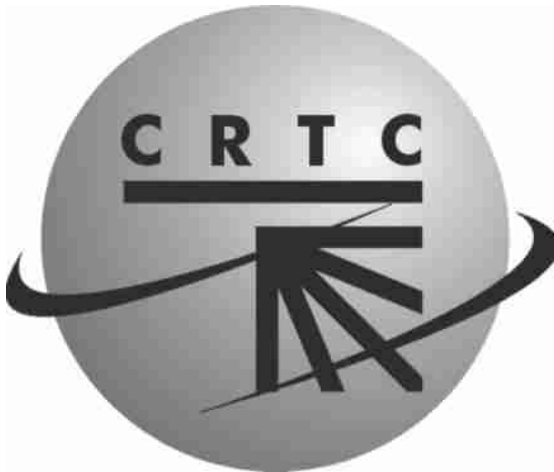


Canadian Radio-television and Telecommunications Commission



**2004-2005
Estimates**

Part III – Report on Plans and Priorities

Liza Frulla
Minister of Canadian Heritage

Table of Contents

SECTION I: Messages.....	3
Minister's message	Error! Bookmark not defined.
Chairperson's Message	7
Management Representation Statement	8
SECTION II: Raison d'être.....	9
SECTION III: Planning Overview	13
Environmental Context.....	15
Priorities	15
• Canadian Drama	16
• New Technologies.....	16
• Signal Theft	17
• Access to Infrastructure.....	17
• Enforcement.....	18
• Streamlining Process	18
• Implementing Government Initiatives.....	18
SECTION IV: Plans and Priorities by Strategic Outcomes	21
Commitment to Canadians: Strategic Outcomes and Related Resources	23
Performance Indicators	26
Activities, Expected Results and Timelines.....	28
SECTION V: Organization	33
Strategic Outcomes and the CRTC Business Line	35
Accountability Structure	36
CRTC Organization Chart.....	37
CRTC Planned Spending.....	38
SECTION VI: Appendices.....	39
Appendix A: Respendable and Non-Respendable Revenue	41
Appendix B: Cost of Program	44
Appendix C: External Charging Information.....	45
Appendix D: CRTC Members and Offices	46
Appendix E: Legislation and Associated Regulations.....	48

SECTION I: Messages

Minister's message

The Canadian Heritage Portfolio, which includes the Canadian Radio-television and Telecommunications Commission (CRTC), collaborates with partners across Canada to strengthen the connection between Canadians and to inspire a deeper understanding of our diverse communities.



The CRTC continues to be an instrumental and important partner in fostering access to our culture and heritage. It is through these strong partnerships that we seize the opportunities to celebrate our linguistic duality, our cultural diversity, and our inclusiveness.

The CRTC regulates and supervises the Canadian broadcasting system and the telecommunications industry by adopting processes that allow it to balance the needs of Canadians with those of the industries.

Through this report the CRTC highlights its priorities to further achieve its mandate. It also signals to those at home and abroad that the Government of Canada and its employees take pride in strengthening and promoting our artists, athletes, languages and cultural communities.

Liza Frulla

Chairperson's Message

We at the CRTC are always conscious of what a challenge and responsibility it is to regulate two key industries that so directly affect the daily lives of all Canadians. Today's rapid developments in digital technology are opening up exciting new possibilities in both broadcasting and telecommunications, making our role even more challenging.

Our planning and priorities are guided by our mandates under the *Broadcasting Act* and the *Telecommunications Act*. We strive for a dynamic balance between the need for healthy, sustainably competitive industries, affordable services for Canadians and the social and cultural objectives so important in nourishing our distinctive Canadian identity.



A high priority in the year to come is to develop policy to guide a market-driven transition from analogue to digital TV broadcasting to ensure the greatest benefits to the consumer and the industry. We will also be assessing applications to launch satellite radio and other forms of subscription radio in Canada, and their possible impact on the radio industry.

We will continue to encourage Canadian programming created by Canadian talent that reflects the Canadian experience in all its diversity. We will pursue our work on the issue of television drama, aided by the comments we have received on proposals to bring to our TV screens more high-quality Canadian English-language drama with strong audience appeal, and to ensure that French-language drama will continue to flourish.

The telecommunications sector is expected to contribute significantly to the growth of the economy as it develops new technologies and services. In consultation with all stakeholders we will develop the regulatory policies needed to keep pace in this fast-evolving field.

We continue to work towards the objective of sustainable facilities-based competition in local telecommunications services. A key factor is competitors' access to end users. We will continue to assist in negotiations among the parties involved and to make such rulings as may be required in order to remove obstacles to such access. We have introduced a process in order to provide expedited decisions on certain competitive matters. We will also be taking a more active role in the enforcement of our decisions through audits and inspections of companies.

It is a high priority for the Commission to ensure that our own processes are fair, effective and transparent, so that we can continue to enjoy the confidence of the public and the industries we regulate. Over the past two years we have improved the quality and clarity of our decision writing. In the year to come, we will be assessing the way we work in order to find the means of delivering those determinations that are key to our stakeholders and to the public, in a more timely manner.

We look forward to a busy year serving the people of Canada.

A handwritten signature in black ink, which appears to read "C. Dalfen". The signature is fluid and cursive, with a long horizontal stroke at the end.

Charles M. Dalfen

Management Representation Statement

I submit for tabling in Parliament the 2004-2005 Report on Plans and Priorities (RPP) for the Canadian Radio-television and Telecommunications Commission (CRTC).

This document has been prepared based on the reporting principles and disclosure requirements contained in the *Guide to the Preparation of the 2004-2005 Report on Plans and Priorities*:

- √ It accurately portrays the organization's plans and priorities.
- √ The planned spending information in this document is consistent with the directions provided in the Minister of Finance's Budget and by TBS.
- √ It is comprehensive and accurate.
- √ It is based on sound underlying departmental information and management systems.

The reporting structure on which this document is based has been approved by Treasury Board Ministers and is the basis for accountability for the results achieved with the resources and authorities provided.

Name: _____
Diane Rhéaume, Secretary General

Date: _____

SECTION II: Raison d'être

Raison d'être

The CRTC was established to sustain and promote Canadian culture and achieve key social and economic objectives. The Commission does this by regulating and supervising Canadian broadcasting and telecommunications in the public interest. In doing this, the CRTC is governed by the [Broadcasting Act](#) of 1991 and the [Telecommunications Act](#) of 1993.

The *Broadcasting Act* seeks to ensure that all Canadians have access to a wide variety of high quality Canadian programming.

The *Telecommunications Act* seeks to ensure that Canadians have access to reliable telephone and other telecommunications services at reasonable prices.

Since 1928, when the Government of Canada created the first Royal Commission on Broadcasting, the government has sought to develop policies to keep pace with changing technology. This has been the government's central goal from the early days of radio and television, to our current information highway era characterized by rapid technological change.

Today, we are an independent public authority. The CRTC reports to Parliament through the Minister of Canadian Heritage.

Our challenge is to serve the public interest by maintaining a balance between the cultural, social and economic goals of the legislation on broadcasting and telecommunications, taking into account the wants and needs of Canadian citizens, industries and various interest groups.

CRTC Mandate

To regulate and supervise the broadcasting and telecommunications industries in accordance with the policy objectives set out in sections 3 and 5 of the [Broadcasting Act](#) and in section 7 of the [Telecommunications Act](#).

