



## Broadcasting Decision CRTC 2008-258

Ottawa, 18 September 2008

### **Corus Entertainment Inc., on behalf of a company to be incorporated**

Across Canada

*Application 2008-0302-4, received 27 February 2008*

*Public Hearing in the National Capital Region*

*7 July 2008*

### **YTV POW! – Category 2 specialty service**

*The Commission **approves** an application for a broadcasting licence to operate a new Category 2 specialty programming undertaking.*

1. Corus Entertainment Inc., on behalf of a company to be incorporated, filed an application for a broadcasting licence to provide YTV POW!, a national, English-language Category 2 specialty service that would offer programming from international markets featuring the latest trends in non-violent action, adventure, superheroes, comedy adventure and interactivity. The service would reach an interactive level with programs on the games associated with action series as well as magazine shows to cover current comic book trends and the classics. The applicant stated that no more than 15% of all programming broadcast during the broadcast week would be drawn from category 7(d) Theatrical feature films aired on TV.
2. The Commission did not receive any interventions in connection with this application.
3. 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. Accordingly, the Commission **approves** the application by Corus Entertainment Inc., on behalf of a company to be incorporated, for a broadcasting licence to operate the national, English-language Category 2 specialty programming undertaking YTV POW! The terms and **conditions of licence** are set out in the appendix to this decision.

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 2008-258

### Terms and conditions of licence for the Category 2 specialty programming undertaking YTV POW!

#### Terms

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;
- 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 18 September 2011. 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.

The licence will expire 31 August 2015.

#### 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 programming from international markets featuring the latest trends in non-violent action, adventure, superheroes, comedy adventure and interactivity. The service will reach an interactive level with programs on the games associated with action series as well as magazine shows to cover current comic book trends and the classics.
3. The programming shall be drawn exclusively from the following categories set out in item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:

- 5 (b) Informal education/Recreation and leisure
  - 6 (b) Amateur sports
  - 7 Drama and comedy
    - (a) Ongoing dramatic series
    - (b) Ongoing comedy series (sitcoms)
    - (c) Specials, mini-series or made-for-TV feature films
    - (d) Theatrical feature films aired on TV
    - (e) Animated television programs and films
    - (f) Programs of comedy sketches, improvisations, unscripted works, stand-up comedy
    - (g) Other drama
  - 10 Game shows
  - 11 General entertainment and human interest
  - 12 Interstitials
  - 13 Public service announcements
4. The licensee shall devote no more than 15% of all programming broadcast during the broadcast week to programming drawn from category 7(d).
  5. The licensee shall caption 100% of its programs over the broadcast day, consistent with the approach set out in *A new policy with respect to closed captioning*, Broadcasting Public Notice CRTC 2007-54, 17 May 2007.
  6. In order to ensure that the licensee complies at all times with the *Direction to the CRTC (Ineligibility of non-Canadians)*, P.C. 1997-486, 8 April 1997, as amended by P.C. 1998-1268, 15 July 1998, the licensee shall file, for the Commission's prior review, a copy of any programming supply agreement and/or licence trademark agreement it intends to enter into with a non-Canadian party.

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.