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**CABLE TELEVISION REGULATION IN CANADA:
A Critical Perspective**

by

William Scott McGuinness

School of Journalism and Communication

**Submitted in Partial Fulfillment of the
Requirements for the Degree of
Master of Arts**

**Faculty of Graduate Studies
Carleton University
Ottawa, Ontario
Canada
October 1993**

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**Cable Television Regulation in Canada:
A Structuralist Perspective**

submitted by William Scott McGuinness, B.A. Hons., B.A.

**in partial fulfillment of the requirements for
the degree of Master of Arts**

Thesis Supervisor

Chair, Department of Communication

**Carleton University
October 1993**

ABSTRACT

In terms of critical approaches toward the state in advanced capitalist society, in general, and regulation specifically, Rianne Mahon has refuted the instrumentalist perspective and has proposed a structuralist alternative. She has contended that regulatory agencies do not in fact function as "captive agents," but rather as "hegemonic apparatuses." (Mahon, 1979: 163) Mahon has also suggested that a structuralist viewpoint could be applied to an analysis of the federal regulation of communication in Canada. (Mahon, 1979: 193)

The thesis subsequently presents a case study of the federal regulation of the cable television industry in Canada. Decade-by-decade, through an historical narrative, the paper recounts the complete history of the federal regulation of the cable television industry. At the same time, discussion of the major regulatory developments in cable television policy-making, from at least the 1960's to the 1990's, finds that Mahon's structuralist approach toward regulatory agencies is empirically validated.

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Dr. Mosco originally served as my graduate thesis advisor. I would like to thank him for guiding my research and writing, making helpful suggestions and offering words of encouragement.

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My thanks, however, are not confined to the boundaries of Carleton University. A number of federal public servants allowed me access to critical information and answered my questions promptly and intelligently. They work for the CRTC, the Department of Communications (DOC), the National Library and National Archives. I thank them for their help.

Several other individuals also assisted in my research and they work at a number of diverse national corporations and organizations which include: the Toronto-Dominion Bank; the Canadian Broadcasting Corporation (CBC); the Canadian Association of Broadcasters (CAB); the Canadian Cable Television Association (CCTA); the Canadian Film and Television Production Association (CFTPA); the Friends of Canadian Broadcasting; the National Anti-Poverty Organization

(NAPO) and the Public Interest Advocacy Centre (PIAC). To all of them, I offer my appreciation.

I also wish to acknowledge all of the authors who are cited as references at the end of the thesis paper, all of those individuals that I have been unable to mention and those who either assisted in or influenced my work.

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W.S. McGuinness,
September 1993

For my Mother

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INTRODUCTION

Trying to understand regulation is often a tedious exercise: the pedantic presentation of content, the strict observance of procedure and the arcane, legal terminology. Countless state documents, legislative acts, public announcements and notices, decisions and circulars attest to this observation. Moreover, cable television is a technology and an industry with its own special jargon, for example, "addressability," "bandwidth," "carriage." "distribution plant," "electromagnetic spectrum," "fibre optics," etc. (CTIC, 1982) The combination is best summed up in the awkward phrase used for so long by Canadian cable television industry regulators to describe cable television systems: "broadcasting receiving undertakings."

"So why attempt a graduate thesis on the regulation of cable television?," an observer might ask. This, however, is only a preliminary appraisal of the well-meaning, but honestly uninformed individual. While cable television regulation may not be the most "fashionable" topic for academic inquiry in communication studies, there is much about the topic that is intellectually rewarding if one only probes a bit further. In the case of Canada, the regulation of cable television is

worthy of serious academic study for at least several very important reasons.

First, the range of social forces or interests involved in cable television policy-making is very diverse. As a result, the question of how the representatives of these interests have actually participated in, and been accommodated by, the regulatory process is a fascinating one. Secondly, both the size and nature of the most intriguing interest, the cable television industry, require that the process by which it is regulated be examined. Additionally, the centrality of cable television in the lives of Canadians demands an investigation of how the medium is structured. Fourth, the real impact of technological change on both regulators and industry cannot be ignored. Finally, there is a lacuna in the literature.

There is little, if any, doubt that the range of interests involved in the regulation of the cable television industry is very disparate [please see Appendix A "*List of Phase I (December 4, 1992) Submissions in Response to CRTC Notice of Public Hearing 1992-13*"]. These interests include, at the very least, the national banking community, the national public broadcaster, private broadcasters, cable operators, film and television production houses, cultural nationalists and public interest groups. There are, however, a number of

other interests which participate in the regulatory process and these include telecommunications companies, pay and specialty services, satellite programmers and distributors, provincial educational authorities, provincial governments, federal politicians and ordinary citizens.

Attempting to determine, generally, how representatives of these interests have actually taken part in, and have been accommodated by, cable television policy-making requires that a number of fundamental questions about the nature of society and the state be asked. In order to understand the way in which cable television policies have been made, one has to ask the right questions. Who, for example, has had the most economic and political power in modern Canadian society? What has been the nature of the relationship between those who hold the greatest economic and political power and the state? Who has, in fact, managed the state system? More specifically, what has been the relationship between state managers and regulators? Have regulators been "independent," "fair" and "unbiased"? What has generally been required for an interest to be a beneficiary of regulatory policy or to be left an unsatisfied party? Which interests have been the most frequent "winners" and "losers" and, most importantly, why?

Another consideration is the size and composition of the most interesting player in cable television policy-making: the cable television industry itself (please see Appendix B "*The Size and Nature of the Cable Television Industry in Canada*") By almost any standard of measure, whether they be overall market statistics (e.g. the number of licensed systems, the number of cable subscribers etc.) or financial statistics (e.g. the size of revenues, expenditures and profits etc.), the cable television industry is one of the larger and more important industries within the national economy. If one uses other measures (e.g. market share, return on net fixed assets (NFA) for the top five cable companies), it is also one of the most concentrated and profitable. Taken together, at least from a public interest perspective, these factors require that the process by which it is regulated be studied.

Cable television has also had an almost ubiquitous presence in the everyday lives of Canadians (please see Appendix C "*Non-scientific Sample of Cable Television Listings, 1953-1993*"). Historically, there have been few technologies that have had the market penetration and the socio-cultural impact that cable television has enjoyed in Canada. In about forty years, it has grown to be a distribution system without any true comparison. Cable television has become a feature of almost every living room in the country. In fact, the number of cable subscribers as a percentage of population has been

among the highest in the world on a consistent basis. By and large, they have spent significant amounts of their leisure time viewing cable television programs. Almost everyone has cable television, almost everyone is a participant and almost everyone is an expert.

It should also be noted that cable television subscribers in Canada do not just watch "television;" they, in fact, watch "cable television." In other words, viewers not only watch television programs in the context of other programs, but they watch them in the context of both channels and channel lineups. Canadian subscribers also have memories of their viewing experiences and, from this perspective, watching cable television has also been a historical experience. This has been true since the early days of cable television, in the 1950's and 1960's, when only a smattering of channels were offered, through to the 12-channel converter and system expansions of the 1970's and the 1980's, to the multichannel universe of the future. While the number of channels offered has changed, the federal state, through its regulation of the industry, has also, to some extent, set the "limits" of the cultural space in which "meaning is created" for this medium. (Murdock, 1989: 230)

Today, at least in Canada, technological change means that

cable operators are bidding farewell to the regulations which have long dominated their past (please see Appendix D "CRTC Notice of Public Hearing 1992-13"). Regulators are no longer primarily interested in protecting older, more established interests from the effects of cable television. They are now chiefly concerned with protecting cable operators from the effects of newer communications technologies, in particular, direct broadcast satellites (DBS). Cable television is still the primary means of delivering television programs, but it now faces what has been characterized as the most formidable competition in its history. Dramatic advances in technology are creating significant, if delayed, changes in regulatory policy.

A final consideration concerns a gap in the literature which cannot be overlooked. A large amount of information on the history of cable television regulation in Canada can be considered to be primary research material. It must be culled from official documents and files that are held by a wide number of federal government sources: legislative acts and regulations; public announcements and notices; decisions and circulars; research studies and position papers and; speeches and press releases.

Federal government agencies that are sources for this type of

material include the CRTC, the DOC, the National Library and National Archives. Research material can also be gathered from a number of other sources with an interest in cable television policy-making including: the Toronto-Dominion Bank; the CBC; the CAB; the CCTA; the CFTPA; the Friends of Canadian Broadcasting; the NAPO and; the PIAC.

In terms of secondary sources, there are comparatively few books or theses that address the complete history of federal cable television regulation in Canada (*please see Appendix E "A Brief List of Major Secondary Source Material on Cable Television Regulation in Canada"*). In fact, serious academic treatment of the subject largely comprises a relatively few book chapters, research papers and journal articles. Given this gap, a substantive discussion of the historical role of the state in regulating cable television from beginning to end, must be seen, at least to some extent, as "breaking new ground."

Attempting to understanding the history of cable television regulation in Canada need not be a tedious exercise nor an overly technical one. There are a number of reasons why the subject is a compelling one and why it is worthy of serious academic study. Because they represent important underlying themes, it is hoped that they emerge in a thesis paper which

examines the full history of cable television regulation in Canada from a critical perspective.

CHAPTER 1

A SYSTEM APPROACH: *Delineating a Structuralist Perspective to Cable Television Regulation in Canada*

Thesis Argument

As indicated in the introduction, attempting to determine, in a general way, how cable television policy has historically been formulated in Canada requires that fundamental questions be asked. These include questions about the nature of the relationships between society and the state, the state and regulatory agencies and these agencies and society at large. The purpose of the first chapter is to layout the theoretical groundwork required to answer these questions. Generally, it reviews the foundations of a critical perspective toward the state and conflicting interpretations of this work in order to better understand Rianne Mahon's structuralist alternative on the question of regulatory agencies and its application to the case study.

Beginning with the early Marxist literature on the role of the state in society, the writings of Karl Marx and Friedrich Engels are explored. A number of famous works which focused on the state are discussed and these include: The German Ideology; the Communist Manifesto; The Eighteenth Brumaire of Louis Bonaparte; Anti-Duhring and; The Origin of the Family Private Property, and the State. As Martin Carnoy argued in

The State and Political Theory, different interpretations of these sources has led to much debate among contemporary Marxists, but all such theorists derive their theories of the state from them in one form or another. (Carnoy, 1984: 46)

The chapter then discusses the neo-Marxist "re-discovery" of the state and conflicting interpretations of early critical literature. (Mahon, 1991: 120) Relying on a narrow interpretation of Marx and Engels' treatment of the state, "instrumentalism" stressed the economic power of the dominant class and the similar social backgrounds of economic and political elites. Drawing on a broader construction, "structuralism" emphasized the fact that irrespective of those who were in charge, state policies were required to ensure the "long-term political interests" of the leading or the hegemonic fraction of the dominant class. (Mahon, 1979: 165; Bottomore et. al., 1983: 465)

Subsequently, the work of Ralph Miliband, whose early book The State in Capitalist Society was considered by many to be instrumentalist, is reviewed. Later work marking a departure in his thinking, such as Divided Societies: Class Struggle in Contemporary Capitalism, is also discussed. In addition, the contribution of Nicos Poulantzas is examined and a number of his most renowned books, including Political Power and Social Classes, Classes in Contemporary Capitalism and State, Power, Socialism, are considered. The renowned "Miliband/

Poulantzas" debate, a classic exchange of theoretical views, is also discussed.

In terms of regulation specifically, instrumentalists have contended that regulatory agencies inevitably become captive of the forces they are intended to regulate and constitute yet another instance in the functioning of the state as "an instrument in the hands of the ruling class." (Mahon, 1979: 163) However, in a 1979 Studies in Political Economy article entitled "Regulatory Agencies: Captive Agents or Hegemonic Apparatuses," Mahon refuted this perspective and proposed a structuralist alternative that contended regulatory agencies were best conceptualized as hegemonic apparatuses. (Mahon, 1979: 165) She argued that the captive agents thesis "obscured" far more than it "revealed" about the production of bias in the advanced capitalist state. (Mahon, 1979: 163)

Instrumentalists, Mahon agreed, were correct in emphasizing that the bias of regulatory agencies was in fact tied to the character of the state, but the agencies could not be reduced to mere instruments in the hands of the bourgeois classes. (Mahon, 1979: 163) The question of how bias was produced, she argued, was far more complex. More specifically, Mahon put forward a number of major contentions concerning the special nature of regulatory agencies. Most importantly, she implied that regulatory agencies are relatively autonomous from the hegemonic fraction of the dominant class, major

fractions of capital in a given sector of the economy and forces from below. (Mahon, 1979: 163) Almost as significant, it was claimed that they are created to mitigate a political threat to hegemony. (Mahon, 1979: 174-77) Additionally, Mahon suggested that these agencies represent and regulate the interests of various social forces in order to ensure the long-term fortunes of the hegemonic fraction. (Mahon, 1979: 163) She further contended that conflicts between the general rights of property and the political interests of the hegemonic fraction are resolved in the "national interest." (Mahon, 1979: 175-176) Finally, Mahon concluded that policies genuinely created for regulating industry are also influenced by the interests of the hegemonic fraction. (Mahon, 1979: 162-199) She then examined the role of the Canadian Textile and Clothing Board in the re-structuring of the textiles industry.

Finally, having explored the relevant theoretical literature, the chapter broaches the empirical question of the federal regulation of the cable television industry in Canada. It contextualizes the case study by not only identifying the relevant industry regulators, but the major social forces and their representatives that have participated in the history of cable television policy-making over the course of the past fort years. The chapter concludes by postulating whether or not the structuralist alternative proposed by Mahon can be empirically substantiated in the case study.

Foundations of a Critical Perspective on the State: Marx and Engels

Marx and Engels argued that the capitalist state necessarily acted in the interests of the dominant economic class. (Brodie, 1990: 63) They, however, did not develop a single theory of the state and their conceptions must be derived from works which focused on the role of the state. (Carnoy, 1984: 45) These volumes have included: The German Ideology; the Communist Manifesto; The Eighteenth Brumaire of Louis Bonaparte; Anti-Duhring and; The Origin of the Family Private Property, and the State. (Bottomore et. al., 1983: 464) Carnoy contended that while Marx and Engels' views of the state were incomplete,

the fact is that recent Marxist theories have their roots in these earlier works. It is therefore important to go back to them to understand the fundamentals of the Marxist conception of the state... in today's research and the disagreement among contemporary Marxist analysts. (Carnoy, 1984: 45)

Indeed, only through a review of original Marxist literature can the different and more recent interpretations of it be understood.

These sources are useful not only in terms of understanding instrumentalism and structuralism, but also Mahon's work, for at least a number of reasons. In The German Ideology, for

example, Marx and Engels developed dialectical and historical materialism as a way of thinking about the social world and how it is transformed. This epistemological approach, which started out from the real material basis of life as opposed to idealism, is indispensable to understanding state theory. Additionally, Marx and Engels conceived of the state as a double relationship: "a classbound institution" in which class warfare was waged on the one hand, and a means of class domination engaged in that struggle on the other. (Carnoy, 1984: 47-48) What was central to the relationship was the political power with which one class could represent its interest as the common interest. (Carnoy, 1984: 47) Finally, instrumentalist interpretations are most often derived from the Communist Manifesto, while structuralist interpretations are largely drawn from The Eighteenth Brumaire of Louis Bonaparte, Anti-Duhring and the The Origin of the Family, Private Property, and the State.

It was in The German Ideology, that Marx and Engels first developed dialectical materialism as way of thinking about the social world. This new revolutionary philosophy took shape in the struggle against earlier bourgeois ideologies. They turned their criticism first of all against Hegel's "objective idealism" and, then, against the "subjective idealism" of the Young Hegelians. (Marx and Engels, 1947: 12) In this struggle, they not only defended the central tenets of Feuerbach's materialist philosophy, but made a profound

analysis of its limitations, going far beyond its "static humanism." (Marx and Engels, 1947: 12) The new philosophy of combined dialectic methods and materialism laid the philosophical foundation for historical materialism. (Marx and Engels, 1947: 12)

For Marx and Engels, it was mainly the Young Hegelians who were the staunchest conservatives of mid-nineteenth century Europe. They contended that it had not occurred to any one of these thinkers to inquire into the relation of criticism to material surroundings. (Marx and Engels, 1947: 6) In direct contrast to German philosophy which "descended from heaven to earth," Marx and Engels "ascended from earth to heaven." (Marx and Engels, 1947: 14-15) Their method of approach started out from the real premises of existence with women and men, not in terms of an abstract definition, but in terms of their actual activity and the material conditions under which they lived. (Marx and Engels, 1947: 15)

The subsequent development of the materialist view of history can largely be treated as a discussion starting from first principles. For these social theorists, the first historical act was the production of the means to satisfy basic human needs such as food, shelter and clothing. (Marx and Engels, 1947: 16) The way in which human beings produced their means of subsistence depended upon the nature of the actual means

they found in existence. (Marx and Engels, 1947) This "mode of production" not only represented the reproduction of the physical existence of individuals, but rather a definite form of activity and way of life. (Marx and Engels, 1947) More succinctly, they argued that,

As individuals express their life, so they are. What they are, therefore, coincides with their production, both with what they produce and how they produce. The nature of individuals thus depends on the material conditions determining their production. (Marx and Engels, 1947: 7)

The second circumstance that entered into human development marked the first step from pre-history to history proper: as soon as an individual need was satisfied, new ones began to be made. (Marx and Engels, 1947: 17) This was followed by a third fundamental consideration in which men and women began to procreate and propagate, creating new relations among themselves and in the world around them. (Marx and Engels, 1947: 17) The production of life, however, appeared as a double relationship: a natural relationship and a social relationship in which individuals cooperated. (Marx and Engels, 1947) From this, Marx and Engels argued that,

a certain mode of production, or industrial stage, is always combined with a certain mode of cooperation, or social stage, and this mode of cooperation is itself a 'productive force.' Further, that the multitude of productive forces accessible to men determines the nature of society, hence that the 'history of humanity' must always be studied and treated in relation to the history of industry and exchange. (Marx and Engels, 1947: 18)

In other words, the way in which human beings survived and

reproduced together largely determined the way in which they lived together. It was only at this point, after considering the four fundamental aspects of historical relationships, did Marx and Engels conclude that women and men also possessed consciousness. (Marx and Engels, 1947: 19)

In terms of the development of the state as an institution in society, Marx and Engels noticed that the division of labour implied an important contradiction between the interest of the individual and that of the community. (Marx and Engels, 1947: 22) They asserted, more specifically, that,

...out of this very contradiction between the interest of the individual and that of the community the latter takes an independent form as the State, divorced from the real interests of individual and community. (Marx and Engels, 1947: 23)

Here, the social theorists introduced their view of social dynamics into a theory of the state as a "classbound institution." (Carnoy, 1984: 48) All struggles within the state were "merely the illusory forms in which the real struggles of the different classes are fought out among one another." (Marx and Engels, 1964 in Carnoy, 1984: 48) In other words, the state was a battleground for class warfare: "every class which is struggling for mastery... must first conquer for itself political power in order to represent its interest in turn as the general interest." (Marx and Engels, 1947: 23) The state, however, was also a means of class domination, "not above class struggles," but engaged in them.

(Carnoy, 1984: 47) The intervention of the state in the class struggle was critical as Marx and Engels themselves wrote:

For each new class which puts itself in the place of one ruling before it, is compelled, merely in order to carry through its aim, to represent its interest as the common interest of all the members of society, put in an ideal form. (Carnoy, 1984: 47)

As they further remarked, in the famous formulation of The German Ideology:

The ideas of the ruling class are in every epoch the ruling ideas: i.e. the class, which is the ruling material force of society, is at the same time its ruling intellectual force. (Marx and Engels, 1947: 39)

In The German Ideology, Marx and Engels also divided history in terms of three great stages: feudalism, capitalism and socialism. As Theda Skocpol recounted in States and Social Revolutions, the development of a nascent mode of production within the confines of each created "a dynamic basis for the growth of the unity and consciousness of a rising revolutionary class." (Skocpol, 1979: 7) Social revolution was not an isolated episode of violence and upheaval, but "a class-based movement that grew out of structural contradictions within an historically developing society." (Skocpol, 1979: 7) Feudalism developed within primitive societies, capitalism emerged within feudalism and socialism from within capitalism. (Skocpol, 1979: 7) Once successful, a revolution marked the transition from the previous mode of production and form of class dominance to a new one, in which

the hegemony of the newly revolutionary class created the proper conditions for further development of society. (Skocpol, 1979: 7) In this way, each of the great stages of history not only had within them the conditions which led to their own demise, but those conditions that were necessary for the establishment of another major period in human history.

Marx and Engels put forward this elaborate set of theoretical ideas in the Communist Manifesto, the fundamental proposition of which was,

That in every historical epoch, the prevailing mode of economic production and exchange, and the social organization necessarily following from it, from the basis upon which it is built up, and from which alone can be explained the political and intellectual history of that epoch... consequently the whole history of mankind... has been a history of class struggles, contests between exploiting and exploited, ruling and oppressed classes... (Marx and Engels, 1985: 6)

History for the social theorists, then, was the struggle of oppressed classes against oppressive classes. For them, "freeman and slave, patrician and plebeian, lord and serf, guildmaster and journeyman," had stood in opposition to one another as oppressor and oppressed. (Marx and Engels, 1985: 9) In the historically relevant terms, however, the bourgeoisie and the proletariat stood in opposition to each other as the two "hostile camps." (Marx and Engels, 1985: 9)

It was here that the classical Marxist formulation of the

state was expressed in Marx and Engels' discussion of the historical development of the bourgeoisie:

We see, therefore, how the modern bourgeoisie is itself the product of a long course of development, of a series of revolutions in the modes of production and exchange...

Each step in the development of the bourgeoisie was accompanied by a corresponding political advance of that class. An oppressed class under the sway of the feudal nobility, it became an armed and self-governing association in the medieval commune... afterwards, in the period of manufacture proper, serving either the semi-feudal or the absolute monarchy as a counterpoise against the nobility... the bourgeoisie has at last, since the establishment of modern industry and of the world market, conquered for itself, in the modern representative state, exclusive political sway. *The executive of the modern state is but a committee for managing the common affairs of the whole bourgeoisie.* (Marx and Engels, 1985 : 10-11)

With this famous declaration, Marx and Engels granted the state little autonomy from the ruling class of capitalism.

After the publication of this work, however, Marx focused on events taking place in France during the revolution of 1848 in two volumes: Class Struggles and The Eighteenth Brumaire of Louis Bonaparte. In contrast to the Communist Manifesto, he now allowed the state a considerable degree of autonomy. (Bottomore et. al., 1983: 465) In The Eighteenth Brumaire of Louis Bonaparte, for example, Marx concluded that following the revolution of 1848 and the subsequent victory of Bonaparte over parliament,

France... seems to have escaped the despotism of a class only to fall back beneath the despotism of an individual without authority. The struggle seems to be settled in such a way that all classes, equally impotent and equally mute, fall on their knees before the rifle butt. (Marx, 1968: 120-121)

Subsequently, Engels further articulated the early Marxist position in a book entitled Anti-Duhring which refuted the theories set out by Herr Eugen Duhring. (Engels, 1977: 1) In this treatise, he devoted significant attention to the state under capitalism arguing that,

... the modern state, again, is only the organization that bourgeois society takes on in order to support the general external conditions of the capitalist mode of production against the encroachments as well of the workers as of individual capitalists... The more it proceeds to the taking over of productive forces, the more does it actually become the national capitalist, the more citizens does it exploit. (Engels, 1977: 338)

Here, Engels not only conceded that the state possesses some, albeit rather limited, autonomy, but he also suggested that the more active the state's involvement in society, the more repressive it becomes.

In The Origin of the Family, Private Property, and the State, Engels further developed the fundamental conceptualization of the relationship between the material conditions of society, its social structure and the state. (Carnoy, 1984: 49) He emphasized that the state has its origins in the need to control social struggles between different economic forces. (Carnoy, 1984: 49) Engels believed the capitalist state was

a response to the necessity of mediating class conflict and of preserving the conditions which would ensure bourgeois economic power. (Carnoy, 1984: 49) Here, Engels conceived what is perhaps the most succinct formulation of the Marxist view of the state. It deserves to be quoted at some length:

The state is, therefore, by no means a power forced on society from without... Rather it is a product of society at a certain stage of development; it is the admission that this society has become entangled in an insoluble contradiction with itself, that it has split into irreconcilable antagonisms which it is powerless to dispel. But in order that these antagonisms with conflicting class interests might not consume themselves and society in fruitless struggle, it became necessary to have a power seemingly standing above society that would alleviate the conflict, and keep it within the bounds of 'order'; and this power, arisen out of society but placing itself above it, and alienating itself more and more from it, is the state...

Because the state arose from the need to hold class antagonisms in check, but because it arose, at the same time, in the midst of the conflict of these classes, it is, as a rule, the state of the most powerful, economically dominant class, which, through the medium of the state, becomes also the politically dominant class, and thus acquires new means of holding own and exploiting the oppressed class. (Engels in Held et. al. , 1983: 102-104)

Additionally, he reasserted earlier notions of the relative autonomy of the state by noting that a number of periods had occurred in history in which struggling classes balanced each other "so nearly that the state power, as ostensible mediator, acquires, for the moment, a certain degree of independence of both." (Engels in Held et. al., 1983: 104) As examples, Engels cited the absolute monarchies of the seventeenth and eighteenth centuries, the regimes of Napoleon

I and Napoleon III and the rule of Bismarck. (Bottomore et. al., 1983: 465)

The Neo-Marxist Re-discovery of the State: Instrumentalist and Structuralist Conceptions

The degree to which the state is an agent of the dominant capitalist class nonetheless remains undetermined from the work of Marx and Engels. (Carnoy, 1984: 49) On the one hand, there is the famous statement from the Communist Manifesto that the executive of the modern state was but "a committee for managing the common affairs of the whole bourgeoisie." (Marx and Engels, 1985: 10-11) On the other, Marx and Engels also granted the state a certain degree of autonomy and, as some have observed, argued for the expansion of democracy "not only during the period of revolution." (Draper, 1977 in Carnoy, 1984: 51) As a result, contemporary Marxists have offered different answers to why the state should be thought of as biased in favour of the ruling or dominant social class of modern capitalism. (Carnoy, 1984: 52)

Instrumentalism, which subscribes to the "managing committee" view of the state, offers two chief explanations of why the state ought to be considered biased in favour of the dominant class. (Bottomore et. al., 1983: 465) First, there is no other social class which is able to bring the same level of

economic pressure upon society and the state. (Bottomore et. al., 1983: 465) It is able to exercise "a disproportionate influence" in the electoral arena through financial power and ownership of the mass media. (Brodie, 1990: 63) Secondly, bias is also suggested by an "ideological congruence" between the dominant class and those who hold power in the state. (Bottomore et. al., 1983: 465) The fact that the economic and political are interrelated is readily observed in the similar, privileged social backgrounds of economic and political elites. (Brodie, 1990: 63)

Structuralism, which conceives of the state in terms of the objective, structural requirements of capitalism, offers a second answer as to why the state should be considered as biased. Proponents argue that they address Marx and Engel's discussion of the relative autonomy of the state and class struggle and emphasize how state policies must ensure the accumulation and reproduction requirements of capital. (Bottomore et. al., 1983: 465) For example, Draper argued that,

Marx and Engels did not make the state out to be merely an extrusion of the ruling class, its tool, puppet, or reflection in some simplistic, passive sense. ...Rather the state arises from and expresses a real overall need for the organization of society - a need which exists no matter what is the particular class structure. (Draper 1977 in Carnoy, 1984: 53)

A concise way of thinking about these critical perspectives is that under instrumentalism, "the state is the state of

capitalists," while under structuralism, it is "the state of capital." (Bottomore et. al, 1983: 465)

Early Miliband

A review of Miliband's early work assists us in identifying some of the main ideas or concepts of instrumentalism that structuralists such as Mahon were concerned with setting their arguments against. As Gregory Albo and Jane Jensen asserted, his first book, The State in Capitalist Society, has become "the classic statement of what has been termed instrumentalism." (Albo and Jenson, 1989: 181) Miliband, they noted, claimed that in advanced capitalist society "it was necessary to distinguish between the ruling class of civil society and the governing class" of the state. (Albo and Jenson, 1989: 181-182) In this way, he mapped a real division between society and the state, but one that was "inevitably closed" through direct economic and social links between the dominant class and state officials. (Albo and Jenson, 1989: 182) Specifically, Miliband contended that state elites were largely drawn from the dominant class and, further, that the distance between them was also reduced by their shared social backgrounds. (Miliband, 1969: 55-61)

At the outset of The State and Capitalist Society, Miliband was mainly concerned with a survey of the most important

economic and social characteristics of advanced capitalist societies, generally in Western Europe and the United States. (Miliband, 1969: 1) He realized the recent emergence of the state was a key feature of these societies when he stated:

More than ever before men [sic] now live in the shadow of the state. What they want to achieve, individually or in groups, now mainly depends on the state's sanction and support. But since that sanction and support are not bestowed indiscriminately, they must... seek to influence and shape the state's power and purpose, or try and appropriate it altogether. It is for the state's attention, or for its control, that men [sic] compete; and it is against the state that beat the waves of social conflict. (Miliband, 1969: 3)

Notwithstanding the central existence of a public sector in these societies, the political scientist nonetheless observed that economic activity was still largely the domain of private ownership and enterprise. (Miliband, 1969: 12)

For Miliband, advanced capitalism was all but synonymous with giant enterprise and nothing about it was more important than its increased domination by a small number of transnational firms. (Miliband, 1969: 13) These characteristics, he noted, provided the countries examined in his study with a broadly similar "economic base." (Miliband, 1969: 15) This base, however, was responsible for similarities in their social structure and class distribution. (Miliband, 1969: 15)

Miliband noted that there existed in all of these societies "a relatively small number of people "who owned a markedly disproportionate share of personal wealth and whose income is

largely derived from that ownership." (Miliband, 1969: 15-16) They constituted the social class designated by Marxists as the "ruling class." (Miliband, 1969: 15-16) However, the other end of the social scale largely constituted a working class, mostly comprised of industrial workers. (Miliband, 1969: 16) For Miliband, the principal form assumed by the "relations of production" in these societies "was that between capitalist employers and industrial wage-earners." (Miliband, 1969: 16) Though there were other social classes in addition to these classes, the economic and political life of capitalist societies was primarily determined by this relationship. (Miliband, 1969: 17)

These broadly similar socio-economic structures, for the political scientist, were also inclined to be associated with a particular type of political regime. (Miliband, 1969: 21) Generally, these regimes were distinguished by political competition, the right of opposition, regular elections, representative assemblies and civic guarantees. (Miliband, 1969: 21) In Marxist thought, they had been described as "bourgeois democratic," that is, regimes in which the economically dominant class rules through democratic institutions as opposed to dictatorship. (Miliband, 1969: 21)

Subsequently, Miliband examined more closely the pattern of economic power found under advanced capitalism. (Miliband,

1969: 1) According to him, in the Marxist perspective, "the 'ruling class' of capitalist society is the class which owns and controls the means of production" and which is able, by virtue of that economic power, to employ the state as an instrument of domination. (Miliband, 1969: 23) For Miliband, the first analytical requirement, however, was not to judge whether an economically dominant class was the most powerful in these societies, but to determine whether such a class existed at all. (Miliband, 1969: 23)

Here, Miliband was concerned with addressing the question of managerialism. He noted it had been argued by democratic-pluralists that the ownership of private property was a fact of diminishing significance in capitalist society primarily because of the growing separation between the ownership of private property and its actual control. (Miliband, 1969: 28) Control, their argument went, was held by managers who, at best, did not own more than a small share of the assets over which they were in charge. (Miliband, 1969: 28) While ownership still conferred privileges, the pluralists argued it no longer afforded "a decisive element of economic power." (Miliband, 1969: 28) The political scientist, however, concurred with the conclusion of Adolf Berle who remarked, "In practice, institutional corporations are guided by tiny self-perpetuating oligarchies." (Berle in Miliband, 1969: 29-30) He disagreed with the claim that managerial motives and impulses were "less 'selfish,' more socially 'responsible,'

more closely concerned with the 'public interest,'" than those of the "old-style" capitalist owners. (Miliband, 1969: 30) He then pointed to the fact that managers were often large stockholders and that they won considerable salaries. (Miliband, 1969: 34) Additionally, Miliband noted that the social origin of the managerial element was generally the same as that of wealthy property-holders: upper-middle-and upper-class families. (Miliband, 1969: 35)

More importantly, however, Miliband also described the main institutions of the "state system" and the social composition of the "state elite." (Miliband, 1969: 1) In order to study the nature of state power, he indicated that it was necessary "to distinguish, and then to relate, the various elements which make up the state system." (Miliband, 1969: 46) He identified six such elements which comprised that system: government; administration; military and the police; judicial branch; sub-central government(s) and; parliamentary assemblies. (Miliband, 1969: 50) Not only did the different elements of the state system constitute a major feature in this analysis, but so did the personnel commanding the most prominent posts of the system. Miliband, in fact declared that,

It is these institutions in which 'state power' lies and it is through them that this power is wielded in its different manifestations by the people who occupy the leading positions in each of these institutions - presidents; prime ministers and their ministerial colleagues; high civil servants and other state administrators; top military men [sic]; judges of the higher courts; some... of the leading members of parliamentary assemblies... and, a long way behind, particularly in unitary states, the political and administrative leaders of sub-central units of the state. These are the people who constitute what may be described as the state elite. (Miliband, 1969: 50)

The political scientist, however, deemed it necessary, to treat the state elite as separate from the economic elite. (Miliband, 1969: 51) They, in fact, were not one in the same, nor were they assumed to be involved in a relationship of principal to agent. (Miliband, 1969: 51) Nonetheless, he argued that "it might well be found" that the relationship "is very close indeed and that the holders of state power are... the agents of private economic power - that those who wield that power are also... an authentic 'ruling class.'" (Miliband, 1969: 51)

Miliband considered that the claim that capitalists were remote from public affairs, in a direct and personal way, greatly exaggerated their reluctance to seek political power. (Miliband, 1969: 52-53) The claim, he argued, was all part of a strategy in which they wished "to 'depoliticize' highly contentious issues and to have these issues judged according to the criteria favoured by business." (Miliband, 1969: 52-53) In other words, what appeared to be an avoidance of politics and ideology was in fact its "clandestine

importation" into public affairs. (Miliband, 1969: 52-53)

Miliband concluded that,

What the evidence conclusively suggests is that in terms of social origin, education and class situation, the men [sic] who have manned all command positions in the state system have largely, and in many cases overwhelmingly, been drawn from the world of business and property, or from the professional middle classes. (Miliband, 1969: 61)

He also observed that the relative distance of capitalists from the state system was markedly reduced by the social composition of the state elite:

For businessmen [sic] belong, in economic and social terms, to the upper and middle classes - and it is also from these classes that the members of the state elite are predominantly, not to say overwhelmingly, drawn...

Everywhere and in all its elements the state system has retained, socially speaking, a most markedly upper- and middle-class character... (Miliband, 1969: 55)

The two main reasons for why the state system maintained this character were the inequality of educational opportunity and social connections. (Miliband, 1969: 58-59)

Early Poulantzas¹

Nicos Poulantzas has been described by Bob Jessop as "the single most important Marxist political theorist of the postwar period. (Jessop, 1991: 75) In a number of important interventions, he impressed a "distinctive mark on some of the most advanced and intractable debates within Marxist

theory." (Hall, 1980)² Poulantzas applied a structuralist reading of Marx and Engels to an investigation of the state and his work is considered to be the "major structuralist effort regarding the state." (Carnoy, 1984: 90) It centered on the nature of social classes, the role of the state in class conflict, and the effect of this conflict on the state. (Carnoy, 1984: 97)

Poulantzas's Political Power and Social Classes can be read as "a clear statement of structuralist understandings of the state." (Albo and Jenson, 1989: 182) He did not document direct links between capital and the state like Miliband, but rather argued "for objective structural relations that linked the state to class struggle." (Albo and Jenson, 1989: 182) In a series of complex formulations, Poulantzas alternately examined the capitalist mode of production and the role of the superstructure in it, the representation of a class state as a nation-state and its relative autonomy from the dominant class.

The insights that are found in the social theorist's early work are especially germane to understanding Mahon's approach toward regulatory agencies since it was an important theoretical influence. Specifically, he was able to determine how the state allowed for the unity of capitalists, while preventing that of the workers. (Carnoy, 1984: 100) In fact, Poulantzas was able to reveal how the hegemonic

fraction was able to constitute its political interests as representative of the entire social structure and how political power was founded on an "unstable equilibrium of compromise" inside the state. (Poulantzas, 1974: 190-192) This conceptualization is critical to an understanding of Mahon's work on regulation.

As Carnoy has explained in The State and Political Theory, Poulantzas argued that the capitalist state was part of class relations in production. (Carnoy, 1984: 98-99) Specifically, in the capitalist relations of production, the separation of the direct producer from the means of production did "not lead to his [sic] individualization and isolation per se, but rather to a socialization of productive forces [labour] and to a concentration of capital." (Carnoy, 1984: 98-99) The political separation of workers from each other, however, was "not the result of capitalist production" itself, but of the juridical-political super-structure of the capitalist state." (Carnoy, 1984: 98-99) Poulantzas described these developments as constituting the "effect of isolation" which concealed from these agents the fact that their relations were class relations:

This effect is terrifyingly real: it has a name, competition between the wage-earning workers and between the capitalist owners of private property. It is in fact only an ideological conception of the capitalist relations of production which conceives them as commercial encounters between individuals/agents of production on the market. But competition is far from designating the structure of capitalist relations of production... [this relation] conceals from the agents of production their class relations in the economic struggle. (Poulantzas, 1974: 130; Poulantzas in Carnoy, 1984: 99)

According to Carnoy, the principal problematic for this early work was the determination of how the state allowed for the unity of the individualized capitalists, but prevented that of the workers. (Carnoy, 1984: 100) Poulantzas wrote:

By means of a whole political-ideological operation of its own, the dominant class is able to constitute its strictly political interests as representative of the people-nation.

In its institutions everything takes place as if the class struggle did not exist. (Poulantzas in Carnoy, 1984: 100)

The capitalist state for the social theorist, as Carnoy has explained, presented itself as representing the "general interest" of competing groups. (Carnoy, 1984: 100) The state, he wrote,

...presents itself as a popular-class-state. Its institutions are organized around the principles of the liberty and equality of 'individuals' or 'political persons.' Its legitimacy is no longer founded on the divine will... but on the ensemble of formally free and equal individuals-citizens and on the popular sovereignty and secular responsibility of the state towards the people. The 'people' is itself erected as a principle of determination of the state, not as composed of agents of production distributed in social classes, but as an accumulation of individuals-citizens, whose mode of participation in a national political community

shows itself in universal suffrage, which is the expression of the 'general will.' (Poulantzas, 1974: 123)

The unity of the dominant ideology, for Poulantzas, however, had to be considered from the starting point of the field of the class struggle. (Poulantzas, 1974: 209) He, in fact, argued that the relationship between the capitalist state and the dominant classes or fractions pushed them:

toward their political unity under the protection of a hegemonic class or fraction. The hegemonic class or fraction polarizes the specific contradictory interests of the various classes or fraction of the power blocs by making its own economic interests into political interests and by representing the general common interests of the classes or fractions of the power bloc. This general interest consists of economic exploitation and political domination. (Poulantzas in Carnoy, 1984: 102)

In this formulation, as Carnoy has indicated, the state was not only a place of class struggle, but also an organizer of that struggle. (Carnoy, 1984: 103) This idea becomes all the more clear when one observes Poulantzas's own concluding observations on the state:

The capitalist state, characterized by hegemonic class leadership, does not directly represent the dominant classes' economic interests, but their political interests...

In this sense, the capitalist state has inscribed in its very structures a flexibility which concedes a certain guarantee to the economic interests of certain dominated classes, within the limits of the system...

In this state, political power is thus apparently founded on an unstable equilibrium of compromise. (Poulantzas, 1974: 190-192)

This role, as Carnoy has observed, "is crucial for the reproduction of the social division of labour, social classes, and the domination of society by a particular class." (Carnoy, 1984: 102-103)

The Miliband/Poulantzas Debate³

The publication of Miliband's *The State in Capitalist Society* and Poulantzas's *Political Power and Social Classes*, as Mahon has recognized, initiated a debate that "rescued" the state from both pluralism and Marxist orthodoxy. (Mahon, 1991: 120) In fact, in the words of Stuart Hall, "The 'Miliband/Poulantzas' debate... has become an obligatory reference point for all subsequent theorizing on the capitalist state." (Hall, 1980) Taking place in the *New Left Review*, the debate was generally depicted as one between instrumentalist and structuralist conceptions of the state. (Mahon, 1991: 120) But as Mahon has indicated, this portrayal, tends to be a over-simplification; the exchange between the two theorists was in fact more complex. (Mahon, 1991: 120-121) A grasp of this debate provides significant contextualization of the main differences between instrumentalist and structuralist perspectives. It also suggests some of the methodological traps that Mahon attempted to avoid in her treatment of regulatory agencies.

While the Miliband/Poulantzas debate is generally understood as a debate over the strategy or "method" to be employed by critical theorists against pluralism, the exchange was noteworthy for at least two other reasons. First, it was also a debate which examined the question of the "individual as a source of change" versus the "individual determined by structure." Carnoy, 1984: 104) Poulantzas argued that the relation between the state and the bourgeois class was an objective relation, but Miliband countered that it turned those who ran the state into functionaries whose policies were imposed upon them by the "system." (Poulantzas, 1969: 73; Miliband in Carnoy, 1984: 106) Secondly, as Miliband and Poulantzas criticized each other for determinism, the debate evolved into a discourse on the relative autonomy of the state. (Carnoy, 1984: 106; Mahon, 1991: 121) As a result, the theorists arrived at the more complex notion that the relative autonomy of the state ought to be conceived as a relation to the class struggle.

The problem of method essentially involved empiricism on the one hand, and theoreticism on the other. In his critique of Miliband's The State in Capitalist Society, Poulantzas stressed the importance of the "problematic" in understanding the "concrete real" and criticized Miliband for neglecting Marxist theory in the attack on pluralism. (Poulantzas, 1969: 69) More specifically, he stated:

the procedure chosen by Miliband - a direct reply to bourgeois ideologies by the immediate examination of concrete fact - is also... the source of the faults of his book...

a precondition of any scientific approach to the 'concrete' is to make explicit the epistemological principles of its own treatment of it... Miliband nowhere deals with the Marxist theory of the State as such, although it is constantly implicit in his work. He takes it as a sort of 'given' in order to reply to bourgeois ideologies by examining the facts in its light. (Poulantzas, 1969: 69)

This particular abdication of theory, Poulantzas argued, had placed Miliband on the same terrain as those whose theories he sought to demolish. This meant that Miliband's arguments were not as sharp and penetrating as they could have been. Poulantzas cited three particular examples from The State in Capitalist Society: the use of "elites" as a concept; the "false" problem of managerialism and; the question of direct participation of capitalists in government. (Poulantzas, 1969: 69-74) Together, these examples, he contended, spoke of the risks inherent in the neglect of theory.

First, Poulantzas observed that, in attacking the prevailing notion of "plural elites" whose ideological function was to deny the existence of a ruling class, "Miliband's reply... is that the plurality of elites does not exclude the existence of a ruling class, for it is precisely these elites that constitute this class." (Poulantzas, 1969: 69) In replying to the adversary in this way, he contended that Miliband avoided the necessary preliminary of critiquing the ideological notion of elite and, as a result, had placed

himself on the ground of the adversary. (Poulantzas, 1969: 69-70) In fact, Poulantzas argued that by employing the concepts of the adversary, Miliband had legitimized them.

In terms of the second example, Poulantzas recounted the democratic-pluralist contention that modern managers were more important under capitalism than owners, that they seek development rather than profit and, as such, did not belong to any ruling class. (Poulantzas, 1969: 71) However, Miliband, he claimed, made a methodological error by demonstrating that managers do seek profit and as such constitute part of the ruling class. Poulantzas adopted the argument that membership in the ruling class was not predicated on the search for profit, but on the objective place in production. (Poulantzas, 1969: 71)

Thirdly, Poulantzas argued that although Miliband proved the pluralist's claims that the capitalist class never truly governed to be empirically false, the direct participation of capitalists in government was not the important question. To him, Miliband had failed to comprehend social classes and the state as objective structures, and "their relations as an objective system of regular connections, a structure and a system whose agents, 'men,' [sic] are in the words of Marx, 'bearers' of it." (Poulantzas in Carnoy, 1984: 105) Miliband, Poulantzas argued, constantly gave the impression that for him social classes were "in some way reducible to

interpersonal relations." (Poulantzas in Carnoy, 1984: 105)
 The relation between the state and the bourgeois class, he declared, was an objective relation: "this means that if the function of the state in a determinate social formation and the interests of the dominant class coincide, it is by reason of the system itself." (Poulantzas, 1969: 73)

In his reply, Miliband denied that he was given too much to empiricism and countered that Poulantzas was hostage to theoreticism. (Miliband, 1970)⁴ He noted Poulantzas had suggested that his analysis was hurt by the absence of a problematic which would adequately situate concrete facts. (Miliband, 1970) Miliband then argued that since Poulantzas concluded that the problematic was "constantly implicit," his analysis was not as vitiated as claimed. (Miliband, 1970) Specifically, he also addressed each of the major criticisms put forward by Poulantzas in the review of his book.

In defending against these criticisms, however, Miliband also contended that Poulantzas' emphasis on objective relations suggested that,

what the state does in every particular and at all times [is] wholly determined by these 'objective relations': in other words that the structural constraints of the system are so absolutely compelling as to turn those who run the state into the merest functionaries and executants of policies imposed upon them by the 'system.' (Miliband in Carnoy, 1984: 106)

For Miliband, Poulantzas' analysis appeared to lead toward "a

kind of structural determinism, or rather a structural super-determinism, which makes impossible a truly realistic consideration of the dialectic relations between the state and the system." (Carnoy, 1984: 106)

During the course of their debate, however, Miliband and Poulantzas criticized each other's brand of determinism. (Carnoy, 1984: 106) As a result, both of the theorists arrived at a more flexible, yet potentially more difficult, notion of relative state autonomy as a relation to class struggle. Years later, in a 1976 New Left Review article, "The Capitalist State: A Reply to Miliband and Laclau," Poulantzas, for example, stated,

taking the separation of the political and the economic under capitalism... as our point of departure, the state should be seen as a relation, or more precisely as a condensate of a relation between struggling classes." (Poulantzas, 1976: 74)

For the social theorist, "the relative autonomy of the state" was the "resultant of contradictions and of the class struggle as expressed... within the state itself." (Poulantzas, 1976: 74) And in a later article in the same journal, "State Power and Class Interests," Miliband concluded:

the degree of autonomy which the state enjoys for most purposes in relation to social forces in capitalist society depends above all on the extent to which class struggle and pressures from below challenge the hegemony of the class which is dominant in such a society... (Miliband, 1983: 61)

It was, as Carnoy argues, significant that although neither carried this analysis further in their earlier work, both had made significant changes in their positions by the late 1970's. (Carnoy, 1984: 107)

Later Miliband

Miliband's later work is significant because it marks a shift from an exclusively instrumentalist position to one which stressed the conceptualization of the state in relation to the class struggle. By the early 1980's, his theories had markedly changed. In particular, his 1983 article in the New Left Review, was emblematic of his thought at the time. This was particularly evident in his discussion of the debate over relative state autonomy and the nature of executive power.

Miliband's observations remain germane to an understanding of Mahon in terms of the relative autonomy of the state, but moreso in terms of its capacity to resolve different social conflicts in the national interest. He now recognized the importance of both instrumental and structural constraints, but concluded that irrespective of either or a combination of them, the state possessed a degree of autonomy which above all was dependent upon the class struggle. (Miliband, 1983: 61) Miliband also noted that the historical relationship of state power to dominant class interests had been so positive

because state personnel were strongly imbued with the belief that the national interest was bound up with the well-being of capitalist enterprise. (Miliband, 1983: 62) This is particularly relevant to Mahon's approach toward regulatory agencies.

