Connecting Canadians:  
The Future of TV is the Internet

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Crowdsourcing The Future of Digital Services in Canada
Since the launch of the CRTC’s ‘Let’s Talk TV’ consultation, OpenMedia.ca has been involved at every step to keep Canada’s Internet community informed on how decisions being made about the future of television will impact our use of the Internet. Given that Canadians currently pay some of the highest prices in the industrialized world for mobile[^1] and wired[^2][^3] telecom services, citizens are interested in proposals that could help secure more affordable, faster access to digital services – and, conversely, are deeply concerned about proposals that could hand over greater control of these services to vertically integrated conglomerates that enjoy concentrated market power not found anywhere else in the G8.[^4][^5][^6][^7]

When a few giant conglomerates dominate TV content and distribution, they can leverage these assets to restrict the open Internet and vice versa. We’ve seen this recently with telecom incumbents making the mobile Internet more expensive in order to push the content they own to customers, and we’ve even seen outright content blocking online.

Since January, our work on this consultation has included three major public engagement components, each corresponding to the three phases of the CRTC’s consultation: first, a crowdsourced report, Building a Connected Canada[^8] which made up the lion’s share of participants who engaged in this stage of the consultation; second, An Internet User’s Guide to the CRTC’s “Choicebook”,[^9] which gave Canadians a step-by-step guide to the CRTC’s biased[^10] (according to both informed Canadians and experts[^11]) questionnaire; and third, a
crowdsourcing initiative\textsuperscript{[12]}, which sought input from Canadians on questions in Phase III of the consultation.

The Future of TV consultation is part of a new shift for the CRTC under the leadership of Jean-Pierre Blais.\textsuperscript{[13]} While the CRTC’s own focus groups show that many Canadians believe that the CRTC is still too close to industry interests\textsuperscript{[14]}, there is no denying that the regulator is employing new tactics to consult broader audiences, and passing measures that help protect Canadians and improve choice, such as the recent cell phone Wireless Code of Conduct.\textsuperscript{[15]} Unfortunately, as we’ll see below, the CRTC’s consultation focused almost exclusively on content delivery via TV broadcasters, rather than on policies that could liberate content from the grip of large, vertically-integrated telecom incumbents, which Canadians clearly desire.

\begin{figure}
\centering
\includegraphics[width=\textwidth]{vancouver_event}
\caption{Participants discussing the future of TV at our Vancouver event.}
\end{figure}

During Phase I of our consultation, Building a Connected Canada\textsuperscript{[16]}, several key priorities emerged in the comments we received from everyday Internet users, including the over 20,000 Canadians that participated both online and offline:

\begin{itemize}
  \item Many participants expressed frustration with their lack of choice for telecom and broadcast services, and the level of control and concentration of ownership in media/telecom markets.
\end{itemize}
• Participants expressed an interest in Canadians enjoying access to publicly funded media on all available mediums, but were critical of the efforts and ability for telecom companies to force their content and services on Canadians.
• There was an overall desire for genuine access to a range of independent options for telecom and media services, and a decentralized market in general.
• Canadians wanted decision-makers to tackle the high costs of telecom services.

While these findings were given to the CRTC to inform the construction of their proceeding, and comprised the majority of input into the proceeding, they were not adequately addressed in the ensuing phases of public consultation. Unfortunately, the consultation has overwhelmingly focused on strategies for reinvigorating the business models of Canada’s legacy vertically-integrated telecom/broadcast conglomerates. Instead, and as we outline below, Canadians would have rather they focused on the bold steps needed to move us away from a dependence on the traditional broadcasting system for funding and distribution of content, and towards a more diverse system that encourages and incentivizes the availability of modern, innovative digital services for Canadians everywhere.

For example, the considerably biased[17] ‘Choicebook’ questionnaire (Phase II of the consultation) mentioned above is an example of where the CRTC found themselves at odds with the public’s interest in steering us into the future of content delivery systems. Canadians have overwhelmingly expressed that they want the CRTC to act to prevent telecom conglomerates from restricting access to content and services, ensure access to public media and other independent services, and enact policies that decentralize the telecom distribution markets. Yet these issues were not given due attention in the Choicebook consultation.

While the CRTC responded to these criticisms by saying its Choicebook consultation was meant to be “provocative,” it still does not explain what experts and citizens alike deemed as a slant towards the interests of the legacy telecom/broadcast industry. The CRTC could very easily have been provocative in a balanced manner that encouraged participants to envision a more modern and vastly more decentralized distribution of telecom services. Now the CRTC will have to earn back the trust of Canadians by ensuring the rest of the process responds to the need to decentralize services and limit large telecom providers’ control.

To do so, we would like to set forward three recommendations that have emerged from our consultation with Canadians throughout the Let’s Talk TV process, and they are as follows:
1. Imposing new financial costs for online (or “over-the-top” OTT) digital services is inappropriate given the advantages that vertically-integrated incumbents have over other content producers and distributors.

2. Access to Canadian content can be improved through pick and pay models that build on a “skinny basic” package that ensure access to publically supported content producers with public mandates, including APTN, CBC and the Knowledge Network.

3. Access to Canadian content can be promoted through fair wholesale pricing arrangements – ensuring that content owned by vertically-integrated incumbents is affordable for other distributors.

The regulator is nearly finished their year-long consultation that will impact how Canadians use digital services, including TV and content on the Internet. In light of this, we've taken this opportunity to gather the thoughts of everyday Canadians on the final phase of the CRTC’s consultation through the crowdsourcing initiative called ‘The Future of Digital Services in Canada’,[18] mentioned above, which we are releasing for the first time below.

**Questions from Final Phase III of ‘Let’s Talk TV’**

In August, OpenMedia.ca reached out to Canadians online and asked what the best way to improve digital services in Canada is, in response to a series of questions from Phase III of the consultation. Here are some representative responses that illustrate the desire to move our country towards a bolder vision for digital services and connectivity, and how these are amplified by the testimony of experts and everyday Canadians, especially avid Internet users, throughout the consultation.

