



Broadcasting Notice of Consultation CRTC 2009-231

Ottawa, 27 April 2009

Notice of applications received

Across Canada

Deadline for submission of interventions/comments: 1 June 2009

The Commission has received the following applications:

[\[Broadcasting interventions/comments form\]](#)

Item Applicant and Locality

1. **Star Choice Television Network Inc.**
Across Canada
Application No. 2009-0242-0

1. **Across Canada**
Application No. 2009-0242-0

Application by **Star Choice Television Network Incorporated (Star Choice)** to amend a condition of licence of its direct-to-home (DTH) satellite distribution undertaking.

The licensee is requesting that its condition of licence 6 be amended to include the words in **bold** below:

Effective 1 September 2004, the licensee shall distribute a minimum of five (5) Canadian Broadcasting Corporation (CBC) English-language conventional television stations, owned and operated by the CBC, including at least one from each time zone. Further, the licensee shall not, **except as otherwise authorized by the Commission**, at any time distribute a number of English-language conventional television stations owned and operated by the CBC that is less than the number of English-language conventional television stations owned or operated by any other individual broadcasting group, including the groups listed in Appendix B to the schedule attached to these conditions, that are distributed by the undertaking.

The licensee is also seeking the following authorization:

Discontinuing the distribution of CBC Regina by the licensee does not require the licensee to stop distributing a CTV station owned and operated by CTVglobemedia, which would otherwise be required in order to fulfill the general requirement of condition of licence 6.

This application follows on a complaint by the CBC against Star Choice, dated 12 May 2008, which resulted in the issuance of Broadcasting Decision CRTC 2008-330, 27 November 2008. In the proceeding, the CBC had argued that Star Choice appeared to be in breach of its condition of licence 6 after Star Choice's removal of five conventional television stations, including CBC Regina.

The following documents, some of which were filed in or subsequent to the proceeding leading to Broadcasting Decision 2008-330, will constitute part of the record for this proceeding:

- Attachment to correspondence dated 12 May 2008
- Complaints regarding Star Choice channel line-up changes
- CBC's reply - Complaint against StarChoice filed 12 May 2008
- CBC complaint against Star Choice dated 28 November 2008
- Corrected CBC complaint dated 28 November 2008
- CBC letter explaining corrections dated 9 December 2008
- Star Choice letter dated 19 December 2008
- CBC letter dated 5 January 2009
- Star Choice letter dated 12 January 2009
- E-mail correspondence between Star Choice and the Commission dated 13 March 2009 and 20 March 2009

Licensee's address:

440 Laurier Ave W.
Suite 330
Ottawa, Ontario
K1R 7X6
Attention: Cynthia Rathwell
Fax: 613-234-2997
E-mail: cynthia.rathwell@starchoice.com

Examination of application:

At the licensee's address

Public Participation

Deadline for Interventions/Comments

1 June 2009

The intervention must be received by the Commission and by the applicant on or before the above-mentioned date. The Commission cannot be held responsible for postal delays and will not notify a party whose intervention is received after the deadline date. The intervention will not be considered by the Commission and will not be part of the public file.

Interventions will be considered by the Commission and will form part of the public record of the proceeding without further notification to intervening parties, provided the procedure set out below has been followed. Parties will be contacted only if their submissions raise procedural questions.

Written interventions should be submitted to the Secretary General of the Commission in **only one** of the following formats:

by using the
[\[Broadcasting interventions/comments form\]](#)

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.

Parties must ensure, before initiating service through electronic mode, that they 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.

Interventions should clearly identify the application referred to and indicate whether parties support or oppose the application, or, if they propose changes to it, include the facts and grounds for their proposal.

Important notice

Note that all information that parties provide as part of this public process, except information granted confidentiality, whether sent by postal mail, facsimile, e-mail or through the Commission's website at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's website. This information includes personal information, such as full names, e-mail addresses, postal/street addresses, telephone and facsimile numbers, and any other personal information parties provide.

The personal information that parties 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 website in their entirety exactly as received, 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 that parties 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 web page 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 that was provided as part of this public process.

Examination of Documents

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

A list of all interventions/comments will also be available on the Commission's website. 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 website.

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 Commission offices and documentation centres.

Location of Commission offices

Toll-free Telephone: 1-877-249-2782

Toll-free TDD: 1-877-909-2782

Central Building
Les Terrasses de la Chaudière
1 Promenade du Portage, Room 206
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Fax: 819-994-0218

Regional offices

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Fax: 902-426-2721

205 Viger Avenue West
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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>.