Strategic Outcomes

The Commission seeks to achieve, through a number of activities, four broad strategic outcomes:

1. Increased availability of Canadian content and programming that reflects Canadian creative talent and Canada's linguistic duality, cultural diversity and social values, as well as its national, regional and community characteristics;
2. Increased access to a variety of innovative, high-quality communications services, at reasonable prices, that meet consumers' needs and reflect their values;
3. A sustainable, competitive Canadian communications industry; and
4. Commission processes that are fair, transparent and effective.

Activities to Achieve the Outcomes

The Commission fulfils its regulatory responsibilities by means of a number of inter-related activities, including:

- √ issuing, renewing and amending licences for broadcasting undertakings;
- √ making determinations on mergers, acquisitions and changes of ownership in the broadcasting industry;
- √ approving tariffs for the telecommunications industry;
- √ fostering increased reliance on market forces for the provision of telecommunications services and ensuring that regulation, where required, is efficient and effective;
- √ monitoring competition and removing obstacles to competition;
- √ collaborating with industry to resolve competitive disputes;
- √ developing and implementing regulatory policies with a view to meeting the objectives of the *Broadcasting Act* and the *Telecommunications Act*;
- √ monitoring, assessing and reviewing, where appropriate, regulatory frameworks to meet its policy objectives; and
- √ monitoring the programming and financial obligations of broadcasting undertakings to ensure compliance with regulations and conditions of licence.

For each task the CRTC undertakes, a primary concern is to balance the needs and desires of Canadians with those of the communications industry. Through its regulatory function, the Commission addresses, among other matters, social and cultural issues that might otherwise not receive the attention they deserve. For instance, the Commission fosters the reflection of Canada's linguistic duality and cultural diversity, the provision of additional closed captioning for the hearing impaired and descriptive videos for the visually impaired, and protection from excessive violence in the broadcast media. The CRTC seeks to ensure that its policy directions for the Canadian industry keep pace with emerging technology and support such directions as increased competition in local telephone markets.

SECTION III: Planning Overview

Planning Overview

Environmental Context

CRTC is fully funded by the fees it collects from the telecommunications and broadcasting industries. The CRTC collects fees under the authority of the [Telecommunications Act](#), the [Broadcasting Act](#) and the regulations made pursuant to these acts, namely the CRTC [Telecommunications Fee Regulations, 1995](#) and the CRTC [Broadcasting Licence Fee Regulations, 1997](#).

Industry consolidation and the resulting media convergence, or common ownership of television, radio, newspaper and Internet properties, will continue to influence the CRTC's operating environment. Our ongoing challenge will be to ensure that Canadians have access to a diversity of voices and choices within a dynamic and competitive industry, while also enabling strong Canadian firms capable of competing globally.

Looking forward, the economy as a whole is expected to continue to grow. The communications sector is expected to contribute to this growth through innovation in the form of new products and services, and improved business processes. Competition will continue to expand in certain markets, as companies that were restructuring in 2002 re-emerge into the market, relatively free of debt and ready to compete. Overall, the outlook for the communications sector is positive.

The Commission's public policy, whether taken under the auspices of the *Telecommunications Act* or the *Broadcasting Act*, increasingly has profound ramifications for industry players, whether their respective businesses, historically originated in telephony or broadcasting. The Commission remains dedicated, pursuant to its legislative mandate, to sustainable competition and the emergence of new services.

The following paragraphs describe the priorities that the CRTC will pursue over the next three years to move forward each strategic outcome. These priorities reflect the current and anticipated social, cultural and economic environments.

Priorities

The CRTC's priorities for the 2004-2007 period will be:

- Canadian Drama
- New Technologies
- Signal Theft
- Access to Infrastructure
- Enforcement
- Streamlining Process
- Implementing Government Initiatives

- **Canadian Drama**

Statistics show that English-speaking Canadians predominantly watch foreign-produced drama. This represents a challenge for the Canadian broadcasting system in finding ways to attract larger numbers of viewers of English Canadian drama. Solutions involve not only regulation but also marketing, scheduling and funding mechanisms. It is important that all stakeholders understand the challenges and proceed with a collaborative and coordinated an approach as possible.

In *Support for Canadian Television Drama – Call for comments*, [Broadcasting Public Notice, CRTC 2003-54](#), 26 September 2003, the Commission sought comments on actions it might take to support the production and broadcast of more high quality, original, English-language Canadian drama and to attract larger audiences to such programming. The Commission also sought comments on actions it might take to ensure that high quality, original French-language Canadian drama remain a key component of prime time viewing.

Following the analysis of the comments received, the Commission will begin the preparation of its Canadian television drama policy as one of the priorities for fiscal year 2004-2005.

- **New Technologies**

The CRTC will focus efforts over the next three years on determining how best to play its regulatory role with respect to the new technologies poised to enter the market.

The CRTC, through its policies, will continue to strive for reliable and affordable services of high quality, to foster facilities-based competition, to provide incumbents with incentives to increase efficiencies and be more innovative, and to impose a minimum regulatory burden.

- **Voice over Internet Protocol (VoIP)/Wireless**

We anticipate that the competitive landscape in telecommunications will continue to evolve rapidly over the next several years. As a consequence, the CRTC will continue to monitor and to develop an appropriate policy on the development and impact of VoIP and expanded wireless telecommunications services.

- **Analog and Digital Services / Satellite Radio**

The *Broadcasting Act* requires that the Canadian broadcasting system "be readily adaptable to scientific and technological change". It directs us to regulate in a manner that "does not inhibit the development of information technologies and their application or the delivery of resultant services to Canadians."

One of the most significant steps in the evolution of broadcasting technology involves the transition from the distribution of analog to digital television services including high-definition television, as well as the transition to digital distribution of such services.

In *The regulatory framework for the distribution of digital television signals*, [Broadcasting Public Notice CRTC 2003-61](#), 11 November 2003, the Commission set guidelines to oversee the distribution of over-the-air digital television signals during the period of transition from analog to digital. For the most part, the rights and obligations of broadcasting distribution undertakings with respect to the distribution of over-the-air digital signals will match those which they currently have with respect to the distribution of the analog version of those signals. This means that the digital signal of a programming service must be carried even though it may be identical in content to the analog signal. This will often be the case during the transition.

The next step will be the launch of two follow-up proceedings. One will consider the transition of pay and specialty services to the high-definition format. The other will consider the permanent carriage obligations of high-definition services by direct-to-home satellite undertakings.

Significant technological changes are also transforming the radio broadcasting industry. In addition to a number of initiatives in digital audio broadcasting, we now have the emergence of satellite radio. The CRTC has received applications for licences to operate satellite radio undertakings offering services to paying subscribers across the country. In considering these and any other applications that may be filed for similar services, the Commission must take into account the impact of satellite radio on Canadian consumers, on existing conventional radio licensees and on the development of digital audio broadcasting as well as the objectives of the *Broadcasting Act*.

In light of these new developments, the Commission has decided to postpone the commercial radio policy review that had been foreseen for the spring of 2004.

- **Signal Theft**

In its supervisory capacity, the Commission will continue to work closely with the industry to implement measures that will curtail signal theft and minimise its impact on the Canadian broadcasting system. The Commission will also work with other government departments and agencies and provide the necessary support on the legislative and enforcement fronts.

- **Access to Infrastructure**

Access to infrastructure by telecommunications service providers allows end-users their choice of service providers, thus maximizing the benefits of local competition. In May 2003, the Supreme Court of Canada ruled that the Commission has no authority within the current legislation to require municipal and provincial utilities to allow cable operators to string their lines along utility power poles.

