



Broadcasting Decision CRTC 2009-262

Route references: 2009-81 and 2009-134

Ottawa, 11 May 2009

QuestHD Inc.
Across Canada

Applications 2009-0247-0 and 2009-0390-8, received 30 January and 20 February 2009

Equator HD – Licence amendments

1. The Commission **approves** the applications by QuestHD Inc. to amend the broadcasting licence for the national, English-language Category 2 high definition (HD) specialty programming undertaking known as Equator HD to allow the service to be made available for distribution in standard definition (SD) format and to increase the programming broadcast during each broadcast week that is drawn from category 7(d) Theatrical feature films aired on TV from 10% to 15%. The Commission did not receive any interventions in connection with these applications.
2. The licensee indicated that its application to allow the service to be made available for distribution in SD is in accordance with the Commission's long-standing "technology-neutral" approach to licensing and that it is also consistent with the spirit and intent of the Commission's policies set out in Broadcasting Public Notices 2008-100 and 2006-74. The terms and conditions for distribution of the SD version of Equator HD will be negotiated with the broadcasting distribution undertakings.
3. In its application to change its programming requirements, the licensee stated that the proposed increase of category 7(d) programming from 10 % to 15% would make Equator HD more attractive and enhance the viewing experience for its target audience, while ensuring that it remains true to its nature of service. The licensee also stated that such an increase would add diversity to the Canadian broadcasting system. The Commission notes that this change is in accordance with Broadcasting Public Notice 2008-100.
4. Accordingly, by **condition of licence**, the licensee is authorized to make available for distribution, until the end of its current licence term, a version of Equator HD in standard definition, provided that not less than 95% of the video and audio components of the high and standard definition versions of the service are the same, exclusive of commercial messages and any part of the specialty service carried on a subsidiary signal.
5. The Commission hereby amends the licence for the undertaking by replacing the condition of licence relating to programming which reads:

Not more than 10% of all programming broadcast during each broadcast week shall be drawn from category 7(d) Theatrical feature films aired on TV.

with the following **condition of licence**:

Not more than 15% of all programming broadcast during each broadcast week shall be drawn from category 7(d) Theatrical films aired on TV.

Secretary General

Related documents

- *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services* – Regulatory policy, Broadcasting Public Notice CRTC 2008-100, 30 October 2008
- *Regulatory framework for the licensing and distribution of high definition pay and specialty services*, Broadcasting Public Notice CRTC 2006-74, 15 June 2006

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>.