



Broadcasting Notice of Consultation CRTC 2009-81

Ottawa, 19 February 2009

Notice of applications received

Various locations

Deadline for submission of interventions/comments: 26 March 2009

The Commission has received the following applications:

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

Item Applicant and Locality

1. **QuestHD Inc.**
Across Canada
Application No. 2009-0247-0
2. **OasisHD Inc.**
Across Canada
Application No. 2009-0248-8
3. **Artefact HD Inc.**
Across Canada
Application No. 2009-0250-4

1. **Across Canada**
Application No. 2009-0247-0

Application by **QuestHD Inc.** to amend the broadcasting licence for the national English-language Category 2 high definition specialty programming undertaking known as Equador HD.

The licensee proposes to make the above-noted service available for distribution in standard definition (SD) format.

The licensee agrees to comply with the following requirements:

1. Not less than 95% of the video and audio components of the two versions of the specialty service shall be the same, exclusive of commercial messages and of any part of the specialty service carried on a subsidiary signal;

2. All of the programming making up the 5% allowance shall be provided in SD; and
3. The terms and conditions for distribution of the SD version of the specialty service shall be negotiated with broadcasting distribution undertakings.

QuestHD Inc. is of the view that this application 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 policy set out in *Regulatory framework for the licensing and distribution of high definition pay and specialty services*, Broadcasting Public Notice CRTC 2006-74, 15 June 2006.

Licensee's address:

1 Scarsdale Road
Suite 200
Toronto, Ontario
M3B 2R2
Fax: 416-646-4444
E-mail: davidpatterson@hifihdv.ca

Examination of application:

At the licensee's address

2. **Across Canada
Application No. 2009-0248-8**

Application by **OasisHD Inc.** to amend the broadcasting licence for the national English-language Category 2 high definition specialty programming undertaking known as Oasis HD.

The licensee proposes to make the above-noted service available for distribution in standard definition (SD) format.

The licensee agrees to comply with the following requirements:

1. Not less than 95% of the video and audio components of the two versions of the specialty service shall be the same, exclusive of commercial messages and of any part of the specialty service carried on a subsidiary signal;
2. All of the programming making up the 5% allowance shall be provided in SD; and
3. The terms and conditions for distribution of the SD version of the specialty service shall be negotiated with broadcasting distribution undertakings.

OasisHD Inc. is of the view that this application 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 policy set out in *Regulatory framework for the licensing and distribution of high definition pay and specialty services*, Broadcasting Public Notice CRTC 2006-74, 15 June 2006.

Licensee's address:

1 Scarsdale Road
Suite 200
Toronto, Ontario
M3B 2R2
Fax: 416-646-4444
E-mail: davidpatterson@hifihtv.ca

Examination of application:

At the licensee's address

3. **Across Canada**
Application No. 2009-0250-4

Application by **Artefact HD Inc.** to amend the broadcasting licence for the national English-language Category 2 high definition specialty programming undertaking known as Treasure HD.

The licensee proposes to make the above-noted service available for distribution in standard definition (SD) format.

The licensee agrees to comply with the following requirements:

1. Not less than 95% of the video and audio components of the two versions of the specialty service shall be the same, exclusive of commercial messages and of any part of the specialty service carried on a subsidiary signal;
2. All of the programming making up the 5% allowance shall be provided in SD; and
3. The terms and conditions for distribution of the SD version of the specialty service shall be negotiated with broadcasting distribution undertakings.

Artefact HD Inc. is of the view that this application 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 policy set out in *Regulatory framework for the licensing and distribution of high definition pay and*

specialty services, Broadcasting Public Notice CRTC 2006-74, 15 June 2006.

Licensee's address:

1 Scarsdale Road
Suite 200
Toronto, Ontario
M3B 2R2
Fax: 416-646-4444
E-mail: davidpatterson@hifihtv.ca

Examination of application:

At the licensee's address

Public Participation

Deadline for Interventions/Comments

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

Submit your written intervention to the Secretary General of the Commission in **only one** of the following formats:

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

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 that parties provide should clearly identify the application and indicate whether they support or oppose the application or, if they propose changes to it, include the facts and grounds for the 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 Web site 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 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 CRTC offices and documentation centres.

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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>.