



c/o NCRA/ANREC
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March 31, 2014

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

Secretary General,

Re: CRTC 2014-85 Call for comments on proposed amendments to various regulations, to the standard conditions of licence for video-on-demand undertakings, and to certain exemption orders – Provisions requiring the mandatory distribution of emergency alert messages

1. The Association des radiodiffuseurs communautaires du Québec (ARCQ), l'Alliance des radios communautaires du Canada (ARC du Canada), and the National Campus and Community Radio Association/ Association nationale des radios étudiantes et communautaires (NCRA/ANREC) are writing to address the Commission's questions regarding mandatory distribution of emergency alert messages on behalf of our members. If there is a hearing we would like to appear.
2. Our associations are all not-for-profit organizations committed to volunteer-driven, non-profit, community-owned, and locally-reflective radio. We work to ensure stability and support for individual campus and community ("c/c") stations and the long-term growth and effectiveness of our sector. Together, we represent more than 140 campus and community radio stations across Canada.
3. We agree with the Commission that the broadcasting system has a vital role to play in the provision of emergency alert messages to Canadians and that broadcasters have a duty to inform the public of imminent perils. And many of our members, who currently undertake local emergency broadcasting on an informal basis, feel this would help them better meet their mandate and serve their local communities.
4. At the Commission's request, the NCRA/ANREC previously submitted comments on this topic in August 2013, and we will be drawing on those comments in this submission. As part of that submission the NCRA/ANREC surveyed its members about broadcasting emergency alert messages. All three associations also surveyed their members about broadcasting emergency alert messages in March 2014. As such, as far as we know, the content of this letter reflects our members' current circumstances.

Research findings

5. Of the 61 stations that responded to our surveys, only five said they currently broadcast emergency alert messages received by the NAAD System. These stations received funded to purchase the NAAD

equipment either from the province of Nova Scotia or through the Alberta Emergency Alert (“AEA”) System.

6. That said, many c/c stations already provide informal emergency broadcasting to the extent that they are able to do so and they will continue to provide this service regardless of the outcome of this proceeding. For example, CKHA-FM in Haliburton, ON played Public Service Announcements from their municipality about a flood in nearby Minden. They also offered live coverage and broadcast messages overnight when no one was in the studio, telling people where to go and who to contact for more information. They were officially thanked by the Minden Hills Flood Relief Fund for this work.

7. Similarly, both CFMH-FM in Saint John, NB and CJMQ-FM in Sherbrooke, QC mentioned that they were often the only live local broadcasters for emergency broadcasts. For CFMH-FM, this meant they carried boil water advisories, for example. And CINN-FM in Hearst, ON partnered with their local emergency services to carry advisories about last summer’s forest fires.

8. As the Commission states in paragraph 12 of the Call for Comments, we acknowledge that there is equipment currently available to distribute alerts on broadcasting platforms, this equipment could be readily modified to accommodate the distribution of alerts via the broadcasting system, and there are Canadian suppliers of alerting equipment. But for c/c stations, the larger issue is the cost of the equipment and its installation, not just its availability.

9. Of the 61 stations we surveyed, nearly all of them stated that the cost of implementing the NAAD System is a serious barrier to its use. The encoders to enable broadcast-intrusive emergency alert messages that we found in our research cost approximately \$3000 including tax. Also, we note that one of the stations using the AEA system had to pay an additional \$400 for an engineer to adjust the output volume of the alerts. This would impose a significant financial burden on c/c stations that already operate on shoestring budgets, particularly those that cannot afford to hire any paid staff and are entirely volunteer run.

10. This position is echoed in comments made by Mr. Mike Myette of the Emergency Management Office of Nova Scotia during the hearing of an application by Pelmorex (see Broadcasting Notice of Consultation CRTC 2010-826 and <http://www.crtc.gc.ca/eng/transcripts/2011/tb0208.html>):

"619 In 2009 we said that what Pelmorex was proposing was certainly of benefit to emergency management, but it was not, and is still not, a true end-to-end solution for public alerting. It still only delivers a message to broadcasters and makes it available for them to receive it; it does nothing to provide the equipment to stations to enable messages to be broadcast direct-to-air.

