



Broadcasting Decision CRTC 2013-283

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Route reference: 2013-106

Ottawa, 11 June 2013

Shaw Television G.P. Inc. (the general partner) and Shaw Media Global Inc. (the limited partner), carrying on business as Shaw Television Limited Partnership, and Shaw Media Global Inc., partners in a general partnership carrying on business as TVtropolis General Partnership
Across Canada

Application 2013-0124-1, received 24 January 2013
Public hearing in Montréal, Quebec
6 May 2013

TVtropolis – Acquisition of assets

*The Commission **approves** the application by Shaw Television Limited Partnership (Shaw LP) and Shaw Media Global Inc. (Shaw Global), a new partner with Shaw LP in TVtropolis General Partnership (TVtropolis GP), for authority to acquire the assets of the national, English-language specialty Category A service TVtropolis, through the acquisition by Shaw Global of the partnership's units held by Rogers Communications Inc., the current partner with Shaw LP in TVtropolis GP, and for a new broadcasting licence to continue the operation of the undertaking.*

The application

1. Shaw Television Limited Partnership¹ (Shaw LP) and Shaw Media Global Inc. (Shaw Global), a new partner with Shaw LP in TVtropolis General Partnership (TVtropolis GP), filed an application for authority to acquire the assets of the national, English-language specialty Category A service TVtropolis, through the acquisition by Shaw Global of the partnership's units held by Rogers Communications Inc. (Rogers), the current partner with Shaw LP in TVtropolis GP, and for a new broadcasting licence to continue the operation of the undertaking under the same terms and conditions as those in effect under the current licence.
2. TVtropolis GP's current partners are Shaw LP (66.67%) and Rogers (33.33%).
3. The Commission notes that this transaction would not result in a change in the effective control of TVtropolis GP, which would continue to be exercised by Shaw Communications Inc. (Shaw).

¹ Shaw Television G.P. Inc. (the general partner) and Shaw Media Global Inc. (the limited partner), carrying on business as Shaw Television Limited Partnership

Intervention

4. The Commission received a joint intervention opposing the application from the following parties: the Public Interest Advocacy Centre, the Consumers' Association of Canada, the Council of Senior Citizens' Organizations of British Columbia, the National Pensioners and Senior Citizens Federation and Option consommateurs (the Interveners). Shaw replied to the intervention. The public record for this proceeding is available on the Commission's website at www.crtc.gc.ca under "Public Proceedings."
5. The Interveners submitted that the proposed acquisition is part of a larger deal that grants Rogers an opportunity to acquire Shaw's Advanced Wireless Services spectrum in certain provinces. The Interveners further submitted that the Commission should delay consideration of this application until the Department of Industry (the Department) concludes its Consultation on Considerations Relating to Transfers, Divisions and Subordinate Licensing of Spectrum Licences. They also suggested that the sale of the TVtropolis GP minority interest could be subject to review by the Competition Bureau.
6. Shaw replied that the Commission should not delay consideration of the application as its proposed acquisition does not relate to the Department's aforementioned consultation. Further, Shaw argued that its proposed transaction is not subject to a merger review by the Competition Bureau.

Commission's analysis and decision

7. After examining the public record for this application in light of applicable regulations and policies, the Commission notes that it conducts its reviews of ownership transactions independently and considers that the issues raised by the Interveners do not provide a basis to delay the Commission's rendering of a decision.
8. The Commission **approves** the application by TVtropolis GP for authority to acquire the assets of the national, English-language specialty Category A service TVtropolis, through the acquisition by Shaw Global of the partnership's units held by Rogers.
9. Upon surrender of the current licence, the Commission will issue a new broadcasting licence to Shaw Television G.P. Inc. (the general partner) and Shaw Media Global Inc. (the limited partner), carrying on business as Shaw Television Limited Partnership, and Shaw Media Global Inc., partners in a general partnership carrying on business as TVtropolis General Partnership, to operate the national, English-language specialty Category A service TVtropolis under the same terms and **conditions** as those in effect under the current licence.

Employment equity

10. Because this licensee is subject to the *Employment Equity Act* and files reports concerning employment equity with the Department of Human Resources and Skills Development, its employment equity practices are not examined by the Commission.

Secretary General

** This decision is to be appended to the licence.*