For Miliband, Poulantzas had most thoroughly discussed the concept of the autonomy of the state and had coined the key formulation for most subsequent discussion of the subject, namely, the "relative autonomy of the state." (Miliband, 1983: 58) To him, this formulation held the idea that the state might indeed have a substantial degree of autonomy, but that, "nevertheless, it remained for all practical purposes the state of the ruling class." (Miliband, 1983: 58) The political scientist noted that there had subsequently been considerable debate on the nature of the constraints which prescribed state action in society: "notably whether they are 'structural and impersonal, or produced by a ruling class armed with an arsenal of formidable weapons and resources." (Miliband, 1983: 58-59) Evidently more flexible than in his previous work, he conceded that,

The state might be constrained by the imperative requirement of capital for its reproduction and accumulation; or by the pressure from lobbies and organizations and agencies at the service of capital or one or other of its fractions'; or by the combined impact of these and international forces. (Miliband, 1983: 58-59)

Miliband, however, concluded that irrespective of these

constraints, the state possessed a degree of autonomy which above all was dependent upon the class struggle. (Miliband, 1983: 61) Specifically, he declared,

Where a dominant class is truly hegemonic in economic, social, political, and cultural terms, and therefore free from any... challenge from below, the chances are that the state itself will also be subject to its hegemony... Where, on the other hand, the hegemony of a dominant class is persistently and strongly challenged, the autonomy of the state is likely to be substantial... (Miliband, 1983: 61)

Miliband's revised approach was also evident in his related discussion of executive power. The key to understanding executive power, he argued, was to recognize "the two main impulses" that it generated: "self-interest on the one hand, and a conception of the 'national interest' on the other." (Miliband, 1983: 62) The former, according to the political scientist, was considered to be a real, inescapable economic fact and the latter, more often than not, a genuine, personal sense of altruism. Having made these critical points, Miliband then contended that the historical relationship of state power to class interests,

has on the whole been very good. The people in charge of the state have been strongly imbued with the belief that the 'national interest' was bound up with the well-being of capitalist enterprise, or at least that no conceivable alternative arrangement... could possibly be more advantageous to the 'national interest'; and they have therefore been particularly attentive to the interests of capitalist enterprise, whatever view they might take of capitalists. However, being attentive to these interests might well mean refusing to pay heed to capitalist wishes; very often, it was precisely because they wanted to ensure the best conditions for capitalism that they did things which ran counter to the wishes of capitalists. (Miliband, 1983: 64)

The distance between Miliband and Poulantzas had remarkably closed. In this way, he came to a formulation of the state and class as a partnership, writing that "an accurate and realistic 'model' of the relationship between the dominant class in advanced capitalist societies and the state is one of partnership between two different, separate forces." (Miliband, 1983: 65)

In Divided Societies: Class Struggle in Contemporary Capitalism, a later work, Miliband reiterated these views, but went even further in his treatment of social class and state power in contemporary capitalism. Asking rhetorically what the relationship between the corporate and state hierarchies was, he answered:

...the corporate elite and the state elite stand on a par with each other: both dwell on the same level of the commanding heights of the social order. This is not how capital and the state are viewed in the traditional Marxist perspective. In that perspective, the state... is taken to be ultimately subordinate to the capitalist class, or to the impersonal but inexorably compelling power and logic of capital, or to a combination of both. The 'relative autonomy of the state' may be invoked to qualify this subordinate position, but does not negate it: the power of capital and capitalists, in Marxist terms, is ultimately decisive. (Miliband, 1989: 31)

However, the political scientist subsequently argued that "the danger which this emphasis presents is that it tends to devalue the power of the state." (Miliband, 1989: 31) Its power, he continued, has often been used "for purposes and policies which were not only pursued without reference to the

capitalist class, but also at times against the wishes of many parts of that class, or even the whole of it." (Miliband, 1989: 31) Miliband had journeyed a considerable distance.

Later Poulantzas⁵

Poulantzas's Classes in Contemporary Capitalism comprised a series of essays which primarily addressed social classes, and secondarily state apparatuses under advanced capitalism. (Poulantzas, 1975: 9) He set out in this transitional work by somewhat re-formulating his earlier conceptions of class and state. His major observations on the role of the state in this context are again instructive in comprehending the work of his proteges. Accordingly, Poulantzas defined social classes in Marxist theory as,

...groupings of social agents, defined principally but not exclusively by their place in the production process... The economic place of the social agents has a principal role in determining social classes. But from that we cannot conclude that this economic place is sufficient to determine social classes... the political and ideological (the superstructure) also have a very important role. (Poulantzas, 1975: 14)

Subsequently, he turned his attention to state apparatuses and, but also to their relation to social classes:

The state apparatuses... do not create class divisions, but they contribute to them and so contribute also to their extended reproduction. It is necessary to bring out all the implications of this proposition; not only are the state apparatuses determined by the relations of production, but [they] also do not govern the class struggle, as the whole institutionalist tradition maintains: it is rather the class struggle at all its levels which governs the apparatuses. (Poulantzas, 1975: 28)

From there, Poulantzas proceeded to expand further on these conceptualizations.

As Carnoy explains, the social theorist first argued that the role of different state apparatuses is "to maintain the unity and cohesion of a social formation, and in this way [reproduce] class relations." (Carnoy, 1984: 108) Moreover, political and ideological relations were materialized and embodied, as material practices, in these apparatuses. (Carnoy, 1984: 108) Specifically, Poulantzas elaborated,

These apparatuses include, on the one hand, the repressive state apparatus in the strict sense and its branches: army, police, prisons, judiciary, civil service; on the other hand, the ideological state apparatuses: the educational apparatus, the religious apparatus... the information apparatus (radio, television, press), the cultural apparatus (cinema, theatre, publishing), the trade union apparatus of class collaboration and the bourgeois and petty-bourgeois political parties... But as well as the state apparatuses, there is also the economic apparatus in the most strict sense of the term, the 'business' or the 'factory'... (Poulantzas, 1975: 25)

Yet, Poulantzas also argued social classes and the struggle between them were part of the economic and political relations in a society: "the apparatuses are never anything

other than the materialization and condensation of class relations. (Carnoy, 1984: 108) Here, the state is not an "entity" or an instrument, but a dialectical relation: "more precisely the condensation of a class relation." (Carnoy, 1984: 108) For Poulantzas, this implied:

- (a) the various functions... that the state apparatuses fulfill in the reproduction of social relations are not 'neutral' functions *sui generis*... these functions depend on the state power inscribed in the very structure of its apparatuses, in other words on the classes and class fractions which occupy the terrain of political domination;
- (b) this political domination is itself bound up with the existence and functioning of the state apparatuses. (Poulantzas, 1975: 26)

Subsequently, as Carnoy indicates, the political theorist defined the relationship of the state to the dominant class. (Carnoy, 1984: 108-109) Since the state apparatuses were the "materialization and condensation of class relations," they attempted, in some form, to represent the interests of the dominant class. (Carnoy, 1984: 108-109)

As in Poulantzas' earlier work, Carnoy explains, the state has to "appear" neutral while at the same time representing the interest of the dominated classes' power bloc and keeping the dominated classes fractionalized. (Carnoy, 1984: 109) Relative autonomy is the necessary condition for the role of the capitalist state in the political organization of hegemony. (Carnoy, 1984: 109) With the displacement of the class struggle from the economic to the political arena, the state now becomes subject to the struggle:

The state is not an instrumental entity existing for itself, it is not a thing, but the condensation of a balance of forces. The correspondence in question is established rather in terms of organization and representation: the hegemonic class or fraction, beyond its immediate economic interests which are of the moment or at least the short-term, must undertake to define the overall political interest of the classes and fractions that constitute the power bloc, and thus its own long-term political interest. It must unite itself and the power bloc under its leadership. (Poulantzas in Carnoy, 1984: 109)

Poulantzas's final work, State, Power, Socialism, is critical to the analysis of the state and an understanding of Mahon's approach toward regulatory agencies for at least two reasons. First, in terms of the relationship of the state to the dominant class, he argued that the state was relatively autonomous from given fractions of the dominant class and various other social forces. Therefore, it could represent and organize the long-term political interests of a "power bloc," that was composed of a number of bourgeois fractions. (Poulantzas in Carnoy, 1984: 122) Second, concerning the relationship of the state to subordinate social forces or "the masses," he argued that the structure of the state included the popular classes, but that this was first and foremost an opportunity for the dominant class to organize itself strategically. (Carnoy, 1984: 122)

In State, Power, Socialism, Poulantzas declared, "Whether overtly or not, all twentieth-century political theory has basically posed the same question: what is the relationship between the state, power and social classes? (Poulantzas,

1978: 11) It was here, as Carnoy indicates, that Poulantzas expanded his "two major formulations of the state as product and shaper of objective class relations into a detailed analysis of the capitalist state." (Carnoy, 1984: 112) He divided the concept of the "separation" of the political and economic through the state into four parts: the division of manual and intellectual work, individualization, the law, and the nation. (Carnoy, 1984: 112) The social theorist saw these elements as being central to the state's displacement the class struggle from the economic to the political arena. (Carnoy, 1984: 112)

Again, as Carnoy has indicated, Poulantzas' analysis of contradictions in the state can be divided into two parts. (Carnoy, 1984: 121-122) The first concerns the relationship of the state to the dominant classes. (Carnoy, 1984: 122) Here, the relation between the state and the dominant classes was largely preserved from earlier work in which the state was an activist presence. (Carnoy, 1984: 122) He argues that the state,

... represents and organizes the dominant class or classes; or more precisely it represents and organizes the long-term political interests of a power bloc, which is composed of several bourgeois class fractions... The state is able to play this role of organizing and uniting the bourgeoisie and the power bloc insofar as it enjoys relative autonomy of given fractions or components, and of various particular interests. (Poulantzas in Carnoy, 1984: 122)

In terms of the dominant class, the power bloc and its

fractions, participates in political domination only to the extent it is present in the state. (Carnoy, 1984: 123)

The state is above all a unifier, but unification implies the existence of contradiction, of conflict, between different groups. (Carnoy, 1984: 123) As Carnoy explained, this gives a chaotic and incoherent image to the state, each fraction trying to gain at the expense of others. (Carnoy, 1984: 123) At any moment of time, one fraction is dominant, and the state produces a global strategy that favours it. (Carnoy, 1984: 123) Poulantzas, therefore described a state in which conflict takes place among its many apparatuses and within each apparatus. (Carnoy, 1984: 123-124) "The state," in his formulation, "is not a monolithic bloc but a strategic battlefield." (Poulantzas, 1978 in Carnoy, 1984: 123-124)

The second analysis of contradictions in the state focused on the relationship of the state to the masses and their own struggle. (Carnoy, 1984: 122) The state not only resolved conflict among fractions in the power bloc, but also between the power bloc and the dominated classes. (Carnoy, 1984: 124) For the political theorist, state structure included the specific presence of the dominated classes and their struggle. (Carnoy, 1984: 124) Nonetheless, the presence of the popular classes in the state is impermanent; it is rather an opportunity for the dominant class to organize itself strategically. (Carnoy, 1984: 125)

The Special Case of Regulatory Agencies: Mahon⁶

In her 1979 Studies in Political Economy journal article on regulatory agencies, Mahon observed that the extension of the state's activity into the economy of advanced capitalist society was not limited to the growth of the normal, administrative and departmental apparatuses. (Mahon, 1979: 162) It also entailed the growth of allegedly "independent" regulatory agencies whose legitimacy not only resided in an apparent capacity to resist political pressure, but in a wealth of technical expertise needed to make decisions. (Mahon, 1979: 162) Though they may have been created in the name of the public interest, instrumentalists, however, argued that nonetheless they invariably become captured by the very interests they were meant to control. (Schultz, 1990: 476) Their approach toward regulatory agencies not only looked toward the interest groups which originated the demand for policy, but also to the ideological convergence between industry and the state. (Mahon, 1979: 179)

Mahon, however, contended that the captive agents thesis "obscured" far more than it "revealed" about the production of bias in the capitalist state. (Mahon, 1979: 163) The process, she argued, was far more complex than they allowed and regulatory agencies were a particular case in point. There were several critical observations about the nature of

regulatory agencies that could be identified from the structuralist alternative that was put forward. First, and perhaps most importantly, Mahon implied that regulatory agencies were relatively autonomous from the hegemonic fraction of the dominant class, major fractions of capital in a given sector of the economy, and subordinate social forces. (Mahon, 1979: 163) Second, she also claimed that they were largely created to mitigate a political threat to hegemony that would not otherwise be contained. (Mahon, 1979: 174-77) Third, it was suggested that these agencies both represented and regulated, combined and re-combined the interests of various social forces in order to ensure the long-term political interest of the hegemonic fraction. (Mahon, 1979: 163) Fourth, she contended that conflicts between the general rights of property and the long-term political interests of the hegemonic fraction were resolved in the "national interest." (Mahon, 1979: 175-176) Finally, the Canadian state theorist concluded that policies genuinely created for regulating were also influenced by the interests of the hegemonic fraction. (Mahon, 1979: 162-199)

In opposition to the contentions of the instrumentalists, Mahon drew from a number of theoretical influences and instead put forward her own thesis:

Bias in the activity of the state is produced in a complex way - through the unequal structure of representation inside the state - a structure expressive of inter- and intra- class relations of power. Through this structuration of class relations inside the state, the interests of various social forces are combined in a particular way organized around the long-term political interests of the hegemonic fraction of the dominant class. (Mahon, 1979: 163)

For her, regulatory agencies constituted a "special case" of the "unequal structure of representation" through which hegemony was produced. (Mahon, 1979: 163) More specifically, she stressed that like other parts of the state apparatus, regulatory agencies represented the interests of a specific fraction - but in a particular way, "as they are effectively combined with the long-term interests of the hegemonic fraction." (Mahon, 1979: 163) In other words, they both represented and regulated simultaneously. (Mahon, 1979: 163) Moreover, Mahon noticed that regulatory agencies also derived their special character from their "origins in an issue that contains a particular kind of threat to the fundamental relations of a capitalist formation." (Mahon, 1979: 163)

In this conceptualization, "The authority of the state is, in the last analysis, the authority or hegemony of the leading fraction of the dominant class." (Mahon, 1979: 163) However, at the same time, the state is relatively autonomous from that fraction, the dominant class and the various subaltern classes. (Mahon, 1979: 165) As Mahon noted, the paradox is resolved when one apprehends that "the formation of authority is a continuous process of incorporating the interests of

various forces" so that the unity of different fractions within the dominant class or power bloc is achieved while that of subordinated forces is thwarted. (Mahon, 1979: 165) Specifically, the state not only effects compromises among the different fractions of the dominant class that obscure the role of the hegemonic fraction but that ensure it.

Drawing from Poulantzas, Mahon observed that one of the most important analytic tasks for a structuralist perspective is discovering the "hidden organizing principle" of the state system and how its various institutions and branches are composed of representatives of the various classes and class fractions at a particular point of the class struggle. (Poulantzas in Mahon, 1979: 170) But, it was duly noted that,

None of this means that the capitalist state is an ensemble of separate parts, expressing a share out of political power... On the contrary, over and beyond the contradictions within the State apparatus, the capitalist State always possesses a specific internal unity, the unity of the power of the hegemonic class or fraction. But this happens in a complex fashion. The functioning of the state system is assured by the dominance of certain apparatuses or branches over others and the branch or apparatus which is dominant is generally the one which constitutes the seat of power of the hegemonic class or fraction. (Poulantzas in Mahon, 1979: 170-171)

"Inscribed in the state," as the state theorist declared, "is an unequal structure of representation" historically produced by the class struggle. (Mahon, 1979: 171)

More specifically, however, Mahon also contended that the structuralist perspective was very useful in analyzing regulatory agencies because it could explain their origins. (Mahon, 1979: 174) These agencies, she realized, were similar to other branches of the administrative apparatus of the state in that they represented and regulated on behalf of the hegemonic fraction. (Mahon, 1979: 174) Yet, Mahon also recognized that these agencies were distinguished in the analysis of the state because they were independent of the regular apparatuses, open to adversarial hearings and their authority was linked to a capacity to make apparently neutral decisions. (Mahon, 1979: 174) She argued that these special characteristics can be traced to their origins in an issue that could not be "resolved" without threatening the existing system of juridical rights:

The essential nature of the conflict that gives rise to a regulatory agency is the refusal of one of the parties concerned to accept the optimum that might be established via bargaining, given the existing structure of legal rights. (Baldwin, 1975 in Mahon, 1979: 175)

A regulatory agency, Mahon contended, was created to provide a framework for facilitating an "exceptional compromise" in the face of a political challenge that could only be met by changing or restricting the juridical rights of capital. (Mahon, 1979: 175) Providing further elaboration, she argued,

What is distinctive is that this type of issue involves the general rights of property which in certain exceptional instances, conflict with the political interests of the hegemonic fraction. In such a case, the issue can be more easily dealt with by establishing an 'independent' agency - one apparently insulated from partisan politics and the regular administrative apparatus which reflects 'the existing structure of legal rights.' (Mahon, 1979: 175)

The state theorist also concluded that the origin of regulatory agencies suggested that they could not function as mere captive agents or functionaries as the instrumentalists had it:

Such agencies cannot be captives; if they are to play the role of arranging particular compromises which reflect specific combinations of the demands of the 'rebels,' the 'regulated' and the hegemonic fraction. This also suggest that there will be some means for ensuring that an agency's actions correspond... to the 'national interest' which permeates the entire state. (Mahon, 1979: 175-176)

Federal Regulation of the Cable Television Industry in Canada: A Case Study

In her work on regulatory agencies, Mahon has suggested that a structuralist approach could be applied to an analysis of the federal regulation of communication industries in Canada. Accordingly, this thesis presents a case study of the federal regulation of the cable television industry in Canada. It attempts to empirically determine whether or not the federal regulators of the cable television industry have in fact acted more as captive agents or as hegemonic apparatuses.

In order to accomplish this, however, it is first necessary to identify the relevant regulatory agencies and classify various social forces state interests and those bodies that have represented them in cable television policy-making in Canada. A taxonomy of sorts of the industry regulators, the hegemonic fraction, other state interests, major fractions of capital in the communication sector of the economy and subordinate social forces is critical.

The cable television industry in Canada has been regulated by a number of federal institutions, departments, boards and commissions for a period of about forty years from the 1950's to the 1990's. The most significant regulators have been the DOT, the BBG, and, currently, the CRTC. To a lesser extent, they have additionally included the Board of Governors of the Canadian Broadcasting Corporation (CBC), the Secretary of State, and the Department of Communications (DOC).

The hegemonic fraction, as Mahon noted, has been identified by a number of Canadian political economists as the national merchant-financiers. (Mahon 1979: 180) Applied to the cable television industry, a structuralist approach, however, would likely focus on the role of the national banking community exclusively because of the capital-intensive nature of the industry. The most important bank is the Toronto Dominion Bank which has played a critical role in the development of

the cable television industry. (TD Bank, 1992: 1) In the 1960's, the Bank was largely responsible for the development of the cash flow lending method which has become "standard lending practice" for the financing of the industry. (TD Bank, 1992: 1) Moreover, the Toronto Dominion Bank is not only the largest creditor of the cable television industry in Canada with a commitment of approximately CDN \$1 billion, but in the world with more than CDN \$4 billion in committed loan facilities. (TD Bank, 1992: 1)

A structuralist perspective would also discuss major state interests in the broadcasting system, specifically those that center around the national public broadcaster. Historically, the Canadian Broadcasting Corporation (CBC) was the first major political interest of any kind in broadcasting policy. The CBC has been a participant in broadcasting policy since the very first Broadcasting Act and, certainly, since the first federal regulatory hearing examined the introduction of cable television in Canada.

In order of their historical emergence in the communication sector of the national economy, major fractions of private capital have included the private broadcasters, the cable operators and film and television producers. The private broadcasters constitute the first major fraction of capital to emerge in this area of the economy. In cable television policy-making, they have been primarily represented by the

Canadian Association of Broadcasters (CAB) which has argued on behalf of both private television and radio interests from coast to coast. The cable operators were the second major fraction to appear. In terms of cable television policy-making, they have been largely represented by the Canadian Cable television Association (CCTA) and its predecessors. The CCTA represents cable operators across the country, but tends to be dominated by the large, urban-based multiple system operators (MSO's). The large film and television production houses constitute the most recent major fraction of capital to emerge in this area. More recently, they have been represented by the Canadian Film and Television Producers' Association (CFTPA). Like other broadcasting lobbies, the CFTPA is a largely Toronto-based organization.

Other major fractions of capital in the communications sector of the national economy have included the telecommunications companies, major pay and specialty television services and the satellite industry. Historically, however, they have played a comparatively minor role in cable television policy-making. First, while telecommunications companies have provided cable operators with the use of infrastructure since the advent of the industry, they have been prevented by regulators from holding any cable licenses or providing program content. Secondly, in a number of cases, pay and specialty services are owned and controlled by other, more established interests and, additionally, were only introduced

to the broadcasting system relatively recently. Third, in spite of some success, mostly in rural Canada, the satellite industry is still in a nascent stage of development.

Subordinate social forces comprise cultural nationalists and disadvantaged classes and groups. The former have been represented in cable television policy-making by the Friends of Canadian Broadcasting and its predecessor organizations. Historically, these organizations have articulated the many concerns of nationalists, intellectuals, artists and program creators. The latter have been represented by groups such as the National Anti-Poverty Organization (NAPO) and the Public Interest Advocacy Centre (PIAC) and their precursors. They have acted primarily on the behalf of low-income Canadians (predominantly the elderly, women and children), but also rural Canadians.

In order to ascertain whether or not Mahon's structuralist alternative can be empirically validated, the most critical task is to first establish that cable television regulators have been relatively autonomous from the hegemonic fraction of the dominant class, other state interests, major fractions of capital and subordinate social forces. (Mahon, 1979: 163) The remainder of the structuralist argument concerning regulatory agencies hinges upon it. Specifically, there are in fact two major ways in which the relative autonomy of a regulatory agency can be established. The first is to argue

that the agency not only made policies that were favourable to the hegemonic fraction, state interests and fractions of capital in a given economic sector, but also to subordinate social forces. This argument demonstrates whether or not various social and state forces were represented. Conversely, the second is to argue that the agency not only formed policies that were disadvantageous to subordinate social forces, but also to those forces with considerable economic or political power: the hegemonic fraction, state interests and different fractions of capital. This reasoning demonstrates the fact that the various social forces were regulated.

Decade-by-decade, each of the following chapters attempt to explain the history of cable television regulation in Canada during the period examined. At the same time, they also try to establish the relative autonomy of federal regulators of the cable television industry from different social and state forces through an examination of historical events. As such, each chapter, for all intents and purposes, can be divided into two parts: a historical narrative focusing on the most important regulatory developments of the period studied and a discussion of relative autonomy.

There are, however, a number of other important tasks to complete in order to assess whether or not the structuralist approach suggested by Mahon can be empirically supported.

Secondly, then, it is also necessary to consider whether cable television regulators were created to mitigate a political threat to hegemony, in terms of the case study, the intra-and inter-class conflict over the control of the means of communication. (Mahon, 1979: 174-77) Thirdly, it is important to determine if they have both represented and regulated the interests of various social forces in order to ensure the long-term political interest of the hegemonic fraction. (Mahon, 1979: 163) Fourthly, in the context of a national broadcasting system characterized by a finite channel spectrum and a superior distribution technology, it is consequential to note whether conflicts between the general rights of property and the political interests of the hegemonic fraction were resolved in the national interest. (Mahon, 1979: 175-176) Finally, it is necessary conclude that policies genuinely created for regulating the cable television industry were also conditioned by the interests of the hegemonic fraction. (Mahon, 1979: 162-199)

The conclusion determines whether or not the structuralist alternative proposed by Mahon is instructive and purposeful in conceptualizing how federal regulators have structured the development of a communication industry. It judges whether regulators were the captive of any one social force or set of forces or only a way of thinking about society in terms of its major structural requirements.

CHAPTER 2

THE 1950'S: A Clear Picture Across the Border

Introduction

This chapter begins by describing the early history of the cable television industry in Canada and its regulation by federal authorities. The historical narrative reviews the innovation of a new communication technology, the class background of its "pioneers" and the political and economic organization of their industry. It then discusses the role of the DOT and how it regulated the cable television industry during the decade. The narrative concludes with a brief treatment of the BBG and its growing interest in the new communication technology. The historical account observes how federal policy-makers considered cable television to be an industry almost like any other, with no deleterious effects on other, more established interests, and therefore, requiring minimal regulation. The pioneers of the cable television industry could bring in a clear picture across the border and deliver it to Canadians with little fear of state intervention. The discussion which concludes the chapter determines whether or not the relative autonomy of regulators can be established from the historical events of the period.

The Advent of Cable Television in Canada⁷

A discussion of the early development of the cable television industry in Canada is particularly germane to an appraisal of the structuralist perspective proposed by Mahon because it describes the emergence of the fraction of capital with which this case study is concerned. Consequently, it is important to understand where and how the new communication technology was introduced in Canada. Specifically, it appeared in those regions of the country that were in close proximity to the American border where television broadcast signals could be easily received by large cable antennas or "head-ends." It is also important to realize the class background of those who comprised the pioneers of the industry and who were, as such, instrumental to the development of the fraction. It is significant that these pioneers were, by and large, members of the local entrepreneurial class. In some cases, they were the proprietors of small businesses related to communication technology, while in others, they were owners of businesses that were completely unrelated to this cable television, but who, at least possessed a recreational interest in it. Finally, it was these individuals who organized themselves both economically and politically as a fraction of capital with an important set of objectives that would allow for the expansion of the industry. Generally, the economic concerns centered around industry practices and standards, while the political concerns focused on regulation which the industry

considered to be discriminatory.

As a technology, cable television had its beginnings in Canada in the late 1940's and early 1950's. At the time, however, it was called community antenna television or "CATV." According to Andre Caron and James Taylor, the new communication technology developed fastest within convenient range of the American border in Ontario, Quebec, Alberta and British Columbia. (Caron and Taylor, 1985: 48) Small towns near major cities such as Montreal, Toronto and Vancouver were the most likely to be attracted to the new service. (Caron and Taylor, 1985: 48) The first ten years or so of the development of the cable industry, as they argued, could be described as a latter-day "cottage industry." (Caron and Taylor, 1985: 48)

In Thirty Years in Cable TV: Reminiscences of a Pioneer, K.J. Easton recounted that cable television's beginnings in the country could be dated from 1948. (Easton, 1980: 56) That year, a British company, Rediffusion Inc. established a new audio relay system in Montreal. It planned to distribute three available French language radio stations plus a program of closed-circuit background music. (Easton, 1980: 56) The city was chosen because of the very high housing density relative to any other in the country at that time. (Easton, 1980: 55) As Easton explained, the fact that Montreal was slated to be the first city in Canada to receive television

service, however, was not a factor in this decision, because cable television had not yet entered the strategic thinking of the company. (Easton, 1980: 55)

Soon after a construction program was underway, it became known that the CBC were making plans for television service, the first of its kind, to begin in Montreal in September 1951. (Easton, 1980: 57) As a result, Rediffusion Inc. re-evaluated its policy because of evidence that the impact of television on the public, wherever it had been introduced, had been of "a character without precedent." (Easton, 1980: 62) The company had reservations as to whether a service consisting of sound programs only could be successfully marketed. (Easton, 1980: 65) It then decided to recast development plans so that the prime objective would be to provide television programs. (Easton, 1980: 63) There was every prospect that a system of distribution of television signals over coaxial cable would prove to be commercially viable. (Easton, 1980: 64) A new "coaxial cable" network was planned to not only distribute five sound programs from available radio stations and a background music service, but two television programs. (Easton, 1980: 57)

By early 1951, as Easton recounts, the field trial of the system in Montreal had been completed and the company proceeded with construction of a coaxial network on a larger scale in order to be ready for the expected opening of the

CBC service later that year. (Easton, 1980: 65) The start of that service, however, was delayed for a year. Considering there were no television programs available for the first subscribers, Rediffusion Inc. provided a daily program of French films. (Easton, 1980: 65-66) In so doing, as Easton recognized, it became the first system to originate its own programming on a regular basis nearly eighteen years before community channel programming became a mandatory regulatory requirement. (Easton, 1980: 66)

During the same period of time, prior to 1949, television transmissions were also available in Southern Ontario from stations broadcasting across the American border in Detroit, Cleveland, and Buffalo. (Easton, 1980: 71) There were not very many television receiving sets in operation, however, because very few people were close enough to these stations to obtain reliable reception using the relatively simple antennas then available. (Easton, 1980: 71) Nonetheless, these transmissions were an incentive to entrepreneurs and hobbyists to devise a means of improving reception and to bring cable television to their communities. (Easton, 1980: 71)

One of the first of these entrepreneurs was Mr. Ed Jarmain, who began a cable television system in London, Ontario and is generally recognized as the founder of the cable television industry in Canada. (Easton, 1980: 71) Mr. Jarmain quickly

recognized the commercial application of what he considered to be a backyard hobby or "the hobby that got out of hand." (Easton, 1980: 72) At the time, there were no Canadian transmitters and the nearest stations were about one hundred miles away in Cleveland and Detroit. (Easton, 1980: 72) The horizon was still thought to be the probable limit for television reception and the only antennas available were very simple. (Easton, 1980: 72-73) Distance reception was a very risky proposition, in fact, according to Easton,

Sometimes a picture would come in, but more often than not there was lots of noise and lots of static, and if motion could be detected on the screen, at least you knew you were tuned to a station. (Easton, 1980: 73)

After researching the subject, however, Mr. Jarmain built a "rhombic" antenna which substantially improved reception and resulted in considerable local community enthusiasm over the novelty of television. (Easton, 1980: 73) He later built a larger antenna that was used as a head-end of his cable television system after results continued to be positive. (Easton, 1980: 75) Subscribers were charged \$150.00 for installation and \$4.00 monthly, fees that were considerable for the times. (Easton, 1980: 75)

It is interesting to observe that when the local television station, CFPL-TV, began transmitting in November 1953, it was not carried on Mr. Jarmain's system because its transmitter was only a mile away. (Easton, 1980: 76) The television stations that were carried on his cable television system

were exclusively American. According to Easton, the novelty of one local station had begun to wear off and people were interested in the wider choice of television programs that cable television offered. (Easton, 1980: 77)

Subsequently, Famous Players Canadian Corporation planned an experimental marketing trial of pay television in London. (Easton, 1980: 77) The company negotiated for a shared head-end with Mr. Jarmain, which culminated in the incorporation of London TV Cable Service Limited on September 1, 1959. Famous Players and Mr. Jarmain were equal partners and construction of an expanded system started a year later. (Easton, 1980: 77-78) Significantly, years later, London Cable TV Service Limited's successor company, Canadian Cablesystems Limited, was purchased by the giant Rogers cable conglomerate.

While Mr. Jarmain developed his cable television system, another entrepreneur, radio station co-owner Mr. Fred Metcalf, was also developing an interest in cable television in Guelph, Ontario. (Easton, 1980: 78) By December 1952, Mr. Metcalf had acquired the necessary capital to incorporate Neighbourhood Television Limited. From these auspicious beginnings, a number of systems were established during the 1950's and 1960's, not only in Guelph, but in other smaller cities and towns in southwestern Ontario. (Canada, 1975: 5) Subsequently, the Maclean-Hunter Publishing Company, seeing

opportunities in the development of cable television, became a partner and major shareholder in 1967, later renaming the company Maclean-Hunter Cable TV Limited. (Canada, 1975: 5)

As Easton recounts, much of the early development of cable television took place in Ontario because prior to the start of television broadcasting in Canada, most of the American stations were located in close proximity to the Ontario border. (Easton, 1980: 81-82) Not all the early work was confined especially to the province of Ontario however. Mr. Ed Polanski, a small appliance store owner, became the first to bring cable television to Alberta. (Easton, 1980: 82) With no television services available in the province, cable television developed at a slower pace than in other parts of the country. (Easton, 1980: 82)

In Thorhild, Alberta, Mr. Polanski, as Easton notes, began receiving and logging distant signals, ostensibly not for their entertainment value, but rather for "the satisfaction of achieving reception, however sporadic." (Easton, 1980: 82) No one in the community at the time had seen a television set before and it was not uncommon for visitors to spend hours at his appliance store just for the chance to witness reception. (Easton, 1980: 83)

In late 1954, CFRN Edmonton went on the air. Customers who had bought sets and antennas for receiving CFRN were soon

interested in achieving the improved reception that the local small business owner was able to demonstrate. (Easton, 19780: 83) Having discovered that coaxial cable was the most cost effective delivery mechanism, Mr. Polanski extended his service to subscribers who paid him no installation charge, but \$3.50 per month in fees. (Easton, 1980: 83) Afterwards, he was able to parlay his one-time hobby into the ambitious development of a number of cable systems in the province.

In the early 1950's, as Easton noticed, the lower Vancouver mainland in British Columbia had two things in common with the Southern Ontario: no television service of its own, but a station broadcasting across the border (in this case, from Seattle, Washington). (Easton, 1980: 85) Though the station was far away, its signal could be received along parts of the coastal strip path with favourable geography and special antennas. (Easton, 1980: 85-86) In a pattern established elsewhere, cable television came to the province through entrepreneurial foresight. The first of these innovators was Mr. Sydney Welsh, owner of Fred Welsh Antenna Systems Limited, and the second, radio station owner Mr. George Chandler, who founded the cleverly named "Tru Vu" Television. (Easton, 1980: 86-88)

Easton observed that Mr. Chandler was able to successfully negotiate a contract with the B.C. Telephone Company for the right to attach cable to telephone poles in Vancouver for the

first time in Canada. (Easton, 1980: 88) Telephone company crews ran "drops" to subscriber homes, installed the cable, amplifier housings and passing equipment. (Easton, 1980: 88) The telephone company, however, was not prepared to give pole rights to a second company in the same areas of the city and accordingly refused to negotiate a contract with Mr. Welsh. (Easton, 1980: 88) Realizing that there were a number of other opportunities in the province, he began to build a number of smaller systems outside of Vancouver. (Easton, 1980: 89) However, he could also see that operating cable systems was going to be most profitable in those areas of Vancouver not cabled by Chandler's company. (Easton, 1980: 89) After a second attempt, Mr. Welsh was able to obtain pole rights from the B.C. Telephone Company.

Eventually, Mr. Welsh's re-invigorated company, at this time called Pacific Cablevision Limited, bought out Mr. Chandler and consolidated holdings in one company named Vancouver Cablevision Limited. (Easton, 1980: 89-90) There was still a very large undeveloped potential in the city, but expansion was directly proportional to the amount of capital that could be raised. (Easton, 1980: 90) This was limited. An American broadcaster, the Columbia Broadcasting System (CBS), brought a solution. (Easton, 1980: 90) It wanted to invest in the cable television industry in the U.S., but, since it was a major broadcaster, the company was apprehensive given the reaction that might be aroused among affiliates concerning

possible competition. (Easton, 1980: 90) Participating in cable television north of the border, it reasoned, was good business sense. (Easton, 1980: 90) An agreement was later negotiated in which CBS acquired a majority of the capital stock of Vancouver Cablevision. (Easton, 1980: 90) Vancouver Cablevision was subsequently taken over by the Rogers cable conglomerate.

It was not considerably long after the early development of cable television by the forementioned pioneers that cable operators began to organize themselves both economically and politically. Perhaps industry pioneer Easton understood it best himself when he observed that,

There are very few industries that do not find it necessary, generally early in their existence, to establish some form of co-operation between the various companies comprising the industry for various good and legitimate reasons - combatting discriminatory regulation, taxation, or unfair competition, upgrading industry standards, training and education and many other reasons. This is particularly the case with the cable television industry, closely linked as it is with the older and more established industries of broadcasting and telephone communications, and therefore liable to attract the early attention of legislators and regulators, and it is generally some threat in these fields that initiates the drive to organize the industry into a more cohesive whole. (Easton, 1980: 114)

Originally, Canadian cable television operators were members of the National Cable Television Association (NCTA) in the U.S. (Easton, 1980: 118) By 1956, however, the advantages of a national association in Canada had become apparent to them. Letters Patent incorporating the National Community Antenna

Television Association of Canada (NCATA) under Federal Charter was granted on August 23, 1957.⁸ (Easton, 1980: 119-120)

The purpose of the NCATA, as Easton explained, was to promote the interests and conserve the rights of those engaged in the "reception, amplification and distribution of television signals and in the business of providing special receiving antenna, amplification and distribution devices and television sets." (Easton, 1980: 120) More specifically, the association was charged with the following responsibilities:

- (a) to protect its members against unbusinesslike practices;
- (b) to foster such businesses and reform abuses therein where they exist;
- (c) to diffuse accurate information among its members and;
- (d) to secure uniformity in usage, custom, and trade conditions. (Easton, 1980: 120)

The political concerns of the organization, which centered on regulation which the industry considered discriminatory, were not long in coming. The first meeting of the NCATA was held in October 1957 in Ste. Marguerite, Quebec. (Easton, 1980: 120-121) It was noteworthy given that the agenda addressed a number of important regulatory issues which included the following:

- (1) DOT and CBC policy toward the redistribution of U.S. Programs;
- (2) licensing of microwave links for this and similar purposes;
- (3) industry attitudes towards the movie industry in connection with pay television;
- (4) Bell Canada telephone company rates and services;
- (5) joint use of poles and relations with public utilities and;
- (6) DOT licensing regulations and specifications on radiation, performance of systems, etc. (Easton, 1980: 121)

At this time, the DOT regulated cable television and its license conditions that prohibited the reception of certain television stations were of concern to cable operators. (Easton, 1980: 121) These conditions were not the result of official DOT policy, however, but of the individual discretion of its officers. (Easton, 1980: 121-122) Consequently, cable operators passed the following resolution at the meeting:

That this NCATA, representing commercial broadcasting receiving stations [cable television systems] from coast to coast, respectfully request the Prime Minister and Federal Ministers of Transport to re-examine the General Radio Regulations with a view to eliminating from them those clauses which delegate to departmental officers the power to determine just what television station programming may or may not be seen by citizens who by their own free choice, have decided to joint community antenna systems. (Easton, 1980: 122)

With this resolution, the cable operators made their very first political act and began their industry's struggle to win policies favourable to its development. Only a year later, in May 1958, the NCATA appointed a General Radio Regulations Committee whose terms of reference constituted a foreshadowing of industry strategy to come. The regulatory

committee was specifically instructed to:

study all aspects of the General Radio Regulations as they apply to CATV systems with the object of meeting with representatives of the Department of Transport for the purpose of drafting regulations more suitable to the requirements and development of the CATV industry. (Easton, 1980: 136)

In the 1950's, the cable television industry had organized itself both economically and politically and had emerged as a new fraction of capital in the communication sector of the economy.

The Department of Transport (DOT) and Cable Television Regulation

During the 1950's, cable television did not come under the authority of either the Board of Governors of the CBC or later of the BBG, but was regulated and licensed by the DOT. (Easton, 1980: 121) Federal policy-makers considered the new technology to be a passive distributor of off-air signals which operated at the receiving end of transmission rather than at the broadcasting end. (Easton, 1980: 128) It simply replaced the viewer's own antenna, only more elaborately. (Easton, 1980: 128) According to Easton, any government control over these systems was therefore considered to be of a technical nature and was administered by the DOT by means of a very simple licensing procedure. (Easton, 1980: 128) The procedure was so simple, in fact, that an application for a

licence accompanied by a payment of \$25.00 was sufficient enough to put an entrepreneur in the cable business. (Easton, 1980: 128)

The license conditions for cable operators were spelled out in the General Radio Regulations, Part II under the Radio Act:

Commercial Broadcasting Receiving Station [cable television] licences may be granted by the Minister for stations to be operated for gain for the reception of broadcasting. Commercial Broadcasting Receiving Station licences are subject to the following conditions...

- a) the licensed stations shall receive signals from the broadcasting stations only that are specified in the licence;
- b) during the scheduled hours of operation of a Commercial Broadcasting Receiving Station broadcasting received by that station shall not be altered or curtailed in any way except by agreement with the broadcasting station and;
- c) the radio receiving apparatus, including the distribution system, amplifiers, and other devices in use, shall conform to the technical conditions prescribed in the licence. (Easton, 1980: 128-129)

The technical conditions prescribed for the cable operators were contained in Radio Standards Specifications #102, first issued by the DOT Telecommunications Branch on March 5, 1956. (Easton, 1980: 129) The intent of the specification was to establish minimum standards for the performance of cable television systems and it dealt with a number of different characteristics: radiation; signal output; bandwidth; amplitude linearity and; system degradation standards. (Easton, 1980: 129) The technical standards, as Easton recognized, were neither comprehensive or restrictive, but

they did reflect the fact that the industry was still very young. (Easton, 1980: 130) For example, the preamble stated, "The Department may revise this Specification as the state of the art advances or as requirements necessitate." (Easton, 1980: 130)

According to a 1975 CRTC publication, Cable Television in Canada, there were a number of other important aspects of DOT regulation of the cable television industry. An important element of early DOT policy, for example,, was its concern for local service. (Canada, 1975: 8) This was expressed in the general policy requirement that the location of cable head-ends must be within ten miles of the area served. (Canada, 1975: 8) Additionally, the DOT did not grant exclusive cable franchises and cable operators were subject to competition from other operators holding equally valid licenses. (Canada, 1975: 8) But in many areas, as the CRTC document argued, "a kind of de facto exclusivity arose" because the hydro and telephone companies, which owned the necessary poles and rights-of-way and had trained personnel to hang co-axial cable, refused to do so for more than one customer in a given area. (Canada, 1975: 9) By and large, this was the extent of regulation until the establishment of the CRTC in 1968.

There were, however, other pressures that were exerted during this time. For example, during the early 1950's, the Board

of Governors of the CBC regulated broadcasting in Canada. While cable television did not come under its jurisdiction, the Board was nonetheless concerned over its development. According to Easton, under the presidency of Mr. Alphonse Ouimet, the Board was opposed to cable television operating in Montreal. (Easton, 1980: 66) When the second station, CBMT, went on the air in 1956, the Board brought pressure on Rediffusion Inc. to add the station to the cable service the company provided, even threatening to have the system closed down if it did not comply. (Easton, 1980: 66)

The Board of Broadcast Governors (BBG) and Cable Television Regulation During the 1950's

After the Broadcasting Act of 1958 was passed in November 1958, the BBG succeeded the Board of Governors of the CBC and, under chair Dr. Andrew Stewart, was established as the new regulatory authority for Canadian broadcasting. (Easton, 1980: 136) The BBG mandate, however, covered broadcasting only, while cable television remained under the licensing jurisdiction of the DOT. (Easton, 1980: 136) Nonetheless, the BBG heard CBC complaints against Rediffusion Inc. for violating its agreement to make the two local Montreal CBC stations available on cable television. (Easton, 1980: 69-70) As Easton describes it, the company's cable system had been limited by design to only two television channels and both of

these carried the CBC signals. (Easton, 1980: 67) However, by this time, three American television stations had begun service in Burlington, Vermont, Plattsburg, New York and in New Hampshire. (Easton, 1980: 68) In a clever tactic, Rediffusion Inc. supplied its subscribers with rabbit-ear antennas for local reception, removed the local CBC stations and substituted the two American ones. (Easton, 1980: 69) The CBC was not content with the arrangement, but the BBG was not in a position to force the issue without legislative authority and it remained powerless over the issue. (Easton, 1980: 70)

Despite the fact that cable television did not fall under BBG jurisdiction, there were a number of other developments which were alarming cable operators. By the end of the decade, in early 1959, the Board held a public hearing on new television regulations. (Easton, 1980: 136) Some intervenors drew the attention of the BBG to the fact that cable television now threatened its new Canadian content policies, but they did, at the time, make any specific proposals for the industry's regulation. (Easton, 1980: 136) As a result, cable operators were becoming increasingly concerned that the industry would be much, more tightly regulated than it had been in the past. In the next decade, this issue would be thoroughly vetted.

Discussion

It is difficult to determine from the historical record of the 1950's if the relative autonomy of the DOT, the Board of Governors of the CBC and the BBG can be established because cable television was only an emergent technology and nascent industry at the time. Moreover, jurisdictional authority in the communication sector of the economy was split, initially between the DOT, which regulated cable television, and the Board of Governors of the CBC and the former's successor, the BBG, which regulated broadcasting. Accordingly, it was not only impracticable for the policy-makers to determine the future course of cable television, but also for a number of potentially involved social forces. Regulation of cable television and the activity of those forces with a potential interest in it was largely minimal during this time.

Cable television only had its beginnings in Canada during the early part of the decade when it was being innovated in towns and cities along the American border. During this period, it was largely a technological novelty for industry pioneers and the curious communities in which they lived. The majority of Canadians who owned television sets received their television signals over-the-air and cable television, as an industry, was still small-scale. The cable television industry only began to organize itself economically and politically during the middle of the decade in the form of a national cable

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MICROCOPY RESOLUTION TEST CHART
NATIONAL BUREAU OF STANDARDS
STANDARD REFERENCE MATERIAL 1010a
(ANSI and ISO TEST CHART No. 2)

operator's association and lobby.

At about the same time, regulation of cable television was just beginning to be formulated. For federal policy-makers, as noted, cable television a passive form of distribution at the receiving end of transmission simply replacing the common antenna. (Easton, 1980: 128) Regulation of cable television was therefore considered to be a perfunctory responsibility and a mostly technical matter. These policy-makers, however, were largely unaware of any deleterious effects that could arise because of its introduction such as the disruption in the extension of television service or the fragmentation of television audiences. Jurisdictional authority, furthermore, was split, initially between the DOT, on the one hand, and the Board of Governors of the CBC and the BBG on the other.

For these reasons, any determination of the future impact of cable television was not only a formidable task for policy-makers, but also for a number of potentially involved social forces. For example, it was still premature for banks to assess whether a very speculative technology would become secure enough for the investment of their capital. While it was concerned about the possible disruption that might be caused to the extension of television service in some areas, the CBC had yet to fully articulate its position on cable television and present it to policy-makers. Though private broadcasters were concerned over its potential impact on

over-the-air broadcasting, they nonetheless had yet to fully develop their position on the issue. Few Canadians who owned television sets at this time, as was indicated, subscribed to cable television. Both cultural nationalists and advocates of subordinate classes and groups possessed little idea of how pervasive cable television would become. A variety of different social forces had yet to coalesce around cable television.

The fact that regulation, the activity of different social forces and conflict had yet to materialize has implications for a determination of relative autonomy and the remainder of the structuralist approach which hinges on it. If both the regulation of cable television and the activity of those forces with a potential interest in it, however, are not substantive, and social conflict had yet to form, it is impossible to establish the relative autonomy of the DOT.

CHAPTER 3

THE 1960'S: Mixed Signals in the House of Commons

Introduction

The following chapter explains the history of federal cable television regulation within the context of a decade marked by significant social and political change. The historical narrative begins by noting the capital-intensive nature of an industry about to undergo considerable growth and expansion and subsequent implications for regulatory policy. It then examines the role of both the BBG and federal politicians in relation to the development of the cable television industry. Finally, the CRTC and its original cable television policies are examined. The historical account focuses on the BBG's public appraisal of cable television and its effect on the broadcasting system and the work of the House of Commons Special Committee on Broadcasting. It also highlights how the industry received mixed signals in the House of Commons over its future as federal politicians froze cable licenses and debated the merits of the communication technology. The theoretical discussion assesses whether the relative autonomy of the DOT, BBG and CRTC can be judged by historical events.

