



Broadcasting Decision CRTC 2005-512

Ottawa, 21 October 2005

VISTA The Virtual Window Inc.
Across Canada

Application 2005-0257-7

Public Hearing in the National Capital Region

15 August 2005

Vista The Virtual Window – Category 2 specialty service

*In this decision, the Commission **approves** an application for a broadcasting licence to operate a new Category 2 specialty programming undertaking.*

The application

1. The Commission received an application by VISTA The Virtual Window Inc. (VISTA) for a broadcasting licence to operate a national, English- and French-language Category 2¹ specialty programming undertaking to be known as Vista The Virtual Window.
2. The applicant proposed to offer a service that would be devoted to high definition full motion images of the most beautiful geography of Canada and the world. The programming would be drawn from the following categories, as set out in Schedule I to the *Specialty Services Regulations, 1990*: 11 General entertainment and human interest; 12 Interstitials; 13 Public service announcements; and 14 Infomercials, promotional and corporate videos.
3. The applicant indicated that it would provide multiplexed versions of the proposed service. This multiplexing would enable subscribers to select from a variety of angles and perspectives while viewing a given scene. The applicant made a commitment to ensure that a minimum of 70% of full motion images presented within the service would be of Canadian scenery.
4. The Commission did not receive any interventions in connection with this application.

Commission's analysis and determination

5. The Commission is satisfied that the application is in conformity with all applicable terms and conditions announced in *Introductory statement – Licensing of new digital pay and specialty services – Corrected Appendix 2*, Public Notice CRTC 2000-171-1,

¹ The Category 2 services are defined in *Introductory statement – Licensing of new digital pay and specialty services*, Public Notice CRTC 2000-171, 14 December 2000.

6 March 2001 (Public Notice 2000-171-1). Accordingly, the Commission **approves** the application by VISTA The Virtual Window Inc. for a broadcasting licence to operate the national, English- and French-language Category 2 specialty programming undertaking, Vista The Virtual Window.

6. The Commission authorizes the applicant to provide multiplexed versions of its service where carriage agreements and bandwidth permit.
7. The licence will expire 31 August 2012, and will be subject to the **conditions** set out in Public Notice 2000-171-1, as well as to the **conditions** set out in the appendix to this decision.

Issuance of the licence

8. A licence will be issued once the applicant has satisfied the Commission, with supporting documentation, that the following requirements have been met:
 - the applicant has entered into a distribution agreement with at least one licensed distributor; and
 - the applicant 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 36 months from the date of this decision, unless a request for an extension of time is approved by the Commission before 21 October 2008. In order to ensure that such a request is processed in a timely manner, it should be submitted at least 60 days before that 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 2005-512

Conditions of licence

1. The licence will be subject to the conditions set out in *Introductory statement – Licensing of new digital pay and specialty services – Corrected Appendix 2*, Public Notice CRTC 2000-171-1, 6 March 2001.
2. The licensee shall provide a national, English- and French-language Category 2 specialty programming undertaking devoted to high definition full motion images of the most beautiful geography of Canada and the world.
3. The programming shall be drawn exclusively from the following categories, as set out in Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:
 - 11 General entertainment and human interest
 - 12 Interstitials
 - 13 Public service announcements
 - 14 Infomercials, promotional and corporate videos

For the purposes of the conditions of this licence, including condition of licence no.1, *broadcast day* refers to the 24-hour period beginning each day at 6 a.m., or any other period approved by the Commission.