



Broadcasting Public Notice CRTC 2005-105

Ottawa, 24 November 2005

Revised lists of eligible satellite services

*The Commission **approves** the addition of six non-Canadian third-language general-interest services to the lists of eligible satellite services for distribution on a digital basis. The revised lists appended to this public notice supersede those appended to Revised lists of eligible satellite services, *Broadcasting Public Notice CRTC 2005-79*, 8 August 2005.*

Introduction

1. In letters dated 16 and 23 February 2005, 12 April 2005 and 11 May 2005, the Canadian Cable Telecommunications Association (CCTA) requested that the Commission add six non-Canadian third-language general-interest services to the lists of eligible satellite services for distribution on a digital basis. The CCTA described these services as follows:

Radio Television Portugal International (RTPi): RTPi is the international television network of Radiotelevisao Portuguesa, SA, Portugal's public broadcasting company. The RTPi service consists of diverse, general-interest, Portuguese-language programming, including news and current affairs, drama, sports and music.

TV Globo Internacional (TV Globo): TV Globo is a 24-hour general-interest channel in the Portuguese language targeted at the Brazilian and Portuguese community abroad. TV Globo programming includes tele-novelas, live news, variety programming, talk shows, documentaries and sports (soccer and live events).

New Tang Dynasty Television (NTDTV): NTDTV is an independent, non-profit, Chinese-language television network with its headquarters in New York City. Its programming is more than 90% Mandarin, and includes world news, arts and entertainment, variety shows and documentary/educational programs.

Phoenix North American Chinese Channel (PNACC): PNACC features high quality programming that caters to Chinese communities in North America, providing news and entertainment television from Hong Kong, China, Taiwan and other countries in the Asian Pacific region. The channel broadcasts primarily in Mandarin. Content includes drama series, music, talk shows, current affairs, lifestyle shows, infotainment and locally produced programs.

PTV-Prime USA (PTV): PTV is a 24-hour family-oriented channel in the Urdu language targeted to South Asian communities residing in North America. PTV's diverse programming from Pakistan includes dramas, sitcoms, music, news, documentaries and religious segments.

Channel One Russia Worldwide TV (Channel One): Channel One is a 24-hour Russian-language channel targeted to Russian speaking communities in North America. The channel originates in Moscow and is the international version of Channel One, Russia's major television network. Channel One offers a diverse mix of programming including news and documentaries, dramatic specials, feature film presentations, contemporary performances, game shows and sports.

2. In *Call for comments on requests from the Canadian Cable Telecommunications Association for the addition of non-Canadian services to the lists of eligible satellite services for distribution on a digital basis*, Broadcasting Public Notice CRTC 2005-54, 24 May 2005, the Commission called for comments on the requests to add RTPi, NTDTV, PNACC, PTV and TV Globo to the digital lists. Comments on the proposal to add Channel One were requested in *Call for comments on the proposed addition of Channel One Russia Worldwide TV to the lists of eligible satellite services for distribution on a digital basis*, Broadcasting Public Notice CRTC 2005-57, 7 June 2005.

Positions of parties

Addition of the Portuguese-language services RTPi and TV Globo

3. The Commission received over 600 comments from individuals as well as 6 petitions, including one containing over 8000 names, in support of the CCTA's request that the Commission add RTPi to the digital lists. The Commission also received over 200 comments in support of the addition of TV Globo to the digital lists, including a petition containing 40 names. A number of national organizations and community groups representing primarily Portuguese-speaking Canadians expressed unequivocal support for the addition of both services, submitting that approval of the CCTA's requests would recognize that access to ethnic programming is fundamental to the success of multiculturalism, would improve the availability of programming in the Portuguese language, and would be in keeping with the size and importance of the Portuguese community in Canada.
4. 1395047 Ontario Inc. (1395047), licensee of the Canadian Portuguese-language Category 2 service known as Festival Portuguese Television (FPTV), opposed the addition of both RTPi and TV Globo to the digital lists. 1395047 submitted that the Portuguese community is not underserved because FPTV and multicultural programming services already offer Portuguese-language programming. Further, in 1395047's view, the addition of RTPi and TV Globo to the digital lists would not provide the Portuguese community with any category of programming that is not already offered on FPTV.

