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| Item..... |
| Meeting..... 2010 Jan 18 |

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2010 Jan 13

FROM: DIRECTOR PLANNING AND BUILDING **FILE:** 1010-30
Reference: Canadian Radio-Television and Telecommunications Commission (CRTC)

SUBJECT: REVIEW OF COMMUNITY TELEVISION POLICY FRAMEWORK (2009-661) BY THE CANADIAN RADIO-TELEVISION AND TELECOMMUNICATIONS COMMISSION (CRTC)

PURPOSE: To request Council endorse the Metro Vancouver submission to the CRTC as part of the City of Burnaby's submission to the Canadian Radio-Television Commission (CRTC) on their review of the community television policy framework (2009-661).

RECOMMENDATIONS:

1. **THAT** Council endorse the submission by Metro Vancouver to the CRTC on the community channel hearing, as outlined in Section 4.0 of this report, including the Metro Vancouver recommendations to the Commission on how to better meet the objectives of the community channel.
2. **THAT** Council adopt the following recommendations in response to the issues raised in the item of correspondence dated 2009 November 6 from the Community Media Education Society (CMES) regarding the CRTC Review of Community Television Policy (2009-661) as discussed in Section 5.0 of this report:
 - a. **THAT** Council convey to the CRTC a specific response to **Question 17** of the CRTC comment form; that the CRTC should be requested to restrict commercial advertising from community channels.
 - b. **THAT** Council convey to the CRTC a specific response to **Question 26** of the CRTC comment form; that although a useful complement, Internet distribution is not seen as a replacement for community channel distribution.
3. **THAT** Council adopt the following recommendations in response to specific community channel issues as outlined in Section 6.0 of this report:
 - a. **THAT** Council request the CRTC to require the community channel provider to provide adequate back-up staff to ensure that every Council meeting is broadcast and that high production values are maintained for each broadcast.

- b. **THAT** Council request the CRTC to preclude the displacement of local Council meetings from the community channel to ensure that every Council meeting is broadcast live.
 - c. **THAT** Council request the CRTC to require local cable providers to supply the community channel (including Council meeting broadcasts) to all of their customers in a proactive manner.
 - d. **THAT** Council request the CRTC to protect space (broadcast frequency) for community media both now and in the future, whether the platform is over the air, the Internet, cable, wireless, or satellite.
4. **THAT** Council send this report to Mr. Konrad von Finckenstien, Chairman, CRTC at fax 1-819-994-0218 on or before 2010 February 1 as the City of Burnaby's official written submission to the CRTC Consultation (2009-661).
 5. **THAT** Council send copies of this report to Marianne Pengelly, Corporate Relations, Metro Vancouver, the Community Media Education Society (CMES), Jeff Bray, Manager, Government and Regulatory Affairs – BC, Shaw Communications Inc, and the Burnaby Members of Parliament.

REPORT

1.0 BACKGROUND

On 2009 October 22, the CRTC issued notice that it will be holding a hearing in Ottawa/Gatineau starting on 2010 April 26 to review the community television policy framework with a deadline for the submission of comments being 2010 February 1.

The Canadian Broadcast Act declares that the Canadian broadcasting system provides, through its programming, a public service essential to the maintenance and enhancement of national identity and cultural sovereignty. The community channel is one of the three elements of the broadcast system. The Commission's overall objectives for the community television framework currently included more locally-produced and locally-reflective community programming; and greater diversity of voices and alternative choices.

Recent experience both in the Lower Mainland and in other parts of Canada has shown that changes in production technology have permitted cable companies to, "...convert their studio operations, and the bulk of channel's schedule, to something closer to a professional operation, whose value is chiefly to provide a commercial advantage, rather than community development."¹ This is clearly counter to the objectives of the Commission's community television framework.

¹ Keeble D. "The Impact of New Technology on Community Television", CRTC (2008)

The Commission asked 32 questions as part of the CRTC comment form for the review of the community television policy framework and as Metro Vancouver has noted, the terminology used in the questions can be confusing for those participating in the process for the first time.²

Burnaby City Council, at the Open Council meeting held on 2009 November 16, discussed correspondence dated 2009 November 6 from the Community Media Education Society (CMES) regarding CRTC Review of Community Television Policy (2009-661). At this meeting, Council adopted a motion that staff prepare a submission to the CRTC regarding the impact of the loss of programming and services from local community television.

On 2009 November 27, the Metro Vancouver Board of Directors endorsed a Metro Vancouver submission to the CRTC's policy review and consultation of the community channel. On 2009 December 11, Metro Vancouver issued an item of correspondence to the City of Burnaby requesting the City of Burnaby endorse the Metro Vancouver submission to the CRTC by Council resolution no later than 2010 January 28, as the submission must be made to the CRTC no later than 2010 February 1.

Metro Vancouver's submission to the CRTC presents higher level principles for the consideration of the CRTC, rather than responding to each of the 32 questions on the CRTC comment form. This approach leaves the determination of the particular mechanisms required for implementation up to the CRTC itself.

In the covering letter to the City of Burnaby from the Chair of the Metro Vancouver Board, it is noted that the heart of the issue is:

- *Who should operate the community channel?*
 - Citizens/citizen groups as mandated under the current CRTC policy; or
 - Cable providers.
- *How should it be funded?*
 - Using the cable levy in Metro Vancouver (which currently amounts to about five million annually); or
 - Some other funding mechanism.