Early Financing of the Cable Television Industry

A brief review of the capital-intensive nature of the cable television industry during the 1960's is relevant to an assessment of Mahon's perspective on regulatory agencies because it establishes a concrete connection between the national financial fraction and the cable industry. During the decade, the cable television industry found financing difficult to obtain as it was still considered speculative. (TD Bank, 1989: 1) But over time, as the industry matured, the Canadian banking community, together with the cable operators, developed a cash flow lending method that became standard practice in financing the industry. (TD Bank, 1989: 1; TD Bank, 1993: 1) This particular method was based on future cash flow that allowed the borrower to finance capital expenditures with a payment horizon of up to ten years. (TD Bank, 1989: 1) Critical to this type of practice was the belief in the reliability of future cash flows. According to the Toronto Dominion Bank,

Aside from normal business risks such as economic conditions, management capability etc., the largest risks apparent to providers of credit to the industry are technological and regulatory...

Regulatory risks exist to the extent that there is uncertainty in the consistency of the regulations and their application. (TD Bank, 1989: 1-2)

Unlike other industries, the cable television industry relied almost totally on bank debt to finance itself (TD Bank, 1989: 2) For the banking community (and specifically the Toronto

Dominion Bank), the cable industry represented an important area of investment. Regulatory stability was critical to the ability of the industry to secure capital for expansion and for bankers to be assured of debtors that would allow them a consistent return on their capital.

The Board of Broadcast Governors (BBG) and Cable Television Regulation During the 1960's

The 1959 public hearings on television regulations led the BBG, in its first Annual Report of June 1960, to comment on a number of portentous developments that would have an effect on the shape of cable television policy to come. (Easton, 1980: 131) For example, under the heading "United States Stations Serving Markets in Canada," the report stated that,

Canadian listeners and viewers... can receive a more varied broadcasting service through the opportunity to 'tune in' on stations broadcasting from the United States. The U.S. stations normally serve substantial audiences on their own side of the border. However, the licensing by the Federal Communications Commission (FCC) of stations designed primarily to serve Canadian markets may make it difficult for the Board to implement the policy of providing a service that is basically Canadian in content and character. (Easton, 1980: 131-132)

This was, according to Easton, the first official statement concerning the impact of American stations and programming on Canadian television, an issue which was intensified by the spread of cable television. (Easton, 1980: 132)

The BBG also commented on consultations it had made with the DOT, the CAB and the CBC in order to form a recommendation to Parliament for amendments to existing legislation so that cable television could be brought under tighter regulatory control. (Easton, 1980: 137) Referring to cable television in its first annual report under the heading '*Competing Systems, Community Antenna Television Systems,*' the Board stated,

There are now some 200 CATV stations in Canada which do an off-the-air pick-up of television programmes [sic] from one to six television stations and then pipe the programmes in to subscribers' TV sets via land line.

The CATV companies must carry Canadian programmes where possible... The [DOT] keeps the Board advised of all licensing in this field, but this is for information only and at present the Board has no jurisdiction.

The [CAB] has advised the Board that it would not be averse to necessary amendments to parliamentary enactments to bring CATV stations under the jurisdiction of the Board of Broadcast Governors. The CATV stations do offer competition to commercial television stations in the fight for audience, and they can pick up and transmit the programmes of regular television stations without the permission of the originators or without fee to such stations. The Board has had consultations to arrive at a possible recommendation to Parliament for suitable amendments to existing legislation. (Easton, 1980: 133-134)

A very important policy question now emerged. (Caron and Taylor, 1985: 49) Since the BBG required conventional broadcasters to maintain a certain percentage of Canadian content, concern was expressed over the fact that cable operators did not have to abide by the same regulations. (Caron and Taylor, 1985: 49) Moreover, the audience fragmentation caused by cable television's carriage of

distant signals was also beginning to be an important issue for broadcasters. (Caron and Taylor, 1985: 49)

Further calls for the cable television industry's regulation were not long in coming. In April 1960, the BBG called together a committee consisting of representatives of the CAB, the CBC and the DOT "to consider the effect of Wired Systems on broadcasting in Canada". (Easton, 1980: 137) There were three meetings of this committee in June and December 1960 and January 1961 and a report was subsequently prepared by the Chair for submission to the House of Commons Special Committee on Broadcasting. (Easton, 1980: 140) According to Easton, there were many references which were unfavourable to the cable television industry which were deleted or modified as a result of industry participation. (Easton, 1980: 140) Nonetheless, the BBG was informed that the NCATA would submit its own brief to the Committee. (Easton, 1980: 140) A brief was prepared and submitted, but in fact was never considered since no proposed legislation on the subject was introduced. (Easton, 1980: 140)

As Marc Raboy recounted in Missed Opportunities: The Story of Canada's Broadcasting Policy, in his appearance before the House of Commons Special Committee on Broadcasting, the Chair of the BBG, Dr. Stewart, argued that the Broadcasting Act of 1958 was working well. (Raboy, 1980: 146) However, he also alerted parliamentarians to a new problem, unanticipated by

legislation, namely, cable television. (Raboy, 1980: 146) In their appearance, the private broadcasters agreed with the BBG that the Broadcasting Act of 1958 appeared to be working well, yet as Raboy observed, they patriotically pointed out that while private broadcasting was prepared to do its share, "there was a spectre on the horizon." (Raboy, 1980: 146) That spectre, of course, was cable television. Yet, as Raboy accurately noted, a sense of altruism about the broadcasting system did not lie at the root of the private broadcasters' position on cable television:

Here, the private broadcasting and their public patron, the BBG, were in agreement that a new actor was threatening the public policy objectives of the Broadcasting Act. The embryonic cable industry was also a financial threat to the private broadcasters, but this was not their main concern, or so it was implied. (Raboy, 1980: 146)

In the wake of questions in the House of Commons on the subject of cable television and reports that the BBG was planning a public hearing on the issue, the NCATA met with the Minister of Transport, the Secretary of State to whom the BBG reported and the Chair of the BBG. (Easton, 1980: 143)

At a meeting with the BBG Chair on April 18, 1962, they argued that the Board was using wired systems as an excuse to air the whole field of broadcasting regulation. (Easton, 1980: 143) Further, the industry leaders contended that the BBG had no authority to hold a planned public hearing on the subject of wired systems since it was not under the Board's jurisdiction. (Easton, 1980: 143) Nonetheless, the hearing

went ahead as planned.

The House of Commons Freeze on Cable Television Licenses

There were a number of developments in the broadcasting system that were giving the government cause for concern at this time. (Easton, 1980: 144) First, there was the issue of the increased penetration of the Canadian market by U.S. border broadcasters which was partially attributed to the growth of cable television. (Easton, 1980: 144) Second, there was the issue of foreign ownership of Canadian cable television systems, in particular, CBS's acquisition of majority interest in Vancouver Cablevision during 1963. (Easton, 1980: 144) Questions over the implications of the new communication technology again arose and this time, however, they were taken more seriously by federal politicians.

Questions surfaced in Parliament when New Democratic MP Mr. Douglas Fisher attempted to amend the Broadcasting Act of 1958 to cover "any system operated for a profit that took out the air Hertzian waves and rebroadcast them to wired systems in homes." (Raboy, 1980: 157) On second reading of Bill N. C-30, to amend the Broadcasting Act (community antenna)," he explained that,

The reason for introducing this amendment is that I think the national purposes, the national objects of the Broadcasting Act are beginning to be affected more and more by the growth and development of the community antenna systems, or so-called wired systems. (HOC Debates, November 29, 1963: 5275)

Mr. Fisher pointed out that in 1961 the effect of cable television systems was not considered inhibiting, but it was nonetheless recognized that the continued expansion of the industry could prejudice the national purposes required of the broadcasting system. (HOC Debates, November 29, 1963: 5276) Fisher argued:

It is my contention that the situation has now been reached where the size of the community antenna television audience is large enough that we need to consider its impact on the national purpose. It is my contention that we should bring it under the definition of broadcasting... so we can be sure that in its future extension it does not cripple the present licence holders and the objectives of the national system.

My specific purpose is to bring under the act the mushrooming development of very strong, powerful, commercial organizations that are beginning to establish community antenna systems very widely, which are promoted well and in such a way that they are getting the kind of response that is digging very strongly into what I conceive to be the national purpose and the effectiveness of the present licence holders of radio and television stations. (HOC Debates, November 29, 1963: 5277)

The Secretary of State, J.W. Pickersgill, responded to Mr. Fisher in a reassuring tone:

...I have no hesitation in saying that the position of this government, and I hope it is the position of the whole house, is perfectly clear - that we intend to do everything we can to see that broadcasting remains substantially, to the greatest degree we can reasonably make it, Canadian. (HOC Debates, November 29, 1963: 5279)

Pickersgill agreed that the cable systems should not be allowed to do "indirectly what we do not permit broadcasters themselves to do directly," for example, to bring in entire American stations. (Raboy, 1980: 157) But, as Raboy noted, in the absence of any regulatory mechanism, the cable operators were already establishing a *fait accompli*:

Already, according to Fisher, there were 332 cable systems operating in Canada, reaching 200,000 households. Having arrived unnoticed by public consciousness, technology had outpace the legislator's capacity to control. (Raboy, 1980: 157)

Not long afterwards, on December 31, 1963 a joint statement was issued by the Secretary of State and the Minister of Transport that, in effect, imposed a "freeze" on further cable television licenses and referred the subject of regulation another time to the BBG for study. (Easton, 1980: 145) The announcement, as Easton observed, did not refer directly to a freeze as such, but this was its effect since the DOT began to turn down applications. (Easton, 1980: 145) The Ministers also requested that the BBG inquire into and recommend:

any legislative action that may be required to ensure that, so far as the constitutional jurisdiction of Parliament will permit, the use of community antenna television for the dissemination of television programs is subject to similar regulation under parallel conditions to that applied to direct broadcasting. (Easton, 1980: 145-146)

The Board appointed a joint committee of the BBG and the DOT to address this matter. (Easton, 1980: 146)

In response to these developments, the NCATA met with the BBG Chair and Executive Committee on January 9, 1964. At the meeting, senior representatives presented the views of the industry:

The Government seems to have already assumed that cable TV is adversely affecting the national purposes, but does not seem to have realized that regulation of the 5% of Canadians who use CATV... could hardly be a large enough group to be of great concern. The fact that 50% of Canadians can view American TV [off-air] makes it obvious that the CATV viewers are of no real significance in the 'national picture.' Indeed, in many areas, if CATV is regulated as to American content, the Canadian viewer will get around this regulation by simply re-erecting the house antenna which he took down a few years ago... This retrograde step will be forced on him [sic] by Government censorship over CATV which does not apply to individually owned aerials. It appears to us that it is not the prerogative of the Government to force the Canadian public to watch Canadian programs by prohibiting all the alternative programs available in the air. (Easton, 1980: 146)

Some politicians such as the MP for Okanagan Boundary, Mr. Pugh, also objected to the freeze on cable licenses. As he stated in the House of Commons on March 2, 1964:

The arbitrary action had produced the result that the industry - and it is a fairly large industry throughout Canada - is in an uproar... For the most part these companies carry United States stations, and now we have a directive saying that no future licences will be granted and that licences pending will not be granted. To my mind this is the crux of the whole matter. Like any other industry in Canada, this industry wants to expand. It has a right to expand... (HOC Debates, March 2, 1964: 407)

The federal government at this time wanted cable television systems to be subject to similar legislation as broadcasting.

(Raboy, 1980: 157) As Raboy argued, "By the early 1960's, cable was recognized as a threat to the political objectives of the public sector and to the economic base of the private sector. (Raboy, 1980: 157) It was therefore imperative that regulation be forthcoming.

Control of broadcasting depended on control of the "air," and since 1932 this was a recognized area of federal jurisdiction. (Raboy, 1980: 157) Control of cable, however, depended on control of the land lines and some land lines were under provincial jurisdiction. (Raboy, 1980: 157) As Raboy noted carefully, "Ottawa was faced with a dilemma: how to integrate cable distribution into the domain of its regulatory apparatus without ceding at least partial jurisdiction to the provinces." (Raboy, 1980: 157) This dilemma, however, was resolved on Tuesday, March 19, 1964, however, the BBG-DOT Committee tabled *"The Report by the Joint Committee on Community Antenna Television"* in the House of Commons. It suggested that,

federal control could be achieved by extending the BBG's specified "objects and purposes" under the Broadcasting Act to include the commercial broadcasting receiving stations a land stations feeding the cable relay distribution systems and land stations feeding the cable relay distribution systems. The BBG could then regulate these to ensure that they functioned in a manner consistent with the public interest in the reception of a varied and comprehensive broadcasting service. (Raboy, 1980: 157)

Addressing the jurisdictional issue, the report specifically stated that,

Community antenna systems rely both upon radio links and land lines or cable relays. Complete control of all aspects of cable relays and closed circuit TV can be achieved only by complete federal control of land lines, a large portion of which are presently under provincial control... This would involve complicated problems of provincial consultation. However, effective control over the major area of CATV could be achieved by amendments to the Broadcasting Act covering commercial broadcasting receiving stations and land stations where these stations are used to feed a cable relay distribution system with radio or television broadcasting signals or where the land stations are used to feed the distribution systems with closed circuit radio or television signals. (HOC Debates, March 19, 1964: 1278)

Additionally, it suggested that these amendments should include the following:

- (1) a requirement that the Minister of Transport refer to the BBG for hearing and recommendation of any applications for licences or... renewal of existing licences purpose;
- (2) authority for the Board to regulate such stations in regard to program content and other non-technical matters (the Department of Transport would continue to deal with technical aspects);
- (3) extension of the objects and purposes of the act to commercial broadcasting receiving stations and to land stations feeding cable relay distribution systems;
- (4) a limit on foreign ownership of new commercial broadcasting receiving stations and land stations feeding cable relay systems;
- (5) authority for the Board to control interconnections (networks) of cable relay distribution systems when they are fed with signals from commercial broadcasting receiving stations or land stations;
- (6) authority for the Board to enforce... conditions of licences of stations in these categories where the conditions have been included as a result of a recommendation from the Board. (HOC Debates, March 19, 1964: 1278)

The Broadcasting Act of 1958, however, was not amended in accordance with these recommendations at this time. Instead,

on July 22, 1964 the Minister of Transport, now Mr. Pickersgill, rose in the House of Commons to announce that, while cable television systems would remain under Department licensing authority, all applications would be referred only on an informal basis to the BBG for recommendation. (Easton, 1980: 147) He argued that,

The government has two main concerns. One is to see that CATV installations in Canada do not come under the ownership and control of persons and corporations which are not Canadian. The other is to see that CATV installations designed to receive broadcasts emanating from outside the area reached by any local Canadian television station, and particularly from outside Canada, are unlikely to make the operation of any existing television station uneconomic or to inhibit the provision of alternate Canadian television service in the area concerned.

So far as ownership is concerned... It is proposed therefore to ensure effective Canadian ownership and control of new CATV installations.

...Applications already before the department will be considered on their individual merits as was the case before December 31, 1963.

The so-called freeze will be lifted immediately and the Minister of Transport will deal with pending applications after informal consultation with the Board of Broadcast Governors on the possible effect on television broadcasting in the area concerned.
(HOC Debates, July 22, 1964: 5799)

In announcing the lifting of the so-called freeze on cable television licenses, Mr. Pickersgill contended that the government had:

no desire to regulate CATV for the sake of regulation, but merely to the minimum extent deemed necessary to maintain the Canadian identity and character of broadcasting to the greatest extent practicable, in accord with the consistent position taken by all governments and parliaments since the Aird report of 1929. (HOC Debates, July 22, 1964: 5799)

Subsequently, the General Radio Regulations were amended by adding a provision that licenses to operate a cable system were to be issued only to Canadian citizens or corporations. (HOC Debates, July 22, 1964: 5800) The regulations were also amended so that the BBG would have the necessary authority to make informal recommendations to the Minister of Transport. (HOC Debates, July 22, 1964: 5800)

With the policies of July 22, 1963, the government had two main concerns: to see that cable installations in Canada did not financially come under foreign ownership and to ensure that they did not financially harm existing television stations. (Raboy, 1980: 159) As Raboy contended, "it was going to protect the Canadian cable market for Canadian capital and protect the market of Canadian private broadcasters against competition from cable." (Raboy, 1980: 159) In fact, during the first eight months after the freeze was lifted, the DOT had referred 59 applications for cable television licenses and the BBG had only recommended against 13 of them. (Easton, 1980: 148)

Arguments against the new government policy by the more conservative members of the House were the most interesting and, of these, those of controversial Liberal backbencher Ralph Cowan were the most intriguing. Cowan, stressing the virtues of free enterprise, castigated the government for protecting the private broadcasters. On July 31, 1964, for

example, he stated:

Under this proposed item re. CATV receiving stations [cable television systems] being brought under the board of broadcast governors, you are going to have the ridiculous situation of the federal government through the Board of Broadcast Governors enforcing censorship over a minority of the people.

If the [BBG] is going to adopt the attitude it has taken in the past - and there is no reason for expecting it to change - it will be telling the applicants for CATV installations that they are going to interfere with the successful operation of some neighbouring television station. This would be a terrible thing, to let free enterprise find its level in this country of ours.

I say it is absolutely not the function of the government to make certain that every television or radio station is able to make a profit. Either we believe in free enterprise or we do not believe in free enterprise. (HOC Debates, July 31 1964: 6230-1)

The *ad hoc* arrangement concerning cable television regulation continued for a further four years until the passage of the new Broadcasting Act of 1968.

*The Canadian Radio and Television Commission (CRTC)*⁹

The new Broadcasting Act of 1968 established the CRTC on April 1, 1968 in place of the BBG and the Act defined cable television as an integral part of the Canadian broadcasting system, bringing it by law under the regulatory control of the new body. (Easton, 1980: 148) The Commission's powers over the broadcasting system were very wide and they included the attribution, modification, renewal and annulment of licenses and policy-making with respect to special conditions

such as transfer of ownership. (Caron and Taylor, 1985: 50) A limit to these powers was that decisions could be referred to the Governor in Council, overruled, put aside or sent back for reconsideration. (Caron and Taylor, 1985: 50) Moreover, the Governor in Council could also issue policy directives to the Commission. The Federal Court of Appeals was given authority with respect to decisions made by the regulator. (Caron and Taylor, 1985: 50)

The Broadcasting Act, however, provided little guidance to the CRTC as to how its objectives were intended to affect cable television policy. As the Report of the Task Force on Broadcasting, argued almost twenty years later, while the programming provided by broadcasters was to be predominantly Canadian in content and character, it was not at all clear how, or even if, these goals had a parallel in what was expected of cable operators. (Caplan-Sauvageau, 1986: 569) The closest the Act came to indicating what was expected from cable was in the general requirement that the system be owned and controlled by Canadians in order "to safeguard, enrich and strengthen the cultural, political, social and economic fabric of Canada." (Caplan-Sauvageau, 1986: 569) Nonetheless, cable television was officially included in the broadcasting system.

The CRTC, as Robert E. Baker argued in Telecommunications in Canada: Technology, Industry and Government, initially saw

the industry as "a blight on broadcasting, potentially disrupting orderly custodianship over a system charged with public purpose." (Babe, 1990: 210) In the words of the Commission's first chair Pierre Juneau:

Every time we talk about developing cable as if it were a utility, like telephone or hydro or water, what you are saying in fact is, 'let's make sure that you get those four American networks into Canada as fast as we can... We are not trying to find ways of subsidizing cable or cross-subsidizing cable in order to make the American channels available faster than they would otherwise be available... Our mandate is not to wire up Canada as fast as possible for American television. (Babe, 1990: 210)

The chair's apprehensions, as Babe pointed out, found formal expression in the regulator's policies during the late 1960's. (Babe, 1990: 210)

According to Brian Mazer the first major issue for the CRTC was the cable operator's promotion of subscriptions on the appeal of U.S. television programming. (Mazer, 1980: 104) Presumably, he argued, subscribers purchased cable television for the same reasons and therefore spent "a great deal of the time in front of the TV watching those American programs." (Mazer, 1980: 104) The "Americanization" of the Canadian viewing public, for the Commission, was at odds with the spirit, if not the letter, of the Broadcasting Act of 1968. (Mazer, 1980: 104)

The first action the CRTC took was not long in coming. (Mazer, 1980: 104) In August 1968, the Commission announced

that it was about to review the licenses of all cable operators. (Mazer, 1980: 104) The regulator stated that "even though they may have had a prior licence for operation, CATV operators had no automatic right of licence renewal." (Mazer, 1980: 104) Accordingly, it shifted the onus on all applicants for CATV licences to demonstrate that they would fulfill regulatory policies. (Mazer, 1980: 105)

During several hearings, beginning in September 1968, the CRTC heard a large number of applications for cable television systems. The major purpose of these hearings, as Mazer recognized, was to steer cable television in the direction of becoming a complementary element of the broadcasting system. (Mazer, 1980: 105) As he expressed it,

Rather than permit CATV to function as a competitor to existing airwaves television broadcasters, the CRTC deemed it preferable to regulate the cable operators in a way so as to present the desired American programming, but still ensure the availability and viability of Canadian television. (Mazer, 1980: 105)

The regulatory agency later issued policy statements which attempted to integrate cable television into the broadcasting system. (Mazer, 1980: 105)

A secondary purpose of the hearings was to introduce order into the licensing process. Previously, the process had been characterized by the non-exclusive granting of licenses, but the de facto exclusivity caused by the telephone companies. As a result, there were disputes between cable operators who

held equally valid licenses for the same areas. Cable licenses had to be rationalized.

The 1969 CRTC Cable Television Policies

As a result of the hearings, the CRTC issued "CRTC Public Announcement 'Community Antenna Television,'" on May 13, 1969 to govern the regulation of the cable industry. (CRTC, 1969: 1) The public announcement discussed a number of important policy issues which included the distribution and carriage of television programming, community programming and cable subscriber fees.

In terms of the distribution and carriage of programming, the CRTC formulated a policy known as the "priority carriage" of Canadian signals, designed to give priority channel placement to Canadian television stations. A cable television system was generally required, to carry television program services in the following order of precedence:

- (i) CBC French and English networks;
- (ii) private Canadian networks;
- (iii) independent Canadian TV stations;
- (iv) local and educational programming;
- (v) non-Canadian television stations and;
- (vi) duplicate channels. (CRTC, 1969: 1)

The CRTC also issued a policy statement on local or community channel programming. Cable television could, in its view, assist in the development of a community identity through

locally produced programs. (CRTC, 1969: 1) These programs, it argued, ought to complement, rather than compete with, programming already available to the community through television and commercial movie theatres. (CRTC, 1969: 1-2) The regulator, however, did not make the contributions of cable operators to the community channel a mandatory policy nor did it set specific funding levels.

Regarding the alteration of programming, the CRTC upheld the long-standing DOT policy prohibiting the alteration of the programming received from broadcasting stations unless stated by the Commission. (CRTC, 1969: 2) The regulator also stated it would not, except under special circumstances, licence cable television systems which carried commercials other than those received in the programming broadcast. (CRTC, 1969: 2)

In the public announcement, the CRTC not only discussed programming issues but also the financial and economic questions of cable television rates and system ownership. In terms of the former issue, the Commission argued:

Service rates are a concern of the CRTC, in the public interest. They are a factor in considering the award of licences or licence renewals. The rate structure imposed in the licence may be adjusted only with the approval of the Commission. (CRTC, 1969: 2)

Concerning the latter issue, the Commission noted that it was bound by the direction of the Governor-in-Council P.C. 1969-630, SOR 69/140, dated March 27, 1969. (CRTC, 1969: 3) That

direction stated that the licensees who held DOT licences for their systems on March 31, 1968, had until September 1, 1970, to conform to 80 percent Canadian ownership standards. Moreover, the general ownership policies of the regulator applied. (CRTC, 1969: 3)

Not long afterwards, on July 24, 1969, the CRTC requested briefs and opinions on the importation of programs from American stations by the use of microwave technology. (CRTC, 1969: 1) In the wake of that notice, four months later, the Commission issued "*CRTC Public Announcement, The Improvement and Development of Canadian Broadcasting and the Extension of U.S. Television Coverage in Canada by CATV,*" on December 3, 1969. It largely reflected the preoccupation with cultural nationalism that was characteristic of the times. The document outlined the challenges the regulatory agency faced in regulating the broadcasting system and, specifically, the cable television industry:

The problem facing the Commission is not whether the technology of microwave should be used to help the development of cable television. It is to decide whether the use of additional techniques should be authorized to enlarge the coverage area of U.S. networks and U.S. stations and therefore their advertising markets in Canada.

The rapid acceleration of such a process throughout Canada would represent the most serious threat to Canadian broadcasting since 1932 before Parliament decided to vote the first Broadcasting Act. In the opinion of the Commission, it could disrupt the Canadian broadcasting system within a few years.

The fact that through force of circumstances many U.S. stations now cover other parts of Canada, and that some of them seem to have been established mainly to reach Canadian audiences does not justify a decision of the Commission which would further accelerate this process. (CRTC, 1969: 1)

Accordingly, the CRTC announced it no longer would licence cable television systems based on the use of microwave technology, which it considered to be synonymous with the wholesale importation of American programming. (CRTC, 1969: 1) The Commission, however, also claimed it was not protecting vested interests and to substantiate that claim, stated that it did not believe Canadians should be denied access to American signals. The regulator, therefore, cautioned that it felt strongly that,

no part of the Canadian population should be penalized in order to preserve a theory or to protect vested interests: either financial interests of investors in private broadcasting or privileges accumulated by particular groups in public broadcasting. The Canadian broadcasting system is worth safeguarding only if it provides the Canadian population with essential services which could not be provided otherwise... Certainly, Canadians should not be denied access to the best material available from other countries. Any broadcasting system must remain constantly open to ideas coming from other parts of the world. (CRTC, 1969: 1-2)

The CRTC argued further, that the implementation of its decision would require a considerable effort to produce the programs required to achieve successful communication among Canadians. (CRTC, 1969: 3) The Commission stated that,

Broadcasting in Canada can and must express the originality of Canada and Canadians. The Commission is determined that the hope and spirit embodied in the Broadcasting Act of 1968 will be successfully achieved. (CRTC, 1969: 3)

It declared its firm belief that there was available talent and ability in the various fields of expression and knowledge to make effective use of a complex communication system. (CRTC, 1969: 3)

Discussion

In contrast to the previous decade, it is less difficult to determine from the historical record of the 1960's if the structuralist approach toward regulatory agencies proposed by Mahon can be empirically validated. This is particularly true after 1964. During this time, cable television was no longer a technology and industry in an embryonic stage of development, but rather it had begun to mature and develop steadily as both its trunk and distribution lines expanded throughout the country. While jurisdictional authority over communications was still split between the DOT and the BBG,

federal politicians made it possible for the both apparatuses to cooperate on the question of cable television policy-making. By the end of the decade, however, a new agency, the CRTC, was empowered with exclusive regulatory authority over cable television and conventional broadcasting. Accordingly, it was not longer impracticable for policy-makers and a number of social forces to both determine, and become involved in, the course of the industry's future development. Regulation of cable television was developing more rapidly than before and the activity of those forces with an interest in cable television was becoming more forcefully articulated.

During this time, cable television was no longer a technology being innovated in towns and cities in close proximity to the American border. Distribution plant was now becoming more advanced technically and the quality of the pictures it was able to deliver more refined. While many Canadians owning television sets still received their television signals over-the-air, more and more of them were subscribing to cable television. As the cable television industry expanded in Canada, suburban skylines were no longer characterized by thickets of television antennas on rooftops. Consumers began to embrace the new communication technology and it continued to establish itself as a relatively young, yet important, industry.

Though jurisdictional authority over communications was still

split, federal politicians made it easier for the both to cooperate on the matter of cable television policy. Cable television, as Raboy argued, was recognized as a threat to important political and economic goals. (Raboy, 1980: 159) Accordingly, federal politicians did not want Canadian cable television systems to come under foreign ownership or control, nor did they want these systems to harm private broadcasters financially by fragmenting audiences and thereby depriving them of the advertising revenue upon which they depended. (Raboy, 1980: 159) In other words, as Raboy stated, they wanted "to protect the Canadian cable television market for Canadian capital" and the private broadcasting industry from any new competition. (Raboy, 1980: 159)

Subsequently, regulations were amended that prohibited foreign ownership and control of Canadian cable television systems and which authorized the BBG to make informal recommendations to the DOT in regard to cable license applications. By the end of the decade, however, federal politicians had empowered the CRTC with exclusive jurisdiction over both conventional broadcasting and cable television. In the new broadcasting legislation, they had defined cable television as an integral part of the Canadian broadcasting system.

Because cable television, as a technology and industry, had grown and matured rapidly and because political questions of

jurisdiction were resolved, the task of determining the course of the industry's development was less formidable. By this time, the negative impact of cable television in terms of its ability to disrupt the extension of television service and fragment audiences was well-known to policy-makers and major social forces in the communications sector alike. The regulation of cable television, the activity of different social forces and the level of conflict over the technology is therefore substantive enough to determine whether the relative autonomy of industry regulators can be established.

Specifically, a review of developments in cable television policy-making during the 1960's, especially after 1964, strongly suggests that the relative autonomy of the DOT, BBG and CRTC vis-a-vis different social forces can be validated. First, industry regulators not only made policies that were favourable to the national banking community, the CBC and a number of industries, but also to cultural nationalists and subordinate classes and groups. Second, they not only made policies that were unfavourable to cultural nationalists and subordinate social forces, but also to the national banking community, the CBC and various industries.

There were some regulatory developments which were favourable to the national banking community. While it is difficult to establish the relation between the DOT and the BBG and the banking community, nonetheless it is likely that they were

becoming increasingly aware of not only the growth and the development of the cable television industry, but also its capital-intensive nature. The cable television industry had progressed from an embryonic stage of development to a stage characterized by rapid, large-scale expansion. Nonetheless, it was still considered speculative and required significant amounts of capital. This combination meant that only large institutions could afford the risk or develop the necessary strategies to lessen that risk. Policy-makers were likely reminded of this by cable operators eager to win concessions.

In the case of the CRTC, it is likely that the Commission became increasingly aware of the capital-intensive nature of the industry when, in 1968, it proceeded to review the licenses of all cable operators. If these operators did not mention the level of investment involved in their plant and the fact that they were debtors who owed significant sums of money during the hearing, it likely would have jeopardized their chances for license renewal. Additionally, in 1969, the regulator was bound by a Governor-in-Council directive on Canadian ownership standards which ensured that the cable industry would be reserved for Canadian capital investment.

There were a number of cable television policies formulated during the 1960's which were favourable to the CBC. DOT and BBG licensing policies, which examined whether a proposed cable system would disrupt the extension of television

service or fragment audiences, were favourable. If policy-makers were of the opinion that a proposed cable system in a particular area made it unduly difficult for a CBC television station to be established in the same area, the application for license would have a greater chance of being denied. The DOT, and later the CRTC, also prohibited the unauthorized alteration of television programming by cable operators which was certainly in the interests of the public broadcaster. In its 1969 cable television policies, the CRTC established the priority carriage of Canadian television stations, most notably CBC affiliates, as a mandatory regulatory requirement for operators.

Private broadcasters were also beneficiaries of the cable television policy-making that took place during this time. The DOT and BBG licensing policies were correspondingly favourable to private broadcasters. For example, if the regulators believed that a proposed cable system in a given area fragmented the audience of a local television station seriously and thereby caused it to lose advertising revenue, the application for license would have a greater chance of being rejected. Similarly, the prohibition of cable operator changes to television programming was also favourable to private broadcasters. In its 1969 cable television policies, the CRTC's priority carriage rules were also beneficial to private broadcasters. Finally, the Commission announcement concerning the complementary nature of community programming

reflected a concern for the interests of the broadcasting industry.

There were several regulatory developments which took place during the 1960's that were favourable to cable operators. Though the DOT and BBG examined whether or not proposed cable systems would disrupt the extension of television service or fragment audiences in assessing cable license applications, licensing policies, at least when applications were approved, were favourable to cable operators. While the CRTC was very much concerned with the Americanization of the broadcasting system in the course of making its 1969 cable television policies, the Commission nonetheless conceded that Canadians should not be denied access to television programming from other countries. This sentiment was clearly in the interests of cable operators.

There were few cable television policies formulated during the decade which were favourable to the film and production industry. In the 1969 cable television policies, the CRTC argued that the implementation of its policies would require the steady production of Canadian films and television programs. Accordingly, the Commission expressed its hope that the industry would allow broadcasting to achieve the legislative goals which had been set out for it. The blessing of an industry that was barely yet on its feet could only be positive.

Cultural nationalists were also beneficiaries of the cable television policy-making of the 1960's. Arguably, at least in cases where cable license applications were denied, DOT and BBG licensing policies that determined if a proposed cable system would disrupt the extension of television service or fragment audiences were favourable to cultural nationalists. The 1968 CRTC review of cable licenses that assessed whether operators would fulfil regulatory policy was also in the interests of cultural nationalists. In its 1969 cable television policies, the priority carriage requirements for cable operators and the banning of microwave technology were beneficial to groups concerned about the impact of cable television on Canadian culture.

Additionally, subordinate classes and groups also benefitted from cable television policy-making during this time period. Arguably, the policy by which the DOT required a cable operator's head-end to be within ten miles of the area to be served was beneficial because it preserved the idea of local service. (Canada, 1975: 8) The 1968 CRTC review of cable licenses that rationalized local cable monopolies was also of benefit because it recognized the monopoly status of the industry. In its 1969 cable television policies, the regulator also argued that cable operator support of, and participation in, community channel programming ought to be an important social objective for licensees. Finally, the

regulatory agency's announcement that the rate structure imposed upon cable operators in their licenses could only be changed with formal authorization was also favourable to subordinate classes and groups.

While the historical record demonstrates that the DOT, BBG and CRTC were relatively autonomous because they not only made policies that were favourable to the national banking community, the CBC and a number of industries, but also to cultural nationalists and subordinate classes and groups, it also confirms that autonomy in another way. Conversely, the industry regulators not only formulated policies that were unfavourable to cultural nationalists and subordinate social forces, but also to the national banking community, the CBC and various industries.

There were significant regulatory developments that took place during the 1960's which were unfavourable to cultural nationalists and subordinate social forces. Arguably, at least in those cases where cable license applications were approved, DOT and BBG licensing policies that assessed the impact of a proposed cable system on a community, were unfavourable to nationalists. As well, though the CRTC expressed its concern over cable television's capacity to make American programming widely available, it nonetheless failed to restrict access to it in any appreciable manner. Finally, that the CRTC argued for the involvement of cable

operator in community channel programming was an important social obligation, but nonetheless failed to set mandatory expenditure levels was a setback for subordinate classes and groups.

Yet, there were also significant instances where considerably more powerful interests were left unsatisfied by the cable television policy-making of the 1960's. Arguably, at least in those cases where cable license applications were denied, DOT and BBG licensing policies that assessed the impact of proposed cable systems, were unfavourable to cable operators. The prohibition on the alteration of television programming restricted operators in their marketing of, and service to, cable subscribers. The 1968 CRTC review of cable licenses that determined whether or not cable operators would follow regulatory policy and, accordingly, whether they would have their licenses renewed was unfavourable to cable operators. Additionally, the hearing made the public more aware of the monopoly status of the cable television industry. Finally, the regulator's 1969 priority carriage, community channel, rate structure and microwave policies were not favourable to the industry.

CHAPTER 4

THE 1970'S: Reception Difficulty at the Canadian Radio-Television and Telecommunications Commission (CRTC)

Introduction

This chapter reviews policy developments in cable television regulation that took place during a decade characterized by economic and political instability. The historical narrative starts by recounting the 1970 and 1971 CRTC cable television policies which formed the cornerstone of future policies for the industry. Consolidations that were made in 1975 are also reviewed. Finally, some attention is paid to a number of developments in the latter half of the decade, specifically the debate over the introduction of pay-television (pay-TV). The historical treatment notes that cable television was integrated into the broadcasting system during the decade, but the Commission was still sensitive to its effects on more established interests. As a result, at least for the cable industry, there was reception difficulty from the new regulator. The discussion which follows notes whether or not the relative autonomy of the CRTC can be established from the events of the decade.

The 1970 CRTC Cable Television Policies

Not long after the introduction of its interim 1969 cable television policies, on April 10, 1970, the CRTC published "CRTC Public Announcement, 'Guidelines for Applicants Regarding Licenses to Carry on CATV Undertakings.'" The public announcement not only consolidated the previous announcements, but proposed a number of more stringent measures. (CRTC, 1970: 1)

The CRTC argued a proposed cable television system should not prevent the extension of television service into an area, inhibit local television programming or cause the financial failure of a broadcasting station serving the area. (CRTC, 1970: 2) It also revised the priority carriage regulations of May 1969:

- (a) CBC network service;
- (b) Canadian private network service;
- (c) Canadian B contour TV stations;
- (d) a channel for community programs;
- (e) additional Canadian stations which have significantly different program schedules;
- (f) service from one non-Canadian commercial station;
- (g) service from one non-Canadian non-commercial station; (CRTC, 1970: 2-3)

The regulator also reserved the right to determine whether a cable television system could carry programs from more than one non-Canadian commercial television station. (CRTC, 1970: 3) Finally, in an important ruling, it also decreed that the non-Canadian programs broadcast by Canadian broadcasting

stations serving the area shall not be duplicated on a cable television system simultaneously or during the weeks prior and after the date of airing on the Canadian stations. (CRTC, 1970: 3)

The 1971 CRTC Cable Television Policies

During this time, the CRTC saw one of its key objectives as being the integration of cable television into the Canadian broadcasting system. On February 26, 1971, the Commission issued a public announcement which set out a wide range of factors which it planned to discuss at a public hearing scheduled for April of that year. (CRTC, 1980: 39) Although the regulator was aware of the benefits of cable television, it was convinced that the ability of the industry to bring in program services from the U.S. represented a major challenge to the broadcasting system. (CRTC, 1980: 40) Primarily, the cable television industry was considered a major threat to the economic viability of private broadcasters. (CRTC, 1980: 39) These regulatory dilemmas were summarized in the public announcement:

The technology of cable television, by its capacity to extend the effective range of television signals, is gradually altering the broadcasting system. This is happening at a time when increasing demands are being made of free-air broadcasters.

The extension, through cable television, of broadcasting reach has introduced or increased competition to some Canada television stations whose economic existence was marginal even without competition.

The majority of Canadian television stations... are dependent on advertising revenue for survival, and the amount of advertising revenue they can obtain is related to the size of their audience.

Television stations are presented with new competition when cable television makes distant stations available. (CRTC, 1980: 40-41)

The announcement, again claiming that the CRTC was not acting for vested interests, went on to state that,

The danger to the Canadian broadcasting system is real and immediate. The Commission reiterates that the Canadian broadcasting system must improve if it is to survive as a system.

In raising these issues the Commission emphasizes that the purpose is not to safeguard vested interest or to maintain a technology that would have outlived its usefulness. The purpose and mandate of the Commission is to uphold the public interest and to safeguard the system...

If a solution is not found to integrate cable into the overall system, the impact, by fracturing the economic basis of the private broadcasters, would also disrupt the Canadian cultural, educational and informational imperatives of both the public and private sectors of the Canadian broadcasting system. (CRTC, 1980: 41)

The CRTC document outlined a number of different cable policy alternatives. (CRTC, 1971: 5) Three different options were considered by the Commission:

- (1) the unfettered growth of cable television and the subsequent diminishing of television broadcasting's ability to serve the public;
- (2) the restriction, halting or even rolling back of the development of cable television in the interests of safeguarding the television stations and;
- (3) an attempt to develop a policy which would integrate cable television into the Canadian broadcasting system and avoid disrupting the system. (CRTC, 1971: 5)

The CRTC found the first two options to be unsatisfactory and it adopted the third. (CRTC, 1971: 5-6) The agency indicated it favoured developing a policy to integrate cable television into the broadcasting system, a process which involved little disruption, enhanced the capacity of the system to produce programs, and permitted vigorous development. (CRTC, 1980: 42)

The first in a series of hearings on cable were held by the CRTC in April 1971. (Caron and Taylor, 1985: 51) These hearings were in response to concerns arising out of the threat of American programming which was seen to be "mesmerizing Canadian audiences and submerging native enterprise under its cumulative weight." (Caron and Taylor, 1985: 51) The industry, as Babe recounted, was "up in arms, public hearings, particularly in B.C., became subject to disruption, and soon the Commission ran for shelter, throwing its policies to the wind as it fled." (Babe, 1990: 210-211) Nonetheless, as he cautioned, the CRTC remained wary of cable throughout the remainder of the decade. (Babe, 1990: 211)

In the newest policy, *"Canadian Broadcasting - "A Single System": Policy Statement on Cable Television,*" issued on July 17, 1971, the CRTC expressed its belief that cable television could contribute strongly to the achievement of the fundamental objectives of the Broadcasting Act. (CRTC, 1971: 12) Essentially, the Commission believed that this could be done because of the cable television industry's

ability to "widen the choice of programmes [sic] offered to Canadians... for more numerous kinds of social information, more diverse sources of knowledge and more varied styles of thought within our country." (CRTC, 1971: 12) In order to achieve its objectives, the regulator adopted a number of policies which, in its view, did the following:

- (1) established the composition of the basic Canadian services to the community which a cable television system must provide;
- (2) maintained the view that cable television systems should be encouraged to provide access to a channel for community expression and information;
- (3) concluded that cable television systems making a sufficient amount of gross revenue... should pay for the Canadian programmes they take from those stations which form part of the basic services to their community;
- (4) restored the significance of the franchise granted to stations licensed to serve a community by adopting a policy of deletion and replacement for programmes (and commercials) identical to those scheduled;
- (5) decided that licensing cable television will continue to be subject to the same licensing procedures that apply to television and radio stations;
- (6) adopted an additional series of measures to further strengthen and to clarify the status of cable television licensees. (CRTC, 1971: 12-14)

All cable television systems were required to provide, as a matter of priority, certain basic services to the community: all Canadian local stations; all Canadian regional stations and; any Canadian distant stations. (CRTC, 1971: 14-15) Further, it was noted that there may be cases where the carriage of a distant television station would not be in the public interest and, in such cases, carriage would not be approved. (CRTC, 1971: 15) Television stations not included

in the list would be optional and could be carried once all basic service priorities were met. (CRTC, 1971: 15)

The CRTC also recognized the responsibility of the cable licensee for the services provided through a locally programmed channel. (CRTC, 1971: 16) The Commission argued that a diversity of local programming best reflected community needs and interests. (CRTC, 1971: 16) Three basic examples were suggested:

- (1) community programming which involved direct citizen participation in programme [sic] planning and production;
- (2) local origination which usually consisted of coverage of local activities of all kinds ... under the direct supervision of the cable licensee and;
- (3) informational programming which could inform the community about matters which are of concern and interest to its citizens. (CRTC, 1971: 17)

The CRTC also contended that cable television systems relied for their existence upon the services supplied by television stations. (CRTC, 1971: 20) The Commission concluded that some method had to be determined for cable television to make financial recognition of that fact. (CRTC, 1971: 20) The regulator stated:

While cable television helps the television stations by improving picture quality and extending service areas, television stations do not depend on cable television for survival. However, the cable television systems are completely dependent on the television stations whose services they use in order to develop a value for subscribers who connect to their systems... In effect, while cable television operators may argue they are really only selling an antenna service, sophisticated as it is, the subscribers are buying not antennas but programmes.

Stated simply the fundamental relationship is: television stations are the suppliers, and cable television systems are the users.

Thus the basic principle involved is: one should pay for what he uses to operate his business. (CRTC, 1971: 20-21)

The task, as the regulatory agency saw it, was to relate the philosophical idea of payment for services rendered, with the practical consideration that, without the payment, "in the long run the very stations on which the cable systems depend may no longer be able to provide them those many services." (CRTC, 1971: 21)

The CRTC continued the policy that cable television systems should not alter the signals received from broadcasting stations. (CRTC, 1971: 26) The Commission, however, carried out extensive studies which demonstrated that unaltered carriage often disrupted the ability of Canadian television stations to fulfill their mandate. (CRTC, 1971: 26) Where a cable television system carried several distant stations as well as local ones, the regulator noted that the same program was often available on more than one channel at the same time. (CRTC, 1971: 26) This was particularly likely when a

distant station was affiliated with the same network as a local station. (CRTC, 1971: 26) It contended that,

Here, the cable television system is providing no additional programmed choice to the viewer, but the audience of the stations licensed to serve the cable system area is still diminished. Neither viewer nor broadcaster benefits. (CRTC, 1971: 26)

To restore the licensing logic of the Canadian broadcasting system, while still attempting to integrate cable television into the broadcasting system, it embarked on program (and commercial) duplication policies. (CRTC, 1971: 26) The CRTC accordingly announced the establishment of the following policies:

When an identical programme [sic] or programme [sic] schedule is carried on a cable television system on more than one channel during the same time period, the station having higher priority may require the cable television system to delete the transmission of any lower priority of optional station(s) during that period. The cable television system may then elect to insert the transmission of the higher priority station on the channels normally occupied by the lower priority or optional station(s) during this period.

In the same manner, any optional Canadian station carried may require the deletion of the transmission of any programme [sic] or programme [sic] schedule of a station not licensed in Canada, should there be no higher priority station willing and able to require the deletion.

Where a program is transmitted at different times within one week, on two or more stations, the highest priority stations wishing to can provide the same programs to the cable television system for substitution by the cable television operator on the channel(s) occupied by the lower priority station(s). The television station must bear all costs associated with this latter non-simultaneous substitution. (CRTC, 1971: 27-28)

In terms of the deletion and substitution of commercials, the

CRTC permitted the removal by cable licensees of commercials contained in the signals of American stations. (CRTC, 1971: 28) The Commission encouraged cable licensees to make contractual arrangements with Canadian television stations in their areas to insert replacement signals carrying their own commercial messages. (CRTC, 1971: 28) The regulator noted that some commercials were transmitted by American stations, but were paid for by Canadian companies. (CRTC, 1971: 29) Therefore, it requested that the government amend the Income Tax Act to prohibit companies from claiming advertising purchased on American stations as a tax deductible expense. (CRTC, 1971: 29) This was eventually realized by government policy with amendments made in Bill C-56 during in the mid-1970's.

While the CRTC undertook a number of policies to safeguard the interests of the private broadcasters, it did not neglect cable operators either. The Commission contended that "strengthening of cable television, and its benefits to the public, is vital if this important element of broadcasting is to play its part in the 'single system.'" (CRTC, 1971: 31) To that end, the regulator noted that where a cable operators complied with its policies, it could "add additional broadcast services which strengthen its mandate with a wide degree of latitude." (CRTC, 1971: 31) In other words, it could pick up and redistribute the signals of "stations not licensed to serve Canada, but whose signals spill over into

Canada." (CRTC, 1971: 31)

The CRTC also had recognized "the importance of establishing long range policies for the further development of the broadcast system in order that potential investors can properly assess the future." (CRTC, 1971: 31) Specifically, the Commission had expressed interest in "how new shareholder investors and debt investors could be encouraged to participate in strengthening the broadcast system". (CRTC, 1971: 31) It was suggested, at that time, that "the financial stability of the private sector of the broadcasting system could be influenced by the length of the licence term granted." (CRTC, 1971: 31) The regulator believed that this could be a significant factor and that licences for all undertakings, especially cable television systems, should be for the maximum permitted under the Broadcasting Act, that is, for five years. (CRTC, 1971: 31)

The 1971 policy also concluded with a section, entitled "The Need for a Programme [sic] Production Industry." (CRTC, 1980: 47) The CRTC observed that,

The Commission has said before that the Canadian broadcasting system must improve rapidly or risk perishing. The technology, enhanced by cable, is at hand. But broadcasting cannot survive by technology alone. The most perfect electromagnetic signal into every Canadian home is without value unless it bears a message.

Up until the present, the development of the means of transmission and broadcasting in Canada has not been accompanied by an adequate corresponding development of the means of production and processing; nor has there been a sufficient increase in the identification and promotion of talent. (CRTC, 1980: 47)

It subsequently called for a re-doubling of efforts in order to stimulate the development of the film and production industry.