5. 1395047 also expressed concern that the addition of RTPi and TV Globo to the digital lists would have dire consequences for the viability of FPTV. 1395047 argued that, since the costs of RTPi and TV Globo are covered in their home markets, those services could be offered to Canadian distributors at a much lower cost than FPTV. 1395047 also submitted that non-Canadian services do not incur additional costs related to the production of Canadian programming. However, despite its concerns about the impact of competitive foreign services on Canadian services, 1395047 stated that it continued to believe that Canadian ethnic communities deserve greater choice of programming in their own languages.
6. In reply to the concerns expressed by 1395047, the CCTA filed letters from RTPi and TV Globo. RTPi submitted that authorizing broadcasting distribution undertakings (BDUs) to carry RTPi would assist the growth and development of Portuguese-language services in Canada. RTPi argued that it would be an attractive and well-established packaging partner for FPTV and perhaps other Canadian services, and would provide Portuguese-speaking Canadians with an incentive to acquire a package of Portuguese-language digital services. Further, RTPi stated that a single Canadian Portuguese-language service such as FPTV could not possibly serve the programming interests and needs of the entire Portuguese-speaking population in Canada.
7. For its part, TV Globo stated that its service is directed to the Brazilian community, which is currently underserved as there are no Brazilian channels available in Canada. TV Globo also submitted that there is a strong interest in the Brazilian community for the distribution of its service.
8. The CCTA argued that the record of this proceeding clearly indicates that the Portuguese community is underserved and that there is an enormous appetite for Portuguese-language programming.

Addition of the Chinese-language services NTDTV and PNACC

9. The Commission received comments from over 1,400 individuals as well as from numerous community organizations, with the vast majority supporting the addition of NTDTV to the digital lists. The Commission also received a petition containing over 45,000 names in support of the addition of NTDTV. Some supporters stated that the addition of NTDTV would increase the relatively small amount of Mandarin-language programming currently available in Canada. Others commented that NTDTV is an independent Chinese-language television channel and that its service provides a different perspective from that available on other non-Canadian Chinese-language services in its coverage of topics such as the Chinese democracy movement, China's relationship with Taiwan, the Tibetan community and Falun Gong.

10. The Commission, however, received comments from over thirty individuals and some Chinese community organizations opposed to the addition of NTDTV, including a petition with 50 names. The majority of these parties expressed concerns about NTDTV's positive coverage of Falun Gong with some alleging that followers of Falun Gong had an ownership interest in NTDTV.
11. The Commission received comments from more than 80 individuals and a number of community organizations in support of the addition of PNACC to the digital lists. Some supporters argued that the addition of PNACC would be beneficial in that it would increase the amount of Mandarin-language programming available in Canada.
12. The addition of PNACC to the digital lists was, however, opposed by over 200 parties, primarily individuals, as well as some Falun Gong-affiliated organizations and some Chinese community groups. Opposition to the service was based primarily on the content of the service's news programming. Several parties questioned the service's relationship with the Chinese Communist Party and the editorial independence of its news coverage of issues such as SARS, AIDS, the Tibetan community and China-Taiwan relations. In particular, parties objected to PNACC's coverage of Falun Gong, which many regarded as misleading, fabricated or defamatory. Some others, primarily individuals, referred to PNACC's Falun Gong coverage as hate propaganda targeted against Falun Gong practitioners.
13. Fairchild Television Ltd. (Fairchild) opposed the addition of PNACC and NTDTV to the digital lists. Fairchild argued, among other thing, that, with over 160 hours of Mandarin-language television programming available to Canadians each week on a national basis, the Mandarin-speaking community is already well served.
14. In response to concerns raised by parties opposing the addition of PNACC and NTDTV to the digital lists, the CCTA argued that the record of this proceeding indicates that the Mandarin-speaking community is underserved. It noted, in particular, that over 46,000 Canadians, through letters and petitions, indicated their support for the programming offered by NTDTV. With respect to those who disagreed with the editorial, political or ideological content of the services, the CCTA stated that such concerns were not a relevant basis on which to oppose the addition of the proposed services to the digital lists. In the CCTA's view, services that reflect a diverse range of viewpoints strengthen the Canadian broadcasting system.
15. In a letter filed by the CCTA, NTDTV submitted that the Mandarin-speaking community is underserved and that, if NTDTV were added to the digital lists, over one million Chinese Canadians would have more choice of TV programs in their own language. NTDTV denied that it was a public relations tool for Falun Gong and submitted that its service would provide Chinese Canadians with independent TV programs and access to truthful and independent information.