620 We said that there were some important pieces missing that needed to be added before the system can be relied on as a true end-to-end public safety system that will function equally well at all hours of the day or night.

621 Again, not much has changed. Those pieces are still not in place today.

622 We have been told that for many small radio stations an investment of \$3,000 in equipment to enable broadcast-intrusive alerts is significant. Indeed, we have been told that it is significant enough so as to create an impediment to their voluntary participation in supplying this equipment."

11. In their responses to our surveys, stations also suggested that in order to implement the NAAD System, they would need ongoing resources to ensure that staff and volunteers are properly trained in how to use and troubleshoot the system. This is particularly true given that, with high staff and volunteer

turnover and the relative infrequency that emergency alert messages may need to be broadcast in some communities, some stations may find nearly every instance of broadcasting an emergency alert to be new to them.

12. Also, due to the older equipment used at many c/c stations, as well as a lack of battery or generator back-ups, many of our members expressed concerns that they may not be able to provide consistent broadcasting services during power outages or in other emergency situations. And given that many stations are located in basements of large concrete buildings on university campuses, one station expressed concern about the possibility of the encoder working in their location or additional engineering and equipment costs to run it from the roof to a basement studio.

Responses to Questions in CRTC 2014-85

How should the Commission evaluate and measure the effectiveness of the regulatory measures? What measures should be adopted to monitor and enforce the industry's compliance? How and to which organization should results from any system tests and/or system usage be reported? (para. 26)

13. Based on our research, and consistent with the implementation proposal set out in more detail beginning at paragraph 19 below, we suggest that unless or until there is a dedicated funding program to help cover the costs and installation of the encoder and other equipment to enable broadcast-intrusive alert messages, all c/c stations should be granted an extension until at least December 31, 2015 to implement the NAAD System. Further, and as described below, some stations should be granted a longer extension before being required to implement the system, depending on their annual operational revenue. Therefore we suggest that the Condition of Licence ("COL") to broadcast emergency alert messages through the NAAD System should not be imposed on c/c stations until the end of our proposed extension periods.

14. We suggest that an appropriate way to monitor c/c stations that are not yet subject to the COL is to require them to report on their Annual Returns about progress made toward the goal of implementing the NAAD System by the relevant deadline.

15. Once the COL to broadcast emergency alert messages through the NAAD System has been imposed, we suggest that c/c stations' compliance could be measured by having them confirm on each year's Annual Return that they have either successfully run a system test or broadcast an emergency alert message within the last six months.

16. We also suggest that if the Commission accepts this proposal, it should also re-visit the deadlines and level of implementation in a few years to determine whether a sufficient number of c/c stations have been able to implement the NAAD System, and to determine whether a further extension should be granted for stations that have been unable to raise the necessary funds.

17. We are not aware of any other organization to which stations could report system tests and/or system usage. However, we suggest that it would be appropriate for the Commission to be flexible with respect to technical problems encountered by c/c stations in implementing the NAAD System.

18. In particular, we suggest that if a station's initial test result indicates that the system is not functioning properly, or if a malfunction occurs either due to technical difficulties or human error, it should not be used as a measure of non-compliance as long as the station can commit to repairing the system or addressing the issue within a month of the test result or malfunction. This will accommodate the issues faced by c/c stations that are described in paragraph 12 above.

Is it appropriate to allow relief from the application of the proposed regulatory measures? If so, what

form should the relief take and in what circumstances should relief be warranted? (para. 27)

19. Nearly every c/c station we surveyed, and in our experience all our members in general, operate on very tight budgets. Even bigger stations with relatively large annual operational revenues often run deficits or have little room in their budget for extra expenses without having to cut staff positions. As a result, we encourage the Commission to designate some funding to the Community Radio Fund of Canada to enable every c/c station in Canada (that is not already covered by provincially-funded plans) to buy, install, and test the encoder that enables them to implement broadcast-intrusive NAAD emergency alerts. For approximately 160 c/c stations in Canada (not including those in Nova Scotia and Alberta) at a cost of approximately \$4000 for equipment, installation and testing, this would mean an investment of \$640,000. We have been told by our members that they could implement the NAAD System within eight months once such funding was secured and distributed.