In *Provision of Telecommunications services to customers in multi-dwelling units*, [Telecom Decision CRTC 2003-45](#), 30 June 2003, the Commission set out guidelines with respect to reasonable terms, conditions and fees for access to multi-dwelling units (MDUs) and indicated that the Commission would be prepared to consider complaints from parties where access could

not be negotiated on reasonable terms and conditions. Groups representing building owners have appealed the Federal Court claiming that the Commission lacks the jurisdiction to order access where necessary. Despite the appeal, some Local Exchange Carriers (LECs) and building owners are proceeding to negotiate MDU access in accordance with the decision and an industry CRTC Interconnection Steering Committee (CISC), including building owner representatives, is working to develop a standard template for MDU access agreements.

The appeal is expected to be heard this year.

The CRTC will, over the next three years, be involved in dealing with applications where parties have been unable to come to an agreement on reasonable terms and conditions.

In Terms and conditions of existing agreements for access to municipal rights-of-way, [Telecom Decision CRTC 2003-82](#), 4 December 2003, the Commission indicated it was prepared to consider applications from Canadian carriers seeking to establish that municipal consent for access to rights-of-way was not obtained on terms acceptable to the carrier. The Commission has received a number of applications dealing with the same subject matter and intends to deal with these and any new ones that would be submitted in the regular course of business. A number of municipalities have sought leave to appeal this decision to the Federal Court.

- **Enforcement**

The CRTC will continue to play an active role with respect to enforcement of the regulations through audits and investigations.

- **Streamlining Process**

The CRTC will continue to place a great deal of emphasis on ensuring that its processes sustain the confidence of the general public and of the industries. As the broadcasting and telecommunications environments evolve, the work is becoming increasingly complex. Since it is not anticipated at this time that the CRTC will be acquiring new resources, it will need to evaluate existing processes, both internal and external, to ensure that they are as efficient as possible. The streamlining of processes and rebalancing of resources will be a priority in fiscal year 2004-2005.

- **Implementing Government Initiatives**

The Commission remains fully committed to government-wide initiatives to streamline and modernize the federal legal, regulatory and policy environment.

- **Modernization of Human Resources**

Modernization of HR will be a key priority over the next three years. The CRTC will implement the initiative in two phases: Phase 1 will see the completion of competency profiles for all critical positions in 2004-2005; Phase 2, extending over the next three years, will see the development of succession and staffing plans, and a strategic learning plan, both based on the competencies.

➤ **Modern Comptrollership Initiative**

The CRTC struck a Modern Management Committee in 2003-2004 tasked to begin the implementation of the Modern Comptrollership Initiative.

A Capacity Assessment was completed to provide CRTC Senior Management with a comprehensive baseline assessment of the state of management practices within the agency in relation to the recommendations made in the *Report of the Independent Review Panel on Modern Comptrollership in the Government of Canada*.

An action plan will be developed to address the suggested areas of improvement. It is expected that the action plan will take three to six months to fully develop. Implementation will then take place over the next 3 to 7 years.

➤ **Government on-Line**

The Commission web site complies with the Government of Canada's common look and feel guidelines.

Our web site is a combined communications and reference tool offering a variety of topics and options in both official languages. It is well appreciated by both the industry and the public. Its content ranges from new releases to public proceedings, complaints and inquiries, CRTC information and other related links. It also provides access to documents associated with public processes undertaken by the Commission, namely: applications, public notices, interventions and decisions. It is regularly monitored to ensure the high quality of its content.

The Commission is committed to the Shared Systems Initiatives from Treasury Board and as such the CRTC is currently introducing the **epass** service. By using **epass**, citizens and industry can be assured of a secure electronic service from any Internet terminal, using a user ID and password.

➤ **Citizens-Centred Service Delivery**

The government-wide Service Improvement Initiative is based on the principle that continued and measurable improvement in client satisfaction is the most reliable indicator of improvements in the quality of services and the performance of departments and agencies.

The CRTC, through its processes and daily services, deals with communications issues of concern to Canadians, such as rates for local telephone services, the quality of communications services, a competitive payphone industry, telemarketing, licensing of multicultural radio and television stations, and access to minority official language services.

The CRTC commissioned a client satisfaction survey to find out about client satisfaction with front-line services and priorities for improvements. The survey (mail, phone and online) was conducted in July and August 2003 and included questions regarding the accessibility and quality of services offered in both official languages by Client Services Offices across Canada.

The results of the survey suggest that while clients identified areas in need of improvement, they were on the whole satisfied with CRTC's client services. An action plan will be developed in 2004-2005 to address service improvement initiatives stemming from the survey results.

SECTION IV: Plans and Priorities by Strategic Outcomes

Plans and Priorities by Strategic Outcomes

Commitment to Canadians: Strategic Outcomes and Related Resources

CRTC Commitment to Canadians	Strategic Outcomes	Related Resources		
To regulate and supervise the broadcasting and telecommunications industries in accordance with the policies and objectives established in the <i>Broadcasting Act</i> and the <i>Telecommunications Act</i> .	<ol style="list-style-type: none"> 1. Increased availability of Canadian content and programming that reflects Canadian creative talent and Canada's linguistic duality, cultural diversity and social values, as well as its national, regional and community characteristics. 2. Increased access to a variety of innovative, high-quality communications services, at reasonable prices, that meet consumers' needs and reflect their values. 3. A sustainable, competitive Canadian communications industry. 4. Commission processes that are fair, transparent and effective. 	Business Line: Regulation of communications in the public interest		
		Resources (\$ millions)		
		2004-2005	2005-2006	2006-2007
		43.7	43.7	43.7
		FTEs*	FTEs	FTEs
		418	418	418

* FTE: Full-time equivalent

Strategic Outcome 1: \$13.5 million – total planned spending per year from 2004 to 2007

Increased availability of Canadian content and programming that reflects Canadian creative talent and Canada's linguistic duality, cultural diversity and social values, as well as its national, regional and community characteristics.

Canada's broadcasting policy is set out in the *Broadcasting Act*. Under this legislation, the CRTC is responsible for regulating and supervising the Canadian broadcasting system to implement the policy objectives. To meet these objectives, the Commission must encourage the promotion of Canadian creativity, the reflection of Canadian society, and ensure that Canadian programming is prominently displayed in an increasingly globalized world.

To achieve the desired outcomes, the CRTC plans to:

- √ increase the production and viewing of Canadian drama;
- √ provide diversity of services to reinforce the Canadian broadcasting system;
- √ increase services for persons with a disability and improve representation of our multicultural society;
- √ ensure licensee compliance with regulations and conditions of licence.

The CRTC will measure its success in achieving the objectives of the *Broadcasting Act* using indicators such as: the number of scheduled hours of Canadian programming; the viewership for Canadian programs; the amount invested in Canadian talent development; the availability of multicultural and Aboriginal programming; and the availability of programming in the official language of the minority.

Strategic Outcome 2: \$12.5 million – total planned spending per year from 2004 to 2007

Increased access to a variety of innovative, high-quality communications services, at reasonable prices, that meet consumers' needs and reflect their values.

The rapid and continued evolution of the telecommunications industry, and the introduction of new services, provides businesses and consumers better and faster ways to communicate. The new services and changes in technology also raise complex issues.

The CRTC will continue to address these issues to take advantage of the innovative technologies that will better serve the broadcasting and telecommunications industries as well as the Canadian public.

