



## Broadcasting Decision CRTC 2011-283

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Route reference: 2010-935

Ottawa, 2 May 2011

### **Asian Television Network International Limited** Across Canada

*Application 2010-1468-8, received 10 September 2010*  
*Public Hearing in the National Capital Region*  
*11 February 2011*

### **ATN Caribbean Channel Two – Category 2 specialty service**

*The Commission **approves** an application for a broadcasting licence to operate a new Category 2 specialty service.*

#### **The application**

1. Asian Television Network International Limited (ATN) filed an application for a broadcasting licence to operate ATN Caribbean Channel Two, a national, ethnic Category 2 specialty programming undertaking, operating in the English language, which would be devoted to the Caribbean community in Canada and to South Asians of Indian origin from the Caribbean Islands. The Commission did not receive any interventions in connection with this application.
2. ATN is controlled by its majority shareholder Shan Chandrasekar.
3. The applicant proposed to draw programming for the proposed service from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time: 1, 2(a), 2(b), 3, 5(a), 5(b), 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, 11, 12 and 13.

#### **Commission's determination**

4. The Commission is satisfied that the application complies with the frameworks set out in Public Notice 2000-6 and Broadcasting Public Notice 2008-100, with the approaches set out in Broadcasting Public Notices 2003-61 and 2006-74, and with all applicable terms and conditions set out in Broadcasting Regulatory Policy 2010-786. Accordingly, the Commission **approves** the application by Asian Television Network International Limited for a broadcasting licence to operate the national, ethnic Category 2 specialty programming undertaking, operating in the English language, ATN Caribbean Channel Two. The terms and **conditions of licence** are set out in the appendix to this decision.

5. While the applicant indicated that it did not wish to adhere to the conditions of licence related to the accessibility of Category 2 pay and specialty services, the Commission is of the view that ATN did not provide compelling evidence to support its request. Accordingly, the applicant will be subject to the **conditions of licence** relating to accessibility set out in Broadcasting Regulatory Policy 2010-786.

### **Reminder**

6. The Commission reminds the applicant that distribution of this service is subject to the applicable distribution rules set out in Broadcasting Public Notice 2008-100.

Secretary General

### **Related documents**

- *Standard conditions of licence, expectations and encouragements for Category B pay and specialty services*, Broadcasting Regulatory Policy CRTC 2010-786, 25 October 2010
- *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services* – Regulatory policy, Broadcasting Public Notice CRTC 2008-100, 30 October 2008
- *Regulatory framework for the licensing and distribution of high definition pay and specialty services*, Broadcasting Public Notice CRTC 2006-74, 15 June 2006
- *The regulatory framework for the distribution of digital television signals*, Broadcasting Public Notice CRTC 2003-61, 11 November 2003
- *Introductory statement- Licensing of new digital pay and specialty services- corrected Appendix 2*, Public Notice CRTC 2000-171-1, 6 March 2001
- *Licensing framework policy for new digital pay and specialty services*, Public Notice CRTC 2000-6, 13 January 2000

*\*This decision is to be appended to the licence.*

## Appendix to Broadcasting Decision CRTC 2011-283

### Terms and conditions of licence for the Category 2 specialty programming undertaking ATN Caribbean Channel Two

#### Terms

A licence will be issued once the applicant has satisfied the Commission, with supporting documentation, that the following requirements have been met:

- the applicant has entered into a distribution agreement with at least one licensed distributor; and
- the applicant has informed the Commission in writing that it is prepared to commence operations and has provided the Commission with a launch date for the service. The undertaking must be operational at the earliest possible date and in any event no later than 48 months from the date of this decision.

The licence will expire 31 August 2017.

#### Conditions of licence

1. The licence will be subject to the conditions set out in *Standard conditions of licence, expectations and encouragements for Category B pay and specialty services*, Broadcasting Regulatory Policy CRTC 2010-786, 25 October 2010.
2. The licensee shall provide a national, ethnic Category 2 specialty programming service which will operate in the English language and will be devoted to the Caribbean community in Canada and to the South Asians of Indian origin from the Caribbean Islands.
3. The programming shall be drawn exclusively from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:
  - 1 News
  - 2 (a) Analysis and interpretation  
(b) Long-form documentary
  - 3 Reporting and actualities
  - 5 (a) Formal education and pre-school  
(b) Informal education/Recreation and leisure
  - 6 (a) Professional sports  
(b) Amateur sports
  - 7 Drama and comedy
    - (a) Ongoing dramatic series
    - (b) Ongoing comedy series (sitcoms)
    - (c) Specials, mini-series or made-for-TV feature films
    - (d) Theatrical feature films aired on TV

- (e) Animated television programs and films
- (f) Programs of comedy sketches, improvisation, unscripted works, stand-up comedy
- (g) Other drama
- 8 (a) Music and dance other than music video programs or clips
- (b) Music video clips
- (c) Music video programs
- 9 Variety
- 10 Game shows
- 11 General entertainment and human interest
- 12 Interstitials
- 13 Public service announcements

For the purposes of the conditions of this licence, including condition of licence 1, *broadcast day* refers to the 24-hour period beginning each day at 12 a.m. or any other period approved by the Commission.