

NOTICE OF GROUNDS FOR OBJECTION

Filed by **Canadian Association of Broadcasters**

In relation to proposed tariff *SOCAN Tariff 2.A – Commercial Television Stations (2025-2027)*

Filed with the Copyright Board on 2023-12-15 pursuant to Rule 18 of *Copyright Board Rules of Practice and Procedure*

NOTICE OF GROUNDS FOR OBJECTION

The following Notice of Grounds for Objection (the “Notice”) is filed on behalf of the Canadian Association of Broadcasters (CAB) in respect of Proposed Tariff *SOCAN Tariff 2.A – Commercial Television Stations (2025-2027)* which was filed with the Copyright Board by SOCAN on 2023-10-23 pursuant to Rule 15 of *Copyright Board Rules of Practice and Procedure*. This Notice is filed in accordance with PN 2022-007 rev.1.

1. Any grounds for why the Board should not approve the proposed tariff despite any alteration of royalties or levies or fixation of terms and conditions

This proposed tariff applies to communications to the public by telecommunication of musical works in SOCAN’s repertoire by a broadcast television station. CAB objects to the proposed increases in royalties as outlined below.

2. Any grounds for objecting to any royalty or levy rates in the proposed tariff

SOCAN is seeking to increase the rates in this tariff, yet it has not offered any justification for the proposed rate increases other than to suggest that “changes in the market” warrant the rate increase. SOCAN says it will not and cannot know more until it sees interrogatory responses. It is open to SOCAN to formulate arguments based on reporting information it currently receives under this tariff, or its knowledge of the marketplace, to provide some justification to support the contention that the value of music used on these services has somehow increased sufficiently during the tariff term to justify an increase of this magnitude. SOCAN has not done so. The CAB is also not aware of any factor that could justify an increase to the value of music used by licensees of this tariff. Absent valid justification, the rate increases should be rejected entirely.

SOCAN reserved the right to adopt and advance additional or alternative valuation methodologies and inflationary rates in the course of the proceedings relating to the proposed tariff. Accordingly, the CAB reserves the right to object to or otherwise challenge any such additional or alternative valuation methodologies and inflationary rates as they arise.

3. Any grounds for objecting to any terms or conditions in the proposed tariff

CAB has no objection to the proposed terms and conditions.

Submitted on behalf of the CAB by

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