



## Broadcasting Public Notice CRTC 2005-51

Ottawa, 13 May 2005

### Revised lists of eligible satellite services

*The Commission **approves** the addition of the non-Canadian service RAI International 2 to its lists of eligible satellite services for distribution on a digital basis.*

*The four lists appended to this public notice supersede the lists appended to Revised lists of eligible satellite services, Broadcasting Public Notice CRTC 2004-88, 18 November 2004.*

### Request to add RAI International 2

1. The Commission received a request dated 26 January 2005 from Rogers Cable Communications Inc. (Rogers) acting as the Canadian sponsor, to add RAI International 2, a non-Canadian satellite service, to the lists of eligible satellite services for distribution on a digital basis (the digital lists). Rogers described the service as:

...a 24-hour seven-day per week Italian language general interest programming service that provides a broad range of programs including dramas, feature films, sports, news and news commentary, cooking, human interest programs, entertainment programs, Italian music and dance, as well as religious programs. RAI International is an international programming service that includes the best programs from Italy's public broadcaster, Radiotelevisione Italiana, as well as original programs made for Italians living abroad. The amount of time during which programming on RAI International will be accompanied by subtitled and/or secondary audio programming in English or French will vary, but the amount will remain below 10%.

2. Rogers noted that the RAI International 2 feed is currently available via satellite "in the United States, Central and most of Latin America."

### The proceeding

3. 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), the Commission set out a revised approach to the assessment of requests to add non-Canadian third-language television services to the digital lists, and, as an appendix, set out specific information that must be filed by Canadian sponsors making such requests.

4. Subsequently, in *Call for Comments on a proposal to add RAI International to the lists of eligible satellite services for distribution on a digital basis*, Broadcasting Public Notice CRTC 2005-20, 4 March 2005 (Public Notice 2005-20), the Commission called for comments on the request described above. In this public notice the Commission noted that it intended to assess the request in light of the approach set out in Public Notice 2004-96.

*Views of interested parties*

5. The Commission received more than forty comments concerning the request by Rogers to add RAI International 2. The vast majority of these comments expressed either support or conditional support for Rogers' request.
6. A number of national organizations and community groups representing primarily Italian-Canadians, including The National Congress of Italian Canadians, various chapters of the Committee for the Italians Abroad (COM.IT.ES) and Foundation Communautaire Canadienne-Italienne, expressed unequivocal support for Rogers' request to add RAI International 2, as did several individuals. Mr. Tony Tomassi, Member of the Quebec National Assembly, included with his comments a copy of a motion adopted unanimously by the Quebec National Assembly on 11 March 2004 in support of the addition of RAI International 2.
7. Some Italian community organizations, including the Italian Chamber of Commerce of Toronto and the Ontario Confederation of Sicily, offered conditional support for Rogers' request. Certain of these organizations expressed concern about the cost, particularly to low income seniors, of purchasing digital equipment and asked the Commission to ensure that favourite RAI International programs continue to be provided by Telelatino Network Inc. (Telelatino) on its Canadian specialty service TLN. They also suggested that the Commission require broadcasting distribution undertakings (BDUs) to offer Italian-language Category 2 services should RAI International 2 be added to the digital lists.
8. Community Media Education Society (CMES) proposed changes to the request, including changes related to the packaging of the service, the application of various broadcasting codes to RAI International, and the establishment of a third-language production fund.
9. The Canadian Cable Telecommunications Association (CCTA), Vidéotron (Quebecor), Bell ExpressVu<sup>1</sup>, and Bell Canada (on behalf of the Class 1 regional BDU for which it has received authorization) filed comments in full support of Rogers' request. The CCTA stated, among other things, that the introduction of RAI International 2 in Canada would provide Canadians with an opportunity to access high quality Italian-language television programming, and that the addition of RAI International 2 would also help reduce signal piracy by responding to consumer demand for greater choice.

---

<sup>1</sup> 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.

10. The Canadian Association of Broadcasters (CAB) stated that the addition of RAI International 2 to the digital lists could raise issues relating to programming rights and advertising sales. The CAB estimated that, between 1984 and 2004, RAI International provided an average of more than 10 hours per day of original programming to Canadian broadcasters. Based on the list of RAI's programming agreements with Canadian broadcasters supplied by Rogers with its request, the CAB concluded that the amount of RAI International programming made available to Canadian broadcasters has been sharply reduced. The CAB submitted that this information suggests that RAI International may already be withholding programming rights in order to facilitate its future entry into the Canadian market.
11. In addition, the CAB stated that a website for an Italian advertising agency contains rate card information for local advertisers wishing to buy advertising on RAI International 2. It also noted that, as recently as March 2005, RAI International 2 was broadcasting the commercial messages of Canadian advertisers, and that it had done so in the past as well.
12. The CAB submitted that the Commission should make RAI International 2's presence on the lists conditional on RAI International not exercising preferential or exclusive programming rights in Canada, and on not soliciting advertising from Canadian advertisers.
13. In its comments, CTV Inc. (CTV) stated that, although it did not wish to intervene against Rogers' request, it had concerns about program rights. CTV noted that RAI International has provided an undertaking that it does not hold, will not obtain, nor will it exercise any preferential or exclusive programming rights in relation to the distribution of programming in Canada. CTV submitted that this requirement should be made not only a condition of entry, but also a condition of continued inclusion on the digital lists. In CTV's view, should RAI International fail to comply with this requirement, its authorization for distribution of RAI International 2 in Canada should be revoked.
14. CTV also stated that, since specialty services do not have the benefit of simultaneous substitution, it is essential to the protection of a Canadian rights market that non-Canadian services be permitted to air only those programs in Canada for which they have secured the Canadian rights. CTV submitted that BDUs should be required to black out any program on RAI International 2 for which RAI International has not secured the Canadian rights, and that this requirement should also be made a formal condition of RAI International's entry into Canada and RAI International 2's continued inclusion on the digital lists.

