

Copyright Board  
Canada



Commission du droit d'auteur  
Canada

**Date** 2023-12-21  
**Citation** *Interim Television Retransmission Tariff (2024-2028)*, 2023 CB 14  
**Member** Nathalie Théberge

### **Interim Tariff for the Retransmission of Distant Television Signals (2024-2028)**

#### **REASONS FOR DECISION**

[1] On October 14, 2022, the television retransmission collective societies<sup>1</sup> filed a Proposed Tariff for the retransmission of distant television signals for the years 2024-2028<sup>2</sup>. The Board has not yet considered this Proposed Tariff.

[2] On December 11, 2023, the television retransmission collective societies and the Objectors<sup>3</sup> jointly filed an application for an Interim Tariff for the years 2024-2028, proposing that the “Interim Tariff continue the terms of the current in-force tariff, subject to modifications as may be necessary. In this instance, the current in-force tariff is the Television Retransmission Tariff, 2014-2018 that was approved and published by the Board on August 3, 2019.”

[3] The jointly proposed modifications to the current in-force tariff are as follows:

(a) In the full title of the tariff, the word “Interim” should be added before “Royalties” and “2024 to 2028” should be substituted for “2014 to 2018”.

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<sup>1</sup> Border Broadcasters, Inc.; Canadian Broadcasters Rights Agency; Copyright Collective of Canada; Direct Response Television Collective Inc.; FWS Joint Sports Claimants Inc.; Canadian Retransmission Collective; Canadian Retransmission Right Association; Major League Baseball Collective of Canada, Inc.; and Society of Composers, Authors and Music Publishers of Canada.

<sup>2</sup> *Television retransmission Tariff (2024-2028)* (Proposed Tariff) (18 November 2022).

<sup>3</sup> Bell Canada; Rogers Communications Canada Inc.; Cogeco Communications Inc.; Quebecor Media Inc.; Telus Communications Company; and The Canadian Communication Systems Alliance.

(b) Section 1 of the tariff should read: “This tariff may be cited as the Interim Television Retransmission Tariff, 2024-2028.”

(c) The table in Section 8 of the tariff should be replaced by the following:

<b>Number of Premises</b>	<b>Monthly rate for each premises receiving one or more distant signals (dollars)</b>
Up to 1,500	0.60
1,501-2,000	0.65
2,001-2,500	0.71
2,501-3,000	0.77
3,001-3,500	0.82
3,501-4,000	0.88
4,001-4,500	0.94
4,501-5,000	1.00
5,001-5,500	1.05
5,501-6,000	1.11
6,001 and over	1.17

(d) Section 14 of the tariff should be replaced by the following: 14. A retransmitter shall pay to the collective societies the following portions of the royalty:

<b>Collective</b>	<b>Allocation</b>
BBI	1.13%
CBRA	10.72%
CCC	54.13%
CRC	16.10%
CRRA	10.65%
DRTVC	0.64%
FWS	3.68%
MLB	0.15%
SOCAN	2.80%

(e) In Sections 27(1) and 27(2) of the tariff, “2034” should be substituted for “2024”.

(f) Sections 34 to 37 of the tariff should be eliminated as they are unnecessary in the Interim Tariff.

(g) In Appendix A of the tariff, “interim television tariff 2024-2028” should be substituted for “television tariff 2014-2018”.

(h) In Appendix A of the tariff, the contact information for Copyright Collective of Canada should be updated to the following:

Copyright Collective of Canada (CCC)  
365 Bloor St. East  
Suite 1005  
Toronto, Ontario  
M4W 3L4  
Telephone (416) 323-3211  
lucy\_medeiros@ccofcan.org

*Interim Decision*

[4] Section 66.51 of the *Copyright Act* provides that “The Board may, on application, make an interim decision.”

[5] As jointly requested by the collectives and objectors, we set an interim tariff—the *Interim Television Retransmission Tariff (2024-2028)*— that continues the rates, terms and conditions of the *Television Retransmission Tariff (2014-2018)*<sup>4</sup> with the above-mentioned modifications as well as the following modifications:

- i. In Appendix A of the tariff, the contact information for Direct Response Television Collective Inc. is updated to the following:

Direct Response Television Collective Inc. (DRTVC Inc.)  
c/o Mark Lewis, Barrister & Solicitor  
2 Braemore Gardens  
Toronto, Ontario  
M6G 2C8  
Telephone (647) 792-7073  
mark@lewis-law.ca

- ii. In Form 3:
  - Remove the first table titled “The share of each collective society for the tariff years 2014-2015 is as follows:”;
  - Substitute “The share of each collective society for the tariff years 2024-2028 is as follows:” for “The share of each collective society for the tariff years 2016-2018 is as follows:”

[6] The *Interim Television Retransmission Tariff (2024-2028)* shall apply until it is modified or a final tariff is approved for the years 2024-2028.

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<sup>4</sup> *Television Retransmission Tariff (2014-2018)*(approved tariff)(3 August 2019) C Gaz Supplement, Vol 153 No 31.