**Question #1: Connect Canadians or Subsidize TV Broadcasting?**

Given that Canadians identified access to cutting-edge Internet services as a priority throughout the first two phases of the consultation (see our report from Phase I[19] and Lemay-Yates[20] discussed below), we asked Canadians whether the CRTC should be considering (i) new ways to support traditional television broadcasting, or (ii) faster and cheaper Internet connections for content creators across the country to support Canadian culture in the 21st century.
Overwhelmingly, respondents indicated that empowering Canadians with tools to distribute that content through cheaper and better access to the Internet was the right path forward. Here are some examples of what they had to say:

Investing in faster and more affordable internet connections for Canadians and Canadian creators is essential for the future of this industry. To move in another direction would be counterproductive. Would one ask TV broadcasters and creators of the earlier years to help support the [then] antiquated model of the Radio? It's time for Canadians to move forward into the future. The future is online, the now antiquated TV model has no place dictating this medium or how it should be provided.
-Adam R., Edmonton

Time for the world and Canada to move on. Faster internet for everybody will do way more to improve the quality of life for Canadians then giving more money to these giant telecom conglomerates that just push their agenda.
-Mark W., Lethbridge

As the public interest experts at the Canadian Internet Policy and Public Interest Clinic (CIPPIC) report, Canadian content is extremely popular on online services and platforms, citing the CBC’s online presence as “…the top ranked Canadian media content site today,”[21] and an important funder of independent Canadian content production. And this content goes on to live in other digital services that then expand the reach of Canadian content. CIPPIC goes on to point out:

Public broadcasters, most notably the CBC, have also responded to the rise of OTT services by making much of their programming content available online, some of it exclusively online. A recent study indicates that the CBC provides over 200 hours of Canadian content online via third party OTT services, including Netflix and iTunes.[22]

Yet, the CRTC’s questions fail to consider how content producers could benefit from increased access to high speed Internet services, and instead largely focus on traditional broadcasting models and distribution. Online distribution of content – be it by independent producers or incumbent telecom companies – sees little encouragement from the regulator.

A study by the Analysis Group shows that 81.4 per cent of the value of Canada's TV distribution (cable and satellite) market is controlled by vertically-integrated companies that also control content creation and distribution -- meaning Canada has the highest concentration of media ownership in the G8.[23] It’s notable that this study came out before the recent Bell-Astral merger[24] that further increased ownership concentration.

Given the the extreme concentration in Canada’s media market and clear input from the public in this regard, it seems that the CRTC should turn towards encouraging a diversity of content and content producers and distributors as its central goal. Thus, creating conditions in which independent Canadian content producers can distribute their work online and through an array of
TV distributors, independent of the vertically integrated incumbents is an important direction for the CRTC to consider foregrounding in future proceedings.

Participants at our Connected Canada events brainstorm the future of TV.

**Question #2: Accessing the Content Canadians Want Online**

We asked Canadians if they would support the idea of imposing a new government tax on online content providers to support Canadian broadcasting content. The response was a resounding “no”, out of fear that those costs would be passed onto customers, and disadvantage this new vehicle for Canadian content. Instead, respondents identified many other ways in which the CRTC could help foster Canadian content, urging the regulator to reconsider any measures that would create financial barriers between Canadians and online content. Here are some representative comments:

*I'm definitely not a fan of a new tax that will just get passed down to the end user as an increased service cost.
–Braden B., Calgary

*I don't feel a tax would be best as it would restrict access to the internet to people of a higher income and become more of a privilege than an accessible gateway to information and communication. It should be kept an information freeway.
–Stephanie B., Toronto*
As Lemay-Yates report in their analysis of Choicebook responses, less than 30% of respondents said they were willing to pay $0.50 per month extra for Canadian content if a fee were mandated. Similarly, they go on to point out that 67% of participants indicate that online services should not be required to contribute to the development of Canadian content if it increases the price for customers.\(^{25}\)

The idea of taxing online services is one that just doesn’t sit well with everyday Internet users, perhaps because we already pay some of highest prices in the industrialized world for digital services. Given the costs of telecom services in Canada, doing anything to increase financial barriers is very unpopular. Once again Canadians want more choice in media and telecom services, and in policy terms that means a regulatory environment that enables a great role for providers that are independent of large vertically integrated incumbents, and faster and more affordable Internet connections for creators to distribute their content online. As the Casting an Open Net report details, ensuring a ubiquitous, fast and affordable Internet is one of the best ways to support Canadian culture in the 21st century. The authors state:

\[\text{[The Internet] encompasses both traditional media such as television, film, radio, magazines and books, as well as new forms of interactive media where people can share their understandings and concerns and create new ways of seeing and experiencing the world. The Internet fosters creative production, facilitates the sharing of cultural content, and allows Canadians greater opportunities to experience and participate in cultural life.}^{26}\]

Canadians’ opposition to taxing online distribution systems are echoed in the recommendations put forth by the Public Interest Advocacy Centre (PIAC) (and several other prominent public interest civil society organizations) in their submission for Let’s Talk TV, which argue that imposing a tax for online content distributors would be inappropriate given the advantages vertically-integrated incumbents have over online-first, or “over-the-top” (OTT) providers such as YouTube, Netflix and a variety of other new online video platforms for culture.\(^{27}\)

While new online providers such as Netflix and the iTunes music store are emerging and offering Canadians exciting new ways to access content, they are, in many ways, disadvantaged compared to the vertically-integrated telecom providers. As The Groups for the Public Interest point out, for the near future, incumbent telecommunications service providers and incumbent cable companies will continue to be vertically integrated content providers as well, and thus, are well positioned to “…take steps in their businesses and via regulatory efforts to dampen, if not fend off, the competitive threat from disruptive threats.”\(^{28}\) As a result, the incumbent vertically-integrated service providers “have considerable resilience to the OTT threat and in fact stand in a position to thwart OTT in Canada.”\(^{29}\)

