



## Broadcasting Regulatory Policy CRTC 2010-69

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### Revised licensing framework for over-the-air digital television services

*In this document, the Commission revises the licensing framework for over-the-air digital television services. Specifically, the Commission will no longer issue separate digital television licences and will instead accept applications to amend the licences of existing over-the-air services in order to add a digital transmitter.*

### Introduction

1. In Broadcasting Notice of Consultation 2009-615 (the Call for comments), the Commission called for comments on a revised licensing framework for over-the-air digital television (DTV) services.
2. Under the existing framework set out in Broadcasting Public Notice 2002-31, licensees of over-the-air analog television services are required to hold a transitional DTV licence in order to operate a DTV undertaking. Transitional DTV transmitters are authorized to operate on an interim channel and/or at reduced parameters in order to accommodate the parallel operation of analog and transitional DTV transmitters. In addition, transitional DTV services are authorized to broadcast a maximum of 14 hours per week of programming on the digital service that is not duplicated on the associated analog service.
3. In the Call for comments, the Commission stated that it no longer considers it necessary to issue separate transitional DTV licences. The Commission instead proposed to authorize the simulcast of a service's programming on a digital transmitter by way of an amendment to the existing service's licence. As a result of this revised approach, broadcasters would no longer have the authorization to broadcast distinct digital programming.
4. As part of this proceeding, the Commission received and considered written comments. The parties generally supported the Commission's proposal and provided comments on specific aspects of the proposed revisions to the framework. The public record for this proceeding is available on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) under "Public Proceedings."

### Commission's analysis and determinations

5. In its comments, Bell Aliant and Bell Canada (Bell) suggested that the Commission authorize DTV transmitters by way of a broadly applied, general authorization that would be incorporated by reference into a broadcaster's licence as a standard condition

of licence. Bell argued that this would simplify and streamline the process by dispensing licensees of the need to apply for a licence amendment.

6. The Commission does not consider it appropriate to grant a general authorization for DTV transmitters given that authorizations for transmitters are based on service contours resulting from specific technical parameters. The Commission will however process applications that do not raise significant issues as expeditiously as possible.
7. In the Call for comments, the Commission encouraged broadcasters to provide digital coverage that matches their current analog coverage (within the constraints of the Department of Industry's DTV transition and post-transition allotment plans). Rogers Broadcasting Limited (Rogers) and Corus Entertainment Inc. (Corus) argued that in certain instances it may be impractical or impossible to achieve this goal due to various technical and/or economic factors. Rogers and Corus encouraged the Commission to provide broadcasters with maximum flexibility to determine the appropriate transmitter site, operating parameters and resulting coverage area of their DTV facilities.
8. The Commission considers that broadcasters should, to the greatest extent possible, ensure that Canadians do not lose access to free over-the-air television services as a result of the transition to DTV. Consequently, it encourages broadcasters to provide digital coverage that matches their current analog coverage.

## **Conclusion**

9. Accordingly, the Commission will no longer issue separate DTV licences. Instead, the Commission will accept applications for amendments to the licences of existing over-the-air television services in order to add a digital transmitter, which will allow for the simulcast of a service's programming on that transmitter. The Commission will also consider applications to share a digital transmitter between the services of one or multiple broadcasters (i.e. multicasting or multiplexing).
10. Authorizations to operate DTV transmitters granted under the revised framework will generally be valid for the duration of the licence term. However, any authorization to operate a transitional DTV transmitter granted under the revised framework will expire on 31 August 2011, unless otherwise authorized by the Commission.
11. Licensees are invited to file applications for a licence amendment to add a digital transmitter using the revised *Application for a technical amendment to a broadcast licence for an analog or digital television programming undertaking (including rebroadcasting transmitters)* (Broadcasting application form 132).

12. Licensees of transitional DTV undertakings should file written requests to have their digital transmitters authorized pursuant to the revised licensing framework and to have their transitional DTV licences revoked.

Secretary General

**Related documents**

- *Call for comments on a revised licensing framework for over-the-air digital television services*, Broadcasting Notice of Consultation CRTC 2009-615, 5 October 2009
- *A licensing policy to oversee the transition from analog to digital, over-the-air television broadcasting*, Broadcasting Public Notice CRTC 2002-31, 12 June 2002

*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>.*