



Broadcasting Notice of Consultation CRTC 2010-141

Ottawa, 11 March 2010

Notice of applications received

Across Canada

Deadline for submission of interventions/comments: 15 April 2010

The Commission has received the following applications:

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

Applicant and Locality

1. **Canwest Television GP Inc. (the general partner) and Canwest Media Inc. (the limited partner), carrying on business as Canwest Television Limited Partnership, and TVA Group Inc., partners in a general partnership carrying on business as Mystery Partnership**
Across Canada
Application No. 2010-0054-6
2. **Canwest Media Inc., on behalf of Food Network Canada Inc.**
Across Canada
Application No. 2010-0055-4
3. **Canwest Media Inc., on behalf of HGTV Canada Inc.**
Across Canada
Application No. 2010-0056-2
4. **Canwest Media Inc., on behalf of History Television Inc.**
Across Canada
Application No. 2010-0057-0
5. **Canwest Television GP Inc. (the general partner) and Canwest Media Inc. (the limited partner), carrying on business as Canwest Television Limited Partnership, and Rogers Communications Inc., partners in a general partnership carrying on business as TVtropolis General Partnership**
Across Canada
Application No. 2010-0058-8

6. **Canwest Media Inc., on behalf of Showcase Television Inc.**
Across Canada
Application No. 2010-0059-6
7. **Canwest Media Inc., on behalf of Discovery Health Channel Canada ULC**
Across Canada
Application No. 2010-0060-4
8. **Canwest Media Inc., on behalf of Life Network Inc.**
Across Canada
Application No. 2010-0066-1

1. Across Canada
Application No. 2010-0054-6

Application by **Canwest Television GP Inc. (the general partner) and Canwest Media Inc. (the limited partner), carrying on business as Canwest Television Limited Partnership, and TVA Group Inc., partners in a general partnership carrying on business as Mystery Partnership** to amend the broadcasting licence for the national, Category 1 specialty television programming undertaking Mystery TV.

The applicant proposes to amend condition of licence 1(b) in order to add program categories 2(a), 3, 4, 5(a), 6(a), 6(b), 8(a), 8(b), 8(c), 9, 10, and 15. These program categories are set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*.

The licensee also proposes to replace condition of licence 1(b), which currently reads:

No more than 15% of all programming broadcast during each broadcast week shall be drawn from category 1.

No more than 15% of the programming broadcast during each broadcast week shall be drawn from category 7(f).

with the following condition of licence:

The licensee shall devote not more than 10% of the broadcast month to any of the following categories:

- 6(a) Professional sports;
- 8(b) and (c) combined – Music video clips and Music video programs.

The applicant states that the intent of the present application is to provide Mystery TV with additional programming flexibility consistent with the Commission's policy set out in *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services* – Regulatory policy, Broadcasting Public Notice CRTC 2008-100, 30 October 2008.

Licensee's address:

121 Bloor Street East
Suite 1500
Toronto, Ontario
M4W 3M5
Fax: 416-386-2779
E-mail: kclout@canwest.com

Examination of application:

At the licensee's address

**2. Across Canada
Application No. 2010-0055-4**

Application by **Canwest Media Inc., on behalf of Food Network Canada Inc.** to amend the broadcasting licence for the national, English-language specialty television programming undertaking Food Network Canada.

The applicant proposes to amend condition of licence 1(b) in order to add program categories 1, 4, 5(a), 6(a), 6(b), 7(a), 7(b), 7(c), 7(e), 7(f), 7(g), 8(a), 8(b), 8(c), and 15. These program categories are set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*.

The licensee also proposes to replace condition of licence 1(c), which currently reads:

The licensee shall not broadcast more than one feature film from category 7(d) per broadcast week.

with the following condition of licence:

The licensee shall devote not more than 10% of the broadcast month to any of the following categories:

- 6(a) Professional sports;
- 7 Drama and comedy – combination of (a), (b), (c), (f), and (g);
- 7(e) Animated television programs and films;
- 8(b) and (c) combined – Music video clips and Music video programs.

The applicant states that the intent of the present application is to provide Food Network Canada with additional programming flexibility consistent with the Commission's policy set out in *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services* – Regulatory policy, Broadcasting Public Notice CRTC 2008-100, 30 October 2008.