At this time, imposing a tax for startup online content distributors would be inappropriate given the advantages that vertically-integrated incumbents have over other content producers and distributors. These same incumbents have in fact failed to show Canadians the so-called
“benefits” of vertical integration, and instead push us toward more restrictive and expensive options for viewing content.\textsuperscript{[30]} Similarly, CIPPIC argues that imposing new costs on online-first providers threatens to stifle innovation and hold back producers from online distribution of content in general. They state:

Conversely, regulating OTT services would likely put barriers in the way of achieving broadcasting policy objectives. Some foreign OTT platforms may simply opt to forgo licensing program rights in the Canadian market rather than submit to excessive content regulations in order to provide programming if, as noted above, such regulation acts as a deterrent to migration of online services. Canadian creators should be embracing these new online mediums as a means of creating and disseminating content instead of attempting to burden online innovation and services with added costs and regulations.\textsuperscript{[31]}

In sum, adding new fees or restrictions for online content appears to be a solution in search of a problem. If anything such schemes would add a further imbalance in favour of vertically integrated incumbents and stifle new delivery platforms – exactly the opposite of what Canadians are calling for.

Instead, access to Canadian content can be improved through pick-and-pay models that build on a “skinny basic” package that ensures access to publicly-supported content producers with public mandates, including APTN, CBC, and British Columbia’s Knowledge Network. Considering how critical Canadians are of regulatory support (such as millions of dollars a year from the Canada Media Fund\textsuperscript{[32]} for large telecom incumbents, mandating carriage of their wares seems ill-advised and counter to the public interest. As one respondent in our crowdsourcing initiative pointed out:

\textit{I like the idea of supporting Canadian content, but in an open marketplace, people should have access to a wide variety of content, Canadian as well as international. Rather than putting money into just pushing Canadian content, I would rather any funding subsidies go to public media such as the CBC on TV, radio, and Internet. CBC does a great job of informing Canadians about Canada as well as the rest of the world, and it is all available for free, without too much advertisement, which is good. If they could be properly funded so that online services such as their media player would work reliably and they could reduce their advertisement and obligation to advertisers to zero, that would be even better.}

- Julie F., Waterloo
The Groups for the Public Interest also suggest that greater access to Canadian content could be promoted through fair wholesale pricing arrangements – ensuring that access to content owned by vertically-integrated incumbents is cost-based and affordable for other distributors. At a high level, they state, “The Commission should also ensure that the retail market is not unfairly restricted by wholesale programming service arrangements.”[33] This proposal fits well with Canadians’ clear desire for more affordable independent choices for TV and other telecom services. During our Building a Connected Canada consultation, participants discussed the need for cost-based access to content by any service provider. Representative feedback from our consultation includes the following statement from a Flash! Conference facilitator:

“...The general perspective was that there should be no monopolies (like Rogers and hockey).”
– Montreal, QC

Question #3: How much control should vertically-integrated incumbent telecom providers have over what we see online?

Finally, we asked our community what they thought about how Canadian telecom providers treat independent apps and online services. Some Internet providers, such as Bell Mobility, have special arrangements for apps and services they control, wherein usage is not counted against monthly data caps when users stream content from the Bell TV app, but are charged usage when they use competing apps and services. In his mobile Net Neutrality complaint to the CRTC, Ben Klass asserted that independent services have been marked up 800% compared to Bell’s content and service properties.[34]

Respondents to our crowdsourcing initiative overwhelmingly indicated that Internet providers giving preferential treatment to any content is harmful to innovation and not in the interests of customers:

No big or small telecom companies should control what we see online. Big Telecom should be investigated for stifling the independent development of apps and online services which would make the marketplace more competitive and affordable to the consumer.
- John R., Montreal

I do not consent to ANY organization, government, corporation, group or individual controlling or limiting what we can access or see online for any reason. Doing so would be a violation of our Unalienable Rights and an infringement to Freedom of Information or Freedom of Speech.
-Cam M., Toronto
At the heart of this question is the issue of ‘net neutrality’ – a founding Internet governance policy holding that content and services should be made available on the Internet on an equal basis without discrimination or blocking. In Canada, Net Neutrality policy comes in the form of rules governing “Internet traffic management practices” (ITMPs), stipulating that service providers must not unjustly discriminate (slow down competing content or prioritize a telecom provider’s own content over that of others) against content or services on the Internet.[35]

As we have argued in our Casting an Open Net report, the open Internet supports innovation, content production, and commerce online, which contribute billions of dollars to the Canadian marketplace each year. Content producers specifically depend on the open non-discriminatory Internet to function as a level playing field for promoting their work and receiving compensation.

Allowing large telecom incumbents to discriminate against competing online content amounts to them regulating Canadians’ use of the Internet and an imposition of unnecessary costs upon online services. At the same time it encourages the existing broadcast distributors to provide inferior online services (even sometimes blocking content)[36] to those of us who do not subscribe to traditional TV services.

These findings that Canadians do not want vertically-integrated telecom conglomerates impacting which content they view and when are reflected within the CRTC’s own consultation work, including the Choicebook online questionnaire. Analysis provided by the CRTC[37] shows that 70% of participants answered that they were not willing to pay $5 per month extra to stream unlimited TV content and thus not incur data caps on their broadband service. This suggests that Canadians want neutral networks that enable innovation online free of ISP interference. Similar arguments made by CIPPIC (noted above) emphasize the importance of lowering barriers to distribution for online content.

