



## Broadcasting Public Notice CRTC 2007-105

Ottawa, 21 September 2007

### **Addition of Premiere Futebole Clube (PFC) to the lists of eligible satellite services for distribution on a digital basis**

*The Commission **approves** a request to add Premiere Futebole Clube (PFC) to the lists of eligible satellite services for distribution on a digital basis and amends the lists of eligible satellite services accordingly. The revised lists are available on the Commission's Web site at [www.crtc.gc.ca](http://www.crtc.gc.ca) under "Industries at a Glance."*

#### **Introduction**

1. The Commission received a request dated 14 June 2007 from Rogers Cable Communications Inc. (Rogers) for the addition of Premiere Futebol Clube (PFC), a non-Canadian third-language service, to the lists of eligible satellite services for distribution on a digital basis (the digital lists). Rogers described the service as follows:

PFC is a 24-hour niche Brazilian soccer channel. The service broadcasts in the Portuguese language and offers programming from the following categories: news, documentaries and sports. Approximately 70% of the service's programming schedule consists of programming that is within the sports genre. PFC does not offer a secondary audio program (SAP) in English or French.

2. In Broadcasting Public Notice 2007-91, the Commission called for comments on the proposed addition of PFC to the digital lists.
3. The Commission did not receive any comments in connection with that public notice.

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

4. In Broadcasting 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 and specified the information that Canadian sponsors must file in support of their requests. The Commission stated that, going forward, requests to add non-Canadian third-language general interest services to the digital lists would generally be approved, subject, as appropriate, to new distribution and linkage requirements. In the case of non-Canadian third-language services that provide narrowly targeted or "niche" programming, the Commission stated that it would continue to apply a case-by-case assessment to determine whether the proposed service would be partially or totally competitive with Canadian pay or specialty services.

5. In Broadcasting Public Notice 2007-91, the Commission stated that it would rely primarily on the comments filed to identify the Canadian pay and specialty services with which PFC might be totally or partially competitive and which therefore should be included in the assessment of the competitiveness of the service. Parties wishing to argue that PFC would be competitive were asked to name the specific Canadian pay or specialty services with which they considered the service would compete and to provide details to support their views, such as comparisons as to nature of service, programming schedules, programming services and supply, and target audience.
6. The Commission also stated that, consistent with Broadcasting Public Notice 2004-96, the Commission would not take into consideration any unlaunched ethnic Category 2 service in applying the competitiveness test 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.
7. As noted above, the Commission received no comments in response to Broadcasting Public Notice 2007-91. The Commission concludes that there are no Canadian pay or specialty services with which PFC would be totally or partially competitive.
8. In light of the above, the Commission **approves** the addition of Premiere Futebol Clube (PFC) to the digital lists and amends the lists of eligible satellite services accordingly. The lists of eligible satellite services are available on the Commission's Web site at [www.crtc.gc.ca](http://www.crtc.gc.ca) under "Industries at a Glance" and may be obtained in hard copy on request.

Secretary General

#### **Related documents**

- *Call for comments on the proposed addition of Premiere Futebole Clube (PFC) to the lists of eligible satellite services for distribution on a digital basis, Broadcasting Public Notice CRTC 2007-91, 1 August 2007*
- *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*

*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>*