*Rogers' reply to comments*

15. In its reply to comments, Rogers noted the strong support for its request from major organizations representing Italian Canadians, BDUs, the Quebec National Assembly and a number of individuals and other organizations.

16. In response to arguments that the Commission should introduce specific conditions with respect to RAI International 2's distribution in Canada, Rogers noted that it had filed the necessary undertakings from RAI International confirming that RAI International possesses all necessary rights to distribute in Canada the programming contained in the RAI International 2 service, and that it does not hold, will not obtain, nor will it exercise any preferential or exclusive programming rights in relation to the distribution of programming in Canada. As a result, in Rogers' view, RAI International has already met the conditions that CTV and the CAB proposed be put in place, and that nothing further is required.
17. Noting that Telelatino did not intervene in this proceeding, Rogers stated that RAI International 2's addition to the lists will benefit Telelatino by virtue of the programming rights undertaking made by RAI International and the new requirement that customers must subscribe to the TLN service in order to subscribe to RAI International 2.
18. With respect to the potential for RAI International to sell advertising spots to Canadian advertisers on RAI International 2, Rogers stated its understanding that "RAI International will not solicit such advertising."
19. In response to comments regarding Italian-language Category 2 services, Rogers stated that it expects that the decisions of BDUs regarding the carriage of additional Italian-language general interest services will be taken by BDUs on the basis of the perceived attractiveness and customer demand for these services. Rogers noted, however, that the Commission's revised policy adopted in Public Notice 2004-96 will encourage the distribution of one, and possibly more Italian-language general interest Category 2 services, in addition to TLN, by systems that distribute RAI International 2.
20. With respect to the comments filed by CMES, Rogers noted that some of the proposed conditions for RAI International 2's distribution in Canada suggested by CMES had already been considered by the Commission in developing its revised policy on third language non-Canadian services and were ultimately rejected.

#### **The Commission's analysis and determinations**

##### *Program rights and program supply*

21. As stated in the Appendix to Public Notice 2004-96, the Commission requires a sponsor for the addition of a non-Canadian service to the digital lists to provide, among other things, the following:
  - a statement from the service provider that it has obtained all necessary rights for distribution of its programming in Canada;
  - an undertaking from the non-Canadian service provider that it does not hold, will not obtain, nor will it exercise, preferential or exclusive programming rights in relation to the distribution of programming in Canada (for example, the provider of a non-Canadian service would have to satisfy the Commission that it does not

currently, nor will it in future, deal in rights to programming in a manner that unduly precludes a Canadian programming undertaking from acquiring that programming);

- a description from the service provider of any program supply agreement with any Canadian service, including the period of time covered by the agreement and the number of hours of programming to be supplied under the agreement's term; and where any such agreement has been terminated by the service provider within the preceding twelve months, the rationale for its termination.

22. As noted above, CTV expressed the view that non-Canadian services should air only programming for which they have obtained Canadian rights. CTV further suggested that RAI International 2's distribution in Canada be made subject to the requirement that BDUs black out any program for which the service has not obtained the Canadian rights.
23. The Commission notes that the authorization for the distribution of non-Canadian services on the digital lists is subject to the requirement, as explicitly stated on the lists, that the providers of such services "must have obtained and must remain in possession of all necessary rights for the distribution of their programming in Canada." Thus, the authority for BDUs to distribute non-Canadian services is already subject, on an ongoing basis, to the requirement that the non-Canadian service be in possession of the Canadian rights to its programming.
24. The Commission further notes that, in accordance with the information requirements set out in the Appendix to Public Notice 2004-96, Rogers provided a statement from RAI International that it has obtained all necessary rights for the distribution of its programming in Canada.
25. The Commission also notes that, pursuant to section 7(e) of the *Broadcasting Distribution Regulations* (the Regulations), "for the purposes of preventing a breach of programming or underlying rights of a third party, the BDU has the authority to alter or delete a programming service in a licensed area in the course of its distribution with the consent of the operator of the service or the network responsible for the service." In light of the on-going rights requirement associated with RAI International 2's authorization, the Commission would expect RAI International to make the necessary arrangements with Canadian BDUs for its programming to be deleted if it were unable to secure the Canadian rights to a particular program.
26. The CAB submitted that the programming agreement information filed by Rogers suggests that RAI International has sharply reduced the amount of programming it makes available to Canadian broadcasters. On this basis, the CAB suggested that, in order to facilitate its future entry into the Canadian market, RAI International may already be withholding programming rights in contravention of Commission policy.

