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**ONLINE SUBMISSION**

Mr. John Traversy  
Secretary General  
Canadian Radio-television and  
Telecommunications Commission  
Ottawa, ON K1A 0N2

**RE: Broadcasting Notice of Consultation CRTC 2014-190**

Dear Mr. Traversy,

In accordance with the process established by the Broadcasting Notice of Consultation CRTC 2014-190 dated 24 April 2014, the First Mile Connectivity Consortium (FMCC) files its intervention for Phase 3 of Let's Talk TV: A Conversation with Canadians.

The FMCC requests an opportunity to appear at the public hearing on 8 September 2014. We also request a Skype or videoconference link to remotely participate in the hearing if possible.

Please find attached our response to this Notice of Consultation.

Sincerely,

Rob McMahon  
First Mile Connectivity Consortium  
info@firstmile.ca

## Background

1. The First Mile Connectivity Consortium (FMCC) is a recently established independent not-for-profit national association. Our members are First Nation and Inuit broadband service providers, and our associate members are university and private sector researchers and other interested parties. Our work focuses on innovative solutions to digital infrastructure and services with and in rural and remote communities. We have a breadth and depth of understanding of the challenges and issues related to service provision in rural, remote and northern communities, as evidenced in more than 25 peer-reviewed journal publications from our associated research project, First Nations Innovation (<http://fn-innovation-pn.com>; publications at: <http://fni.firstnation.ca>). In 2013, we filed an intervention in CRTC 2012-669 (Review of Northwestel Inc.'s Regulatory Framework, Modernization Plan) outlining our position on digital infrastructure and services in remote and northern First Nations communities. We respectfully submit the following intervention with regards to Broadcasting Notice of Consultation CRTC 2014-190.

### **Response to Q41: Is there appropriate access to a diversity of programming by and for Aboriginal peoples? If not, are regulatory measures needed to achieve this objective?**

2. Section 3(1) of the *Broadcasting Act* outlines the policy objectives for Canada's broadcasting system, which include to "reflect the circumstances and aspirations of Canadian men, women and children, including...the special place of Aboriginal peoples in society".
3. In paragraph 18 of Broadcast Notice of Consultation CRTC 2014-190, the Commission notes that: "Although consumers in both linguistic markets continue to watch programs on their traditional TV sets, a significant number of them have adopted new technologies". This point is further developed in paragraph 26, which notes that "technological innovations have also allowed...new means of content distribution to emerge", including "an increasing number of exempt Internet video service providers...[that] offer a significant amount of content". Finally, paragraph 31 points out that Canadian consumption of video content will increasingly shift from "viewing programs on television sets to also viewing programs on other screens, such as mobile devices".
4. Recognizing the Commission's goal to balance the evolution of the marketplace, changing technologies and regulatory intervention, we also note two of the Commission's points in paragraph 39: the need to "maximize choice and flexibility" in the distribution of television services; and the need to ensure that Canadians "continue to have access to the best of what Canada and the world have to offer".
5. Finally, we recognize the concerns of participants in Phases 1 and 2 of this process, who argued that television needs to do a better job of reflecting Canada's Aboriginal cultures. In paragraph 87, the Commission states that it "wishes to explore whether there is a need for additional supports for the provision of programming to Aboriginal and third-language audiences. While we recognize these concerns regarding Aboriginal content, our intervention focuses on issues associated with carriage and distribution.
6. In this context we submit several points related to Q41 that reference arguments that we have made in previous engagements with the Commission (Consultation CRTC 2012-669).

