



October 17, 2018

[*CB-CDA 2018-204*]

## NOTICE OF THE BOARD

### **File: SOCAN Tariff 22.D.3 – Audiovisual Services Allied with Broadcast and BDU Services Licensed Under Tariff 2.A. and/or Tariff 17 (2007-2018)**

On June 4, 2018, SOCAN, the Canadian Association of Broadcasters and the BDUs (Bell Canada, Cogeco Communications Inc., Bragg Communications Inc. (c.o.b. as Eastlink), Rogers Communications Canada Inc., Shaw Communications Inc., Telus Communications Inc., and Quebecor Media Inc.), jointly requested that the Board certify *SOCAN Tariff 22.D.3 – Audiovisual Services Allied with Broadcast and BDU Services Licensed Under Tariff 2.A. and/or Tariff 17 (2007-2018)* (the “Settlement Tariff”) [attached for reference].

It is noted that the Board has previously certified components of Tariff 22.4 (2007, 2008) and Tariff 22.D (2009 to 2013) in *SOCAN Tariff 22.D.1 – Internet – Online Audiovisual Services (2007-2013)*.

Having reviewed the Settlement Tariff, the Board is of the preliminary view that the Settlement Tariff includes all or parts of the following proposed tariffs:

- SOCAN Tariff 22.4 – Audiovisual Webcasts (2007, 2008);
- SOCAN Tariff 22.5 – Webcasts of Television Station Signals (2007, 2008);
- SOCAN Tariff 22.D – Audiovisual Webcasts (2009, 2010, 2011, 2012, 2013);
- SOCAN Tariff 22.E – Webcasts of Television Station Signals (2009, 2010, 2011, 2012);
- SOCAN Tariff 22.F – Webcasts of Television Station Signals (2013);
- SOCAN Tariff 22.D – Audiovisual Content (2014, 2015); and
- SOCAN Tariff 22.D.1 – Audiovisual Content (2016, 2017 and 2018).

The following entities remain as objectors and/or intervenors to these proposed tariffs:

- Apple Inc. and Apple Canada Inc.
- Entertainment Software Association and Entertainment Software Association of Canada
- Facebook Inc.
- Netflix Inc.
- Stingray Digital Group Inc.

### **Submissions Pertaining to the Settlement Tariff**

Any of the remaining objectors or intervenors wishing to provide written comments with respect to the Settlement Tariff and/or the Board's preliminary view, may do so by no later than **Wednesday, October 24, 2018**.

Parties to the agreement may respond thereto by no later than **Wednesday, October 31, 2018**.

### **Remaining Tariffs under Consideration**

Parties to the agreement and any objector or intervenor having provided comments shall, jointly or separately, identify which of the above-mentioned proposed tariffs or portions thereof remain to be examined in the context of the ongoing *Online Audiovisual Services – Music* proceeding that are not captured by the Settlement Tariff, by no later than **Wednesday, October 31, 2018**.

If Parties are in negotiations in relation to any such tariffs or portions thereof, they shall also inform the Board by that same date.



Gilles McDougall  
Secretary General