



## Broadcasting Public Notice CRTC 2006-115

Ottawa, 8 September 2006

### **Call for comments on the proposed addition of De Pelicula Channel, Ritmoson Latino Channel and TL Novelas Channel to the lists of eligible satellite services for distribution on a digital basis**

1. The Commission has received a request dated 23 June 2006 from Rogers Cable Communications Inc. (Rogers) for the addition of three Spanish-language non-Canadian services to the lists of eligible satellite services for distribution on a digital basis (the digital lists). Rogers described the services as follows:

De Pelicula Channel is a niche service featuring Spanish-language films of different genres and epochs. Its programming includes contemporary and classic Spanish-language movies from all eras, including films from the Golden Age of Mexican filmmaking and from the new generation of producers and directors of Spanish-speaking films. The service does not have any French- or English-language subtitles or secondary audio programming.

Ritmoson Latino Channel is a Spanish-language niche service featuring Latin music programming. The service brings to life the rhythms, dance and passions of the Latin culture and focuses on the music genres closest to the Latin soul from Boleros, Merengue, Salsa, and Cumbia to Pop and Reggaeton. The service does not have any French- or English-language subtitles or secondary audio programming.

TL Novelas Channel is a Spanish-language niche service totally dedicated to the world famous “telenovelas” produced by Televisa. Viewers experience all the drama, romance, scandal and intrigue of Mexican soap operas 24 hours a day. The service does not have any French- or English-language subtitles or secondary audio programming.

2. 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 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.

3. In Public Notice 2004-96, the Commission stated that, going forward, in the case of non-Canadian third-language services that provide narrowly targeted or niche programming, it would continue to apply a case-by-case assessment to determine whether the service is partially or totally competitive with Canadian services.
4. The Commission also stated in Public Notice 2004-96 that, in applying the competitiveness test to these non-Canadian services, it would not take into consideration any unlaunched ethnic Category 2 service, unless the prospective operator of such a service presented compelling evidence that the launch of its service was imminent. Such evidence could include distribution agreements or ongoing negotiations, programming contracts or negotiations with non-Canadian program suppliers, and licence fees paid to Canadian content suppliers.
5. Finally, the Commission stated that, in assessing niche services, there may be cases where, rather than denying authorization, it might be prepared to consider adopting distribution requirements similar to those adopted for general interest third-language services.

### **Call for comments**

6. The Commission calls for comments on Rogers' request for the addition of De Pelicula Channel, Ritmoson Latino Channel and TL Novelas Channel to the digital lists. Parties submitting comments on the request should also submit a true copy of their comments to the Canadian sponsor, Rogers, at the following address:

Rogers Cable Communications Inc.  
333 Bloor Street East, 9th Floor  
Toronto, Ontario  
M4W 1G9  
E-mail: cable.regulatory@rci.rogers.com  
Fax: 416-935-4875

7. Proof that comments have been sent to Rogers must accompany the original version of the comments sent to the Commission.
8. Comments on Rogers' request must be received by the Commission no later than **10 October 2006**. A copy of the comments must be received by Rogers no later than the deadline for receipt of comments by the Commission.
9. Rogers may file a written reply to any comments received concerning its request. This reply should be filed with the Commission, and a copy sent to the person who submitted the comments, by no later than **24 October 2006**.
10. The Commission will not formally acknowledge comments. It will, however, fully consider all comments and they will form part of the public record of the proceeding, provided that the procedures for filing set out below have been followed.

## Procedures for filing comments

11. Interested parties can file their comments to the Secretary General of the Commission:
  - **by using the**  
[Broadcasting Intervention/Comments Form](#)
  - OR
  - **by mail to**  
CRTC, Ottawa, Ontario K1A 0N2
  - OR
  - **by fax at**  
819-994-0218
12. Submissions longer than five pages should include a summary.
13. Please number each paragraph of your submission. In addition, please enter the line \*\*\*End of document\*\*\* following the last paragraph. This will help the Commission verify that the document has not been damaged during transmission.

### Important notice

14. Note that all information that you provide as part of this public process, except information granted confidentiality, whether sent by postal mail, facsimile, e-mail or through the Commission's web site at [www.crtc.gc.ca](http://www.crtc.gc.ca), becomes part of a publicly accessible file and will be posted on the Commission's web site. This information includes your personal information, such as your full name, e-mail address, postal/street address, telephone and facsimile number(s), and any other personal information you provide.
15. Documents received electronically or otherwise will be put on the Commission's web site in their entirety exactly as you send them, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.
16. The personal information you provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.
17. The Commission encourages interested parties to monitor the public examination file and the Commission's web site for additional information that they may find useful when preparing their comments.

**Examination of public comments and related documents at the following  
Commission offices during normal business hours**

Toll-free telephone: 1-877-249-2782

Toll-free TDD: 1-877-909-2782

**Central Building**

Les Terrasses de la Chaudière  
1 Promenade du Portage, Room 206  
Gatineau, Quebec K1A 0N2  
Tel: 819-997-2429  
Fax: 819-994-0218

**Metropolitan Place**

99 Wyse Road  
Suite 1410  
Dartmouth, Nova Scotia B3A 4S5  
Tel: 902-426-7997  
Fax: 902-426-2721

**205 Viger Avenue West**

Suite 504  
Montréal, Quebec H2Z 1G2  
Tel: 514-283-6607

**55 St. Clair Avenue East**

Suite 624  
Toronto, Ontario M4T 1M2  
Tel: 416-952-9096

**Kensington Building**

275 Portage Avenue  
Suite 1810  
Winnipeg, Manitoba R3B 2B3  
Tel: 204-983-6306  
TDD: 204-983-8274  
Fax: 204-983-6317

**Cornwall Professional Building**

2125 - 11<sup>th</sup> Avenue  
Room 103  
Regina, Saskatchewan S4P 3X3  
Tel: 306-780-3422

10405 Jasper Avenue  
Suite 520  
Edmonton, Alberta T5J 3N4  
Tel: 780-495-3224

530-580 Hornby Street  
Vancouver, British Columbia V6C 3B6  
Tel: 604-666-2111  
TDD: 604-666-0778  
Fax: 604-666-8322

Secretary General

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