



Broadcasting Decision CRTC 2005-344

Ottawa, 22 July 2005

Canadian Broadcasting Corporation
Québec, Quebec

Application 2004-0961-6
Public Hearing in the National Capital Region
16 May 2005

CBVT Québec – Transitional digital television licence

*The Commission **approves** the application by the Canadian Broadcasting Corporation for a broadcasting licence to operate a transitional digital television undertaking in association with CBVT Québec.*

The application

1. The Commission received an application by the Canadian Broadcasting Corporation (CBC) for a broadcasting licence to operate a transitional digital television undertaking¹ in association with CBVT Québec. The applicant proposed that the station simulcast the current analog programming service of CBVT, with the exception of up to 14 hours per week of programming that would not be duplicated on the analog service. The digital undertaking would operate from the existing CBC transmission site on Mont Bélair on channel 12VL with an average effective radiated power (ERP) of 1,020 watts.
2. The Commission did not receive any interventions in connection with this application.

Commission's analysis and determination

3. The Commission set out its policy framework for the transition from analog to digital television in *A licensing policy to oversee the transition from analog to digital, over-the-air television broadcasting*, Broadcasting Public Notice CRTC 2002-31, 12 June 2002 (Public Notice 2002-31). The Commission is satisfied that the application is in conformity with all applicable terms and conditions announced in Public Notice 2002-31 and in *The regulatory framework for the distribution of digital television signals*,

¹ In Broadcasting Notice of Public Hearing CRTC 2005-3, 17 March 2005, the Commission indicated that the application was for a transitional English-language digital television undertaking. In fact, the application was for a transitional French-language digital television undertaking. The Commission corrected this error in Broadcasting Notice of Public Hearing CRTC 2005-3-1, 22 March 2005.

Broadcasting Public Notice CRTC 2003-61, 11 November 2003. Accordingly, the Commission **approves** the application by the Canadian Broadcasting Corporation for a broadcasting licence to operate a transitional digital television undertaking in association with CBVT Québec. The licence will expire on 31 August 2007, coincident with the expiry of the licence for CBVT Québec.

Canadian content

4. In Public Notice 2002-31, the Commission stated that:

[its] existing policies and regulations, as well as the conditions of licence currently applicable to a broadcaster in respect of its analog television service will also apply to any transitional digital programming service the broadcaster may be licensed to provide.

5. The Commission renewed the licence for CBVT in *CBVT Québec and its transmitters – Licence renewal*, Broadcasting Decision CRTC 2004-531, 3 December 2004 (Decision 2004-531). The new transitional digital television licence will therefore be subject to the **conditions of licence** that are applicable to the analog television service CBVT and to those set out in Decision 2004-531, and as may be amended by the Commission.

The 14-hour program allowance

6. The CBC made a commitment to simulcast the current programming service of CBVT with the exception of up to 14 hours per week of supplementary programming that would not be duplicated on the analog service. The applicant further committed to ensure that all unduplicated, supplementary programming broadcast on the undertaking is broadcast in a wide screen, high definition (HD) format and that a minimum of 50% of such programming is Canadian. Consistent with the applicant's commitments, the Commission has imposed **conditions of licence**, set out in the appendix to this decision.

Simulcast of high definition and wide screen programming

7. As part of this proceeding, the Commission asked the applicant to comment on the possible imposition of conditions of licence reflecting, among other things, the two key principles set out in Public Notice 2002-31 relating to the simulcast of HD and wide screen programming. Specifically, the Commission asked whether the CBC would adhere to conditions of licence requiring that:
- all simulcast programming on the undertaking produced in the wide screen format (16:9 aspect ratio) be broadcast in that format; and
 - all simulcast programming on the undertaking aired during the evening broadcast period produced in HD be broadcast in HD.

8. In response, the CBC agreed to accept these conditions of licence. Accordingly, the Commission has imposed these **conditions of licence** on the new transitional digital television undertaking.

Data transmission

9. In Public Notice 2002-31, the Commission expressed the view that HD television (HDTV) should be used to promote the development of new Canadian programming of high quality, and to make this available to viewers in a picture format that is superior to the current analog National Television Standards Committee (NTSC) format. To that end, the Commission emphasized that broadcasters should ensure that the HD programming they purchase or produce is transmitted to viewers without loss of signal quality. Consistent with that aim, the Commission requires, by **condition of licence**, that the licensee ensure that the transmission of data does not negatively affect the quality or quantity of HD programming.

Technical considerations

10. The undertaking will operate on channel 12VL with an average ERP of 1,020 watts. The Commission is satisfied that these technical parameters will provide effective coverage to the Québec area within the constraints of the Department of Industry's (the Department's) *DTV Transition Allotment Plan*.

Issuance of the licence

11. The Commission will issue a transitional digital television licence to the CBC, subject to the **conditions** set out in the appendix to this decision.
12. The Commission reminds the licensee that, pursuant to section 22(1) of the *Broadcasting Act*, no licence may be issued until the Department notifies the Commission that its technical requirements have been met, and that a broadcasting certificate will be issued.
13. Furthermore, the licence for this undertaking will be issued once the licensee has informed the Commission in writing that it is prepared to commence operations. The undertaking must be operational at the earliest possible date and in any event no later than 24 months from the date of this decision, unless a request for an extension of time is approved by the Commission before 22 July 2007. In order to ensure that such a request is processed in a timely manner, it should be submitted at least 60 days before this date.

Secretary General

This decision is to be appended to the licence. It 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>

Appendix to Broadcasting Decision CRTC 2005-344

Conditions of licence

1. In addition to the conditions set out below, the licence is subject to the terms and conditions applicable to the analog television station CBVT Québec, and as may be amended by the Commission.
2. The licensee shall ensure that all programming broadcast by the undertaking is a simulcast of the programming broadcast on CBVT, with the exception of up to 14 hours per week of unduplicated, supplementary programming.
3. The licensee shall ensure that at least 50% of the unduplicated, supplementary programming broadcast by the undertaking is Canadian.
4. The licensee shall ensure that all unduplicated, supplementary programming broadcast by the undertaking is broadcast in a wide screen (16:9 aspect ratio), high definition format.
5. The licensee shall ensure that all programs that are simulcast by the undertaking, and that are available to the licensee in a wide screen (16:9 aspect ratio) format, are also broadcast in that format.
6. The licensee shall ensure that all programs that are simulcast by the undertaking during the evening broadcast period, and that are available to the licensee in high definition are also broadcast in high definition.
7. The licensee shall ensure that the transmission of data does not negatively affect the quality or quantity of high definition programming.