



## Broadcasting Public Notice CRTC 2007-42

Ottawa, 20 April 2007

### **Addition of CaribVision to the lists of eligible satellite services for distribution on a digital basis**

*The Commission **approves** a request to add CaribVision to the lists of eligible satellite services 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 15 December 2006 from Rogers Cable Communications Inc. (Rogers) for the addition of CaribVision, a non-Canadian English-language service, to the lists of eligible satellite services for distribution on a digital basis (the digital lists). Rogers described the service as follows:

CaribVision is a general interest service offering programming in English. Its primary objective is to help viewers stay connected to Caribbean culture through a broad range of programming, including programs in the news, documentary, children's, game show, talk, informal education and music/variety genres.

2. The Commission subsequently issued *Call for comments on the proposed addition of CaribVision to the lists of eligible satellite services for distribution on a digital basis*, Broadcasting Public Notice CRTC 2007-19, 26 February 2007 (Public Notice 2007-19).

#### **Commission's analysis and determination**

3. The Commission's approach to requests for the addition of non-Canadian English- and French-language services to the digital lists is set out in *Call for proposals to amend the lists of eligible satellite services through the inclusion of additional non-Canadian services eligible for distribution on a digital basis only*, Public Notice CRTC 2000-173, 14 December 2000 (Public Notice 2000-173). In Public Notice 2000-173, the Commission indicated that it would assess such requests in the context of its general policy which, among other things, precludes the addition of a non-Canadian satellite service that can be considered either totally or partially competitive with Canadian specialty or pay television services. The Commission stated that, in applying this policy, it would take into account all specialty and pay television programming services whose licence applications had been approved by the Commission, including all of the launched and unlaunched Category 1 and Category 2 specialty and pay television services.

4. In Public Notice 2007-19, the Commission stated that it would rely primarily on the comments filed to identify the Canadian pay and specialty services with which CaribVision might be totally or partially competitive and which therefore should be included in its assessment of the competitiveness of the service. Parties wishing to argue that CaribVision would be competitive were asked to name the specific Canadian pay or specialty service with which they considered the service would compete, and provide details, such as a programming comparison, to support their views.
5. The Commission did not receive any comments in response to Rogers' request. The Commission finds that CaribVision would not compete totally or partially with any Canadian pay or specialty services.
6. In light of the above, the Commission **approves** the addition of CaribVision 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.

#### **Other matters**

7. The Commission notes that, under the approach set out in *Improving the diversity of third-language television services - A revised approach to assessing requests to add non-Canadian third-language 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), requests to add non-Canadian third-language general interest services to the digital lists are generally approved, subject, as appropriate, to specific distribution and linkage rules described in that public notice. In conjunction with its request to add CaribVision to the digital lists, Rogers submitted that the Commission should amend its policy under Public Notice 2004-96 to extend it to general interest English-language services that are clearly directed to an ethnic audience. In Public Notice 2007-19, the Commission stated that, prior to determining whether it should consider Rogers' proposed amendment, it wished to consider whether or not it would be appropriate for it to add CaribVision to the digital lists under the existing approach for non-Canadian English-language services.
8. Given that it has approved the addition of CaribVision to the eligible lists under its current approach to non-Canadian English-language services, the Commission considers it unnecessary to consider Rogers' proposed amendment to the policy under Public Notice 2004-96.

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>*