



22 April 2011

Robert Morin  
Secretary General  
CRTC  
Ottawa, ON  
K1A 0N2

Dear Mr. Secretary General,

**Re: Group-based licence renewals for English-language television groups – 1. CTVglobemedia Inc. 2010-1261-6 2. Shaw Media Inc. 2010-1307-8 3. Corus Entertainment Inc. 2010-1350-8 4. Shaw Cablesystems Limited 2010-1306-0 5. Rogers Broadcasting Limited 2010-1253-3 (22 December 2010)**

1. On 12 April 2011, representatives of the Access 2020 Coalition, led by Media Access Canada(MAC), appeared before the CRTC to answer the CRTC's questions with respect to the intervention filed for the Coalition, titled *Building a Strong Foundation: 100% Accessible Content by 2020 – the Next 5 Years*.
2. In addition to our verbal presentation, we asked and the Commission agreed to accept 4 documents as part of our presentation.
3. In our response to a question from the Chair, we provided to the Commission a list of the MAC Board Members to date who have been submitted to BCE to be used in their governance submission on 6 May.
4. In our presentation, we asked for 3 key accessibility objectives to be considered for COL over the next 5 years. First, we asked that compliance be enforced by the Commission by shorter licence terms; second, that MAC be empowered to conclude the standards development process; and third, that there be incremental increases in Canadian content, not currently funded by CMF or other sources, of descriptive video.
- 5.



## Compliance

6. In preparation for our presentation, we commissioned Analysis and Research in Communications Inc., ARC, to extract, from the Monitor 2 data, an accessibility profile of each of the four licencees. The report showed that two of the four licencees were found not to be in compliance of their descriptive video requirements in the week they were monitored.
7. There could be a number of reasons for this. Some might argue faulty technology in the pull down that prevented the descriptions from being passed-through – an old TV perhaps, or some other interference.

## 8. Standards Development

9. In response to our verbal presentation, Sylvie Courtemanche stated:

“9140 MS COURTEMANCHE: On closed captioning, Media Access Canada has suggested that it could complete the process of revising standard by September 1st, 2011, and that it had a meeting planned with broadcasters next week.

9141 As Chair of the Canadian Association of Broadcasters, I am the person who was responsible for this file. I am not aware of any broadcaster meetings next week to review the standards.

9142 And for the record, the facilitator hired by the CAB was not fired. The CAB filed its final report with the Commission, as have the user groups, and it is our understanding that the Commission is now considering how to complete the review of the English-language closed captioning standards.”<sup>1</sup>

10. We cannot comment on Ms. Courtemanche’s knowledge or lack of knowledge around a meeting, as it is not in the best interests of bridging partnerships and working together to do so. However, it is important to note that her words can only be interpreted as CAB has concluded its role in the standards process, leaving it to the Commission and the accessibility community to complete the process. While this may not be true for all broadcasters, it seems it is true for CAB.

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<sup>1</sup> CRTC Transcript, Group Licence Renewal, Volume 10



11. As mentioned in our presentation, CAB has tried twice to lead the standards development process and failed. Media Access Canada is well equipped to take this leadership role in the next phase. We have:
- Accessible Content Best Practices Subcommittees, in this case for the production and presentation of closed captioning. These subcommittees consists of academic experts in captioning standards development; broadcasters; captioners and a large representation of deaf and hard of hearing individuals and organization that both participate and are resources through focus group testing for qualitative and empirical feedback
  - Full access to over 1800 hours of monitored data to address empirically and questions or concerned raised in the process
  - Copyright ownership of the original best practices on which CAB has built its existing document.
  - Proven history of leadership in achieving win/win success in accessible content and broadcasting<sup>2</sup>
  - Sincere interest in seeing a standard put in place that would tangibly improve the quality of closed captioning for English Canadian broadcasting
12. Media Access Canada is ready, willing and able to complete the standards development process and believes it could deliver a final product to the commission by September 2011. It has proposed, through CHHA and CAD, key standards recommendations and met with broadcasters to brief them and will be meeting with additional broadcasters in the near future. To that end, MAC would like the opportunity to brief the Chair of CAB or her designate on activities to date and review with her the empirical evidence which lead to the submission.