The options that were selected in 1971 formed the cornerstone of cable television policies throughout the decade with some modifications in 1975 and 1979. In its policy and regulations the CRTC was reflecting not only concerns over cultural sovereignty and the viability of the broadcasting industry but also the prevailing social philosophy of the time. (Caron and Taylor, 1985: 53) The general thrust was to put certain controls on cable development in order to minimize the possible damage it might cause to the off-air broadcasters. (CRTC, 1980: 48) Basically the broadcasters were seen as the program originators and the objective was to move money from cable operators to support additional Canadian production by the broadcasters. (CRTC, 1980: 48)

The regulatory provision for community channel programming

was especially important since it saw the community channel as a conduit for involving direct citizen participation in program planning and production. (Caron and Taylor, 1985: 53) Providing access to the channel became the responsibility of the cable television licensee, but concept was not accepted enthusiastically by licensees and it struggled to achieve some form of identity. (CRTC, 1980: 49)

The 1975 Cable Television Policies

During June 1975, the CRTC held a public hearing in Ottawa to consider a number of policy papers on cable television in Canada. (CRTC, 1975: 1) A wide range of views was expressed which the Commission took into account in developing its new policies. (CRTC, 1975: 1) According to the regulator, the major issue at the hearing was the future of conventional broadcasting in the light of the rapid development of cable television. (CRTC, 1975: 1)

After the public hearings, the CRTC put forward a policy statement entitled "CRTC Public Announcement, 'Policies Respecting Broadcasting Receiving Undertakings (Cable Television),' " on December 16, 1975." (Raboy, 1980: 242) It stated that cable licensees should,

make a contribution to the quality and delivery of the Canadian broadcasting and program production industries; assume an increasing responsibility to contribute to the strength of the total broadcasting system; contribute a unique social service in the form of a community programming channel; improve the quality of cable television service and the relations between the cable television industry and the public it serves. (Raboy, 1980: 242)

In developing its policies, the problem that the CRTC again encountered was how to enable cable television to provide the wider choice of service that it desired without destroying the free over-the-air broadcast service. (CRTC, 1975: 2) For the Commission, there were three key issues central to the problem:

- (1) the extent to which cable television should provide community programming that cannot be provided by over-the-air broadcasters and the extent of the commitment which cable television licensees should be asked to provide, to support such programming;
- (2) the measures that cable television should be required to take to minimize damage to the over-the-air broadcasting system and;
- (3) the extent to which cable television can assist the Canadian program production industry. (CRTC, 1975: 2)

In the first case, the CRTC argued that community channel programming efforts not only ought to be stronger, but more dynamic. (CRTC, 1980: 54) It noted that the cable television industry now generally accepted that community programming was a valid service which also "paid off in good community public relations." (CRTC, 1980: 55) As well, the Commission contended, cable operators now realized that programming expertise was the key to innovating pay television (pay-TV) and other revenue producing services. (CRTC, 1980: 55)

According to Raboy, the CRTC still held out high expectations for the role that could be played by community programming, most significantly "its ability to turn the passive viewer of television into an active participant." (Raboy, 1980: 242) However, it decided to retreat from an earlier position which it had advocated, deciding not to adopt a ten percent minimum allocation rule that would govern contributions to the channel. (Raboy, 1980: 242) It now announced that it would expect licensees to allocate "a reasonable percentage of their gross subscriber revenue... [to] the community channel." (Raboy, 1980: 242)

Secondly, the CRTC recounted that until 1972, "basic service" comprised only what was approved for distribution on channels available on a conventional 12-channel VHF television set. (CRTC, 1975: 7) The Commission, however, began authorizing a number of cable licensees in large urban areas to provide an augmented channel service to subscribers. (CRTC, 1975: 7) This service was available through the use of a converter and permitted additional channels to be received. (CRTC, 1975: 7) The regulator, however, argued that it was:

particularly sympathetic to those views which have been expressed concerning the potentially harmful effects created by the introduction of augmented channel service and the proliferation of many new programming services. The Commission continues to feel that the audience fragmentation effects on the OTA broadcasting service must be considered in every case and consequently concludes that restrictions must be imposed on the form and nature of the services that can be introduced through augmented channel service.

Specifically, the federal regulatory agency announced that,

Licenses are required by the regulations... to distribute on the augmented channel service any priority service they cannot carry on their basic service. Where this has been done, the licenses may be authorized by the Commission to distribute other services..

[But in] no case will the Commission permit the carriage of optional stations where it considers that local Canadian television service could be jeopardized. (CRTC, 1975: 8)

As it noted, the CRTC and others had suggested that cable television licenses be required to transfer a fixed percentage of their revenues to aid the Canadian broadcasting and production industries. (CRTC, 1975: 2) The Commission noted,

It is therefore important to reiterate a key factor which was recognized in the 1971 cable policy statement, namely, the need to put the primary emphasis on ways and means to develop programs rather than hardware systems.

The Commission has frequently stated that the present allocation of funds to the development and origination of Canadian programming is not adequate and that ways and means must be found to improve this situation without delay.

We now have in place a distribution system more effectively oriented to the development and distribution of more foreign programming than to the creation and evolution of distinctly Canadian works. (CRTC, 1975: 2-3)

Without the necessary legislation, however, there was no simple way of achieving a funding transfer.

The CRTC also recognized that some intervenors, especially the cable television industry had lobbied for pay-TV, which had the potential of becoming a major new element in the broadcasting system. (CRTC, 1975: 10) In its opinion, if pay-TV was to be introduced, it would be necessary for over-the-air broadcasters, program producers, and cable television licensees to work together. (CRTC, 1975: 10) Expressing its weariness over the designs of the cable operators, it refused to introduce pay-TV services arguing,

that the Canadian broadcasting system should have the opportunity to adapt to and absorb all of the present policies and developments free from the potential challenge of the widespread introduction of pay television and without having the system's resources and creative energies diverted into new endeavours.

For the foregoing reasons the Commission has come to the conclusion that it is premature to introduce a comprehensive pay television service into Canada at this time. (CRTC, 1975: 10)

Failing in its efforts to transfer funds from the cable industry to broadcasters and producers to assist them in their role as Canadian program originators, the CRTC, despite rejecting the introduction of pay-TV was receptive to the new programming initiative. (CRTC, 1980: 54)

The 1975-79 CRTC Cable Television Policies

Though the CRTC rejected the early introduction of pay-TV in 1975, by early the following year the cable television industry renewed its demands for the services. There were two main reasons for this renewed interest: first, the apparent success of pay-TV in the U.S. raised expectations of profitable systems in Canada, and secondly, the possibility of the emergence of competitive, unlicensed, closed circuit pay-TV in cable franchise areas concerned operators. (CRTC, 1980: 56)

Not longer afterwards, on June 2, 1976, the Minister of Communications and the CRTC Chair issued statements which invited a reconsideration of a pay-TV. (CRTC, 1980: 56) Policy makers were now considering whether pay-TV could provide a mechanism by which the Canadian content of the broadcasting system could be improved. (CRTC, 1980: 56) Additionally, if new revenues could be generated, there was the possibility that some of these funds could be redirected to the production of Canadian programs. (CRTC, 1980: 56) However, as a 1980 position paper argued, a number of outstanding questions still remained: "how much could regulators afford to increase the importation of foreign programs in the interests of developing more revenue for... [Canadian] production?" (CRTC, 1980: 56) An additional problem involved the issue of who should own and operate pay-

TV: the private broadcasters, cable operators or independent producers. (CRTC, 1980: 56)

Later, in March 1978, after studying various submissions, the CRTC formally issued its conclusions, "Report on Pay-television." (CRTC, 1980: 57) The Commission took the view that a pay-TV service should be essentially Canadian in content and character. (CRTC, 1980: 57) It envisaged a single national agency which would provide pay-TV services in both English and French. (CRTC, 1980: 57) The regulator favoured a privately-run agency as opposed to a crown agency. (CRTC, 1980: 57) Yet, nevertheless, it eventually concluded that "it would be premature and impossible to endorse the introduction of a national pay-television system at this time." (CRTC, 1980: 57)

The CRTC felt compelled to undertake a further review of its policies in March 1979 as the result of "representations from broadcasters, the general public, cable television licensees and from the cable television industry." (CRTC, 1980: 58) It published "CRTC Public Announcement, 'A Review of Certain Cable Television Programming Issues,'" in March 1979. (CRTC, 1980: 58) Unlike earlier reviews, however, the Commission did not issue a position paper or consider the issues in the context of a public hearing. (CRTC, 1980: 58) Three main issues appeared to stand out in the review: the additional carriage of U.S. signals, advertising on cable channels and

specialized broadcasting.

The cable television industry, in particular, had made a number of requests to the regulator. First, it asked that individual licensees be permitted additional carriage of duplicate American television signals and the increased carriage of independent U.S. stations. (CRTC, 1980: 59) Secondly, the cable operators asked that licensees be permitted to carry advertising on the community channels and other special programming channels of the cable undertaking. (CRTC, 1980: 60) Additionally, the industry representatives suggested cable television operators be permitted to originate specialized broadcast programming on cable channels. (CRTC, 1980: 60)

The CRTC responded to the first request by continuing its existing policy allowing a total of not more than three U.S. commercial and one non-commercial signals. (CRTC, 1980: 59) (CRTC, 1980: 59) Secondly, it continued with its stated policy that prohibited advertising on cable-originated channels including the community channel. (CRTC, 1980: 60) Finally, the Commission responded by announcing it would continue to approve special programming channels on a case-by-case basis. (CRTC, 1980: 60)

Discussion

A review of developments in cable television policy-making during the 1970's strongly suggests that the relative autonomy of the CRTC vis-a-vis different social forces can be established. First, the Commission not only made policies that were favourable to the national banking community, the CBC and various industries, but also to cultural nationalists and subordinate classes and groups. Second, the regulator not only made policies that were unfavourable to cultural nationalists and subordinate social forces, but also to the national banking community, the CBC and various industries.

There were some regulatory developments that took place during the decade which were favourable to the national banking community. The CRTC, for example, in its 1971 cable television policies established the principle that it should make regulatory policy for the communications sector in the long-term so that financial investors could properly assess the future. Accordingly, cable licenses were granted for the maximum allowable term under the Broadcasting Act. This was clearly in both the economic and political interests of the national banking community. The longer the license term meant the lesser regulatory risk and greater confidence in future cash flows.

There were a few cable television policies formulated during

the 1970's which were favourable to the CBC. The CRTC's 1970 and 1971 priority carriage policies, which gave favoured channel placement to the public broadcaster, were of obvious benefit. The 1970 declaration that proposed cable systems should not prevent the extension of television service in an area was also favourable. Since the CBC, to some extent, relied upon advertising revenue, the policy that these systems should not cause financial difficulties for local television stations was also advantageous.

Private broadcasters were also beneficiaries of the cable television policy-making that took place during this time. The 1970 declarations that proposed cable television systems should not prevent the extension of television service or cause financial harm to local stations was clearly favourable to private broadcasters. The priority carriage policies of 1970 and 1971 recognized the importance of private television stations to the broadcasting system. In its 1971 policies, the CRTC even argued in favour of cable compensation for the carriage of private broadcasters' signals. It also innovated "simultaneous substitution" policies which required cable systems to abide by broadcasters requests to have their signals inserted in place of duplicate American programming. The Commission also argued in favour of amendments to the Income Tax act which would encourage Canadian companies to advertise on Canadian television stations. Policies also prohibited advertising on the community channel. In 1975,

the regulator announced that augmented channel service offered by some cable operators would be regulated so as to ensure private broadcasters' audiences would not be further fragmented. Delays in the introduction of pay-TV in 1975 and 1978 were also favourable to the private broadcasters.

There were also a number of regulatory developments which took place during the 1970's that were favourable to cable operators. Though not at the expense of more established interests, the 1970 and 1971 cable television policies nonetheless attempted to integrate cable television into the broadcasting system so the industry could expand. The 1970 policy allowed cable operators to carry in one American commercial station and one American non-commercial station on their systems. The 1971 policy was more generous, allowing operators to carry three American commercial stations and one non-commercial station. As well, cable licenses were granted for the maximum allowable term in order to improve the industry's ability to raise capital and give it a greater level of financial stability. In 1975, the CRTC retreated from an earlier position requiring a mandatory contribution of revenues from cable operators to the community channels. Though it rejected the introduction of pay-TV twice during the decade, the Commission nonetheless considered the issue serious enough to warrant its sustained attention.

There were some cable television policies formulated during

the decade which were favourable to the film and production industry. The CRTC lobbied for the full-scale development of the Canadian film and television production industry in its 1971 policies. The Commission even suggested a transfer of funds from cable operators to the broadcasting and production industries. Additionally, it noted that the achievements of a distribution system that worked effectively meant nothing if Canadian-produced programs could not be delivered to Canadian audiences. This sentiment was again expressed in 1975. Though the regulator did not introduce pay-TV, its consideration of the issue nonetheless demonstrated a concern with the development of this industry.

In particular, there were two important cable television policies that were favourable to cultural nationalists and subordinate classes and groups. The priority carriage policies which were developed in 1970 and 1971 were clearly favourable to cultural nationalists concerned about the Americanization of the broadcasting system. The requirement that cable operators provide a community channel in return for the privilege of holding a license was also an important concession to subordinate classes. Not only did the state and industry have access to space along the channel strip, but so did a wide variety of community interests. Though questions of cable industry carriage of American stations on the basic service and contributions to the community channels remained, the priority carriage and community channel

policies continued to be favourable to these interests for the rest of the decade.

While the historical record demonstrates that the CRTC was relatively autonomous because it not only made policies that were favourable to the national banking community, the CBC and a number of industries, but also to cultural nationalists and subordinate classes and groups, it verifies that autonomy in another way. Conversely, the Commission not only formed policies that were unfavourable to cultural nationalists and subordinate social forces, but also to the national banking community, the CBC and various industries.

There were significant regulatory developments that took place during the 1970's which were unfavourable to cultural nationalists and subordinate social forces. The 1970 and 1971 cable television policies which allowed cable operators to carry American stations and to fragment the audiences of Canadian television stations constituted a strong setback for nationalists. In the 1975 cable television policies, the CRTC's decision not to require cable operators to contribute a standard proportion of their revenues to the operation of community channels was unfavourable to subordinate classes and groups.

Yet, there were also significant instances where considerably more powerful interests were left unsatisfied by the cable

television policy-making of the 1970's. For example, the 1970 CRTC guideline that proposed cable systems should not prevent television service being extended or cause financial harm to local television stations was not favourable to the interests of cable operators. The Commission's 1970 and 1971 priority carriage policies also restricted cable operators in terms of the television channels that they could offer their subscribers. In its 1971 cable television policies, the regulator innovated policies which required cable operators to substitute duplicate American programming with Canadian signals. These policies left the cable television industry unsatisfied with the regulatory agency. In the 1975 cable television policies, the CRTC still maintained its policy that cable operators must contribute to community channel programming. The Commission also announced that augmented channel service would be tightly regulated so as to control the effects of audience fragmentation. The failure to introduce pay-TV twice during the decade was also a setback for cable operators.

CHAPTER 5

THE 1980'S: Retrofitting the Policy Spectrum

Introduction

The following chapter focuses on the fact that the 1980's marked a significant shift in regulatory policy from those policies that had prevailed in the past. The historical narrative covers CRTC cable television policies that were set out in 1983 (the introduction of pay-television), 1984 (the introduction of specialty services), 1986 (the new cable television regulations) and 1987 (new specialty services). "Retrofitting" is the "modification of an original cable plant" a cable operator makes in order to ensure continued profitability. (CTIC, 1987: 9) Metaphorically, it would describe the role of the Commission in setting regulatory policy for the cable television industry during the 1980's. The historical account underscores how the full-scale development of cable technology as an advanced multi-purpose distribution system of the future was made a policy priority. The theoretical discussion assesses whether the relative autonomy of the CRTC can be judged by historical events.

The 1983 Cable Television Policies

With the introduction of pay-TV in the spring of 1983, cable television gained a more respectable place in communication policy. The CRTC had held hearings on the matter of pay-TV services two years earlier and its main concern was with the state of the existing broadcasting industry and the development of a domestic production industry. (Vipond, 1989: 175) Mary Vipond, in Mass Media in Canada, contended that the Commission and DOC had been relatively apathetic with regards to stimulating the Canadian cable industry, but that this changed with the emergence of pay-TV. (Vipond, 1989: 175) She noted, for example, that the DOC in a policy document entitled, "*Towards a New National Broadcasting Policy*" had argued cable television was of great importance to the broadcasting system because it was:

...the most cost effective means of significantly expanding the viewing choice of most Canadians, while at the same time ensuring that the broadcasting system remains essentially Canadian. (Vipond, 1989: 175)

While the observation concerning apathy toward the cable television industry was debatable, the recognition that the introduction of pay-TV coincided with a new regulatory posture towards the cable television industry was entirely valid. Others, such as Peter Lyman in Canada's Video Revolution agreed, arguing the CRTC's decision to license pay-TV was perhaps the most significant broadcasting decision in a decade because it represented an extremely significant

shift in regulatory policy. (Lyman, 1983: 68)

Ironically, however, the most significant event of all during this time period, in the words of Caron and Taylor, was "a non-event, the failure of pay-TV to take off." (Caron and Taylor, 1985: 57) During the 1970's, the CRTC had twice rejected the introduction of pay-TV because of the disruption it would have caused established broadcasting. (Babe, 1990: 211) When the decision to introduce the new services was finally taken, the CRTC opted for "controlled competition," leaving itself with as much leverage as possible to continue to influence programming priorities. (Caron and Taylor, 1985: 57) Under new chair John Meisel, the Commission licensed not just one, but six different pay-TV services to be delivered by satellite to cable. (Babe, 1990: 211)

The results, according to Caron and Taylor, surprised both regulators and industry promoters alike: the market did not develop, profit margins were narrower than expected and the ideal of controlled competition appeared to be in jeopardy. (Caron and Taylor, 1985: 57) In fact, the situation was so precarious that several of the pay services were unable to survive a year's operations. (Babe, 1990: 211) The failure of pay-TV to develop as expected was attributable to a number of factors which included the number of channels available on conventional cable systems and the growth of video cassette recorders (VCRs) which made movies easily available. (Caron

and Taylor, 1985: 57)

1984 CRTC Cable Television Policies

Undaunted by its experiences with pay-TV, on April 2, 1984, the CRTC issued "Public Notice CRTC 1984-81 'Specialty Programming Services'" concerning the introduction and licensing of new specialty television services in Canada. (CRTC, 1984: i) Citing a more competitive communications environment, the Commission contended there was a need for the introduction of new services. (CRTC, 1984: 1) The regulator stated that these programming services would, by definition, consist of narrowcast television programming complementary to existing services and be funded by both cable subscriber fees and advertising revenue. (CRTC, 1984: 1) Further, the channels would be offered "on discretionary basis at the option of the subscriber." (CRTC, 1984: 1)

In the public notice, the CRTC also considered it important to ensure that the development of Canadian pay and specialty services was "adequately supported through equitable marketing practices." (CRTC, 1984: 16-17) Consequently, it introduced its "tiering and linkage" policies in order to increase the penetration of these services among cable subscribers. The regulator announced that Canadian pay and specialty services would be packaged with authorized American

services subject to a number of requirements which included the following:

- (1) a Canadian pay television service may be packaged with up to five channels containing a variety of American specialty services (i.e. the "5:1" rule) [Section "B" of the Eligible Foreign Satellite Services List];
- (2) each Canadian specialty service may be packaged with up to two channels containing a variety of American specialty services (i.e. the "2:1" rule); [Section "A" of the Eligible Foreign Satellite Services List];
- (3) cable licensees will not be permitted to offer a tier containing only American services and;
- (4) in no case can a single discretionary tier contain more than five channels of American services, regardless of the number or nature of Canadian services included in that tier. (CRTC, 1984: 17)

In the decision accompanying the notice, the CRTC approved the CHUM Limited application for a licence to provide a music video service and the Action Canada Sports Network [later the JLL Group's (The Sports Network)] application for a sports service. (CRTC, 1984: 7) Subsequently, the Commission also approved applications for third-language specialty services, for Telelatino, which would distribute television programs predominantly in Italian and Spanish, and for Chinavision, which would operate mainly in Chinese.

As Babe has argued, by the mid-1980's the cable television industry's "turnaround was all but complete." (Babe, 1990: 212) He observed that in 1984, even as the pay-TV channels were in the process of bankruptcy or consolidation, yet more satellite-to-cable specialty channels were approved. (Babe, 1990: 211-212) While he questioned the judgement of federal

policy-makers, Babe nonetheless understood the rationale that was taking place in the encouragement of the industry and the launching of new channels. He remarked:

Had Ottawa become so totally besotted as to envisage remarkable cultural contributions from cable industry? To the contrary, in cultural terms cable was still regard as a Trojan horse. But, more important, cable was now viewed as the cornerstone for an industry strategy that could sweep Canada into the information age. (Babe, 1990: 212)

Babe found support for new CRTC policies in an official DOC policy document of the time which stated:

The [new] strategy calls for the entire range of new Canadian programming services and many foreign services to be made available over cable... Cable operators [also] will... be encouraged to provide the public with a range of new non-programming services, such as videotex, data bank services, intrusion alarms, meter reading, medic alert, etc. In short, cable will become a major vehicle for delivering the 'information revolution' to Canadian homes...

Canadian high technology industries should benefit directly as cable operators retool their plants to carry these new programming and non-programming services. Cable companies will require significant amounts of new capital equipment - such as earth stations, scrambling and descrambling equipment and a variety of other types of cable hardware. Canadian high technology industries manufacture much of this equipment and jobs should be created as a result. (Babe, 1990: 212)

The Commission's new cable television regulations went some distance in attempting to put this specific strategy in place.

The 1986 CRTC Cable Television Policies

The about-face in regulatory policy was formally realized in "Public Notice CRTC 1986-182 'Regulations Respecting Broadcasting Receiving Undertakings,'" issued on August 1, 1986. The Commission's response to what it considered to be a changed communications environment deserves to be quoted at length, because it represented a significant shift in policy-making. In its words, the regulator declared it was ready to pursue "a more supervisory course of action. (CRTC, 1986: 3-4) The regulatory agency argued that,

The Commission is confident that such an approach is now required in view of the increasingly competitive environment confronting the cable television industry, the perceived need for a more comprehensive menu of both programming and non-programming services to be offered to each community and the urgent need for reinvestment in cable systems in order to ensure continued quality of service to all subscribers. (CRTC, 1986: 3-4)

Furthermore, the regulator explained the thrust of the new regulations and changes in policy:

The structure of the new regulations not only eliminates obsolete items but is designed to reduce regulatory lag by minimizing areas in which licensees currently must apply for authorization. Formerly, licensees were required to apply to the Commission for any use of the undertaking other than for the distribution of priority services. Under the new regulations, authorization for the carriage of most programming services is contained directly in the regulations and no longer requires an application and Commission approval...

Similarly, major changes have been made to accelerate the current process of amending installation and monthly subscriber fees...

While fully maintaining the objectives of the Broadcasting Act, the Commission hopes that these regulations will help reduce the regulatory burden, the cost of which are eventually borne by the subscribers, and permit the Commission to develop a more supervisory role with respect to the general operation of systems across the country. (CRTC, 1986: 3-4)

In terms of the carriage and distribution of television channels, no major changes were made to priority carriage policies, only those that took into account satellite delivered programming services, particularly in the areas of educational services, the CBC and future national public interest services. (CRTC, 1986: 5) Furthermore, tiering and linkage rules would be maintained and cable operators would remain under obligation to observe them. (CRTC, 1985: 51)

The regulations, however, would require a predominance of channels providing Canadian programming services over American for each cable television system (i.e. the "50% + 1" rule). (CRTC, 1985: 5)

Also of concern were new American television stations broadcasting across the border and targeting audiences in

Canadian markets. (CRTC, 1986: 7-8) Private broadcasters had cited the potential financial harm that unregulated competition might cause them, as well as the inherent unfairness in the authorization of basic carriage for these stations. (CRTC, 1986: 8) The CRTC accepted the private broadcasters' arguments, ruling that carriage of American television stations which began operation later than January 1985, would not be authorized. (CRTC, 1986: 8)

In terms of community programming, the CRTC noted that cable operators were now "contributing over \$40 million dollars annually to this unique and valuable community service." (CRTC, 1986: 10-11) It then proceeded to alter its long-standing prohibition of advertising on community channels (CRTC, 1986: 10-11) The new regulations, the Commission argued, permitted "sponsorship, contra and credit" messages on the community channel to enable licensees to continue to improve both the quality and quantity of programming. (CRTC, 1986: 11) Specifically, sponsorship messages allowed for the mention of the address or telephone number of the sponsor, while the definition of contra advertising did not. (CRTC, 1990: 8) Cable television systems were thereby permitted to distribute simple oral or written acknowledgments in return for financial assistance. (CRTC, 1990: 8) This revenue, the regulator advised, should not accrue to the general revenues of the cable system, but instead ought to be used to help initiate or improve community programs. (CRTC, 1986: 11) No

evidence, it argued, had been brought forward to indicate these changes would have any serious effect on the revenues of local broadcasters. (CRTC, 1986: 11) A hidden aspect of this policy, however, was that it freed up existing funds cable operators had apportioned for community programming for use elsewhere.

The CRTC also addressed the increasingly important issue of non-programming services and allowed the cable television industry the flexibility to experiment with a number of these new services for the first time. However, the Commission did issue some policy conditions that would govern this experimentation. First, it reiterated that priority must be given to programming services over non-programming services. Secondly, it also contended that there should be no cross-subsidization from the basic services of non-programming services (i.e. "cost separation"). (CRTC, 1986: 14) The regulator noted that the industry lobby, the CCTA, had developed a code which, in its view, was "an important and responsible initiative which should prevent the improper use of... [cable] subscriber data." (CRTC, 1986: 14) While expressing concern over the matter of privacy, it did not, however, introduce a code of its own.

The most significant aspect of the new policies, however, concerned rate regulation. The CRTC stated that they would achieve desired objectives for both the cable industry and

the public. (CRTC, 1986: 17) These regulations included the "built-in limitation on indexing and pass-through increases, the passive disallowance control and the direct subscriber notification process." (CRTC, 1986: 17) It was the belief of the Commission that these features provided adequate protection, reduced rate regulation costs and met the needs of licensees in planning system changes and improvements. (CRTC, 1986: 17)

In the new regulations, installation fees would no longer be established by the CRTC pursuant to an application, but operators would be restricted to making installations at cost. (CRTC, 1986: 18) Monthly fees, however, would now be determined by four separate processes applying to all larger cable systems. (CRTC, 1986: 19) The first two allowed a cable licensee to increase monthly fees without applying to the Commission, provided it notified the regulator and subscribers approximately forty days in advance. (CRTC, 1986: 19) Consequently, the regulatory agency announced:

.... licensees will be allowed annual rate adjustments after 1 September of up to 80 percent of the annual percentage increase in the Consumer Price Index (CPI) during the twelve month period ending the previous 30 April. The Commission expects that the indexing scheme will allow for more timely implementation of rate increases and will allow licensees, in part, to recover expenses without the regulatory costs and time required using the former rate approval process.

Additionally, a licensee will be permitted to increase its monthly subscriber fee to recover any new or increased costs associated with a direct per subscriber or lump sum payment to a third party, related to the transmission of programming services, separately approved by the Commission or a provincial regulatory authority. Specifically, pass-through charges will include charges for microwave, pole and conduit use, and fees paid to a telephone company or Commission licensee for rate-regulated programming services. (CRTC, 1986: 19-20)

Cable licensees could also increase their monthly rate in two other ways. Licensees were permitted to increase the basic monthly fee by an amount reflecting ten percent of eligible capital expenditure ("capex") distributed over the subscriber base. (CRTC, 1986: 21) The CRTC's objective was to encourage cable operators to rebuild plant and equipment, to increase channel capacity and to improve the technical capabilities of their systems so that the delivery of services to subscribers would be improved. (CRTC, 1986: 22) Additionally, for those cases in which a cable licensee requested a rate in excess of that which would be allowed using the other options, a fourth procedure was provided under which the Commission would study an application on the basis of economic need. (CRTC, 1986: 23)

1987 CRTC Cable Television Policies

On November 30, 1987, the CRTC issued "Public Notice CRTC 1987-260 'Introductory Statement to Decisions CRTC 87-895 to 87-906: Canadian Specialty and Pay Television Services'" in which it announced the approval of applications for new pay and specialty services. In calling for applications, the Commission stated that its main objective was "the timely improvement of the choice and quality of services available" to the many specialized interests of Canadian audiences. (CRTC, 1987: 12)

At a public hearing held during July and August 1987, there were a number of different issues which were discussed. The question of access to non-discriminatory carriage on cable television systems for pay and specialty services became an important significant because some applications involved cross-ownership. (CRTC, 1987: 26) In fact, the CRTC heard four applications in which cable licensees held significant ownership interests: YTV Canada, Inc.; the Multilingual Television Network; Tele Des Jeunes and; the Cable Public Affairs Channel. (CRTC, 1987: 26) In its public notice, the Commission contended that cable operators with ownership interests in specialty television services ought to provide other services with fair and equitable access to carriage on their cable systems. (CRTC, 1987: 26) Specifically, the regulator stated that,

This responsibility is as significant in respect of cable television's ability to contribute to meeting the objectives of the Broadcasting Act as the Canadian content requirements are in respect of radio and television licensees. (CRTC, 1987: 31)

In terms of the distribution of these services, the CRTC had questioned applicants proposing "mandatory-to-basic" distribution as to why their services would be "of national public interest." (CRTC, 1987: 35) Apart from the applicants proposing mandatory distribution themselves, the Commission found that there was little support at the hearing for the approach. (CRTC, 1987: 35) Subsequently, in the public notice, the regulator concluded that these applicants failed to demonstrate that they were in the national interest and would remain accountable. (CRTC, 1987: 40) Accordingly, the regulatory agency did not license any of the applications as mandatory services, but it did note that some applicants were prepared to leave the option to distribute their services to individual cable operators. (CRTC, 1987: 37-40)

The CRTC was also concerned that new specialty services "not threaten the viability of existing broadcasters or jeopardize their ability to meet their programming commitments." (CRTC, 1987: 42) At the hearing, private broadcasters expressed concern over the effect that specialty services would have on their advertising revenues and their ability to meet programming commitments. (CRTC, 1987: 43) Additionally, they expressed their fears that specialty services could evolve

into general interest services that would compete with existing broadcast services. Claiming it was discriminatory, they also argued that specialty services distributed on the basic service should not have access to a dual revenue stream of advertising revenues and subscriber fees. (CRTC, 1987: 43) In its policies, the Commission, however, stated:

it was satisfied that, because of the narrowcast nature of their programming, specialty services would not have an undue adverse impact on the revenues and programming costs of conventional broadcasters and would not cause a significant degree of audience fragmentation. (CRTC, 1987: 63)

In its public notice, the CRTC also expressed concern over the ability and willingness of subscribers to pay for these new specialty services. (CRTC, 1987: 48) The Commission argued that it had devised a regulatory framework designed,

to ensure potential rate increases associated with the introduction of new services on the basic service will fall below what studies have indicated subscribers are willing to pay for new, attractive viewing choices. (CRTC, 1987: 48)

The regulator contended that it responded to the concerns of intervenors with respect to the regulation of wholesale rates for specialty services distributed on the basic service. (CRTC, 1987: 53) Specifically, the regulatory agency stated that it shared the opinion that such regulation was necessary to promote the provision of fair and equitable access. (CRTC, 1987: 53) The regulatory agency chose to maintain its policy not to regulate either the wholesale or retail rates charged for discretionary services such as pay television, specialty

and non-programming services. (CRTC, 1987: 53)

The CRTC licensed eight new specialty television services in a number of different formats: four in the French language (Canal Famille, Reseau Des Sports, MusiquePlus and TV-5); three in the English language (YTV, CBC Newsworld and Vision TV) and; one offering its service in both official languages (Meteomedia/The Weather Network). (CRTC, 1987: 57) It also designed specific regulations to govern their distribution in both francophone and anglophone markets. (CRTC, 1987: 66) The Commission ruled that the distribution of the French-language specialty services would be on an "optional-to-basic" basis, meaning that cable operators would have the option of distributing the new services, but if they did so, were required to distribute the complete package of services. (CRTC, 1987: 66-67) Distribution of the English-language specialty services would also be on an optional-to-basic basis, but without any "take one, take all" restriction. (CRTC, 1987: 69)

Discussion

The events of the 1980's suggest that the relative autonomy of the CRTC in relation to a wide number of social forces can be established. First, the Commission not only made policies

that were favourable to the national banking community, the CBC and a number of industries, but also policies favourable to cultural nationalists and subordinate classes and groups. Second, the regulator not only made policies that were disadvantageous to cultural nationalists and subordinate social forces, but also to the national banking community, the CBC and various industries.

Accordingly, there were a number of regulatory developments that took place during the decade which were favourable to the national banking community. The CRTC, for example, put in place agreeable policies in the 1986 cable television regulations which substantially lowered the investment risk for creditors committing loans to an industry eager to invest in technological upgrades. Specifically, these policies constituted the four rate increase mechanisms: the inflation-index, pass-through, capex-related expenditure and economic need provisions. They all focused on the long-term financial stability of the cable television industry.

There were few cable television policies formulated during the 1980's which were directly favourable to the CBC. In 1986, priority carriage policies, however, ensured that channel placement for the CBC and a planned all-news and information service were favourable. In 1987, the CRTC approved the CBC's application for that service and CBC Newsworld was licensed to be carried on cable systems on an

optional-to-basic basis.

Clearly, private broadcasters, in contrast to previous years, were not the main beneficiaries of cable television policy-making in the 1980's. Nevertheless, there were some policies which were favourable to their industry during this period. In 1986, for example, priority carriage policies were maintained, giving private broadcasters a privileged position on channel line-ups. The Commission also agreed with private broadcasters on the matter of new American stations targeting Canadian markets. It ruled that cable operators would not be authorized to carry these stations on their systems.

There were several regulatory developments which took place during the decade, however, that were favourable to cable operators. The most beneficial of these policies were the 1986 regulations intended to reduce the "regulatory burden" of the cable television industry. The greatest concessions, in particular, were embodied in the four different kinds of rate increases allowed: automatic annual increases of up to eighty percent of the CPI; pass-through charges related to per subscriber payments to third parties such as pay and specialty services; cable fee increases to compensate for capital expenditures and; higher charges on the basis of economic need. Additionally, the CRTC also permitted cable operators to carry promotional messages on the community channels thereby freeing up funds for other expenditures.

Cable operators were also allowed greater flexibility in terms of innovating non-programming services, a development which would augur well for the industry's future plans.

Favourable regulatory policies could also be found in the introduction of new pay and specialty television services in 1983, 1984, and 1987. These television services strengthened cable television's appeal with its subscribers and allowed operators to continue to increase their penetration levels. Additionally, in 1987, the CRTC's rejection of mandatory-to-basic distribution for specialty services was also beneficial to the industry.

There were few cable television policies formulated during the decade which were directly advantageous to the film and production industry. However, the introduction of pay and specialty services in 1983, 1984 and 1987 were significant developments. Some industry representatives expected these services to pass-by independent production in favour of in-house production and impact adversely on existing funding sources but this scenario failed to materialize. The new services, in fact, provided new exhibition windows for the industry.

Despite the fact that it was cable operators who were the main beneficiaries of the cable television policy-making of the 1980's, cultural nationalists and subordinate classes and

groups also received some concessions. For the cultural nationalists, the addition of pay and specialty services during the decade, as indicated, provided new opportunities for Canadian film and television producers to showcase their programs to Canadians. The tiering and linkage rules, that were innovated earlier in the decade, did allow for more American channels in the broadcasting system, but they nonetheless provided stability to pay and specialty channels. This was significant considering the failure of several pay-TV channels during the early 1980's. In 1986, priority programming and tiering and linkage policies were maintained and, as well, the Canadian predominance rule was introduced.

For subordinate classes and groups, however, there were few policies that directly benefitted them, but nonetheless there were examples. In 1984, albeit only in the largest markets, two third language specialty services were introduced which offered programming of interest to new Canadians. Also, in 1986, cable operators were not permitted to cross-subsidize from programming carried on the basic service to new non-programming services carried on discretionary tiers. Additionally, in 1987, it was decided that the wholesale rates for specialties carried on the basic service would be regulated and this, to some extent, prevented further cable rate increases.

Events demonstrate that the CRTC was relatively autonomous

because it not only made policies that were favourable to the national banking community, the CBC and various industries, but also to cultural nationalists and subordinate classes and groups. Yet, the historical record, however, confirms that autonomy in another way. Conversely, the Commission not only formulated policies that were unfavourable to cultural nationalists and subordinate social forces, but also to the national banking community, the CBC and various industries.

There were significant regulatory developments that took place during the 1980's which were detrimental to the interests of subordinate social forces. In 1986, the CRTC allowed promotional messages to be carried on community channel programming, a decision which was fundamentally at odds with the premise underlying local public access television. More significantly, however, Commission rate structure regulations allowed cable operators to increase their subscriber fees in four different ways and led to considerably price increases.

Yet, there were also significant instances where considerably more powerful interests were left unsatisfied by the cable television policy-making of the 1980's. In the 1986 cable television regulations, for example, the CRTC restricted cable operators from carrying new American stations on their cable systems. The Commission's continuation of its priority programming policies and the introduction of the predominance

rule also were not favourable. Additionally, in the 1987 specialty channel policies, the regulator's decision to set the wholesale rates for specialties carried on the basic service was also adverse.

CHAPTER 6

THE 1990'S: Delivery System of Choice

Introduction

This chapter reviews CRTC regulatory policies that were made during the early part of the decade and brings the re-telling of the history of cable television regulation full circle from the 1950's to the present day. The historical account focuses on how some of these new cable television policies were, at least in part, concerned with undoing what some considered to be the more deleterious policies of the 1980's. But it also highlights that other, more recent developments marked yet another change in the direction of regulatory policy. For the Commission, the cable television industry had now become the delivery system of choice and required regulatory protection from the effects of newer, competitive distribution technologies on the horizon. The discussion which follows again addresses whether or not the relative autonomy of the regulator can be established.

The 1990 CRTC Cable Television Policies

At a public hearing beginning February 5, 1990, the CRTC considered a number of proposals to change the regulation of

cable television subscriber fees, as well as a number of related matters. (CRTC, 1990: 3)) Writing in The Globe and Mail ('CRTC scrutinizing cable regulations'), media reporter John Partridge accurately observed the crux of the public proceeding:

At issue is whether cable TV companies have become such well-oiled money machines that the CRTC should impose strict limits on their profits. The answers at which the CRTC ultimately arrives could change not only how and how much Canadians pay for cable, but also how attractive the industry is to investors. (The Globe and Mail February 5, 1990: B1)

Under scrutiny was the "relaxed set of regulations" that the CRTC introduced in 1986 entitling cable companies to several varieties of automatic annual rate increases. (The Globe and Mail, February 5, 1990: B1)

The Consumer's Association of Canada (CAC) vigorously opposed the new regulations. (The Globe and Mail, February 5, 1990: B1) Stressing that cable was a monopoly utility, it argued that the CRTC had abandoned its obligation to regulate the industry in the public interest and, further, that it had thrown open the door to "price-gouging." (The Globe and Mail, February 5, 1990: B1) The CAC brief contended that the new regulations allowed cable television to enjoy exorbitant profits at the expense of subscribers. (The Globe and Mail, February 2, 1990: A10) The reason for the high rates, it argued, was directly related to the CRTC's method of approving increases for cable companies. (The Globe and

Mail, February 2, 1990: A10) The brief contended that this drove up the cost of basic cable service, making it less affordable for low-income families. (The Globe and Mail, February 2, 1990: A10)

The CCTA, however, generally argued that few, if any, changes in regulatory policies were warranted. It contended in its submission that the increase in rates and the concomitant subscriber complaints stemmed from the CRTC's decision to licence specialty channels as part of the basic service in 1987. (The Globe and Mail, February 5, 1990: B1) Further, the CCTA argued that the Commission should leave the cable television regulations untouched for a full business cycle of eight years. (The Globe and Mail, February 5, 1990: B1) It contended that the need for capital spending was now greater, warning that if the regulator retroactively changed the terms of previous capital spending or "capex" rate increases "both investor and lender confidence would be shattered." (The Globe and Mail, February 5, 1990: B1)

At the hearing, according to The Globe and Mail ('Cable-TV profits 'supra-competitive,' federal watchdog says'), another intervenor, the Bureau of Competition Policy, charged that the monopoly cable television companies were wringing "supra-competitive" profits from their subscribers, but that competition in the marketplace could bring this to an end. (The Globe and Mail, February 6, 1990: B27) Supra-

competitive profits were defined as those a company might expect to make in a market where there was no competition. (The Globe and Mail, February 6, 1990: B27) The Bureau argued that genuine competition would "benefit TV broadcasters and cable subscribers, and would help to promote the objectives articulated in the Broadcasting Act."

While the competition watchdog argued strongly for "structural change," the CAC, however, argued in favour of rate-of-return regulation. (The Globe and Mail, February 6, 1990: B27) It told the hearing that such a move would eliminate the need to adjust the rates on the criteria laid down in the 1986 policy regulations. (The Globe and Mail, February 6, 1990: B27)

The CCTA subsequently attempted to counter the arguments of both the Bureau of Competition Policy and the CAC. The CCTA argued that true competition, pitting rival cable television companies against each other in the same market, could not exist because public policy required that all cable companies carry essentially the same programming. (The Globe and Mail, February 7, 1990: B3) Since companies could not compete in terms of the service, it argued, consumers would not stand to reap any particular benefits. (The Globe and Mail, February 7, 1990: B3)

The CCTA also cited a study it had commissioned from Price

Waterhouse to counter charges of profiteering. (The Globe and Mail, February 7, 1990: B3) The CAC had calculated that cable companies enjoyed profit margins of 32 percent in 1998. (The Globe and Mail, February 2, 1990: A10) The cable lobby told the hearing that the Price Waterhouse study had in fact determined that a reasonable level of return on average NFA from 1981 to 1988 would have been between 22.8 per cent and 25.6 per cent. (The Globe and Mail, February 7, 1990: B3) The industry average for those years, it claimed, was well within these limits.

On May 15, 1990, the CRTC issued "*Public Notice CRTC 1990-53 'Cable Television Regulations, 1986 - Changes to the Regulation of Subscriber Fees and Related Matters.'*" In the public notice, the Commission noted that it had attempted to canvass a wide number of interests at the public hearing. The regulator now attempted to address concerns related to cable industry profitability and the affordability of basic cable service. (CRTC, 1990: 3)

In its new policies, the CRTC expressed the belief that cable industry profitability should be examined over an eight year business cycle rather than for just a single year. (CRTC, 1990: 3) The Commission, however, also concluded that its profitability benchmark of twenty four percent was too high. (CRTC, 1990: 3-4) The regulator argued that the benchmark should no longer be based only on historical averages, but

rather on an appropriate rate of return determined by means of an independent assessment. (CRTC, 1990: 4) Accordingly, it decided to retain a consultant to conduct an independent analysis. (CRTC, 1990: 4)

The CRTC also noted that industry profitability, measured in terms of the annual return on NFA, had increased steadily since the early 1980's. (CRTC, 1990: 4-5) The Commission was not convinced that profit levels would decline significantly in the absence of regulatory intervention. (CRTC, 1990: 5) Accordingly, the regulator proposed amendments to the fee increase mechanisms which would have the effect of lowering the rate of return for the industry. (CRTC, 1990: 5) Proposed amendments, it argued, would ensure that allowable fee increases compensated only for increased costs, without increasing the profitability of cable operators. (CRTC, 1990: 5) With regard to affordability, the agency observed that it was "clear that subscribers are concerned about the rapid increases in fees over the last few years." (CRTC, 1990: 6) The changes proposed, in its opinion, reduce the size of future increases. (CRTC, 1990: 6)

The CRTC proposed to retain a partial indexing fee increase method to compensate for a portion of inflationary cost increases. (CRTC, 1990: 9) The Commission noted that at the hearing "the nature and level of the productivity offset used in the partial indexing formula was re-evaluated." (CRTC,

1990: 11) This referred to the amount by which the increase in the CPI was discounted in order to reflect and encourage gains in efficiency. (CRTC, 1990: 11) The existing method of calculation resulted in a productivity offset that varied with inflation, namely twenty percent of the increase in the CPI. (CRTC, 1990: 11) The regulator, however, believed that the ability of a licensee to achieve productivity gains should not vary with the rate of inflation. (CRTC, 1990: 11) Therefore, in keeping with the recommendation of the NAPO, it incorporated a constant productivity offset of two percentage points less than the increase in the CPI. (CRTC, 1990: 11) Specifically, cable companies would be able to increase basic rates each year by a maximum of two percentage points less than the increase in the CPI for the previous year ending July 31, rather than by the equivalent of eighty per cent of the rise in the CPI during a twelve month period ended April 30. (The Globe and Mail, May 16, 1990: B1) In other words, if the CPI increased by five percent in a given year, a cable licensee would only be able to increase its base portion by three percent. (CRTC, 1990: 11)

Cable companies would also be allowed to continue increasing rates to recover up to fifty percent of certain types of capital expenditures. (The Globe and Mail, May 16, 1990: B1) However these capex increases would be capped at a maximum of 3 percent of the monthly basic rate with a five year sunset clause that would require cable operators to decrease their

monthly fees by the amount of all past increases. (The Globe and Mail, May 16, 1990: B1)

The CRTC also addressed the issue of copyright fees to be paid by cable operators to American broadcasters for the carriage of their signals. Under the terms of the Free Trade Agreement (FTA), they had become liable for the payment of copyright fees retroactive to the implementation date of the treaty on January 1, 1990. (CRTC, 1990: 14) In October 1990, the Commission asked if cable operators themselves ought to absorb the costs or whether they should be allowed to pass them on to cable subscribers. In its new policies, the regulator decided that copyright fees could not become an eligible pass-through charge. (CRTC, 1990: 14) The regulatory agency recognized that this additional expense might impose economic hardship on some licensees, but it noted, as well, that the economic need provision of the cable regulations continued to remain available. (CRTC, 1990: 14-15)

On October 2, 1990, the Copyright Board of Canada released its decision on how much compensation should be paid by Canadian cable companies to copyright holders. According to The Globe and Mail of the following day ('Cable TV stuck with huge bill, Industry owes \$100-million in copyright fees on television programs, board says'), the cable television industry was required to pay copyright fees at a rate of

about \$50 million a year, including a one year retroactive payment. (The Globe and Mail, October 3, 1990: B1) The industry, in other words, had to pay \$100-million by the end of 1991. (The Globe and Mail, October 3, 1990: B1) While cable operators appealed the decision twice, first to the federal Cabinet, and then to the Federal Court of Appeal, the Copyright Board decision was upheld on both occasions.