16. In a letter filed by the CCTA, Phoenix Satellite Television (U.S.) Inc. (Phoenix), the owner of PNACC, disputed Fairchild's conclusion that the Mandarin community in Canada is well served. Phoenix argued that the 160 hours per week of Mandarin-language programming in Canada cited by Fairchild represents less than the programming that would be provided by one 24-hour Mandarin-language service. Phoenix submitted that there is a significant population of Mandarin-speaking people in Canada that is entitled to more than the equivalent of one full-time Mandarin-language service.
17. Phoenix stated that it is regarded as a respectable, independent media organization, and cited its interviews with a wide variety of Western political leaders to underscore the distinction between its service and a "Communist front organization." Phoenix also stated that parties had cited inaccurate information with respect to its ownership, and clarified that the mainland Chinese shareholding in Phoenix Satellite Television Holdings Limited, the parent corporation of PNACC, is less than 9%.
18. Phoenix further noted that the comments filed in this proceeding concerned only certain aspects of PNACC's news coverage, which represents a small portion of its overall schedule of general-interest programming. According to Phoenix, the overwhelming majority of PNACC's programming was not the subject of any criticism by those who filed comments. Phoenix also submitted that comments opposing the addition of PNACC to the digital lists contained unsubstantiated and/or incomplete allegations of hateful or abusive content. Phoenix stated that most of the criticism is related to Phoenix's Hong Kong-based Chinese channel, not its North American feed of the service, PNACC. According to Phoenix, with one exception, the programs specifically referred to in the comments were not aired by PNACC and those that were aired by Phoenix's Hong Kong service were in fact broadcast several years ago. According to Phoenix, only one program cited by those who submitted comments as proof of an alleged pattern of hatred and lies had actually been broadcast by PNACC. Phoenix further stated that, whether or not one agrees with the comments made in that one program, an episode of *China Forum*, it is certainly not indicative of a pattern.
19. With respect to PNACC's other news programming, Phoenix stated that many of the comments filed were complaints about the quantity and type of news coverage offered to viewers on certain issues. Phoenix stated that, contrary to what was suggested by some of those who filed comments, PNACC did report on SARS in China even before China officially admitted the impact, and has also reported extensively on AIDS in China. Phoenix also stated that PNACC has reported on Taiwan extensively, carrying live unedited coverage of presidential and legislative elections, and has provided political leaders in Taiwan with an opportunity to present their views.
20. Phoenix also stated in its reply that it fully intends to comply with the provisions of the relevant codes that govern Canadian broadcasters.

Addition of the Urdu-language Service PTV

21. The Commission did not receive any comments that specifically addressed the addition of PTV to the digital lists.

Addition of the Russian-language service Channel One

22. The Commission received over 40 comments by individuals in support of the addition of Channel One to the digital lists, including two petitions containing 19 names. Ethnic Channels Group Limited (ECGL) filed the only opposing comment. ECGL expressed concern that Channel One intended to retain exclusive or preferential programming rights for its programming. Further, ECGL submitted that the sponsor had provided no evidence of demand from the affected community, arguing that the mere fact that a service is sponsored by the CCTA does not constitute evidence of demand.
23. In response to concerns raised by ECGL, the CCTA noted that the service provider for Channel One had satisfied the Commission's requirements in respect of program rights when it provided undertakings that it had obtained all necessary rights for the distribution of its programming in Canada and that it did not hold, would not obtain, nor would it exercise, preferential or exclusive programming rights in relation to the distribution of programming in Canada. With regard to evidence of demand, the CCTA stated that comments and petitions filed in support of the service constitute a strong expression of support and demonstration of demand from within Canada's Russian community.

Other issues raised by parties

24. FPTV and ECGL suggested, among other things, that the distribution of a third-language general-interest non-Canadian service be subject to a "buy-through" requirement, whereby subscribers purchasing the non-Canadian service would also have to purchase at least one Canadian Category 2 service in the same principal language, where such a service was available. These parties, as well as Fairchild, also suggested other changes to the requirements established in *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 (Public Notice 2004-96), with regard to the packaging and offering of services.
25. Bell ExpressVu¹ proposed that the Commission require non-Canadian programming services to provide access to their respective services to all BDUs as soon as practicable and on comparable terms and conditions, as a condition of remaining on the digital lists.