To continue to ensure access to a wide variety of communications services for all Canadians, the CRTC plans to:

- √ ensure that incumbent telecommunications companies meet the basic service objectives;
- √ promote consumer safeguards;
- √ promote and facilitate access to telephone services;
- √ promote and maintain high-quality of service provided by incumbent telephone companies; and
- √ ensure that consumers benefit from technological changes.

The CRTC will continue to monitor the evolution of new technologies in the telecommunications and broadcasting industries and the impact of regulation and deregulation. It will measure progress in ensuring that Canadians have better access to innovative, high-quality and affordable communications services, using national and international indicators.

Strategic Outcome 3: \$10.7 million – total planned spending per year from 2004 to 2007

A sustainable, competitive Canadian communications industry.

The CRTC continues to implement policies that will promote a strong, competitive market place balancing the needs of incumbents, competitors and consumers. Work remains to achieve the CRTC's goal of attaining vigorous, sustainable competition, particularly in the local telephone market.

To achieve this outcome, the Commission plans to:

- √ ensure that emerging technologies support sustainable competition in the broadcasting industry;
- √ remove obstacles to competition; and
- √ ensure that emerging technologies support sustainable facilities-based competition in the telecommunications industry;

Strategic Outcome 4: \$7 million – total planned spending per year from 2004 to 2007

Commission processes that are fair, transparent and effective.

To achieve this outcome, the Commission plans to:

- √ continue to improve the clarity of its decisions;
- √ streamline procedures;
- √ improve electronic communication capabilities;
- √ improve service to Canadians;
- √ inform all Canadians of significant broadcasting and telecommunications initiatives; and
- √ modernize human resources.

Performance Indicators

Our success in fostering a competitive environment and a strong communications industry will be measured using a number of performance indicators. For the telecommunications sector, results will be reflected in the Commission's [Report to the Governor in Council: Status of Competition in Canadian Telecommunications Markets](#). In broadcasting, results will appear in the [Broadcasting Policy Monitoring Report](#).

The following table provides some of the performance indicators that will be used in assessing the achievement of objectives.

Strategic Outcomes	Performance Indicators
<p>1. <i>Increased availability of Canadian content and programming that reflects Canadian creative talent and Canada's linguistic duality, cultural diversity and social values, as well as its national, regional and community characteristics.</i></p>	<p><i>Canadian content and programming</i></p> <ul style="list-style-type: none"> ▪ Trends in the number of hours and percentage of programming devoted to Canadian content, by language market, in all categories; ▪ Trends in audience shares devoted to Canadian television programming; and ▪ Compliance with the Canadian content requirements for television and radio. <p><i>Cultural diversity and social values</i></p> <ul style="list-style-type: none"> ▪ Trends in the number of hours devoted to programming, by language, in certain markets, on ethnic and other stations; and ▪ Existence of standards and mechanisms for industry self-regulation to address social issues. <p><i>National, regional and community characteristics</i></p> <ul style="list-style-type: none"> ▪ Trends in audience shares of local programming in certain markets; and ▪ Analysis of complaints relative to national, regional and local content. <p><i>Development and investment in Canadian creative talent</i></p> <ul style="list-style-type: none"> ▪ Trends in investments in Canadian content, programming and production funds; and ▪ Trends in the average investment in Canadian productions, by category.
<p>2. <i>Increased access to a variety of innovative, high-quality communications services, at reasonable prices, that meet consumers' needs and reflect their values.</i></p>	<p><i>Access to a variety of innovative, high-quality communications services</i></p> <ul style="list-style-type: none"> ▪ Services offered by broadcasting licenses, by type (five previous years); ▪ Analysis of complaints relative to quality of service and service provision; ▪ Trends in digital licences for broadcasting undertakings; ▪ Selected indicators for usage of various media including the Internet (access, time spent and type); and ▪ International comparison of service diversity. <p><i>Reasonable prices</i></p> <ul style="list-style-type: none"> ▪ National penetration rate of telephone services; ▪ Analysis of complaints relative to basic rates and connection fees; and ▪ International comparison of prices and penetration rates for various communications services.

Strategic Outcomes	Performance Indicators
	<p><i>Services responsive to consumer and social needs</i></p> <ul style="list-style-type: none"> ▪ Selected indicators of service quality for telecommunications services including international comparisons; and ▪ Communications services and standards to meet the needs of persons with various disabilities.
<p>3. <i>A sustainable, competitive Canadian communications industry.</i></p>	<p><i>Competitive communications markets and services</i></p> <ul style="list-style-type: none"> ▪ Analysis of competition (profile of competitors, emergence of alternative service providers); ▪ National trends in market share in regulated and unregulated markets; and ▪ Selected financial (revenue, profits) and economic indicators of industry.
<p>4. <i>Commission processes that are fair, transparent and effective.</i></p>	<ul style="list-style-type: none"> ▪ Proportion of decisions overturned by the courts on the basis of fairness; ▪ Analysis of complaints by type; ▪ Processing times for various classes of applications; and ▪ Adherence to quality and service standards.

Activities, Expected Results and Timelines

STRATEGIC OUTCOMES	OBJECTIVES	PLANNED ACTIVITIES	EXPECTED RESULTS	TIMELINES		
				04-05 /	05-06 /	06-07
1. <i>Increased availability of Canadian content and programming that reflects Canadian creative talent and Canada's linguistic duality, cultural diversity and social values, as well as its national, regional and community characteristics.</i>	Increase production and viewing of Canadian drama.	TV Drama Policy – English and French markets.	A healthier drama industry to better serve Canadian viewers.	X	X	
	Provide diversity of services to reinforce the Canadian broadcasting system.	Evaluate proposals for issuance, amendment and renewal of broadcasting licences. Licensing workload forecast includes holding some 12 public hearings, issuing some 80 public notices and treatment of associated interventions, per year.	Diversified services and stronger Canadian market.	X	X	X
	Increase services for persons with a disability and improve representation of our multicultural society.	Monitor broadcasting policies related to Canadian content, linguistic duality, cultural diversity, and social issues such as privacy, violence and services for person with a disability by: <ul style="list-style-type: none"> • evaluating quality of English-and French-language closed captioning; • reviewing corporate cultural diversity plans and annual reports; • participating in Cultural Diversity Alliance and Diversity and Equity Committee; • developing an approach to reflect persons with disabilities in TV programming; • implementing a descriptive video framework; and • other activities, as necessary. 	<ul style="list-style-type: none"> • Increased availability of closed-captioning and descriptive video services; and • Increased participation and reflection of multi-cultural groups. 	X	X	X
	Ensure licensee compliance with regulations and conditions of licence.	<ul style="list-style-type: none"> • Monitor the programming and financial obligations of broadcasting undertakings through a regular review of annual reports, program logs and other monitoring activities; and • Take corrective measures where the objectives are not met. 	Maintain current levels of compliance and increase compliance in some areas.	X	X	X

