not have specific evidence** we can share, our members confirm that with very few exceptions, they consistently fulfill their Canadian content obligations. Where broadcasters may fall short according to their television logs, it is usually inadvertent, insignificant, and often due to reporting errors rather than any actual or deliberate non-compliance. ...

[bold font added]

- 24 In the interest of ensuring that the public record on which the Commission may base its decision is accurate, the CRTC should return the Application and Reply to the CAB to amend any statements regarding regulatory compliance and, preferably, to provide facts to support facts claimed in the Application. In the alternative, the CRTC should strike out certain portions of the Application and Reply as we suggest below at paragraph 26(d).

III. **Remedy requested**

- 25 For the reasons set out above FRPC opposes the changes to the CAB's Application made by paragraphs 9 and 10 of its Reply and requests that the CRTC make changes to the procedures it is

³ *Guidelines on the CRTC Rules of Practice and Procedure*, [Broadcasting and Telecom Information Bulletin CRTC 2010-959](#) (Ottawa, 23 December 2010).

using in this matter as set out below. FRPC is requesting these changes because its intervention was based on the Application as posted by the CRTC, and not on the Application revised by the CAB's Reply: the Reply's revisions are prejudicial in that they undermined FRPC's ability to participate effectively in this matter as of the 30 January 2026 intervention deadline.

- 26 As a party that intervened regarding the CAB proposal, FRPC asks that the CRTC under section 5(1) of the *Rules* either
- a return the Application (and Reply) to the CAB so that their deficiencies may be remedied (*Rules*, section 8), being FRPC's preference
 - b close the 2025-0593-3 file (*Rules*, section 8)
 - c adjourn the 2025-0593-3 proceeding (*Rules*, subsection 10(a)), or
 - d strike out the following text in the CAB's Application or Reply due to the prejudice these statements caused to parties that intervened,
 - i. Application, paragraph 22, first two sentences (regarding compliance, for which the Reply in paragraph 2 acknowledges it has no evidence)
 - ii. Reply, paragraph 2, second and third sentences (confirming that it has no evidence with which to support the first two sentences of paragraph 22 in the Application)
 - iii. Reply, paragraph 3, first bullet (as the facts provided are unresponsive to the burden alleged by the Application of submitting logs)
 - iv. Reply, paragraph 4, first sentence (as the statement regarding 'reporting burden' is not responsive to the burden alleged by the Application of submitting logs)
 - v. Reply, paragraph 4, fourth sentence (as the statement is unresponsive to the burden alleged by the Application of submitting logs)
 - vi. Reply, paragraph 5, remainder of first sentence after the word "approach" (as the statement is unresponsive to the burden alleged by the Application of submitting logs)
 - vii. Reply, paragraphs 6 and 7 (as the paragraphs are unresponsive to the burden alleged by the Application of submitting logs)
 - viii. Reply, paragraph 9 (as the paragraph is unresponsive to the burden alleged by the Application of submitting logs), and
 - ix. Reply, paragraph 10, second (last) sentence (as the statement is unresponsive to the burden alleged by the Application of submitting logs).

The Forum appreciates the Commission's consideration of this request.

Regards,



Monica Auer, M.A., LL.M.
Executive Director
Ottawa, Ontario

execdir@frpc.net



- cc. Kevin Desjardins kdesjardins@cab-acr.ca
President
Canadian Association of Broadcasters
- Hélène Messier rbrousseau@aqpm.ca
Présidente directrice Générale
AQPM
- Bev Krishenblatt bevkirshenblatt.regaffairs@cbc.ca
Executive Director
Corporation & Regulatory Affairs
CBC/Radio-Canada
- Trent Locke kobyrne@cmf-fmc.ca
COO and EVP
Finance, Strategy & Analytics
Canadian Media Fund
- Alain Strati alain.strati@cmpa.ca
Senior Vice-President, Industry,
Policy, and General Counsel
CMPA
- Matt Thompson corus.regulatory@corusent.com
Vice President and Associate General Counsel
Corus Entertainment Inc.
- Kerry Wicks kwicks@mediastats.com
President & CEO
Mediastats Inc
- Peggy Tabet reglementaires@quebecor.com
Vice-Présidente,
Affaires réglementaires et environnementales
Québecor Média inc.
- Susan Wheeler susan.wheeler@rci.rogers.com
Vice President, Regulatory, Broadcasting
Rogers Media Inc.
- Brian Leclerc aboulianne@scfp.ca
Président
SCFP
- Nathalie Blais nblais@scfp.ca
Conseillère à la recherche
SCFP

Appendix 4 of FRPC's 30 January 2026 intervention - Television Broadcasting Regulations, 1987*Television Broadcasting Regulations, 1987*

