Broadcasting Public Notice CRTC 2008-106

Ottawa, 7 November 2008

Notice of consultation

Applications received
Various locations
Deadline for submission of interventions/comments: 12 December 2008

The Commission has received the following applications:

[Broadcasting intervention/comments form]

Item **Applicant and Locality**

1. **Astral Broadcasting Group Inc.**
   Across Canada
   Application No. 2008-1396-6
2. **Astral Broadcasting Group Inc.**
   Eastern Canada
   Application No. 2008-1390-9

1. **Across Canada**
Application No. 2008-1396-6

Application by **Astral Broadcasting Group Inc.** to amend the licence of the national French-language pay television service known as Super Écran.

The licensee proposes to replace the definition relating to "new Canadian production" which reads:

"new Canadian production" means:

(a) a Canadian dramatic program

(i) which exceeds 75 minutes in duration and in relation to which all financial expenditures made by the licensee were made prior to the commencement of principal photography or taping and in which principal photography or taping was completed after 1 January 1985, or

(ii) which is intended for children and exceeds 22:30 minutes in duration and in relation to which all financial expenditures by the licensee were made prior to the completion of principal photography or taping.

(b) and which is a program that has never been broadcast in French in the licensed territory.

with the following definition:
(changes in bold)

"new Canadian production" means:

(a) a Canadian dramatic program

(i) which exceeds 75 minutes in duration and in relation to which all financial expenditures made by the licensee were made prior to the commencement of principal photography or taping and in which principal photography or taping was completed after 1 January 1985, or

(ii) which is intended for children and exceeds 22:30 minutes in duration and in relation to which all financial expenditures by the licensee were made prior to the completion of principal photography or taping, **or**

iii) which is recognized as 150% Canadian content by the Commission as set out under *Certification for Canadian Programs – A revised approach*, Public Notice CRTC 2000-42, 17 March 2000;

(b) and which is a program that has never been broadcast in French in the licensed territory.

The licensee notes that the Commission approved a similar application by Corus Entertainment Inc., on behalf of its subsidiary Movie Central Ltd. in *Movie Central – Licence amendment*, Broadcasting Decision CRTC 2008-198, 22 August 2008.

Licensee's address:

2100 Ste-Catherine Street West
Suite 1000
Montréal, Quebec
H3H 2T3
Fax: 514-939-5098
E-Mail: abarin@tv.astral.com

Examination of application:

At the licensee’s address

2. **Eastern Canada**
Application No. 2008-1390-9

Application by **Astral Broadcasting Group Inc.** to amend the licence of the regional English-language pay television service known as The Movie Network.

The licensee proposes to replace the definition relating to "new Canadian production" which reads:

"new Canadian production" means:

(a) a Canadian dramatic program

(i) which exceeds 75 minutes in duration and in relation to which all financial expenditures made by the licensee were made prior to the commencement of principal photography or taping and in which principal photography or taping was completed after 1 January 1985, and

(ii) which is intended for children and exceeds 22:30 minutes in duration and in relation to which all financial expenditures by the licensee were made prior to the completion of principal photography or taping.

(b) and which is a program that has never been broadcast in English in the licensed territory.

with the following definition:
(changes in bold)

"new Canadian production" means:

(a) a Canadian dramatic program

(i) which exceeds 75 minutes in duration and in relation to which all financial expenditures made by the licensee were made prior to the commencement of principal photography or taping and in which principal photography or taping was completed after 1 January 1985, **or**

(ii) which is intended for children and exceeds 22:30 minutes in duration and in relation to which all financial expenditures by the licensee were made prior to the completion of principal photography or taping, **or**

iii) which is recognized as 150% Canadian content by the Commission as set out under *Certification for Canadian Programs – A revised approach*, Public Notice CRTC 2000-42, 17 March 2000;

(b) and which is a program that has never been broadcast in English in the licensed area.

The licensee notes that the Commission approved a similar application by Corus Entertainment Inc., on behalf of its subsidiary Movie Central Ltd. in *Movie Central – Licence amendment*, Broadcasting Decision CRTC 2008-198, 22 August 2008.

Licensee's address:

2100 Ste-Catherine Street West
Suite 1000
Montréal, Quebec
H3H 2T3
Fax: 514-939-5098
E-Mail: abarin@tv.astral.com

Examination of application:

At the licensee's address

Public Participation

Deadline for Interventions/Comments

12 December 2008

The intervention must be received by the CRTC and by the applicant on or before the above-mentioned date. The Commission cannot be held responsible for postal delays.

Your intervention will be considered by the Commission, and will form part of the public record of the proceeding without further notification to you, provided the procedure set out below has been followed. You will be contacted only if your submission raises procedural questions.

Submit your written intervention to the Secretary General of the Commission in **only one** of the following formats:

by using the
[Broadcasting intervention/comments form]

or

by mail to
CRTC, Ottawa, Ontario K1A 0N2

or

by fax at
819-994-0218

A true copy must be sent to the applicant and proof that this has been done must accompany the intervention sent to the Commission.

The Commission advises those who file and serve by electronic mode to exercise caution when using e-mail for service of documents or notification, as it may be difficult to establish that service has occurred.

Before initiating service through electronic mode, please ensure that you will be able to satisfy the Commission, upon request, that service of the notification was completed.

Where the intervention is filed by electronic means, the line ***End of document*** should be entered following the last paragraph of the document, as an indication that the document has not been damaged during electronic transmission.

Each paragraph of the document should be numbered.

Your intervention should clearly identify the application and indicate whether you support or oppose the application, or if you propose changes to it, include the facts and grounds for your proposal.

Important notice

Note that all information that you provide as part of this public process, except information granted confidentiality, whether sent by postal mail, facsimile, e-mail or through the Commission's Web site at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's Web site. This information includes your personal information, such as your full name, e-mail address, postal/street address, telephone and facsimile number(s), and any other personal information you provide.

The personal information you provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.

Documents received electronically or otherwise will be put on the Commission's Web site in their entirety exactly as you send them, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.

Please note that the information you provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the Webpage of this particular public process. As a result, a general search of our Website with the help of either our own search engine or a third-party search engine will not provide access to the information which was provided as part of this public process.

Examination of Documents

An electronic version of applications is available from the Commission's Web site by selecting the application number within this notice.

A list of all interventions/comments will also be available on the Commission's Web site. An electronic version of all interventions/comments submitted will be accessible from this list. To access the list, select "Lists of interventions/comments" under "Public Proceedings" from the Commission's Web site.

Documents are also available during normal office hours at the local address provided in this notice and at the Commission offices and documentation centres directly involved with these applications or, upon request, within 2 working days, at any other CRTC offices and documentation centres.

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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