STRATEGIC OUTCOMES	OBJECTIVES	PLANNED ACTIVITIES	EXPECTED RESULTS	TIMELINES		
				04-05	05-06	06-07
2. <i>Increased access to a variety of innovative, high-quality communications services, at reasonable prices, that meet consumers' needs and reflect their values.</i>	Ensure that incumbent telecommunications companies meet the basic service objectives.	<ul style="list-style-type: none"> • Monitor implementation of their service improvement plans; and • take corrective measures where objectives are not met. 	Ensure compliance with regulations and decisions.	X	X	X
	Promote consumer safeguards.	<ul style="list-style-type: none"> • Conduct research; • develop and issue a "consumer bill of rights"; and • release the results of the review of the current Canadian telemarketing rules to determine their effectiveness and if any further measures are required. 	Guidelines, policies and standards ensuring that all Canadians have access to all the information necessary for an accurate understanding of consumers' rights.	X	X	X
	Promote and facilitate access to telephone services.	Complete review of the access to pay telephone services.	<ul style="list-style-type: none"> • Assessment of telemarketing rules and determination of required actions. • Decision on a number of issues relating to the pay telephone services. 	X		
	Promote and maintain high-quality of service provided by incumbent telephone companies.	Finalize a rate adjustment plan for residential and business telecommunications services based on the quality of the service provided by incumbent telephone companies.	Service quality standards are met.	X		
	Ensure that consumers benefit from technological changes	<ul style="list-style-type: none"> • Develop policy process for specialty migration from analog to digital; • develop a licensing framework for transition of pay and specialty to high-definition; and • develop a framework for carriage of high-definition by Direct-to-Home Satellite services. 	Facilitate the transition from analog to digital while ensuring that subscribers are not penalized during the process.	X	X	
3. <i>A sustainable, competitive Canadian communications industry.</i>	Ensure that emerging technologies support sustainable competition in the broadcasting industry.	<ul style="list-style-type: none"> • Assess applications for satellite radio services and evaluate the impact on Canadian consumers, on existing conventional radio licensees, and on the development of digital audio broadcasting in this country; and • Review current commercial radio policy 	Develop a clear understanding of the probable impact of satellite radio to determine appropriate regulatory response.	X	X	
						X

STRATEGIC OUTCOMES	OBJECTIVES	PLANNED ACTIVITIES	EXPECTED RESULTS	TIMELINES		
				04-05 /	05-06 /	06-07
	Remove obstacles to competition.	<ul style="list-style-type: none"> Review the current price floor mechanisms and safeguards; and Streamline regulatory process especially as it relates to competitive disputes. 	Stronger competition.	X	X	X
	Ensure that emerging technologies support sustainable facilities-based competition in the telecommunications industry.	Monitor and address any issues related to the introduction of VoIP and the renewed investment in emerging technologies by both the incumbent telephone companies and competitive service providers.	Determine regulatory framework for VoIP through a public process.	X	X	X
4. Commission processes that are fair, transparent and effective.	Continue to improve the clarity of CRTC decisions.	<ul style="list-style-type: none"> Streamline and improve decision writing process; and 	Provides Canadians with more information.	X	X	X
	Streamline procedures.	<ul style="list-style-type: none"> Evaluate processes with a view to improving efficiency. 	This would translate into improved processes to meet service standards, resulting in more timely decisions.	X	X	X
	Improve electronic communication capabilities.	<ul style="list-style-type: none"> Facilitate the archiving, analyzing and reporting of data through implementation of a Telecommunications information (TMI) system; provide a more secure electronic environment with the introduction of epass service; and enhance information available to consumers through our Web site. 	Increased access for Canadians through a single window to a broad range of information.	X	X	
				X		
				X	X	X
	Improve service to Canadians.	Maintain awareness of client needs by: <ul style="list-style-type: none"> developing a follow-up action plan based on the results of the Summer 2003 client survey; and implementation of the plan. 	Enhanced awareness of client satisfaction and needs.	X		
Inform all Canadians of significant broadcasting and telecommunications initiatives.	Issue news releases, media advisories and speeches in different forums.	Canadian awareness of the regulatory environment with respect to communications in Canada.	X	X	X	

STRATEGIC OUTCOMES	OBJECTIVES	PLANNED ACTIVITIES	EXPECTED RESULTS	TIMELINES		
				04-05 /	05-06 /	06-07
	Modernization of HR.	Review internal HR policies, processes and guidelines to ensure the recruitment, development, retention and support of competent employees.	Continued ability to attract, develop and retain highly qualified individuals who are representative of Canadian society with the skills, attitudes, creativity and values needed to support the mandate.	X	X	X

SECTION V: Organization

Strategic Outcomes and the CRTC Business Line

Business line objective

To ensure that Canadians have access to integrated communications services and, to the resulting economic, social and cultural benefits, through balanced regulation, monitoring and dialogue with the public in accordance with the *Broadcasting Act*, the *Telecommunications Act* and related legislation.

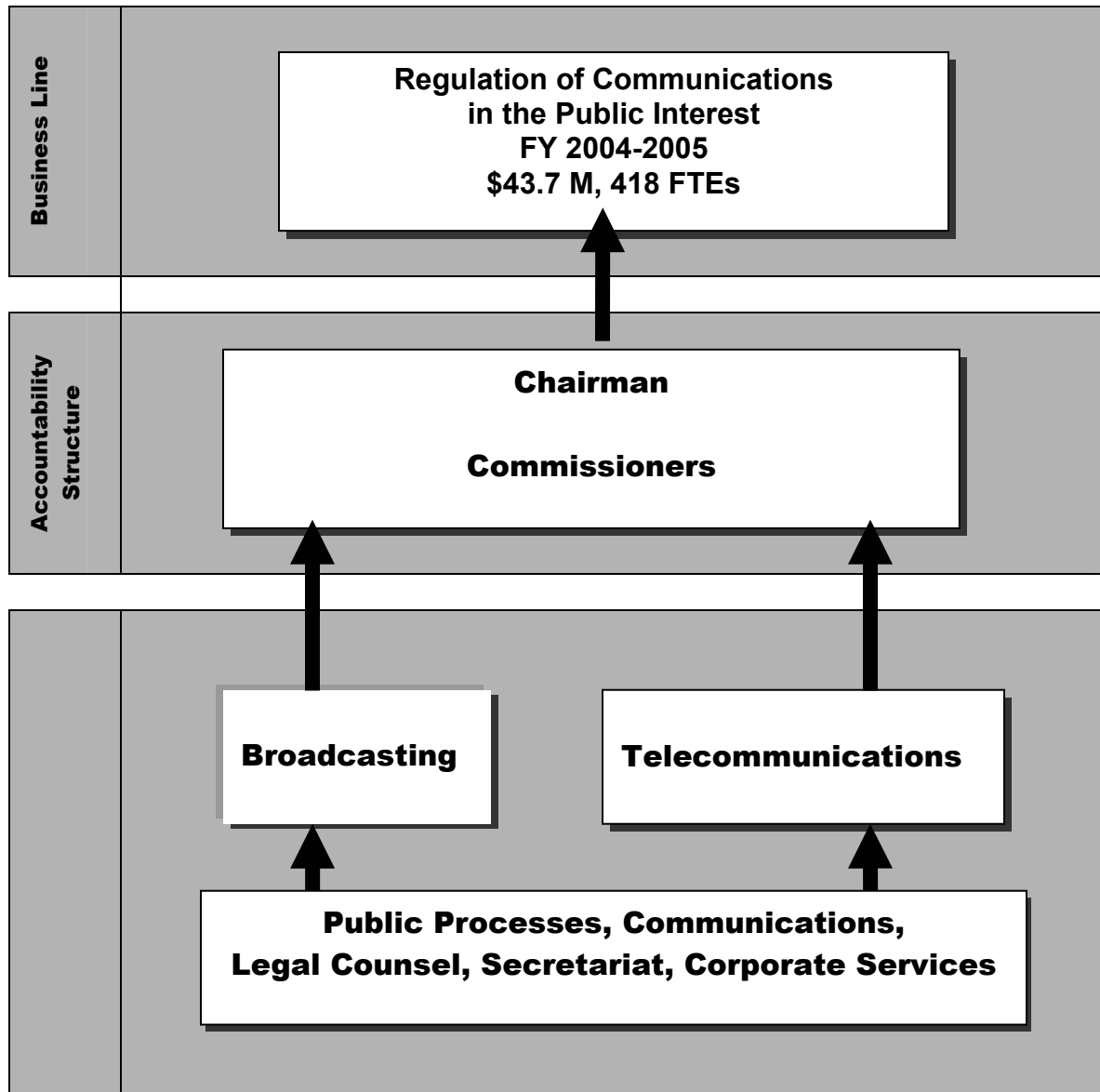
Description of the business line

The CRTC regulates broadcasting undertakings and telecommunications common carriers in accordance with the *Broadcasting Act*, the *Telecommunications Act* and other related legislation.

