



Broadcasting Notice of Consultation CRTC 2010-888

PDF version

Ottawa, 29 November 2010

Notice of applications received

Across Canada

Deadline for submission of interventions/comments: 4 January 2011

[\[Submit an intervention/comment or view related documents\]](#)

The Commission has received the following applications:

Applicant and Locality

1. **The Score Television Network Ltd.**
Across Canada
Application 2010-1542-0
2. **Astral Broadcasting Group Inc.**
Across Canada
Application 2010-1604-8

1. **Across Canada** **Application 2010-1542-0**

Application by **The Score Television Network Ltd.** to amend the broadcasting licence of the national English-language analog (to be referred as Category A) specialty programming undertaking known as The Score.

The licensee proposes to amend the conditions of licence relating to its Canadian programming expenditure requirement and Canadian programming exhibition requirement.

More specifically, the licensee wishes increase The Score's Canadian programming expenditure requirement from 45% to 47.8% of gross revenues and to reduce The Score's overall Canadian programming exhibition requirement from 80% to 75% of the broadcast day.

The related conditions of licence would read as follows:

- 2.(a) In each broadcast year, the licensee shall devote to the exhibition of Canadian programs not less than 75% of the broadcast day and not less than 60% of the evening broadcast period.
- 3.(a) In each broadcast year of the licence term, the licensee shall expend on the acquisition of and/or investment in Canadian programs a minimum of 47.8% of the

gross revenues derived from the operation of this service during the previous broadcast year.

Moreover, the licensee wishes to amend condition of licence 2(b)(i) which currently reads as follows:

2 (b)(i) The licensee shall devote to the exhibition of Canadian programs, not less than 50% of the hours devoted to live sports event coverage during the prime time period over the broadcast year.

The licensee proposes to change this condition of licence by replacing it with the following:

2(b)(i) In the event that the licensee devotes more than 10% of its quarterly broadcast schedule to the exhibition of live sports events, not less than 50% of such excess hours during the prime time period shall be devoted to the exhibition of Canadian programs.

The licensee states that this amendment would not alter its nature of service. The licensee states that it would remain committed to broadcasting live Canadian sports events.

Further, in accordance with *Regulatory frameworks for broadcasting distribution undertakings (BDUs) and discretionary programming services*, Broadcasting Public Notice CRTC 2008-100, 30 October 2008, the licensee has applied to be able to draw programming from categories 3, 4, 5, 7, 8(a), 8(b), 8(c), 9 and 10.

The licensee stated that it would accept the following conditions of licence:

Category 7 (drama and comedy): No more than 10% of the licensee's quarterly broadcast schedule shall be drawn from category 7.

Category 8(b) and (c) (music video clips and music video programs): No more than 10% of the licensee's quarterly broadcast schedule shall be drawn from programming categories 8(b) and 8(c) combined.

The licensee proposed that these limitations be measured on a quarterly basis rather than on a monthly basis, as described in Broadcasting Public Notice 2008-100, as their existing programming limitations are expressed in terms of quarterly broadcast schedule.

Finally, the licensee is requesting the deletion of condition of licence 6, which relates to the regulation of the wholesale rate for The Score. The condition of licence reads as follows:

6. Commencing 20 April 2004, the licensee shall charge each exhibitor of the service a maximum wholesale rate of \$0.14 per subscriber per month, where the service is carried as part of the basic service.

The licensee is submitting this request following *Digital migration framework*, Broadcasting Public Notice CRTC 2006-23, 27 February 2006, in which the Commission stated that it would discontinue wholesale rate regulation in the digital environment.

Licensee's address:

1603 Main Street West
Hamilton, Ontario
M5A 3X9
Fax: 416-977-7851
E-mail: gbuck@mccarthy.ca

Examination of application:

At the licensee's address

**2. Across Canada
Application 2010-1604-8**

Application by **Astral Broadcasting Group Inc.** to amend the broadcasting licence of the national French-language Category 2 specialty programming undertaking known as Playhouse Disney Télé (formerly Vrak Junior).

The licensee proposes to amend condition of licence 2 to be allowed to broadcast programming drawn from category 15 (Filler Programming).

The licensee is presently authorized to offer programming drawn from the following categories, as set out in Schedule I of the *Specialty Services Regulations, 1990*: 2(a), 2(b), 5(a), 5(b), 7(a), 7(b), 7(c), 7(d), 7(e), 7(f), 7(g), 8(a), 8(b), 8(c), 9, 10, 11, 12, 13 and 14.

The licensee states that Playhouse Disney Télé is a service targeted to a pre-school audience that does not broadcast advertising. Consequently, the licensee states that it must rely extensively on filler programming (Category 15) to fill the gaps between its programs.

The licensee requests authorization to broadcast programming drawn from Category 15, so that the content offered by its service can be appropriately logged.

Licensee's address:

1800 McGill College Avenue
Montréal, Quebec
H3A 3J6
Fax : 514-939-5098
E-mail : abarin@tele.astral.com

Examination of application:

At the licensee's address

Public participation

Deadline for interventions

4 January 2011

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 these applications, 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

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Secretary General