



September 22, 2017

[*CB-CDA 2017-102*]

**File: Online Music Services (CSI: 2011-2013; SOCAN: 2011-2013; SODRAC: 2010-2013) /
Services de musique en ligne (CSI : 2011-2013; SOCAN : 2011-2013; SODRAC : 2010-2013)**

NOTICE OF THE BOARD

The Board has been made aware that there appears to be a discrepancy between the reasons it issued in the matter of *Online Music Services CSI (2011-2013); SOCAN (2011-2013); SODRAC (2010-2013)* and the resulting tariff (the “Tariff”).

In its reasons at paragraph 375, appearing under the heading “Play Information for Limited Download and Hybrid Services,” the Board, in addressing the requirement of reporting “the number of plays of cached files,” concluded that it will not “include the number of plays of a file and the number of times a file was cached in the reporting requirements.”

However, s. 6(5) of the Tariff requires any licensee that operates a hybrid music webcast service to provide for each month,

- (a) in relation to each file that was transmitted to an end user, the required information;
- (b) the number of plays of each file;
- (c) the number of times each file was copied onto an end user’s storage device; and
- (d) the gross revenue attributable to the operation of the service.

The Board is of the preliminary view that the inclusion of paragraph (c), and the wording of paragraph (b), which may include plays made from copies stored on an end user’s storage device, is a clerical error, and should be corrected given the manifest intent apparent from its reasons.

Unless advised by **Tuesday September 26, 2017**, that one or more parties do not agree, the Board intends to issue an erratum, whereby s. 6(5) of the Tariff would be amended to read as follows:

(5) No later than 20 days after the end of each month, any licensee that operates an online music service in relation to which they are required to pay royalties pursuant to paragraph 4(1)(d) shall provide, in relation to that service, to each of CSI and SOCAN, a report setting out, for that month,

- (a) in relation to each file that was transmitted to an end user, the required information;
- (b) the number of plays of each file, excluding plays of copies stored on an end user’s storage device; and
- (c) the gross revenue attributable to the operation of the service.

A handwritten signature in black ink, appearing to read 'Gilles McDougall'.

Gilles McDougall
Secretary General