The purpose of this report is to respond to the 2009 November 16 request from Council.

2.0 THE EXISTING CRTC FRAMEWORK

According to the Broadcasting Notice of Consultation (CRTC 2009-661) issued by the CRTC on 2009 October 22, the Commission conducted a major review of its community-based media policies in 2001. Based on comments received during the 2001 review, the Commission proposed and implemented an integrated community-based policy

² Metro Vancouver, "Background Information on the History and Role of Community Channel and the Cable Industry" (Attachment 4)

framework. As a result, the Canadian Broadcast Act defines three elements of the broadcasting system:

- Public (CBC and provincial channels, including Knowledge Network in BC)
- Private (specialty channels like Discovery and over-the air channels like CTV)
- Community (available on local basic cable)

The following are the Commission's overall objectives for its 2002 community television framework:

- *"to ensure the creation and exhibition of more locally-produced, locally-reflective community programming; and*
- *to foster a greater diversity of voices and alternative choices by facilitating the entrance of new participants at the local level."*

This resulted in the community channel being a mandated platform that the public could use to express itself, learn about public television production, and acquire media literacy skills.³

As noted in the material prepared and distributed by Metro Vancouver, the community channel is of vital importance for the following reasons, which range from the local to the national level:

- It is a widely available, standard, and convenient outlet for information on local government.
- It helps to foster greater awareness of local government issues, encourage public discourse, and foster democratic interaction – all of which help to build a civil society.
- It provides an outlet for a greater range and balance of community views to reflect the full spectrum of cross-cultural community expression.
- It provides an opportunity for feedback from, and interaction with viewers.
- It provides an opportunity for community groups to get their message(s) out about what is happening in the local community and/or celebrate an event in the community.
- It provides an opportunity for citizens interested in broadcasting to volunteer and acquire skills and media literacy.
- It helps to inform and engage citizens – a required foundation for a sustainable community.
- It is a cornerstone of the Canadian Broadcast system.

³ Metro Vancouver, "Background Information on the History and Role of Community Channel and the Cable Industry" (Attachment 4)

3.0 BROADCASTING SINCE 2002

Given the complexity of the issues under consideration, this section of the report presents a high level summary of the background information detailed in the appendices of this report for context prior to discussing particular specific issues. The detailed information contained within the appendices to this report was gathered from background reports sponsored by the CRTC; and material prepared by Metro Vancouver, and other industry associations, industry societies and industry authorities.

3.1 Cable Industry in Canada

Until recently, cable companies have had a monopoly but now they are experiencing significant competition from satellite providers and telephone companies.⁴ Even with significant competition from other television providers, about 60% of Canadians still have access to cable television.⁵

For more detailed information on the cable industry in Canada, please see *Appendix "A" attached*.

3.2 Community Television (Channel) in Canada

Changes in technology have permitted cable companies to, "...convert their studio operations, and the bulk of channel's schedule, to something closer to a professional operation, whose value is chiefly to provide a commercial advantage, rather than community development."⁶ Cable companies have done this to leverage what they see as a source of competitive advantage – community television.⁷ Some cable companies perceive this as a significant way to differentiate their product against other television delivery methods (e.g., satellite).

Cable companies were originally required to provide community television in exchange for the use of public rights of way to lay cable. However, community television has lacked the economic resources of the public and private broadcast sectors.⁸ This is in part due to decreasing funding requirements as defined by the Commission – previously, requirements to spend 10% of gross revenues have since been reduced to 2% with the obligation to carrying community channels being reduced from mandatory to optional.⁹ This 2% of gross revenue represented \$116 million in 2008 which was expended in 139 Canadian community television channels across the country.¹⁰

⁴ Metro Vancouver, "Background Information on the History and Role of Community Channel and the Cable Industry" (Attachment 4)

⁵ Estimated by the Canadian Association of Campus and Community Television User Groups and Stations, <http://cactus.independentmedia.ca/node/401>

⁶ Keeble D. "The Impact of New Technology on Community Television", CRTC (2008)

⁷ Keeble D. "The Impact of New Technology on Community Television", CRTC (2008)

⁸ Keeble D. "The Impact of New Technology on Community Television", CRTC (2008)

⁹ Metro Vancouver, "Background Information on the History and Role of Community Channel and the Cable Industry" (Attachment 4)

¹⁰ Broadcasting Notice of Consultation (2009-661", CRTC (2009)

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Community television is run by a range of entities: cable providers,¹¹ community groups, community-owned services, over-the-air licensees.¹²

For more detailed information on the community television (channel) in Canada, please see *Appendix "B" attached*.

3.3 Community Access Programming in Canada

Under current CRTC minimum requirements, cable providers have to devote 60% of community channel programming to "local" community channel programming (including Council meeting broadcasts) of which only 30% to 50% can be community "access" programming.¹³ To our understanding, "community access" programming is defined as programming that is produced by someone other than the cable provider,¹⁴ although the program producer may make extensive use of the cable provider's equipment and facilities.¹⁵

Even with only a partial data set resulting from a recent voluntary response survey, the overall size and scale of community access programming in Canada is impressive and surprising; almost 19,000 annual programming hours of community access television were produced by more than 1,400 volunteers who collectively contributed more than 93,000 hours.¹⁶ However, the distribution of this effort appears to be geographically imbalanced with about 16,600 hours (or 87.4%) of the 19,000 hours being produced in Quebec.¹⁷ Community television governance structures in Quebec (including community groups) appear to be a source of stability as they exercise some degree of control over the programming schedule.¹⁸

For more detailed information on community access programming in Canada, please see *Appendix "C" attached*.

