



## Broadcasting Decision CRTC 2006-541

Ottawa, 21 September 2006

### **MediaNet Canada Ltd.**

Across Canada

*Application 2004-1389-9*

*Public Hearing at Edmonton, Alberta*

*19 June 2006*

### **Maxima Europa (ME) – 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 MediaNet Canada Ltd. for a broadcasting licence to operate a national, ethnic Category 2<sup>1</sup> specialty programming undertaking to be known as Maxima Europa (ME).
2. The applicant proposed to offer a service that would consist of music videos (90%) and spoken word programming (10%) in various European languages. With respect to the music video programming, the applicant proposed that not less than 69% would be in various European languages; that not more than 5% would be in the English and French languages, respectively; and not more than 7% would be in the Italian and Greek languages, respectively. The applicant also proposed that the spoken word programming would be in languages other than English, French, Italian, Spanish and Greek.
3. All of the programming would be drawn from the following categories set out in Schedule 1 to the *Specialty Services Regulations, 1990*: 1 News; 8(a) Music and dance other than music video programs or clips; 8(b) Music video clips; and 8(c) Music video programs.
4. The Commission did not receive any interventions in connection with this application.

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<sup>1</sup> 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.

## 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, 6 March 2001 (Public Notice 2000-171-1). Accordingly, the Commission **approves** the application by MediaNet Canada Ltd. for a broadcasting licence to operate the national, ethnic Category 2 specialty programming undertaking, Maxima Europa (ME).
6. The licence will expire 31 August 2013 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

7. 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 September 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 2006-541

### 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, ethnic Category 2 music video specialty programming service.
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
  - 8(a) Music and dance other than music video programs or clips
  - 8(b) Music videos clips
  - 8(c) Music video programs
4. Not less than 90% of all programming broadcast during the broadcast week shall be music videos in various European languages.
5. Not more than 10% of all programming broadcast during the broadcast week shall be spoken word content. The spoken word content shall not include programming in the following languages: English, French, Italian, Spanish or Greek.
6. Not more than 5% of the music video programming broadcast during the broadcast week shall be in the English language.
7. Not more than 5% of the music video programming broadcast during the broadcast week shall be in the French language.
8. Not more than 7% of the music video programming broadcast during the broadcast week shall be in the Italian language.
9. Not more than 7% of the music video programming broadcast during the broadcast week shall be in the Greek language.

For the purposes of the conditions of this licence, including condition of licence no. 1, *broadcast day* means the period of up to 18 consecutive hours, beginning each day not earlier than six o'clock in the morning and ending not later than one o'clock in the morning of the following day, as selected by the licensee, or any other period approved by the Commission.