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Examination of application:

At the licensee's address

3. Across Canada Application No. 2010-0056-2

Application by **Canwest Media Inc., on behalf of HGTV Canada Inc.** to amend the broadcasting licence for the national, English-language specialty television programming undertaking HGTV Canada.

The applicant proposes to amend condition of licence 1(b) in order to add program categories 1, 4, 5(a), 6(a), 6(b), 7(d), 7(e), 7(f), 7(g), 8(a), 8(b), 8(c), and 15. These program categories are set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*.

The licensee also proposes to replace condition of licence 1(c), which currently reads:

In each broadcast year, the licensee shall devote to programs drawn from categories 7(a), 7(b) and 7(c) not more than a total of 5% of the broadcast day.

with the following condition of licence:

The licensee shall devote not more than 10% of the broadcast month to any of the following categories:

- 6(a) Professional sports;
- 7 Drama and comedy – combination of (f) and (g);
- 7(d) Theatrical feature films aired on TV;
- 7(e) Animated television programs and films;
- 8(b) and (c) combined – Music video clips and Music video programs.

The applicant states that the intent of the present application is to provide HGTV Canada with additional programming flexibility consistent with the Commission's policy set out in *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services* – Regulatory policy, Broadcasting Public Notice CRTC 2008-100, 30 October 2008.

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Examination of application:

At the licensee's address

4. Across Canada Application No. 2010-0057-0

Application by **Canwest Media Inc., on behalf of History Television Inc.** to amend the broadcasting licence for the national, English-language specialty television programming undertaking History Television.

The applicant proposes to amend condition of licence 1(b) in order to add program categories 1, 4, 5(a), 5(b), 6(a), 6(b), 8(a), 8(b), 8(c), 9, 11, and 15. These program categories are set out in Item 6 of Schedule I to the Specialty Services Regulations, 1990.

The licensee also proposes to add the following condition of licence:

The licensee shall devote not more than 10% of the broadcast month to any of the following categories:

- 6(a) Professional sports;
- 8(b) and (c) combined – Music video clips and Music video programs.

The applicant states that the intent of the present application is to provide History Television with additional programming flexibility consistent with the Commission's policy set out in *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services* – Regulatory policy, Broadcasting Public Notice CRTC 2008-100, 30 October 2008.

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Examination of application:

At the applicant's address

**5. Across Canada
 Application No. 2010-0058-8**

Application by **Canwest Television GP Inc. (the general partner) and Canwest Media Inc. (the limited partner)**, carrying on business as **Canwest Television Limited Partnership**, and **Rogers Communications Inc.**, partners in a general partnership carrying on business as **TVtropolis General Partnership** to amend the broadcasting licence for the national, English-language specialty television programming undertaking TVTropolis.

The applicant proposes to amend condition of licence 1(b) in order to add program categories 5(a) and 15. These program categories are set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*.

The licensee also proposes to delete conditions of licence 1(f) and 1(g), which currently read:

1. (f) In each broadcast year, the licensee shall not devote more than 10% of the broadcast day to programs drawn from category 3.
1. (g) In each broadcast year, the licensee shall not devote more than 10% of the broadcast day to programs drawn from category 4.

In addition, the licensee proposes to add the following condition of licence:

The licensee shall devote not more than 10% of the broadcast month to any of the following categories:

- 6(a) Professional sports;
- 8(b) and (c) combined – Music video clips and Music video programs.

The applicant states that the intent of the present application is to provide TVTropolis with additional programming flexibility consistent with the Commission's policy set out in *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services* – Regulatory policy, Broadcasting Public Notice CRTC 2008-100, 30 October 2008.

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Examination of application:

At the licensee's address

**6. Across Canada
 Application No. 2010-0059-6**

Application by **Canwest Media Inc., on behalf of Showcase Television Inc.** to amend the broadcasting licence for the national, Category 1 specialty television programming undertaking The Independent Film Channel.

The applicant proposes to amend condition of licence 1(b) in order to add program categories 1, 3, 4, 6(a), 6(b), 7(a) 7(b), 7(f), 8(a), 8(b), 8(c), 9, 10, and 15. These program categories are set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*.

The licensee also proposes to add the following condition of licence:

The licensee shall devote not more than 10% of the broadcast month to any of the following categories:

- 6(a) Professional sports;
- 7 Drama and comedy – combination of (a), (b) and (f);
- 8(b) and (c) combined – Music video clips and Music video programs.