3.4 Community Television Channel in the Lower Mainland

The community television channel as a vehicle for citizen access and self-expression in the Lower Mainland has gradually disappeared.¹⁹ Although cable providers created a dozen community studios across the Lower Mainland in the 1970s, in 2002 and 2004, community stations in the region were closed and all community channel operations were moved to the Shaw headquarters after Shaw took over the service from Rogers

¹¹ Cable providers are defined as Broadcast Distribution Undertakings (BDUs) by the Commission

¹² Keeble D., "The Impact of New Technology on Community Television", CRTC (2008)

¹³ Broadcasting Notice of Consultation (2009-661", CRTC (2009)

¹⁴ Cable providers are defined as a Broadcast Distribution Undertaking (BDUs) by the Commission.

¹⁵ Keeble D., "The Community Access Programming Sector: A Quantitative Analysis", CRTC (2009)

¹⁶ Keeble D., "The Community Access Programming Sector: A Quantitative Analysis", CRTC (2009)

¹⁷ Keeble D., "The Community Access Programming Sector: A Quantitative Analysis", CRTC (2009)

¹⁸ Keeble D., "The Community Access Programming Sector: A Quantitative Analysis", CRTC (2009)

¹⁹ Metro Vancouver, "Review of Community Television Policy Framework – Submission", January 29, 2010

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Communications Inc.²⁰ As a result, volunteers who had previously provided programming for the community television channel were reduced in number and the staff of the cable provider took over producing the main programming.²¹

The cable provider in the Lower Mainland has effectively made the community channel its own channel. About \$5 million per year is currently collected from subscribers in the Lower Mainland to pay for community television. This money has been used by the local cable provider to rebrand the community channel for their own purposes, thereby cutting the community out of the process of producing community programs.²²

For more detailed information on the cable television channel in the Lower Mainland, please see *Appendix "D" attached*.

3.5 Community Media Centres

Experienced access program producers see great value in the use of studio production, using professional gear, since it draws volunteers and creates a social interaction which is essential to the "community" element of community programming.²³ Community media centres are a place (real and virtual) that can facilitate citizen collaboration of all types. Community media centres, in concept, offer the opportunity to bridge between social media on the Internet and the local community.²⁴

The Canadian Association of Campus and Community Television User Groups and Stations (CACTUS) is proposing that the money that cable operators currently spend on their own "community channels" (\$116 million last year) should be reallocated to a new Community-Access Media Fund to which communities themselves could apply to run community channels themselves.²⁵

For more detailed information on the community media centres, please see *Appendix "E" attached*.

4.0 METRO VANCOUVER'S SUBMISSION

In response to the two fundamental issues - *Who should operate the community channel?* and, *How should it be funded?* - Metro Vancouver's 11-page submission recommends that the Commission consider the following actions to strengthen the community channel to better meet the objectives as outlined by the CRTC.

- a. **Conduct community dialogues** to determine barriers and re-envision the community channel to meet community goals;

²⁰ Metro Vancouver, "Review of Community Television Policy Framework – Submission", January 29, 2010

²¹ Metro Vancouver, "Review of Community Television Policy Framework – Submission", January 29, 2010

²² Metro Vancouver, "Background Information on the History and Role of Community Channel and the Cable Industry" (Attachment 4)

²³ Keeble D. "The Impact of New Technology on Community Television", CRTC (2008)

²⁴ Anderson S. and Lithgow M., "A New Vision for Community TV", 2 Oct 2009, TheTyee.ca

²⁵ <http://cactus.independentmedia.ca/node/401>

- b. **Strengthen the community channel grassroots network**, through promotion and advocacy other than relying on the Broadcast Distribution Undertakings (BDUs);
- c. **Create community advisory boards** to oversee that community channel with members selected from a wide range of community interests to establish guidelines, measurable deliverables and a feedback and review process;
- d. **Continue and increase coverage of local government council and public meetings** on the community channel;
- e. In the Lower Mainland, remove the Shaw TV brand from the community channel, **re-brand the channel as a Community Channel**, and solicit citizen participation;
- f. **Consider establishing community media centres**, as proposed by Canadian Association of Community TV Users and Stations (CACTUS), which might assist citizens regain access and train residents to cover community events. The closure of production studios around the region has reduced the opportunities for residents of municipalities to develop media skills and work with other members of the community to tell their stories.
- g. **Metro Vancouver has also requested the opportunity to send a representative to the public hearing** to address the importance of the community channel to local government.

City of Burnaby response:

That Council endorse the submission by Metro Vancouver to the CRTC on the community channel hearing as outlined above, including Metro Vancouver's recommendations to the Commission on how to better meet the objectives of the community channel.