Subsequent to the CRTC's public notice, regulatory changes provoked anger and bitterness from the cable television industry. (The Globe and Mail, May 16, 1990: B1) The president of the CCTA, Mr. Michael Hindsmith, for example, stated:

We face a short-term blow in this decision and in the longer term, I see little if any benefit for the broadcasting system, which I see as the CRTC's primary mission, and not much in the long term for the cable TV subscriber. (The Globe and Mail, May 16, 1990: B1)

According to The Globe and Mail ("TV viewers will foot bill for royalties, lobbyist says") cable stock prices tumbled in the wake of the regulatory announcements. (The Globe and Mail, May 17, 1990: B1) Several investment analysts suggested that the revised regulations could have dire consequences, including bankruptcy, for some operators. They suggested the revisions would make it more difficult for cable firms to raise money either from the banks or the stock markets. (The Globe and Mail, May 17, 1990: B1) In all, one analyst said, the changes would cut into cable companies'

profits before taxes and interest charges, "a key indicator banks consider in granting credit." (The Globe and Mail, May 17, 1990: B1) Cable companies, therefore, would not likely be able to borrow as much as they once did. (The Globe and Mail, May 17, 1990: B1)

Soon after the policy announcements, CRTC Chair Mr. Keith Spicer, however, sought to allay the fears of the cable television industry at its annual convention. As John Partridge of The Globe and Mail ('Spicer seeks to diffuse the static between CRTC, cable industry over rates, profits') reported, the CRTC Chair urged the industry not to be "frightened" by the recent policies but instead "to look for opportunity." (The Globe and Mail, June 5, 1990: B8) The decisions contained "a lot that is very good for the industry," in his opinion, and that it would "still be possible to make very fair profits in this business." (The Globe and Mail, June 5, 1990: B8)

Not long afterwards, on June 5, 1990, the CRTC issued "Public Notice CRTC 1990-57 'Community Channel Policy Review,' which announced a reappraisal of its 15-year old community channel policy. The Commission, however, maintained from the outset that it was intent on preserving the fundamental principles and spirit of the 1975 community channel policy. (CRTC, 1990: 2) In the words of CRTC Chair Mr. Keith Spicer,

The community channel has become an integral part of our broadcasting system. Indeed, it is the mirror in which Canadian communities see themselves... (The Globe and Mail, June 6, 1990: B7)

In the agency's opinion, the community channel had emerged as an integral element of the broadcasting system, "highly valued by the thousands of Canadians who actively contribute to, and benefit from, its programming and operations." (CRTC, 1990: 4) It was satisfied that, "with few exceptions," cable operators, programming staff, and volunteers provided a valuable service, that largely succeeded in meeting the original policy objectives. (CRTC, 1990: 4) Notwithstanding these achievements, the CRTC identified a number of issues to be addressed in the policy review which included the following:

- (1) financial support for community programming;
- (2) contraventions by some cable operators of the policies respecting advertising and;
- (3) failure by certain operators to encourage broad community participation. (CRTC, 1990: 5)

In terms of the first issue, the Commission noted that in 1975 it had established a general policy guideline whereby licensees were expected to contribute ten percent of gross subscriber revenues to the support of community programming. (CRTC, 1990: 5) A review of financial data indicated the average industry allocation between 1985 and 1988 remained constant at about five percent of basic service revenues. (CRTC, 1990: 6) The regulator argued that cable operators should be required to maintain expenditures at no less than

the industry average. (CRTC, 1990: 6)

As to advertising, the CRTC observed that "the continued development of cable television must be accompanied by measures to maintain and strengthen the [over-the-air] broadcasting system" and suggested that no advertising, including contra advertising, should be allowed on the community channel. (CRTC, 1990: 7) In the 1986 cable television regulations, the Commission had permitted limited forms of sponsorship and contra advertising, provided all revenues were to be re-invested in the community channel. (CRTC, 1990: 8) While it was confident most cable operators were in compliance, the regulator was nonetheless concerned that some licensees had gone well beyond the intended limit of the regulations in terms of the type of advertising that could be used. (CRTC, 1990: 9)

In terms of public access, the review notice stated that the CRTC would continue to insist that the orientation of the community channel remain that of a public service for free community expression. (CRTC, 1990: 14) Cable operators, the Commission asserted, must not "deny, restrict, or reduce" access opportunities if a community group or individual was unable or unwilling to attract a sponsor. (CRTC, 1990: 14) For the regulator, the cornerstone of the community channel policy was "to ensure the ability of the average citizen to access the television medium." (CRTC, 1990: 14)

About a year later, the CRTC issued its policy on community channel programming that set the minimum amount of investment by cable companies as suggested earlier. Significantly, the Commission made no substantive changes to the advertising regulations. (CRTC, 1991: 12) The policy even allowed smaller cable operators to sell twelve minutes of local advertising per hour on their channels if they were in communities with no local radio or television stations. (The Globe and Mail, June 6, 1991: C6) All advertising revenue earned by the cable company, however, was to be re-invested in the community channel itself. (The Globe and Mail, June 6, 1991: C6) The policy additionally encouraged community channels to exchange or "bicycle" programs in a bid to create new programming synergies. (CRTC, 1991: 12)

The 1991 CRTC Cable Television Policies

On March 14, 1991, the CRTC issued "Public Notice CRTC 1991-29 'Rate of Return Measures and Profitability Benchmarks for the Cable Television Industry.'" As it proposed in its 1990 policies, the Commission undertook to contract a consultant to study cable television industry profitability, especially, the appropriate rate of return measure and profitability benchmark used in assessing cable rate increases. (CRTC, 1991: 1) Accordingly, Dr. Cleveland Patterson of Concordia

University was commissioned to complete the study. In making its policies, the regulator considered his report and the written comments that were submitted by interested parties.

Patterson recommended the use of a detailed formula to derive the after-tax profitability benchmark for the purposes of rate increase proposals that were based on economic need. (CRTC, 1991: 1-2) The recommended benchmark would be calculated on the basis of the average monthly yield on long-term government bonds and current tax rates. (CRTC, 1991: 2-3) Accordingly, the CRTC adopted Dr. Patterson's formula as the basis for deriving a benchmark rate of return. (CRTC, 1991: 4)

The study defined the benchmark in after-tax terms, in order to make it more comparable to other return information available to the public. (CRTC, 1991: 4) By contrast, the CRTC's benchmark of twenty four percent was based on a pre-tax measure of profitability. (CRTC, 1991: 5) The Commission, however, argued that it would be necessary to use actual tax rates to calculate a licensee's after-tax rate of return and to adjust the benchmark accordingly. (CRTC, 1991: 5) In its view, individual calculations of this nature would be burdensome and would outweigh the benefits of moving to an after-tax basis. (CRTC, 1991: 5) As a result, it decided to continue the practice of defining the benchmark and computing earnings in pre-tax terms. (CRTC, 1991: 5)

Dr. Patterson also recommended that the rate of return should be averaged over seven years. (CRTC, 1991: 6) Furthermore, he advised that rate increases should be permitted whenever the seven-year average return on NFA was below the benchmark. (CRTC, 1991: 8) Dr. Patterson's formula yielded a pre-tax benchmark of 21.1 percent. (CRTC, 1991: 8) The CRTC agreed, committing itself to compute a licensee's earned return over seven years, consisting of the past five years, the current year and one year forward. (CRTC, 1991: 7) It also agreed with Patterson's opinion that the level of the benchmark derived from the formula was subject to variation and that economic need must take into account the level and nature of cash flows and future financing requirements. (CRTC, 1991: 11) Consequently, for 1990, the Commission set the pre-tax benchmark at 22.9 percent, which it proposed to round to twenty three percent for the purpose of administrative simplicity. (CRTC, 1991: 12)

The 1993 CRTC Cable Television Policies¹⁰

The 1993 CRTC public hearing on the "structure" of cable television in Canada was arguably the most important in Canadian broadcasting history and, as such, it deserves considerable attention. The hearing reviewed the CRTC's policies for the "cable distribution, packaging and carriage

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of television programming, alternative... technologies and criteria for the licensing of new television stations and services." (CRTC, 1992: 1) Intervenors included: the CBC and other public television networks; private broadcasters; cable operators; film and television production houses; public interest groups; telecommunications companies; pay and specialty services; the satellite industry; governments and; ordinary citizens.

In his opening remarks, CRTC Chair Mr. Keith Spicer focused on the forces of change likely to affect the regulation of the broadcasting system. (CRTC, 1993: 1) He identified three major and intersecting environmental forces: technology, competition and a "new consumer consciousness." (CRTC, 1993: 1) These forces, he concluded, raised "fundamental challenges to the existing regulatory framework, to the role of regulation, to cultural objectives," and "to industry relationships." (CRTC, 1993: 3)

Digital video compression (DVC), which compresses three or four audio-video signals into the electronic space of one, Mr. Spicer said, would create a "huge increase" in the total number of television channels. Coupled with "universal addressability," the technology would offer consumers the ability to choose only those channels and programs desired or to "pick and pay". (CRTC, 1993: 1-2) DVC also enabled the emergence of new competition for cable television such as

direct broadcast satellite (DBS), with the most threatening, for a number of observers, being U.S. satellite companies. (CRTC, 1993: 2) By offering greater access, control and choice, these technological and competitive developments, Mr. Spicer argued, were transforming the "captive subscriber" into the "discriminating consumer." (CRTC, 1993: 2)

At the hearing, public television networks were represented mainly by the CBC and the Association for Tele-Education in Canada (ATEC, (whose members included Television Northern Canada The Access Network, Open Learning Agency, Saskatchewan Communications Network, TV Ontario and Radio Quebec). Public broadcasters generally believed cable television would remain predominant for the foreseeable future, with DBS and multi-point distribution systems (MDS) emerging in rural areas. Stressing that they served the informational, educational and cultural needs of Canadians, the public networks argued they ought to be given what the CBC termed "pride of place" in the Canadian broadcasting system. (NGL, 1993a) As such, they contended that a strong, public broadcasting element should anchor an affordable, accessible and all-Canadian basic tier. (NGL, 1993a)

Private broadcasters predicted that U.S. DBS would only have a relatively modest impact on the broadcasting system: only a disconnect loss of less than five percent of basic service subscribers by the year 2000. (NGL, 1993a) The central issue

for private broadcasters was what role they would play in a broadcast environment characterized by greater choice and competition. Specifically, the CAB argued there was no sole "technological fix" that would keep the system Canadian, rather programmer access to needed resources was what was required. (NGL, 1993a) The cable television industry, it observed, takes the private broadcasters' product for free and then re-sells it for a profit. (NGL, 1993a) The CRTC, it argued, ought to require cable operators to compensate private broadcasters for the carriage of their signal not only as a matter of principle, but as a matter of policy. Compensation would strengthen the fortunes of an industry facing a structural decline in advertising revenue and enable it to provide the high level of quality Canadian programming that was expected.

In contrast, cable operators described how the television of the future would soon be available from high-powered U.S. DBS providers or what they termed "Death Stars." Starting in 1994, they noted, both DirecTv and United States Satellite Broadcasting would bypass the CRTC and beam more than one hundred and fifty American channels to Canadian consumers. To receive the wealth of new channels, a consumer would have to invest in a small, compact satellite dish about the size of a dinner plate. Viewers would be able to move back and forth from local over-the-air television stations to new satellite programming via an "A/B switch" on their set-top

decoders. New, menu-driven software would help subscribers manage the multi-channel universe of the future.

The CCTA estimated that competition from the U.S. satellite services could result in a loss of at least ten percent of their basic subscriber base by the year 2000. (NGL, 1993a) Accordingly, the industry association contended, a \$6 billion investment in the "roll-out" of universally addressable DVC technology was necessary in order for cable to compete effectively. (NGL, 1993a) The cable industry argued that subscribers should bear part of the costs of the technology because the reaction of creditors would be negative if they were required to finance the upgrade themselves.

The cable television industry also claimed it was fully committed to ensuring the broadcasting system remained Canadian and that its plans were the last, best hope against the Death Stars. Accordingly, the industry association proposed a \$100 million voluntary program fund for the film and television production sector spread over five years. (NGL, 1993a) Other funding transfer proposals, such as a fee for carriage paid by cable operators to local over-the-air broadcasters for the use of their signals, were strongly opposed.

Generally, the film and television production sector argued that it was not the "hardware" or the structure of the

broadcasting system that mattered so much as the programming or the "software." (NGL, 1993a) The hearing, for the creators of films and television programs, was about how the broadcasting system would adapt to technological change and how it would fund Canadian programming, particularly in the under-represented program categories. (NGL, 1993a) While they found the CCTA's proposed \$100 million program fund did not offer enough resources given the costs of film and television production, many industry groups, for example, the CFTPA, were encouraged. (NGL, 1993a) In contrast, the CAB's proposed fee for carriage was dismissed as both unnecessary and impractical.

There were three major public interest groups which took part in the review process: the Friends of Canadian Broadcasting (the "Friends"); the CAC and; the Public Interest Advocacy Centre (PIAC). The groups shared some positions, but each had their own distinct policy perspectives to put forward to the regulator.

The Friends labelled the policies of the cable television industry as "unethical and predatory." (Globe and Mail, 1993: B1) Cable operators, Friends argued, had undermined the goals of the Canadian broadcasting system and had been given the role of cultural gatekeepers in a "Faustian pact." (NGL, 1993a) The group stressed that the industry's highlighting of DBS as a threat was a diversionary tactic and that Canadians

had a right to choice in delivery systems. (NGL, 1993a) In addition, Friends claimed there was "a zero missing" in the CCTA's proposed program fund of \$100 million, an idea it dismissed as nothing more than "press release mathematics." (NGL, 1993a) The essence of their business, the group noted, had been to bring in American programming into the country for profit without making a contribution to Canadian culture. (NGL, 1993a)

The CAC contended the very nature of new technologies, such as DVC and DBS, would compel a shift in decision-making from the CRTC to the viewer. (NGL, 1993a) "We welcome U.S. 'Death Stars' and other new technologies as a new means of choice," said the group. (NGL, 1993a) The most important issues before the Commission, argued the CAC, were consumer choice, affordability, quality programming and competition in program delivery. (NGL, 1993a)

The PIAC representing the NAPO and Rural Dignity, reminded the Commission that the interests of low-income and rural Canadians must be protected in any restructuring of the broadcast spectrum. Unconvinced there would be a great number of these constituents subscribing to U.S. DBS, the advocacy group asked why these people should be forced to pay higher cable television fees so cable companies could compete with American satellite services. (NGL, 1993a) They would be, the PIAC stressed, "cannon fodder in the war against

'Death Stars.'" (NGL, 1993a)

As for other intervenors in the hearing, telecommunications companies, mainly the Stentor group, observed that the CRTC recently contended competition brought benefits to consumers in the recent past. They argued, therefore, that they would like to see these benefits extended to the programmers and subscribers of the cable industry. (NGL, 1993a) "To bring the benefits of greater choice, increased innovation and lower prices to cable programmers and subscribers," they argued, "cable as a carrier should allow non-discriminatory access to their networks." (NGL, 1993a) Stentor reminded the Commission of the precedent it had set when it allowed companies such as Unitel, which is partly owned by cable operator Rogers Communications Inc., non-discriminatory access to its telephone infrastructure and entry into long-distance markets.

Additionally, the major pay television company, First Choice Canadian Corporation, proclaimed pay and pay-per-view (PPV) television were in the "front lines" of competition against U.S. DBS and urged the CRTC to refrain from authorizing competing American movie services in Canada. (NGL, 1993a) Strengthened by access to dual revenue streams, specialty services argued the most useful policy response to the perceived American cultural threat would be to license as many new services as soon as possible. The specialty

services presumably adopted this strategy so they could launch their well-funded plans for new services [e.g. the Canadian Home Shopping Network (tele-shopping services); CHUM Limited (an undisclosed service); Meteomedia (a national emergency service); Vision TV (a national learning channel) and YTV Canada, Inc. (cartoon and seniors' channels)].

Satellite provider Telesat Canada proposed a "made in Canada" direct-to-home (DTH) alternative that would offer an attractive satellite programming package accessible to all Canadians with receiving equipment. (NGL, 1993a) "Select Canada", it argued, would compete directly against U.S. DBS services scheduled for launch in early 1994. (NGL, 1993a)

The American satellite service DirecTv, for its part, explained to the CRTC its business decision to invest in Canada. The company noted research that showed viewers want to watch Canadian programs, but because it had already expended significant capital investments, no commitments to offering any Canadian content were made. (NGL, 1993a)

DirecTv added further that they would "go after every cable television household in Canada." (NGL, 1993a) U.S.S.B. did not intervene at the hearing.

Significantly, the policy review gave rise to a number of fundamental questions, particularly about the nature of regulation itself. To many observers, DVC and universal addressability represented an inevitable loss of CRTC

regulatory power to the consumer who would see greater control over his or her own viewing choices. (NGL, 1993a)

For the Commission, U.S.-based DBS satellites represented an even greater challenge because of a limited number of policy responses to a technology that knows no borders. During the hearing, for example, the CRTC Chair Mr. Spicer openly asked DirecTV whether new technology would commit self-appointed "cultural gatekeepers" such as the federal communications regulator to "the dustbin of history." (NGL, 1993a)

Given the range and complexity of both issues and interests, it was clear that by the end, observers believed formulating policy would be a formidable task. Given the fact that no one participant had an interest-free vision, the Commission faced a considerable challenge by any standard. (NGL, 1993a) As Mr. Spicer stated in his closing remarks, "The mother of all hearings now has to try to give birth to a baby with some sensible ideas." (NGL, 1993a)

On June 3, 1993, the CRTC issued "*Public Notice 1993-74 'Structural Public Hearing'*" in which it addressed many of the issues that had been discussed at the earlier public hearing.⁸ In the public notice, the Commission discussed a number of these issues which included: its policy objectives; the future communications environment; funding of Canadian television programming; financing universal addressability and additional Canadian programming; and cable carriage and

distribution issues. (CRTC, 1993: i)

Previously, the CRTC had identified a number of policy objectives for its regulatory framework of the broadcasting system:

- (1) provide Canadians with a broad range of general interest and specialty interest programming;
- (2) ensure the Canadian broadcasting system remains strong and financially viable;
- (3) ensure that Canadian services have fair and equitable opportunity to become established;
- (4) ensure that Canadians have access to Canadian services that may be "essential" or "vital" and;
- (5) be streamlined and limited to those regulatory elements necessary to achieve the objectives of the Broadcasting Act and be flexible and responsive to technological developments... (NGL, 1993b: 10-2)

In its public notice, the Commission added another policy objective for this regulatory framework:

- (6) "implement addressability on a universal basis to provide Canadians with greater choice and customization of service. (NGL, 1993b: 10-2)

These objectives, the regulator stated, would guide it in cable television policy-making over a transition period of seven to ten years taking place in the broadcasting system.

The CRTC argued that the CCTA program fund proposal would not generate the amount of funds necessary to ensure significant support for Canadian programming. (NGL, 1993b: 10-3) The Commission, therefore, decided to make changes to its cable rate regulation mechanisms to provide the necessary amount of funds. (NGL, 1993b: 10-3) Specifically, it linked cable

operators' contributions to a production fund with the capex component of the cable fee structure. (NGL, 1993b: 10-3) Licensees would be allowed to retain capex increases after five years, provided they invested fifty percent of the amount in the Canadian production fund. (NGL, 1993b: 10-3) The regulator estimated that the proposal would generate about \$300 million over the first five years of the fund commencing January 1, 1995 if all larger cable operators chose to participate. (NGL, 1993b: 01-3)

The CRTC argued that it was "reasonable and appropriate" that basic cable subscribers bear part of the capital costs of implementing DVC and universal addressability. (NGL, 1993b: 10-4) It therefore intended to implement a new regulatory regime for cable operators in the rate regulation mechanisms. (NGL, 1993b: 10-4) The partial indexing procedure, which allowed for inflation-related increases of a maximum of two percentage points less than the CPI, was eliminated, but there were no changes to the pass-through provisions, which permitted licensees to increase rates for CRTC-authorized fees for specialty services. (NGL, 1993b: 10-4) The capex mechanism, in which licensees were permitted to recover fifty percent of specific capital expenditures over five years, limited to three percent of the monthly basic service, was retained. (NGL, 1993b: 10-4) Significantly, however, two important stipulations were added:

- (1) licensees were permitted to recover up to \$75.00 per

- household for the digital decoder needed for universal addressability subject to a 3% limit and;
- (2) the requirement that individual capex increases be removed after 5 years was suspended for licensees which contributed one half of this revenue to the Canadian production fund. (NGL, 1993b: 10-4)

The economic need process, which provided for rate increases based on a cable operator's profitability, would now take into account all revenues and expenses related to a cable licensee's operation. (NGL, 1993b: 10-4) The profitability benchmark, however, would be eliminated. (NGL, 1993: 10-4)

Concerning the distribution of specialty services, the CRTC authorized "dual status" for all existing English and French language specialty services licensed as "optional-to-basic." (NGL, 1993b: 10-6) In other words, these services were to be distributed on the basic tier of services, except when the service itself consents to distribution on a discretionary tier. (NGL, 1993b: 10-6) The Commission also suggested that proposed new specialty services would likely be accorded dual carriage status. (NGL, 1993b: 10-6) Third language specialty services would continue to be authorized for distribution on discretionary tiers. (NGL, 1993b: 10-6) Single or limited point-of-view religious services would be permitted, but only on discretionary tiers. (NGL, 1993b: 10-6)

In terms of tiering and linkage, the linkage ratio of American satellite services (from Section "B" of the List of Eligible Satellite Services) to Canadian pay television

services was maintained at 5:1. (NGL, 1993b: 10-9) The ratio of American services (from Section "A" of the List of Eligible Satellite Services) to Canadian specialty services was, however, it was now to be reduced from 2:1 to 1:1. (NGL, 1993b: 10-9) While the distribution of American satellite services by cable licensees would no longer be limited to more than eight channels, cable operators would still not be permitted to distribute a tier containing only American services. (NGL, 1993b: 10-9)

Regarding the issue of U.S. border television stations, the CRTC had permitted cable operators to distribute all over-the-air U.S. signals except for duplicate signals of network services already a cable system. (NGL, 1993b: 10-11) The Commission, however, restricted the distribution of new American television stations. (NGL, 1993b: 10-11) Cable operators wishing to distribute these signals had to apply for authorization. (NGL, 1993b: 10-11) The regulator's general practice, however, was to only authorize additional network duplicates when there was no increase in the number of American signals on a cable system and no competition for Canadian advertising dollars. (NGL, 1993b: 10-11) Noting the demand by cable subscribers for additional off-air services, the regulatory agency revised its policies to generally permit new American stations to be distributed on pay-TV tiers. (NGL, 1993b: 10-11) In all cases, cable operators would require authorization for the distribution of these

stations. (NGL, 1993b: 10-11)

In "Public Notice CRTC 1993-77 'Call for Applications for Licenses to Carry on New Canadian Specialty, Pay television and Pay-per-view Programming Undertakings,'" which followed, the CRTC contended that it was "in the public interest to encourage a greater diversity and expansion of Canadian programming available through Canadian licensees" and, as was widely expected, called for licenses to offer Canadian pay-TV, pay-per-view (P.V) and specialty services. (NGL, 1993b: 10-16) In assessing applications, the Commission announced that it would examine the merits of each proposal on the basis of different licensing criteria which included: the originality of the programming concept; financial viability; impact on existing licensees; Canadian content; revenue sources and; cable distribution arrangements. (NGL, 1993b: 10-17-18) Applications were to be filed with the regulator within a three-month period. (NGL, 1993b: 10-19)

Discussion

A review of developments in cable television policy-making during the 1990's suggests the relative autonomy of the CRTC can again be established. On the one hand, the Commission not only made policies that were favourable to the national banking community, the CBC and a number of industries, but

also to cultural nationalists and subordinate classes and groups. On the other, the regulator not only made policies that were unfavourable to cultural nationalists and subordinate social forces, but also to the national banking community, the CBC and various industries.

There were regulatory developments during the decade which were favourable to the national banking community. In 1993, for example, the CRTC decided that the implementation of universal addressability was an important public policy objective and that it was reasonable that cable subscribers bear some of the cost. This decision reduced the risk for creditors committing loans to cable operators compelled to upgrade system infrastructure, because it maintained the existing relationship and did not reduce operators to a state of total dependence. This was clearly in the interests of banks searching for a secure return on their investment.

There were few cable television policies formulated during the 1990's that could be considered to be directly favourable to the CBC. In 1993, the CRTC, at least, did not contemplate changes to the priority carriage policies and this was of benefit to the national public broadcaster. As during the previous decade, the private broadcasters again found few favourable results from the cable television policy-making that took place during this time with at least the priority carriage policy remaining the same.

There were several regulatory developments which took place during the 1990's that were favourable to cable operators. In 1990-91, for example, while the CRTC considered that its profitability benchmark was too high, the Commission reduced it only by one percentage point. Cable operators would still be eligible for authorized rate increases on the basis of economic need if they could demonstrate their return on NFA was below the Commission's benchmark over a seven-year period. The regulator also retained, at least temporarily, its partial-indexing fee increase method. While the provision was less flexible than it was previously, cable operators still were allowed to increase rates to recover capex costs. The economic need provision also remained available.

In the 1991 community programming policies, cable operators were not compelled to contribute ten percent of subscriber revenues to the community channel as was contemplated in 1975, but only to maintain expenditures at no less than the industry average of five percent. The CRTC also allowed cable operators to continue advertising, albeit in a very restricted way, on the community programming channels.

In 1993, the CRTC instituted a number of policies which were favourable to cable operators. The most favourable, however, was the its endorsement of universal addressability as a

public policy objective. This technology would allow cable operators to maintain the appeal of cable television services to subscribers and would put them in a stronger position vis-a-vis any potential foreign competition in the form of U.S. DBS. Significantly, the Commission also ruled it fair for cable subscribers to bear part of the implementation costs for DVC and universal addressability. Additionally, the regulator also lifted the sunset clause on capex increases for those operators who contributed to the Canadian program fund. The economic need mechanism still remained available.

In terms of the CRTC's carriage and distribution policies, the restriction on the number of American services on the List of Eligible Foreign Satellite Services was lifted, but cable operators were still restricted by priority carriage, tiering and linkage and Canadian predominance rules. Moreover, new duplicate U.S. television stations were authorized for cable system carriage on discretionary tiers.

Finally, the licensing of more specialty channels would again strengthen cable television's appeal among subscribers and its competitive position vis-a-vis new technologies such as DBS. Significantly, the private broadcaster's request for compensation from cable operators for the carriage of their signals was rejected. This regulatory decision was without question advantageous to the cable television industry.

Some cable television policies formulated during the decade were very favourable to the film and production industry.

In 1993, the CRTC argued that the CCTA's proposed production fund would not generate enough revenue for Canadian program production and, accordingly, designed its own scheme. The Commission estimated that its production fund would generate approximately \$300 million from cable operator contributions over five years. The fact that some film and television production industry representatives were relatively content with the CCTA proposal suggests this development was very positive. Additionally, the regulator's decision to license new specialty services was also favourable because it would generate new opportunities for the industry to produce programs.

Cultural nationalists also benefitted from cable television policy-making during the 1990's. Arguably, the Canadian program production fund was a recognition of the importance of the creative message and a concession despite the fact that some groups complained that it lacked sufficient funds. Equally debatable, was whether the decision to revoke the authorization of American satellite services on the Eligible Foreign Satellite Lists if they signed on for distribution by American DBS companies was favourable to nationalists. The change in the linkage ratio of American satellite services to Canadian specialty services from 2:1 to 1:1 was also positive for these interests.

Additionally, subordinate classes and groups also benefitted from the policies of this period. In 1991, the CRTC agreed with a NAPO proposal to change the partial indexing fee increase mechanism so that cable subscriber fees would be less expensive for lower-income Canadians. While the capex rate increases were still allowed, they were capped at a maximum of three percent of the monthly basic rate with a five year sunset clause. Additionally, the Commission ruled that cable operators would not be able to pass on copyright fees to subscribers as an eligible pass-through fee. This regulatory concession saved Canadian consumers \$50 million a year. In 1993, the partial indexing rate increase mechanism, which allowed for automatic increases in cable rates, was eliminated.

Regulatory developments in the 1990's again demonstrate that the CRTC was relatively autonomous, because it not only made policies that were favourable to the national banking community, the CBC and a number of industries, but also to cultural nationalists and subordinate classes and groups. Yet, events also confirm relative autonomy in another way. The Commission not only formulated policies that were unfavourable to cultural nationalists and subordinate social forces, but also to more powerful interests.

There were significant regulatory developments that took

place during the 1990's which were unfavourable to forces from below. In 1991, for example, the CRTC reduced the profitability benchmark by just one percent and left open the possibility for rate increases on the basis of economic need. In 1993, the Commission argued that it was reasonable for cable subscribers to bear up to half the cost for the roll-out of DVC and universal addressability. The regulator also lifted the sunset clause on capex-related increases for those cable operators who contributed to the Canadian production fund. Additionally, the regulatory agency lifted its restriction on the number of American services on the List of Eligible Foreign Satellite Services and ruled that new American stations could be authorized for carriage. These policies were clearly unfavourable to subordinate social forces.

Yet, there were also significant instances where considerably more powerful interests were left unsatisfied by the cable television policy-making of the 1990's. In its 1990 cable television policies, for example, the CRTC changed the partial indexing fee increase mechanism so that it was less generous to cable operators. In another decision which was unfavourable to the cable television industry, the Commission capped capex rate increases and introduced a five year sunset clause on them. The regulator also announced that cable operators could not pass on copyright fees to subscribers, a decision that eventually cost operators \$50 million a year.

In 1993, automatic annual increases in cable rates indexed top inflation were eliminated. Additionally, private broadcasters' request for a cable fee was denied.

CONCLUSION

In order to conclude whether or not Mahon's structuralist alternative could be empirically supported, the most critical task was to first determine if cable television regulators were relatively autonomous from the hegemonic fraction of the dominant class, other state interests, major fractions of capital and subordinate forces from below. In the 1950's, the relative autonomy of the DOT, the Board of Governors of the CBC and the BBG was not easily established because cable television was then only an emergent technology and a nascent industry. Regulation, the activity of various social forces and conflict in the communication sector of the economy had yet to materialize. This, however, was not the case in the decades that followed. From the 1960's to the 1990's, the relative autonomy of regulators was determined through an examination of the historical events in cable television policy-making

There were two major ways in which this was accomplished. The first was to argue that cable television regulators not only made policies that were favourable to the national banking community, the CBC and a number of different and powerful industries, but also to cultural nationalists and subordinate classes and groups. This line of argumentation demonstrated that various social forces were represented.

Conversely, the second strategy was to argue that they not only formulated policies that were disadvantageous to cultural nationalists and subordinate classes and groups, but to a number of more powerful interests. This reasoning demonstrated that the various social forces were regulated.

There are also, however, a number of other important tasks to complete in order to assess whether or not the structuralist alternative suggested by Mahon can be empirically supported. It is, for example, quite necessary to assess whether cable television regulators were created to mitigate a political threat to hegemony, that is, intra- and inter-class conflict over the means of communication. Specifically, it was not until 1964, when the BBG was officially delegated authority in cable television policy-making, that legislators officially recognized intra-class conflict over the means of communication. The delegation of this authority, albeit limited, was a recognition of intra-class conflict between conventional broadcasters, largely the private broadcasters, and cable operators. Notwithstanding, jurisdictional *legerdemain* cannot in fact be considered to constitute a comprehensive response to a political threat to hegemony. The CRTC, however, was created in order to mitigate a political threat to hegemony, specifically to manage a wider and potentially more harmful range of intra-and inter-class conflict. Regulation was not only necessary because of the disputes between conventional broadcasters, again primarily

the private broadcasters, and cable operators over audience fragmentation effects on advertising revenue. It was also necessary because the policies of the telephone companies had created a system of local monopolies for a distribution technology that dominated all others. Licensing procedures had to be seen as fair and impartial so that interests within the cable industry would accept Commission deliberations and, to a lesser extent, so would subordinate classes and groups. The management of conflict over these issues was crucial to the national banking community not only because it could seriously impinge on its capacity to accumulate capital, but also its ability to reproduce it. Regulation was made all the more important because of the ideological significance of the communications sector of the national economy and the fact that at the time the idea of public ownership of this sector was only recently abandoned

Additionally, it is critical to determine if cable television regulators represented and regulated the interests of various social forces in order to ensure the long-term political interest of the national banking community. The fact that regulators not only made policies which were favourable to the national banking community, the CBC and a number of industries, but also to cultural nationalists and subordinate classes and groups demonstrated that various social forces were represented. The fact that regulators not only formed policies that were disadvantageous to cultural nationalists

and subordinate and classes, but also to the national banking community, the CBC and different industries capital supported the claim that various social forces were regulated.

Regulatory policy, however, was a means to an end. In the 1960's, policies were formulated on cable system licensing, the integration of cable television into the broadcasting system, priority carriage, community channel programming, the cable rate structure, the prohibition of microwave technology and American channels. In the following decade, policies again addressed cable system licensing, the integration of cable television into the broadcasting system, community channel programming, priority carriage and American channels. But they also addressed such issues as the augmented channel service and the introduction of pay-TV. In the 1980's, policies were innovated for pay-TV and specialty services and tiering and linkage. Standard regulatory policies were refurbished. More recently, policies have addressed issues such as copyright fees, industry profitability, DVC and universal addressability, Canadian production and foreign DBS services. They have also revisited familiar issues including priority carriage, community channel programming, the cable rate structure, tiering and linkage and specialty services.

The principle reason that regulators both represented and regulated, however, was to manage and control conflict in an

important sector of the economy. This suggests regulatory policy was made in the long-term political interest of the national banking community. Besides the state, no other force in society had a greater interest in the management and control of conflict than the national banking community. This point is not polemic nor argumentative, but tangible: the national banking community has a tremendous stake in cable television policy-making in Canada because it has committed billions of dollars to the industry. Stability ensured that it could not only receive a secure return on its capital, but that the system of social relations it represented continued.

It is also important to note whether conflicts between the general rights of property and the future political interests of the national banking community were resolved in the national interest. This is, in fact, particularly true of a broadcasting system characterized by a finite number of channels and a superior distribution technology. Invariably, regulators resolved the economic conflicts between the CBC, a number of different industries, cultural nationalists and subordinate classes in the name of the national interest. They, however, believed that the national interest was firmly bound up with the success of the capitalist system. It is in this way that policies ostensibly promulgated for regulating the cable television industry were also circumscribed by the interests of the national banking community. As Raboy argued

in Missed Opportunities: The Story of Canada's Broadcasting Policy,

The historic importance of the state as a patron, organizer, and enabler of both the cultural and the technological aspects of communications systems in Canada is self-evident. State intervention has been a means to guarantee Canada's national sovereignty, as secure capital base for its entrepreneurs and financiers, and free expression and access to communications for various interest groups.

This multiple role has been made possible by an identification of the political function of the state with the 'defense of the public interest...'

This process tends to obscure the actual role of the state, as the promoter of particular private interests.. (Raboy, 1980: 336)

Regulators were not the captives of any one social force or set of forces, only a way of thinking about society in terms of its major structural requirements. A review of the major developments in cable television policy-making from at least the 1960's to the 1990's, suggests that Mahon's structuralist approach to regulatory agencies is empirically validated by an examination of the case study. Most importantly, however, the approach deepens our conceptual understanding of the way in which cable television policy has been made in Canada over the course of forty years.

FINAL THOUGHTS

Recently, in The Globe and Mail ('Broadcasting Regulation: is it obsolete?') CRTC Chair Mr. Spicer, who had earlier asked

whether new communication technologies would commit regulators to "the dustbin of history," contended that their role in society was still very relevant despite a number of environmental forces. In bringing his argument to a close, he declared:

It's not the Commission's job to ensure that one industry wins. While guaranteeing entrepreneurs a level playing field to seek healthy profits, we're here to make sure the consumer wins, the artist wins, and Canada wins. And that's why, for broadcast regulators, apocalypse is not now. (The Globe and Mail, June 8, 1993: A15)

Lamentably, Mr. Spicer missed the key point. While no one industry wins, it's a political system of unequal economic and social relations that wins.

The CRTC Chair, however, was right about one thing: the regulation of communication is about winning. Metaphorically, understanding communication regulation in Canada is like watching a high-stakes poker or roulette game in a big-city casino, having the same level of excitement, but with alot more money. Proprietors have convinced everyone that their casino is "the best game in town," will be commercially viable and professionally run. Besides, it will be good for the local economy and will create lots of jobs. They have selected a top-flight management team, the "best and the brightest," and have told everyone in the community to give them their support. Casino management, in turn, has put together a marvel of industry with all of the

accouterments: from red carpets and crystal chandeliers, to fine gaming tables and flashy one-arm bandits. They have installed all the amenities to which the best clients are accustomed and have provided standard services for the public at large. Management has also hired staff: a number of experienced and adept dealers; attentive and courteous bartenders and cocktail servers and; in the event that any problems arise, professional security.

Dealers, however, are especially important to the success of the casino. As a general rule, they must be seen to be fair and unbiased by all the players, but, in fact, they cannot be, because they must pay attention to their jobs. To both protect the investment the proprietors have made and stay open for business, casino management wants to see that the tables' very best customers receive prompt and courteous attention, that they win, and that they win enough times to keep playing their favourite games. If the dealers want to keep their jobs, they had better listen to what management is saying. So, in this way, the dealer might be polite to all customers and the doors be open to the general public, but not everyone has the same chance of winning. Repeat business is what matters.

Bartenders keep the top clientele satisfied because they are experts at reading the manuals of their craft and know how to mix the best drinks. Cocktail servers do their best to keep

the customers satisfied despite their low wages and long hours. Both bartenders and servers take their orders from casino management and the dealers. Security keeps out the activists who say that the casino is not always in the best interests of the community.

Players are required to know the establishment's history, in particular, the reputation of some of the dealers, retain a solid knowledge of their own personal finances and they must be skilled in the use of statistics. As always, experience is a must, but intuition is important too: not only do they need to know which games to bet on and how to play them, but just when to lay the right card. Presentation is nice, but no one ever won a jackpot on presentation. Winning streaks require good luck.

For the different interests involved in cable television policy-making, Ottawa is like Las Vegas or Atlantic City, only better. While everyone else has come and gone over the years, proprietorship has remained in the same hands, those of the national banking community. In contrast, however, casino management has changed occasionally over the years, alternating between Liberal and Conservative governments. Dealers, at least in one important section of the casino, have comprised a number of different institutions over the years. They have included among them the DOT, the BBG and, more recently, the CRTC. Bartenders, servers and security

have constituted the administrative and military apparatus of the Canadian state system.

Players have included the CBC, the private broadcasters, cable operators, the film and television production industry, cultural nationalists and subordinate classes and groups. As a general rule, special treatment has been given to a number of select customers who deserve mention: the CBC, private broadcasters; cable operators and; the film and television production industry. Some of them, such as the private broadcasters and cable operators, were originally ignored, even discouraged from staying too long. However, after their spending power was recognized, they became permanent fixtures. More recently another customer, the film and television production industry, has become quite popular. Only one, the CBC, has run out of money.

Other customers have included both cultural nationalists and subordinate classes and groups. Unlike the others, they have only made the trip to Ottawa when they could afford it. While they have never taken home a jackpot and they do not tend to win very much, they have won enough times to keep making the trip. Although they have always been politely welcomed, they never seem to be accorded the same treatment as the select clients. Sometimes, when they made a complaint or fuss, their voices were heard and changes were made. But, by and large, the casino operates the way it has always done:

open for business. Activists, however, remain activists. Stubbornly, they continue to disagree with the national banking community and the state that their system is always in the best interests of the nation as a whole. Regulators take heed: this system is not always the best game in town.

ENDNOTES

- 1 Discussion of Poulantzas' early work draws largely from Martin Carnoy's interpretations as found in his book The State and Political Theory.
- 2 Page numbers were unavailable for Stuart Halls' article "Nicos Poulantzas: State, Power, Socialism," published in the New Left Review (No. 119, 1980).
- 3 The review of the Miliband-Poulantzas debate is a re-working of an earlier 1987 paper submitted by the author for Political Science 47.413 (The Role of the State in Advanced Capitalist Society) entitled "The Miliband-Poulantzas Debate."
- 4 Page numbers were unavailable for Ralph Miliband's article "Reply to Poulantzas," published in the New Left Review (No. 59, 1970).
- 5 Discussion of Poulantzas' later work draws largely from Martin Carnoy's interpretations as found in his book The State and Political Theory.
- 6 Discussion of Mahon's approach toward regulatory agencies draws largely from her article "Regulatory Agencies: Captive Agents or Hegemonic Apparatuses," published in Studies in Political Economy (No. 1, Spring 1979).
- 7 The discussion of the early history of the cable television industry draws largely from the only available publication focusing on this era, Thirty Years in Cable TV: Reminiscences of a Pioneer, written by K.J. Easton.
- 8 The National Community Antenna Television Association of Canada (NCATA) was subsequently renamed the National Cable Television Association of Canada (NCTA) and, finally, the Canadian Cable Television Association (CCTA).
- 9 The Canadian Radio and Television Commission was renamed the Canadian Radio-television and Telecommunications Commission in 1975.
- 10 Discussion of the 1993 CRTC cable television policies draws largely from two handbooks prepared by NGL Consulting Ltd. (Nordicity): CRTC Structural Hearing Briefing Book [1993a] and Specialty-TV Services: A Tool Kit [1993b]. The former did not contain page numbers.

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APPENDIX A
LIST OF PHASE I (DECEMBER 4, 1992) SUBMISSIONS IN
RESPONSE TO CRTC NOTICE OF PUBLIC HEARING 1992-13

ABRAMS, GARY	106	ASSOCIATION FRANCO-YUKONNAISE	426
ACER, DONALD	169	ASSOCIATION NATIONALE DES	300
AFFORD, DAVID M. & FAMILY	173	TELESPECTATEURS ET TELESPECTATRICES	
AGENT ORANGE - CINE QUA NON FILMS -	205	ASSOCIATION OF CANADIAN ORCHESTRAS/	192
ALTEPWA		ASSOCIATION DES ORCHESTRES CANADIENS	
AGT LIMITED	381	ASSOCIATION OF TELEVISION PRODUCERS AND	376
AIKEN, J.D.	239	DIRECTORS (TORONTO)	
ALLEN, IVAN J.	177	AUDY, J. GEORGE	146
ALLIANCE COMMUNICATIONS	363	EVERY, BOB	32
ALLIANCE FOR CHILDREN AND TELEVISION,	333	AXLERODD, M.J.	64
THE/L'ALLIANCE POUR L'ENFANT ET LA		AVOTTE, CLAUDE L.	41
TELEVISION		BASFF CENTRE FOR THE ARTS, THE	256
ALLIANCE FRANCOPHONE FOUR 14	428	BAYCLAY, ROBERT	206
RADIOTELEVISION PUBLIQUE		BAYON BROADCASTING INCORPORATED	317
ALLIANCE OF CANADIAN CINEMA, TELEVISION	309	BATTLEFORDS COMMUNITY CABLEVISION	193
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ALMER, SYEN G.P.	383	BECK, PEG	614
ALMUELL, KEVIN O.	74	BERNZ, HERBERT R.	417
ANDERSON, E.V.	126	BLACK ENTERTAINMENT TELEVISION	265
ANGER, RORY E.	106	BLUM, S.L. & STOCKTON, SHEILA	45
ARGCO SATELLITE	243	BOOTH, ART	113
ASSOCIATION CANADIENNE-FRANCAISE DE	185	BOUVIER, ROBERT	83
L'ALBERTA		BOWMAN, J.B.	403
ASSOCIATION COOPERATIVE D'ECONOMIE	194	BOYCE, B.L.	71
FAMILIALS (ACEP) DE TESTEED MINES		BRADY, P.T.	34
ASSOCIATION DES CABLEDISTRIBUTEURS DU	397	BRITISH COLUMBIA ASSOCIATION OF	267
QUEBEC INC.		BROADCASTERS (BCAB)	
ASSOCIATION DES PRODUCTEURS DE FILMS ET	207	BRITISH COLUMBIA PUBLIC INTEREST	360
DE TELEVISION DU QUEBEC		ADVOCACY CENTRE, THE	
ASSOCIATION DES TECHNICIENS DE	297	BROADCASTERS ASSOCIATION OF MANITOBA	387
TELE-METROPOLE		BROWATZEN, L. & NAVIS	174
ASSOCIATION 46 CANADIAN ADVERTISERS	291	BROWN, WILFRED	402
INCORPORATED/ASSOCIATION CANADIENNE DES		BULLEN, CAROLE	47
ANNONCEURS INCORPOREE		BURCHILL, JACK	408
ASSOCIATION FOR TELE-EDUCATION IN CANADA	298	BURNIB, W.A.	10
/ASSOCIATION DES TELEDIFFUSEURS		BURNFORTH, W.A.	43
EDUCATIFS DU CANADA (ATEC)		BURSA, GEORGE	61
		BURTON, ROSS	379
		CABLE TELEVISION ASSOCIATION OF ALBERTA	352
		CABLE TV WYASKIVIN INC.	351
		CALLEGARI, ART	123
		CANTOGB, STEPHEN C.	81
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CANADIAN ASSOCIATION OF BROADCASTERS, THE /L'ASSOCIATION CANADIENNE DES RADIODIFFUSEURS	332	CANADIAN RECORDING INDUSTRY ASSOCIATION/ L'ASSOCIATION DE L'INDUSTRIE CANADIENNE DE L'ENREGISTREMENT	231
CANADIAN ASSOCIATION OF FINE ARTS DEANS (CAFAD)/ASSOCIATION CANADIENNE DE DOYENS DES ARTS (ACDA)	270	CANADIAN SATELLITE USERS ASSOCIATION/ L'ASSOCIATION CANADIENNE DES UTILISATEURS DE SATELLITES (CSUA)	252
CANADIAN ASSOCIATION OF PROFESSIONAL DANCE ORGANIZATIONS (CAPDO)	268	CANADIAN TEACHERS' FEDERATION/FEDERATION CANADIENNE DES ENSEIGNANTES ET DES ENSEIGNANTS (CTF/FEC)	350
CANADIAN ASSOCIATION OF SMALL CABLE OPERATORS (CASCO)	329	CANADIAN UNION OF PUBLIC EMPLOYEES/ SYNDICAT CANADIEN DE LA FONCTION PUBLIQUE	375
CANADIAN ASSOCIATION OF THE DEAF, THE CANADIAN BROADCASTING CORPORATION/ SOCIETE RADIO-CANADA	26 323	CANADIAN WOMEN'S RIGHTS ORGANIZATION (C.W.R.O.)/ORGANIZATION POUR LES DROITS DES TELESPECTATEURS CANADIENS (O.D.T.C.)	307
CANADIAN CABLE TELEVISION ASSOCIATION/ ASSOCIATION CANADIENNE DE TELEVISION PAR CABLE	333	CANCON, CANADIAN SATELLITE COMMUNICATIONS INC.	355
CANADIAN CONFERENCE OF THE ARTS/ CONFERENCE CANADIENNE DES ARTS	251	CANVEST GLOBAL COMMUNICATIONS CORP.	293
CANADIAN DAILY NEWSPAPER ASSOCIATION/ ASSOCIATION CANADIENNE DES QUOTIDIENS	220	CAP COMMUNICATIONS	271
CANADIAN DIRECT MARKETING ASSOCIATION/ ASSOCIATION CANADIENNE DU MARKETING DIRECT	368	CAR, RUDOLPH	52
CANADIAN ETHNOCULTURAL COUNCIL/CONSEIL ETHNOCULTUREL DU CANADA	208	CARUSO, WAYNE	25
CANADIAN FILM AND TELEVISION PRODUCTION ASSOCIATION/ASSOCIATION CANADIENNE DE PRODUCTION DE FILM ET TELEVISION (CFTPA)	372	CENTRAL CANADA BROADCASTERS' ASSOCIATION CFCF INC.	321 350
CANADIAN HOME SHOPPING NETWORK (CHSN) LTD.	279	CFTM-TV	204
CANADIAN INDEPENDENT FILM CAUCUS/LE CAUCUS CANADIEN DU CINEMA ET DE LA VIDEO INDEPENDANT	283	CHAMPAGNE, C.	57
CANADIAN INDEPENDENT RECORD PRODUCTION ASSOCIATION (CIRPA)	223	CHASSON, RUFIN	94
CANADIAN INSTITUTE FOR ADVANCED RESEARCH /L'INSTITUT CANADIEN DE RECHERCHES AVANCEES	374	CHILMAN, JACQUELINE	21
CANADIAN MEDIA DIRECTORS' COUNCIL	356	CHUM LIMITED	240
CANADIAN MULTILINGUAL PRESS FEDERATION/ FEDERATION CANADIENNE DE LA PRESSE MULTILINGUE (CMFP)	369	CLASSICOM - CLASSIC COMMUNICATIONS LTD.	264
		CLOTHIER, JACK & 5 SIGNATOIRES/ SIGNATAIRES	145
		CNC	197
		CNBC INC.	320
		COBEAN, ARBY	631
		COGECO INC.	266
		COLLISON, GEORGE	35
		CONOR, EDWARD A.	213
		CONSEIL DES DIRECTEURS MEDIAS DU QUEBEC INC., LE	366
		CONSEIL DES USAGERS DES MEDIAS DE LA SAGAMIS	200