Linking resources to results

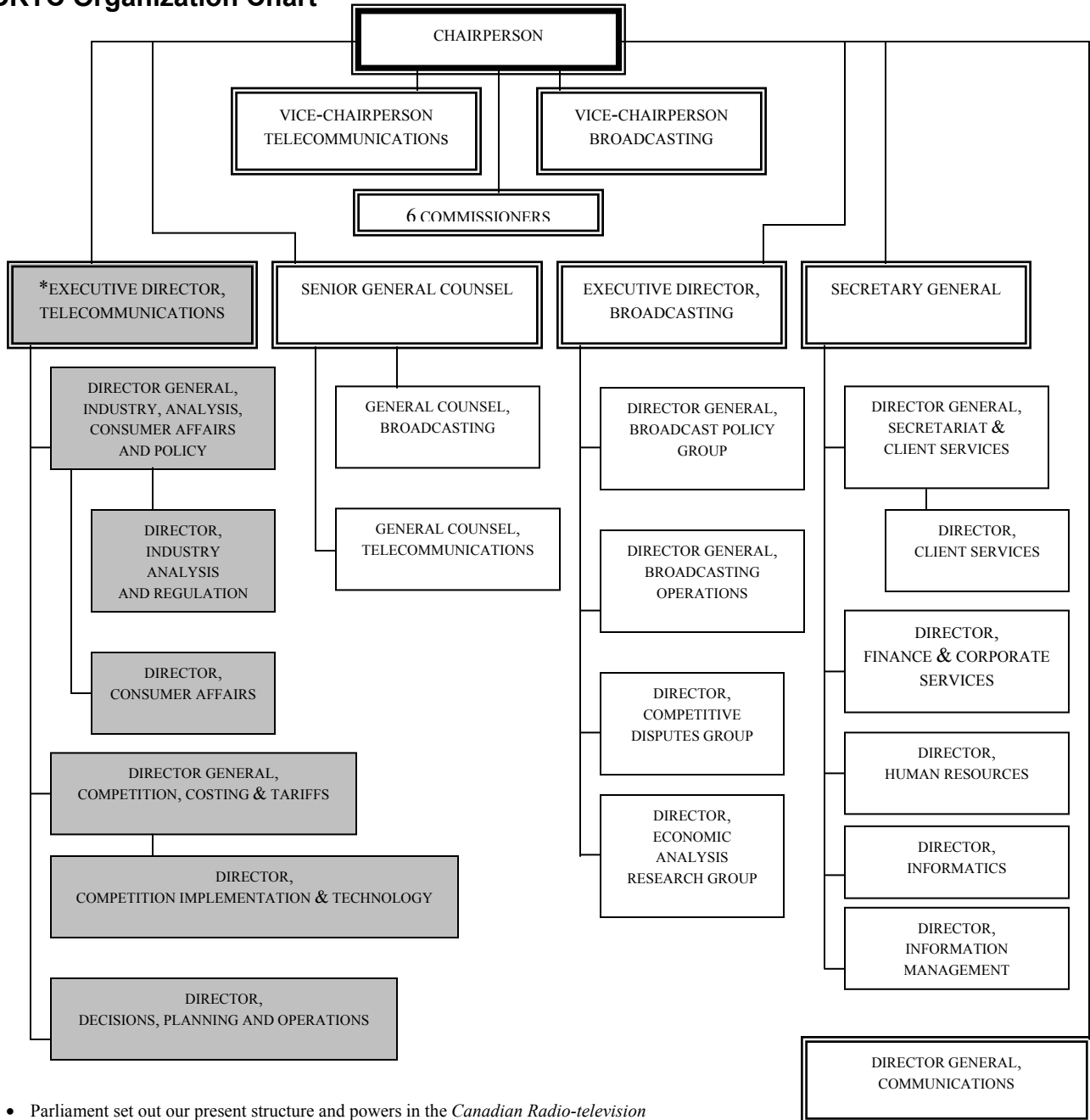
Business Line: Regulation of communications in the public interest	Strategic Outcomes				Total
	Availability of Canadian content and programming	Access to a variety of high- quality communications services	Competitive Canadian communications industry	Commission processes that are fair, transparent and effective	
Allocation of budget by strategic outcome (millions of dollars)	\$13.5	\$12.5	\$10.7	\$7.0	\$43.7

Accountability Structure



Note: The CRTC reports to Parliament through the Minister of Canadian Heritage

CRTC Organization Chart



- Parliament set out our present structure and powers in the *Canadian Radio-television and Telecommunications Act*. This Act was amended by the *Broadcasting Act* of 1991.
- Under the Act, the Cabinet may appoint up to 13 full-time and 6 part-time commissioners for renewable terms of up to 5 years.
- Full-time positions include that of the chairperson, the vice-chairperson of broadcasting, and the vice-chairperson of telecommunications.
- Only the full-time commissioners are involved in the decision-making process for telecommunications, but all commissioners participate in broadcasting decisions.
- 418 employees specializing in broadcasting and telecommunications also contribute their talents and services to respond to our immediate and long-term responsibilities concerning legislation, the Canadian public, government and industry.

* In July 2003, the Telecommunications Directorate reorganized its structure in order to more evenly distribute the workload; to consolidate functions where appropriate; to address the increasing need to place more emphasis on competition and the related areas of costing and tariffs; and to establish a separate policy group given the emerging technologies and the need to review some of the elements of the regulatory framework.

CRTC Planned Spending

Planned Spending				
(\$ millions)	Forecast Spending 2003–2004	Planned Spending 2004–2005	Planned Spending 2005–2006	Planned Spending 2006–2007
Regulation of Communication in the Public Interest				
Budgetary Main Estimates (gross)	42.9	43.7	43.7	43.7
Non-Budgetary Main Estimates (gross)	-	-	-	-
Less: Respendable Revenue	35.0	37.6	37.6	37.6
Total Main Estimates	7.9	6.1	6.1	6.1
Adjustments*	.3	-	-	-
Net Planned Spending	8.2**	6.1	6.1	6.1
Less: Non-Respendable Revenue	113.5	120.7	127.7	134.7
Plus: Cost of Services Received Without Charge	15.5	15.5	15.5	15.5
Net Cost of Program	(89.8)	(99.1)	(106.1)	(113.1)
Full Time Equivalents	421	418	418	418

* Reflects the net amount to accommodate approvals and adjustments since the Main Estimates.

** Reflects the best forecast of total net planned spending to the end of the fiscal year.

The “Budgetary Main Estimates” represents the total estimated cost of the CRTC’s operations.

“Respendable Revenue” is the amount of resources provided by broadcasting and telecommunications fee payers that is available to the CRTC to fund its operating budget.

