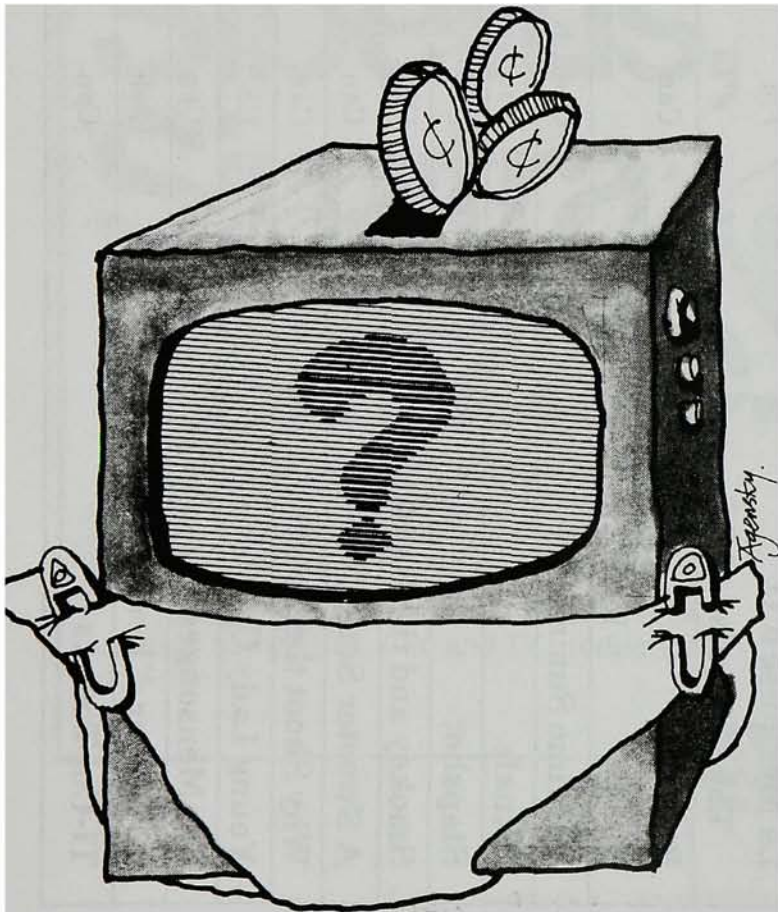


Will Pay TV prove to be the saviour of Canadian culture? Will it resolve the problems of Canadian program production? Or will it simply reinforce the American domination of our broadcasting system? Don Kerr writes from Saskatchewan where the people of the Prairies have their own ideas about Canadian culture.

the great untried experiment

by Don Kerr



This is a belated response to the Pay TV Supplement, belated because the cable situation in Saskatchewan is only now beginning to come clear. It appears that by fall a new model for delivering cable TV, including Pay TV, will be in operation here. It's a model no one writing in the Supplement envisaged; it has serious implications both for media control and Canadian production; and it goes a considerable way towards meeting various of the goals of Canadian programming put forward in the Supplement.

Sometbackground first. Saskatchewan is the last major market without basic cable service. Back in May, 1973, after some public discussion, the provincial government published its cable TV guidelines, in which it offered financial assistance to groups applying for CRTC licenses providing they were: 1) community controlled, 2) non-profit, 3) co-ops, 4) pledged to help small centres eventually receive the service. Co-ops were established under those guidelines in the four centres up for licensing: Regina, Moose Jaw, Saskatoon, North Battleford.

I'm involved with the Saskatoon Cable Co-op. We saw the co-op structure as the ideal means of creating a vital community channel, both because the community would have control and because the channel would be so well funded — all the shareholders' dividends returned to community programming. The co-ops thought of themselves as the best

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vehicle for achieving the CRTC's own goals for local programming.

But not according to that body. CRTC hearings were held in February, 1976, and awards made in July. Two co-ops received licenses, Regina and North Battleford, as did two private applicants. Digression for anger. The awards made no sense in terms of service to Saskatchewan, and a lot of people were furious. Regina is the odd man out in the co-ops here, always closer to a federal than a provincial position. It serves as the CRTC's popular front in Saskatchewan, a role it has played with great energy. North Battleford has too small a population base to operate very successfully on its own. The reason most people offer for the CRTC's decision is that it was in the Canadian tradition of compromise, give half to the co-ops and half to private industry. Merit as a basis for awarding licenses seems to have been thrown out, politics introduced in its place. The experiment of province-wide co-operative cable TV would have been marvellously exciting, but presumably too much to hope for in a country that has always encouraged profit-making media control.

At any rate, with the awards made that should have meant 'game over'. But Sask Tel, the common carrier, didn't get what it wanted either; total ownership of the cable hardware. So it said it wouldn't hook up licensees, and hasn't, though it has continued to lay cable in the four cities.

