



Broadcasting Notice of Consultation CRTC 2011-271

PDF version

Ottawa, 27 April 2011

Call for comments on the addition of Aapka Colors to the lists of eligible satellite services for distribution on a digital basis

Deadline for comments: 27 May 2011

1. The Commission received a request dated 9 March 2011 from Asian Television Network International Limited (ATN) for the addition of Aapka Colors to the lists of eligible satellite services for distribution on a digital basis (the digital lists).
2. ATN described Aapka Colors as a Hindi-language general interest service that provides 24-hour year-round entertainment programming.
3. In Broadcasting 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 to any requirements the Commission may deem appropriate. In the case of non-Canadian, third-language services that provide narrowly targeted or “niche” programming, the Commission stated that it would continue to apply a case-by-case assessment to determine whether the service is partially or totally competitive with Canadian pay or specialty services.
4. The Commission invites comments on the request described above, including on the appropriate characterization of the service in question as general interest. The Commission will rely primarily on the comments filed to identify the Canadian pay and specialty services with which Aapka Colors 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 Aapka Colors would be competitive should therefore name the specific Canadian pay or specialty service 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.

Procedure

The new *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure*, SOR/2010-277 (the Rules of Procedure), set out, among other things, the rules for filing, content, format and service of interventions, the procedure for filing confidential information and requesting its disclosure, and the conduct of the public hearing. Accordingly, the procedure set out below must be read in conjunction with the Rules of Procedure and its accompanying documents, which can be found on the Commission’s website at www.crtc.gc.ca under “CRTC Rules of Practice and Procedure”.

This notice announces an application that would normally be subject to the written process described in Part 1 of the Rules of Procedure, but that was filed before 1 April 2011. An explanation in this regard is set out in Broadcasting and Telecom Regulatory Policy 2010-958.

The Commission invites interventions as well as answers from respondents regarding ATN's application for the addition of Aapka Colors to the digital lists. Parties submitting interventions or answers should also submit a true copy of their submissions to the applicant at the following address:

prakash@asiantelelevision.com

Proof that interventions and answers have been sent to ATN must accompany the original version of the interventions or answers sent to the Commission.

Interventions and answers regarding ATN's application must be received by the Commission no later than **27 May 2011**. A true copy of these submissions must be received by ATN, and an answer from a respondent must also be served on any other respondent, by no later than the same deadline date.

ATN may file a written reply to any intervention or answer received concerning its application. This reply should be filed with the Commission, and a copy sent to the party who submitted the intervention or answer, by no later than **6 June 2011**.

The Commission will not formally acknowledge interventions, responses or replies. It will, however, fully consider all interventions, responses and replies, and they will form part of the public record of the proceeding, provided that the procedures for filing set out below have been followed.

The Commission cannot be held responsible for postal delays and will not notify a party whose submission is received after the above-noted deadline dates. The submission will not be considered by the Commission and will not be part of the public file.

Interventions, answers and replies will be considered by the Commission and will form part of the public record of the proceeding without further notification to parties, provided the procedures set out in the Rules of Procedure and this notice have been followed. Parties will be contacted only if their submissions raise procedural questions.

Interventions, answers or replies must be submitted to the Secretary General of the Commission in **only one** of the following formats:

by using the
[\[Intervention/comment/answer form\]](#)

or

by mail to
CRTC, Ottawa, Ontario K1A 0N2

or

by fax at
819-994-0218

The Commission advises those who file and serve by electronic mode to exercise caution when using e-mail for service of documents, as it may be difficult to establish that service has occurred.

Parties must ensure that, before initiating service through electronic mode, they will be able to satisfy the Commission, upon request, that service was completed. The sender must keep proof of the sending and the receipt of the document for 180 days after the day on which it is filed.

Submissions longer than five pages should include a summary.

Each paragraph of the submission should be numbered. In addition, where the intervention is filed by electronic means, the line *****End of document***** should be entered following the last paragraph of the document, as an indication that the document has not been altered during electronic transmission.

Interventions, answers and replies should clearly identify the applicant referred to and indicate whether parties support or oppose the application, or, if they propose changes to it, include the facts and grounds for their proposal.

Important notice

All information that parties provide as part of this public process, except information designated confidential, whether sent by postal mail, facsimile, e-mail or through the Commission's website at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's website. This information includes personal information, such as full names, e-mail addresses, postal/street addresses, telephone and facsimile numbers, and any other personal information parties provide.

The personal information that parties 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.

Documents received electronically or otherwise will be put on the Commission's website in their entirety exactly as received, 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.

The information that parties 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 web page of this particular public process. As a result, a general search of the Commission's website with the help of either its own

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

The Commission encourages parties and interested persons to monitor the record of the proceeding, available on the Commission's website, for additional information that they may find useful when preparing their submissions.

Examination of documents

Electronic versions of the application and related documents are available on the Commission's website. They are accessible by selecting "View all proceedings open for comment" from the "Public Proceedings" section of the Commission's website and by clicking on the "Related documents" link associated with this notice. They are also available from ATN upon request by contacting the applicant at its email address, provided above.

A list of all interventions, answers and replies will also be available on the Commission's website. The list is accessible by selecting "View all proceedings open for comment" from the "Public Proceedings" section of the Commission's website and by clicking on the "Interventions/Answers" link associated with this notice.

Documents are also available during normal office hours at the local address provided in this notice and at the Commission offices and documentation centres directly involved with this the sponsor's request, or, upon request, within two (2) working days, at any other Commission offices and documentation centres.

Location of Commission offices

Toll-free telephone: 1-877-249-2782
Toll-free TDD: 1-877-909-2782

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

Regional offices

Metropolitan Place
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B3A 4S5
Tel.: 902-426-7997
Fax: 902-426-2721

205 Viger Avenue West
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H2Z 1G2
Tel.: 514-283-6607

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Suite 624
Toronto, Ontario
M4T 1M2
Tel.: 416-952-9096

Kensington Building
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Winnipeg, Manitoba
R3B 2B3
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Suite 520
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Tel.: 780-495-3224

858 Beatty Street
Suite 290
Vancouver, British Columbia
V6B 1C1
Tel.: 604-666-2111
Fax: 604-666-8322

Secretary General

Related documents

- *Implementation of new Rules of Practice and Procedure, Broadcasting and Telecom Regulatory Policy CRTC 2010-958, 23 December 2010*
- *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