“Total Main Estimates” is the amount of funding provided by general government revenues to cover the cost of employee benefits plans (\$6.1 million) for fiscal year 2004-2005. Further details on the CRTC’s budget and revenues are noted in Section VI - Appendices.

SECTION VI: Appendices

Appendix A: Respendable and Non-Respendable Revenue

Respendable Revenue (\$ millions)				
Sectors	Forecast Revenue 2003–2004	Planned Revenue 2004–2005	Planned Revenue 2005–2006	Planned Revenue 2006–2007
<i>Broadcasting Licence Fees—Part I</i>	18.2	19.8	19.8	19.8
<i>Telecommunications Fees</i>	16.8	17.8	17.8	17.8
Total Respendable Revenue	35.0	37.6	37.6	37.6

Non-Respendable Revenue (\$ millions)				
Sectors	Forecast Revenue 2003–2004	Planned Revenue 2004–2005	Planned Revenue 2005–2006	Planned Revenue 2006–2007
<i>Broadcasting Licence Fees—Part I</i>	6.7	6.5	6.5	6.5
<i>Part II*</i>	100.7	107.6	114.6	121.6
<i>Total Broadcasting Licence Fees</i>	107.4	114.1	121.1	128.1
<i>Telecommunications Fees</i>	6.0	6.6	6.6	6.6
Total Non-Respendable Revenue	113.4	120.7	127.7	134.7

Total Revenue	148.4	158.3	165.3	172.3
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* In December 2, 2003, the Canadian Association of Broadcasters filed a legal proceeding in the Federal Court of Canada challenging the legality of Part II Licence Fees.

Explanation of Revenue

The CRTC collects fees under the authority of the *Broadcasting Act* and *Telecommunications Act* and the regulations made pursuant to these acts, namely the *Broadcasting Licence Fee Regulations, 1997* and the *Telecommunications Fee Regulations, 1995*. For fiscal year 2004–2005:

- ✓ CRTC Part I broadcasting licence fees are estimated at \$26.3 million¹ (\$19.8 million respendable² and \$6.5 million in non-respendable³ revenue). The broadcasting non-respendable revenue also includes a "true-up" adjustment⁴ of \$0.59 million; and
- ✓ CRTC telecommunications fees are estimated at \$24.4 million⁵ (\$17.8 million respendable and \$6.6 million in non-respendable revenue). The telecommunications non-respendable revenue also includes an estimated "true-up" adjustment of \$0.95 million.

¹ Subject to adjustments for collective agreements that have been ratified but not included in this total.

² The CRTC retains respendable revenue to fund its operating budget.

³ Non-respendable revenue for Part I broadcasting licence fees and CRTC telecommunications fees recovers the costs incurred by other federal government departments for services (excluding Industry Canada spectrum management) rendered without charge to the CRTC (see table entitled "Net Cost of Program for the Estimates Year in Section VI - Appendices) as well as the statutory costs of employee benefit plans. Part II broadcasting licence fees are also considered to be non-respendable revenue. These revenues are credited to the Consolidated Revenue Fund (CRF).

⁴ The true-up adjustment represents the difference between the estimated costs initially billed in a previous fiscal year and the actual costs incurred.

Over the past several years, the CRTC has faced intense budget constraints as a result of inflationary pressures and workload increases. To address these pressures, the CRTC was provided with temporary appropriations totalling \$14.3 million over the five-year period 1999-2000 to 2003-2004. These appropriations were not recovered from broadcasting and telecommunications fee payers.

Fiscal year 2003-2004 was a transition year because it was the last year that the CRTC received non-recoverable funding assistance. The incremental resource requirements for FY 2003-2004 totalled \$4.7 million. Of this amount, \$2.4 million was funded by means of a non-recoverable appropriation, while \$2.3 million was assessed to broadcasting and telecommunications fee payers.

For fiscal year 2004-2005 and ongoing, the CRTC received authority to stabilize its budgetary Main Estimates at the 2003-2004 level, adjusted for salary increases pertaining to new collective agreements. Beginning April 2004, the CRTC will now recover the full amount of its budgetary Main Estimates from the broadcasting and telecommunication industries, through its Part I broadcasting licence fee and telecommunications fee.

Broadcasting Licence Fees

Section 11 of the *Broadcasting Act* empowers the Commission to make regulations respecting licence fees. The *Broadcasting Licence Fee Regulations, 1997* apply to all licensees other than those classes of undertakings specifically exempted under section 2 of the regulations. Every licensee subject to the regulations is required to pay a Part I and a Part II licence fee to the Commission annually. For 2003-2004, the CRTC estimates a total of \$125.6 million in revenue from broadcasting undertakings (\$24.9 million in Part I fees and \$100.7 million in Part II fees).

The Part I fee is based on the broadcasting regulatory costs incurred each year by the Commission and other federal departments or agencies, excluding spectrum management costs, and is equal to the aggregate of:

- ✓ the costs of the Commission's broadcasting activity;
- ✓ the share of the costs of the Commission's administrative activities that is attributable to its broadcasting activity; and
- ✓ the other costs included in the net cost of the Commission's program attributable to its broadcasting activities, excluding the costs of regulating the broadcasting spectrum.

The estimated total broadcasting regulatory costs of the Commission are set out in the Commission's Expenditure Plan published in Part III of the Estimates of the Government of Canada (i.e., Part III Report on Plans and Priorities). There is an annual adjustment (true-up) amount to the Part I fee to adjust estimated costs to actual expenditures. Any excess fees or shortfalls are credited or charged to the licensee in a following year's invoice.

⁵ Subject to adjustments for collective agreements that have been ratified but not included in this total as well the calculation of the actual true-up amount for the fiscal year ended March 31, 2004.

The Part II fee is calculated at 1.365% of a licensee's gross revenue derived from broadcasting activities in excess of an applicable exemption limit. The CRTC collects the Part II fees on behalf of the government, with all revenues collected being deposited to the Government of Canada's Consolidated Revenue Fund. Consistent with the policy objectives outlined in the government's *External Charging Policy* and as explained in the 1999 roundtable consultation with broadcasting fee payers, the rationale for assessing this fee is three-fold:

- ✓ to earn a fair return for the Canadian public for access to, or exploitation of, a publicly owned or controlled resource (i.e. broadcasters' use of the broadcasting spectrum);
- ✓ to recover Industry Canada costs associated with the management of the broadcasting spectrum; and
- ✓ to represent the privilege of holding a broadcasting licence for commercial benefit.

Telecommunications Fees

Section 68 of the *Telecommunications Act* sets out the authority for making the *Telecommunications Fees Regulations*. Each company that files tariffs must pay fees based on its operating revenue, as a percentage of the revenue of all the carriers that file tariffs. For 2003-2004, the CRTC assessed \$22.8 million in telecommunications fees.

The annual fees the CRTC collects is equal to the aggregate of:

- ✓ the cost of the Commission's telecommunications activity;
- ✓ the share of the costs of the administrative activities that is attributable to its telecommunications activity; and
- ✓ the other costs included in the net cost of the Commission's program attributable to its telecommunications activity.

The estimated total telecommunications regulatory costs of the Commission are set out in the Commission's Expenditure Plan published in Part III of the Estimates of the Government of Canada (i.e. *Part III - Report on Plans and Priorities*). There is an annual adjustment (true-up) amount to the telecommunications fees to adjust estimated costs to actual expenditures. Any excess fees or shortfalls are credited or charged to the carriers in a following year's invoice.

