



Files: SOCAN-Re:Sound - Pay Audio Services Tariffs, 2007-2016

December 8, 2017

[CB-CDA 2017-151]

NOTICE OF THE BOARD

On December 1, 2017, the Collectives replied to the responses of the Objectors to questions of the Board contained in Notice 2017-098. As they did in their letter of October 16, 2017, the Collectives put at issue the procedural fairness of the Board receiving or considering the responses of the Objectors to certain questions in Notice 2017-098. The Collectives submit that there are two alternative courses of action that the Board should follow. The Board interprets this submission as a motion.

The motion can be concisely restated as follows.

The Collectives *move* that the Board either

1. Not consider Stingray's responses to questions 2 and 3 of Notice 2017-098; or
2. Establish a process to test those responses, including
 - (a) a limited discovery process;
 - (b) cross-examination of documents and witnesses;
 - (c) submission of expert reports; and
 - (d) concluding submissions.

The Objectors may comment on this motion by no later than **Friday, December 15, 2017**.

The Collectives may respond thereto by no later than **Tuesday, December 19, 2017**.