SOR/87-49

Logs and Records

10 (1) Subject to any condition of licence, a licensee shall

- (a) keep, in a form acceptable to the Commission, a program log or a machine readable record of its programming;
- (b) retain the log or record for a period of one year after the date when the programming was broadcast; and
- (c) cause to be entered in the log or record each day the following information:
 - (i) the date,
 - (ii) the call letters, location and channel of the licensee's station,
 - (iii) the time at which each station identification announcement is made,
 - (iv) the time of commencement of advertising material, its duration and, in the case of a commercial message, the name of the person selling or promoting goods, services, natural resources or activities, and
 - (v) in relation to each program broadcast,
 - (A) its title and any additional information that is to be included by the appropriate subitem of Schedule I,
 - (B) subject to subsection (4), the key figure set out in Schedule I describing the program,
 - (C) the time at which the program begins and ends,
 - (D) the code set out in Schedule II indicating the language, type or group, as applicable, and
 - (E) where applicable, the code set out in Schedule II indicating an accessible program, and
 - (F) where applicable, the code set out in Schedule II indicating programming that is locally relevant.

(2) The times required to be entered pursuant to subparagraphs (1)(c)(iii) and (iv) and clause (1)(c)(v)(C) are local times.

(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.

(4) Where more than one subitem of Schedule I applies to a program, a licensee may, in respect of that program, cause to be entered in its program log or machine readable record

- (a) the key figures indicating the subitems that apply to each segment of the program, in the order in which the segments are broadcast; and
- (b) the start time and duration of each segment of the program.

(5) A licensee shall retain a clear and intelligible audio-visual recording of all of its programming

- (a) for four weeks from the date of broadcast; or
 - (b) where the Commission receives a complaint from any person regarding programming or for any other reason wishes to investigate it and so notifies the licensee before the expiration of the period referred to in paragraph (a), for eight weeks from the date of the broadcast.
- (6) Where, before the expiry of the applicable period referred to in subsection (5), the Commission requests from a licensee a clear and intelligible audio or audiovisual recording of its programming, the licensee shall furnish it to the Commission forthwith.
- (7) Where a program is broadcast during reserved time by a station operator who operates as part of a television network, subsection (5) applies only to the network operator.
- (8) This section does not apply to the licensee of a remote station where logging or record-keeping requirements are set out in a condition of licence.

Appendix 6 of FRPC's 30 January 2026 intervention - Discretionary Services Regulations*Discretionary Services Regulations (SOR/2017-159)*

...

Logs and Records

Obligations — log or record

- 8 (1) Except as otherwise provided under a condition of its licence, a licensee shall
- (a) keep a program log or record of its programming in a form that is acceptable to the Commission;
 - (b) retain the log or record for a period of one year after the day on which the programming was distributed;
 - (c) cause the following information to be entered in the log or record each day:
 - (i) the date,
 - (ii) an identification of the licensee or the service provided by the licensee,
 - (iii) the time at which advertising material that it broadcasts in a break within a program or between programs begins, its duration and, in the case of a commercial message, the name of the person that is selling or promoting goods, services, natural resources or activities,
 - (iv) in relation to each program other than a music video clip,
 - (A) its title and any additional information that is to be included in accordance with the appropriate subitem of Schedule 1,
 - (B) the key figure that describes the program,
 - (C) the time at which the program begins and ends,
 - (D) if applicable, the code set out in column 1 of Part A, C or D of Schedule 2 that indicates the language, type or group of the program described in column 2,
 - (E) if applicable, the code set out in column 1 of Part B of Schedule 2 that indicates the accessibility of the program described in column 2, and
 - (F) if it is required by a condition of the licence, a brief description of the content of the program,
 - (v) in relation to each music video clip,
 - (A) the title of the clip,
 - (B) the name of and language used by the performer,
 - (C) an indication as to whether the clip is a Canadian music video clip, as defined in section V of Appendix I to Public Notice 2000-42, dated March 17, 2000, entitled Certification for Canadian Programs — A revised approach,
 - (D) the key figure that describes the clip, and
 - (E) if applicable, the code set out in column 1 of Part B of Schedule 2 that indicates the accessibility of the clip described in column 2, and
 - (vi) if the licensee distributes its programming in a multi-hour block, the time at which each block begins and ends; and
 - (d) 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.

If more than one subitem applies

(2) For the purposes of clauses (1)(c)(iv)(B) and (1)(c)(v)(D), if more than one subitem of Schedule 1 applies to the program, a licensee may, in respect of that program, cause to be entered in its program log or record the key figures indicating the subitems that apply to each segment of the program, in the order in which the segments are distributed, and the starting time and duration of each segment of the program.

Obligation to keep recording of programming

- (3) A licensee shall retain a clear and intelligible audio-visual recording of all of its programming
- (a) for a period of four weeks after the day on which the programming is distributed; or
 - (b) for a period of eight weeks after the day on which the programming is distributed, if the Commission receives a complaint from a person regarding any programming, or for any other reason wishes to investigate the programming, and notifies the licensee of the investigation before the end of the four-week period.

Obligation to provide recording to Commission

- (4) If the Commission requests a clear and intelligible audio-visual recording of a licensee's programming from the licensee before the end of the applicable period referred to in paragraph (3)(a) or (b), the licensee shall, without delay, provide the recording to the Commission.

...

***** End of document *****