



## **BLUE ANT MEDIA**

### **Written Submission for Consideration to the Standing Committee on Canadian Heritage Study on Bill C-10: An Act to amend the Broadcasting Act and to make related and consequential amendments to other Acts**

***February 9, 2021***

Blue Ant Media is a Canadian owned and operated producer and distributor of audio-visual content. Blue Ant is also the owner and operator of eight national English language CRTC-licensed television channels. We have over 200 employees at our headquarters in Toronto, Ontario and also operate offices and production companies in Washington DC, New York, Los Angeles, Singapore, Japan and New Zealand

As a producer, Blue Ant produces content in multiple genres for third party domestic and international broadcasters and streamers. Some of the content that Blue Ant produces is also broadcast in Canada by Blue Ant's owned and operated television channels. We currently have 10 series in production in Canada and another 10 in production outside of Canada in multiple genres including Documentary, Entertainment, Primetime Animation and we are the producer of Canada's Drag Race for Crave – one of the most successful productions of one of world's biggest formats.

As a distributor, Blue Ant sells its own produced content and content produced by third party producers to domestic and international broadcasters and streamers. Overall, we represent over 4000 hours of premium programming and have distributed over 575 hours through 157 different series produced by Canadian producers.

As a broadcaster, Blue Ant commissions over 100 hours of Canadian content a year working with a variety of Canadian production companies.

As a player in the Canadian content business, Blue Ant is quite unique and is one of less than a handful of Canadian companies that produces and distributes content and operates television channels, but does not also own or operate a cable, satellite, broadband or mobile carrier.

This distinction puts Blue Ant in a special, important and noteworthy class of industry participants that need to be taken into account, and to which attention needs to be paid, when considering and studying the Canadian broadcast regulatory landscape and making regulatory and policy decisions.

This distinction is also critically important when policy decisions are made that deem industry players that are "affiliated with a broadcaster" either ineligible for certain programs or subject to more onerous conditions for participation in certain programs. Affiliation with a television channel does not offer a producer any

advantages with respect to the delivery to or discoverability of their content to viewers, as television channels no longer control this. Especially television channels like Blue Ant's which only represent a 1% share of television viewership. Availability and delivery of content is controlled by the cable, satellite, broadband and mobile carriers that ultimately decide how television channels, apps and platforms are distributed, marketed, packaged and actively recommended to Canadian viewers, and, which through their, affiliated television channels, represent approximately 90% share of television viewership.

So, care must be taken when making regulatory and policy decisions simply based on the asset mix of industry participants. Ultimately, in the context of overwhelming competition from large international players, all Canadian companies that produce Canadian shows should be encouraged and not excluded.

### **Recommendations on Bill C-10**

1. Overall, Blue Ant supports any measures that create tools to enable the Canadian industry as a whole, including regulatory bodies and policy makers, to efficiently and rapidly respond to changes in the industry on an on-going basis.
2. Blue Ant supports the amendments to the Act that seek to ensure that all parties that participate in the delivery of content to Canadians, whether traditional or online, domestic or foreign, should contribute to the Canadian broadcasting system and should support the creation and production of Canadian content.
3. Blue Ant also supports measures that will create more of a regulatory balance between (1) those parties that are currently licensed by the CRTC to participate in the Canadian broadcasting system, and (2) those parties that deliver content to Canadians, but have not to-date been subject to the oversight of the CRTC.
4. However, in creating that balance, Blue Ant is of the view that changes need to be made to both sides of the equation. That is:
  1. Services that have not, to-date, been subject to the oversight of the CRTC should be required to make financial and other contributions to the system.
  2. Services that are currently licensed by the CRTC should be provided with more flexibility in the operation of their services in order more effectively compete with foreign online services. Flexibility is needed by these services to remain relevant and attempt to attract audiences and produce and commission programming that reflects the viewing habits and appetites of Canadian audiences. For example, Blue Ant has unsuccessfully applied to the CRTC in the past to reduce our PNI requirements to enable us to produce the kind of programming our audiences are looking for and to allow us to remain nimble enough to meet those demands and compete with OTT services. We continue to believe that it is appropriate and necessary to significantly reduce or eliminate the current obligations of Canadian programming services regarding PNI in order to create regulatory and operational balance amongst all programming services, licensed or otherwise.