27. Other interveners asked that the Commission ensure that favourite RAI International programs remain available on TLN, the Canadian specialty service operated by Telelatino.
28. With its request, Rogers provided a list of programming supply agreements that RAI International has with Telelatino, Global Communications Limited (Global) and other Canadian service providers. The Commission notes that all of the agreements were in effect at the time the request was submitted with the exception of an agreement with Global which RAI indicated was then under negotiations for renewal. The list did not contain any agreements that had been terminated within the twelve months preceding receipt of the request from Rogers. The Commission notes that neither Global nor Telelatino filed comments in this proceeding.
29. In the Commission's view, although the evidence provided by the CAB suggests a reduction in the total number of hours of RAI programming purchased by Canadian programmers between 1984 and the date of Rogers' request, there is nothing on the record of this proceeding to suggest that this reduction was due to RAI International withholding programming rights or terminating programming agreements.
30. The Commission notes that authorization for the distribution of non-Canadian services on the digital lists is subject to the requirement, as explicitly stated on the lists, that the providers of such services "must not hold, nor try to obtain, nor exercise, preferential or exclusive programming rights in relation to the distribution of programming in Canada." This is an on-going requirement. If any non-Canadian service on the digital lists were found to have exercised preferential or exclusive programming rights in Canada, the Commission would consider its removal from the lists.

#### *Advertising*

31. The CAB submitted that the Commission should make RAI International 2's addition to the lists subject to the requirement that RAI International not solicit advertising from Canadian advertisers.
32. The Commission notes that Rogers stated in its request that RAI International will not solicit advertising in Canada for its RAI International 2 service, and reiterated this understanding in its reply to comments.
33. The Commission acknowledges the comments from certain parties that BDUs should make available Italian-language Category 2 services. The Commission notes that persons wishing to subscribe to RAI International 2 would be required also to subscribe to TLN. In addition, distributors choosing to offer RAI International 2 must make available to subscribers at least one general interest, launched, Italian-language Category 2 service, in accordance with the distribution and linkage rules set out in *Distribution and Linkage Requirements for Class 1 and 2 Licensees*, Broadcasting Public Notice CRTC 2005-45, 11 May 2005 and *Linkage Requirements for Direct-to-home Satellite Distribution Undertakings*, Broadcasting Public Notice CRTC 2005-46, 11 May 2005.

*Other issues*

34. With respect to the conditions proposed by CMES for the addition of RAI International 2 and suggested changes to the revised approach to third language services in general, the Commission notes that issues such as the packaging of third-language non-Canadian services and the establishment of a third-language production fund were addressed in the proceeding leading to Public Notice 2004-96.

**The Commission's conclusion**

35. In light of the above, the Commission is of the view that the addition of RAI International 2 to the digital lists is consistent with the approach set out in Public Notice 2004-96. Accordingly, the Commission **approves** the request by Rogers to add RAI International 2 to the digital lists.

Secretary General

*This document 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 A to Broadcasting Public Notice CRTC 2005-51

## 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-TV Erie/KSPS-TV Spokane/KCTS-TV Seattle	PBS*
WBZ-TV Boston/WIVB-TV Buffalo/WCAX-TV Burlington/ WSEE-TV 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-TV 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<sup>1</sup>  
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 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

---

<sup>1</sup> Formerly known as The Nashville Network (TNN)

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

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)  
NFL Network  
Oxygen Network  
Paris-Première  
Planète  
RAI International 2  
Romanian Television International (RTVI)  
RTV Palma  
The Scandinavian Channel  
TRACE TV  
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 2005-51

## 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-TV Erie/KSPS-TV Spokane/KCTS-TV Seattle

WBZ-TV Boston/WIVB-TV Buffalo/WCAX-TV Burlington/ CBS  
WSEE-TV 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 Rochester/KAYU-TV FOX\*  
Spokane/KCPQ Tacoma/WFXT-TV Boston

KSTW Tacoma/Seattle IND\*

WUAB-TV Cleveland IND\*

KTLA Los Angeles

KWGN 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

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)

NFL Network

Oxygen Network

Paris-Première

Planète

RAI International 2

Romanian Television International (RTVI)

RTV Palma

The Scandinavian Channel

TRACE TV

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 2005-51

## 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 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

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)

NFL Network

Oxygen Network

Paris-Première

Planète

RAI International 2

Romanian Television International (RTVI)

RTV Palma

The Scandinavian Channel

TRACE TV

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 2005-51**

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

Al Jazeera\*

ART Movies

Bloomberg Television

BVN-TV

Canal SUR

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)

NFL Network

Oxygen Network

Paris-Première

Planète

RAI International 2

Romanian Television International (RTVI)

RTV Palma

The Scandinavian Channel

TRACE TV

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 **18 November 2004**.