5.0 COMMUNITY MEDIA EDUCATION SOCIETY (CMES) CORRESPONDENCE

For the last twelve years the Community Media Education Society (CMES) has worked to promote participatory independent public access television in Canada.²⁶

In their letter of 2009 November 6, considered by Council at their open meeting of 2009 November 16, the CMES makes specific recommendations in response to the following four of the 32 questions raised by the CRTC comment form.

Question 7:

What are the reasons for this relatively modest take-up? Have conditions changed since 2002 so that the need for local expression is being met through other means?

In response to this question on why there has been such a modest uptake for the CRTC's offer to license community program undertakings (only one has been established since

²⁶ CMES, Letter to the City of Burnaby, 2009 November 6

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2002),²⁷ the CMES notes that producing locally and distributing regionally was not supported by the CRTC and that very few not-for-profits meet the test of having the resources to fund the channel themselves (should the cable provider²⁸ fail to meet their revenue goals).

City of Burnaby response:

This issue has been covered by Metro Vancouver's recommendation "a" – **Conduct community dialogues** to determine barriers and re-envision the community channel to meet community goals. Therefore, an additional recommendation is not required.

Question 17:

If the Commission were to allow BDU-operated²⁹ community channels to air commercial advertising, should all or a portion of the revenues be directed to the provision of community programming or towards other initiatives such as the Canada Media Fund³⁰?

In response to this question on advertising revenue, CMES raises concern about diverting advertising revenue from commercial television stations and risk of future reductions in public funding (to be off-set by increased advertising revenue).

The existence of advertising on community channels also introduces competing programming priorities – increased revenue from commercials run during higher viewer audiences (e.g., for sporting events) versus broadcasting programs in the public interest (e.g., Council meetings).

City of Burnaby response:

That Council convey to the CRTC a specific response to **Question 17** of the CRTC comment form; that the CRTC be requested to restrict commercial advertising from community channels.

Question 20:

Should a proportion of the BDU contributions be directed to:

(a) the production of access programming? If so, what would be the most effective means of doing this? If not, are there other funding means that may be more appropriate? And/or

(b) the production of local programming through the [Local Programming Improvement Fund] LPIF? Why or why not?

²⁷ CMES, Letter to the City of Burnaby, 2009 November 6

²⁸ Cable providers are defined as Broadcast Distribution Undertakings (BDUs) by the Commission

²⁹ Cable providers are defined as Broadcast Distribution Undertakings (BDUs) by the Commission

³⁰ On 2009 March 9, the Federal Government announced the creation of the Canadian Media Fund (CMF). To our understanding this fund offers partnership funding to television and new media producers to ensure the production of quality content on multiple platforms. According to the Television Bureau of Canada, the CMF struck a new partnership between the groups who provide the funding (government, digital, cable and telecommunication television providers) and those who spend it (the production community). The Government of Canada anticipates that the CMF will contribute a total of about \$134 million annually over the next two years to support the production of Canadian programming.

In response to this question, CMES suggests that all of the \$116 million in BDU contributions in Canada should be directed to access programming.

As previously stated, under current CRTC minimum requirements, cable providers have to devote 60% of community channel programming to “local” community channel programming (including Council meeting broadcasts) of which only 30% to 50% can be community “access” programming.³¹

To our understanding, “community access” programming is defined as programming that is produced by someone other than the cable provider,³² although the program producer may make extensive use of the cable provider’s equipment and facilities.³³ Moreover, Council meetings are not considered “community access” programming, as they are a separate category within the broader category of “local” community programming.

To our understanding Local Programming Improvement Fund (LPIF) funding does not apply to either community “access” programming or the broadcast of Council meetings under the category of “local” community channel programming.

City of Burnaby response:

This issue has been covered by Metro Vancouver’s recommendation “a” – *Conduct community dialogues* to determine barriers and re-envision the community channel to meet community goals. Therefore, an additional recommendation is not required.

Question 26:

If community channels do not have a new media presence, can Internet users obtain the same content from other sources on the web? Does the existence of the Internet as an avenue for community expression affect the need for community access to traditional television production?

The CMES’s response to this question is “yes”, we still need community access to traditional television production. This response is consistent with Metro Vancouver’s position that although a useful complement, Internet distribution is not seen as a replacement for community channel distribution as 95% of Lower Mainland residents get their information through television.³⁴

This question is related to the issue of the “digital divide”. The “digital divide” is a term used to describe the gap between those who frequently use information and communications technology (ICT) and those who do not. This digital divide is largely due to the uneven distribution and use of the Internet. As shown in **Figure 1** (next page), a study conducted by Statistics Canada in 2002 found that television and cable use was