Yet, as we’ve seen above, current practices by Canada’s major telecom providers inhibit independent distribution of culture. Throughout the first phase of the Let’s Talk TV consultation, significant concern emerged over the degree to which the vertically-integrated telecom providers were enabling or preventing access to high-speed Internet services and content online. These concerns spanned a variety of issues, including accessing TV content online, the benefits of the Internet over traditional broadcasting, and the idea of switching from cable to the Internet alone, amongst others. To get a sense of the range of these concerns, see this summary graph from Lemay-Yates of how the Internet was mentioned throughout Phase I of the consultation.[38]
Conclusion
OpenMedia applauds the efforts the CRTC has made to reach out to Canadians but bold steps are needed to move our country toward a more vibrant digital future. Fundamentally, Canadians want the CRTC to encourage the evolution of our system away from a traditional “broadcasting system” toward one that encourages and supports creative new content distribution methods and services independent of vertically-integrated telecom conglomerates.

It is worth briefly reviewing where Canadians stand when it comes to the control that vertically-integrated telecom conglomerates have over how we access content, and what they said throughout the consultation:

- First, imposing additional costs over OTT services is inappropriate at this time given the power that vertically-integrated incumbents have over other content producers and distributors.
- Second, access to Canadian content can be improved by creating access to public media via the “skinny basic” pick-and-pay model identified above.
- And, third, that wholesale pricing arrangements be fair to ensure Canadians are able to access the content they want.
Canadians want to access a diverse wealth of Canadian content through affordable and accessible services with a wide variety of distributor options, especially the growing range of online providers.

If the interests of Canadians are put first, the CRTC’s Let’s Talk TV hearing should include a fundamental reconsideration of the power that large vertically-integrated telecom conglomerates have over Canadian culture and content distribution. Rather than rejigging the traditional TV broadcasting model, we should focus on ensuring that model - and the concentration of distribution assets in the hands of a few incumbents - gives way to a new decentralized marketplace. Independent and public Canadian content producers should be enabled to reach every Canadian unfettered by telecom content restrictions, especially though the open Internet. Financial barriers to Canadians’ participation on the Internet should be lowered, not raised through new restrictions or added costs.

The high price of telecom services, the nearly unrivaled concentration of ownership, and the lack of choice for telecom/broadcast services, make up what is a digital deficit in Canada. This digital deficit has developed partly due to a democratic deficit both in government and the CRTC. In a world where people are more informed, engaged, and empowered than ever before, public institutions cannot insulate themselves from the public will any longer. We need all hands on deck to solve these problems and that requires an openness to public participation.

The CRTC, to its credit, seems to be evolving into a more pro-Internet citizen-centred governance body. Considering the stakes, it is essential that this evolution continue so that Canadians can take part in these key decisions that affect our daily lives and the future of our country. That evolution can start with the concerns of Canadians being fully reflected and foregrounded in the CRTC’s final ruling on Let’s Talk TV.

For a review of the findings that informed the bulk of Phase I, please see our Building a Connected Canada report attached.
Footnotes & References:


[4] Canada’s mobile phone and Internet sectors, which are integral to content distribution, the competition bureau has found that the Big Three incumbent providers, Bell, Rogers and Telus, have “market power” – meaning "the ability of a firm or firms to profitably maintain prices above competitive levels.” Source: Competition Bureau.

[5] Vertical Integration in TV Broadcasting and Distribution in G8 Countries and Certain Other Countries. Source: Analysis Group [PDF]

[6] In Canada’s wireless sector, a major factor that contributed to a small handful of companies controlling the vast majority of wireless spectrum was the fact that the federal government handed large chunks of spectrum to now incumbent providers for free in the 1980s and 1990s. Source: Financial Post.

[7] Vertically-integrated telecom companies like Bell have also received millions of dollars in public subsidies each year from the Canada Media Fund, which in turn has helped them cement power in Canada’s media system through CRTC-approved acquisitions such as the 2013 Bell-Astral merger and the 2007 CTV/CHUM merger.


[10] Why we had to create a users guide for the CRTC’s flawed online consultation. Source: OpenMedia.


[13] Mr Blais has echoed OpenMedia.ca’s call for the interests of Canadians to be at the heart of our telecommunication system. Source: CRTC.

[14] Focus groups see CRTC as pro-business and struggling to keep up. Source: Ottawa Citizen.


[17] Why we had to create a users guide for the CRTC’s flawed online consultation. Source: OpenMedia.


[20] The Evolution of New Media and TV in Canada. Source: Lemay-Yates. [PDF]


[23] Vertical Integration in TV Broadcasting and Distribution in G8 Countries and Certain Other Countries. Source: Analysis Group [PDF]

[24] CRTC approves BCE’s bid to acquire Astral’s television and radio services. Source: CRTC.


[26] See pp. 86 in Casting an Open Net. Source: OpenMedia. [PDF]


[30] See pp. 67-68 of Groups for the Public Interest’s submission for more on this.


[32] 2013-2014 allocations of Canada Media Fund subsidies to incumbent telecom providers. Source: Canada Media Fund

[33] See Executive Summary point E17: “E1. In order to enable a more dynamic market for BDUs, the Commission should ensure that consumers have maximum choice and flexibility, including the flexibility to migrate to other providers. The Commission should also ensure that the retail market is not unfairly restricted by wholesale programming service arrangements.” Source: “The Groups for the Public Interest”.

[34] Subject: Part 1 Application requesting fair treatment of Internet services by Bell Mobility, Inc., pursuant to CRTC 2010-445 and CRTC 2009-657, and The Telecommunications Act, s.24 & subsection 27(2). Source: Ben Klass Submission to the CRTC.

