



November 26, 2009

Robert A Morin
Secretary General
Canadian Radio-television and Telecommunications
Commission
1 Promenade du Portage
Gatineau, Quebec
J8X 4B1

Dear Secretary General,

Re: PN 2009-411 TV Policy

1. The Quebec Council of the Directors' Guild of Canada (QCDGC) and ACTRA Montreal represent over 2,700 individuals working in the English-language film and television industry in Quebec. Our members are part of the official language minority community in Quebec, and as such, we have status under the Official Languages Act (OLA).
2. We would like this letter attached to the file of PN 2009-411, and considered as part of this public proceeding in support of the appearance of ELAN scheduled for November 27, 2009, on the issues identified below.
3. The English-language film and television industry in Quebec has been in serious decline over the last decade, as demonstrated in our jointly commissioned report, "Going, Going Gone: The Decline of English Language Production in Quebec". Although ELAN has previously submitted this Report to you for the PN 2008-12 hearing, we attach copies in English and French for the benefit of those whom we have copied.
4. In order to support our distressed industry which serves the English-language minority community, the QCDGC and ACTRA Montreal welcome the interventions submitted by the English-language Arts Network of Quebec (ELAN) on November 20, 2008, for PN 2008-12 (Official-language minority broadcasting), and on September 14, 2009 (TV policy), for PN 2009-411.
5. Specifically, we request that the CRTC grant regional status to English-language programs produced in Montreal. This measure would greatly support the Official Language Minority Community of Quebec.

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6. In the context of the CRTC March 30, 2009, report on linguistic minority broadcasting (PN 2008-12), we would like to bring to the Commission's attention the September 22nd, 2009, letter of Graham Fraser, the Commissioner of Official Languages, who wrote to the Canada Media Fund:

"...The CMF guidelines will have a significant impact on Canada's linguistic duality and more specifically on OLMCs. Now is the time to set parameters that are adapted to the needs of OLMC producers and that foster the development of these communities.

.....

I would also like to take this opportunity to reiterate the concerns expressed by the English-language Arts Network (ELAN) in its submission regarding the lack of a guaranteed funding stream for English-language production in Quebec. I previously expressed similar concern in my study Shadows over the Canadian Television Landscape: The Place of French on the Air and Production in a Minority Context. I am still of the view that the Fund's allocation process must ensure equitable funding for the country's English and French OLMCs. I therefore hope that you will give due consideration to these producers' concerns and work with ELAN to deal with this significant imbalance."

7. In terms of this imbalance, we recommend that the CRTC adopt the "first official language spoken" (FOLS) definition of the official-language minority (OLMC) in Montreal for the Local Programming Improvement Fund (LPIF). Doing so would make the CRTC regulations consistent with the OLMC definition used by the Federal Government. It would also make the English-language minority community in Montreal eligible for the LPIF under the regulations established by the Commission, as it should be.

8. We further recommend that the CRTC change the design of the LPIF to better support regional reflection of the official-language minority community in Quebec. We believe this should include a minimum envelope for Quebec OLMC production, 75% of which should be accessible to independent producers working in any genre.

9. We also recommend that the funding of the LPIF continue at a minimum of 1.5% of eligible BDU revenues.

10. Therefore, we wish to add our support to the Commissioner of Official Languages Graham Fraser, who said in his letter of July 29, 2009, to you:

"It is my opinion that the LPIF allocation process should ensure a fair distribution of funding between Canada's Anglophone and Francophone OLMCs. I therefore suggest using a mechanism that would allocate funding according to the regional needs of OLMCs. The funding could be divided into two envelopes intended for Anglophone and Francophone OLMCs, respectively.

.....

“Regarding services available to Quebec Anglophones, upon reviewing the LPIF eligibility criteria, I notice that the new funds will not benefit any of the English-language minority community television stations. . . . I would recommend that the CRTC include Anglophone minority communities in its criteria for LPIF eligibility and to help these stations and any future English-language stations in Quebec as they reflect and reach out to the province’s entire English-language minority.”

11. We are sure that you will take the spirit and intent of Part VII of the *Official Languages Act* into consideration as you revise the regional definition for the official language minorities, and consider the eligibility of Montreal broadcasters and independent producers for the LPIF.

12. If you have any questions about the issues we have raised in this letter, we would be happy to answer them in more detail.

Yours truly,



Don Jordan
President
ACTRA Montreal



Rodney Gibbons
President
QCDGC

cc- Valerie Creighton, Canada Media Fund
Guy Rodgers, Executive Director, ELAN;
Graham Fraser, Commissioner of Official Languages;
Konrad von Finckenstein, Chair, CRTC;
Suzanne Lamarre, Commissioner, CRTC;
Louise Poirier, Commissioner, CRTC
Hon. James Moore, Minister of Canadian Heritage and Official Languages