¹ Bell ExpressVu Inc. (the general partner), and BCE Inc. and 4119649 Canada Inc. (partners in BCE Holdings G.P., a general partnership that is the limited partner), carrying on business as Bell ExpressVu Limited Partnership

Commission's analysis and determinations

Addition of services

26. In Public Notice 2004-96, the Commission set out its revised approach to the assessment of requests to add non-Canadian third-language television services to the digital lists, as well as specific information that Canadian sponsors must file in support of their requests.
27. In Public Notice 2004-96, the Commission stated that, going forward, requests to add non-Canadian, general-interest, third-language services to the digital lists would generally be approved, subject, as appropriate, to new distribution and linkage requirements, as described in that Public Notice, regarding the packaging and offering of such services in conjunction with Canadian third-language, general-interest services. These distribution and linkage rules were subsequently set out in *Distribution and linkage requirements for Class 1 and Class 2 licensees*, Broadcasting Public Notice CRTC 2005-45, 11 May 2005 (Public Notice 2005-45), and *Linkage requirements for direct-to-home (DTH) satellite distribution undertakings*, Broadcasting Public Notice CRTC 2005-46, 11 May 2005 (Public Notice 2005-46).
28. The Commission is of the view that the issues raised by FPTV with regard to the addition of RTPi and Globo TV concerning whether the Portuguese community is sufficiently served and the cost and impact of non-Canadian third-language services, were raised and considered in the proceeding leading to Public Notice 2004-96. The Commission finds nothing on the record of this proceeding to persuade it that a departure from the approach set out in Public Notice 2004-96 is warranted with regard to the two Portuguese-language services that CCTA has requested be added to the digital lists.
29. As to comments regarding the two Chinese-language services proposed for addition to the digital lists, the Commission similarly finds nothing on the record of this proceeding to warrant a departure from the general approach set out in Public Notice 2004-96. With specific regard to allegations by some parties with respect to PNACC's coverage of Falun Gong, the Commission notes that these parties provided no specific evidence on which the Commission could base a conclusion that PNACC has or would be likely to air abusive comment or abusive pictorial representations that, when taken in context, would tend to or be likely to expose Falun Gong practitioners to hatred or contempt on the basis of race, national or ethnic origin, colour, religion, sex, sexual orientation, age, or mental or physical disability. The Commission further notes Phoenix's submission that much of the programming about which parties expressed concern was distributed on its Hong Kong service but not on PNACC. Phoenix also stated that it would comply with the provisions of the relevant codes that govern Canadian broadcasters.
30. With regard to issues related to program rights raised by ECGL in the context of the request to add Channel One, Public Notice 2004-96 states that, in order to be added to the digital lists, a non-Canadian service must hold all necessary rights to the distribution of its programming in Canada and that it "must not hold, will not obtain, nor will it exercise, preferential or exclusive programming rights in relation to the distribution of programming in Canada." Sponsors for the addition of a non-Canadian service to the

digital lists must provide undertakings from the non-Canadian service to that effect. The Commission notes that these undertakings were provided with the CCTA's request. If any non-Canadian service on the digital lists were found to have exercised preferential or exclusive programming rights in Canada, the Commission could consider its removal from the digital lists.

31. In response to ECGL's suggestion that the sponsorship of a service does not constitute evidence of demand, the Commission notes that, in accordance with the information requirements set out in the appendix to Public Notice 2004-96, the Commission requires that the sponsor of the service provide evidence of demand *as gathered through discussions with distributors* (emphasis added). Since the CCTA is a national organization representing over 70 licensees of cable BDUs, the Commission considers that the CCTA's sponsorship of Channel One to be sufficient evidence of demand.