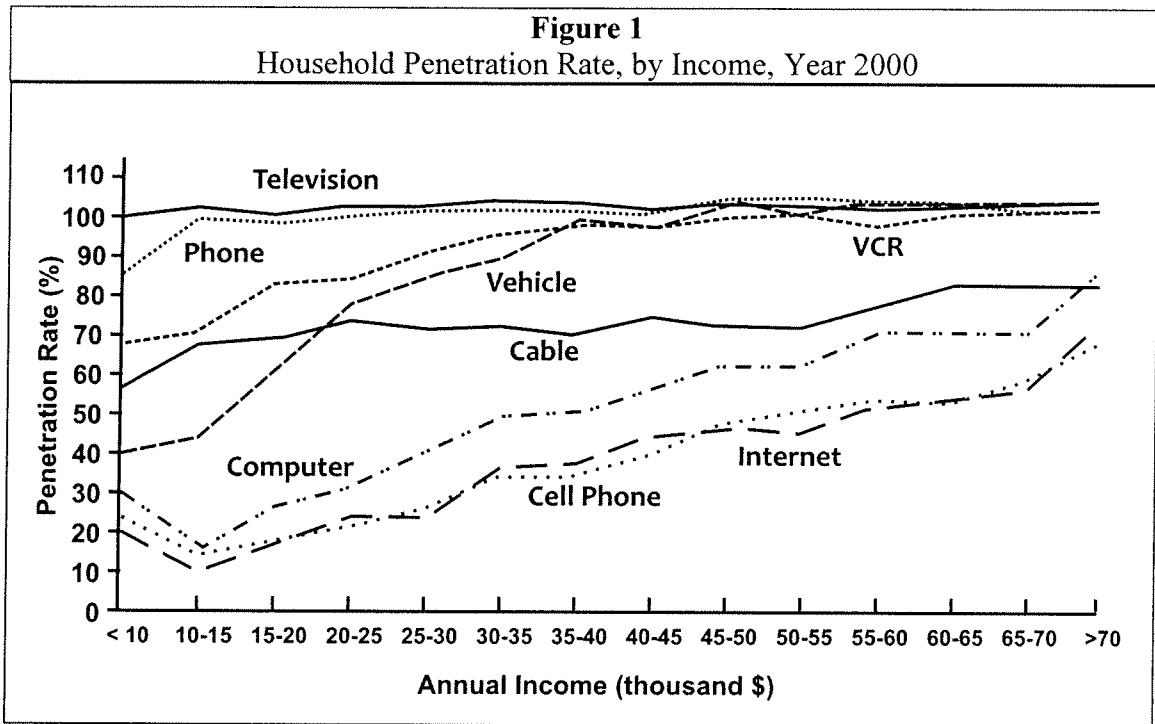
³¹ Broadcasting Notice of Consultation (2009-661”, CRTC (2009)

³² Cable providers are defined as a Broadcast Distribution Undertaking (BDUs) by the Commission.

³³ Keeble D., “The Community Access Programming Sector: A Quantitative Analysis”, CRTC (2009)

³⁴ Metro Vancouver, “Background Information on the History and Role of Community Channel and the Cable Industry” (Attachment 4)

fairly constant across all household incomes while Internet use varied significantly with household income (households with lower incomes having less access and households with higher incomes having more access). Although these differences in Internet access have likely diminished over time, significant differences are still likely.



Source: Sciadas, G. (2002). "The Digital Divide in Canada". Ottawa: Statistics Canada

Moreover, research undertaken by Statistics Canada in 2003 found that this digital divide is compounded by the fact that people who do not have access to computers also have significantly lower literacy skills than computer users. The Adult Literacy and Life Skills Survey, conducted in 2003, confirmed a strong association between literacy and the use of computers and the Internet, as well as attitudes toward computers. *"This has significant consequences, because people with the lowest skills, who potentially stand to benefit most from the opportunities created by new technologies, are not using them. This is particularly the case with the Internet, where potential benefits include access to health and government services, employment information, shopping and other services."*³⁵

These findings would appear to support cable television having more consistent potential benefits to all households, regardless of income, when compared to the Internet as the common standard broadcast platform for the community channel.

Moreover, cable providers and public access program producers appear to agree, although for differing reasons, that the Internet is not a replacement for the community channel.³⁶

³⁵ <http://www.statcan.gc.ca/daily-quotidien/051205/dq051205b-eng.htm>

³⁶ Keeble D. "The Impact of New Technology on Community Television", CRTC (2008)

City of Burnaby response:

That Council convey to the CRTC a specific response to **Question 26** of the CRTC comment form; that although a useful complement, Internet distribution is not seen as a replacement for community channel distribution.

6.0 CITY OF BURNABY ISSUES

6.1 Need for Back-up Production Staff

The producer for the Burnaby Council meetings is supplied by the cable provider. The producer is responsible for switching camera angles and adding titles/subject headings to the different items being dealt with at the meeting. The cable provider currently has limited back-up in the event of absence by the regular producer. The challenge for the cable provider is that a high percentage of councils in the Lower Mainland meet on Monday nights, which makes finding a replacement difficult. As a result, there were several occasions in 2009 when there was no one present to produce the Burnaby Council meetings. On these occasions production values suffer greatly with only one single image (with audio) being broadcast for the entire Council meeting. Of the 28 Burnaby Council meetings held in 2009, staff in the Office of the City Clerk estimate that about three were effected by this issue – no back-up staff being available.

City of Burnaby response:

That Council request the CRTC to require the community channel provider provide adequate back-up staff to ensure that every Council meeting is broadcast and that high production values are maintained for each broadcast.

6.2 Displacement of Council Meeting Broadcasts

Several times a year the broadcast of Burnaby Council meetings is displaced by other programming. These programming decisions are made by the local cable provider, with no input from the public. For example, during 2009 the broadcast of Vancouver Giants hockey games displaced the broadcast of several Burnaby Council meetings. In these cases, the cable provider taped the Council meeting and then rebroadcast it at a later date. Of the 28 Burnaby Council meetings held in 2009, staff in the Office of the City Clerk estimate that about three were effected by this issue – the broadcast of Burnaby Council being displaced by other programming.