## Incremental increases in descriptive video

13. It was disappointing to hear the licence applicants' response to undertakings around impact of increase in DV over the licence term. We

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<sup>2</sup> Beverley Milligan, CEO of Media Access Canada and then CEO of Canada Captioning Inc. created, developed and implemented the closed captioning sponsorship model for Canadian Broadcasting, which was later copied around the world.



heard everything from \$1600 per hour for each and every four hours per week, to

“8523 Back to accessibility on described video, you had indicated in your submission this morning that your costs per programming hours were roughly about \$1,600.

8524 Would you clarify for me whether we are to interpret that that would be toward original production or just adaptation of existing productions you purchased? Is there a formula or a ratio or are we to assume it would be always with the original productions?

8525 MR. KEVIN GOLDSTEIN: That is the hour if a project -- to what it costs to DV an hour of programming when it is presented to us in a non-DV'd format. So that is what it costs to add on DV on top.”<sup>3</sup>

14. To Corus' declaration of cost increase over the licence term from 2.5 million to 5.8 million.

“9122 For Corus the costs are significant. Our average DV cost is approximately \$1,400 per hour for scripted and about an additional 10 percent for documentary programs. For unscripted, this amount is about \$1,000 to \$1,200 per hour.

9123 Accordingly, the potential increases to our described video requirements would represent an increase of between \$2.5 million and \$5.8 million to our programming costs over the next licence term.”<sup>4</sup>

15. With all due respect, we are not broadcasters and we do better. This condescension to word accessibility and the commission is both insulting and unproductive. In the spirit of working in partnership to support the broadcast industry in achieving 100% accessibility in a reasonable time period and certainly by 2020, we restate the facts. In our presentation, we tried to make it as clear as possible that the ONLY descriptions a broadcaster pays for are those that are not CMF funded or acquired. At this time, we believe that, on average across all programming services, this represents approximately 22% of a broadcast day<sup>5</sup>. This means, a

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<sup>3</sup> CRTC TRANSCRIPT, Volume 9, Group Licence Renewals

<sup>4</sup> IBID, Volume 10

<sup>5</sup> Preliminary data analysis from Monitor 2.



- broadcaster, if they implement our recommendations, will only be responsible to describing 22% of their broadcast day.
16. The simplest way to determine their entire cost for 100%, (approx. 22%) is to disclose to the Commission what hours they ACTUALLY subcontract for captioning or caption in-house. If they pay a small fee for acquired hours, they should disclose this on a separate line item, as the equivalent could reasonably be expected. Then all MAC and the broadcasters could easily extrapolate actual hours required for broadcaster “out of pocket” DV<sup>6</sup>.
  17. With respect to incremental cost impact, again, the cost of 1 hour of DV subcontracted by the broadcaster is anywhere from \$1000 to \$1200 per hour. MAC recognizes that these costs are high and as such had identified DV cost reduction as the key objective under the Technology Innovation Envelope of the Broadcasting Accessibility Fund.(BAF).
  18. Over the next 5 years, MAC’s goal is to reduce the cost of DV to be in parity with Closed Captioning today and to reduce the cost of Real-time Closed Captioning to \$100 or less per hour, while improving the quality significantly.
  19. The Access 2020 Coalition supports MAC and its Board to be the administrator of the BAF. As the administrator of BAF, MAC believes these goals for cost reduction are achievable.
  20. To conclude, the Access 2020 Coalition sincerely thanks the Commission for the opportunity to participate in this proceeding. We very much welcomed your positive response to our suggestions for COLs. We urge you to consider compliance accountability, as well as captioning standards and incremental increases in descriptive video as core objectives for the licencees over the next 5 years.

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<sup>6</sup> MAC will, through the funding from the Broadcasting Accessibility Fund, undertake an accessibility assessment of each licensee to assist them in developing a revenue neutral or profitable way to achieve 100% accessibility by 2020.



Sincerely yours,

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