



[CB-CDA 2023-033]

## **RULING OF THE BOARD**

### **Proceeding: SOCAN Tariff 22.D.3 – Online Allied Services (2014-2023)**

May 30, 2023

[1] SOCAN, the Canadian Association of Broadcasters (the “CAB”), and a group of Broadcast Distribution Undertakings (the “BDUs”) (together, “the parties to the settlement”) made a request for a confidentiality order in the SOCAN 22.D.3 (2014-2023) proceeding. We hereby issue confidentiality order CB-CDA 2023-034.

### **I. PROCEDURAL HISTORY**

[2] On March 13, 2023, the Board issued Ruling CB-CDA 2023-013, which included three orders.

[3] The first order was for participants to indicate their intention to participate in the proceeding. As of April 11, 2023, SOCAN is the only party in this proceeding, as the objectors and intervener have either withdrawn or were deemed to no longer participate. The second order was for the parties to the settlement to jointly file with the Board the information and documents required by Rule 33(1) of the *Rules of Practice and Procedure*. Among these documents, subrule 33(1)(b) requires the filing of any agreement between the parties that resulted in the filing of the jointly-submitted text.

[4] The parties to the settlement filed joint submissions on April 17, 2023. Among their submissions they say that the settlement agreement relating to the jointly-submitted text is a confidential, commercially sensitive document that should not be accessible to the public. The parties to the settlement jointly request that the Board issue a confidentiality order in this proceeding and included a proposed confidentiality order.

### **II. ANALYSIS**

[5] The text of the confidentiality order proposed by the parties to the settlement is similar to other confidentiality orders that have been issued by the Board. The proposed order, however, assumes that there are multiple parties participating in the proceeding and specifies the persons, among those parties and their representatives, that may receive confidential and highly confidential information. In this proceeding, however, there is only one party: SOCAN. As such, the majority of the proposed provisions do not apply and have been removed.

### **III. CONCLUSION**

[6] Accordingly, we issue the confidentiality order CB-CDA 2023-034, in SOCAN Tariff 22.D.3 (2014-2023).

Lara Taylor  
Secretary General