Other issues

32. With respect to the suggestion by FPTV and ECGL that the distribution of a third-language general-interest service be subject to a "buy-through" requirement that would require a subscriber to purchase a Canadian Category 2 service in the same language where available, and other suggested changes to the approach set out in Public Notice 2004-96 made by these parties as well as Fairchild, the Commission notes that it only recently considered its assessment of requests for the addition of non-Canadian third-language services to the digital lists, resulting in the approach set out in Public Notice 2004-96. The Commission considers that the suggestions in question amount to a request that the Commission revisit the approach established in Public Notice 2004-96. The Commission is not prepared to undertake such a review at this time.
33. As to Bell ExpressVu's proposal, the Commission considers that there is nothing on the record of this proceeding to suggest that any of the services at issue in this proceeding intend to make themselves available only to certain distributors or to provide significantly better terms to certain distributors.

Conclusion

34. Consistent with the approach set out in Public Notice 2004-96, the Commission **approves** the addition of the six services that are the subject of these requests to the digital lists. The six services have therefore been added to the revised lists attached to this notice.
35. Distribution of these services is subject to the distribution and linkage rules that apply to third-language general-interest services added to the digital lists after 16 December 2004 as set out in Public Notice 2005-45 and Public Notice 2005-46. Those rules require that any BDU wishing to distribute the service to also make available a general-interest Category 2 service in the same principal language, provided that one has been launched.

The rules also require that, where a sponsored general interest non-Canadian third-language service offers 40% or more of its programming in any of the Cantonese, Mandarin, Italian, Spanish, Greek or Hindi languages, the non-Canadian service may only be distributed to customers who also subscribe to the analog service operating in the same language.

Secretary General

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Appendix A to Broadcasting Public Notice CRTC 2005-105

List of Part 2 Eligible Satellite Services

Section A

Learning and Skills Television of Alberta	
Saskatchewan Communications Network (SCN)	
Télé-Québec (STQ)	
TVOntario (TVO and TFO)	
Open Learning Agency (Knowledge Network)	
Atlantic Satellite Network (ASN)	
CFTU-TV Montréal	IND*
CBC English-language Television Service	
CBC French-language Television Service	
WHDH-TV Boston/WGRZ-TV Buffalo/WPTZ Burlington/ WDIV Detroit/WICU-TV Erie/KARE Minneapolis/ KHQ-TV Spokane/KING-TV Seattle	NBC*
WGBH-TV Boston/WNED-TV Buffalo/WETK Burlington/ WTVS Detroit/WQLN Erie/KSPS-TV Spokane/KCTS-TV Seattle	PBS*
WBZ-TV Boston/WIVB-TV Buffalo/WCAX-TV Burlington/ WSEE Erie/WTOL-TV Toledo/WCCO-TV Minneapolis/ KREM-TV Spokane/KIRO-TV Seattle/WWJ-TV Detroit	CBS*
WCVB-TV Boston/WKBW-TV Buffalo/WVNY Burlington/ WXYZ-TV Detroit/WJET-TV Erie/KSTP-TV Minneapolis/ KXLY-TV Spokane/KOMO-TV Seattle	ABC*
WUTV Buffalo/WFFF-TV Burlington/WFTC Minneapolis/ WUHF Rochester/KAYU-TV Spokane/KCPQ Tacoma/ WFXT Boston	FOX*
ART America	
The Arts and Entertainment Network (A&E)	
BBC World	
Black Entertainment Television (BET)	
Cable News Network (CNN)	
CNN Headline News (CNN-2)	
Cable Satellite Public Affairs Network (C-Span)	

Consumer News and Business Channel (CNBC)
Court TV
Deutsche Welle
The Filipino Channel
The Golf Channel
The Learning Channel
Radio-France outre-mer (RFO1)*
The Silent Network (Kaleidoscope)
Speed Channel
Spike TV
TV Japan
TV Polonia
The Weather Channel (TWC)
WMNB-TV: Russian-American Broadcasting Company
Licensed pay audio programming undertaking(s)**

Section B

KSTW (IND) Tacoma/Seattle*
KTLA Los Angeles
KWGN-TV Denver
WGN-TV Chicago
WPIX New York City
WSBK-TV Boston
WTBS Atlanta
WUAB-TV (IND) Cleveland*
WWOR-TV New York City
American Movie Classics
Comedy Central
Game Show Network
Lifetime Television

Playboy TV***

Turner Classic Movies

* Received from a licensed SRDU

** A pay audio programming undertaking may not be used for linkage purposes for the distribution of any non-Canadian eligible satellite services.

