



File / Dossier : Online Audiovisual Services – Music / Services audiovisuels en ligne – Musique
[SOCAN: 2007-2018; CMRRA: 2014-2018; SODRAC: 2014-2018]

February 22, 2018

[CB-CDA 2018-024]

NOTICE OF THE BOARD

In Notice 2017-157, the Board stated that it

is of the preliminary view that all aspects of SOCAN's *Tariff 22.4 – Audiovisual Webcasts (2007, 2008)*, and *Tariff 22.D – Audiovisual Webcasts (2009, 2010, 2011, 2012, 2013)* have been certified. As such, there are no components left to consider.

On December 22, 2017, SOCAN wrote to the Board, disagreeing with the Board's view, stating that

SOCAN and the CAB agreed, when the 22.D.1 proposed tariff was submitted to the Board for certification, that it would not apply to CAB members and that SOCAN and the CAB would work to tailor an audiovisual tariff specifically for online T.V. content. The Board had previously ordered on May 14, 2012 that the CAB would not be a party to the SOCAN Tariff 22 B/G hearing [...]. When SOCAN filed its submissions in support of certification, SOCAN specifically highlighted that proposed 22.D.1 was not intended to apply to the CAB [...]. SOCAN and the CAB have been working to conclude an agreement to cover online television uses (22.D.3) that the parties expect will be executed early in the New Year. As such, SOCAN proposes that SOCAN Tariff 22.4 (2007-2008) and SOCAN Tariff 22.D (2009-2013) remain on the list of Tariffs to be considered at the Online Audiovisual Services hearing, as the CAB's objections thereto have not yet been withdrawn, but with the expectation that they will likely be withdrawn before the hearing actually takes place.

Provided that CAB agrees with SOCAN's statements above, SOCAN and CAB shall jointly or separately provide an update on the status of these negotiations by no later than **Friday, March 2, 2018**.

If CAB does not agree with SOCAN's statement, it shall explain in which respect it does not agree by that same date.