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LA FONCTION PUBLIQUE (MONTREAL)		SIGNATORIES/SIGNATAIRES	
CONSORTIUM DE TELEVISION QUEBEC CANADA	398	FEDERATION DE LA JEUNESSE CANADIENNE-	272
(TV5)		FRANCAISE INC.	
CONSUMERS' ASSOCIATION OF CANADA/	361	FEDERATION DES COMMUNAUTES FRANCOPHONES	281
ASSOCIATION DES CONSOMMATEURS DU CANADA		ET ACADIENNE DU CANADA	
COTTENIE, BRYAN	436	FEDERATION NATIONALE DES COMMUNICATIONS	271
COX, JOAN & OWEN	171	(FNC/CSN)	
CPA TORONTO	286	FERGUSON, EILEEN	75
CRAIC BROADCAST SYSTEMS INC.	353	FERGUSON, KIRK	18
CROSS, ELMER	310	FINDLAY, KEN	435
CROSS, JOHN & ELAINE	119	FIRST CHOICE CANADIAN COMMUNICATIONS	219
CRUTSHANK, R.J.	405	CORPORATION/PREMIER CHOIX: TVC INC.	
CTV TELEVISION NETWORK LTD.	360	& VIEWER'S CHOICE CANADA	
CUC BROADCASTING LIMITED	341	FITZGERALD, G.L.	209
DAHL, PETER	134	FRANCIS, RON	244
DAIGLE, IRVING	120	FRIENDS OF CANADIAN BROADCASTING	306
DANNY BARTLETT INSUFANCE	23	FUTURE VISION COMMUNICATIONS	130
DAVID LATCHMAN PRODUCTIONS INC.	273	GALLAGHER, GEORGE	38
DAVIDSON, GEORGE	7	GALLAGHER, S.W.	24
DAVIDSON, RONALD J.	85	GANZE CHANNEL INC. ("TGC")	371
DAVIS, M.M.	67	GENTRY, CLARENCE & VIOLET	233
DAYNA COMMUNICATIONS CANADA INC.	420	GERDES, GORDON	266
DEIVECCHIO, ILEN	155	GEREARDT, LEON & BARBARA	99
DEMOCRACY CHANNEL INC., THE	308	GERMAN DIARY TV INC./CHRONIQUE	225
DEYONG, RON & BETH	88	ALLENHANS TV INC.	
DIBB, DAVID	156	GOLIN, JAMES H.	411
DINDALE COMMUNICATIONS CORPORATION	242	GOODWIN, MARY	434
DIRECTORS GUILD OF CANADA/LA GUILDE	276	GRANT, NORMAN & THELMA	39
CANADIENNE DES REALISATEURS		GREEK, RONALD	114
DIXON, MARTIN J.	229	GRIFFIN, MURRAY	183
DODDRIDGE, PHILIP	12	GUIVIERA, PETE R.	154
DOMAN, JOSEPHINE	299	HALLAM, L.	11
DONDANEAU, NORM	58	HAMPTON, LUCILLE	179
DORN, PAUL	144	HANKIN, GORDON E.	406
DREPKS, MILDRED	102	HANNAFORD, JAMES & BARBARA	100
DRESHINSKI, VANDA R.	161	HANNAN, C.V.	191
DUMMEBAUF, HANS	121	HARDER, J.	87
DUNPHY, SPENDA	159	HARVEY'S HOME CENTRE	416
DUQUETTE, NORM J.	427	HAYES, LEN	60
DYBISH, ANN & JERRY	37	HENSON, CLYDE & FAMILY	144
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HONS SATELLITE SYSTEMS	132	LEFEBVRE, CAROL P.	125
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HOUSTON, J.W. & JACKLYN	178	LEWIS-BULLOCK, KATHY	412
HUGHES, KEN M.P./DEPUTE	423	LIFESTYLE TELEVISION INC.	274
HUIZENGA, RYAN & RENEE	5	LIFETIME TELEVISION	324
HUNTER, ALEX	53	LORETTA, JOE	36
HUTCHESON, R.S.	256	LOVELESS, CHUCK	401
IACocca, TED	248	LYCETT, JANET	266
IMAGE CABLE SYSTEMS LTD.	278	LYMAN R. SPEAR ENTERPRISES LTD.	366
INDEPENDENT FILM AND VIDEO ALLIANCE DE	268	LYONS, JOHN	664
LA VIDEO ET DU CINEMA INDEPENDANT		LAROCQUE, MICHAEL R.	140
INGRAM-BRYAN, J.M.	215	M.V. SATELLITE SYSTEMS	84
INSTITUT CANADIEN D'EDUCATION DES	366	MACACKNEY, BRIAN	127
ADULTES		MACDONALD, EARL H.	93
INSTITUTE OF CANADIAN ADVERTISING	230	MACKINNON, D.W. MR. & MRS.	432
INTERCHURCH COMMUNICATIONS	238	MACLEAN HUNTER BROADCASTING	328
INTERLAKE CABLE T.V. LTD. & VALLEY CABLE	260	MACLEAN HUNTER CABLE TV	214
VISION LIMITED		MACLEOD, GORDON H.	195
IRVING, BRUCE MR. & MRS.	433	MALLORY, LORNA	9
JACKSON, BOB	245	MAN, PETER	357
JAMISON, RICKY	176	MANITOBA CABLE TELEVISION ASSOCIATION	258
JANESSENS, ANN	77	MANITOBA, GOVERNMENT OF	326
JERROLD COMMUNICATIONS	327	(TELECOMMUNICATIONS POLICY OFFICE)	
JLL BROADCAST GROUP	302	MARSHALL, LUTIA S.	156
JODERASH, GEORGE	96	MARWICK, JAMES	421
JOHNSON, DOROTHY	337	MASLIN, GRAHAM J.	92
JORMETON, ROSS	66	MATHEW, ELAINE	169
JORDISON, M.	163	MEDIASTATS INC.	313
JVR ELECTRONICS INC.	43	METROMEDIA INC.	359
KANTYKIR, DOUG	66	NICHALSKY, WALT	1
KARDILL, CARMEN	334	NICHOL, CLARENCE	342
KAYE, L.	429	HILLER, GLORIA	135
KING, BRIAN	362	HILLER, R.L.	149
KIRBY, L.	175	HILLS, IAN	189
KIRKLAND, PAT	27	HITCHELL, E.A.	13
KNOWLES, PETER	413	HITREVIC, S.	112
KOSCH, JAMES	169	MOBILE SATELLITE DISH SERVICES	63
L'OPERA DE MONTREAL	186	KORRICK, C.F.	70
LAIRD, E.A.	399	KORARCH BROADCASTING LTD.	363
LANG, G.A., MR. & MRS.	6	KORTHEIT, JANEY L.	133
LANGLOIS, CHRISTIAN	382	MOORE, J.A.	234
LAPORTE, T.	62	MORI, DEBBIE	377
LASKIN REAL ESTATE LIMITED	141	MOSEER, BRUCE	128

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NOBLEY, RONALD A.	117	PAUL FLABER OPTICAL INC.	3
MOUNTAIN CALTEVISION LTD.	400	PEX BORDER CONSORTIUM	292
MURRAY, M.J.	69	PEDERSEN, HANS K.	64
MUSIC COPYRIGHT ACTION GROUP/GRUPPE	52	PELMOREX COMMUNICATIONS INC.	290
ACTION MUSIQUE POUR LE DROIT D'AUTEUR		PENWILL, EDWARD	76
MUSIQUEPLUS INC.	359	PERRY, BRIAN H.	59
MYRA, LEO	407	PETERS MANAGEMENT LTD.	202
McEACHERN, BERNICE	143	PIGEON, BRUCE	199
McBAIN, E.L.	29	PIECHA, WOLFE	164
McDONALD, TCM	15	PILLAS, RON	182
McRAY, THEPESA	112	POTHIER, CLAUDE A.	66
McLEAN, ROWAN	81	POWER BROADCASTING INC.	349
MABET, NATIONAL ASSOCIATION OF BROADCAST	378	PRENDERGAST, PATRICIA K.	48
EMPLOYEES & TECHNICIAN		PRETZER, DANA	33
NATIONAL ARTS CENTRE/CENTRE NATIONAL DES	127	PRIMEDIA PRODUCTIONS LIMITED	256
ARTS		PROFESSIONAL ASSOCIATION OF CANADIAN	345
NATIONAL ASSOCIATION OF CANADIAN FILM &	282	THEATERS (PACT)	
VIDEO DISTRIBUTORS, THE		PROGRAM SOURCE INC.	226
NATIONAL FILM BOARD OF CANADA/OFFICE	318	PROUSSE PLACE LTD.	247
NATIONAL DU FILM DU CANADA		QUEBEC, GOUVERNEMENT DU	269
NELSON, LLOYD O. MR. & MRS.	255	(MINISTRE DES COMMUNICATIONS)	
NELSON, MIKE	111	QUEZNEL, E.S.	139
NEVESHERY, GEORG	165	RADIO BORD INC.	353
NEW BRUNSWICK BROADCASTING CO. LIMITED	228	RADIO-QUEBEC, SOCIETE DE RADIO	315
NEWFOUNDLAND & LABRADOR INDUSTRY TRADE	365	TELEVISION DU QUEBEC	
AND TECHNOLOGY		RADIOUTUEL INC./TELEMEDIA	391
NORTHERN CABLEVISION LTD.	368	COMMUNICATIONS INC.	
NORTHERN SPORT NETWORK INC.	224	RARS, YVETTE L.	40
NORTHEAST RESEARCH AND CONSULTING INC.	373	RALPH C. ELLIS ENTERPRISES LIMITED	365
NOVA SCOTIA DEPARTMENT OF TRANSPORTATION	227	RANSAY, DAVID	425
AND COMMUNICATIONS (COMMUNICATIONS		RANCOURT, LAURIS	338
POLICY DIVISION)		REDWOOD, LINDA	73
NOGENT, JEANNE & DALE	93	REGROUPEMENT DES CINQ SERVICES	254
O'BRIEN, S.	211	SPECIALISES FRANCOPHONES	
O'BRIEN, STANLEY E. & 23 SIGNATORIES/	235	REGROUPEMENT DES PROFESSIONNELS DE LA	275
SIGNATAIRES		DANCE DU QUEBEC	
ONTARIO CABLE TELECOMMUNICATIONS	438	REGROUPEMENT DES TELEVISIONS	325
ASSOCIATION (OCTA)		COMMUNAUTAIRES ET LOCALES DU QUEBEC	
ONTARIO GOVERNMENT, MINISTRY OF CULTURE	236	REGROUPEMENT QUEBECOIS POUR LE	222
AND COMMUNICATIONS/MINISTRE DE LA		SOUS-TITRAGE INC.	
CULTURE ET DES COMMUNICATIONS		RENAULT, OSCAR	26
ORR, WILLIAM & DOREEN	415	ROMBUS MEDIA INC.	168
PACER, LORNA	210	RICHARDSON, HARRY	142

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RODENHISER, KENNETH	148	STENAD, ROBERT W.	196
ROGERS CABLESYSTEMS LIMITED	340	STROCON CABLEVISION INC.	226
ROORE, P.J.	160	STREUTHMANN, GEORGE H.	93
ROSE, RICHARD	124	SUTAR, LARRY	69
RUGGLES, STERLING R.	162	SWINTON, JAMES A.	58
RUSKIN, DAVID	329	SWITZER, ISRAEL	212
SALLOON, SARY P.	358	TCI HOME ENTERTAINMENT	322
SAPIELAN, HENRY	396	TELE-METROPOLE INC.	304
SASRATCHEWAN HIGHWAYS AND TRANSPORTATION	201	TELEFILM CANADA	392
SATELLITE COMMUNICATIONS ASSOCIATION OF	285	TELEFILING NETWORK INC.	316
CANADA/ASSOCIATION CANADIENNE DE LA		TELESAT CANADA	318
TELECOMMUNICATION PAR SATELLITE (SCAC)		TELEVISION NORTHERN CANADA	619
SATELLITE CONNECTION	237	THUNDER BAY ELECTRONICS LIMITED	320
SCFP-PTQ, LES PORTE-PAROLE DE LA	253	TORONTO DOMINION SECURITIES INC.	265
TELEVISION DU CONSEIL PROVINCIAL DU		TREMBLAY, GASTON & TACROIX, JEAN-GUY	266
SECTEUR DES COMMUNICATIONS		TRESIDDER, W.	17
SCHAFER, CATHY	161	TUMBER, BETTY	42
SCHMIDT, WILLARD	385	TURNER BROADCASTING SYSTEM	262
SEIDEL, SYLVIA	208	TVONTARIO	331
SEAN CABLESYSTEMS LTD.	312	UNG CABLE TELECOMMUNICATIONS INC.	366
SEAN, KATHLEEN E.	8	UNION DES ARTISTES	295
SHEPHERD, E. MR. & MRS.	610	VAN BUSSEL, ANNE-EMILIE	101
SHERRETO, DANIEL	138	VAN DONSELAAR, RYK	152
SHERKINGTON, BOB	450	VANHEIL, K.	131
SHIGETA, J.S.	20	VAVASSORI, D.	28
SINCLAIR, CARL	104	VIDEOTRON LTER	287
SKY WEST ENTERTAINMENT INC.	310	VISION/TV	257
SMALL COMMUNITY TV INC.	424	VOGT, HANS & IRMA	31
SMITH, DESMOND	219	VOICE PRINT	367
SMITH, E.H.	46	VOLTAN, ED	259
SMITH, KENNETH S.	384	VOOTS, DALE	335
SMITH, WAYNE	437	VOOYS, DENNIS	190
SOLAR SYSTEM, SATELLITE TELEVISION, THE	4	VOOYS, G.R.	609
SOUTHAM INC.	261	VRADILL, D.L.	172
SPENCER, D.B.	24	WADDELL, IAN M.P./DEPUTE	363
SPRATT, RON, MR. & MRS.	56	WAKELING, KEN	51
ST-CYR, ORIL	103	WALKER, JOAN & CHARLES	107
STENGEL, WILLIAM	83	WALKER, WILLIAM	122
STENTOR TELECOM POLICY INC.	311	WALSH, ANTHONY MICHAEL	184
STEPHEN, ROGER	150	WALSH, BRENDAN	105
STEVENS, GARY & FAMILY	115	WASHBURN, IRENE	158
STIGLER, J., MR. & MRS.	30	WATKINS, JANEY H.	97
STRANTZ, JOSEPH	55	WATTS, RICHARD H.	422

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WHITE, KENNETH J.	217
WIC WESTERN INTERNATIONAL COMMUNICATIONS LTD.	333
WICKENS, WILLIAM & DOREEN	95
WILLIAMS, EDITH M.	151
WILSONS TELEVISION INCORPORATED	296
WOLSTEDT, PAT	394
WORLD IN SATELLITE EVERYWHERE (WISE)	241
WOOD, MARION	16
WOOD, RUSSELL	241
WORSLEY, RAY	157
YEE, ANGELA	395
YOUNG, W.T.	123
YTV CANADA INC.	254

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ABOUT FACE/ABOUT FRANK	1240	BATTLEFORDS COMMUNITY CABLEVISION	1012
ADISQ, ASSOCIATION QUÉBÉCOISE DE L'INDUSTRIE DU DISQUE, DU SPECTACLE ET DE LA VIDEO	1232	BAY OF ISLANDS MINISTERIAL ASSOCIATION	1163
AJAX, TOWN OF	1095	BEDARD, MICHEL	1221
AJAX, TOWN OF (RECREATION DEPARTMENT)	1183	BEER, CHARLES MP/DEPUTE	1021
ALLIANCE COMMUNICATIONS CORPORATION	1193	BETTER BUSINESS BUREAU OF SASR. INC.	1000
ALLIANCE FOR CHILDREN AND TELEVISION, THE/L'ALLIANCE POUR L'ENFANT ET LA TELEVISION	1037	BIBLIOTHEQUE REGIONALE SAINT JOHN REGIONAL LIBRARY	1010
ALLIANCE OF CANADIAN CINEMA, TELEVISION AND RADIO ARTISTS (ACTRA)	1202	BJARNASON, CAROLYN	1090
ARCHDIOCESE OF REGINA	1006	BLACKWELL, MARY	1061
ARTS & ENTERTAINMENT NETWORK	1147	BOARD OF EDUCATION FOR THE CITY OF WINDSOR, THE	1133
ASHFORD, TERRY	1101	BRANTFORD REGIONAL CHAMBER OF COMMERCE	1159
ASSOCIATION COOPERATRICE D'ECONOMIE FAMILIALE DE THETFORD MINES	1231	BRITISH COLUMBIA, GOVERNMENT OF	1228
ASSOCIATION DES CABLODISTRIBUTEURS DU QUEBEC INC.	1192	MINISTRY OF ECONOMIC DEVELOPMENT, SMALL BUSINESS AND TRADE	
ASSOCIATION DES PRODUCTEURS DE FILMS ET DE TELEVISION DU QUEBEC	1081	BUREAU DE CONSULTATION DE MONTREAL	1075
ASSOCIATION DES REALISATEURS DE TELE-METROPOLE	1136	BURLEY, JACK	1016
ASSOCIATION FOR TELE-EDUCATION IN CANADA /ASSOCIATION DES TELEDIFFUSEURS EDUCATIFS DU CANADA	1227	CABE TV WETASKIWIN INC.	1051
ATKINSON, JOE	1082	CALLAHAN, BOB MPP/DEPUTE	1251
ATLANTIC PROVINCES CHAMBER OF COMMERCE/ CHAMBRE DE COMMERCE DES PROVINCES DE L'ATLANTIQUE	1186	CAMBRIDGE CHAMBER OF COMMERCE	1054
ATLANTIS FILMS LIMITED	1205	CAMPBELL, JOHN CULLEN	1087
ATTWELL, BILL, M.P./DEPUTE	1024	CAMPION COLLEGE	1025
AUVIDEC INC.	1253	CAMPUS RADIO SAINT JOHN	1190
BALLANTYNE, JEAN & AL & FAMILY	1119	CANADA'S COUNTRY MUSIC CHANNEL	1216
BAYON BROADCASTING INCORPORATED	1169	CANADIAN ACTORS' EQUITY ASSOCIATION	1250
		CANADIAN ARTS PRESENTERS ASSOCIATION/ L'ASSOCIATION CANADIENNE DES ORGANISMES ARTISTIQUES (CAPACOA)	1033
		CANADIAN ASSOCIATION OF BROADCASTERS, THE/L'ASSOCIATION CANADIENNE DES RADIODIFFUSEURS (TELEVISION)	1171
		CANADIAN ASSOCIATION OF BROADCASTERS, THE/L'ASSOCIATION CANADIENNE DES RADIODIFFUSEURS (RADIO)	1172
		CANADIAN ASSOCIATION OF CAPTIONING CONSUMERS' (CACC)	1259
		CANADIAN ASSOCIATION OF FINE ARTS DEANS (CAPAD) ASSOCIATION CANADIENNE DES DOYENS DES ARTS (ACDA)	1022
		CANADIAN ASSOCIATION OF SMALL CABLE OPERATORS (CASCO)	1185
		CANADIAN BROADCASTING CORPORATION/ SOCIETE RADIO-CANADA	1208
		CANADIAN CABLE TELEVISION ASSOCIATION/ ASSOCIATION CANADIENNE DE TELEVISION PAR CABLE	1173

Source: CRTC, 1993.

APPENDIX A
LIST OF PHASE II (FEBRUARY 5, 1993) SUBMISSIONS IN
RESPONSE TO CRTC NOTICE OF PUBLIC HEARING 1992-13
CONT'D

CANADIAN CONFERENCE OF THE ARTS/ CONFERENCE CANADIENNE DES ARTS	1109	CON-CABLE	1257
CANADIAN DIRECT MARKETING ASSOCIATION/ ASSOCIATION CANADIENNE DU MARKETING DIRECT	1110	COMEDY CENTRAL	1214
CANADIAN ETHNOCULTURAL COUNCIL/CONSEIL ETHNOCULTUREL DU CANADA	1151	COMMUNICATIONS, ENERGY AND PAPERWORKERS UNION OF CANADA/SYNDICAT CANADIEN DES COMMUNICATIONS DE L'ENERGIE ET DU PAPIER	1180
CANADIAN FILM AND TELEVISION PRODUCTION ASSOCIATION/ASSOCIATION CANADIENNE DE PRODUCTION DE FILM ET TELEVISION (CPTPA)	1237	CONVEZI, JOE	1100
CANADIAN HOME & SCHOOL AND PARENT- TEACHER FEDERATION	1099	CONSEIL PROVINCIAL DU SECTEUR DES COMMUNICATIONS (CARLODISTRIBUTION)	1097
CANADIAN HOME SHOPPING NETWORK (CHSK) LTD.	1194	CONSEIL PROVINCIAL DU SECTEUR DES COMMUNICATIONS (RADIO)	1098
CANADIAN INDEPENDENT FILM CAUCUS/LE CAUCUS CANADIEN DU CINEMA ET DE LA VIDEO INDEPENDANT	1261	CONSORTIUM DE TELEVISION QUEBEC CANADA INC. (TV5)	1148
CANADIAN LABOUR CONGRESS/CONGRES DU TRAVAIL DU CANADA	1199	CONTRACT CABLE LTD.	1145
CANADIAN NATIONAL INSTITUTE FOR THE BLIND, THE	1068	CORNIER PRODUCTIONS	1268
CANADIAN NATIVE ARTS FOUNDATION	1114	COUNTRY MUSIC TELEVISION	1157
CANADIAN UNION OF PUBLIC EMPLOYEES/ SYNDICAT CANADIEN DE LA FONCTION PUBLIQUE	1175	COUSENS, W. DONALD MPP/DEPUTY	1029
CANADIAN VIEWER'S RIGHTS ORGANIZATION (C.V.R.O.)/ORGANIZATION POUR LES DROITS DES TELESPECTATEURS CANADIENS (O.D.T.C.)	1106	CTV TELEVISION NETWORK LTD.	1239
CANCON, CANADIAN SATELLITE COMMUNICATIONS INC.	1174	CUC BROADCASTING LIMITED	1244
CANVEST GLOBAL COMMUNICATIONS CORP.	1107	DARTMOUTH CHAMBER OF COMMERCE	1141
CAP'S BICYCLE STORES LTD.	1093	DARTMOUTH, CITY OF	1138
CBEU, CANADIAN BROADCAST EMPLOYEES UNION /SCRT, SYNDICAT CANADIEN DE LA RADIO ET DE LA TELEVISION	1176	DAVID LATCHMAN PRODUCTIONS INC.	1236
CENTRAL CANADA BROADCASTERS' ASSOCIATION	1152	DIocese OF QU'APPELLE	1049
CENTRAL NEWFOUNDLAND REGIONAL COLLEGE	1065	DIRECTORS GUILD OF CANADA/LA GUILDE CANADIENNE DES REALISATEURS	1156
CPCF INC.	1243	DIRECTV, INC.	1182
CHANGING CONCEPTS OF TIME	1258	DONOVAN, ANITA	1058
CHFD-TV & CKPR-TV ADVISORY COUNCILS	1038	DOWNTOWN ORILLIA MANAGEMENT BOARD	1066
CHUM LIMITED	1048	DUNVILLE, S. FORREST	1154
CLARK, R.S.	1219	DURNAN REGIONAL POLICE SERVICE	1055
COGECO INC.	1198	ECONOMIC RECOVERY COMMISSION	1045
COLLEGIATE AND VOCATIONAL INSTITUTE, THE	1039	NEWFOUNDLAND & LABRADOR	
		EDUCATIONAL CHANNEL NETWORK	1053
		EMPLOYMENT AND IMMIGRATION CANADA/ EMPLOI ET IMMIGRATION CANADA	1013
		EXPLOITS VALLEY INTEGRATED SCHOOL BOARD	1073
		FAMILY "Y", THE	1122
		FEDERATION DE LA JEUNESSE CANADIENNE- FRANCAISE	1127
		FEDERATION DES COMMUNAUTES FRANCOPHONES ET ACADIENNES DU CANADA	1277
		FEDERATION NATIONALE DES COMMUNICATIONS (FNC-CEN)	1067
		FIRST CHOICE CANADIAN COMMUNICATIONS CORPORATION/PREMIER CHOIX-TVBC INC./ VIEWER'S CHOICE CANADA	1123

Source: CRTC, 1993.

APPENDIX A
LIST OF PHASE II (FEBRUARY 5, 1993) SUBMISSIONS IN
RESPONSE TO CRTC NOTICE OF PUBLIC HEARING 1992-13
CONT'D

FLYNN, C. DENNIS	1118	MANITOBA INTERCULTURAL COUNCIL/CONSEIL	1064
FRIENDS OF CANADIAN BROADCASTING	1088	INTERCULTUREL DU MANITOBA	
FRIENDS OF ST. JOSEPH'S HOSPITAL	1270	MANITOBA SATELLITE NETWORK (MSN)	1149
FUNDY CABLE LTD./LTÉE	1246	MARKHAM BOARD OF TRADE, THE	1015
GAMBLE, NORMA	1204	MASS COMMUNICATIONS STUDENT FEDERATION	1209
GAMES CHANNEL INC., THE	1215	MEDWELL, J.	1112
GANDER, THE CITY OF	1218	MEYER, D.	1102
GREATER SAINT JOHN COMMUNITY CABLEVISION	1077	MELLA, PATRICIA	1249
COUNCIL INC.		MEMORIAL UNIVERSITY OF NEWFOUNDLAND	1009
GREY-BRUCE TOURIST ASSOCIATION	1120	METROMEDIA INC.	1220
HAMILTON, REG	1072	NICHOL, CLARENCE	1255
HARRIS, MICHAEL D. MPP/DEPUTE	1264	MIDDLESMAN, R.J.	1267
HIND, REGINALD V.	1047	MINOR, VAUGHAN	1163
HOBBY CORNER SATELLITE	1074	MONARCH BROADCASTING LTD.	1238
HOLTMAN, FELIX MP/DEPUTE	1124	MOSS, CLIFF	1252
HONE THEATRE	1262	MTV NETWORKS	1229
INDEPENDENT FILM AND VIDEO ALLIANCE DE	1183	MURDOCH, BILL M.P.P./DEPUTE	1113
LA VIDEO ET DU CINEMA INDEPENDENT		MURPHY, TERRY	1062
INDUSTRY/GOVERNMENT WORKING GROUP ON	1185	MUSIQUEPLUS INC.	1197
DESCRIPTIVE VIDEO		NATIONAL ARTS CENTRE/CENTRE NATIONAL	1234
INSTITUT CANADIEN D'EDUCATION DES	1248	DES ARTS	
ADULTES		NATIONAL ASSOCIATION OF CANADIAN FILM	1233
ISLAND CABLEVISION LTD.	1004	AND VIDEO DISTRIBUTORS	
JAPAN NETWORK GROUP	1146	NATIONAL FILM BOARD OF CANADA/OFFICE	1191
JLL BROADCAST GROUP	1184	NATIONAL DU FILM DU CANADA	
JOHNSTON, MARLENE	1269	NATIONAL INSTITUTE OF BROADCASTING	1078
JOLLY, SANDY MLA/DEPUTE	1140	NEWFOUNDLAND & LABRADOR INDUSTRY TRADE	1155
JUNIOR ACHIEVEMENT OF WESTERN	1162	AND TECHNOLOGY	
NEWFOUNDLAND & LABRADOR		NEWFOUNDLAND TELEVISION	1069
KALIBIDOSCOPE COUNCIL OF OTTAWA	1085	NORTH EASTERN CABLEVISION LTD.	1046
KIRKCONNELL PRODUCTIONS INC.	1092	NORTH GRENVILLE DISTRICT HIGH SCHOOL	1131
KIRKLAND, PAT	1116	NORTH YORK, THE CORPORATION OF THE CITY	1030
LAAKSO, JUDY	1035	OF	
LAIDLAW, D.	1060	NOVA SCOTIA CHAMBER OF COMMERCE	1139
LAKE, LLOYD	1109	NOVA SCOTIA, GOVERNMENT OF	1235
LAND, GARY R.	1057	DEPARTMENT OF TRANSPORTATION AND	
LARRY PADDY SALES	1223	COMMUNICATIONS	
LEVINE, JULIA M.	1111	O'REILLY, JOHN	1023
LEWIS, MARK L.	1225	OFFICE DES COMMUNICATIONS SOCIALES	1166
LISTONEL, TOWN OF	1160	ONTARIO CLOSED CAPTION CONSUMERS, INC.	1165
MACAULAY, ROGER T.	1142	ONTARIO FILM DEVELOPMENT CORPORATION/	1134
MACLEAN HUNTER CABLE TV	1050	SOCIÉTÉ DE DÉVELOPPEMENT DE L'INDUSTRIE	
MADGETT, M.	1014	CINÉMATOGRAPHIQUE ONTARIENNE	
MANITOBA CHAMBER OF COMMERCE, THE	1167	ONTARIO GOVERNMENT, MINISTRY OF CULTURE	1044
		AND COMMUNICATIONS/MINISTÈRE DE LA	
		CULTURE ET DES COMMUNICATIONS	

Source: CRTC, 1993.

APPENDIX A
LIST OF PHASE II (FEBRUARY 5, 1993) SUBMISSIONS IN
RESPONSE TO CRTC NOTICE OF PUBLIC HEARING 1992-13
CONT'D

ONTARIO PROVINCIAL POLICE/POLICE	1130	ROGERS CABLE T.V. LIMITED	1211
PROVINCIALS DE L'ONTARIO		ROOKE, BRADLEY E.	1020
ONTARIO SOCIETY FOR THE PREVENTION OF	1032	ROSS, NEVIL	1201
CRUELTY TO ANIMALS (ONTARIO HUMANE		ROTARY CLUB OF EDMUNDETON	1070
SOCIETY)		ROTARY CLUB OF NORTH SCARBOROUGH	1129
OPERATION GO HOME/OPERATION RETOUR AU	1034	ROTARY CLUB OF ST. JOHN'S	1158
FOYER		ROTARY CLUB OF THUNDER BAY	1091
OWEN SOUND VISITOR & CONVENTION BUREAU	1115	ROYAL VICTORIA HOSPITAL OF BARRIE, THE	1011
OWEN SOUND, THE CITY OF	1121	SAINT JOHN, CITY OF	1144
PBS BORDER CONSORTIUM	1210	SASCABLE SERVICES INC.	1027
PBS BORDER CONSORTIUM	1271	SASKATCHEWAN HIGHWAYS AND TRANSPORTATION	1160
PELMOREX COMMUNICATIONS INC.	1195	SASKATCHEWAN SPORTS HALL OF FAME AND	1007
PERSECHINI FITNESS SQUASH COMPLEX	1063	MUSEUM	
PETERBOROUGH VICTORIA NORTHUMBERLAND AND	1117	SATELLITE COMMUNICATIONS ASSOCIATION OF	1108
NEWCASTLE SEPARATE SCHOOL BOARD		CANADA/ASSOCIATION CANADIENNE DE LA	
PETERS MANAGEMENT LTD.	1128	TELECOMMUNICATION PAR SATELLITE	
PIKE, MARGARET	1094	SCPP-PTQ, CONSEIL PROVINCIAL DU SECTEUR	1137
PLONK, J.B.	1213	DES COMMUNICATIONS (TELEVISION)	
POWER BROADCASTING INC.	1224	SHAW CABLESYSTEMS LTD.	1245
PRIMEDIA PRODUCTIONS LIMITED	1031	SMITHS FALLS DISTRICT COLLEGIATE	1132
PRIMETIME 24 JOINT VENTURE	1096	INSTITUTE, THE	
PUBLIC INTEREST ADVOCACY CENTRE/LE	1153	SOCIETE DES ACADIENS ET ACADIENNES DU	1052
CENTRE POUR LA DEFENSE DE L'INTERET		NOUVEAU BRUNSWICK	
PUBLIC (PIAC)		SOININEN, GEORGE	1059
PURSTEN, C.	1265	SORBARA, GREGORY M.P.P./DEPUTE	1126
QUEBEC, GOUVERNEMENT DU (MINISTRE DES	1135	STENTOR TELECOM POLICY INC.	1101
COMMUNICATIONS)		STEWART, IAN H.	1036
QUEEN WEST PRODUCTIONS INC.	1004	STOREY, ROBERT W.	1019
RADIO BORD INC.	1178	STRATFORD & DISTRICT CHAMBER OF	1256
RADIO-QUEBEC, SOCIETE DE RADIO-	1230	COMMERCE	
TELEVISION DU QUEBEC		STRATFORD PERTH ARCHIVES	1063
RADIONUTUEL INC./TELEMEDIA	1206	SYNDICAT DES EMPLOYES EN RADIO	1079
COMMUNICATIONS		TELEDIFFUSION DE RADIO-QUEBEC	
RADNOR, GEORGE	1019	TCI HOME ENTERTAINMENT	1179
REGINA CHAMBER OF COMMERCE	1008	TELE-METROPOLE INC.	1200
REGINA CONVENTION & VISITORS BUREAU	1028	TELEFILM CANADA	1263
REGINA ECONOMIC DEVELOPMENT AUTHORITY	1002	TELELATINO	1217
REGINA EXHIBITION ASSOCIATION LIMITED	1001	TELESAT CANADA	1170
REGINA MULTICULTURAL COUNCIL	1043	TELEVISION NORTHERN CANADA	1266
REGROUPEMENT DES CINQ SERVICES	1188	TELEVISION QUATRE SAISONS	1262
SPECIALISES FRANCOPHONES		THEATRE NEWFOUNDLAND LABRADOR	1164
REGROUPEMENT DES PROFESSIONNELS DE LA	1071	THUNDER BAY ELECTRONICS LIMITED	1125
DANSE DU QUEBEC		TORONTO WOMEN IN FILM & TELEVISION	1080
RIDGOTT, GEORGE S. M.P./DEPUTE	1041	TOSHIBA OF CANADA LIMITED	1056

Source: CRTC, 1993.

APPENDIX A
LIST OF PHASE II (FEBRUARY 5, 1993) SUBMISSIONS IN
RESPONSE TO CRTC NOTICE OF PUBLIC HEARING 1992-13
CONT'D

TRENDLAY, GASTAN & LACROIX, JEAN-GUY	1076
TVONTARIO	1226
UNICEF QUEBEC	1260
UNION DES ARTISTES	1241
UNITED WAY AJAX-PICKERING	1017
UNITED WAY OF THUNDER BAY	1026
UNIVERSITY OF REGINA	1003
VIDEOTRON LTR	1207
VISION/TV	1086
WATEROUS, RICHARD H.	1203
WAWATAY NATIVE COMMUNICATIONS SOCIETY	1254
WESSENGER, PAUL MPP/DEPUTE	1247
WESTERN FAIR ASSOCIATION	1155
WESTMAN MEDIA COOPERATIVE LTD.	1212
WIC WESTERN INTERNATIONAL COMMUNICATIONS LTD.	1222
WINDSOR & DISTRICT CHAMBER OF COMMERCE	1042
WINDSOR, THE CORPORATION OF THE CITY OF	1196
WINNIPEG FILM GROUP	1161
YOUNG DRIVERS OF CANADA	1040
YOUTH COUNCIL OF NEW BRUNSWICK/CONSEIL JEUNESSE DU NOUVEAU-BRUNSWICK	1187
YTV CANADA INC.	1184
YUKON GOVERNMENT COMMUNITY & TRANSPORTATION SERVICES	1005
ZARUS, PAUL	1018

Source: CRTC, 1993.

APPENDIX B
THE SIZE AND NATURE OF THE CABLE TELEVISION INDUSTRY
IN CANADA

Figure No. 1
Number of Cable TV Systems in Canada
1967-1991

Data: Statistics Canada

APPENDIX B
THE SIZE AND NATURE OF THE CABLE TELEVISION INDUSTRY
IN CANADA
CONT'D

Figure No. 2
Number of Cable TV Subscribers in Canada
1967-1991

* Total Subscribers

Data: Statistics Canada

APPENDIX B
THE SIZE AND NATURE OF THE CABLE TELEVISION INDUSTRY
IN CANADA
CONT'D

Figure No. 3
Cable Television Industry Revenues
1967-1991

Data: Statistics Canada

APPENDIX B
THE SIZE AND NATURE OF THE CABLE TELEVISION INDUSTRY
IN CANADA
CONT'D

Figure No. 4
Cable Television Industry Expenses
1967-1991

Data: Statistics Canada

APPENDIX B
THE SIZE AND NATURE OF THE CABLE TELEVISION INDUSTRY
IN CANADA
CONT'D

Figure No. 5
Cable Television Industry Profits
1967-1991

Data: Statistics Canada

APPENDIX B
THE SIZE AND NATURE OF THE CABLE TELEVISION INDUSTRY
IN CANADA
CONT'D

Figure No. 6
Concentration of Ownership in Cable TV:
1991 Market Share of Subscribers by MSO

Data: CRTC, Statistics Canada

APPENDIX B
THE SIZE AND NATURE OF THE CABLE TELEVISION INDUSTRY
IN CANADA
CONT'D

Figure No. 7
Cable Television Industry Return on Net
Fixed Assets by Company 1975-1991

Data: CRTC

Note: Data reflects current ownership structure.

APPENDIX C
NON-SCIENTIFIC SAMPLE OF CABLE TELEVISION LISTINGS, 1953-1993
THE OTTAWA CITIZEN ENTERTAINMENT SECTION

Listening Highlights Television

Wednesday

CBFT-Montreal

Channel 2

5.30—Le Grenier aux images
6.00—Music
8.00—Oxford-Cambridge Boat Race
8.30—Theater
9.00—Wrestling
10.00—Rhythm
10.30—Ballot

WBYN-Syracuse

Channel 8

6.00—Canyon Jack
6.30—Ed Murphy Show
6.45—Camera Headlines
6.55—Sports Page
7.00—Short Short Dramas
7.15—Symphony Notebook
7.30—Middle Fisher Show
7.45—News Caravan
8.00—I Married Joan
8.30—Music Hall
8.55—Television Theater
10.00—Fun in Four Life
10.30—Broadway to Hollywood
11.00—The Magic Of Science
11.15—Starlight Playhouse
12.30—Camera Headlines

Thursday

WBYN-Syracuse

Channel 8

8.45—Morning Devotion
9.30—News
10.00—Ding Dong School
10.30—Movies For Mom
11.45—The Jim Dantine Gang
12.30—Camera Headlines
12.45—Hollywood Matinee
1.00—Ladies Day
3.00—Break the Bank
3.30—Welcome Travelers
4.00—Kate Smith Show
5.00—Hawkins Falls
5.15—Gabby Hayes Show
5.30—Howdy Doody
6.00—Canyon Jack
6.30—Ed Murphy Show
6.45—Camera Headlines
6.55—Sports Page
7.00—Twenty Questions
7.30—Dinah Shore Show
7.45—News Caravan
8.00—Groucho Marx Show
9.30—Treasury Men In Action
9.45—Ozark
9.55—Theater
10.00—Martin Kane, Private Eye
10.30—Favorite Story
11.00—Theater of Adventure
12.15—Camera Headlines

Source: The Ottawa Citizen, May 6, 1953.

APPENDIX C
NON-SCIENTIFIC SAMPLE OF CABLE TELEVISION LISTINGS, 1953-1993
THE OTTAWA CITIZEN ENTERTAINMENT SECTION
CONT'D

Saturday
CBOT
Channel 6

1:00—Telly on CBOT
 1:30—Catskills Film
 2:00—Catskills Corner
 2:30—Wild Bill Nichol
 3:00—Disneyland
 3:30—Mr. Pea-So
 4:00—News and Weather
 4:30—Burns and Allen
 5:00—Holiday Ranch
 5:30—Stage Show
 6:00—The Henry Mancini
 6:30—On Camera
 7:00—Hockey Game
 7:30—Sports Show
 8:00—The News
 8:30—Bully O'Connor Show
 9:00—Wrestling

CBOFT
Channel 8

11:00—Concert pour la jeunesse
 1:30—Tic, Tac, Toc
 2:00—Tallies-for
 2:30—Music
 3:00—Tale Journal
 3:30—Film
 4:00—Noblesse oblige
 4:30—Film
 5:00—Chorus son metier
 5:30—Hockey
 6:00—Le point d'interrogation
 6:30—Tale Journal
 7:00—Long maitre en "Docteur"
 7:30—Film

CBMT—Montreal
Channel 6

1:00—Football
 1:30—Wild Bill Nichol
 2:00—Disneyland
 2:30—Do It Yourself
 3:00—Ti News
 3:30—Burns and Allen
 4:00—Holiday Ranch
 4:30—Stage Show
 5:00—The Henry Mancini
 5:30—On Camera
 6:00—Hockey Game
 6:30—Sports Show
 7:00—News
 7:30—Bully O'Connor Show
 8:00—Wrestling

CBFT—Montreal
Channel 8

11:00—Concert pour la jeunesse
 1:30—Music
 2:00—Tic, Tac, Toc
 2:30—Tallies-for
 3:00—Music
 3:30—The News
 4:00—Film
 4:30—Noblesse oblige
 5:00—Film d'interrogation
 5:30—Chorus Son Metier
 6:00—Le Point
 6:30—Long maitre

WEEKEND TELEVISION PROGRAMS

WCNY—Watertown
Channel 7

2:00—Football Game
 4:30—Hawling
 5:30—Wild West
 6:00—News; Sports
 6:30—Macquerade
 7:15—Film
 8:00—Highway Patrol
 8:30—Jackie Gleason
 9:00—Waterfront
 9:30—North Country
 10:00—Gunsmoke
 10:30—Damon Runyon Theater
 11:00—News, Film
 11:15—Film

WKTV—Utica
Channel 13

2:00—Football Game
 4:30—Talent Scouts
 5:30—You'll Never Get Rich
 7:00—Lone Ranger
 7:30—Horace Heidt Show
 8:00—Perry Como Show
 9:00—People Are Funny
 10:00—George Gobel
 10:30—The Hit Parade
 10:50—WKTV World News
 11:15—Wrestling

WHEN—Syracuse
Channel 8

3:00—Texas Rangers
 5:15—Buffalo Bill Jr.
 6:00—Big Town
 6:15—The Lucy Hour
 7:10—Beat The Clock
 8:00—Stage Show
 8:30—Jackie Gleason
 9:30—Two For The Money
 9:30—It's Always Jam
 10:00—Gunsmoke
 10:30—Damon Runyon Theater
 11:00—News
 11:15—Wrestling

Source: The Ottawa Citizen, November 5, 1955.

APPENDIX C
NON-SCIENTIFIC SAMPLE OF CABLE TELEVISION LISTINGS, 1953-1993
THE OTTAWA CITIZEN ENTERTAINMENT SECTION
CONT'D

TELEVISION PROGRAMS

Monday

CBOT

Channel 6

8:45—Test Pattern
 9:30—On CBOT Today
 4:00—Open House
 4:30—Howdy Doody
 5:00—In The Story Book
 5:15—The Peppermint Pinner
 5:30—The Muppet Show
 6:00—Star and the Story
 6:30—Life With Elizabeth
 6:45—News
 7:00—Tonight
 7:30—Royal Playhouse
 8:00—The Millionaire
 8:30—On Camera
 9:00—I Love Lucy
 9:30—Dorothy Vaughan
 10:00—Studio One
 11:00—The News
 11:15—Film: "The Man Who Married"

CBOFT

Channel 7

9:00—Miro de verification
 4:00—Aujourd'hui
 5:00—Soleil a Surpasse
 5:30—Le vie qui hot
 6:00—Kino
 6:30—Ce soir
 6:45—Carrefour
 7:15—Toto-Journal
 7:30—Cinefeuilleton
 7:45—Roulade et Roulade
 8:00—Belles Minutes
 8:30—La semaine
 9:00—Porte ouverte
 9:30—Theater
 10:00—Reportage
 10:30—Electron Federale
 11:00—Toto-Journal
 11:15—Nouvelles Sportives
 11:30—Toto-politica

WCNY — Watertown

Channel 9

9:00—Matinee Movie
 4:15—The Secret Storm
 4:30—Circle 7 Search
 5:00—Frontiers of Knowledge
 5:30—Kiddie Korner
 6:00—Sports Album
 6:15—Love of Life
 6:30—The Weatherman
 6:45—Local News
 6:55—Sportscap
 7:00—The News
 7:15—Dr. Hudson's Journal
 7:30—Lawrence Wolf
 7:45—Talent Search
 8:00—I Love Lucy
 8:30—December Bride
 9:00—Hodge Tied
 9:30—Chase Smith
 10:00—News sports weather
 11:15—Silver Screen

Source: The Ottawa Citizen, May, 6 1957.

TELEVISION PROGRAMS

WCNY--Watertown

Control 7

6:00 - Life of Riley
 6:30 - Weather, News, Sports
 6:45 - Doug Edwards News
 7:00 - Mahunt
 7:30 - Burns and Allen
 8:00 - Rifleman
 8:30 - Bourbon Street Beat
 9:30 - This Man Dawson
 10:00 - Twilight Zone
 11:00 - Person to Person
 11:00 - News; Sports
 11:15 - Movie

- 12:15—Today On CBY
12:30—Film—"Brother Orchid" E. G.
1:00—"Chet" Malone, M. Segert—1968
1:15—"Nervous Wreck"
1:30—"Open House"
1:45—"PM Party"
2:30—"Afternoon Edition"
4:00—Film—"The Hot Brass Tight"
4:30—"Sportstime"
5:00—"Tide-water Tramp"
5:30—"Nighty Night Playhouse"
6:00—"Colonel Flick"
6:30—"Local News, Ballboard"
6:45—"News"
7:00—"Tabloid"
7:30—"Sportstap"
7:45—"TBA"
8:00—"Country Roundup"
8:30—"Four Just Men"
9:00—"The Flying Doctor"
9:30—"Night Line"
10:00—"Gillette Fights"
10:45—"Jim Coleman"
11:00—"The News"
11:15—"Viewpoint"
11:25—"Sportstime"
11:30—"Ringside—"Pride and Prejudice" G. Garson, L. Olivier.

