

Minutes

Meeting of the Steering Committee for the Canadian Pay-TV Set-top Box Energy Efficiency Voluntary Agreement

May 23, 2017, 10 a.m.
Navigator Ltd., Cartier Boardroom
121 King Street West, 18th Floor, Suite 1810, Toronto, Ontario

Steering Committee Members Participating:

Samir Amer (Cogeco)
Debbie Fitzgerald (CableLabs)
Doug Johnson (CTA)
Gary Langille (DISH) (by telephone)
Nick Murphy (Bell)
Livia Nascimento (ARRIS)
Augustine Orumwense (NRCan)
Cynthia Rathwell (Shaw)
Pierre Roy (Vidéotron)
Joe Varano (Rogers)

Additional Attendees:

Lorenza DeTeresa (Vidéotron) (by telephone)
Annie Galarneau (Cogeco) (by telephone)
Paul Hudson (Counsel for CableLabs)
Anne-Marie Novello (Bell) (by telephone)
Clare Schulte-Albert (Consultant for CTA)
Benoit Sicotte (Bell) (by telephone)
Katerine Thériault (Cogeco) (by telephone)
Robert Turner (ARRIS)

The meeting was called to order by Mr. Varano at 10:10 a.m.

For the record, it was announced that, prior to the meeting, Mr. Varano had been selected as Chair in accordance with Section 8 of CEEVA.

Pursuant to Section 8 of CEEVA, the Manufacturer Signatories reported that their two voting Members would be Livia Nascimento of ARRIS and Gary Langille of DISH.

The Committee voted to admit Augustine Orumwense of NRCan, Doug Johnson of CTA, and Debbie Fitzgerald of CableLabs as Members of the Steering Committee.

The Committee discussed the proposed Competition Act Advisory Statement to be incorporated into CEEVA. Ms. Rathwell suggested that the Committee may want to consider modifications. The Committee decided to adopt the Advisory Statement, attached hereto Exhibit 1, as a stand-alone policy for purposes of immediate conversations.

The Committee discussed the proposed Confidentiality Agreement. Mr. Varano directed Mr. Hudson to attempt to resolve open issues with the Members individually and to schedule a teleconference in three

weeks if an agreement had not yet been reached, to include all parties needed to reach consensus and approve an agreement.

The Committee tentatively selected D+R International to serve as Data Aggregator and auditor, subject to subsequent approval by the Committee of a contract. Mr. Varano appointed Mr. Hudson to draft and circulate a proposed contract to the Committee for consideration. The Committee agreed that the contract should be governed by Ontario law and should include a cap on fees, a multi-year term with a right of termination for convenience only for the parties to CEEVA, and a provision that D+R would bill each CEEVA Signatory an even share of fees with a billing cycle less frequent than monthly.

The Committee also discussed whether to retain D+R International to perform the annual procurement audits. D+R performs both the aggregation and auditing role for the United States Voluntary Agreement, and proposed a very economical price to add the audit function to its proposal to serve as Data Aggregator. CEEVA directs that the procurement audit be performed by an accounting firm authorized to write a letter of assurance. One party initially questioned changing that requirement, but after further discussion, the Committee unanimously agreed that it desired to retain D+R as auditor, subject to approval of an amendment to CEEVA and a contract.

The parties discussed possible amendments to CEEVA. Mr. Orumwense urged the Committee, and the Committee informally agreed, to consult with provincial stakeholders prior to adoption of any substantial changes. At the conclusion of discussions of possible amendments, Mr. Varano directed Mr. Hudson to circulate proposed changes as discussed at the meeting for further consideration and consultation.

The Committee discussed proposed new feature allowances for UHD, HEVP and telephony. The Committee decided to incorporate these new allowances as a new amendment of CEEVA, subject to confirmation by the Signatories prior to any vote on an amendment.

The Committee confirmed that the model performance of each Service Provider's set-top boxes has been reported on the CEEVA website, as required by Section 6.2 of CEEVA.

The Committee discussed potential additional commitments and other energy-saving strategies, per Section 4 of CEEVA. There was agreement that additional information would be circulated to Members so that this topic could be resumed at the next Steering Committee meeting.

The parties discussed potential additional signatories. Mr. Orumwense emphasized the importance of recruiting TELUS as a member for purposes of assuring broad market coverage.

The Committee reviewed the Initial Meeting Agenda document prepared during the development of CEEVA (as referenced in Section 4 of CEEVA) and found that most tasks had been completed and others were incorporated into ongoing implementation efforts.

The meeting adjourned at 5:32 P.M.

Minutes submitted by Joe Varano, Chair.

Provisional Agenda

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1. Admission of Non-Signatory Members of the Steering Committee
2. Designation of two voting signatory manufacturer members
3. Antitrust Policy
4. Confidentiality Agreement
5. Discuss plan for financing costs of Data Aggregator and Auditor
6. Review proposal for Data Aggregator and Auditor
7. Discuss whether to contract with bidder or seek further bids
8. Discuss proposed amendments to CEEVA (draft to be circulated)
9. Reporting model performance on CEEVA website
10. Approve reporting template for posting on website
11. Discuss additional commitments (per § 4 of CEEVA)
12. Discuss development of method and baseline to measure progress (per § 6.1 of CEEVA)
13. Recruiting additional signatories
14. Schedule for future meetings
15. Preparation of press release and/or website post

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