[35] See pp. 31-33 in Casting an Open Net. Source: OpenMedia. [PDF]

[36] Why is Bell Blocking Canadians from Watching the Daily Show Online? Source: OpenMedia


[38] See Figure 4, pp. 38 in The Evolution of New Media and TV in Canada. Source: Lemay and Yates. [PDF]
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Please see the following page for our attached Building a Connected Canada report, filed during Phase I of the consultation as Flash! Conferences Report: Connecting Canada, Connecting Canadians
Flash! Conferences Report: Connecting Canada, Connecting Canadians

Introduction

For the CRTC’s Future of Television process, OpenMedia invited our supporters to register to host discussions and give their input, using a distributed events tool to allow them to self-organize. In all, 10 events took place across the country:

1. Capilano College (Professor Michael Markwick’s class)
2. SFU (2 events - Professor Kathi Cross’s class, and a self-organized event by OpenMedia’s former Community Engagement Assistant Awna Besan)
3. New Westminster, BC
4. Chapel Arts Theatre, Vancouver (facilitated by the Vancouver Design Nerds)
5. Langdon, Alberta
6. University of Winnipeg, Manitoba
7. Toronto Reference Library
8. Ralph Thornton Centre, Toronto
9. McGill University, Montreal

We created two different short videos (Figure 1) to help promote these events.
Over 20,000 people visited our online discussions, leaving over 400 comments; nearly 128 Canadians registered via our online system, and they were joined by over 200 university students from SFU, Capilano, McGill and the University of Winnipeg.

People were on the whole extremely enthusiastic and happy to have the opportunity to provide input. While enthusiastic about the dialogue opportunity, many participants expressed frustration with their lack of choice for telecom and broadcast services, and the level of control and concentration of ownership in media/telecom markets. Participants expressed an interest in Canadians enjoying access to publicly funded media on all available mediums, but were critical of the efforts and ability for telecom companies to force their content and services on Canadians. There was overall desire for genuine access to a range of independent options for telecom and media services - and a decentralized market in general.
Our Findings

Programming

Participants in the distributed Connected Canada events shared similar concerns over their ability to access cutting-edge and affordable digital services. In their discussions about programming, a couple key issues emerged. The first is the way in which content, programming and Internet access is monopolized by Canada’s telecom providers, and the resulting lack of flexibility in how content is delivered (“It gets really interesting when the cable company also provides internet, like Rogers, Bell, or Shaw. They don’t want people to just go on Netflix and watch a show, because then they don’t get money every step of the way” - Winnipeg). And the second was the importance of public media, and the importance of ensuring it is able to reach all Canadians in our telecommunications system.

Turning to the first point, the Canadians surveyed feel that having only three companies control the majority of the market has left them with few options for how they access digital content and services. Even if subscribers were able to switch to a service provider that better suited their needs, they say that paying hidden fees and overcoming obscure contract obligations would be too complicated for them. This situation is only made worse by the Canada’s telecommunications monopoly blocking out other companies who try to make it into the market, and leave them with no ability to seek better or more affordable services.
Some participants were split on whether exclusive ownership by dominant countries of certain content services was necessarily a bad thing, citing examples such as Rogers exclusive agreement with the NHL:

“...The general perspective was that there should be no monopolies (like Rogers and hockey).” – Montreal, QC

“Participants felt that there was a lot emotional feelings around the NHL and Rogers, but generally felt it was up to these companies to come up with whatever arrangements they liked.” – New Westminster, BC

“I do feel that the rights to hockey night in Canada should stay with the CBC. historically Hockey Night in Canada has been responsible for a substantial amount of CBC’s profits and loss of such rights could be detrimental to the future of CBC.” – Capilano University

Generally, however, participants supported the suggestion for cost-based access to content by any service provider. One participant noted the big content owners’ market power/vertical integration, stressing that all providers should have cost-based access to content.
because “the media outlet is also the content provider.” – Vancouver

![Image of a "Hot Dots" activity at the Vancouver Design Nerds Event in Vancouver BC.](image)

Figure 3: Image from a "Hot Dots" activity at the Vancouver Design Nerds Event in Vancouver BC.

Participants universally disliked the restrictive “packages” or “bundles” that are offered by all cable providers, finding them to be expensive and ill-suited to their needs. Worse, there are no
competing services that come any closer to offering Canadians what they want. In what must surely be a common complaint, participants overwhelmingly indicated that in a bundle or package of channels, very few are truly of value to them.

“We should be able to choose which movies or shows we would like to watch instead of having to buy a movie or tv package that include shows that we don’t want (because the company doesn’t want those all together in one package)” – Toronto, ON

“[I] only want one or two channels – have to buy entire bundle. Should make it ‘a la carte’ and only pay for what you actually want” – Langdon, AB

“Everyone was frustrated by cable channel bundling, as they felt the cable company shouldn’t dictate what content subscribers purchase.” – New Westminster, BC

“Yes, there should be more diversity of options for people to choose from rather than big companies being able to control so much and leave people with no options for other places to get the content they want to get.” – Capilano University, North Vancouver, BC

However, their dissatisfaction with the current structure of traditional bundles or packages was met with enthusiasm for new online delivery systems. Almost all participants in urban areas said they either already used services such as Netflix or the iTunes music store, or are seriously considering adding such services to their homes. However, most who have yet to switch to digital services cite poor or inconsistent Internet service as their main reason for staying locked in to their traditional TV service.

Turning to the importance of publicly funded media, the general consensus amongst event attendees was that it should be mandatory for telecom carriers to include publicly-funded media across all digital services and packages. This means that no telecommunications company or service provider should be able to block or impact the delivery of public media, such as the CBC or APTN, which are primary vehicles for Canadian content.
“Public media must be available to all Canadians at no cost. No corporation should be able to restrict access to any programming provided by our government for its citizens.” – Montreal, QC

“...Anything paid for by taxpayers should be accessible to everyone.” – Langdon, AB

“[Public media] allow Canadians to appreciate what other Canadians are thinking.” – Langdon, AB.

“CBC Radio was deeply loved by everyone in the room, and it was felt that CBC was an important part of our national identity as Canadians. Participants argued that CBC was really important in keeping people connected to their local communities.” – New Westminster, BC

For participants, the takeaway here was – to paraphrase one attendee – that if public media isn’t available to all Canadians, then it’s not really “public” media at all. Moreover, it was noted that public media were key in expanding the range of debate on issues that concerned all Canadians.