City of Burnaby response:

That Council request the CRTC to preclude the displacement of local Council meetings from the community channel to ensure that every Council meeting is broadcast live.

6.3 Increase Local Government Coverage

Participation rates in elections are moderate to low (ranging from 58.8% in the 2008 federal election, to 50.99% in the 2009 provincial election, to 27.79% overall turnout in

BC in the 2008 municipal election) and trending down (the voter turnout in the 2008 national election in Canada dropped to the lowest percentage ever recorded³⁷). This is a national concern from the perspective of participatory citizenship in a democratic society.

The community channel continues to represent a widely available, standard, and convenient outlet for information on local government. The challenge is one of how to make it relevant to the local community. In addition to the recommendation put forward by Metro Vancouver on conducting community dialogues (a), strengthening the community channel grassroots network (b), creating community advisory boards (c) there is the opportunity to generate more awareness of local government issues by increasing coverage of local government council and public meetings on the community channel.

Specific suggestions raised have also included:

- broadcasting Metro Vancouver Board and Committee meetings;
- introducing call-in shows at the local/community level; and
- expanding coverage of municipal elections.

City of Burnaby response:

This issue has already been covered by Metro Vancouver's recommendation "d" – continue and increase coverage of local government council and public meetings on the community channel. Therefore, an additional recommendation is not required.

6.4 Changes in Technology (Analogue to Digital)

When cable customers switch over to digital service from analogue service, they continue to receive regional community channel broadcasts but they lose all local community channel broadcasts (including Council meetings). This issue occurs throughout BC and is not unique to Burnaby. However, it should be noted that it is more complex in the Lower Mainland given the high number of local government jurisdictions.

To our understanding, the local cable provider has been aware of this issue since 2008, and they offer a work-around solution in response to individual customer complaints.³⁸ Although the cable provider is working toward a solution which would eliminate the need for the work-around solution, it is not available at this time.

³⁷ <http://www.sfu.ca/~aheard/elections/historical-turnout.html>

³⁸ Technical support staff at the local cable provider described the following work-around solution.

The work-around as described involves establishing a separate second cable feed directly to the television. This allows for the analogue signal to reach the television. Once the analogue signal is connected to the television, the customer then has to switch over to the analogue feed (using the input settings function on their remote). Once finished, the customer then has to switch back over to the digital signal to access digital channels again.

Customer response is usually first provided over the phone and then a technician is dispatched, if required.

This approach is a reactive response and leaves some customers in our community without coverage of Burnaby Council meetings. With the growth of digital as a percentage of cable customers (now beyond single digit percentages to our understanding), this has the potential to undermine the principle of universal access to the community channel as provided by the cable service provider.

City of Burnaby response:

That Council request the CRTC to require local cable providers to supply the community channel (including Council meeting broadcasts) to all of their customers in a proactive manner.

6.5 Protecting Space (Broadcast Frequency) for Community Media

A potentially more significant issue is the concern raised about the possibility of many Canadians losing access to free over-the-air television after the digital transition.

According to the Canadian Association of Campus and Community Television User Groups and Stations (CACTUS)³⁹, the frequency allotment plan for the digital transition in 2011 does not recognize the need for space for community media. Much of the bandwidth that is currently used for television broadcasting may be auctioned off for use by wireless services.

According to CACTUS, the CRTC public notice for the community television review does not raise the issue of frequency availability for community media.⁴⁰ CACTUS has identified the need to ensure public access to communications in the future, whether the platform is over the air, the Internet, cable, wireless, or satellite. To achieve this, CACTUS is recommending that part of the space (broadcast frequency) should be available for community use.

City of Burnaby response:

That Council request the CRTC to protect space (broadcast frequency) for community media both now and in the future, whether the platform is over the air, the Internet, cable, wireless, or satellite.

7.0 CONCLUSION

In response to this contradiction between the Commission's policy objectives and the current operation of the community channel identified, this report recommends that Council endorse the submission by Metro Vancouver to the CRTC (including the series of recommendation aimed at high level principles); that Council adopt specific responses to questions on the CRTC comment form (in response to particular issues raised by the Community Media Education Society); and that Council adopt a series of

³⁹ <http://cactus.independentmedia.ca/node/401>

⁴⁰ <http://cactus.independentmedia.ca/node/401>

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recommendations aimed at addressing local issues surrounding the local community channel and the broadcast of Burnaby Council meetings.


