

Copyright Board
Canada



Commission du droit d'auteur
Canada

[CB-CDA 2023-030]

ORDER OF THE BOARD

Proceeding: Background Music (SOCAN: 2012-2018)

May 26, 2023

[1] In order to manage its current backlog more efficiently, the Board has decided to prioritize the consideration of proposed tariffs with effective periods that start prior to 2019.

[2] The proposed tariffs under consideration in this proceeding are the subject of ongoing settlement discussions. The Board requires additional information from the parties to those discussions in order to determine the appropriate next steps. These steps can include consolidating the consideration of the proposed tariffs with more recent proposed tariffs covering the same activities.

[3] In July 2020, SOCAN advised the Board that it had initiated settlement discussions with the objectors to SOCAN Tariff 15.A – Background Music (2012, 2013, 2014, 2015, 2016, 2017 and 2018), SOCAN Tariff 15.B – Telephone Music on Hold (2012, 2013, 2014, 2015, 2016, 2017 and 2018) and SOCAN Tariff 16 – Background Music Suppliers (2012, 2013, 2014, 2015, 2016, 2017 and 2018) and expected to have a final settlement completed before the end of that summer. Parties have not since provided any formal updates regarding the settlement.

[4] SOCAN has since filed proposed tariffs covering the years 2019, 2020-2021 and 2022-2024 for each of the proposed tariffs 15.A, 15.B and 16.

[5] SOCAN shall provide the following information no later than **Friday, June 16, 2023**:

- a. A progress report on the settlement discussions for the 2012-2018 period for each of the proposed tariffs (15.A, 15.B and 16), including confirmation of objectors involved, and stage reached in their discussions (e.g. identification of issues, terms of settlement, agreement in principle, etc.);
- b. Whether SOCAN has entered into discussions with objectors to the 2019, 2020-2021 and 2022-2024 periods for each of proposed tariffs. If not, the Board requests a submission on what impact, if any, the addition of subsequent years would have should the Board decide to add the additional years to its proceeding;

- c. Estimated timeline(s) of the next steps required to conclude settlement discussions for each proposed tariff, including a potential date of filing any jointly-submitted text(s) with the Board.

[6] The Board will advise Parties in due time whether reporting requirements will be added, based on the information provided in response to this order.

Lara Taylor
Secretary General