



Broadcasting Decision CRTC 2006-114

Ottawa, 4 April 2006

Telelatino Network Inc., on behalf of itself or on behalf of a corporation to be incorporated

Across Canada

Application 2005-0937-5

Public Hearing in the National Capital Region

16 January 2006

RCS Television – 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 Telelatino Network Inc., on behalf of itself or on behalf of a corporation to be incorporated, for a broadcasting licence to operate a national, English-language Category 2¹ specialty programming undertaking to be known as RCS Television.
2. The applicant proposed to offer a service that would be devoted to rugby, cricket and soccer. The programming provided by the service would include both amateur and professional rugby, cricket and soccer matches as well as educational and instructional programs designed to teach rugby, cricket and soccer enthusiasts all aspects of the games. In addition, the programming would include news and information programs relating to rugby, cricket and soccer and the business of rugby, cricket and soccer, as well as documentaries, movies, commentaries, interviews and fan forums, training and conditioning shows, and other programs that involve the participation of rugby, cricket and soccer athletes.
3. All of the programming would be drawn from the following categories, as set out in Schedule 1 to the *Specialty Services Regulations, 1990*: 1 News; 2 (a) Analysis and interpretation; 2 (b) Long-form documentary; 5 (b) Informal education/Recreation and leisure; 6 (a) Professional sports; 6 (b) Amateur sports; 7 (c) Specials, mini-series or made-for-TV feature films; 7 (d) Theatrical feature films aired on TV; 11 General entertainment and human interest; 12 Interstitials; 13 Public service announcements; and 14 Infomercials, promotional and corporate videos.

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.

4. The applicant stated that no more than 10% of all programming broadcast during the broadcast year would be dedicated to sports other than cricket, rugby and soccer. Further, with the exception of cricket, rugby and soccer, no more than 5% of the broadcast year would be dedicated to the live coverage of any one particular sport. As well, the applicant stated that it would not provide any coverage of the following men's sports: ice hockey, basketball, baseball and North American-style football.
5. The applicant also indicated its willingness to accept, as a condition of licence, that no more than 5% of all programming broadcast during the broadcast week would be drawn from categories 7 (c), 7 (d) and 11.
6. The Commission did not receive any interventions in connection with this application.

Commission's analysis and determination

7. 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, 6 March 2001 (Public Notice 2000-171-1). Accordingly, the Commission **approves** the application by Telelatino Network Inc., on behalf of itself or on behalf of a corporation to be incorporated, for a broadcasting licence to operate the national, English-language Category 2 specialty programming undertaking, RCS Television.
8. 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

9. A licence will be issued once the applicant has satisfied the Commission, with supporting documentation, that the following requirements have been met:
 - an eligible Canadian corporation has been incorporated in accordance with the application in all material respects or, in the alternative, confirmation that the undertaking will be operated by Telelatino Network Inc;
 - 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 4 April 2009. 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 2006-114

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-language Category 2 specialty programming service devoted to rugby, cricket and soccer. The programming provided by the service shall include both amateur and professional rugby, cricket and soccer matches as well as educational and instructional programs designed to teach rugby, cricket and soccer enthusiasts all aspects of the games. The programming shall also include news and information programs relating to rugby, cricket and soccer and the business of rugby, cricket and soccer, as well as documentaries, movies, commentaries, interviews and fan forums, training and conditioning shows, and other programs that involve the participation of rugby, cricket and soccer athletes.
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:
 - 1 News
 - 2 (a) Analysis and interpretation
 - (b) Long-form documentary
 - 5 (b) Informal education/Recreation and leisure
 - 6 (a) Professional sports
 - (b) Amateur sports
 - 7 (c) Specials, mini-series or made-for-TV feature films
 - (d) Theatrical feature films aired on TV
 - 11 General entertainment and human interest
 - 12 Interstitials
 - 13 Public service announcements
 - 14 Infomercials, promotional and corporate videos

4. No more than 10% of all programming broadcast during the broadcast year shall be dedicated to sports other than cricket, rugby and soccer.
5. With the exception of cricket, rugby and soccer, no more than 5% of the broadcast year shall be dedicated to the live coverage of any one particular sport.
6. No more than 5% of all programming broadcast during the broadcast week shall be drawn from categories 7(c), 7(d) and 11.
7. The licensee shall not provide any coverage of the following men's sports: ice hockey, basketball, baseball and North American-style football.

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.