B. Luksun, Director
PLANNING & BUILDING

DAC

Copied to: Deputy City Manager
Director Finance
City Clerk

Appendix “A”

Background Information on The Cable Industry in Canada

- Until recently, cable companies have had a monopoly but now they are experiencing significant competition from satellite providers and telephone companies.⁴¹
- Even with significant competition from other television providers, about 60% of Canadians still have access to cable television.⁴²
- Ownership of traditional media (including television and newspapers) appears to be consolidating over time and as a result, traditional media’s message seems to be becoming more unified.⁴³
- Consumer expectations for image quality are rising⁴⁴ (e.g., digital, high-definition).
- Cable providers typically program with a focus on greater professionalism and higher image quality in an effort to build audiences.⁴⁵

⁴¹ Metro Vancouver, “Background Information on the History and Role of Community Channel and the Cable Industry” (Attachment 4)

⁴² Estimated by the Canadian Association of Campus and Community Television User Groups and Stations,
<http://cactus.independentmedia.ca/node/401>

⁴³ Anderson S. and Lithgow M., “A New Vision for Community TV”, 2 Oct 2009, TheTyee.ca

⁴⁴ Keeble D. “The Impact of New Technology on Community Television”, CRTC (2008)

⁴⁵ Keeble D. “The Impact of New Technology on Community Television”, CRTC (2008)

Appendix “B”

Background Information on The Community Television (Channel) in Canada

- Community television is seen as a source of competitive advantage for some cable providers versus other delivery methods (e.g., satellite).⁴⁶
- Community television is run by a range of entities: cable providers,⁴⁷ community groups, community-owned services, over-the-air licensees.⁴⁸
- Community television has lacked the economic resources of the public and private broadcast sectors.⁴⁹
- Government required cable providers to spend 10% of gross revenues on a local platform for community expression and as compensation for the use of public rights of way to lay cable. The 10% of gross revenue has been reduced to 2% and carrying community channels has become optional.⁵⁰
- This 2% of gross revenue represented \$116 million in 2008 which was expended in 139 Canadian community television channels across the country.⁵¹
- Video on Demand (VoD) is a logical way to extend community television viewing content geographically and over time, but is unlikely to replace a linear community television channel.⁵² VoD programs comprised about 10% of the programs identified in a recent nationwide survey.⁵³
- Internet is not seen as advantageous by the cable providers, except as a promotional device (as it might undermine their position of competitive advantage).⁵⁴
- Changes in technology have permitted cable companies to, “...convert their studio operations, and the bulk of channel’s schedule, to something closer to a professional operation, whose value is chiefly to provide a commercial advantage, rather than community development.”⁵⁵

⁴⁶ Keeble D. “The Impact of New Technology on Community Television”, CRTC (2008)

⁴⁷ Cable providers are defined as Broadcast Distribution Undertakings (BDUs) by the Commission

⁴⁸ Keeble D. “The Impact of New Technology on Community Television”, CRTC (2008)

⁴⁹ Keeble D. “The Impact of New Technology on Community Television”, CRTC (2008)

⁵⁰ Metro Vancouver, “Background Information on the History and Role of Community Channel and the Cable Industry” (Attachment 4)

⁵¹ Broadcasting Notice of Consultation (2009-661”, CRTC (2009)

⁵² Keeble D. “The Impact of New Technology on Community Television”, CRTC (2008)

⁵³ Keeble D., “The Community Access Programming Sector: A Quantitative Analysis”, CRTC (2009)

⁵⁴ Keeble D. “The Impact of New Technology on Community Television”, CRTC (2008)

⁵⁵ Keeble D. “The Impact of New Technology on Community Television”, CRTC (2008)

Appendix “C”

Background Information on Community Access Programming in Canada

- Under current CRTC minimum requirements, cable providers have to devote 60% of community channel programming to “local” community channel programming (including Council meeting broadcasts) of which only 30% to 50% can be community “access” programming.⁵⁶
- To our understanding, “community access” programming is defined as programming that is produced by someone other than the cable provider,⁵⁷ although the program producer may make extensive use of the cable provider’s equipment and facilities.⁵⁸
- Even with only a partial data set resulting from a recent voluntary response survey, the overall size and scale of community access programming in Canada is impressive and surprising; almost 19,000 annual programming hours of community access television were produced by more than 1,400 volunteers who collectively contributed more than 93,000 hours.⁵⁹
- However, the distribution of this effort appears to be geographically imbalanced with about 16,600 hours (or 87.4%) of the 19,000 hours being produced in Quebec.⁶⁰
- There appears to be a strong correlation between the dramatically different levels of production in Quebec and the funding sources and governance structures that are unique to that province.⁶¹
- Community television governance structures in Quebec (including community groups) appear to be a source of stability as they exercise some degree of control over the programming schedule.⁶²
- While television licensees (public and private) report to the Commission on a regular basis on their economic condition and performance, most of those organizations who participate in creating access programming for community television have no direct connection with the Commission.⁶³
- Use of sophisticated consumer equipment (i.e., “prosumer” equipment) is common for the programs submitted by access groups. This technology has put production power in the hands of more people and has the potential to increase the amount of locally-produced programming, increase the diversity of voices, and increase the number of alternative choices.⁶⁴

⁵⁶ Broadcasting Notice of Consultation (2009-661”, CRTC (2009)

⁵⁷ Cable providers are defined as a Broadcast Distribution Undertaking (BDUs) by the Commission.