**Program Distribution: Access to Digital Services**

While Canadians expressed a clear desire for new innovative digital services, such as video streaming services in the home, they understood that there are many hurdles for Canada’s telecom market to overcome. There is simply is no range of options for Internet and cable TV access in most markets. Even if there is more than one choice available, participants noted that the services do not differ in any meaningful way.

Those in well-serviced areas – infrastructurally speaking (i.e., fast network speeds and a relatively larger range of services) – lamented that Internet-based alternative delivery systems
had a long way to go in terms of consistency and fairness of service offerings. From our dialogue in New Westminster:

“EVERY PARTICIPANT felt that everyone paid something different for their digital services. Even people with the same services from the same company would pay different amounts depending on what promotions had been applied, or if they’d spoken with someone from their companies “retention” department.” – New Westminster, BC

Though participants generally felt that their Internet and cell phone bill was too high, for most participants in well-serviced areas, Internet service costs less than traditional cable, and offers a wider range of options (i.e., more value). This was particularly an incentive to switch to digital access among younger participants at our university-based events. However, for many – especially in less urban areas – network speeds, affordability and capacity would need to dramatically improve to make digital alternatives viable. Participants indicated that while they would like to switch from traditional television service to Internet-based streaming services (e.g., Netflix, iTunes Music Store, etc.), there is no local provider able to provide the quality of connection necessary for these services. As one attendee put it:

“[We] have not considered switching. It's a hassle to change between companies. Don't know where to start if wanting a change. You can get Internet TV... Hesitant to go head with that because Internet connection is not good. Stuck with what we have.” – Langdon, AB

When asked about changing service providers in order to increase the quality of service, the overwhelming consensus was that there were no real or authentic options available.
Participants indicated that they didn’t see government as taking an active role in the telecom market – that is, doing little to address the monopoly held by our major telecom firms. While there were divergent opinions on what should be done, most participants expressed a desire for better options in their region:

“Breakup the big companies into smaller companies to create competition” – Toronto, ON

“If companies have less rules to follow they exploit to a higher extent... Big 3 make it difficult for other companies to break into the market... Rules are much more flexible in other industries than in telecom.” – Langdon, AB

Several stressed the importance of options independent of the major Canadian firms – the example of Eastlink was given in the maritimes as a positive development – some noted that the problem came back to the larger issues of how independent providers acquire their services. One group offered the following:

“The discussion also came back to the problem with companies monopolizing both the pipe and content – more choice and more competitive playing field would minimize this problem!” – Montreal, QC

“Distribution of [resources] needs to be done without the sole focus being on profit or monetizing, it absolutely must also include encouraging genuine competition in the marketplace, of which there is currently virtually none.” – Vancouver, BC
Some participants also highlighted the need for rules tailored to the current concentration of market power and not overly limiting of free enterprise. One participant in Langdon, AB offered the following:

“Rules are fine but they restrict growth and free enterprise. Fine line. [I] support free enterprise but rules must be reasonable too.”

Participants also proposed possible solutions to solve the issue of poor Internet services. These generally fell along two lines: first, that communities should come together and decide how to invest in their telecommunications infrastructure, and second, that funds derived from the management of public goods such as wireless spectrum be used to re-invest in systems that better serves Canadians. The first approach cited Olds, Alberta as an example of how local community-based initiatives can meaningfully intervene and create better conditions where our telecommunications providers may not. One participant said he saw this as an important strategy for “...[market] diversification and creating more local and independent alternatives.” Approaches taken in Alberta also came up in the online conversation:

(Via Facebook): Do what Alberta did and start our own ISP in each area, cut out providers all together [...] With separate ownership of the cell towers all wireless cell phone companies would have access to all wireless spectrum bands. The separately owned cell towers would sell bandwidth access to all wireless cell phone companies. The biggest obstacle to the separate ownership of cell towers from wireless cell phone companies are incumbent cell phone companies who enjoy monopolistic benefits of their monopolistic ownership of frequency bands. It would be no small challenge to insure that possible centralized ownership of cell towers was not used to provide preferential access to one or more wireless cell phone companies.

Participants in both the online and in-person conversations also looked at community-driven solutions like a national wireless co-op:

(Via Facebook) We need to start a national digital telecom co-op. Run and administered like a gas coop, you buy a membership, pay for your services (cable, internet, cell) and receive taxable dividends at the end of the year. Members have a say in what services are provided/offered and help set pricing levels.
Many participants also suggested that government ought to use proceeds from the sale of advanced wireless spectrum to reinvest in communications infrastructure across the country. There was near universal agreement on this point.

“Money that comes from [the sale of spectrum] should go back into infrastructure for communication, Internet, etc. Investment for the future to make it open and affordable for us” – Langdon, AB

“We think that the government should put more funding into the internet. Most people find themselves on the internet more and more and seem to be leaving television, so upgrading the internet service seems like a meaningful upgrade.” – SFU, Burnaby, BC

Note, though, that one participant in Winnipeg had a creative idea for how spectrum should be allocated, saying:
“Instead of auctioning spectrum, how about leasing spectrum to wireless providers, and instead of a lump sum up front, see how companies use spectrum, and then have them pay based on how many customers they are actually serving at periodical intervals? That way, company doesn’t have to pay up front, has room to innovate without large financial burden, uncertainty.”

Figure 4: Participants at the Vancouver Design Nerds event discuss the idea of a public endowment fund with the proceeds from the spectrum auction, modeled on the Toronto Atmospheric Fund.

Participants in the online conversation also spoke to the idea of government funding for Internet access, stating:

(Via Facebook) Though for example take a look at Australia, like Canada their current infrastructure is failing, and their idea is to have a subsidized fibre network. I feel like this sort of plan/idea would certainly be a great start to fixing our own situation.