7. As the Commission recognizes, Canadians are increasingly using alternative platforms to access broadcasting content. These include Internet-based video and mobile services. Available evidence indicates that this trend will continue.
8. We are concerned that the limited digital infrastructure and services in many remote and rural communities limits the ability of their residents to access broadcast programming on an equitable basis. Costs for digital services are high and choices are often limited in these communities, due to limited infrastructure and competition. The Commission is aware of this challenge. For example, in TRP 2011-771, the Commission stated its concerns regarding Northwestel's failure to render reliable telecommunications services of high quality to communities located in its serving territories, as evidenced by aging infrastructure and the unavailability of services in many rural and remote communities. Given the socio-economic challenges faced by residents of many remote communities, we are also concerned about the affordability of services like mobile Internet, which may be priced out of reach for some households.
9. The Commission is presently taking action to help determine solutions to these challenges. For example, it is undertaking a review of transport services provided by satellite (Telecom Notice of Consultation CRTC 2014-44). In that Notice, the Commission states that: "To achieve the social and economic objectives set out in the *Telecommunications Act* (the *Act*), Canadians in the North and in other rural/remote regions of Canada should have access to reliable and high-quality telecommunications services at reasonable prices".
10. In this context, we submit that this core issue of ensuring adequate, accessible, affordable, and adaptable access to digital infrastructure and services also has important implications in the context of the policy objectives of the *Broadcasting Act*. The ability of citizens and consumers in these regions to access broadcast programming, including choices that "reflect the circumstances and aspirations of Canadian men, women and children, including...the special place of Aboriginal peoples in society", is impacted by the limits of existing digital infrastructure and services.
11. Second, we point out that the ways that digital services and infrastructures are diffused in these regions provides unique and innovative opportunities for economic and community development. Locally owned and operated digital infrastructures and services can support an appropriate number of channels and programming choices for residents of these communities. We suggest that such Community Networks can deliver 'last-mile' services, including the local distribution of broadcast programming. They can support broader policy objectives, including the provision of jobs and economic development opportunities, and encourage competition, affordable services, and access.
12. Third, we recognize that the conditions characteristic of many small, dispersed and isolated communities do not reflect favourable market conditions for private sector-led development initiatives. Therefore, public sector funding and other supports are required for the ongoing operations and maintenance of infrastructures and services. The First Mile approach foregrounds that this process can and should engage communities. It points out these communities are capable of local innovation, and can collaborate with regional intermediary organizations in their engagements with public and private sector parties. A summary of the First Mile concept and process is available in the peer-reviewed *Journal of Information Policy*. The article, titled "Making Information Technologies Work at the End of the Road", is

available for download here:

<http://jip.vhost.psu.edu/ojs/index.php/jip/article/viewArticle/146>.

13. The First Mile website (<http://firstmile.ca>) provides examples of more than 80 First Nations broadband projects from across Canada. The First Nations Innovation publications website (<http://fni.firstnation.ca>) presents 26 peer-reviewed research publications as well as numerous conference papers and reports that showcase similar work. Many of the projects profiled on these websites demonstrate the successes of Community Networks.
14. We recognize other organizations that are engaged in similar efforts to ensure that residents of communities gain access to the resources required to support the ongoing operations and maintenance of local infrastructure and services. For example, the Canadian Association of Community Television Users and Stations (CACTUS) stresses the need to support local media production, and the operation and maintenance of associated facilities and equipment.<sup>1</sup>
15. In conclusion, residents of remote and rural communities are limited in their ability to access broadcast programming on an equitable basis due to either limited digital infrastructure and services or the high cost of existing digital infrastructure and services. It is our opinion that residents of remote, rural and northern communities – including Aboriginal peoples – are best positioned to articulate their own digital infrastructure and services development needs, including those regarding their access to evolving broadcasting content and services. Digital Community Networks can be strategically developed in partnership with private and public sector organizations. We suggest this process can contribute to a broadcasting system that reflects the special place of Aboriginal peoples in society.
16. We plan to submit additional ideas regarding these issues at future hearings. However, we raise these points in the context of CRTC 2014-190 to illustrate how our concerns are also relevant to the development of Canada's evolving broadcasting system.

We thank the Commission for the opportunity to file this submission.

Respectfully,

Rob McMahon, PhD  
Coordinator  
First Mile Connectivity Consortium

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<sup>1</sup> For more information, please visit: <http://cactus.independentmedia.ca/node/11>