The applicant states that the intent of the present application is to provide The Independent Film Channel with additional programming flexibility consistent with the Commission's policy set out in *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services – Regulatory policy, Broadcasting Public Notice CRTC 2008-100, 30 October 2008*.

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Examination of application:

At the licensee's address

**7. Across Canada
 Application No. 2010-0060-4**

Application by **Canwest Media Inc., on behalf of Discovery Health Channel Canada ULC** to amend the broadcasting licence for the national, Category 1 specialty television programming undertaking Discovery Health Channel.

The applicant proposes to amend condition of licence 1(b) in order to add program categories 1, 4, 5(a), 6(a), 6(b), 7(a), 7(b), 7(c), 7(d), 7(e), 7(f), 7(g), 8(a), 8(b), 8(c), 9, 10, and 15. These program categories are set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*.

The licensee also proposes to add the following condition of licence:

The licensee shall devote not more than 10% of the broadcast month to any of the following categories:

- 6(a) Professional sports;
- 7 Drama and comedy – all subcategories combined
- 8(b) and (c) combined – Music video clips and Music video programs.

The applicant states that the intent of the present application is to provide Discovery Health Channel with additional programming flexibility consistent with the Commission's policy set out in *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services* – Regulatory policy, Broadcasting Public Notice CRTC 2008-100, 30 October 2008.

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Examination of application:

At the licensee's address

**8. Across Canada
 Application No. 2010-0066-1**

Application by **Canwest Media Inc., on behalf of Life Network Inc.** to amend the broadcasting licence for the national, English-language specialty television programming undertaking Slice.

The applicant proposes to amend condition of licence 1(b) in order to add program categories 1, 3, 4, 5(a), 6(a), 6(b), 7(a) 7(b), 7(c), 7(d), 7(e), 7(f), 7(g), 8(a), 8(b), 8(c), 10, and 15. These program categories are set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*.

The licensee also proposes to replace condition of licence 1(b), which currently reads:

The licensee shall devote no more than 100 hours in each broadcast year to the broadcast of material drawn from category 9 Variety.

with the following condition of licence:

The licensee shall devote not more than 10% of the broadcast month to any of the following categories:

- 6(a) Professional sports;
- 7 Drama and comedy – all subcategories combined;
- 8(b) and (c) combined – Music video clips and Music video programs.

The applicant states that the intent of the present application is to provide Slice with additional programming flexibility consistent with the Commission's policy set out in *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services* – Regulatory policy, Broadcasting Public Notice CRTC 2008-100, 30 October 2008.

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Examination of application:

At the licensee's address

Public participation

Deadline for interventions

15 April 2010

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 that, before initiating service through electronic mode, they will be able to satisfy the Commission, upon request, that service of the notification was completed.

Submissions longer than five pages should include a summary.

Each paragraph of the submission should be numbered. In addition, 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.

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

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.

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 the Commission's website with the help of either its 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.

The Commission encourages interested parties to monitor the public examination file and the Commission's website for additional information that they may find useful when preparing their interventions.

Examination of documents

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

A list of all interventions will also be available on the Commission's website. An electronic version of all interventions 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 this application, or, upon request, within two (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

Les Terrasses de la Chaudière
Central Building
1 Promenade du Portage, Room 206
Gatineau, Quebec
J8X 4B1
Tel.: 819-997-2429
Fax: 819-994-0218

Regional offices

Metropolitan Place
99 Wyse Road
Suite 1410
Dartmouth, Nova Scotia
B3A 4S5
Tel.: 902-426-7997
Fax: 902-426-2721

205 Viger Avenue West
Suite 504
Montréal, Quebec
H2Z 1G2
Tel.: 514-283-6607

55 St. Clair Avenue East
Suite 624
Toronto, Ontario
M4T 1M2
Tel.: 416-952-9096

Kensington Building
275 Portage Avenue
Suite 1810
Winnipeg, Manitoba
R3B 2B3
Tel.: 204-983-6306
Fax: 204-983-6317

2220 – 12th Avenue
Suite 620
Regina, Saskatchewan
S4P 0M8
Tel.: 306-780-3422

10405 Jasper Avenue
Suite 520
Edmonton, Alberta
T5J 3N4
Tel.: 780-495-3224

580 Hornby Street
Suite 530
Vancouver, British Columbia
V6C 3B6
Tel.: 604-666-2111
Fax: 604-666-8322

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>.