



Broadcasting Information Bulletin CRTC 2011-479

PDF version

Ottawa, 9 August 2011

Multipoint Distribution Systems (MDS) – New licensing regime

As of 1 September 2011, the Commission will no longer issue multipoint distribution system (MDS) broadcasting licences.

The Department of Industry has converted various broadcasting certificates issued to MDS undertakings to Broadband Radio Service (BRS) licences. Any BRS licensee that requires a CRTC licence because it chooses to offer broadcasting services but does not meet all criteria set out in the Commission's exemption order for broadcasting distribution undertakings (BDUs) will be need to apply for a standard BDU licence.

A BRS licensee that requires a BDU licence will be subject to all standard requirements, including those for carriage of services, set out in the Broadcasting Distribution Regulations.

The Commission will make one short-term exception to this policy for Câblevision TRP-SDM inc.

Introduction

1. Multipoint Distribution Systems (MDS) are wireless terrestrial broadcasting distribution undertakings (BDUs) that provide signals and services to subscribers using MDS technology. MDS technology has channel capacity constraints in that an MDS service can distribute a maximum of 15 analog signals or, depending on the data compression method employed, between 75 and 120 standard definition digital signals. It relies on line-of-sight access between the MDS transmitter and the receiving antenna.
2. As part of the Department of Industry's (the Department's) spectrum auction of the 2596 to 2686 MHz frequency band, which is utilized by current MDS licensees, the Department converted various broadcasting certificates issued to these MDS undertakings to Broadband Radio Service (BRS) licences. A BRS licence issued by the Department allows an undertaking to provide fixed, mobile, and/or broadcasting services. BRS licences are linked to assigned territories referred to as Tiers. All BRS licences are assigned "Tier 3s" with the exception of those located in the Northwest Territories, Yukon, and Nunavut, which are assigned "Tier 4s."
3. As part of its process, the Department reduced the assigned spectrum for MDS licensees by one third. As a result, an MDS licensee with capacity to distribute 15 analog signals will have its analog signal capacity reduced from 15 to 10 channels.

New licensing regime beginning 1 September 2011

4. A BRS licensee, as licensed by the Department, that chooses to offer broadcasting services must either meet all criteria in the Commission's *Exemption Order for terrestrial broadcasting distribution undertakings serving fewer than 20,000 subscribers* set out in Broadcasting Order 2009-544 (the BDU Exemption Order), including any subsequent amendment to this Order, or obtain a licence from the Commission.
5. The Commission notes that, with the exception of Câblevision TRP-SDM inc. in Rimouski, Quebec, all currently licensed MDS undertakings¹ will cease to offer broadcasting services on 31 August 2011. The licences for those undertakings will simply lapse on that date.
6. On a going-forward basis, the Commission adopts the licensing regime set out below.
 - The Commission will no longer issue MDS licences.
 - Any Department of Industry BRS licensee that requires a CRTC licence because it chooses to offer broadcasting services but does not meet all criteria set out in the BDU Exemption Order will need to apply for a standard BDU licence.
 - Unlike current MDS undertakings, a BRS licensee that requires a BDU licence will be subject to all standard requirements, including those for carriage of services, set out in the *Broadcasting Distribution Regulations*.
7. As noted above, BRS licensees have designated tier(s) assigned to their licences issued by the Department. Accordingly, in those cases where a BRS licensee requires a BDU licence from the Commission, the service area approved in the BDU licence will not exceed the assigned BRS licence tier(s).
8. The Commission has revised its application forms to include a BDU licence linked to a BRS licensee accordingly.

Câblevision TRP-SDM inc.'s licence

9. Câblevision TRP-SDM inc. in Rimouski, Quebec is the only MDS licensee that will operate beyond 31 August 2011. This licensee has obtained an interim spectrum authority from the Department to continue to use the one-third portion of previously assigned spectrum that must be returned, until the spectrum auction takes place. The Department has indicated that it will extend the licensee's broadcasting certificate on that basis.

¹ These undertakings include those operated by YourLink Incorporated in Regina and Saskatoon, Saskatchewan and by Val Gagné Communications Association in Monteith/Val Gagné, Ontario.

10. Therefore, in Broadcasting Decision 2011-478, also issued today, the Commission has administratively renewed the MDS licence of Câblevision TRP-SDM inc. in Rimouski, Quebec. However, should Câblevision TRP-SDM inc. decide to continue offering broadcasting services beyond 31 August 2013, it will be required to operate under the new licensing regime as set out in this Information Bulletin. A BDU licence application must be filed with the Commission at least 6 months prior to the expiration of the current licence.
11. The Commission notes, however, that pursuant to section 22 of the *Broadcasting Act*, Câblevision TRP-SDM inc.'s licence will cease to have any force or effect if the broadcasting certificate issued by the Department lapses. Secretary General

Related documents

- *Câblevision TRP-SDM inc. – Administrative renewal*, Broadcasting Decision CRTC 2011-478, 9 August 2011
- *Exemption Order for terrestrial broadcasting distribution undertakings serving fewer than 20,000 subscribers*, Broadcasting Order CRTC 2009-544, 31 August 2009