



Broadcasting Order CRTC 2009-340-1

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Additional reference: 2009-340

Ottawa, 24 January 2012

Extension of the mandatory distribution order for The Weather Network/Météomédia

The Commission extends the mandatory distribution of The Weather Network/Météomédia on the digital basic service from 31 August 2015 to 31 August 2018, subject to certain conditions. The revised mandatory distribution is set out in the appendix to this order.

1. In *The Weather Network/Météomédia – Licence renewal and extension of the mandatory distribution of the service*, Broadcasting Decision CRTC 2011-438, 22 July 2011 (Broadcasting Decision 2011-438), the Commission indicated that it would extend the mandatory distribution of The Weather Network/Météomédia (TWN/MM) on the digital basic service from 31 August 2015 to 31 August 2018, subject to Pelmorex Communications Inc.'s (Pelmorex) fulfilling the following conditions relating to the National Alert Aggregation and Dissemination (NAAD) System:
 - The licensee shall, by no later than 20 September 2011, file for Commission approval a detailed plan for a public awareness and education campaign, which should include a detailed two-year budget that provides no less than \$1 million per year toward educating the public on and increasing public awareness of the NAAD System.
 - The licensee shall file with the Commission the terms of reference for a Threat Risk Vulnerability Assessment by no later than 24 October 2011.
 - The licensee shall, by no later than 1 January 2012, implement a broadcast intrusive flag, consistent with its commitments to implement such a flag based on criteria established by Senior Officials Responsible for Emergency Management, as updated from time to time, and to add functionality to the NAAD System so as to require emergency management organizations (EMOs) to confirm the issuance of a broadcast intrusive alert.
 - The licensee shall execute NAAD System User Agreements with all federal, provincial and territorial (FPT) EMOs, including Environment Canada, by no later than 1 January 2012.

2. In its letter to the Commission dated 10 January 2012, Pelmorex indicated that it had fulfilled the above conditions, with the exception of executing NAAD User Agreements with the EMOs of the Northwest Territories and Nunavut.
3. The Commission notes that the Northwest Territories and Nunavut have indicated their support for the establishment of a National Public Alerting System (NPAS), as set out in correspondence provided by Pelmorex, and that execution of a NAAD User Agreement between Nunavut and Pelmorex is expected in late January 2012. Although the Government of the Northwest Territories has indicated that it is not in a position to participate at this time, the Commission notes that the Government of the Northwest Territories will continue to monitor the progress of the system through its participation in the Pelmorex Alerting Governance Council and will examine its capacity to participate in the future. In the meantime, the Commission notes Environment Canada will continue to issue emergency alerts for that region.
4. The Commission remains of the view that the participation of all FPT EMOs is essential. The Commission considers that once Pelmorex has executed a NAAD User Agreement with the EMO of Nunavut, it will have executed agreements with all FPT EMOs that have indicated they are capable of participating in the NPAS at this time. Accordingly, the Commission is extending the mandatory distribution of TWN/MM on the digital basic service to 31 August 2018, provided that Pelmorex execute such an agreement with the EMO of Nunavut by no later than **1 April 2012** and meet the reporting requirements discussed below.
5. Further, the Commission strongly expects Pelmorex to execute a NAAD User Agreement with the EMO of the Northwest Territories by **31 August 2015**. The Commission directs Pelmorex to report to the Commission on its negotiations and efforts to reach such an agreement every 6 months from the date of this order.
6. As indicated in Broadcasting Decision 2011-438, the mandatory distribution order for TWN/MM on the digital basic service will remain in effect until 31 August 2015. In the event that Pelmorex does not execute an agreement with the EMO of Nunavut by 1 April 2012 or that it fails to report on the progress of its negotiations and efforts to reach an agreement with the the EMO of the Northwest Territories every 6 months from the date of this order, the extension of the mandatory distribution order to 31 August 2018 will not come into effect. These conditions are reflected in the attached Distribution Order.

Secretary General

**This document is to be appended to the licence.*

Appendix to Broadcasting Distribution Order CRTC 2009-340-1

Terms and conditions for distribution of the national, English- and French-language Category A specialty service The Weather Network/Météomédia by persons licensed to carry on certain types of broadcasting distribution undertakings

The Commission hereby orders, pursuant to section 9(1)(h) of the *Broadcasting Act*, persons licensed to carry on broadcasting distribution undertakings of the types identified in paragraph (a) below to distribute the Category A service The Weather Network/Météomédia, as directed below, to all digital subscribers as part of the digital basic service, effective 1 September 2010 until 31 August 2018, on the following terms and conditions:

- a) This Order applies to direct-to-home (DTH) distribution undertaking licensees as well as to terrestrial broadcasting distribution undertaking (BDU) licensees. These licensees are collectively referred to in this Order as distribution licensees.
- b) A terrestrial BDU licensee operating in an anglophone market must distribute The Weather Network to all digital subscribers as part of the digital basic service.
- c) A terrestrial BDU licensee operating in a francophone market must distribute Météomédia to all digital subscribers as part of the digital basic service.
- d) A DTH distribution undertaking licensee must distribute, on a national basis, The Weather Network to subscribers who subscribe to an English-language or bilingual basic service package.
- e) A DTH distribution undertaking licensee must distribute, on a national basis, Météomédia to subscribers who subscribe to a French-language or bilingual basic service package.
- f) A distribution licensee is authorized to increase the basic monthly fee to be paid by its subscribers by no more than the amount authorized under the terms of Pelmorex Communications Inc.'s (Pelmorex) licence.
- g) This Order shall remain in effect until 31 August 2018. However, in the event that Pelmorex does not execute a National Alert Aggregation and Dissemination System User Agreement with the emergency management organization (EMO) of Nunavut by 1 April 2012 or that it fails to report on the progress of its negotiations and efforts to reach such an agreement with the EMO of the Northwest Territories by no later than 24 July and 24 January of each year, the mandatory distribution order will expire on 31 August 2015.

For the purposes of this Order, the terms “anglophone market,” “basic service,” “Category A service,” “direct-to-home distribution undertaking,” “francophone market,” “licensed” and “terrestrial broadcasting distribution undertaking” shall have the same meanings as those set out in the *Broadcasting Distribution Regulations*, as amended from time to time.