



Broadcasting Decision CRTC 2011-483

PDF version

Route reference: 2011-55

Additional reference: 2011-55-2

Ottawa, 10 August 2011

Shaw Television G.P. Inc. (the general partner) and 7509014 Canada Inc. (the limited partner), carrying on business as Shaw Television Limited Partnership

Across Canada

Application 2010-1770-8, received 6 December 2010

Public hearing in the National Capital Region

5 April 2011

Shaw Media Sports – Category C service

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

The application

1. Shaw Television G.P. Inc. (the general partner) and 7509014 Canada Inc. (the limited partner), carrying on business as Shaw Television Limited Partnership (Shaw) filed an application for a broadcasting licence to operate Shaw Media Sports, a national, English-language specialty Category 2 service.
2. In Broadcasting Regulatory Policy 2009-562, the Commission stated that, until the regulatory revisions required to fully implement the policies set out in Broadcasting Public Notice 2008-100 come into effect, new entrants to the competitive mainstream sports services genre would be licensed as Category 2 services. In Broadcasting Notice of Consultation 2010-931, the Commission proposed regulatory revisions whereby competitive Canadian mainstream sports and national news specialty services would be designated as Category C services. Accordingly, after the regulatory changes needed to implement Broadcasting Public Notice 2008-100 come into effect on 1 September 2011, such services will operate as Category C services.
3. Shaw is owned by Shaw Communications Inc.
4. The applicant stated that the application is in accordance with the Commission's regulatory framework for competitive mainstream sports services set out in Broadcasting Regulatory Policies 2009-562 and 2009-562-1, and that it would accept the standard conditions of licence for Category C services set out in Broadcasting Regulatory Policy 2009-562-1.

5. The Commission received interventions from individuals in opposition to this application, to which the applicant did not reply. After examination of the interventions, the Commission considers that these interventions do not raise any substantive issues in regard to the application. The public record for this proceeding can be found on the Commission's website at www.crtc.gc.ca under "Public Proceedings."

Commission's determinations

6. The Commission is satisfied that the application is in accordance with the Commission's regulatory framework for competitive mainstream sports services set out in Broadcasting Policies 2009-562 and 2009-562-1. Accordingly, the Commission **approves** the application by Shaw Television G.P. Inc. (the general partner) and 7509014 Canada Inc. (the limited partner), carrying on business as Shaw Television Limited Partnership, for a broadcasting licence to operate the national, English-language Category C service, Shaw Media Sports. The terms and **conditions of licence** are set out in the appendix to this decision.
7. As noted above, Shaw is owned by Shaw Communications Inc. To coincide with the renewal of the broadcasting licences of other services that share common ownership and that were recently renewed in Broadcasting Decision 2011-445, the Commission has set the licence term for this service at five years, to expire on 31 August 2016.

Reminder

8. The Commission reminds the applicant that the distribution of this service is subject to the requirements set out in the *Broadcasting Distribution Regulations*.

Secretary General

Related documents

- *Shaw Media Inc. – Group-based licence renewals*, Broadcasting Decision CRTC 2011-445, 27 July 2011
- *Call for comments on amendments to the Broadcasting Distribution Regulations*, Broadcasting Notice of Consultation CRTC 2010-931, 10 December 2010
- *Conditions of licence for competitive Canadian specialty services operating in the genres of mainstream sports and national news – Implementation of the Accessibility Policy and other matters*, Broadcasting Regulatory Policy CRTC 2009-562-1, 18 June 2010
- *Conditions of licence for competitive Canadian specialty services operating in the genres of mainstream sports and national news*, Broadcasting Regulatory Policy CRTC 2009-562, 4 September 2009
- *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services – Regulatory policy*, Broadcasting Public Notice CRTC 2008-100, 30 October 2008

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

Appendix to Broadcasting Decision CRTC 2011-483

Terms and conditions of licence for the Category C service Shaw Media Sports

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 take effect 1 September 2011 and expire 31 August 2016.

Conditions of licence

1. The licence will be subject to the conditions, expectations and encouragement set out in *Conditions of licence for competitive Canadian specialty services operating in the genres of mainstream sports and national news – Implementation of the Accessibility Policy and other matters*, Broadcasting Regulatory Policy CRTC 2009-562-1, 18 June 2010.
2. The broadcasting undertaking licensed hereby is designated as a Category C service.
3. In order to ensure that the licensee complies at all times with the *Direction to the CRTC (Ineligibility of non-Canadians)*, the licensee shall file, within 30 days of its execution, for the Commission's review, a copy of any programming supply agreement and/or licence or trademark agreement it has entered into with a non-Canadian party. In addition, the Commission may request any additional document(s) that could affect the control of the programming or management of the service.