



Broadcasting Decision CRTC 2008-327

Ottawa, 25 November 2008

CTV Television Inc.

Calgary, Alberta

Application 2008-0865-2, received 18 June 2008

Public Hearing in Cambridge, Ontario

20 October 2008

CFCN-TV Calgary – Transitional digital television

*The Commission **approves** an application by CTVglobemedia Inc., on behalf of its subsidiary CTV Television Inc. for a broadcasting licence to operate an English-language transitional digital television station associated with CFCN-TV Calgary.*

The application

1. The Commission received an application by CTVglobemedia Inc., on behalf of its subsidiary CTV Television Inc. (CTV) for a broadcasting licence to operate an English-language transitional digital television programming undertaking associated with CFCN-TV Calgary. The applicant proposed that the station simulcast the current analog programming service of CFCN-TV, with the exception of up to 14 hours per week of programming that would not be duplicated on the analog service. The digital undertaking would operate from the existing CTV Calgary tower on channel 36 with an average effective radiated power (ERP) of 124,000 watts. The Commission did not receive any interventions in connection with this application.

Commission's analysis and determinations

2. The Commission set out its policy framework for the transition from analog to digital television in Broadcasting Public Notice 2002-31.
3. Based on its examination of this application, the Commission is satisfied that it is in conformity with all applicable terms and conditions announced in Broadcasting Public Notices 2002-31 and 2003-61. Accordingly, the Commission **approves** the application by CTVglobemedia Inc., on behalf of CTV Television Inc. for a broadcasting licence to operate a transitional digital television programming undertaking associated with CFCN-TV Calgary.

Conditions of licence of the analog television service

4. In Broadcasting Public Notice 2002-31, the Commission stated that:

[its] existing policies and regulations, as well as the conditions of licence currently applicable to a broadcaster in respect of its analog television service will also apply to any transitional digital programming service the broadcaster may be licensed to provide.

5. Accordingly, the new transitional digital television licence will be subject to the **conditions** that are applicable to the analog television service CFCN-TV as of the date of this decision.
6. As a result, CFCN-TV's existing conditions of licence, expectations and commitments, as set out in Decisions 2001-457-11 and 2001-457, will apply. The conditions of licence include obligations to priority programming. CFCN-TV's commitments regarding the portrayal and representation of cultural diversity will also apply to the transitional digital television undertaking.

The 14-hour program allowance

7. CTV made a commitment to simulcast the current programming service of CFCN-TV with the exception of up to 14 hours per week of supplementary programming that would not be duplicated on the analog service. The applicant further committed to ensure that all unduplicated, supplementary programming broadcast on the undertaking is broadcast in a wide screen high definition (HD) format, and that a minimum of 50% of such programming is Canadian. Consistent with the applicant's commitments, the Commission has imposed **conditions of licence**, set out in the appendix to this decision.

Simulcast of high definition and wide screen programming

8. As part of this proceeding, the Commission asked the applicant to comment on the possible imposition of conditions of licence reflecting, among other things, the two key principles set out in Broadcasting Public Notice 2002-31 relating to the simulcast of HD and wide screen programming. Specifically, the Commission asked whether CTV would adhere to conditions of licence requiring that:
 - all simulcast programming on the undertaking produced in the wide screen format (16:9 aspect ratio) be broadcast in that format; and
 - all simulcast programming on the undertaking aired during the evening broadcast period produced in HD be broadcast in HD.
9. In response, CTV agreed to accept these conditions of licence. The Commission has imposed these **conditions of licence** on the new transitional digital television undertaking.

Data transmission

10. In Broadcasting Public Notice 2002-31, the Commission expressed the view that HD television (HDTV) should be used to promote the development of new Canadian programming of high quality, and to make this available to viewers in a picture format that is superior to the current analog National Television Standards Committee (NTSC) format. To that end, the Commission emphasized that broadcasters should ensure that the HD programming they purchase or produce is transmitted to viewers without loss of signal quality. Consistent with that aim, the Commission requires, by **condition of licence**, that the licensee ensure that the transmission of data does not affect the quality or quantity of HD programming.

Technical considerations

11. The undertaking will operate on channel 36 with an ERP of 124,000 watts. The Commission is satisfied that these technical parameters will provide effective coverage to the Calgary area within the constraints of the Department of Industry's (the Department's) *DTV Transition Allotment Plan*.

Issuance of the licence

12. The Commission will issue a DTV-T licence to CTVglobemedia Inc., on behalf of CTV, subject to the **conditions** set out in the appendix to this decision. The licence will expire on 31 August 2009, coinciding with the expiry of the licence for CFCN-TV.
13. The Commission reminds the licensee that, pursuant to section 22(1) of the *Broadcasting Act*, no licence may be issued until the Department notifies the Commission that its technical requirements have been met, and that a broadcasting certificate will be issued.
14. Furthermore, the licence for this undertaking will be issued once the licensee has informed the Commission in writing that it is prepared to commence operations. The undertaking must be operational at the earliest possible date.

Employment equity

15. Because this licensee is subject to the *Employment Equity Act* and files reports concerning employment equity with the department of Human Resources and Social Development Canada, its employment equity practices are not examined by the Commission.

Secretary General

Related documents

- *The Regulatory framework for the distribution of digital television signals*, Broadcasting Public Notice CRTC 2003-61, 11 November 2003

- *A licensing policy to oversee the transition from analog to digital, over-the-air television broadcasting*, Broadcasting Public Notice CRTC 2002-31, 12 June 2002
- *Licence renewal for CFCN-TV and CFCN-TV-5*, Decision CRTC 2001-457-11, 2 August 2001
- *Licence renewals for the television stations controlled by CTV*, Decision CRTC 2001-457, 2 August 2001

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 2008-327

Conditions of licence

1. The licence will be subject to the terms and conditions applicable to the analog television station CFCN-TV Calgary as of the date of this decision.
2. The licensee shall ensure that all programming broadcast on the undertaking is a simulcast of the programming broadcast on CFCN-TV, with the exception of up to 14 hours per week of unduplicated, supplementary programming.
3. The licensee shall ensure that at least 50% of the unduplicated, supplementary programming broadcast by the undertaking is Canadian.
4. The licensee shall ensure that all unduplicated, supplementary programming broadcast by the undertaking is broadcast in a wide screen (16:9 aspect ratio), high definition format.
5. The licensee shall ensure that all programs that are simulcast by the undertaking, and that are available to the licensee in a wide screen (16:9 aspect ratio) format, are also broadcast in that format.
6. The licensee shall ensure that all programs that are simulcast by the undertaking during the evening broadcast period, and that are available to the licensee in high definition are also broadcast in high definition.
7. 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.
8. The licensee shall ensure that the transmission of data does not affect the quality or quantity of high definition programming.