20. Failing that, we propose that for c/c stations with annual operational revenue (not including project grants) under \$150,000, the cost of purchasing equipment to implement broadcast-intrusive NAAD emergency alerts would impose a serious financial burden, as it would represent an allocation of at least two percent of their operating budget. In an environment where many stations already find that the available revenue is insufficient to cover their operating costs, it could take time for them to obtain funds that are not already earmarked for other essential purposes. We therefore suggest that these stations be given an extension until December 31, 2016 so that they can raise or save the necessary funds.

21. For stations with annual operational revenue (not including project grants) under \$50,000, we believe that expecting these stations to incur the cost of implementing broadcast-intrusive NAAD emergency alerts without sufficient time to raise funds could risk their survival, which is contrary to the interests of the Broadcasting Act. As such, we believe that stations in these financial circumstances should be granted an extension until December 31, 2017.

22. In both cases, we believe the length of these proposed extensions should only be reduced if:

- stations have raised the necessary funds prior to the expiration of the extension and notify the Commission that they are prepared to implement the NAAD System early; **or**
- guaranteed funding becomes available to stations to pay for the equipment, either through a provincial grant or other funding mechanism (e.g. the CRFC or another program), and the funding opportunity is clear and accessible to all stations within a reasonable timeframe; **and**
- funders have notified individual stations about the availability of the guaranteed funding program and the process for obtaining it, and also notified our associations about the opportunity so we can follow-up with individual stations; **and**
- stations are given eight months from the date the funding becomes available to purchase equipment and implement broadcast-intrusive NAAD messages.

23. We also believe that any c/c stations with annual revenue under \$300,000 that carry broadcast-intrusive NAAD messages should be granted relief from this COL for at least one year if the encoder or other related equipment breaks through no fault of their own, or becomes outdated, with the same exceptions as set out above.

24. We have been told that some stations are exploring open-source internet-based ways to broadcast emergency alert messages from the NAAD system and therefore suggest that c/c stations that develop broadcast-intrusive means to broadcast the NAAD messages that don't rely on the encoders and other equipment currently used for satellite transmission of the alerts, be considered in compliance. Stations

would still be required to report to the Commission on their Annual Returns about tests of their alternate systems.

25. We also believe all c/c stations must not be expected, as a COL, to have back-up power for either their studios or transmitter as part of their commitment to the NAAD System unless the costs of the back-up generators are also covered by an outside funding program.

26. Finally, as with many other regulatory requirements, we suggest it is appropriate for stations to be able to apply directly to the Commission for relief if, due to financial hardship or other reasons, they are unable to comply with the deadlines proposed above. This option would be available to all c/c stations regardless of their annual revenue.

Over what period should Pelmorex implement its awareness campaign? Over which platforms should the campaign be distributed? Should Pelmorex develop public service announcements that the broadcasting industry can air along with corresponding licensee branding? What roles should the broadcasting industry play in education the public about the system? Are regulatory measures required to ensure broadcasting industry participation in the awareness campaign? (para. 28)

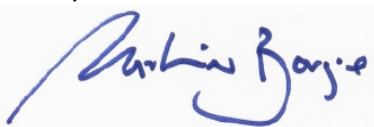
27. We have no opinion about the time period of the Pelmorex awareness campaign or over which platforms the campaign should be distributed. However, we note that if Pelmorex expends funds to purchase paid radio advertising, we believe those funds should be used to purchase advertising on all types of stations, including c/c stations. Not all c/c stations sell advertising, but those stations that do should be included in any paid advertising campaign.

28. We also note that a number of our members mentioned that instituting the NAAD System would require giving their listeners details about the new system, how it works, and how to respond to alert messages. As such, we believe that PSAs about the NAAD System would be useful and our members would broadcast them, though we do not believe regulatory measures are necessary to ensure broadcasting industry participation in the awareness campaign.

Thank you,



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