WCAX—Burlington

Channel 8

- 6:10-Sports, Weather, News
6:45-Doug Edwards and News
7:00-You Can Quote Me
7:30-Rawhide
8:30-Metal De Poro
9:00-Paul Simon
9:30-Colonel Flack
10:00-Highway Patrol
10:30-Perano to Perano
11:00-News, Weather
11:15-Movie "Reverca" J. Fontaine.
L. Oliver

WFTZ—Plattsburg

Chapter 8

- 6:00-News, Weather, Sports
6:30-Teen Time
7:30-Law of the Plainsmen
8:00-Trouble Shooters
8:30-Bell Tele. Hour
9:30-M. Squad
10:00-Cavalcade of Sports
10:45-Jackpot Bowling
11:00-The News
11:15-Movie: "Randy Train"

~~WHEN—SYNOPSIS~~

Quesada

- 8:30 News, Sports, Weather
9:00 David Byrne, Jr.
9:30 Four Post Men
9:30 Horowitz
9:30 Metal de Perce
9:30 Donda
10:00 Tonight Zone
10:30 Porque Tu Porque
11:00 News
11:30 Movie: "Dinner at Eight"

Quasi-Newton

- 9:25 - My
- 9:35 - Amour had a CBOY
- 9:45 - Benjamin Madahe
- 9:55 - Benjamin
- 10:05 - Le Bette's Surprise
- 10:15 - Benjamin
- 10:25 - Le Cane-Box
- 10:35 - Telejournal
- 10:45 - Nouvelles Sportives
- 10:55 - A Story
- 11:05 - Amour
- 11:15 - Mistake a Suite
- 11:25 - Building Local Informations
- 11:35 - A L'Affaire
- 11:45 - Amour
- 11:55 - Amour
- 12:05 - Amour
- 12:15 - Amour
- 12:25 - Amour
- 12:35 - Amour
- 12:45 - Amour
- 12:55 - Amour
- 13:05 - Amour
- 13:15 - Amour
- 13:25 - Amour
- 13:35 - Amour
- 13:45 - Amour
- 13:55 - Amour
- 14:05 - Amour
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CSS—Cornwall

(b)(7)(D)

- 4:00 Bugs Bunny and Friends
 4:30 Sports Time
 5:00 Thunderbolt Trum-
 5:30 Popeye The Sailor
 6:00 News
 6:30 Sports
 7:10 Detective
 8:30 Movie "The Fallen Idol" R
 Richard Widmark
 9:30 Country Music
 10:30 Four Just Men
 10:50 The Flying Saucers
 11:30 Movie "A Bell for Adam"
 J. Hoffman
 11:50 News
 12:10 Movie "Affair of the Queen" R
 Robert. H. Montgomery

C-4

APPENDIX C
NON-SCIENTIFIC SAMPLE OF CABLE TELEVISION LISTINGS, 1953-1993
THE OTTAWA CITIZEN ENTERTAINMENT SECTION
CONT'D

Television Programs

SATURDAY

CBQT

Channel 4

12:00—Billboard
 12:15—All-Star Golf
 1:30—Thrill of Your Life
 2:00—Rodeo of Champions
 3:00—Lion's Club Major Boxing
 4:00—Cowboy Corner
 5:00—Sports for the family
 Tumbling
 5:15—Kentucky Derby
 5:45—Family Sports, baseball
 6:00—Live and Learn
 6:30—Mr. Fix-It
 6:45—News
 7:00—Dennis The Menace
 7:30—Red River Jamboree
 8:00—Aquanauts
 9:00—Great Movies: Goodbye Mr.
 Chips, Robert Donat, Greer
 Garson
 10:30—Juliette
 11:11—Sports
 11:21—Wanted Dead or Alive
 11:50—Gunsmoke
 12:31—Playhouse: Oklahoma, Pat
 O'Brien, Richard Denning

CBOFT

Channel 9

8:30—Mire
 8:45—Aujourd'hui a CBOFT
 9:00—Le Professeur Lakulus
 9:30—Dunlop
 10:30—Fun Fun
 11:30—Cou Cou
 12:00—Club de Samedi
 12:30—Le Golf et ses Etoiles
 1:30—Images en Tete
 2:00—L'Univers des Sports
 4:00—Vacances d'une Camera
 5:00—Walt Disney
 6:00—C'est dimanche
 6:15—Nouvelles sportives
 6:25—Co Star
 6:30—Histoire a suivre
 6:45—Telejournal
 7:00—Orientation
 7:30—Cineclub
 7:45—Les Affaires de L'etat (club
 era)
 8:00—Club des Autographes
 8:30—Hillet de Patrice, Italian
 folk songs
 10:00—Du chante L'Alouette

CJOH

Channel 13

4:30—Picture Page
 5:00—Sports
 5:30—Wrestling
 6:40—News, Weather
 6:50—Sports
 7:00—San Francisco Beat
 7:30—Wagon Train (Western)
 8:30—Huron Street Beat
 9:30—Naked City
 10:30—News, Weather
 10:45—Sports
 10:50—Photography is Fun
 10:55—Movie: Foreign Affair, Mar
 lene Dietrich, Jean Arthur,
 John Lund
 12:30—Picture Page
 1:00—Epilogue

CJSS—Cornwall

Channel 8

2:00—Rodeo of Champions
 3:00—Movie: The Square Shooter
 Max Baer, Marie Rosen
 Blum
 5:15—Kentucky Derby
 6:00—Sea Hunt
 6:30—News
 6:45—Popeye Theater
 7:00—Dennis The Menace
 7:30—Andy Griffith
 8:00—O.A. Jamboree
 8:30—Sheriff of Cochise
 9:00—Great Movies
 10:30—Juliette
 11:00—The News
 11:10—Movie: Humoresque, John
 Garfield, Joan Crawford

W.N.Y.—Watertown

Channel 7

1:00—Big Picture
 1:30—Sports Album
 1:55—Baseball: Washington at
 Cleveland
 5:00—Radio Preview
 5:15—Kentucky Derby
 6:00—National Velvet
 6:30—Hawaiian Eye
 7:30—Perry Mason
 8:30—Interpol
 9:00—Lawrence Welk
 10:00—Gunsmoke
 10:30—Have Gun Will Travel
 11:00—Prime Time Live
 11:30—Movie: Lancer Boy

CKWS—Kingston

Channel 11

2:00—Rodeo of Champions
 3:00—Movie
 5:15—Kentucky Derby
 6:00—Chronicle
 6:15—Adventure in Africa
 6:30—The Menace
 7:30—The People's Choice
 8:00—Sea Hunt
 9:00—Great Movie
 10:30—Juliette
 11:00—Sports
 11:15—Wrestling

Source: The Ottawa Citizen, May 6, 1961.

APPENDIX C
NON-SCIENTIFIC SAMPLE OF CABLE TELEVISION LISTINGS, 1953-1993
THE OTTAWA CITIZEN ENTERTAINMENT SECTION
CONT'D

Television programs

WEDNESDAY

CBOT Channel 4

6:00—To be announced
 6:30—East Side
 7:00—Randy Ranks
 7:30—Woody Woodpecker
 8:00—This World Of Ours
 8:30—King of Instruments
 9:00—Arthur Haynes Show
 9:30—News, Sports
 10:00—Provincial Affairs
 10:30—Mr. Film
 11:00—Red River Jamboree
 11:30—Sing Crazy Special
 12:00—Festival
 12:30—The Mast
 1:00—News, National Edition
 1:30—Voyageur
 2:00—Night Final
 2:30—Weather, Sports
 3:00—East Side West Side

CBOT Channel 9

6:00—Solina
 6:30—Le Bette a Surprise
 7:00—C'est en plein
 7:30—L'Espe de Plumes
 8:00—Monsieur et Pisto
 8:30—Téléjournal
 9:00—Bulletin local d'information
 9:30—Qui de qui
 10:00—Aujourd'hui
 10:30—Le pain du jour
 11:00—C'est sans voix
 11:30—Contre-attaque
 12:00—Assemblée publique
 12:30—Téléjournal
 1:00—Température
 1:30—Nouvelles sportives
 2:00—Intermedia Musical
 2:30—Cinema: Covert contre X

CJOH Channel 13 and 8

6:00—Cartoonville
 6:30—Long John Silver
 7:00—Mickey Mouse Club
 7:30—The Agnewtons
 8:00—News, Weather
 8:30—Dick Van Dyke
 9:00—Petticoat Justice
 9:30—My Favorite Martian
 10:00—Adventures in Paradise
 10:30—The Greatest Show On Earth
 11:00—Hemlock
 11:30—National News
 12:00—Night Beat
 12:30—Picture Stories
 1:00—Picture Page
 1:30—Reflections

CHOV—Pembroke Channel 5

6:00—News, Weather, Sports
 6:30—Our Man Higgins
 7:00—FBI Story
 7:30—Provincial Affairs
 8:00—News in Uniform
 8:30—Red River Jamboree
 9:00—Sing Crazy Special
 9:30—Festival
 10:00—The Mast
 10:30—CBC News, Weather, Sports
 11:00—Michael Hayes

CKWS—Kingston Channel 11

6:00—News, Weather, Sports
 6:30—Question 5
 7:00—Crested
 7:30—Nation's Notebook
 8:00—Comment
 8:30—Red River Jamboree
 9:00—Sing Crazy Special
 9:30—Festival
 10:00—The Mast
 10:30—Movie: Royal Adventure Begins
 11:00—News, Weather, Sports

WCNY—Watertown Channel 7

6:00—News
 6:30—The Deputy
 7:00—Chronicle
 7:30—Scope
 8:00—The Price Is Right
 8:30—Severely Meddles
 9:00—Dick Van Dyke
 9:30—Daddy Day
 10:00—News, Sports, Weather
 11:00—Like Movie: Clock and Dagger

Source: The Ottawa Citizen, November 6, 1963.

APPENDIX C
NON-SCIENTIFIC SAMPLE OF CABLE TELEVISION LISTINGS, 1953-1993
THE OTTAWA CITIZEN ENTERTAINMENT SECTION
CONT'D

Television programs

THURSDAY

CBOT

Channel 4

4.00—As The World Turns
4.30—Razzle Dazzle
5.00—Magilla The Gorilla
5.00—Sport Guesses & Guests
5.30—Music Hop
6.15—Straight Down The Middle
6.30—Across Canada
7.00—News, Sports
7.30—Candid Camera
8.00—Gomer Pyle, USMC
8.30—The Serial
9.00—The Defenders
9.00—The Rogues
10.00—News, Weather and Sports
11.30—Gunsmoke

CBOFT

Channel 9

4.00—Bobino
4.30—La boîte à surprises
5.00—Cadets de la forêt
5.30—Les croquignoles
6.00—Jeunesse oblige
6.30—Téléjournal
6.45—Nouvelles locales
6.55—Notes bien
7.00—Aujourd'hui
8.00—Septienne Nord
8.30—Panique
9.00—Plains Feux
10.00—Sexiani
10.30—Téléjournal
10.45—Dernier Edition
10.50—Sports
11.00—Cinema: Jim Le Houlette

CJOH

Channel 13 and 8

4.00—News
4.45—Mickey Mouse
5.30—Robin Hood
5.00—Woody Woodpecker
5.30—Rawhide
6.30—Dear Charlotte
6.45—News and Weather
7.00—Lucy
7.30—Movie: For Heaven's Sake
8.30—Branded
10.00—Jack Paar
11.00—News, Weather and Sports
11.35—Tonight
12.15—Picture Page
12.35—Reflections

CHOV—Pembroke

Channel 5

6.00—News, Weather and Sports
6.30—Sportsman Show
7.00—The Rogues
8.00—Gomer Pyle USMC
8.30—The Serial
9.00—The Defenders
10.00—Cain's Hundred
11.00—CBC News, Weather, Sports
11.25—The Lawless Years

CKWS—Kingston

Channel 11

6.00—News, weather, sports
6.30—My Favorite Martian
7.00—The Rogues
8.00—Gomer Pyle USMC
8.30—The Serial
9.00—The Defenders
10.00—Cain's Hundred
11.00—News, Weather and Sports
11.35—Late Movie: Romantic Age

WCNY—Watertown

Channel 7

6.00—News
7.00—The Munsters
7.30—Movie: Her Twelve Men
8.30—Bewitched
10.00—The Defenders
11.30—Lee Crane Show
1.00—News, sports, weather

Source: The Ottawa Citizen, May 6, 1965.

APPENDIX C
NON-SCIENTIFIC SAMPLE OF CABLE TELEVISION LISTINGS, 1953-1993
THE OTTAWA CITIZEN ENTERTAINMENT SECTION
CONT'D

TV programs

MONDAY

Evening	7.20	5S: H'lly w'd at Night
6.00	4: Centennial Bill-board	7: Family Affair (c)
4: Cartoons	7.30	13, 8: I Spy (c)
5: The Reporter	4, 5, 6, 11: Don Messer (c)	10.00
6: Valentine's Day	5P: The Monkees (c)	5P: Run for Your Life (c)
5P: Report	7: Gunsmoke (c)	7: The FBI (c)
7: News	9: Jinny	9: Le sel de la semaine
9: Jeunesse Oblige	10: Burke's Law	10: Un peu beau-coup
10: Tele-Metro	13, 8: Lucy	10.30
11: News	8.00	4: Halifax Explosion
13, 8: Newslines (c)	4, 5, 6, 11: Show of the Week (c)	5: N. Y. D. P.
6.30	5P: Jeannie (c)	11: N. Y. D. P.
4: Sports, News	5S: Mr. Terrific	10: My House
5: Flipper	9: Les belles Hist-oires (c)	13, 8: Canada 101
5P: Huntley-Brinkley (c)	13, 8: Bewitched (c)	11.00
6: Run Buddy (c)	8.30	4, 5, 6, 11: News, Weather and Sports
7, 9: News (c)	5P: Roger Miller	7: Channel 7 News
11: F.B.I.	7: The Lucy Show (c)	5S, 5P, 9, 13: News (c)
6.40	10: Bewitched	11.15
10: Sports	13, 8: Family Affair	10: Late Show
6.45	9.00	11.20
4: News	4, 5, 6, 11: Front Page Challenge	13, 8: Night line
5S: Chan. 5 Report	5P: Road Wear (c)	11.30
9: Aujourd'hui	7: Andy Griffith (c)	5: Spectrum
7.00	9: Le Prisonnier (c)	7: The Tonight Show with Johnny Carson
4: Weather	10: Anniversary (c)	11.40
5: Rifleman	13, 8: Country Music Hall (c)	5S: Late Show
5P: Rat Patrol (c)	9.30	9: Cinema
6: Seven on Six	4, 5, 6, 11: A Man and His Music	11: Late Movie
7: My Three Sons (c)		11.45
10: Early News		4: British Movie Night
13, 8: The second 100 years (c)		
7.05		
4: Variety Portraits (c)		
7.15		
4: Alberta Game Farm		

Source: The Ottawa Citizen, November 6, 1967.

APPENDIX C
NON-SCIENTIFIC SAMPLE OF CABLE TELEVISION LISTINGS, 1953-1993
THE OTTAWA CITIZEN ENTERTAINMENT SECTION
CONT'D

TV programs

TUESDAY

<u>Evening</u>	7.30	7: Scope
6.00	4, 11: Julia (c)	11.00
4: Reach for the top (c)	5P: Girl From UN-CLE	4, 5, 11: CBC News
5: Newsworld	7: Lancer (c)	5S, 5P, 7: News
5P: Report	9: A communiquer	7: News
6: Tween Set	10: The Saint (c)	9: Telejournal, Derniere Edition
7: News	13, 8: Mod squad	10: Sports
9: Nouvelles locales	8.00	12, 13, 8: News (c)
10: Tele-Metro	4, 6, 5, 11: Red Skelton (c)	11.15
11: City at Six	9: A communiquer	9: Sports
12: Pulse (c)	8.30	10: Late Show
6.10	5P: Occas. Wife (c)	11.20
9: Petit Theatre	7: Red Skelton (c)	4: Viewpoint, Night Final
6.30	10: Cre Basile	5: Night Report
4: Sports, News	12, 13, 8: Bewitched (c)	9: Cine-Club
5: Big Movie	9.00	11: News, Weather, Sports
5P: Huntley-Brinkley (c)	4, 5, 11: Wojack	12: Pulse (c)
7: CBS News	5P: Movie (c)	13, 8: Newscap
9: Telejournal	10: New Faces	11.30
11: The Outsider (c)	13, 8, 12: Glen Campbell (c)	4: Sports
6.45	9.30	5S: Late Show
4: Evening Report	7: Doris Day (c)	5: Spectrum
5S: Report	10.00	7: Johnny Carson (c)
9: Aujourd'hui	4, 5, 11: News magazine	13, 8: Pierre Berton (c)
6.55	7: CBS News Hour (c)	11.45
4: Sports	13, 8, 12: Avengers (c)	4: Adventure Theatre
7.00	10.15	11: Nightshift
4: Weather	9: Camera '69.	12: The Outcasts (c)
5P: Bewitched	10.30	12.00
7: Hogan's Heroes (c)	4, 5, 11: 20 Million Questions	13, 8: University
10: News		
12: Sunset Theatre		
13, 8: Newslane (c)		
7.05		
4: Something Else		

Source: The Ottawa Citizen, May 6, 1969 [incomplete]

APPENDIX C
NON-SCIENTIFIC SAMPLE OF CABLE TELEVISION LISTINGS, 1953-1993
THE OTTAWA CITIZEN ENTERTAINMENT SECTION
CONT'D

- 4.30: (5P) The World Tomorrow (c)
 (13) (8) (12) Wide World of Sports (c)
-
- 5.00: (5P) Music Box (c)
 (10) C'est arrive cette semaine (c)
-
- 5.30: (4) (5) (8) (11) Sports Week (c)
 (5P) Eyewitness Forum
 (7) Owen Marshall (c)
 (9) Echos du sport (c)
-
- 6.00: (4) (6) Update (c)
 (5) News
 (5P) Daniel Boone
 (8) Camera-moto
 (10) Pop 71
 (11) Billy Graham
 (13) (4) (12) Like Young (c)
-
- 6.15: (5) Movie
 Lisa. A dutch police inspector, guilty because he failed to save his fiancée from the Nazis, expiates by tracking down an ex-GI white slaver who is threatening a beautiful young girl. Starring Stephen Boyd and Dolores Hart.
-
- 6.30: (4) (6) Replay (c)
 (7) CBS News (c)
 (9) Telejournal
-
- 6.50: (9) Politique Federale (c)
-
- 7.00: (4) (6) Let's Call The Whole Thing Off (c)
 (5P) NBC News (c)
 (7) Lawrence Welk (c)
 (9) Centuries a marrier (c)
 (10) Jeunesse (c)
 (11) Saturday Night (c)
 (13) (8) (12) Rollin' on the River (c)
-
- 7.30: (4) Review (c)
 (5P) It Takes a Thief (c)
 (6) The Sam Etcheverry Show (c)
 (11) Doctor in The House (c)
-
- 8.00: (4) (5) (8) (9) (11) Hockey Night in Canada (c)
 Chicago at Montreal.
 (7) All in the Family (c)
 (10) Ca Prend un Voleur (c)
 (13) (8) (12) Academy Performance (c)
 Coogan's Bluff. Clint Eastwood stars as an Arizona lawman tracking a killer through the concrete and steel canyons of New York City. With Lee J. Cobb, Susan Clark and Tisha Sterling.
-
- 8.30: (5P) The Good Life (c)
 (7) Funny Face (c)
-
- 9.00: (5P) Movie
 Gigi. A young Parisian girl being groomed by her grandmother to be a successful courtesan discovers she has a mind of her own and sets her sights on a dashing man-about-town. The Lerner and Loewe musical stars Leslie Caron, Maurice Chevalier and Louis Jourdan.
 (7) The Dick Van Dyke Show (c)
 (10) Le Virginien
-
- 9.30: (7) Mary Tyler Moore (c)
-
- 10.00: (7) Mission Impossible (c)
 (12) Love American Style (c)
 (13) (8) Hawaii Five-O (c)
 The Air Cargo Deal For Murder. McGarrett discovers a criminal ring hijacking air-cargo shipments while investigating the death of an airport security undercover agent. Jack Lord stars.
-
- 10.30: (4) (5) (8) (11) Countrytime (c)
 (9) Telejournal (c)
 (10) Les Nouvelles TVA (c)
-
- 10.45: (9) Nouvelles regionales (c)
-
- 10.50: (9) Sports-weekend (c)

Source: The Ottawa Citizen, November 6, 1971.

APPENDIX C
NON-SCIENTIFIC SAMPLE OF CABLE TELEVISION LISTINGS, 1953-1993
THE OTTAWA CITIZEN ENTERTAINMENT SECTION
CONT'D

- 11.00: (4) (5) (5P) (6) (7) (11) (13) (8)
 (12) News (c)
 (9) Au Masculin
 (10) En Pantouffles
 Histoire de detective. Policier
 avec Kirk Douglas, Eleanor Par-
 ker et William Bendix.
- 11.05: (7) Movie
 Shadow Over Elverson, with
 James Franciscus, Shirley
 Knight, Leslie Nielsen and Don
 Ameche.
- 11.15: (4) (5) (6) Provincial Affairs
- 11.20: (4) Night Final (c)
 (5) (6) Night Report
 (11) News, Weather, Sports
 (12) Pulse (c)
 (13) (8) Sports Final
- 11.30: (4) Sports (c)
 (5) Showtime
 Parrish. A young man learns
 about life and love from three
 different women in his struggle
 for self-respect and indepen-
 dence. With Troy Donahue,
 Claudette Colbert and Karl Mal-
 den.
 (5P) The Tonight Show (c)
 (9) Cinema
 Aimez-vous Brahms?
 (13) (8) Movie
 Flaming Star. Elvis Presley stars
 in this story of a half-Indian who
 must choose which side he is on
 during an Indian uprising. Co-
 starring are Barbara Eden, Steve
 Forrest, Dolores Del Rio and
 John McIntyre.
- 11.35: (6) Cine-Six
 Return to Paradise. The story of
 the love of a man and a native
 girl on a remote South Sea
 Island. With Gary Cooper, Ro-
 berta Haynes and Barry Jones.
- 11.40: (4) All In The Family (c)

Channel Log

- (3) Cable Community
 Programming
- (4) CBOT Ottawa (CBC)
- (5) CHOV Pembroke (CBC)
- (5P) WPTZ Plattsburg (NBC)
- (6) CBMT Montreal (CBC)
- (7) WWNY Watertown (ABC,
 CBS, NBC)
- (8) CJSS Cornwall (CTV)
- (9) CBOFT Ottawa (CBC French)
- (10) CFTM Montreal (Ind.)
- (11) CKWS Kingston (CBC)
- (12) CFCF Montreal (CTV)
- (13) CJOH Ottawa (CTV)
- 11.45: (11) Nightshift
 The Man Who Never Was. During
 the Second World War, a British
 Naval Intelligence officer, aided
 by his secretary, devises a plan
 to throw the Germans off guard,
 making the invasion of Sicily
 easier for the Allies. Starring
 Clifton Webb and Gloria Gra-
 hame.
- 12.00: (12) Movie
 Madigan. The story of a brilliant
 New York detective whose
 ethics bear questioning, but
 whose courage doesn't, and a
 relentless police commissioner
 who fills his office honorably
 and expects the same of his men.
 With Richard Widmark, Henry
 Fonda, Inger Stevens, Susan
 Clark and Harry Guardino.
- 12.10: (4) Movie
 Separate Tables. A film version
 of Terrence Rattigan's two one-
 act plays about the guests of a
 British seaside resort hotel and
 their individual problems. Star-
 ring Rita Hayworth, Burt Lan-
 caster, Deborah Kerr, David
 Niven and Wendy Hiller.
- 12.30: (10) En Pantouffles
 Maison de l'amour perdu. Melo-
 drame avec Dolores Del Rio et
 Roberto Canado.
- 2.00: (10) Dernière Edition

Source: The Ottawa Citizen, November 6, 1971.

APPENDIX C
NON-SCIENTIFIC SAMPLE OF CABLE TELEVISION LISTINGS, 1953-1993
THE OTTAWA CITIZEN ENTERTAINMENT SECTION
CONT'D

- 5.30: (3s) The Way We See It (c)
 (4) (5) (6) (11) Hymn Sing (c)
 (10) Flipper (c)
 (13) (8) Bain's Cinema (c)
 The Shuttered Room. Starring
 Gig Young, Carol Lynley, Oliver
 Reed and Flora Robson. A
 young woman and her husband
 arrive on an island to inhabit an
 old millhouse she has inherited
 only to find it under a family
 curse.
-
- 5.45: (7) To be announced
-
- 6.00: (4) (5) (11) Walt Disney (c)
 Coyote's Lament. A lament for
 the sorrowful plight of the
 coyote upon the invasion of the
 West by man and his dog, the
 latter played by our old friend
 Pluto.
 (5P) Viewpoint (c)
 (7) 60 Minutes (c)
 (9) Politique atout (c)
 (10) Music-Hall Des Jeunes (c)
 (12) Pulse and Travel '73 (c)
-
- 6.30: (3s) Coming of Age
 (5P) NBC News (c)
 (9) Telejournal (c)
 (10) Jeunesse (c)
 (12) Going Places (c)
-
- 6.40: (9) Nouvelles du sport et
 politique provinciale
-
- 7.00: (4) (5) (6) (11) The
 Beachcombers (c)
 (5P) Wild Kingdom (c)
 (7) News (c)
 (9) Quelle Famille (c)
 (12) The Amazing World Of
 Kreskin
-
- 7.25: (13) (8) Heritage Highways (c)
-
- 7.30: (4) (5) (6) (11) Black Beauty (c)
 (5P) Walt Disney (c)
 (7) The Dick Van Dyke Show (c)
 (9) Les beaux Dimanches (c)
 1) Fantaisie gymnique sur un
 theme. 2) Les grandes Batailles:
 la Bataille d'Italie.
 (10) Bonne Soiree (c)
 (13) (8) (12) The Life and Times
 Of Lord Mountbatten (c)
 The March To Victory. In
 tonight's episode, Mountbatten
 talks about the final days of the
 surrender of the German and
 Japanese forces. In September,
 Mountbatten ceremonially
 accepts the surrender of three-
 quarter of a million Japanese in
 South East Asia.
-
- 8.00: (4) (5) (6) (11) Purple
 Playhouse (c)
 Mrs. Dane's Defence. Written by
 Arthur Jones and adapted by
 William Lytle and Francis Chap-
 man. Domini Blythe stars as
 Mrs. Dane and Jack Creley as Sir
 Daniel Carteret, a retired Judge
 who undertakes to defend Mrs.
 Dane when she becomes the
 victim of malicious gossip.
 (7) M*A*S*H (c)
-
- 8.30: (5P) NBC Sunday Mystery
 Movie (c)
 Columbo: Dagger Of The Mind.
 Starring Peter Falk, Richard
 Basehart and Honor Blackman.
 On a visit to London to study
 Scotland Yard's investigative
 techniques Columbo becomes
 involved in a murder case.
 (7) (13) (8) (12) Mannix (c)
 (10) Sous mon toit (c)
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Source: The Ottawa Citizen, May 6, 1973.

APPENDIX C
NON-SCIENTIFIC SAMPLE OF CABLE TELEVISION LISTINGS, 1953-1993
THE OTTAWA CITIZEN ENTERTAINMENT SECTION
CONT'D

- 9.00: (4) (5) (6) (11) The Strauss Family (c)
 Episode 2: Schani. When Johann Strauss Sr. discovers that his son has formed his own orchestra, he determines to prevent Johann Jr. from playing at the Dohmayer Casino where he, himself, formerly led a musical group. Starring Eric Woofe, Stuart Wilson, Anne Stallybrass and Barbara Ferris.
 (10) Emission Speciale (c)
 Les Quatre Visages Du Temps. Avec Jean-Pierre Ferland, Ginette Ravel, Les Gauloises et Andre Gagnon.
-
- 9.30: (7) Barnaby Jones (c)
 (13) (8) (12) A Touch Of Grace
-
- 10.00: (4) (5) (6) (11) Weekend (c)
 (5P) Wild Kingdom (c)
 (9) La fleche du temps (c)
 (10) Quebec Sait Chanter (c)
 (13) (8) (12) The Human Journey
 The Job. The job, its function, the role it plays in shaping our lives and its future are examined in tonight's episode.
-
- 10.30: (5P) N.Y.P.D. (c)
 (7) The Odd Couple (c)
 (9) Telejournal (c)
 (10) Les Nouvelles TVA
-
- 10.45: (9) Sport dimanche (c)
-
- 11.00: (4) (5) (5P) (6) (7) (11) (13) (8)
 (12) News (c)
 (9) Rencontre (c)
 (10) L'Homme de Fer (c)
-
- 11.15: (4) Night Final and Sports
 (7) CBS News (c)
 (9) Sport-dimanche (c)
-
- 11.20: (5) Night Report (c)
 (6) Montreal Tonight (c)
 (11) Local News, Weather and Sports
 (12) Pulse (c)
 (13) (8) Sports Final
-
- 11.30: (4) Feature Film
 The Line Up. Starring Eli Wallach, Robert Keith and Warner Anderson. Following orders from the 'Family', a hired gunman leaves a cold-blooded trail of murder in his attempt to recover some heroin.
 (5) Crossfire
 (5P) Cinema Five
 The Return Of Monte Cristo. Starring Louis Hayward and Barbara Britton.
 (6) Cine-Camp
 Naughty Marietta. Musical-comedy starring Jeanette MacDonald, Nelson Eddy and Frank Morgan.
 (7) Sunday Night Movie (c)
 The Charge Of The Light Brigade. Starring Errol Flynn and Olivia DeHavilland.
 (9) Cinema (c)
 La Salamandre.
 (13) (8) Niven Miller Sings (c)
-
- 11.45: (11) Nightshift
 Love Nest. Starring Marilyn Monroe and Jack Parr.
-
- 12.00: (10) Le 10 vous informe
 (12) Movie
 The Black Orchid. Starring Sophia Loren and Anthony Quinn.
-
- 1.25: (6) Final Report and Weather

Source: The Ottawa Citizen, May 6, 1973.

APPENDIX C
NON-SCIENTIFIC SAMPLE OF CABLE TELEVISION LISTINGS, 1953-1993
THE OTTAWA CITIZEN ENTERTAINMENT SECTION
CONT'D

Thursday

- 6:00 (6) Football Fuddle
 (6) Football
 (6) Sportsman News
 (6) Sportsman News
 (7) WWTV News
 (8) Co-Op
 (10) Pubs, pubs and pils
 (11) Match Game '75
 (12) Pubs
 (13) Soundbark Match
 (14) Pubs
 (15) (6) Toronto
 (16) Vegetable Soup
 (24) Pubs for Deer
-
- 8:30 (6) The Day
 (6) Canadian
 (6) ABC News
 (6) Adam-12
 (7) CBS News
 (8) You a Pious
 (11) Sunday
 (12) Who Says?
 (16) Classic Theatre Program
 (24) Maple and Company
-
- 9:45 (24) Communism
-
- 1:00 (6) Soap 1990
 (6) Adam-12
 (6) The Odd Couple
 (7) Chess and the Man
 (10) In question
 (11) Morn On
 (12) For Kids and Other Pubs
 (13) The Wayne Garbino Show
 (14) (6) (12) The Paul Lynde Show
 (16) Linda... Linda... Linda... the
 funniest man in America, for
 each of his 100 characters in
 his last comedy special
 (16) Seasonal Shows
 (24) Maple Shadow
 (24) Maple for 1st four
-
- 7:30 (6) The Time With Head Human
 (6) Maple for 1st four
 (6) Maple for 1st four
 The Snow Sisters A Bad Day
 for Husband Starring Helen
 Hayes and Mabel Normand
 (7) Let's Make a Deal
 (8) Let's Make a Deal
 (10) Match
 (12) The Wayne Garbino Show
 (13) On the Line
 (16) Morn Agradely Evening
 Edition
 (24) The Education of Max
 Baerbaum
-
- 9:00 (6) (6) (11) The Card Button
 Show
 (6) Thursday Night at the Movies
 A classic out of World Fantasy
 comedy (1) Beyond the Bermuda
 Triangle A navy married couple
 disappear on their honeymoon
 and turn up in Bermuda and
 there they find out that the
 Bermuda Triangle is not a
 mystery but a strange and un-
 expected conclusion with Fred
 MacMurray Donna May and
 Sam Grimes (7) The Science
 Fiction Theatre starts in the
 true story of a West Point
 cadet who was abducted by
 his classmates for a mystery
 involving the Academy's honor
 code with Cliff Gorman
 (7) The Western
 (8) Let's make it...
 A communique
 (12) Know Your School System
 (13) (6) (12) Lillian St. French
 (16) Maple for 1st four
 (24) The Secretary Act
-
- 9:30 (6) Jack O'Clock
 A communique
 (12) Jack O'Clock
 (13) The Same
 (14) (6) (12) The Science of Sex
 (16) Maple for 1st four
 (24) Maple for 1st four

John Alderman and Jeremy Bress star in a special television version of the filmed comedy *The Ricki, the Classic Theatre* presentation tonight at 9 on Channel 13

Audie Murphy plays himself in the screen version of his war adventures *To Hell and Back*, tonight at midnight on Channels 13 and 9

- 9:00 (6) King of Kensington
 (6) Thursday Night Movie
 The French Connection****
 (1971) Gene Hackman stars as
 a tough New York cop who
 is forced to break an international
 case smuggling and
 (6) Story Queen
 (7) Thursday Night Movie
 A Case of Rape****(1972) Star-
 ling Elizabeth Montgomery, Cliff
 Potts and Penny Cox. A 1950
 western tells that she is unable
 to convince her husband for
 hands off the police that she
 has been raped
 (12) Thursday Night Movie
 Dawn Sanders Starring Carol
 Lockman and Lawrence Luckin-
 off
 (13) (6) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100) (101) (102) (103) (104) (105) (106) (107) (108) (109) (110) (111) (112) (113) (114) (115) (116) (117) (118) (119) (120) (121) (122) (123) (124) (125) (126) (127) (128) (129) (130) (131) (132) (133) (134) (135) (136) (137) (138) (139) (140) (141) (142) (143) (144) (145) (146) (147) (148) (149) (150) (151) (152) (153) (154) (155) (156) (157) (158) (159) (160) (161) (162) (163) (164) (165) (166) (167) (168) (169) (170) (171) (172) (173) (174) (175) (176) (177) (178) (179) (180) (181) (182) (183) (184) (185) (186) (187) (188) (189) (190) 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- 9:30 (6) House of Piss
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Source: The Ottawa Citizen, November 6, 1975.

APPENDIX C
NON-SCIENTIFIC SAMPLE OF CABLE TELEVISION LISTINGS, 1953-1993
THE OTTAWA CITIZEN ENTERTAINMENT SECTION
CONT'D

Daily television programs

6.00: (4) Country Report
 (5P) (6) (7) (13) (8) (12) (66)
 News
 (6M) The City at Six
 (9) Ce soir
 (10) Paris, parts, june, june
 (11) Match Game
 (12a) Sound Tracks/Music
 (12a) School Sports
 (18) Zoom
 (24) Paula Det Door

6.30: (4) This Day
 (5P) NBC News
 (6) The Gong Show
 (7) CBS News
 (9) Actuelle
 (11) Deadline
 (12a) College
 (12a) Coming Of Age
 (18) Vegetable Soup
 (24) Roadshow
 (66) ABC News

6.45: (24) Communique

7.00: (5P) Adam 12
 (6) The Odd Couple
 (6M) The Bob Newhart Show
 (7) Mac Haw
 (10) Le dix vous informe
 (11) Fantastic Journey
 (12a) (12a) The Scene
 (13) (8) (12) Loves Me, Loves Me Not
 (18) Men Attila
 (24) Magic Shadows
 Zorro's Fighting Legion
 (66) Gomer Pyle

7.30: (4) (6M) That Marlene Feeling
 (5P) Match Game
 (6) Busting Loose
 (9) Marcus Welby, MD
 (10) Medicin d'aujourd'hui
 (12a) (12a) On the Line
 (13) (8) (12) Stars On Ice
 (18) MacNeil/Lehrer Report
 (24) Mike McManus
 (66) Family Affair

8.00: (4) (6M) (11) Mary Tyler Moore
 (5P) Sanford and Son
 (6) Here Comes The Future
 (13) (8) (12) (66) Danny and Marie
 (18) Washington Week In Review
 (24) Globe Theatre:
 Fall Of Eagles The Secret War

8.30: (4) (5P) (6M) (11) China and the Man
 (6) The San Pedro Burns
 (7) Duffy
 (9) Le 50
 (10) Nouveaux talents
 (12a) (12a) Rocky
 (18) Wall Street Week

Tony Bennett sings with Lena Horne
 in a special tonight at 9 on Channel 11

9.00: (4) Corner Up Country
 (5P) (13) (8) (12) The Rockford
 File
 (6M) Summer Country
 (7) CBS Friday Night Movie
 Support Your Local Gunfighter**
 (1971) Comedy starring James
 Garner and Suzanne Pleshette
 The comic adventures of a man
 who manages to escape from
 his wedding and becomes a gun-
 fighter due to a mistaken identi-
 ty.
 (10) Jose Tadeo
 (11) Special
 Tony Bennett and Lena Horne in
 concert.

(12a) (12a) Kaleidoscope
 (18) Masterpiece Theatre
 Upstairs, Downstairs
 (24) Harlan
 (66) The ABC Friday Night Movie
 Aloha, Bobby and Rose** (1976)
 Drama starring Paul Leibel and
 Donna Mull. A love affair that
 begins under the glossy neon
 lights on Hollywood's Sunset
 Strip explodes into a living
 nightmare when a untold joke
 leads to an accidental killing and
 panicked flight by two lovers

9.30: (9) Rue des pignons
 (10) Ou'en parlez vous
 (12a) Tout Droit
 (12a) Realist

10.00: (4) (6M) Police Story
 (5P) (13) (8) (12) Quincy
 (6) Global News Hour
 (9) Science realite
 (10) Le Corne d'abondance
 (11) Starkey and Hutch
 (12a) Panorama
 (18) Documentary Showcases
 (24) Making A Movie

Channel Log

(4) CBOT Ottawa (CBC) (Cable 8)
 (5P) WPTZ Plattsburgh (NBC)
 (Cable 6)
 (6) GLOBAL Southern Ontario
 (Cable 3)
 (6M) CBMT Montreal (CBC)
 (Cable 20-G)
 (7) WYNY Watertown (ABC,
 NBC, CBS) (Cable 5)
 (8) CJSB Cornwall (CTV)
 (Cable 2)
 (9) CBOT Ottawa (CBC)
 (Cable 11)
 (10) CFTM Montreal (TVI)
 (Cable 9 Skyline; 13 Ottawa)
 (11) CWS Kingston (CBC)
 (Cable 24 Skyline, 9 Ottawa)
 (12) CFCF Montreal (CTV)
 (Cable 13 Skyline; 17-D Ottawa)
 (12a) Ottawa Cablevision
 (12a) Skyline Cablevision
 (13) CJOH Ottawa (CTV)
 (Cable 2)
 (18) WHPE-WNPE Norwood (PBS)
 (Cable 4)
 (24) TYO (Ontario Educational)
 (Cable 7)
 (66) WUTR Uxio (ABC)
 (Cable 19-F)

Source: The Ottawa Citizen, May 6, 1977.

APPENDIX C
NON-SCIENTIFIC SAMPLE OF CABLE TELEVISION LISTINGS, 1953-1993
THE OTTAWA CITIZEN ENTERTAINMENT SECTION
CONT'D

8:30: (4) Mary Tyler Moore
 (5) Happy Days Again (R)
 (6) Match Game
 (6M) Mary Tyler Moore (R)
 (7) Beverly Hills Cop
 (8) Tee Faye et Mes Garçons
 (12a) (12a) Insurance Info '79
 (13) M.A.S.H.
 (13R) All in the Family
 (18) Electric Company (R)
 (30) La Publique de Québec

8:55: (12a) Contact

9:00: (4) CBC Evening News
 (5) Incredible Hulk
 "The Siemmer" David Banner is arrested for vagrancy and sent to a work camp
 (6) Global News
 (6M) (7) (8R) (10R) (12) (13) (13R) News
 (9) Actualité
 (10) Le Des Vous Informe
 (11) Happy Days Again
 In need of extra cash, the Cunninghams reluctantly rent out the room over the garage to Fonzie
 (18) Zoom (R)
 (24) Paula Got Dear
 (30) Kabuki au Pays du Convent-les
 (40) Vous Informe

9:30: (7) CBS News
 (8R) NBC News
 (10) (40) Les Tournants
 (11) News
 (12a) Minor Football
 "Ottawa-Carlton League Season Lamourous Cup"
 (13R) ABC News
 (18) Old Mowhawk
 (24) Fabes Of The Green Forest
 (30) On Auz Teut Vu

8:55: (24) White Owl

7:00: (4) (6M) Happy Days Again
 When Fonzie's motorcycle is totaled in front of the Cunningham house, he vows to kill the perpetrator
 (5) 240-Robert
 (6) Family Feud
 (7) Sounding Board
 (8R) M.A.S.H.
 Radar gets a "Dear John" letter - on a record - and the doctors try to come to his assistance with a new girl
 (8) Co Sair
 (10R) CBS News
 (11) California Fever
 An unscrupulous competitor uses dirty tricks to keep Ross from entering the Grossmobile in a unique auto contest
 (12) Dating Fango
 (12a) Co Se Pense Chaz Neus
 (12) Whatever Turns You On
 (13R) Happy Days Again
 Howard becomes convinced that his life has been wasted and decides to run away to Tahiti
 (18) MacNeil - Lehrer Report
 (24) People And Pets
 "The Horse As A Pet"
 (30) Le Parade de Questions

7:30: (4) Country Report (R)
 (5) Bob Hunter
 Bob has problems at the office and at home when one of his patients falls in love with him
 (6M) ConsumerScope
 (7) Different Strokes
 Jethro Simpson (Whitman Mayo) discovers an old will under which Arnold and Willis would inherit money and claims to be the boys' only relative (Part 1 of 2)
 (8R) Newlywed Game
 (9) Propulsion CTF
 (10) (40) Le Can Beaulieu
 (10R) Carol Burnett And Friends
 (12) (13) Stars On Ice
 Guests: Perry Jewell, Janet and Mort Hamniks, Bob Weize, Maureen McGovern
 (12a) (12a) Mending Your Own Business
 (13R) P.M. Magazine
 Featured are a human bomb, an interview with Sally Field and Dr. Jim Walco
 (18) Cabin Country
 (24) Magic Shadows
 *** "My Friend Flics" (Part II)
 (1943) Roddy McDowell, Preston Foster

8:00: (4) (5) (6M) (7) (11) (13R) Happy Days
 Fonz is asked to fill the need for girls when a burlesque troop performing for Howard's lodge show fails to appear
 (8) What Will They Think Of Next
 (8R) Sheriff Lobo - BJ And The Bear
 When BJ is arrested for stealing the receipts of a Las Vegas casino, Sheriff Lobo (Claude Akins), competing for a police award, becomes determined to find the missing loot
 (9) 8 Etat Une Fem... l'Homme
 (10) (40) La Conquête de l'Ouest
 "La Famille Meccan" (10a part)
 (10R) News
 *** "Escape From The Planet Of The Apes" (1971) Roddy McDowell, Kim Hunter.
 (12) (13) Angie
 Angie's old boyfriend returns to town and uses every trick in the book to get Angie back.
 (12a) (12a) Kaleidoscope: Indian
 (18) News
 "All Part Of The Game" Athletes may no longer have to accept the risk of serious, disabling injuries due to the promising future of sports medicine
 (24) Tetrahymena's Egypt
 "The Scribes" (Part II)
 (30) Mail

8:30: (4) (5) (6M) (11) The Rose
 Guests: Trooper, Christopher Ward
 (8) Movie
 *** "McCloud Fifth Man in A String Quartet" (1972) Dennis Weaver, Neville Brand
 McCloud becomes suspicious of a reformed gangster who is now running for public office
 (7) (13R) Angie
 Angie's old boyfriend returns to town and uses every trick in the book to get Angie back.
 (12) Love Boat
 (12a) (12a) Inquest: P.S.A.C.
 (13) Quincy
 Quincy tries to prove the innocence of a young man suspected of pushing his pregnant girlfriend over a cliff.
 (24) The Real Story
 "Energy And Resources" This newsmagazine program examines tensions between Ontario and the other regions of Canada, and between Ontario and the federal government (Part 1 of 3)
 (30) L'Ecran Gaest
 "La Belle apparence" (1978) Anouk Smerd, Francoise Beld

8:00: (4) (5) (6M) (11) (13R) These's Company
 Jack's planned quiet weekend at a secluded mountain cabin turns into a three-ring circus when Janet and Christy show up with a crowd
 (7) News
 "11th Victim" (Premiere) Bess Armstrong, Max Gail
 A Midwestern newspaper reporter travels to Hollywood to find the murderer of her sister, an aspiring actress who became a psychotic killer's 11th victim
 (8) Tomorrow
 (10) (40) News: 5-0
 (12a) Breath Of Life
 "Infant Respiratory Disease"
 (12a) Breath Of Life
 (18) World
 "Cambodia: A Nation Is Dying"
 (24) Vets
 "The Tree That Grew Up" The government's plan to grow poplars which could revolutionize the forest industry, is examined (Part 4 of 14)

8:30: (4) (5) (6M) (11) Fish Escape
 The harm being done to crops, lakes and forests by a deadly combination of sulphur dioxide and an known as "acid rain" is examined in Sweden and Norway, two of the countries most devastated by the phenomenon
 (12) (13) Taw
 (12a) (12a) I Didn't Know That
 (13R) Julie Andrews Special
 "Julie And Sammy" Julie and her guest, Sammy Davis Jr., deliver a once-in-a-lifetime special of music and fun from Broadway's great musicals, including "My Fair Lady", "Guys And Dolls", "Fiddler On The Roof", and "The Music Man"

Source: The Ottawa Citizen, November 6, 1979.

APPENDIX C
NON-SCIENTIFIC SAMPLE OF CABLE TELEVISION LISTINGS, 1953-1993
THE OTTAWA CITIZEN ENTERTAINMENT SECTION
CONT'D

10.00: (6) *Starsky & Hutch*
 A young wrestler's financial success causes greedy in-fighting which results in a triple murder (BR) *Candid Camera*
 Allen Funt and co-hosts Loni Anderson, Valerie Harper and Wilt Chamberlain present a look at how people behave when they don't know they are being filmed in an updated version of the long-running series
 (9) *L'Enfance à View*
 (10) (40) *Starkey*
 (10R) *Eye On The Election*
 Gabe Dalmath, Margaret Graham Smith report from the Board of Election Tabulation Center at Rochester's Community Memorial and Wyome Best and Roy Leve to present candidate interviews (12) (13) *Hart To Hart*
 (12a) *Other Side*
 "The Vocal Minority"
 (18) *Soundstage*
 "The Temptations" The Temptations mix rhythm and blues with dazzling choreography as they sing a medley of their all time greatest hits
 (24) *Cape*
 "Violence And Vandalism" (Part 2 of 3)
 10.30: (4) (6) (6M) (11) *Men Alive*
 Love For The Unloved Roy Bonsteel interviews Mother Teresa in a conversation conducted during her visit to Canada three years ago (A)

(9) *Le Téléjournal*
 (10) (40) *Les Nouvelles TVA* (4T)
Le Quotidien
 (12a) *Mental Health*
 (12a) *Dots '80*
 (13R) *Election Coverage*
 (24) *The Joye*—I Collecting
 Guest Elizabeth Colford, author and historian (Part 2)
 (30) *Les Debats à l'Assemblée Nationale*
 11.00: (4) (6) (6M) (11) *CBC National News*
 (6) *Global News*
 (7) (BR) (10R) (13R) *News*
 (10) *Les Sports au 10*
 (12) (13) *CTV National News*
 (12a) (12a) *On Our Way Home*
 (18) *Dick Cavett*
 Guest Richard L. Strout (Part 1 of 2)
 (24) *The Real Story*

11.05: (8) *Le Téléjournal Outaouais*
 (10) *Le Cœur du Temps*
 11.15: (10) *Bonjour le Monde*
 (40) *Differant Voe*
 11.20: (9) *Rencontres*
 (12) (13) *News*
 11.27: (4) (6) (6M) (11) *News*
 11.30: (6) *Sports Probe*
 (7) (10R) *Barney Jones*
 (BR) *Tonight*
 Host Johnny Carson Guests Sidney Goldsmith, Bert Convy, Angie Dickinson, Garson Kanin
 (13R) *Barney Miller*
 (18) *Two Ronnies*
 (24) *Question Period*
 11.45: (4) (6M) *The Good Life*
 11.50: (9) *Cinema*
 "L'Or noir" (1974) Roger Moore
 Susannah York
 12.00: (5) *Mova*
 ... *Take The Money And Run*
 (1969) Woody Allen, Janet Margolin
 (6) *Merv Griffin*
 Guests Robert Merrill, Grace Jones, Dudley Moore, Nancy Parker, Vicki Gold-Lew, Clint Holmes
 (10) (40) *Film-O-Die*
 "Hello Dolly" (1969) Barbara Streisand, Walter Matthau
 (11) *Mova*
 ... *When The North Wind Blows* (1973) Dan Haggerty, Henry Brandon
 A trapper takes to the mountains to escape his problems and make a life in the wilderness
 (12) *Mova*
 ... *WUSA* (1970) Paul Newman, Joanne Woodward
 An alcoholic disc jockey finds himself a pawn in a reactionary political plot and assassination
 (13) *Mova*
 ... *Buster And Billie* (1974)
 Jan Michael Vincent, Joan Goodfellow
 A popular young man falls in love with a girl from the wrong side of the town
 (18) *Carry On Laughing*
 12.03: (13R) *ABC Movie*
 ... *Beautiful But Deadly* (1973)
 Anthony Quinn, Frederic Forrest
 12.15: (4) *Survival By Lightning*
 (6M) *Cuckoo Waltz*
 12.40: (7) (10R) *CBS Late Movie*
 ... *Las Vegas Lady* (1976)
 Stella Stevens, Stuart Whitman
 1.00: (BR) *Tomorrow*
 Guests Author-psychologist Dr. Richard Mogen, Ms. Velvet Rhodes, marriage broker Dan Field
 1.30: (6) *The Gang Show*
 1.52: (13) *Chopper Squad*

Channel Log

(4) *CBC Ottawa (Cable 4)*
 (5) *CTIRO Regional Ottawa*
 (Mid-Canada) (Cable 6)
 (6) *GLOBAL Southern Ontario*
 (Cable 3)
 (6M) *CBMT Montreal (CBC)*
 (Cable 20-G)
 (7) *WWNY Watertown*
 (BR) *WROC Rochester (NBC)*
 (Cable 9)
 (9) *CROFT Ottawa (CBC)*
 (Cable 11)
 (10) *CFTM Montreal (TVA)*
 (Cable 22-F Skyline, 24-K Ottawa)
 (10R) *W11FC Rochester (CBS)*
 (Cable 5)
 (11) *CKWS Kingston (CBC)*
 (Cable 24 Skyline, 17-D Ottawa)
 (12) *CFCF Montreal (CTV)*
 (Cable 13)
 (19a) *Cable 13*

Source: *The Ottawa Citizen*, November 6, 1979.

