



Broadcasting Notice of Consultation CRTC 2009-132-1

Additional reference: 2009-132

Ottawa, 22 May 2009

Notice of hearing

2 June 2009

Gatineau, Quebec

Suspension of the public hearing

Further to its Broadcasting Notice of Consultation CRTC 2009-132, 11 March 2009, the Commission announces the following:

On 1 May 2009, the Canadian Broadcasting Corporation (CBC) filed a letter with the Commission in which it stated that it “does not contest the Commission’s preliminary view that bold’s programming may be inconsistent with its nature of service that was communicated in [Broadcasting] Notice of Consultation 2009-132.”

In Broadcasting Notice of Consultation 2009-132, the Commission indicated that the CBC’s actions appear to negatively impact the integrity of the licensing process since Land and Sea, which was launched as Country Canada and rebranded as bold, was approved to provide a particular service for a particular underserved audience, which it is not doing at this time. In addition, the programming changes appear to be inconsistent with the Commission’s policy on program genre exclusivity articulated in *Regulatory framework for broadcasting distribution undertakings and discretionary programming services*, Broadcasting Public Notice CRTC 2008-100, 30 October 2008.

In its letter, the CBC indicated that the rebranding of Country Canada to bold was never intended to challenge the integrity of the Commission’s licensing process. It added that the rebranding of its service could occur without the need for a licence amendment and that the service could remain in conformity with its nature of service condition of licence.

The CBC further noted that the publication of Broadcasting Notice of Consultation 2009-132 “indicates to the CBC that the Commission does not share this view, and that an amendment to bold’s nature of service condition of licence is the appropriate course of action.”

In light of the above, the CBC is requesting that bold’s nature of service condition of licence, which currently reads:

The licensee shall provide a national English-language Category 1 specialty television service for rural Canadian families, with a focus on adults 25-54. The service will provide information, interaction and entertainment from a rural perspective.

be replaced with the following:

The licensee shall provide a national English-language Category 1 specialty television service for rural Canadians. The service will provide information, interaction and entertainment.

Given that the CBC does not contest the Commission's preliminary view that bold's programming may be inconsistent with its nature of service condition of licence, the Commission suspends the public hearing that was to be held on 2 June 2009, pending the disposition of this application.

The Commission notes that the details of the application filed by the CBC will be announced shortly in a notice of consultation.

Following the consideration of the application, the Commission will determine if a mandatory order requiring CBC to conform to its original condition of licence concerning the nature of service definition for bold should be issued.

Secretary General

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