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February 20, 2013

Mr. John Traversy | Filed Electronically
Secretary General
Canadian Radio-television and
Telecommunications Commission
Ottawa, Ontario K1A 0N2

Dear Mr. Traversy:

Re: Broadcasting Notice of Consultation CRTC 2013-12
Rogers Media Inc. ("Rogers"), on behalf of The Score Television Network Limited
Application 2012-1327-2

1. The Canadian Media Production Association ("the CMPA")[1] wishes to support the above-noted application subject to the following comments.

2. The CMPA appreciates that, consistent with long-standing CRTC policy, Rogers has proposed a benefits package representing 10% of the value of this transaction, 85% of which will be allocated to incremental independently-produced on-screen programming initiatives. We also appreciate that Rogers has proposed to pay out its benefits over 5 years, which is consistent with the Commission's rationale for generally establishing licence terms of the same length, namely that 5-year terms make more sense than the historic 7-year terms in this rapidly changing communications environment.

3. We note, however, that, while the Notice of Consultation indicates that the value of the transaction is $171 million, the Commission asserted in correspondence with Rogers dated 10 December 2012 that the value is actually at least $195.6 million.

4. In these circumstances, the CMPA relies on the Commission's expertise to determine the true value of this transaction. Regardless, the associated benefits package should still amount to 10% of the final and full amount, consistent with the applicant's commitment.

[1] The CMPA represents the interests of screen-based media companies engaged in the production and distribution of English-language television programs, feature films, and new media content in all regions of Canada. The CMPA's member companies are significant employers of Canadian creative talent and assume the financial and creative risk of developing original content for Canadian and international audiences.

5. We also note that Rogers proposes to spend the programming benefits from this transaction on programs that will be broadcast on Sportsnet rather than on The Score.

6. In our intervention in response to the application by BCE to purchase Astral, as published in Broadcasting Notice of Consultation CRTC 2012-370, the CMPA pointed out that the purpose of benefits is to ensure that the advantages of a transaction outweigh the disadvantages, and that the transaction is in the public interest because it will foremost yield measurable improvements to the communities served by the broadcasting undertaking(s) being transferred.

7. On this basis, the CMPA argued in that earlier proceeding that BCE had to demonstrate, first and foremost and in a clear and transparent manner, that the Astral benefits would yield improvements to the communities (i.e. for the subscribers) served by the *Astral undertakings being purchased* (i.e. rather than to the communities served by the CTV services which BCE already owned). To that end, we submitted that the Commission should have required that any program produced or acquired using Astral benefits be broadcast *first* on an Astral service, and that the incrementality of the associated expenditures be measured as against Astral's existing obligations.

8. In the same manner, the CMPA submits that Rogers should normally be required to ensure the programming benefits from this transaction flow to programming to be broadcast *first* on The Score, and the incrementality of the associated expenditures should be measured as against The Score's existing obligations.

9. That being said, the CMPA appreciates that The Score is primarily a headline service with only a limited amount of live sports programming. We also appreciate that, unlike the case with, for example, an Astral movie service and a CTV music channel, both The Score and Sportsnet serve essentially the same community, namely sports fans.

10. Accordingly, the CMPA accepts that an exception to the general rule outlined above is warranted in these circumstances, such that Rogers should be able to allocate the benefits arising from this transaction to new, incremental programming to be broadcast on Rogers' existing Sportsnet service.

11. Nevertheless, Rogers should still be subject to the standard limitation stipulating that no more than 10% of the programming benefits arising from this transaction may be spent on online or multiplatform content.

12. Lastly, the CMPA appreciates that Rogers does not seek to have The Score included in the Rogers' "group" and thus it will be not be subject to CPE sharing with Rogers' non-sports services. Such sharing would be inappropriate, and detrimental to the Canadian programming on those non-sports services.

Sincerely,

original signed by

Michael Hennessy
President & CEO

cc susan.wheeler@rci.rogers.com

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