APPENDIX C
NON-SCIENTIFIC SAMPLE OF CABLE TELEVISION LISTINGS, 1953-1993
THE OTTAWA CITIZEN ENTERTAINMENT SECTION
CONT'D

TV listings

6.30 p.m. (1) That's Incredible!
 (7) (10R) CBS News
 (8R) NBC News
 (12a) Densons
 (12a) Kaleidoscope: Movie
 (13R) ABC News (CC)
 (24) Fables Of The Green Forest
 (30) Teleservice
 (40) G.I. Joe

7.00 p.m. (4) Performance
 (6) That's Life
 (6M) Barney Miller
 (7) Fame
 (8R) (12) M.A.S.H.
 (9) Drole de vie
 (10) (40) Golem
 (10R) Wheel Of Fortune
 (11) That's Incredible!
 The first couple married in a space capsule, six cheerleaders covered by a million bees, a woman whose features were damaged by cancer surgery
 (12a) Caribbean Calendar
 (12a) Kaleidoscope: Portugal
 (13) Entertainment Tonight
 Interviews with Marilu Henner, Martyna Miodulova
 (13R) Newscap
 (18) Business Report
 (24) Training Dogs The Woodhouse Way
 (27-N) Beverly Hills
 (29-P) Movie
 ** Agency
 (30) Pierre Nadeau rencontre
 7.30 p.m. (4) Barney Miller
 The arrival of bullet-proof vests causes mixed reactions throughout the precinct (R)
 (5) Three's Company
 (6) Mary Tyler Moore
 When Rhoda loses her job, Mary is reluctant to help her find another
 (8M) Get To The Point
 Featured rare interview with Jean Drapeau
 (8R) Entertainment Tonight
 (9) Terre Humaine
 (10) (40) La Petite Maison dans la Prairie
 Le Retour de Nellie

(10R) Family Feud
 (12) (13) Miss Canada Pageant
 (12a) Open Line Ottawa
 "Alzheimer's Disease"
 (12a) College Football
 Ottawa University vs
 Carleton University
 (13R) Mark And Mandy
 (18) Cabin Country
 (24) Magic Shadows
 ** 1/2 The Black Rose (Part II) (1954)
 Tyrone Power, Orson Welles
 A 13th century English Saxon travels
 Oriental caravan routes seeking trade
 secrets
 (28-O) Movie
 ** 1/2 Some Kind Of Hero
 (30) Les grandes malades

7.35 p.m. (27-N)
 Hockey
 Quebec Nordiques vs
 Edmonton Oilers

8.00 p.m. (4) (5)
 (6M) (11) Hangin' In
 After six months in a
 group home, a young
 delinquent (Samantha
 Follows) prepares to
 return to her regular
 home (CC)
 (6) Emerald Point
 N.A.S.
 The verdict in Glenn's
 court martial is delivered, and Marian
 introduces Maggie to
 the officer (William
 Smith) he plans to
 dispatch to learn the
 fate of her husband
 (7) (10R) Scarecrow
 And Mrs. King
 (8R) TV's Greatest
 Censored Commercial
 Bloopers
 (9) Fawcett et al
 Hector a peur de
 pas être accepté par
 la famille
 (13R) That's Incredible!
 (18) The Making Of A
 Continent
 "The Land Of Sleeping
 Mountains"
 (24) Is Your Brain Really
 Necessary?
 A documentary about
 three hydrocephalus
 adults is presented

8.30 p.m. (4) (5)
 (6M) (11) Bay City
 Blues
 A major-league spot
 fails to keep tragedy
 from befalling a
 former Bluebird
 player, and an agent
 sets his sights on
 Terry (Patrick Cassidy)
 (9) La Bonne aventure
 (10) (40) Peau de banane
 "Une epidemie"
 (12a) Kaleidoscope
 Holland
 (15) Everybody's Children:
 Body Images
 (29-P) Movie
 ** 1/2 Still Of The Night
 (30) Journal de Voyage

8.00 p.m. (6) (13R)
 NFL Football
 New York Giants at
 Detroit Lions (CC)
 (7) (10R) AfterMASH
 Klinger becomes a
 lunch-hour disc jockey
 on the hospital's
 public address system

(8R) (12) (13) Movie
 "Princess Daisy"
 (Part 2) (Premiere)
 Romance with a non-
 committal director of
 TV commercials
 precedes Daisy's involvement
 with a millionaire
 who hires her to
 advertise his new
 cosmetics line (CC)
 (2 hrs.)

(9) Quincy
 (10) (40) Une Vie
 (12a) To Be Announced
 (15) Literature And
 The Sciences: Brave
 New Universe
 (18) Great Performances
 "The Life Of Verdi"
 The years in which
 Giuseppe Verdi premiered
 "Luise Miller"
 "Il Trovatore" and began
 "Rigoletto" are
 dramatized
 (24) Chambers
 (Premiere) "Tracks
 And Gestures"
 The life of Canadian artist
 Jack Chambers is
 profiled, including his
 childhood, his studies
 and travels in Spain,
 his marriage and his
 battle with leukemia

8.30 p.m. (4) (5)
 (6M) (7) (10R) (11)
 Newhart
 Joanna rebels against
 the Vermont tradition
 of having women
 serve their husbands
 at potluck dinners
 (10) (40) Michel Jermann
 (12a) Kaleidoscope
 Syria
 (28-O) Movie
 ** 1/2 "The Sender"
 (30) Le 60-80
 "Vivre en ville"

10.00 p.m. (4) (5)
 (6M) (11) The National
 - Journal
 (7) (10R) Emerald
 Point N.A.S.
 (9) Le Teleguide - Le
 Point - La Météo
 (12a) Sports

(12a) To Be Announced
 (24) Writers And
 Pieces
 (29-P) Movie
 ** 1/2 "Not A Love
 Story"
 (30) Tele-documents
 "Les troubles
 L'empereur"

10.30 p.m. (10) Les
 Nouvelles TVA
 (12a) On The Move
 With High School
 Sports
 (18) Fritz Scholder: An
 American Portrait
 Internationally-acclaimed
 American Indian
 painter Fritz Scholder
 is profiled
 (24) Cold War Game
 "Taking Sides" (Part
 2)
 (27-N) Beverly Hills
 (40) Nouvelles TVA -
 CHOT Vous informe

11.00 p.m. (5) (7)
 (8R) (9) (10R) (12)
 (13) News
 (10) (40) Les Sports
 (18) Business Report
 Bus. Report
 (24) Not The Nine
 O'Clock News
 (27-N) Cnema
 ** 1/2 "Derrriere la
 porte" (1963) Marcello
 Mastroianni, Elio
 Nora Guri
 (28-O) Movie
 ** "Norman Loves
 Rose"
 (30) Pierre Nadeau
 rencontre (R)

11.05 p.m. (4) (6M)
 (11) News

11.15 p.m. (9) Histoire
 du Chevalier des
 Grues et de Manon
 Lescaut
 (10) (40) Le couleur
 de temps

11.35 p.m. (4) (6M)
 Barney Miller
 (11) Movie
 ** "A Time For
 Love" (1973) Rick
 Jason, Jane Marlow

11.30 p.m. (5)
 Maude
 (7) Hart To Hart
 (8R) The Best Of Carson
 Host Johnny Carson
 Guests: James Stewart,
 Mac Davis (R)
 (10) (40) Les Têtes
 Brulées
 "Le Gibraltar du Pacifique"
 (10R) America's Top
 Ten
 (18) LateNight America
 (24) Foster Care
 (30) Teleservice (R)

11.55 p.m. (4) (6M)
 M.A.S.H.
 (1938) Belle Davis,
 Henry Fonda
 A strong-willed
 Southern woman's refusal
 to recognize her
 own faults costs her
 the love of her fiancé
 (2 hrs.)

midnight (5) Movie
 ** "Marnie" (1964)
 Tippi Hedren, Sean
 Connery

(6) (13R) News
 (10R) Hart To Hart
 (12) Movie
 ** 1/2 "The Way We
 Were" (1973) Barbra
 Streisand, Robert
 Redford
 (13) Movie
 ** "The Eiger Sanction"
 (1975) Clint
 Eastwood, George
 Kennedy
 (29-P) Movie
 "I. Maureen"

12.30 a.m. (6)
 Movie
 ** 1/2 "Pardon Us"
 (1931) Stan Laurel,
 Oliver Hardy
 (8R) Late Night With
 David Letterman
 Guests: Dinah Shore,
 comedian Richard
 Lewis
 (13R) ABC News
 Nightline
 (27-N) Cinema
 ** "Les Chiens-
 chaud" (1980) Harry
 Reems, Nicole Morin

12.40 a.m. (7) Col-
 umbo

1.00 a.m. (13R) The
 Fugitive
 (28-O) Burton Cummings:
 My Own Way
 To Rock

1.10 a.m. (10R) Co-
 lumbo

1.30 a.m. (8R)
 Movie
 ** "Three Into Two
 Won't Go"
 (29-P) Movie
 ** 1/2 "The Bell Jar"

2.00 a.m. (13R)
 News
 (27-N) Bruce Cockburn
 Live
 (28-O) Movie
 ** 1/2 "Whose Life is
 It Anyway?"

2.30 a.m. (12) Solid
 Gold
 Guests: Men at Work,
 Eddie Babbitt, Peter
 Allen

2.30 a.m. (10R) CBS
 News Nightwatch
 (13) The Waltons

3.00 a.m. (8R)
 Movie
 ** 1/2 "Family Honey-
 moon" (1948) Claudette
 Colbert, Fred
 MacMurray

Ratings	
....	Excellent
...	Very Good
..	Good
...	Fair to good
..	Fair
...	Fair to poor
..	Poor
Pay TV	
Channel Log	
27-N Premier Choice	
28-O First Choice	
29-P Superchannel	

Source: The Ottawa Citizen, November 6, 1983.

APPENDIX C
NON-SCIENTIFIC SAMPLE OF CABLE TELEVISION LISTINGS, 1953-1993
THE OTTAWA CITIZEN ENTERTAINMENT SECTION
CONT'D

TV listings

6.30 p.m. (6) World Report
 (7) (10R) CBS News
 (8R) NBC News
 (10) (40) Odyssee
 (120) It's So Easy
 (125) Ontario Darts Competition
 (13R) ABC News (CC)
 (24) Vision On
 Although uniforms usually suggest orderly calm and discipline, there are some exceptions
 (28-O) Yes You Can
 (30-O) Cinema
 "La tete en delire"
 (30) Teleservice plus
 7.00 p.m. (4) Country Report
 (5) Hardcastle And McCormick
 (6) (10R) Wheel Of Fortune
 (6M) Now
 (7) (11) Fame
 (8R) M.A.S.H.
 (9) Trouvez l'erreur
 (10) (40) Les Moineaux et les Pinson
 (12) (13) Entertainment Tonight
 Interview with Tom Selleck
 (120) Ottawa Life
 (13R) Happy Days Again
 (18) Business Report
 (24) Wild World
 This program uses unusual photographic techniques to document the underground life of the mole. (R)
 (28-O) SportsDesk

7.30 p.m. (4) (6M) Venture
 (6) Pizzazz
 Featured a lady trucker, growing up with the circus. Peter Allen, Carl Reiner, Barbara Bosson
 (8R) Jeopardy
 (9) Poivre et sel
 (10) (40) La Croisiere s'amuse
 (10R) Entertainment Tonight
 (12) (13) Live It Up
 Best baby-carriers on the market, tips on how to make pets photogenic, profile of singer-songwriter Jane Siberry
 (R) (CC)
 (10) L'Amour
 (11) L'Amour
 (12) L'Amour
 (13) L'Amour
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 (99) L'Amour
 (100) L'Amour

(24) Nation
 A look at some aspects of daily performance from the perspective of the (CC)
 (28 O) Rugby League
 (30 O) Cinema
 "The Day After Tomorrow"
 (30) Nourie to Omboc
 8.30 p.m. (4) (5) (6M)
 (11) Danger Day
 (9) La Vie promise
 (10) (40) Entre chien et chat
 (12) (13) Magnan, P.
 (120) Kaleidoscope
 (30) Varietes Michel Jasmin
 9.00 p.m. (4) (5) (6M)
 (17) (10R) (11) Kate & Allie
 Kate and Allie have a party to celebrate their friendship and to honor one of their dearest friends who has just died.
 (6) (13R) Movie
 Face II (Part 2 of 2)
 (Premiere) Trucke Adams, Annie Dominko When her mother is kidnapped and threatened with death by a man in a white mask, she desperately attempts to turn the ransom by discovering which of these wealthy men is the father (CC)
 (8R) Academy Of Country Music Awards
 Loretta Lynn, Glen Campbell and Janis Faye host the 25th annual edition of the country recording artists of the year
 (9) Tote l'undi, Neddy, les des espions
 (10) (10R) Pringle
 (120) Opening Politics
 Guest: Marianne Williamson Mayor of Kansas
 (18) American Playhouse
 Displaced Person
 Based on Kurt Vonnegut's short story about a 6 year old black of whom in Germany at the end of World War II was believed a black American soldier, helping the men at his father (CC)
 (24) No Man's Land
 Based on Harold Pinter

Source: The Ottawa Citizen, May 6, 1985.

APPENDIX C
NON-SCIENTIFIC SAMPLE OF CABLE TELEVISION LISTINGS, 1953-1993
THE OTTAWA CITIZEN ENTERTAINMENT SECTION
CONT'D

ter's play about a
 seedy down-at-heel
 poet and an alcoholic
 man of letters. Starring
 John Gielgud and Ralph
 Richardson.

(28-O) USFL Football
 - Houston Gamblers at
 Portland Breakers.

9.30 p.m. (4) (5) (6M)
 (7) (10R) (11) Newhart
 (12) (13) American Film
 Institute Salute To
 Gene Kelly
 (12s) Community
 Sports
 (29-P) Movie
 **½ "Blue Thunder"

10.00 p.m. (4) (5) (6M)
 (11) National - Journal
 (CC)
 (7) (10R) Cagney &
 Lacey
 (9) Le Téléjournal (CC)
 (10) (40) Dynastie
 (12o) Big Jim's World,
 Big Jim's City
 (18) Politicians On The
 Griddle: 100 Years Of
 The Gridiron
 (30-O) Benny Hill
 (30) National Geo-
 graphic
 Les toutes dernières
 découvertes en méde-
 cine nous laissent pen-
 ser que le cerveau est
 une machine

10.25 p.m. (9) Le
 Point - La Meteo

10.30 p.m. (24) Mas-
 ters Of Performing
 Arts: Maureen Forres-
 ter
 (30-O) Cinema
 **½ "Les Ambitieux"

11.00 p.m. (4) (5) (6)
 (6M) (7) (8R) (10R) (11)
 (13R) News
 (10) (40) Nouvelles
 TVA
 (12) (13) CTV National
 News (CC)
 (18) McLaughlin Group
 (24) Talking Film
 (30) Teleservice plus
 (R)

11.05 p.m. (9) Le sup-
 plement

11.20 p.m. (12) (13)
 News

11.25 p.m. (4) (6M)
 Barney Miller
 (9) Histoire du Cheva-
 lier des Grioux et de
 Manon Lescaut
 (2o de 6)

11.30 p.m. (5) Times
 Company
 (6) Sportsman
 (7) Simon & Simon
 (10) First Of Carson
 (11) Johnny Carson
 (12) Tonight Show
 (13) Tonight Show
 (14) Tonight Show
 (15) Tonight Show
 (16) Tonight Show
 (17) Tonight Show
 (18) Tonight Show
 (19) Tonight Show
 (20) Tonight Show
 (21) Tonight Show
 (22) Tonight Show
 (23) Tonight Show
 (24) Tonight Show
 (25) Tonight Show
 (26) Tonight Show
 (27) Tonight Show
 (28) Tonight Show
 (29) Tonight Show
 (30) Tonight Show

11.35 p.m. (11) Movie
 **½ "Blue Water
 White Death" (1971) An
 underwater film set
 out from South Africa to
 track the elusive and
 ferocious Great White
 Shark

11.45 p.m. (10) (40)
 Cinema
 Les mystères de la
 méditerranée (1974) A
 la recherche de la
 Méditerranée

11.55 p.m. (4) (6M)
 Movie
 **½ "Action In The North
 Atlantic" (1943) When
 enemy forces threatened
 the North Atlantic, the
 Navy fought desperately
 to keep shipping lanes
 open during World War
 II

midnight (5) Dallas
 (6) Benny Hill
 (10R) Simon & Simon
 (12) Movie
 **½ "S.O.S. (1981) Will
 iam Holden, Julie An-
 drews
 (13) Twilight Zone
 (14) Lindsay has an old
 radio which only picks
 up old radio shows
 (15R) ABC News
 Nightline
 (26-O) SportsDesk

Source: The Ottawa Citizen, May 6, 1985.

APPENDIX C
NON-SCIENTIFIC SAMPLE OF CABLE TELEVISION LISTINGS, 1953-1993
THE OTTAWA CITIZEN ENTERTAINMENT SECTION
CONT'D

TV TONIGHT

PRIME TIME AT A GLANCE

	7.00	7.30	8.00	8.30	9.00	9.30	10.00	10.30
(1) (A)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		National	Journal
(2) (A)	Banking		Thyestis		Notes		National	Journal
(3) (A)	Wheel Fortune	Jasper	Not My Type	From Page	Notes		Private Eye	Journal
(4) (M)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		National	Journal
(5) (A)	Wheel Fortune	Not My Type	Not My Type	From Page	Notes		Private Eye	Journal
(6) (R)	M.A.S.H.	M.A.S.H.	Not My Type	From Page	Notes		Private Eye	Journal
(7) (A)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(8) (R)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(9) (A)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(10) (R)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(11) (A)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(12) (R)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(13) (A)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(14) (R)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(15) (A)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(16) (R)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(17) (A)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(18) (R)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(19) (A)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(20) (R)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(21) (A)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(22) (R)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(23) (A)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(24) (R)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(25) (A)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(26) (R)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(27) (A)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(28) (R)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(29) (A)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(30) (R)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(31) (A)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(32) (R)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(33) (A)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
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(42) (R)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
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(44) (R)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(45) (A)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(46) (R)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
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(66) (R)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(67) (A)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
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(70) (R)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(71) (A)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(72) (R)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(73) (A)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(74) (R)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(75) (A)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(76) (R)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
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(81) (A)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
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(89) (A)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(90) (R)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(91) (A)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
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(93) (A)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(94) (R)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(95) (A)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(96) (R)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(97) (A)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(98) (R)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(99) (A)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal
(100) (R)	Porto Cello	Simon Fort	Not My Type	From Page	Notes		Private Eye	Journal

M: Arts & Entertainment; N: Cable News; National; CNN: Cable News Headlines (if Home only); F: First Choice/Supersport; F.C.: First Choice; T.C.: The Learning Channel (Sat only); T.N.: The Nashville Network; T.S.: The Sports Network

TONIGHT'S BEST BETS

COUNTRY

Dolly: Guests include Delta Burke, the Oak Ridge Boys (12, 13 at 8 p.m.)

PAY-TV

CFL Football: Hamilton Tiger-Cats at Calgary Stampeders (28 at 9:30 p.m.)

ROCK

Good Rockin' Tonight. Includes videos by Fleetwood Mac, Pink Floyd, Jethro Tull (8, 6M at midnight)

Source: The Ottawa Citizen, November 6, 1987.

APPENDIX C
NON-SCIENTIFIC SAMPLE OF CABLE TELEVISION LISTINGS, 1953-1993
THE OTTAWA CITIZEN ENTERTAINMENT SECTION
CONT'D

SATURDAY MAY 6

TV movie ratings	
....	Excellent
...½	Very good
...	Good
...½	Fair to good
..	Fair
...½	Fair to poor
..	Poor
(R)	Denotes repeat
(CC)	Closed captions
Provided	TV Date

- 8.00 a.m.**
- (6) Night Ride
 - (13) Infotext
 - (27) VJ: Erica Ehm
 - (10) (10) Cinema
 - ... "Meurtre à Hollywood" (2 hrs)
 - (15) Radio France Internationale
- 8.15 a.m.**
- (12) Gimme a Break!
- 8.30 a.m.**
- (21) TSH Wrestling
- 8.40 a.m.**
- (27) Rockflash News
- 8.45 a.m.**
- (12) PK's Video Gold
- 8.00 a.m.**
- (5) Size Small
 - (4) Seneca Telecollege
 - (1) Wall Street Journal Report
 - (10) Looney Tunes
 - (11) News
 - (12) Swiss Family Robinson
 - (13) Fitness For Life
 - (23) (11) World of David the Gnome
 - (27) Blue Spotlight Special
 - Featured Stevie Wonder
 - (25) Movie
 - ... "God Rides a Harley" (1 hr., 30 min.)
- 8.30 a.m.**
- (5) Fred Penner's Place
 - (8) Ewoks
 - (1) Completely Mental
 - Misadventures of Ed Grimley
 - (11) Your Wealth
 - (12) Paul Hann and Friends
 - (13) Popeye
 - (21) (21) Let Me Prove It
 - (21) Mousercise
 - (27) VJ: Erica Ehm

- 7.00 a.m.**
- (5) Edison Twins
 - (2) Size Small Island
 - (8) Bullwinkle
 - (8) Ghostbusters
 - (10) Thunderbirds
 - (11) Real Fishing Show
 - (12) Dennis the Menace
 - (13) Tree House
 - (21) (21) Boy Dominic
 - (21) (11) Janosh's Dream World
 - (27) Rockflash W:ap
 - (28) SportsDesk
 - (10) (10) Cinema
 - ... "Le Fils du desert" (2 hrs)
 - (27) Winnie l'ourson
- 7.30 a.m.**
- (3) Passe-Partout
 - ... "Brun neutralise les effets d'une annonce publicitaire sur Pruneau"
- 7.30 a.m.**
- (5) Hercules
- 7.45 a.m.**
- (1) World Tomorrow
 - (7) Danny Burgess
 - (8) Teenage Mutant Ninja Turtles (CC)
 - (9) Passe-Partout
 - (10) Transformers
 - (11) Casting Out
 - (12) 100 Huntley Street
 - (13) Polly Wog
 - (15) Kidsona
 - (18) Market to Market
 - (21) (21) Adventures of the Little Prince
 - (23) (11) Wish Upon a Star
 - (27) Muchmusic West
 - (28) SpeedWeek
 - (28) Movie
 - ... "Taking Care" (1 hr., 30 min.)
 - (27) Garderie des amis
- 7.45 a.m.**
- (6) Thought for Today
 - (15) Les Fables d'Esopo
- 7.50 a.m.**
- (6) Matha Yoga
- 8.00 a.m.**
- (4) (21) Sesame Street
 - (5) She-Ra: Princess of Power
 - (6) C.O.P.S.
 - (7) Adventures of Raggedy Ann and Andy (CC)
 - (8) Kissyfur (CC)
 - (9) Gabby et les petits maîtres
 - (10) Denver, the Last Dinosaur
 - (11) Fishing the North
 - (12) Marie Soleil
 - (13) Flintstone Kids (CC)
 - (15) Infotext
 - (18) Rod and Reel Streamside
 - (21) (21) Spartakus
 - (23) (11) Dumbo's Circus
 - (25) Polka Dot Door
 - (27) VJ: Steve Anthony

- 8.00 a.m.**
- (28) Drag Racing
 - ... "HRA Nationals From Darlington, S.C. (R)"
 - (28) Pause musicale
 - (15) Radio France Internationale
 - (27) Hibou, Chou, Genou
- 8.30 a.m.**
- (5) ALF
 - (5) (5) Disney's Adventures of the Gummi Bears
 - (7) Superman
 - (9) La Famille calinours
 - (10) My Little Pony
 - (11) Harrigan
 - (12) (13) Rockets (R) (CC)
 - (13) New Adventures of Winnie the Pooh (CC)
 - (18) Rod and Reel
 - (21) (21) Waldo Kitty
 - (23) (11) Good Morning Mickey!
 - (24) Free to Fly
 - (27) Salut Disney
- 8.45 a.m.**
- (23) Adventures of Timothy Pigram
- 9.00 a.m.**
- (4) (5) Yogi and the Invasion of the Space Bears
 - Animated Creatures from outer space choose Boo Boo and Yogi Bear to help them with their latest quest — an invasion of Earth (R) (2 hrs)
 - (5) All Tales
 - (6) (13) Smurfs (CC)
 - (7) Jim Hanson's Muppet Babies (CC)
- 9.00 a.m.**
- (7) Les Schtroumpfs (CC)
 - (10) Looney Tunes
 - (11) Marie Soleil
 - (12) (13) Extral Extral
 - Heather refuses to leave the newspaper office due to her superstition. (R) (CC)
 - (13) Woodcarving With Rick Butz
 - "Outi Rack"
 - (21) (21) Teenage Mutant Ninja Turtles (CC)
 - (23) (11) Welcome to Pooh Corner
 - (24) To Be Announced
 - (25) Thoroughbred Sports Digest
 - (25) Movie
 - ... "Hellfire" (1 hr., 45 min.)
 - (28) Creer son paysage
 - (10) (10) Cinema
 - ... "Music Fever" (1 hr., 30 min.)

- 9.30 a.m.**
- (5) He-Man and Masters of the Universe
 - (7) Les Mystérieuses Cités d'Or
 - (10) (10) Punkie
 - (11) What's New? (R)
 - (12) (13) 5-4-3-2 Run (CC)
 - (13) Slimer! And the Real Ghostbusters (CC)
 - (13) Woodwright's Shop
 - Ozark greenware expert Roger Sandstrom demonstrates the crafting of spoons and ladles from sassaparilla and "mystery" wood.
 - (21) (21) News From Zoos
 - (23) (11) Donald Duck Presents
 - (24) Pins and Needles
 - (25) World of Horse Racing
 - (25) Apprivoiser la loi
 - (25) Inspecteur Gadget.
- 9.40 a.m.**
- (27) Rockflash News
- 10.00 a.m.**
- (5) Wonderstruck
 - (5) (7) (10) Pee-wee's Playhouse (CC)
 - (8) The Chipmunks (CC)
 - (10) Signe Cat's Eyes
 - (10) (21) Amoki et Willie
 - (11) Circle Square
 - (12) (13) Putnam's Prairie Emporium
 - Despite her boredom, Katy isn't thrilled with the idea of reading a book (R) (CC)
 - (12) Colargol
 - (10) Motorweek
 - Chrysler's Eagle Summit, automotive gadgets, spring cleaning tips, the best front-wheel drive sports hatchback
 - (21) (21) He-Man and Masters of the Universe
 - (22) (21) U.K. Connection
 - (23) (11) Hector's Bunyip
 - A young foster child may be moved to a new home due to a misunderstanding. (1 hr., 30 min.)
 - (24) Championship Bridge
 - (27) VJ: Steve Anthony
 - (28) Soccer Saturday
 - Highlights of the English and Italian First Divisions
 - (28) Justice pour tous
 - (28) Les Amis ratons
 - (28) Meditation transcendante

Source: *The Ottawa Citizen*, May 6, 1989

NON-SCIENTIFIC SAMPLE OF CABLE TELEVISION LISTINGS, 1953-1993
THE OTTAWA CITIZEN ENTERTAINMENT SECTION
CONT'D

WEDNESDAY PRIME TIME AT A GLANCE

C-25

APPENDIX C
NON-SCIENTIFIC SAMPLE OF CABLE TELEVISION LISTINGS, 1993-1993
THE OTTAWA CITIZEN ENTERTAINMENT SECTION
CONT'D

THURSDAY PRIME TIME AT A GLANCE

Cable	Source	Mult #	7:00	7:30	8:00	8:30	9:00	9:30	10:00	10:30
22	TV Ontario 24	22	Education		Monte		Blackadder	Prisoners of Gravity	Red Empire "Revolutionaries" (Part 1 of 2)	
11	GLOBAL 4	12	Ent. Tonight	Singapore	Schiffel (R) □	Wings □	Cheers "Rebecca Gurnes Rebecca Lutes"	LA Law "Testing, Testing 1 2 3 4"		
10	WSPN 57-71 (PBS) 18	18	Business Report	New Explorers □	Bliss Me Father	Reginald Perrin	Berling Buds of May (Part 1 of 2)	Mid-Drummers (Part 1 of 2) □		
20	Quebec Solos 49	5	Santa Barbara	Coup de foudre	Cherise ... "Les Incommensurables" (1987, Drama)	Kevin Costner, Robert De Niro, Sean Connery		Le Grand Journal		
20	CHRO 5	6	Star Trek Gen.	W.A.S.T.H.	Movie "Mistaken: The First After" (1992)		E.N.G. "Pressure" (R) □	That Country Feeling	Getting By □	
20	CHON (CTV) 13	7	Wheel of Fortune	Jeopardy! □	Movie "Mistaken: The First After" (1992)		E.N.G. "Pressure" (R) □	Picket Fences "The Lullaby League" □		
20	CBOT (CBC) 4	2	Empty Nest	Stanley Cup Playoffs: Atlanta Division Final - Montreal Canadiens at Buffalo Sabres	Game 3 from Memorial Auditorium □				CBC News	
20	WMEC (NBC) 10	9	Cheers □	Cheers □	Schiffel (R) □	Wings □	Cheers "Rebecca Gurnes Rebecca Lutes"	LA Law "Testing, Testing 1 2 3 4"		
20	CNOT (TVA) 40	10	La Montagne du Hollandais □		La Trinité "Le Travail, le Travail"		Claire Lamarche	Ad Lib		
20	CBOT (CBC) 7-10	11	Martini □	Hockey de la Ligue Nationale: Les Canadiens de Montreal s'opposent les Sabres a Buffalo (En Direct)				La Téléjournal □	La Point	
20	TVI (F) 39	-	Imagine		Buffy (Part 4 de 6)		Merveilles du sud "Reves insouhaités"	Correspondance (R)		
20	WBLX (CBS) 8	21	Wheel of Fortune	Jeopardy! □	Women of Country □				Picket Fences "The Lullaby League" □	
14	WJAR (ABC) 19	19	Ent. Tonight	Murphy Brown □	Madness "The Competition" □		American Film Institute Life Achievement	Primetime Live □		
14	CTCF (CTV) 12	23	Ent. Tonight	Cheers □	Movie "Mistaken: The First After" (1992)		E.N.G. "Pressure" (R) □	LA Law "Testing, Testing 1 2 3 4"		
22	Reper	-	Mayer & Melina		East Streets	Account on the Arts	Dutch Chapel Society Concert			
22	Maclean's	-	Mayer & Melina		East Streets	Account on the Arts	Dutch Chapel Society Concert			
22	CHWS 11	-	Full House □	Stanley Cup Playoffs: Atlanta Division Final - Montreal Canadiens at Buffalo Sabres	Game 3 from Memorial Auditorium □				CBC News	
22	CHVO 30	8	Teleselec (Cont. 6)	Depressed	Le Monde en mouvement		Cherise ... "Moderne Souscris" (1988, Drama)	Barney MacLean, Tugger □		
22	CBMT (CBC) 4	-	Empty Nest	Stanley Cup Playoffs: Atlanta Division Final - Montreal Canadiens at Buffalo Sabres	Game 3 from Memorial Auditorium □				CBC News	
22	CFTM 10	22	La Montagne du Hollandais □		La Trinité "Le Travail, le Travail"		Claire Lamarche	Ad Lib		
17	News 58 (CBC)	26	This Country With Nancy Wilson (Cont. 6)	Capital report □	Business World		Public in Private □	National □	World-Canada	
24	TVI 26	24	Cheers (Cont. 6)	Little House on the Prairie "Shed Cry"	Same		Dog House (R) □	HR List □	Profiles of Nature	
24	Vision TV	14	Time of Your Life	Can. History	Movie "Land" (1987, Drama)			People of No Interest	National Treasure Profile of Carl Heston	
24	TV 5	15	Journal de TVI	Vision 5	Faut pas rater		Envoys special		Le Carole de minute	
22	MeckMedia	23	Spotlight 5-52 a	Fax	Videoflow	Ben & Stimp	Videoflow			
22	Super Extra	SE	Cherise ... "Merry" (1980) (Cont. 6)		Cherise ... "Artiste of value" (1982, Suspense)	Gary Busey	Cherise ... "Cabaret" (1980) Craig Shaffer, Anne Sazby			
22	TSN	28	Inside Sports □	Major League Baseball: Baltimore Orioles at Toronto Blue Jays	From the SkyDome (Live) □					
22	Learning Channel	TLC	Renovation Zone	Hamletina	Operation "L'atmosphère Coton Repas"		Only Human "Hyperactive children"	Science Frontiers "Dead Men Tell" (R)		
22	Art & Ent	A&E	In Search of... (R)		Real West		Wildlife Mysteries "Super Beasts"	Bravo Force: The History of Weapons at War		
22	CNN	CNN	Manlyline	Crossfire	Pleasures □		Larry King Live □	World News		
22	Nashville Newsnet	-	Videoflow (Cont. 6)		Cross and Chase Kentucky Headhunters		Nashville News Shotgun Red, Peter Brown	Path to Stardom		
22	Musique Plus	20	Videoflow		Musique video		Out on Drama Ever? (R)	Musique video (R)		
22	Conte Family	CF	(R) Air							
22	Family Channel	FAM	Wall Disney Presents "Golden Day"		Legends and Heroes		Movie ... "The Valley of Disappointment" (1945, Drama)	Gary Post, Gwyn Gordon		
22	The Movie Newsnet	TAM	Movie ... "Marmagins On the Move" (1981, Fantasy)	William Regalado □			Movie ... "Pard" (1991) Hugo Weaving, Genevieve Pelt	Dream On (R) □		
22	RSBC	-	Cheers □	Murphy Brown □	Movie ... "The Terminator" (1984, Science Fiction)	Arnold Schwarzenegger, Linda Hamilton, Michael Biehn		Highway Patrol		
22	RTS	-	Beverly Hillsbillies	Sandford and Son	Cherise "Pressure Point"		Major League Baseball: Atlanta Braves at Colorado Rockies	From Mile High Stadium		
22	IGN	-	Beckoning Women	Jeffersons □	Major League Baseball: Exhibition - Chicago Cubs vs. Chicago White Sox	From Comiskey Park (Live)				
22	WATN (All Tel)	-	Jeopardy! □	Wheel of Fortune	Women of Country □			Picket Fences "The Lullaby League" □		

□ Closed captions

■ Both Ottawa cables

■ Rogers only

□ Mark on Honor only

Source: The Ottawa Citizen, May 6, 1993.

APPENDIX D
CRTC NOTICE OF PUBLIC HEARING 1992-13

Ottawa, 3 September 1992

CRTC - Notice of Public Hearing
1992-13

HULL, QUEBEC

1 MARCH 1993, 9:00 A.M.

STRUCTURAL HEALING

The Commission will hold a public hearing commencing 1 March 1993, at the Conference Centre, Phase IV, 140 Promenade du Portage, Hull, Quebec, to consider the policy issues described below.

I. CURRENT BROADCASTING
ENVIRONMENT

The Canadian broadcasting system faces a number of substantial technological and competitive pressures. The application of digital compression technology has the potential to transform the dynamics and economic landscape faced by programmers and distributors of both video and audio services. Digital compression is expected to yield significant increases in channel capacity by reducing bandwidth requirements, which could in turn lead to decreases in certain transmission costs. This could also foster the growth of new programming services and innovative service concepts.

Digital compression can be applied to several distribution technologies, including cable, over-the-air broadcasting, satellite and

multipoint distribution systems (MDS). Consumers could potentially receive multichannel services from any of these distribution technologies. Digital compression also has implications for the terminal equipment that would be necessary in the subscriber home.

Digital video compression (DVC) is supporting, among other developments, the emergence of U.S.-based direct broadcast satellite (DBS) services. The availability of these services in Canada presents potential challenges to the regulated Canadian broadcasting system. Such services have the potential to bypass Canadian programming and distribution systems. This may have a negative impact on the ability of Canadian programmers and distributors to operate and compete in a manner that would contribute to the achievement of the objectives set out in the Broadcasting Act.

The growth of "extended basic" discretionary programming packages containing Canadian specialty and U.S. satellite services offered on an unscrambled basis at a relatively low cost (through the use of negative trap technology) has dramatically altered the structure of cable service. Mediastats statistics reveal that, as of May 1992, approximately 4.1 million of the 4.5 million cable households having access to such packages have, in fact, chosen to subscribe to them, representing a penetration rate of 91%. The Commission notes that, in certain provincial jurisdictions, legislation dealing with commercial practices may prohibit cable operators from negative option marketing, thereby precluding them from offering extended basic packages. While the extended basic service concept has been widely accepted among subscribers offered the service, these program tiers may

Source: CRTC, 1992.

APPENDIX D
CRTC NOTICE OF PUBLIC HEARING 1992-13
CONT'D

raise issues about the impact of non-Canadian program services on both Canadian programming services and on the achievement of Canadian programming objectives. The evolution of the cable industry towards universal addressability, and the potential for new program packaging and service options, will also have implications for the cost and structure of cable service.

In order to respond to this more competitive and increasingly consumer-driven communications landscape, the Commission considers that it is timely to review the regulatory framework related to the packaging and distribution of programming services by various distribution systems, taking into account the ability of technology to foster enhanced choice of service.

The Commission is also aware of the need perceived by certain parties that it license new Canadian services and authorize additional non-Canadian programming services for distribution in Canada, particularly as a response to emerging foreign-based multichannel distribution systems. Consequently, the Commission considers that it is also appropriate, in the context of this review, to explore the criteria that should govern the licensing and authorization of potential new broadcasting undertakings and new Canadian and non-Canadian programming services.

II. OBJECTIVES IN THIS PROCEEDING

To assist interveners in this proceeding, the Commission sets out

Source: CRTC, 1992.

below the major objectives that will guide it in reviewing and considering changes to the existing policies and regulations governing the cable distribution, packaging and carriage of programming services.

In accordance with section 3 of the Broadcasting Act, the Commission is committed to the maintenance of a Canadian broadcasting system that will, among other things:

- strengthen and contribute to Canadian identity;
- promote the primacy of Canadian services;
- provide opportunity for exposing Canadian creative and artistic talent;
- add diversity to the menu of services; and
- be affordable and accessible to the public.

The Commission, in pursuit of its mandate, must be mindful of the impact of technological change on the Canadian broadcasting system, particularly with respect to distribution costs, the emergence of new services and consumer choice. The Commission must also take into account increasing competitive pressures from alternative distribution technologies and foreign services. The Commission, therefore, considers that the regulatory framework for the distribution and packaging of programming services should:

1. provide Canadians with a wide range of general interest and special interest programming to choose from that is accessible and affordable;
2. ensure that the Canadian broadcasting system remains strong and financially viable;

APPENDIX D
CRTC NOTICE OF PUBLIC HEARING 1992-13
CONT'D

3. ensure that Canadian services have fair and equitable opportunity to become established in the system, without unduly limiting access to similar or comparable non-Canadian services;
4. ensure that Canadians have access to Canadian services that may be deemed "essential" or "vital";
5. be streamlined and limited to those regulatory elements necessary to achieve the objectives of the Broadcasting Act, and be flexible and responsive to technological developments and other changes in the broadcasting environment.

III. CURRENT REGULATORY ENVIRONMENT

The Cable Television Regulations, 1986 (the regulations) provide a framework for the distribution of programming services. Generally speaking, Class 1 and Class 2 cable operators are required to distribute all local Canadian television services, including stations of the CBC and educational television services, on a "must carry" or priority basis. Where the Commission has determined that a programming service is of national public interest and has licensed the service as a mandatory service, licensees must distribute the service as part of the basic service, to the extent that channel availability permits. In addition, cable systems are generally required to distribute and support a community programming service.

Where a cable licensee satisfies the priority carriage requirements, the licensee may carry various optional programming services, some of which may be distributed as basic services

and some of which may be distributed as discretionary services (optional to subscribers). Canadian programming services authorized for basic distribution generally include the CBC, local and regional television stations, legislative services, and certain specialty services. Canadian programming services authorized as discretionary services may include pay television and pay-per-view (PPV) services, distant Canadian television stations, and certain specialty services.

With respect to Canadian specialty services, those that are authorized for basic carriage have a wholesale rate that is regulated by the Commission and is included in the basic monthly cable fee. The Commission does not set wholesale rates for Canadian specialty services that are distributed on a discretionary basis. Some Canadian specialty services also derive revenues from the distribution of advertising. Appendix I contains a list of existing Canadian specialty and pay television licensees.

With respect to optional non-Canadian programming services, cable operators may generally distribute all conventional U.S. broadcast services receivable over the air, excluding network duplicates, predominantly religious stations and stations that began operation after 1 January 1985. Where U.S. stations are received by the cable operator via microwave, not more than three commercial services and one non-commercial service are generally permitted. However, these optional U.S. conventional broadcast services received over the air may be distributed as basic or discretionary services.

Source: CRTC, 1992.

APPENDIX D
CRTC NOTICE OF PUBLIC HEARING 1992-13
CONT'D

In addition, the Commission has incorporated in its regulations authorization for the distribution of specific non-Canadian satellite services through its lists of Part II and Part III eligible satellite services, attached to this notice as Appendix II. As enunciated in Public Notice CRTC 1987-261 (incorporated by reference into the regulations), it is the policy of the Commission not to allow the carriage of non-Canadian satellite services that are deemed to be either totally or substantially competitive with Canadian pay or specialty services. For example, U.S. music video services such as MTV are not on the lists because they would duplicate and compete with the Canadian specialty service MuchMusic. In addition, any services that are deemed to be incompatible with stated Commission policies may also be excluded. Also, where an eligible non-Canadian satellite service becomes competitive to existing or future Canadian pay and specialty services, by virtue of a format change to itself or to a Canadian pay television or specialty service, the authority for the cable carriage of the non-Canadian satellite service could be terminated.

The distribution of these non-Canadian satellite services is subject to the Commission's "tiering and linkage" policies also set out in Public Notice CRTC 1987-261. These policies require, among other things, that non-Canadian services be packaged with Canadian specialty and pay television services at ratios of no more than 2:1 and 5:1, respectively, provided that no more than eight channels of the cable system are devoted to the distribution of non-Canadian satellite services. Tiers containing non-Canadian satellite services exclusively are prohibited. These policies are designed to ensure that non-Canadian satellite services serve as attrac-

tive packaging partners for Canadian services, and provide a meaningful contribution to the Canadian broadcasting system.

Part III cable licensees operate small cable systems serving remote or underserved communities having two or fewer licensed television stations, as defined by the regulations. Generally speaking, Part III licensees are required to distribute all local Canadian television services and certain Canadian regional television services. Where such licensees satisfy the priority carriage requirements, they may carry various optional programming services, as defined by the regulations. Part III licensees, however, are not subject to the Commission's tiering and linkage rules.

IV. KEY ISSUES

In the interest of encouraging the development and exposure of Canadian services, while taking into account the general consumer demand for enhanced choice and emerging technological and competitive challenges, the Commission seeks public comment on the following key issues, and on any other relevant issues that parties may wish to raise related to the distribution, packaging and carriage of programming services; alternative distribution technologies; and criteria for licensing and authorizing new broadcasting undertakings and new services.

1. *What modifications, if any, are required to the present cable distribution and carriage policies for existing and new Canadian specialty services?*

Source: CRTC, 1992.

APPENDIX D
CRTC NOTICE OF PUBLIC HEARING 1992-13
CONT'D

For example:

- Should specialty services be authorized for distribution as part of the basic service, on a discretionary basis, or both? Should rates for these services be set and regulated by the Commission? Should existing specialty services have access to dual revenue streams?
 - Should carriage arrangements for Canadian specialty services be established by the Commission, or should they be negotiated on a case-by-case basis between each cable licensee and the specialty service operator?
 - 2. *What modifications, if any, are required to the "Tiering and Linkage" rules governing the distribution of non-Canadian satellite services on a discretionary basis?*
- Should current linkage rules (e.g. maximum of 2 U.S. services for each Canadian specialty service), 5 U.S. services for each Canadian pay television service) be retained, modified or eliminated?
 - Should Canadian pay television services continue to have exclusive linkage to particular services?
 - What criteria, if any, should the Commission use to add to or delete foreign services from the lists of eligible satellite services? Should criteria for authorizing U.S. services be different from criteria for authorizing other non-Canadian services?

For example:

- Should Canadian distribution undertakings continue to be required to carry more Canadian than foreign programming services? Should this rule apply overall or within each tier or package of services?
 - What limit, if any, should there be on the number of cable channels devoted to foreign satellite services at the level of the cable operator or the subscriber? (Current limit is 8 channels)
- If new Canadian services are licensed that duplicate the programming offered by a non-Canadian service that is on the lists of eligible satellite services, should the policy of prohibiting continued distribution of the non-Canadian service be maintained?
 - Should Class 2 systems with fewer than 2,000 subscribers, and that meet the signal carriage requirements for Part III cable systems, be permitted to act as Part III systems and thus not be subject to the tiering and linkage rules?

Source: CRTC, 1992.

APPENDIX D
CRTC NOTICE OF PUBLIC HEARING 1992-13
CONT'D

3. *Alternative Distribution Technologies*

For example:

- What should be the role of alternative distribution technologies such as MDS and direct-to-home (DTH) satellite services in the delivery of programming to Canadians?
- Should technologies such as MDS be considered as competing or complementary services to cable?
- To what extent should the regulation of MDS parallel cable regulation?
- What is the potential impact of non-Canadian DTH and DBS on the Canadian broadcasting system?
- What is an appropriate regulatory response to non-Canadian DTH/DBS services, taking into account the Commission's jurisdictional authority and its enforcement options?

4. *Criteria for Licensing and Authorising New Broadcasting Undertakings and New Canadian Pay Television and Specialty Services*

For example:

- To what extent should market forces (e.g. financial viability and demonstrated audience demand) be a determinant in

authorizing new satellite-to-cable Canadian programming services?

- To what extent should the projected impact upon existing licensees be a criterion for authorizing new services?
- What criteria should be used to determine Canadian content requirements for programming services distributed on an optional basis?
- What criteria, if any, should govern the amount and the access of new Canadian programming services to revenues derived from cable subscriber fees?
- With respect to cross-ownership of cable distribution and programming undertakings, are safeguards required to ensure fair and equitable treatment and access for all services respecting cable distribution?

Source: CRTC, 1992.

APPENDIX E
A BRIEF LIST OF MAJOR SECONDARY SOURCE MATERIAL ON
CABLE TELEVISION REGULATION IN CANADA

Armstrong, Stephen M. The Evolution of Federal Regulation of Broadcasting and Cable: An Examination of the Impact of Changing Technology [M.A. Thesis]. Ottawa: Carleton University, April 1979.

Babe, Robert E. The Economics of the Canadian Cable Television Industry [Ph.D. Thesis]. East Lansing, Michigan: Michigan State University, 1972.

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