

February 15, 2018

Filed via Intervention/Comment/Answer Form

Mr. Claude Doucet
Secretary General
Canadian Radio–television and
Telecommunications Commission
Ottawa, Ontario K1A 0N2

Dear Mr. Doucet:

RE: Access Communications Co-operative Limited’s Video-on-Demand Licence Renewal Application (Application no. 2017–0850–5) – Intervention from the Canadian Media Producers Association

1. The Canadian Media Producers Association (CMPA) is pleased to provide the following comments with respect to the video-on-demand (VOD) licence renewal application for Access Communications Co-operative Limited (“Access Communications”). The CMPA supports the renewal of the VOD licence renewal for Access Communications, subject to the following comments.
2. The CMPA is the country’s leading member-based advocacy organization for independent producers. We represent hundreds of companies engaged in the development and distribution of English-language content made for television, cinema, and digital media channels. The CMPA works to promote the continued success of the Canadian production sector and to ensure a future for the diverse content made by Canadians for both domestic and international audiences.
3. Access Communications failed to make its required contributions to a Canadian program production fund in the last licence term, thereby breaching this standard condition of licence (COL) for VOD services. Due to a misunderstanding, Access Communications instead

contributed the required funds to the creation of community programming by community channel Access7, which is owned and operated by its related broadcasting distribution undertaking (BDU). In a letter dated August 31, 2017, Access Communications confirms that this breach was inadvertent and that it will not be repeated. The licensee assures the Commission that it will direct the required contributions to the Canada Media Fund in the new licence term.

4. The CMPA is concerned about the seriousness of this breach. Instead of making the required payments to an independent production fund, Access Communications used the funds on programming available only to its related BDU's customers. We request that the Commission impose a COL requiring Access Communications to provide confirmation in the form of a public annual report that it is making the required contributions to a Canadian program production fund. The actual contribution amount could be redacted due to its commercial sensitivity, but such a report would assure the public that this licensee is meeting its obligations relating to the support of Canadian programming in the new licence term. We are making this request in recognition of Access Communications' status as a not-for-profit, community-owned service. We do not believe such a report would be administratively burdensome.
5. The CMPA appreciates the opportunity to share our comments regarding the VOD licence renewal for Access Communications in this proceeding. Should the Commission require any additional information regarding this intervention, please do not hesitate to contact me directly.

Sincerely,

[Filed Electronically]

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Director, Regulatory
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cc. Jim Deane, President & CEO, Access Communications Co-operative Limited,
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