

Copyright Board
Canada



Commission du droit d'auteur
Canada

Date	2025-10-20
Order of the Board	CB-CDA 2025-090
Proceeding	Television Retransmission Tariff (2019-2028)
Case Manager	Drew Olsen

I. Background

[1] Following Order CB-CDA 2025-057, on September 12, 2025, the Parties jointly provided the Board with an update on the progress of completing all undertakings and the expected date for completion, including the expected time to complete and file the Mediastats and Numeris studies.

[2] Specifically, the Parties:

- Filed with the Board annotated issues 13 to 16 of the Joint Statement of Issues, indicating sources of information for those issues;
- Informed the Board on the agreed reference years; and
- Filed a joint proposed schedule of proceeding.

II. Order

A. Mediastats and Numeris Study

[3] I note that Parties undertook to update the Board on the dates of completion of the studies by Mediastats and Numeris when those are known.

[4] I ask that Parties provide me with an update on the status of the studies by **November 19, 2025**.

[5] Parties shall file with the Board the documents stating the scope of each study when those are available. Furthermore, Parties shall file with the Board the studies themselves when they are completed. As per Order CB-CDA 2025-057, Parties may file explanatory submissions for these studies—not to exceed 5 pages per study. These are to be filed within 5 days of the studies being filed with the Board.

B. Questions from the Board

[6] With respect to the data section of the JSI (issues 13 through 16), I believe some of this information will be crucial to the Board's examination of the tariffs.

[7] Parties shall file with the Board the questions in Annex A, no later than **December 1, 2025**. Comments on these answers are due no later **January 7, 2026**.

C. Interrogatories

[8] I take note of the three reference years agreed upon by the Parties.

[9] For the purpose of the interrogatories, questions shall reference the years September 1, 2019 to August 31, 2020; September 1, 2022 to August 31, 2023; and September 1, 2023 to August 31, 2024.

[10] Interrogatories will be permitted on leave and limited to those issues not covered by the questions asked by the Board. This will ensure a common information base and help limit the number of interrogatory questions. In turn, this will contribute to the efficiency of the proceeding. Note that motions for leave to ask interrogatory questions must include the text of the questions and a brief justification for each one. For increased efficiency purposes, the Collective Societies shall jointly file a single set of interrogatories, and the BDUs shall jointly file a single set of interrogatories.

D. Schedule of Proceeding

[11] I set the joint proposed schedule of proceeding, as follows (essentially, steps above are integrated and the time for filing of cases is reduced from 11 weeks to 9 weeks):

Table 1 – Schedule of Proceeding

Event	Date
Parties update the Board on the commissioned studies	November 19, 2025
Objectors file information in response to Annex A	December 1, 2025
Collectives file comments on information filed in response to Annex A	January 8, 2026
Parties seek leave re.: interrogatories	January 22, 2026
Board ruling on motion for leave	To be determined
Parties exchange interrogatories	February 12, 2026
Parties exchange objections to interrogatories (if any)	February 26, 2026
Parties exchange responses to objections	March 19, 2026
Board Ruling on objections to interrogatories	To be determined
Responses to interrogatories delivered	April 23, 2026
Parties exchange motions with respect to deficient interrogatory responses (if any)	May 14, 2026
Parties exchange and file deficiency motions with the Board	June 4, 2026
Board ruling on deficiency motions	To be determined
Supplemental responses to interrogatories	July 2, 2026
Collectives' case served and filed (expert and fact evidence)	September 3, 2026
BDUs' case served and filed (expert and fact evidence)	November 5, 2026
Collectives' reply case served and filed	December 17, 2026
Hearing	February 2027

Annex A: Questions to the Parties

Note: If a Party does not have any responsive information for any of the questions, that Party shall indicate, “XXX does not have any responsive information.” Any response to the questions below may be accompanied by contextual information, not to exceed three pages per question. The information shall be limited to the reference years, as defined in [10] of the Order.

Data should be supplied in Excel (.xlsx) or Plain Text (.csv) format.

1. Each “large retransmitters” (Bell, Cogeco, Québecor, Rogers, Telus, and Eastlink), shall provide the number of subscribers in total and the number of subscribers receiving at least one distant signal. For the other retransmitters, the CCSA is directly to provide a list of every retransmitter (other than the large retransmitters) who operated in Canada for each of the reference years. For each retransmitter, state the number of subscribers in total, as well as the number of subscribers receiving at least one distant signal.
2. For each “large retransmitter” (Bell, Cogeco, Québecor, Rogers, Telus and Eastlink), list every package of channels that was available during each reference year, together with its price and which signals it contains that are distant for at least one subscriber.
3. For each large retransmitter, select three service areas in three different provinces, where one service area should contain more than 1,000,000 people, one should contain between 200,000 and 1,000,000 people and one service area should contain fewer than 200,000 people. In each selected service area, supply data relating to viewership of every signal offered in that area for each of the three reference years. If any of the signals are distant to that service area, this should also be indicated.
4. For each large retransmitter, for the service areas defined in question 3, supply data measuring viewing of television programming delivered to retransmitters’ customers through video on demand (VOD), personal video recorder (PVR), and/or over-the-top (OTT) platforms, with the data for each platform reported separately.
5. For each large retransmitter, for the service areas identified in question 3, supply the wholesale costs incurred by retransmitters for each distant signal transmitted.
6. The CCSA shall answer question 2 in respect of a sample of three of its smallest retransmitters and three of its largest retransmitters, where smallest and largest are defined by the number of subscribers.

7. For each of the retransmitters identified in question 6, the CCSA shall supply data measuring tuning to television programming delivered to retransmitters' customers through VOD, PVR, and/or OTT platforms, with the data for each platform reported separately.
8. For each of the retransmitters identified in question 6, the CCSA shall supply the wholesale costs incurred by retransmitters for each distant signal transmitted.