



## Broadcasting Decision CRTC 2008-56

Ottawa, 5 March 2008

### **Encore Avenue Ltd.**

British Columbia, Alberta, Saskatchewan, Manitoba, Nunavut, Yukon Territory  
and the Northwest Territories

*Application 2007-1882-7, received 20 December 2007*

*Broadcasting Public Notice CRTC 2008-7*

*16 January 2008*

### **Encore – Licence amendment**

1. The Commission **approves** the application by Encore Avenue Ltd. (Encore Avenue) to amend the broadcasting licence for the regional, English-language pay television programming undertaking known as Encore to allow the service to be made available for distribution in high definition (HD) format.
2. The Commission did not receive any interventions in connection with this application.
3. In Broadcasting Public Notices 2003-61 and 2006-74, the Commission stated that it would authorize the licensee of a Canadian pay or specialty service to make available an upgraded version of its service, by means of an amendment to the licence of the existing service. This authority would be in effect for a term of three years.
4. The Commission notes, however, that the current licence for the undertaking expires on 31 August 2009.
5. The Commission further stated in Broadcasting Public Notice 2006-74:

Those services that are authorized to offer HD programming by way of licence amendment will remain subject to the requirement initially imposed in Public Notice 2003-61 that the programming on the analog or [standard definition] service and on the upgraded service be comparable, that is, not less than 95% of the video and audio components must be the same. Further, the Commission will require that all of the programming making up the 5% allowance be provided in HD.

6. Accordingly, by **condition of licence**, Encore Avenue is authorized to make available for distribution, until the end of its current licence term, a version of Encore in HD format, provided that not less than 95% of the video and audio components of the upgraded and standard definition versions of the service are the same, exclusive of commercial messages and of any part of the service carried on a subsidiary signal. Further, all of the programming making up the 5% allowance shall be provided in HD.

Secretary General

**Related documents**

- *Regulatory framework for the licensing and distribution of high definition pay and specialty services*, Broadcasting Public Notice CRTC 2006-74, 15 June 2006
- *The regulatory framework for the distribution of digital television signals*, Broadcasting Public Notice CRTC 2003-61, 11 November 2003

*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>.*