



Broadcasting Decision CRTC 2009-122

Route reference:

Broadcasting Notice of Public Hearing [2008-13](#)

Additional reference:

[2008-13-3](#)

Ottawa, 6 March 2009

Glassbox Television Inc.

Across Canada

Application 2008-1056-6, received 1 August 2008

Public Hearing in the National Capital Region

16 December 2008

TREK TV – Category 2 specialty service

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

1. Glassbox Television Inc. (Glassbox) filed an application for a broadcasting licence to operate TREK TV, a national, English-language Category 2 specialty service targeted at Canadians between the ages of 17 and 27 that would be devoted to world cultures, travel, geography, exploration and anthropology. The applicant stated that no more than 15% of all programming broadcast during the broadcast month would be drawn from category 7(d), no more than 10% from category 7(e), and no more than 5% from category 8(b), as set out in item 6 of Schedule I to the *Specialty Services Regulations, 1990*. The Commission did not receive any interventions in connection with this application.
2. The applicant also requested an exception to the closed captioning policy set out in Broadcasting Public Notice [2007-54](#) (the closed captioning policy) which requires licensees to caption 100% of all English-language programs. The applicant proposed to caption 100% of all professionally produced programs and 85% of user-generated content during the broadcast day, rising to 100% of all programs in the sixth year of operation.
3. In regard to the applicant's request for an exception to the closed captioning requirement, the onus is on the applicant to demonstrate a need, financial or otherwise, for the exception, as set out in the closed captioning policy. The Commission finds that the applicant did not include supporting financial information or demonstrate why meeting the 100% requirement would be impossible. The Commission therefore requires Glassbox, by **condition of licence**, to caption 100% of all programs upon commencement of operations.

4. In light of the above, the Commission is satisfied that the application is in conformity with all applicable terms and conditions announced in Public Notice 2000-171-1. Accordingly, the Commission **approves** the application by Glassbox Television Inc. for a broadcasting licence to operate the national, English-language Category 2 specialty programming undertaking TREK TV. The terms and **conditions of licence** are set out in the appendix to this decision.

Secretary General

Related documents

- *A new policy with respect to closed captioning*, Broadcasting Public Notice CRTC 2007-54, 17 May 2007
- *Introductory statement – Licensing of new digital pay and specialty services – Corrected Appendix 2*, Public Notice CRTC 2000-171-1, 6 March 2001
- *Licensing framework policy for new digital pay and specialty services*, Public Notice CRTC 2000-6, 13 January 2000

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 2009-122

Terms and conditions of licence for the Category 2 specialty programming undertaking TREK TV

Terms

A licence will be issued once the applicant has satisfied the Commission, with supporting documentation, that the following requirements have been met:

- 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 6 March 2012. 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 that is devoted to world cultures, travel, geography, exploration and anthropology, and that is targeted at Canadians between the ages of 17 and 27.
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:
 - 2 (a) Analysis and interpretation
 - (b) Long-form documentary
 - 5 (b) Informal education/Recreation and leisure
 - 7 Drama and comedy
 - (c) Specials, mini-series or made-for-TV feature films
 - (d) Theatrical feature films aired on TV
 - (e) Animated television programs and films
 - 8 (a) Music and dance other than music video programs or clips
 - (b) Music video clips
 - 9 Variety

- 11 General entertainment and human interest
- 12 Interstitials
- 13 Public service announcements
- 14 Infomercials, promotional and corporate videos

4. No more than 15% of all programming broadcast during the broadcast month shall be drawn from category 7(d).
5. No more than 10% of all programming broadcast during the broadcast month shall be drawn from category 7(e).
6. No more than 5% of all programming broadcast during the broadcast month shall be drawn from category 8(b).
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. 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 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.