*** Playboy TV is only authorized for distribution at the specific request of a subscriber. Distributors are not permitted to package Playboy TV in such a way that subscribers are obligated to purchase Playboy TV in order to purchase any other programming service. Distributors are required to take measures to fully block the reception of both the audio and video portions of Playboy TV to subscribers that request it not be receivable in their home (in either unscrambled or scrambled analog form).

Authorization for the services in Sections A and B is subject to the following:

- In the case of signals received from a licensed SRDU, ASN, the CBC English- and French-language Television Services and foreign satellite services, licensees are required to enter into the necessary contractual arrangements for such carriage.

- Licensees that distribute a PBS signal received at the local head end by terrestrial transmission may distribute one PBS service received from a licensed SRDU. All other licensees may distribute a maximum of two PBS services received from a licensed SRDU. Licensees may not distribute the signal of more than one affiliate of the same commercial U.S. network, received from a licensed SRDU, unless otherwise authorized pursuant to a condition of licence.

Section C

List of Part 2 Eligible Satellite Services for Digital Distribution Only

Al Jazeera*

ART Movies

Bloomberg Television

BVN-TV

Canal SUR

Channel One Russia Worldwide TV

CineLatino

Discovery Wings

Eternal Word Television Network

Eurochannel

EuroNews

Eurosportnews

Fox News

German TV

Grandes Documentales de TVE

KTO

Mezzo

MSNBC

Muslim Television Ahmadiyya

Network TEN (Australia)

New Tang Dynasty Television (NTDTV)

NFL Network

Oxygen Network

Paris-Première

Phoenix North American Chinese Channel (PNACC)

Planète

PTV-Prime USA

Radio Television Portugal International (RTPi)

RAI International 2

Romanian Television International (RTVI)

RTV Palma

Sony Entertainment Television Asia (SET Asia)

TRACE TV

TV Globo Internacional

TV Land

TV3 Republic of Ireland

TV3 Television Network (New Zealand)

TV4 Television Network (New Zealand)

Utilisima

* On the condition that the licensee has a condition of licence governing the

distribution of Al Jazeera

Authorization for the services in Section C is subject to the following:

- Licensees are required to enter into the necessary contractual arrangements for carriage of these foreign satellite services.
- Providers of these foreign services must have obtained and must remain in possession of all necessary rights for the distribution of their programming in Canada.
- Providers of these foreign services must not hold, nor try to obtain, nor exercise, preferential or exclusive programming rights in relation to the distribution of programming in Canada.

Appendix B to Broadcasting Public Notice CRTC 2005-105

List of Part 3 Eligible Satellite Services

Learning and Skills Television of Alberta

Saskatchewan Communications Network (SCN)

Télé-Québec (STQ)

TVOntario (TVO and/et TFO)

Open Learning Agency (Knowledge Network)

Atlantic Satellite Network (ASN)

Aboriginal Peoples Television Network (APTN)

CBC English-language Television Service

CBC French-language Television Service

The programming service of any licensed television programming undertaking*

WHDH-TV Boston/WGRZ-TV Buffalo/WPTZ Burlington/ NBC
WDIV Detroit/WICU-TV Erie/KARE Minneapolis/
KHQ-TV Spokane/KING-TV Seattle

WGBH-TV Boston/WNED-TV Buffalo/WETK Burlington/WTVS Detroit/ PBS*
WQLN Erie/KSPS-TV Spokane/KCTS-TV Seattle

WBZ-TV Boston/WIVB-TV Buffalo/WCAX-TV Burlington/ CBS
WSEE Erie/WTOL-TV Toledo/WCCO-TV Minneapolis/
KREM-TV Spokane/KIRO-TV Seattle/WWJ-TV Detroit

WCVB-TV Boston/WKBW-TV Buffalo/WVNY Burlington/WXYZ-TV ABC*
Detroit/ WJET-TV Erie/KSTP-TV Minneapolis/KXLY-TV Spokane/
KOMO-TV Seattle

WUTV Buffalo/WFFF-TV Burlington/WFTC Minneapolis/WUHF FOX*
Rochester/KAYU-TV Spokane/KCPQ Tacoma/WFXT Boston