(Via Facebook): We in Saskatchewan are fortunate - Sask-Tel is a crown corp and so far the present government has promised not to privatize ----- Access is a province-wide co-op and provides TV and internet - as well as telephone ----- in both cases the profits stay in the province.......... Saskatchewan has few cities, lots of smaller towns and villages and a huge hinterland. In the case of the northern areas I understand that telephone is provided by radiowaves as well as satellite ..... I believe we have some of the lowest rates all around [...] the spirit of co-operation is strong in this province and crown controlled services are not bad either, since the profits roll back into crown coffers. Electricity and Gas are also crown-corps with equally happy results.
Regardless of the approach, the takeaway here is clear: Canadians face major structural and economic barriers when it comes to choosing providers in our telecom and cable distribution market, and find navigating the plans and options available very overwhelming. While most of the participants were television subscribers, few were happy with the range of service they were receiving, and even fewer were happy with how much they were paying for it. The takeaway here was that even if they were unhappy enough with the cost to actually switch services, they had to either chose a similarly priced service, or had no competing service to choose.

Some participants also indicated that public funding can also help improve the availability of Canadian content across different mediums. Strong public broadcasters such as CBC and APTN, if empowered to improve their online presence, can be a means of ensuring Canadians are able to access Canadian content in the manner they want and through the networks they want.

Online Conversation

As Connected Canada events happened all across the country, OpenMedia.ca recognized the need to amplify the voices of Canadians who were either unable to participate in events or who did not have any hosted events in their local community. We hosted an online discussion to gather the ideas, strategies, and solutions put forward by Canadians as part of our Connected Canada efforts. The discussion was moderated for 2 hours on various social media platforms (including Facebook, Twitter, Google+, reddit) as well as via the comment section of a blog on the OpenMedia.ca website that was written specifically for this purpose (Table 1).\(^1\) In response to our call for online participants, nearly 24,000 OpenMedia.ca supporters took to the web to participate in the discussion.

\(^1\) Although the conversation was moderated by the OpenMedia.ca team for two hours, comments have continued be posted across the fora for a few days after the discussion. We have collected these comments and distilled the common themes below.
Table 1: Total number of comments received for the online Connected Canada discussion

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<thead>
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<th>Number of comments</th>
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<tbody>
<tr>
<td>89</td>
<td>Facebook</td>
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<tr>
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<td><strong>450</strong></td>
<td><strong>TOTAL COMMENTS</strong></td>
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**Numbers as of January 28, 2014**

Central points that emerged are as follows:

I. What do you think about what’s on television?

The majority of questions from the online discussion was not focused on television as a medium. However, there was ample discussion about content production and distribution. Key themes from this discussion include:

A. Need for diversity and choice as a general point:

A lack of interest in content that is produced and owned by large media conglomerates.

*(via Google+): I am not very interested in content from large conglomerates, but I want to see diversity and choice and quality, and a bill of rights that the pipe is wide open, and accessible to all! We need a digital bill of rights, to affordable access and give me the indie movies and docs online, how long do I have to wait??*

*(Via Twitter): Cdn TV is in a sad state. Having a singular content jammed down your throat is brutal.*

*(Via Google+): I don’t object to paying for content. I object to not getting the content due to geography, to unreasonable CAPs, or needing a specific computer type (I’m Linux)*

*(Via Twitter): Simsubbing is awful, too. If I want to watch a game or show on a US channel, I should be able to. CDN content laws are weak.*

B. Concerns with control of content by big ISPs/telecommunciations companies:

Many Canadians expressed concerned about trouble accessing content, a majority of
whom highlighted gatekeeping by the major content providers as the reason.

(Via the website) “…the only way to address that issue is to create a system that allows customers to buy their channels from someone other than the cable network operator and to therefore force cable network operators to compete at the content level. I don't know how we got into a situation where Shaw, Rogers and a handful of other cable network operators are also the only channel brokers, but it's a bad system. […]”

(Via the website): The world in general, and Canada in particular, has really blown it with digital service providers because we have allowed licensed monopoly utilities to control the "content" flowing over the "pipes" as well as the pipes themselves. These functions absolutely need to be in separate business units operating at arms length. For example, Bell Media's content should not be used as a marketing tool to steer customers to Bell's network; anyone with an IP address from any ISP should be able to buy/access access anyone’s content. As an analogy, image Bell Canada controlled who you could call from a Bell Canada phone number? Imagine if Bell Canada decided to enter the pizza business and then they started to block or degrade the quality of your service if you call any other pizza company; and then they increase the prices of their pizza? Conversely, suppose Bell Canada bought Pizza Hut and then only accept pizza orders from Bell Canada phone numbers. That's essentially what is already starting to happen in the digital services domain, especially in mobile, but cable and wireline too.

(Via Reddit): The reality is RoBellUs control overwhelming stakes in telephone, wireless, cable/satellite, broadcast (radio and TV), magazines, newspapers, and so on. This is a pathological situation which only exists due to them exploiting 'Canadian Content' rules with respect to ownership of media and telecommunications assets. These rules have never benefited consumers

(Via Google+): I believe that the content producers and the delivery networks have to be separated. Shaw, Bell, Rogers, etc., can’t possibly operate an appropriately competitive delivery network if their goal is to own the content and lock people down to their properties.

2. What do you think about how you receive television programming?

The majority of discussion referred to how television as a medium in itself is no longer the way many Canadians want to receive their programming. One of the main reasons is the high price of cable and Internet services and a lack of competition (including rising prices without
proper justification for said prices):

(Via the website): We spend 6 Month/year in Europe (France). My little village in the south of France has an Internet connection with 1Gbit/sec. no throttling, no Data limits, TV over the Internet and long distance calls to Canada for free. It costs me a whopping 45Eur/month ($65)... Thanks to no competition, here we are totally ripped off.

