CTV Inc.

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Sent Electronically

Ms. Diane Rhéaume
Secretary General
Canadian Radio-television and
Telecommunications Commission
1 Promenade du Portage
Les Terrasses de la Chaudière
Central Building
Gatineau, Quebec
K1A 0N2

Dear Ms. Rhéaume:

Re: CTV Inc. Independent Production Activity Report 2003-2004

We are pleased to enclose CTV's Independent Production Activity Report for the 2003-2004 Broadcast Year.

Pursuant to Section 20 of the *CRTC Rules of Procedure*, we respectfully request confidentiality with respect to the following information required to be filed as part of the Independent Production Activity Report:

1. The production budgets, broadcaster licence fees and other broadcaster contributions for individual projects in all regions; and

2. The aggregate regional information as to production budgets and broadcaster licence fees for British Columbia, Quebec, and the Atlantic region and the percentage of the total production budgets and the percentage of the total licence fees accounted for by each of these regions.

In accordance with the Commission's Confidentiality Guidelines as set out in Circular No. 429, programming costs for individual programs or series are treated on a confidential basis. As such, we expect that the total production budget, broadcaster licence fee and other broadcaster contributions for individual projects in all regions will be treated in a confidential manner. This information is highly competitive, disclosure of which would be potentially harmful for CTV in the competitive marketplace and would potentially prejudice future negotiations for commissioning and acquiring programming. As every production is different and has different needs, CTV needs to be able to support each one differently according to those needs.

Disclosure of the aggregate regional information as to production budgets and broadcaster licence fees for each of British Columbia, Quebec, and the Atlantic region, as well as the percentages of both total production budgets and total licence fees accounted for by each of these regions would similarly be harmful for CTV, as the release of aggregate information for these regions may not protect the confidentiality of information regarding the individual productions involved. With the release of such information it could be possible to extrapolate information relating to individual productions from the aggregate information for these regions, by putting together this information with information available

from Telefilm Canada, the Canadian Television Fund and industry publications such as *Playback*. This is particularly the case for these regions, where the nature and quantity of the productions involved and the smaller number of producers in those regions would make it easy to determine competitive information relating to individual productions from the aggregate information. For example, in both British Columbia and the Atlantic region, the fact that the aggregate figure for each region reflects two productions makes it easy for each production company to determine the total budget, licence fees and other contributions for the other project in this region. In Quebec, three of the four productions are of the same type, again making it easy for each of those production companies to determine the total budget, licence fees and other contributions for the remaining projects in the region.

We would, therefore, propose that for British Columbia, Quebec, and the Atlantic region, the Commission release the aggregate information as to total priority program budgets and total licence fees, as well as the number of projects per region and number of hours of programming per region. We submit that the release of this information for British Columbia, Quebec, and the Atlantic region would satisfy the monitoring objective set out in Decision CRTC 2001-457, by permitting producers and other interested parties to monitor CTV's progress with respect to independent production.

Accordingly, based on Section 20 of the *CRTC Rules of Procedure* and Circular No. 429 dated 19 August 1998, we request that the information as to production budget, broadcaster licence fee and other broadcaster contributions for individual projects in all regions, and the aggregate production budget and aggregate broadcaster licence fee for British Columbia, Quebec, and the Atlantic region, as well as the percentage of the total production budgets and percentage of total licence fees accounted for by each of these regions, be treated on a confidential basis. This information is being filed under separate cover.

We would be pleased to provide the Commission with any further information it may require.

Yours sincerely,

Paul Sparkes
Senior Vice-President
Corporate and Public Affairs

Copy: Nick Ketchum, CRTC
Nanao Kachi, CRTC