



## Broadcasting Public Notice CRTC 2006-73

Ottawa, 15 June 2006

### Addition of NEW SAT to the lists of eligible satellite services for distribution on a digital basis

*The Commission **approves** a request to add NEW SAT to the lists of eligible satellite services for distribution on a digital basis and amends the lists of eligible satellite services accordingly. The revised lists are available on the Commission's web site at [www.crtc.gc.ca](http://www.crtc.gc.ca) under "Industries at a Glance."*

#### Introduction

1. The Commission received a request dated 4 January 2006 from the Canadian Cable Telecommunications Association (CCTA) for the addition of NEW SAT, a non-Canadian third-language service, to the lists of eligible satellite services for distribution on a digital basis (the digital lists). The CCTA described the service as follows:

NEW SAT is a 24-hour general interest service from Lebanon offering programming in Arabic without English subtitles or secondary audio program. NEW SAT offers a wide range of programming including news, political programs, talk shows, comedy, drama, music and sports.
2. The Commission subsequently issued *Call for comments on the proposed addition of NEW SAT to the lists of eligible satellite services for distribution on a digital basis*, Broadcasting Public Notice CRTC 2006-28, 6 March 2006.
3. On 13 February 2006, Rogers Cable Communications Inc. (Rogers) advised that, with the dissolution of the CCTA announced on 10 February 2006, it would take over as the Canadian sponsor of NEW SAT.

#### Positions of parties

4. One individual suggested that the Commission should consider adding more non-Canadian English-language services to the digital lists before it gives consideration to adding more non-Canadian third-language services. Another individual expressed concern that Arabic-language programming would be "anti-Semitic, anti-democratic and religious fundamentalist in nature" and that the service in question should not be included on the digital lists if Canadian resources are not available to monitor and censor the programming.

5. Quebecor Media Inc. (QMI) filed comments in support of the addition of NEW SAT to the digital lists. QMI stated that NEW SAT would increase the diversity among third-language television services and help new Canadians to stay in touch with their friends and families overseas, while integrating into Canadian society. QMI also submitted that the addition of NEW SAT to the digital lists would contribute to the reduction of signal piracy in Canada.

#### **Sponsor's reply**

6. In its reply, Rogers noted the supporting intervention filed by QMI and submitted that the addition of NEW SAT is consistent with the goals and criteria established in *Improving the diversity of third-language television services – A revised approach to assessing requests to add non-Canadian third-language television services to the lists of eligible satellite services for distribution on a digital basis*, Broadcasting Public Notice CRTC 2004-96, 16 December 2004 (Public Notice 2004-96).
7. With respect to the individual who filed comments relating to programming content on Arabic-language services, Rogers noted that no evidence was filed to substantiate these claims. Rogers stated that an expectation that an Arabic-language service would be as described by the intervener “does not represent sufficient credible evidence to deny Lebanese, other Arab Canadians and other potential viewers the benefits of the diversity represented by NEW SAT’s programming.”

#### **Commission's analysis and determinations**

8. In Public Notice 2004-96, the Commission stated that, going forward, requests to add non-Canadian third-language general interest services to the digital lists would generally be approved, subject, as appropriate, to new distribution and linkage rules described in that Public Notice. The Commission also set out the information that Canadian sponsors are obliged to file in order for it to consider the addition of non-Canadian third-language services to the digital lists.
9. The Commission has examined the material filed in support of the request to add NEW SAT to the digital lists, and is satisfied that the service is a general interest third-language service in the Arabic language, as described by its sponsor. Thus, the service is appropriately subject to the approach for such services set out in Public Notice 2004-96.
10. With respect to the concerns raised regarding program content on Arabic-language services, the Commission notes that no evidence was filed to support the intervener's claims as they might relate to NEW SAT. Therefore, the Commission is not persuaded that NEW SAT should be treated in a manner that differs from its usual approach to the addition of non-Canadian third-language services to the digital lists.

11. In light of the above, the Commission **approves** the addition of NEW SAT to the digital lists and amends the lists of eligible satellite services accordingly. The lists of eligible satellite services are available on the Commission's web site at [www.crtc.gc.ca](http://www.crtc.gc.ca) under "Industries at a Glance" and may be obtained in hard copy on request. The Commission notes that the distribution of this service is subject to the distribution and linkage rules that apply to third-language general interest services added to the digital lists after 16 December 2004, as set out in *Distribution and Linkage requirements for Class 1 and Class 2 licensees*, Broadcasting Public Notice CRTC 2005-119, 14 December 2005, and *Linkage requirements for Direct-to-home (DTH) satellite distribution undertakings*, Broadcasting Public Notice CRTC 2005-120, 14 December 2005.

Secretary General

*This document is available in alternative format upon request, and may also be examined in PDF format or in HTML at the following Internet site: <http://www.crtc.gc.ca>*