(Via the website): A while ago I read that one of the Shaw sons is retiring in his mid forties and will enjoy an annual income of about 20+ million dollars. This month my Shaw bill informs me that they are raising my fees by $60 annually. Sorry, but I can’t print the words I feel about this outrage.

(Via Google+): It would be nice to stop the incessant monopoly held by the Bell company who between themselves and the cable company fix prices so in Canada there is no fair deal. What happened to the client was to always get the respect and benefit of the doubt. Now we pay in advance which for any other service we would walk away from as imposing. There are but two companies, one cable which owns all subsidiary companies, either shaw or eastlink as the parent for all other services coast to coast. And bell who owns all small licensed cell phone and home phone business other than provided by cable companies. There needs to be more businesses and fair competition should be a requirement so the consumer benefits as we did in the past.

A lack of satisfaction with how TV content is delivered:

(Via the website): Forcing consumers to pay for things they don’t want (bundling is one example), marking up or even sabotaging competing providers by blocking their content is going to become more common unless powerful regulations are put in place. Furthermore, the general attitude of the public and the government toward the rights and ownership of widely used networks must change drastically. Communications networks of all kinds must be considered essential, and telecommunications companies must be reduced drastically in size and power, along with many other overly massive (often global) corporations who have control over indispensable public assets such as natural resources, vital infrastructure, and human lives. New regulations must include a powerful focus and incentive to transparency.

(Via Google+): How does it make sense for my basic Shaw cable internet services to continually go up in price because Shaw does something stupid like buy a money-loser like Global? Also, I’d like to know how any of the incumbents are able to justify the price they charge for bandwidth (regardless whether it’s home service, mobile, etc) when internet bandwidth is a nearly-free commodity for them now.

There was one dissenting view about the role of media conglomerates blocking access:
Accessing streaming content isn't always the providers but the networks, which I know in Canada are mainly owned by the providers. But both CTV and Global can be downloaded and offer streaming content if you login with your providers information. I know I use the global go app and can also watch live TV on my device. You want free streaming isn't going to happen. Closest thing is Netflix. You want free go get your digital antenna and you can get CBC which is government funded. And most the content we watch in Canada is American anyways so we don't have control of the rights anyways. Which is why we can't access Hulu and it's not cause our providers are blocking it but because the states isn't showing it across their border.

The general tone of discussion pointed to how disenfranchised Canadians are with their service, including a lack of information as to when and why prices for cable and the Internet keep rising.

There was also discussion about how the current broken telecom market is an issue of political concern:

(Via Google+): Since the price of digital connection impacts small businesses (98% of Canadian companies), it should definitely be of political concern. The same goes for the cost of shipping. Only 46% of Canadian small businesses have a website (RBC 2013) and even less are eCommerce equipped. Facilitating the success of Canadian eCommerce could seriously boost our economy, and a big part of that is making it affordable.

(Via Facebook): Internet use has become such a necessary part of life that it underscores something missing in Canada's Constitution - the right to communicate. I don't believe Sec. 2 (expression, assembly, religion) covers it adequately. We should consider this as a political goal (among the other great ideas being discussed here), one Canadians in all provinces and territories would support.

The idea that the Internet is an essential service was also raised on several occasions:

(Via Facebook): Internet access needs to be an essential utility like gas or electricity. Take it away from greedy corporations and make it belong to us. As it should have all along. Make pricing non profit based on cost. And no service levels. Every single connection should be as fast possible with the current technology and infrastructure.

(Via Facebook): In Germany, based upon a federal court ruling in 2013, Internet is considered an essential service [...] Although the French courts beat the Germans to it, declaring in 2009 that, "Internet access is a fundamental human right."

There was a strong call for reining in the big telecom conglomerates and their monopolization of services. Participants in the online conversation directly addressed the role of the CRTC in this vein was discussed, and the need for the CRTC to improve regulation in support of Canadians - not conglomerates. These comments reflect how many Canadians are aware of the history of the
telecom market - and why many Canadians believe that the situation with regards to access, choice, and affordability of these services has gotten worse over time.

(Via the website): The irony here is that back in the 70s, the big telco AT&T was split up by Judge Green and here in Canada, the CRTC forced a separation of Bell Canada into separate regional operators, as well as splitting its own network services from value-added services (remember Bell Sigma, Bell Data, etc.) In addition, Bell was required to wholesale its last-mile plant and allow competitive long-distance marketers. Bell and TELUS are also (well, used to be) required to wholesale their DSL last-mile infrastructure. So what went wrong with cable and cellular? Why are these networks different? For example, why am I required to buy my cable TV channels only from the same people who provide my physical cable (in my case, Shaw)? Why am I required to obtain my IP address from that same company. Why is Shaw and Rogers not required to wholesale out their physical last-mile cable infrastructure. Something seems to be wrong here.

(Via Google+): The gov’t needs a clear message that the CRTC (among other govt authorities) has failed Canadians. The path they’ve created to allow this mess to happen has to now be un-done. They created the means to make this all happen, and they can rightly start creating a new path in a new direction.

Conclusion

The Canadians who participated in our “Connected Canada” events were extremely positive about the opportunity to give input into a policy-making process that will have such a notable impact on their daily lives. We should consider, however, that many are not familiar with terms like “cost-based rate” or “spectrum,” and that the work of public interest advocates (whether working for external organizations like OpenMedia, or for the CRTC itself) is to translate these terms into language and practical examples that are relatable, and open up doors into more participatory decision-making, instead of presenting citizens with a brick wall. Even when they are not familiar with jargon, Canadians are savvy about how the current structure of our market, and rapidly changing technology, create serious challenges with truly free choice of media content and affordability of services in our country. They want concerted action from decision-makers to decentralize our market, and give them more flexible options from providers who are genuinely interested in serving their communities. Canadians are full of creative ideas about how to make these options a reality - when we connect Canadians, we get to hear these many practical and imaginative solutions for connecting Canada.