KSTW Tacoma/Seattle IND*

WUAB-TV Cleveland IND*

KTLA Los Angeles

KWGN-TV Denver

WGN-TV Chicago

WPIX New York City

WSBK-TV Boston

WTBS Atlanta
WWOR-TV New York City
American Movie Classics
ART America
The Arts and Entertainment Network (A&E)
BBC World
Black Entertainment Television (BET)
Cable News Network (CNN)
CNN Headline News (CNN-2)
Cable Satellite Public Affairs Network (C-Span)
Comedy Central
Consumer News and Business Channel (CNBC)
Court TV
Deutsche Welle
The Filipino Channel
Game Show Network
The Golf Channel
The Learning Channel
Lifetime Television
Playboy TV **
Radio-France outre-mer (RFO1)*
The Silent Network (Kaleidoscope)
Speed Channel
Spike TV
Turner Classic Movies
TV Japan
TV Polonia
The Weather Channel (TWC)
WMNB-TV: Russian-American Broadcasting Company

Licensed pay audio programming undertaking(s)

* Received from a licensed SRDU

** Playboy TV is only authorized for distribution at the specific request of a subscriber. Distributors are not permitted to package Playboy TV in such a way that subscribers are obligated to purchase Playboy TV in order to purchase any other programming service. Distributors are required to take measures to fully block the reception of both the audio and video portions of Playboy TV to subscribers that request it not be receivable in their home (in either unscrambled or scrambled analog form).

Authorization for the services in *List of Part 3 Eligible Satellite Services* is subject to the following:

- In the case of out-of-province educational services, there should be no objection on the part of the originating service.

- In the case of signals received from a licensed SRDU, ASN, the CBC English- and French-language Television Services and foreign satellite services, licensees are required to enter into the necessary contractual arrangements for such carriage.

- In the case of licensed television programming undertakings offering TVA or CTV programming, a licensee also distributing the signal of a local TVA or CTV affiliate shall delete the duplicate programming from the services received from a licensed SRDU or substitute the local service(s) when the programming is identical.

- Licensees that distribute a PBS signal received at the local head end by terrestrial transmission may distribute one PBS service received from a licensed SRDU. All other licensees may distribute a maximum of two PBS services received from a licensed SRDU. Licensees may not distribute the signal of more than one affiliate of the same commercial U.S. network, received from a licensed SRDU, unless otherwise authorized pursuant to a condition of licence.

List of Part 3 Eligible Satellite services for Digital Distribution Only

Al Jazeera*

ART Movies

Bloomberg Television

BVN-TV

Canal SUR

Channel One Russia Worldwide TV

CineLatino

Discovery Wings

Eternal Word Television Network

Eurochannel

EuroNews
Eurosportnews
Fox News
German TV
Grandes Documentales de TVE
KTO
Mezzo
MSNBC
Muslim Television Ahmadiyya
Network TEN (Australia)
New Tang Dynasty Television (NTDTV)
NFL Network
Oxygen Network
Paris-Première
Phoenix North American Chinese Channel (PNACC)
Planète
PTV-Prime USA
Radio Television Portugal International (RTPi)
RAI International 2
Romanian Television International (RTVI)
RTV Palma
Sony Entertainment Television Asia (SET Asia)
TRACE TV
TV Globo Internacional
TV Land
TV3 Republic of Ireland
TV3 Television Network (New Zealand)
TV4 Television Network (New Zealand)
Utilisima

* On the condition that the licensee has a condition of licence governing the distribution of Al Jazeera.

Authorization for the services eligible for digital distribution only are subject to the following:

- Licensees are required to enter into the necessary contractual arrangements for carriage of these foreign satellite services.

- Providers of these foreign services must have obtained and must remain in possession of all necessary rights for the distribution of their programming in Canada.

- Providers of these foreign services must not hold, nor try to obtain, nor exercise, preferential or exclusive programming rights in relation to the distribution of programming in Canada.