Now the battle was joined. On their side the two private licensees first tried to operate without Sask Tel, by contracting with CN-CP for microwave services, and by laying their own cable in the city lanes. But Saskatoon solicitor's judgement was that all residual legislative rights belong to the province; it controls the lanes. End of lame plan one.

With the federal game blocked, a new provincial team started playing. Three of the co-ops (Regina out) proposed a closed-circuit cable TV system. All programs would be rented, put on playback machines and sent out over the usual cable. Since it wouldn't be a broadcast receiving undertaking the system wouldn't come under federal jurisdiction. Since the co-ops were willing to let Sask Tel own the cable hardware, they could – and have – signed contracts with Sask Tel. North Battleford is already selling hook – ups. Closed-circuit TV could be in operation by fall.

The battle has now moved into the parliament and legislature, with each side proposing a new bill that asserts control over closed-circuit TV. The federal government has introduced Bill C-43, the Telecommunications Act. If that act becomes law as it stands the federal government would seem to say, through its new definition of broadcast receiving undertaking, and through Sections 32c, 32c vii, 39, 71, that it controls closed circuit (and pay) TV. The act would also grant the CRTC power over rights-of-ways in lanes. The province on its side has proclaimed Bill 95, An Act Respecting Community Cablecasters, the main thrust of which is to claim control over closed-circuit TV. It now plans to test the bill in the courts, and the next field of battle may be the courts, as they are asked to decide federal/provincial rights one more time.

The ministers on both sides met at an end-of March Communications Ministers meeting in Edmonton (boycotted by Quebec). Saskatchewan claimed a victory at that meeting, the issue of pay TV going to a federal-provincial committee for study and the issue of hardware ownership finally settled in the province's favor, though it's not clear the CRTC has agreed to that.

Back to the licensees. They still need CRTC approval to accept the Sask Tel tariff (based on Sask Tel hardware ownership and outside the original licensing conditions). To place themselves in a stronger competitive position, three of them have applied to the CRTC to have their distant head at Tolstoi, Manitoba (4 American channels) rather

than at Outram, Saskatchewan (3 American channels) and the hearing date is June 7. If the CRTC grants the request, can all that Boyle says about "cultural security" be sincere? If the licensees succeed, the new microwave route may take till the end of 1978 to construct.

Meanwhile closed-circuit TV will likely be a reality by fall. It will offer a six channel package – a community channel, and educational channel, and four channels of rented programs – a traditional channel, an old movie channel, a premium movie channel (pay TV), a children's channel.

There are obvious commercial disadvantages to closed-circuit TV (no live sports, not as many police stories, etc. for those who want them), and some considerable advantages too (no advertising, the possibility of replaying programs). But the issue I'd like to address in response, at last, to the Pay TV Supplement is Canadian programming.

Conventional cable takes its signals from the world's longest unguarded experiment in cultural osmosis. It brings America to your hearth and my children, and money to the cablecasters' pockets day after day unto the final sign off, and it can't do anything else (even if it wanted to.) Closed-circuit rents programs for 4 channels, 2 of them movie channels. Of course it will rent American programming, but other programming as well, British for instance, but most especially Canadian. We will be a new market, albeit not a large one, for Canadian productions, and will likely make maximum possible use of Canadian programs, because there's a strong pressure group within the co-op for that to happen.

Then of course we'll be doing our own programming, which is the reason we all set off down the twisted, rocky path of public service four years ago. The hope is still that we will create the best per capita community channels in the country. As well, the new provincial Community Cablecasters Act includes a provision, based on the co-ops' application to the CRTC, for a levy per subscriber that would go to a provincial programming fund. That could amount to some \$700,00 a year in five years. That's new production money. The fund is the provincial version of Madame Sauvé's 15% of Pay TV for program production.

The money won't go into a federal fund, however, but can be spent only for programming in the province. Nobody in Saskatchewan will oppose that. The province has always been badly done by in communication and the arts. We only received CBC television in '69 and '70, and are the last major area to receive cable. There is no television production in the province, other than newscasts and weather forecasts. I do some freelance radio work – there are *no* facilities for that in Saskatoon and you use the bloody phone to send things in. When programs are made about the province they're made by teams of CBC-NFB folks flown in on commando raids. A nationally centralized production fund would be lovely if you lived in Monolithopolis, but it gets damned depressing living out on the nether reaches of great corporate bodies and receiving periodically a little programming pumped in from the heart of the matter, and sending back in return greenback dollars and an occasional sputtering letter of rage.

So, the co-op and closed circuit option is aimed entirely at maximizing Canadian program production, in line with the ideals of Boyle and Sauvé, though we will operate on a regional basis.

As for media control, of all the contributors to the Pay TV Supplement, Graham Spry came closest to expressing our ideal of control – "some form of autonomous public ownership" with as "little as is necessary of the state, the party in power, and as much of the public as is practicable." Local public control of the media is the great untried experiment in Canada. □