



## Broadcasting Public Notice CRTC 2008-76

Ottawa, 3 September 2008

### Notice of consultation

#### **Call for comments on the proposed addition of CNN International to the lists of eligible satellite services for distribution on a digital basis**

1. The Commission received a request dated 30 May 2008 from Shaw Communications Inc. (Shaw) for the addition of CNN International (CNNI), a non-Canadian, English-language satellite service originating in the United States, to the lists of eligible satellite services for distribution on a digital basis (the digital lists).
2. Shaw described the service as a 24 hour-per-day, professionally produced, satellite-delivered, advertiser-supported video programming service in the English language predominantly consisting of news, information and special features. According to Shaw, CNNI focuses on international news, current affairs and business programming reported by staff of various international backgrounds.
3. The Commission's approach to requests for the addition of non-Canadian English- and French-language services to the digital lists is set out in *Call for proposals to amend the lists of eligible satellite services through the inclusion of additional non-Canadian services eligible for distribution on a digital basis only*, Public Notice CRTC 2000-173, 14 December 2000 (Public Notice 2000-173). Under this approach, the Commission assesses such requests in the context of its general policy, which, among other things, precludes the addition of a non-Canadian satellite service that can be considered either totally or partially competitive with Canadian specialty or pay television services. In applying this policy, the Commission takes into account all specialty and pay television programming services whose licence applications have been approved by the Commission, including launched and unlaunched Category 1 and Category 2 services.
4. The Commission notes that, as described in Public Notice 2000-173, parties requesting that a non-Canadian service be added to the digital lists are required to provide a statement from the service provider that it has obtained all necessary rights for distribution of its programming in Canada. Further, services are added to the digital lists subject to a requirement to this effect, among other things. In this case, CNNI stated that it had not yet obtained all the necessary rights but undertook to ensure that all such rights are obtained before its signal is made available in Canada.
5. Since CNNI is a news service and thus likely produces much of its own content, the Commission considers it unlikely that the service would face any particular difficulties ensuring that it has the rights to distribute its programming in Canada. Accordingly, in this particular case, the Commission is prepared to seek comment on the request on the basis of the statement noted above. However, if the Commission determines that CNNI

should be authorized for distribution in Canada, the Commission will require confirmation that CNNI does in fact have all the necessary rights before actually adding the service to the digital lists.

6. The Commission will rely primarily on the comments filed to identify the Canadian pay and specialty services with which CNNI might be totally or partially competitive and which therefore should be included in the assessment of the competitiveness of the service. Parties wishing to argue that CNNI would be competitive should therefore name the specific Canadian pay or specialty services with which they consider the service would compete and provide details to support their views, such as comparisons as to nature and genre of service, programming schedules, programming sources and supply, and target audience.

### **Call for comments**

7. The Commission calls for comments on Shaw's request for the addition of CNNI to the digital lists. Parties submitting comments on the request should also submit a true copy of their comments to the Canadian sponsor, Shaw, at the following address:

Shaw Communications Inc.  
440 Laurier Ave. W., #330  
Ottawa, Ontario  
K1R 7X6

Address : Cynthia Rathwell  
E-mail : [cynthia.rathwell@starchoice.com](mailto:cynthia.rathwell@starchoice.com)  
Telephone: 613-234-6265  
Facsimile: 613-234-2997

8. Proof that comments have been sent to Shaw must accompany the original version of the comments sent to the Commission.
9. Comments on Shaw's request must be received by the Commission no later than **3 October 2008**. A copy of the comments must be received by Shaw no later than that date.
10. Shaw may file a written reply to any comments received concerning its request. This reply should be filed with the Commission and a copy sent to the person who submitted the comments, by no later than **14 October 2008**.
11. The Commission will not formally acknowledge comments. It will, however, fully consider all comments and they will form part of the public record of the proceeding, provided that the procedures for filing set out below have been followed.

## **Procedures for filing comments**

12. Interested parties can file their comments to the Secretary General of the Commission:

- **by using the**  
[Broadcasting Intervention/Comments Form](#)

OR

- **by mail to**  
CRTC, Ottawa, Ontario K1A 0N2

OR

- **by fax at**  
819-994-0218

13. Submissions longer than five pages should include a summary.

14. Please number each paragraph of your submission. In addition, please enter the line \*\*\*End of document\*\*\* following the last paragraph. This will help the Commission verify that the document has not been damaged during transmission.

### **Important notice**

15. Note that all information that you provide as part of this public process, except information granted confidentiality, whether sent by postal mail, facsimile, e-mail or through the Commission's Website at [www.crtc.gc.ca](http://www.crtc.gc.ca), becomes part of a publicly accessible file and will be posted on the Commission's website. This information includes your personal information, such as your full name, e-mail address, postal/street address, telephone and facsimile number(s), and any other personal information you provide.
16. The personal information you provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.
17. Documents received electronically or otherwise will be put on the Commission's website in their entirety exactly as you send them, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.
18. Please note that the information you provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the webpage of this particular public process. As a result, a general search of our website with the help of either our own search engine or a

third-party search engine will not provide access to the information which was provided as part of this public process.

19. The Commission encourages interested parties to monitor the public examination file and the Commission's website for additional information that they may find useful when preparing their comments.

**Examination of public comments and related documents at the following  
Commission offices during normal business hours**

Toll-free telephone: 1-877-249-2782

Toll-free TDD: 1-877-909-2782

Central Building  
Les Terrasses de la Chaudière  
1 Promenade du Portage, Room 206  
Gatineau, Quebec K1A 0N2  
Tel.: 819-997-2429  
Fax: 819-994-0218

Metropolitan Place  
99 Wyse Road  
Suite 1410  
Dartmouth, Nova Scotia B3A 4S5  
Tel.: 902-426-7997  
Fax: 902-426-2721

205 Viger Avenue West  
Suite 504  
Montréal, Quebec H2Z 1G2  
Tel.: 514-283-6607

55 St. Clair Avenue East  
Suite 624  
Toronto, Ontario M4T 1M2  
Tel.: 416-952-9096

Kensington Building  
275 Portage Avenue  
Suite 1810  
Winnipeg, Manitoba R3B 2B3  
Tel.: 204-983-6306  
TDD: 204-983-8274  
Fax: 204-983-6317

Cornwall Professional Building  
2125 - 11<sup>th</sup> Avenue  
Room 103  
Regina, Saskatchewan S4P 3X3  
Tel.: 306-780-3422

10405 Jasper Avenue  
Suite 520  
Edmonton, Alberta T5J 3N4  
Tel.: 780-495-3224

530-580 Hornby Street  
Vancouver, British Columbia V6C 3B6  
Tel.: 604-666-2111  
TDD: 604-666-0778  
Fax: 604-666-8322

Secretary General

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