Appendix B: Cost of Program

Net Cost of Program for the Estimates Year	
(\$ millions)	Total Expenditures
Net Planned Spending (Gross Budgetary and Non-Budgetary Main Estimates plus Adjustments)	6.1
<i>Plus: Services received without charge</i>	
Accommodation provided by Public Works and Government Services Canada (PWGSC)	2.5
Contributions covering employees' share of employees' insurance premiums and expenditures paid by Treasury Board (TBS)	2.3
Severance and Maternity Leave Payments (TBS)	.7
Regulation of Broadcasting Spectrum — Industry Canada (IC)	10.0
Total Services Received Without Charge	15.5
<i>Less: Non-Responsible Revenue</i>	120.7
2004-2005 Net Cost of Program	(99.1)

Appendix C: External Charging Information

External Charging Information					
Fee Activity	Fee Type	Fee Setting Authority	Reason for Fee Amendment	Effective date of planned change to take effect	Planned Consultation & Review Process
Telecom. regulatory activities	Regulatory Service (R)	<i>Telecommunications Act</i> (Section 68) <i>Telecommunications Fee Regulations 1995</i>	See section Explanation of Revenue	FY 2004-2005	<p><u>Broadcasting and Telecommunications</u></p> <p>Full public consultations occur with each change to the telecommunications fee regulations or the broadcasting licence fee regulations.</p> <p>The CRTC is also currently considering different approaches for on-going consultations with the broadcasting and telecommunications fee payers that would satisfy the requirements of the Government's <i>External Charging Policy</i>. Elements being considered as part of the consultation strategy include enhanced web consultation, paper process and roundtable consultation.</p> <p>The CRTC dispute management process pertaining to fees is in place and can be found in Annex B of the Departmental Performance Report 2003, on the CRTC web site at: http://www.crtc.gc.ca/eng/B/ACKGRND/dpr2003/dpr2003.htm</p>
Broadcasting regulatory activities	Regulatory Service (R)	Part I licence fee <i>Broadcasting Act</i> (Section 11) <i>Broadcasting Licence Fee Regulations 1997</i>	See section Explanation of Revenue	FY 2004-2005	
	Right and Privilege (R&P) including Industry Canada Costs (\$10 M) for the management of the broadcasting spectrum	Part II licence fee <i>Broadcasting Act</i> (Section 11) <i>Broadcasting Licence Fee Regulations 1997</i>			

Note: The *Broadcasting Licence Fee Regulations* and the *Telecommunications Fee Regulations* can be found on the CRTC web site at:

<http://www.crtc.gc.ca/eng/LEGAL/LICENCE.HTM> (i.e. broadcasting) and
<http://www.crtc.gc.ca/eng/LEGAL/TFEES.HTM> (i.e. telecommunications)

Appendix D: CRTC Members and Offices

CRTC Members		
Chairperson	<i>Charles Dalfen</i>	(819) 997-3430
Vice-Chairperson, Broadcasting	<i>Andrée Wylie</i>	(819) 994-0870
Vice-Chairman, Telecommunications	<i>David Colville*</i>	(819) 994-8156
	<i>(Atlantic)</i>	(902) 426-7998
Commissioner	<i>Joan Pennefather</i>	(819) 953-7882
Commissioner	<i>Jean-Marc Demers</i>	(819) 997-4206
Commissioner	<i>Stuart Langford</i>	(819) 953-2935
Commissioner	<i>Barbara Cram*</i>	(819) 997-4485
	<i>(Manitoba/Saskatchewan)</i>	(306) 780-3423
Commissioner	<i>Andrée Noël*</i>	(819) 997-3831
	<i>(Québec)</i>	(514) 761-3550
Commissioner	<i>Ronald D. Williams*</i>	(819) 953-0435
	<i>(Alberta/Northwest Territories)</i>	(780) 495-4544

* These commissioners also have regional responsibilities.

Client Services – Central Office Telephone (Toll-Free)	1-877-249-CRTC (2789)
<i>Client Services</i>	(819) 997-0313
<i>Public Examination Room</i>	(819) 997-2429
<i>Access to Information and Privacy</i>	(819) 997-4274
<i>Library</i>	(819) 997-4484
<i>TDD (Toll-Free)</i>	1-877-902-2782
<i>Media Relations</i>	(819) 997-9403
<i>Fax Number</i>	(819) 994-0218
Electronic Access	
<i>Internet</i>	http://www.crtc.gc.ca
<i>E-mail</i>	info@crtc.gc.ca

Our Offices	
<p>Central Office Les Terrasses de la Chaudière Central Building 1 Promenade du Portage Gatineau, Quebec J8X 4B1</p> <p>Tel : (819) 997-0313 Fax : (819) 994-0218 TDD : (819) 994-0423</p> <p>Mailing address: CRTC Ottawa, Ontario Canada K1A 0N2</p>	<p>In Ontario 55 St. Clair Avenue East 6th Floor, Room 624 Toronto, Ontario M4T 1M2</p> <p>Tel: (416) 952-9096</p>
<p>In Nova Scotia Metropolitan Place 99 Wyse Road Suite 1410 Dartmouth, Nova Scotia B3A 4S5</p> <p>Tel: (902) 426-7997 Fax: (902) 426-2721 TDD: (902) 426-6997</p>	<p>In Saskatchewan Cornwall Professional Bldg. 2125 11th Avenue Suite 103 Regina, Saskatchewan S4P 3X3</p> <p>Tel: (306) 780-3422</p>
<p>In Quebec 405 de Maisonneuve blvd. East Suite B2300 Montréal, Quebec H2L 4J5</p> <p>Tel: (514) 283-6607</p>	<p>In Alberta Standard Life Centre 10405 Jasper Avenue, Suite 520 Edmonton, Alberta T5J 3N4</p> <p>Tel: (780) 495-3224</p>
<p>In Manitoba 275 Portage Avenue suite 1810 Winnipeg, Manitoba R3B 2B3</p> <p>Tel: (204) 983-6306 Fax: (204) 983-6317 TDD: (204) 983-8274</p>	<p>In British Columbia 530-580 Hornby Street Suite 530 Vancouver, B.C. V6C 3B6</p> <p>Tel: (604) 666-2111 Fax: (604) 666-8322 TDD: (604) 666-0778</p>

Appendix E: Legislation and Associated Regulations

Statutes

Canadian Radio-television and Telecommunications Commission Act	R.S.C. 1985, c. C-22, as amended
Broadcasting Act	S.C. 1991, c. 11, as amended
Telecommunications Act	S.C. 1993, c. 38, as amended

Directions, Rules of Procedure and Regulations

Direction to the CRTC (Ineligibility of Non-Canadians)
Direction to the CRTC (Ineligibility to Hold Broadcasting Licences)
Directions to the CRTC (Direct-to-Home (DTH) Pay-Per-View Television Programming Undertakings) Order
Directions to the CRTC (Direct-to-Home (DTH) Satellite Distribution Undertakings) Order
Direction to the CRTC (Reservation of Cable Channels)
CRTC Rules of Procedure
Broadcasting Information Regulations, 1993
Broadcasting Licence Fee Regulations, 1997
Broadcasting Distribution Regulations
Pay Television Regulations, 1990
Radio Regulations, 1986
Specialty Service Regulations, 1990
Television Broadcasting Regulations, 1987
CRTC Tariff Regulations
CRTC Telecommunications Rules of Procedure
Telecommunications Fee Regulations, 1995
Canadian Telecommunications Common Carrier Ownership and Control Regulations