



July 5, 2011

Mr. Robert A. Morin
Secretary General
Canadian Radio-television and
Telecommunications Commission
Ottawa, Ontario K1A 0N2

Filed Electronically

Dear Mr. Morin:

Re: Broadcasting and Telecom Notice of Consultation CRTC 2011-344 – fact-finding exercise on the over-the-top programming services in the Canadian broadcasting system

1. Please find attached a submission in response to the above-noted Notice of Consultation (the Notice) which is jointly filed by the Alliance of Canadian Cinema, Television and Radio Artists (ACTRA), the Association des producteurs de films et de télévision du Québec (the APFTQ), the Canadian Media Production Association (the CMPA), the Directors Guild of Canada (the DGC), and the Writers Guild of Canada (the WGC).
2. We are pleased that the Commission has initiated this process in a timely manner. Our submission is made up of a covering document which addresses the topics identified in the Notice and the following three supporting expert reports which we commissioned and which received funding support from the Ontario Media Development Corporation (OMDC):
 - *Trends in TV and Internet Use: The Impact of Internet TV on Canadian Programming*, by Barry Kiefl;
 - *Foreign Over the Top Services and the Creation, Acquisition and Exhibition of Canadian Content* by Paul Gratton; and
 - *Trends in Multichannel TV and Online Video in the United States*, by Robert Tercek.
3. With his permission, we have also attached a short paper from Peter Grant entitled *Enforcement of CRTC Jurisdiction over Foreign OTT Services*.
4. While elusive just two years ago when the Commission last reviewed its New Media Exemption Order, a business model now exists for broadcasting in new media and, as a result, over-the-top programming services are now clearly players in the Canadian broadcasting system.

5. Accordingly, it is time for the Commission to ensure that these new players contribute in an appropriate manner to the creation and presentation of Canadian programming, as required by the *Broadcasting Act*. We look forward to participating in a follow-up proceeding to this fact-finding exercise in order to pursue that important Canadian broadcasting policy objective.

Yours truly,



Stephen Waddell
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ACTRA National



Claire Samson
President and CEO,
APFTQ



Norm Bolen
President and CEO
CMPA



Brian Baker
Interim National Executive
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Maureen Parker
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