⁵⁸ Keeble D., “The Community Access Programming Sector: A Quantitative Analysis”, CRTC (2009)

⁵⁹ Keeble D., “The Community Access Programming Sector: A Quantitative Analysis”, CRTC (2009)

⁶⁰ Keeble D., “The Community Access Programming Sector: A Quantitative Analysis”, CRTC (2009)

⁶¹ Keeble D., “The Community Access Programming Sector: A Quantitative Analysis”, CRTC (2009)

⁶² Keeble D., “The Community Access Programming Sector: A Quantitative Analysis”, CRTC (2009)

⁶³ Keeble D., “The Community Access Programming Sector: A Quantitative Analysis”, CRTC (2009)

⁶⁴ Keeble D. “The Impact of New Technology on Community Television”, CRTC (2008)

Appendix “D”

Background Information on Community Television Channel in the Lower Mainland

- The community television channel as a vehicle for citizen access and self-expression in the Lower Mainland has gradually disappeared.⁶⁵
- Although cable providers created a dozen community studios across the Lower Mainland in the 1970s, in 2002 and 2004, community stations in the region were closed and all community channel operations were moved to the Shaw headquarters after Shaw took over the service from Rogers Communications Inc.⁶⁶
- As a result, volunteers who had previously provided programming for the community television channel were reduced in number and the staff of the cable provider took over producing the main programming.⁶⁷
- Although the community channel continues to broadcast meetings for 18 local government Councils and eight School District Boards in the Lower Mainland locally within their respective jurisdictions, broadcasting of regional Board meetings was terminated shortly after Shaw took over the service from Rogers Communications Inc.
- If cable providers operate the community television channel, they get to keep the revenues that would otherwise have to go to the Canadian Television fund.⁶⁸
- The cable provider in the Lower Mainland has effectively made the community channel its own channel. About \$5 million per year is currently collected from subscribers in the Lower Mainland to pay for community television. This money has been used by the local cable provider to rebrand the community channel for their own purposes, thereby cutting the community out of the process of producing community programs.⁶⁹
- A community channel operated and produced by a cable provider runs the risk of being broadcast through the lens of a private company.⁷⁰
- Independently produced community programming is often displaced in favour of programming produced by the cable provider.⁷¹
- Although a useful complement, Internet distribution is not seen as a replacement for community channel distribution as 95% of Lower Mainland residents get their information through television.⁷²
- The Canadian Association of Campus and Community Television User Groups and Stations (CACTUS) suggests that the time has come for communities to run community channels.⁷³

⁶⁵ Metro Vancouver, “Review of Community Television Policy Framework – Submission”, January 29, 2010

⁶⁶ Metro Vancouver, “Review of Community Television Policy Framework – Submission”, January 29, 2010

⁶⁷ Metro Vancouver, “Review of Community Television Policy Framework – Submission”, January 29, 2010

⁶⁸ Metro Vancouver, “Background Information on the History and Role of Community Channel and the Cable Industry” (Attachment 4)

⁶⁹ Metro Vancouver, “Background Information on the History and Role of Community Channel and the Cable Industry” (Attachment 4)

⁷⁰ Metro Vancouver, “Background Information on the History and Role of Community Channel and the Cable Industry” (Attachment 4)

⁷¹ Metro Vancouver, “Background Information on the History and Role of Community Channel and the Cable Industry” (Attachment 4)

⁷² Metro Vancouver, “Background Information on the History and Role of Community Channel and the Cable Industry” (Attachment 4)

Background Information on Community Media Centres

- Experienced access program producers see great value in the use of studio production, using professional gear, since it draws volunteers and creates a social interaction which is essential to the “community” element of community programming.⁷⁴
- Community media centres are a place (real and virtual) that can facilitate citizen collaboration of all types. Community media centres, in concept, offer the opportunity to bridge between social media on the Internet and the local community.⁷⁵
- Community Media Centres – modeled on the idea of recreation centres and local libraries – may provide citizens needed access to media literacy, knowledge and media production skills they require now, more than ever before.⁷⁶
- W2 is a world-class community media arts centre in Vancouver’s Downtown Eastside. W2 is currently running programs and media arts residencies at the Perel Building at 112 W Hastings while it awaits the opening of the new space at Woodward’s in Spring of 2010. W2 will feature a community TV studio, FM radio station, 150-capacity performance space, gallery, social enterprise café, letterpress studio, telepresence and mobile media programs, and more.⁷⁷
- The *film, television, digital entertainment, new media sector action plan* contained within the *Burnaby Economic Development Strategy (EDS) 2020* identified that the City should consider creating a new media urban village.⁷⁸ The concept of a community media centre is consistent with that of a new media urban village as described in the *Burnaby EDS 2020*.
- The Canadian Association of Campus and Community Television User Groups and Stations (CACTUS) is proposing that the money that cable operators currently spend on their own “community channels” (\$116 million last year) should be reallocated to a new Community-Access Media Fund to which communities themselves could apply to run community channels themselves.⁷⁹

⁷³ Estimated by the Canadian Association of Campus and Community Television User Groups and Stations, <http://cactus.independentmedia.ca/node/401>

⁷⁴ Keeble D. “The Impact of New Technology on Community Television”, CRTC (2008)

⁷⁵ Anderson S. and Lithgow M., “A New Vision for Community TV”, 2 Oct 2009, TheTyee.ca

⁷⁶ Anderson S. and Lithgow M., “A New Vision for Community TV”, 2 Oct 2009, TheTyee.ca

⁷⁷ <http://www.creativetechnology.org/page/about-w2-1>

⁷⁸ This idea was proposed specifically for the area around the intersection of Willingdon/Canada Way, to create a focus for the large concentration of new media employees and students in that area.

⁷⁹ <http://cactus.independentmedia.ca/node/401>