



Via Email

April 19, 2005

**Canadian
Association of
Broadcasters**

**L'Association
canadienne des
radiodiffuseurs**

Ms. Diane Rhéaume
Secretary General
Canadian Radio-television and
Telecommunications Commission
Ottawa, Ontario
K1A 0N2

Dear Ms. Rhéaume:

RE : Broadcasting Public Notice CRTC 2005-18 – Commission requirements for the pass-through of video description – Call for comments on the obligations of smaller broadcasting distribution undertakings

1. The Canadian Association of Broadcasters (CAB), the national voice of Canada's private broadcasters, representing the vast majority of Canadian programming services - including private television and radio stations, networks, and specialty and pay and pay-per-view television services – is pleased to provide its comments in relation to Broadcasting Public Notice CRTC 2005-18 *Commission requirements for the pass-through of video description – Call for comments on the obligations of smaller broadcasting distribution undertakings* (BPN 2005-18).
2. Section 3(1)(p) of the *Broadcasting Act* provides that “programming accessible by disabled persons should be provided within the Canadian broadcasting system as resources become available for the purpose.” In keeping with this important objective, Canadian private broadcasters have made significant commitments to the roll out of described video programming. Since 2001, English-language private conventional broadcasters have been offering at least two hours per week of described video programming and have committed to increasing this offering to four hours per week by 2008. The CAB notes that some English-language private conventional broadcasters will begin offering up to four hours per week of described video programming as early as next year. In addition, a number of English-language specialty services featuring programming that best lends itself to described video, such as drama, documentary and children's programming, have committed to offering two hours per week of described video programming beginning in 2005 and increasing to three hours per week by 2008.

3. The CAB notes that over and above the significant production costs associated with the development of described video programming, private conventional and specialty broadcasters have also made substantial financial investments to upgrade their transmission systems to accommodate the second audio programming (SAP) channel used to deliver described video programming.
4. Notwithstanding the cost and technological challenges broadcasting distribution undertakings (BDUs) face in distributing described video programming, the CAB believes the incremental approach adopted by the Commission for the exhibition and delivery of described video programming is appropriate. The CAB agrees that this incremental approach will allow broadcasters and distributors to acquire the capacity to deliver described video over time and to incorporate the associated costs into their regular upgrades.
5. As noted in BPN 2005-18, BDUs have been aware of their obligations under section 7(f) of the *Broadcasting Distribution Regulations* to pass through described video programming since 1997 when the Commission introduced new regulations that clarified the subsidiary signal containing described video was “related to the service being distributed” (Public Notice CRTC 1997-150).
6. Accordingly, given the importance of making television services more accessible, particularly to persons who are blind or have impaired vision and do not have the same level of accessibility to television programming as persons who are deaf or hard of hearing, **the CAB submits that all classes of BDUs in all regions, licensed and exempt, should be required to pass through described programming contained in both analog and digital signals to their subscribers.**
7. The CAB recognizes that while all BDUs may not be able to pass through the described video signal immediately, the Commission should strongly urge all BDUs to begin upgrading their systems to accommodate the described video signal as soon as possible in order to comply no later than the suggested deadline of September 1, 2008.
8. The CAB notes that a number of cable BDUs have undertaken to pass through described video programming once all conventional, specialty and pay services are received and distributed on a digital basis. The CAB submits that this commitment is unacceptable since, despite the fact that many conventional and specialty services have begun the transition to digital transmission and distribution, there will continue to be a substantial number of analog service subscribers for well into the foreseeable future. Accordingly, subscribers choosing an analog service should not be prevented from accessing described video programming currently offered by private conventional and specialty broadcasters.
9. With respect to the technical difficulties experienced by satellite operators, the CAB commends Bell ExpressVu for its creative solution to overcoming these challenges by producing for distribution virtual channels that are dedicated to described video programming. The CAB urges the Commission to continue to work with Star Choice Television Network to find equally creative solutions to overcoming its technological impediments to passing through described video programming in a timely fashion.

10. Furthermore, in order to help facilitate the delivery of described programming to subscribers, CAB members that plan to include described video programming in their schedules will notify BDUs of their plans at least six months in advance of implementation. The CAB notes that this practice was already adopted by a number of services currently offering described video programming.
11. Finally, the CAB notes that a number of broadcasters, including CTV, Global, CHUM, Alliance Atlantis, and the CBC, and several described video service providers, have struck a committee entitled the Canadian Described Video Broadcast Committee to establish Canadian industry standards for described video programming.
12. A primary focus of this committee is the effective communication of the availability of described video programming to subscribers. To this end, the Committee has designed a logo for print and broadcast to increase awareness for described video programming and has contacted TV listings services for their cooperation in adding this logo to program listings to identify programming broadcast in described video format. The CAB submits that these efforts to increase awareness for described video programming make it even more critical for BDUs to start passing through the described video signal as soon as possible in order to avoid any confusion on the part of subscribers and therefore undermine broadcasters' awareness activities.
13. The CAB appreciates the opportunity to provide its comments in this important proceeding.

Sincerely,



David Keeble
Senior Vice-President,
Policy and Regulatory Affairs

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