

**Mr. Ted Jarman:** Yes.

**Mr. Fortier:** You agree the selection of the time insofar as the viewer is concerned is the only matter which is taken without his realm of choice?

**Mr. Ted Jarman:** Well, the guidelines also make some suggestion about the deletion of stations. CRTC has left itself tremendous discretionary power in the guidelines in terms of the number of stations that might be carried so it is a little hard for me to be too explicit about that. Perhaps if I could go on: It must be recognized, in any case, such provisions simply would not work.

In many areas where cable systems now operate the public could and would revert to rooftop antennas.

It must be recognized that cable is providing a valuable service—a service that, in the minds of the public and in the context of the Act, ranks equal in importance with other parts of private broadcasting. It must be recognized that it would be wrong to pre-empt the issue of economic injury to broadcasters—injury which, I am quite sure, has not generally occurred. According to the guidelines cable services would be drastically curtailed unless the CRTC was persuaded in individual cases that they should not be. Assumption of guilt until proof of innocence would not be just.

It must be recognized that the uncertainty that has been created is presently frustrating the ability of the cable industry to obtain public financing in Canada—an objective that has been supported by the Secretary of State and the CRTC and an objective that must be achieved if we are to meet the Canadian ownership requirements which come into effect September 1st.

And finally, it must be recognized that the guidelines should, insofar as possible, be positive rather than negative. They should motivate the people to be constructive rather than threatened. They should encourage cable to facilitate the development of Canadian broadcasting instead of inhibiting cable viewing. There are plenty of opportunities for cable to complement the activities of Canadian broadcasters. In an effort to be constructive I have already given you a number of examples. I am sure that even better ones could be suggested.

I am certain that the objectives of the Broadcasting Act can be achieved without adversely affecting the valuable service being

provided by cable systems. And I am entirely optimistic that the interests of our three to four million cable viewers will continue to be served.

**Mr. Fortier:** These remarks seem to be directed at more than the guidelines that I have read and which are dated April 10th. Am I wrong? Are you referring also to the earlier...

**Mr. Ted Jarman:** No.

**Mr. Fortier:** Notices issued by the CRTC?

**Mr. Ted Jarman:** No, I don't think so.

**Mr. Fortier:** Well, let us look at the guidelines, shall we?

**Mr. Ted Jarman:** Yes.

**Mr. Fortier:** Can you show me in the guidelines the items which you particularly take issue with insofar as they restrict your viewing public from enjoying a service which he is enjoying today, which you are providing to him today? You have already explained one, that is the selection of the time. I may wish to see Bonanza on an American channel at a time more convenient than when it comes over the CBC station. I grant you that. What other?

**Mr. Ted Jarman:** I think the other single most important area would be the question of the number of stations that might be carried.

**Mr. Fortier:** Page 3, item 2?

**Mr. Ted Jarman:** Two and three.

**Mr. Fortier:** Yes. In three, of course, the door is left open. The commission may authorize the CATV system to carry programs from more than one... This is not a firm proposal such as the item 5, the blackout one.

**Mr. Ted Jarman:** I think that you are right. The door is left open here. My philosophy, I think, would lead me to think you should not shut doors and then open them this way but if it were necessary in a particular case to restrict the number of channels then that should be the decision that is taken rather than taking the negative approach and saying this may not be done unless you demonstrate it should be done.

**Mr. Fortier:** Any other?