Appendix C to Broadcasting Public Notice CRTC 2005-105

List of DTH Eligible Satellite Services

Section A

ART America
The Arts and Entertainment Network (A&E)
BBC World
Black Entertainment Television (BET)
Cable News Network (CNN)
CNN Headline News (CNN-2)
Cable Satellite Public Affairs Network (C-Span)
Consumer News and Business Channel (CNBC)
Court TV
Deutsche Welle
The Filipino Channel
The Golf Channel
The Learning Channel
The Silent Network (Kaleidoscope)
Speed Channel
Spike TV
TV Japan
TV Polonia
The Weather Channel (TWC)
WMNB-TV: Russian-American Broadcasting Company
Radio France outre-mer (RFO1)

Section B

KSTW (IND) Tacoma/Seattle*
KTLA Los Angeles*
KWGN-TV Denver*

WGN-TV Chicago*
WPIX New York City*
WSBK-TV Boston*
WTBS Atlanta*
WWOR-TV New York City*
American Movie Classics
Comedy Central
Game Show Network
Lifetime Television
Playboy TV **
Turner Classic Movies

* U.S. Superstation

** Playboy TV is only authorized for distribution at the specific request of a subscriber. Distributors are not permitted to package Playboy TV in such a way that subscribers are obligated to purchase Playboy TV in order to purchase any other programming service.

Authorization for the services listed in Section A and Section B is subject to the following:

- Licensees are required to enter into the necessary contractual arrangements for carriage of foreign satellite services.

Section C

Al Jazeera*
ART Movies
Bloomberg Television
BVN-TV
Canal SUR
Channel One Russia Worldwide TV
CineLatino
Discovery Wings
Eternal Word Television Network
Eurochannel

EuroNews
Eurosportnews
Fox News
German TV
Grandes Documentales de TVE
KTO
Mezzo
MSNBC
Muslim Television Ahmadiyya
Network TEN (Australia)
New Tang Dynasty Television (NTDTV)
NFL Network
Oxygen Network
Paris-Première
Phoenix North American Chinese Channel (PNACC)
Planète
PTV-Prime USA
Radio Television Portugal International (RTPi)
RAI International 2
Romanian Television International (RTVI)
RTV Palma
Sony Entertainment Television Asia (SET Asia)
TRACE TV
TV Globo internacional
TV Land
TV3 Republic of Ireland
TV3 Television Network (New Zealand)
TV4 Television Network (New Zealand)
Utilisima

* On the condition that the licensee has a condition of licence governing the distribution of Al Jazeera

Authorization for the services listed in Section C is subject to the following:

- Licensees are required to enter into the necessary contractual arrangements for carriage of these foreign satellite services.
- Providers of these foreign services must have obtained and must remain in possession of all necessary rights for the distribution of their programming in Canada.
- Providers of these foreign services must not hold, nor try to obtain, nor exercise, preferential or exclusive programming rights in relation to the distribution of programming in Canada.

Appendix D to Broadcasting Public Notice CRTC 2005-105

List of Part 2, Part 3, and DTH Eligible Satellite Services for Digital Distribution

Al Jazeera*

ART Movies

Bloomberg Television

BVN-TV

Canal SUR

Channel One Russia Worldwide TV

CineLatino

Discovery Wings

Eternal Word Television Network

Eurochannel

EuroNews

Eurosportnews

Fox News

German TV

Grandes Documentales de TVE

KTO

Mezzo

MSNBC

Muslim Television Ahmadiyya

Network TEN (Australia)

New Tang Dynasty Television (NTDTV)

NFL Network

Oxygen Network

Paris-Première

Phoenix North American Chinese Channel (PNACC)

Planète

PTV-Prime USA

Radio Television Portugal International (RTPi)

RAI International 2

Romanian Television International (RTVI)

RTV Palma

Sony Entertainment Television Asia (SET Asia)

TRACE TV

TV Globo Internacional

TV Land

TV3 Republic of Ireland

TV3 Television Network (New Zealand)

TV4 Television Network (New Zealand)

Utilisima

* On the condition that the licensee has a condition of licence governing the distribution of Al Jazeera

Authorization for the above-noted services is subject to the following:

- Licensees are required to enter into the necessary contractual arrangements for carriage of these foreign satellite services.

- Providers of these foreign services must have obtained and must remain in possession of all necessary rights for the distribution of their programming in Canada.

- Providers of these foreign services must not hold, nor try to obtain, nor exercise, preferential or exclusive programming rights in relation to the distribution of programming in Canada.

Authorization for the services set out in all of the lists contained in Appendices A through D is subject to the following:

When any of these lists of eligible satellite services are replaced by another list, the only authorized services will be those contained in the most recent list, accordingly these lists supersede the lists dated **8 August 2005**.