



## Broadcasting Decision CRTC 2011-566

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Route reference: 2011-188

Ottawa, 2 September 2011

### **Stingray Digital Group Inc.**

Across Canada

*Application 2011-0339-0, received 16 February 2011*

*Public hearing in the National Capital Region*

*17 May 2011*

### **The Karaoke Channel Français – Specialty Category B service**

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

#### **The application**

1. Stingray Digital Group Inc. (Stingray) filed an application for a broadcasting licence to operate a national, French-language Category 2<sup>1</sup> specialty programming undertaking to be known as The Karaoke Channel Français. The programming would be devoted to karaoke music from a wide variety of music genres. The Commission did not receive any interventions in connection with this application.
2. Stingray is a private corporation owned by various shareholders and is controlled by its board of directors.
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: 8(a), 8(b), 8(c), 12, 13 and 14.
4. The applicant stated that the proposed service would consist of music video clips and programs produced exclusively for karaoke programming. As such, the applicant is of the view that it would not be convenient to limit to 10% of the broadcast month the amount of programming that may be drawn from program categories 8(b) and 8(c) combined pursuant to Broadcasting Public Notice 2008-100. Accordingly, the applicant proposed to offer multilingual programming based on the following proportions:

French: up to 100% of the broadcast week at the applicant's option;

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<sup>1</sup> As set out in Broadcasting Notice of Consultation 2008-100, as of 31 August 2011, Category 2 services have been renamed Category B services.

English: up to 25% of the broadcast week at the applicant's option;

other language(s): up to 10% of the broadcast week of any third-language karaoke programming at the applicant's option.

5. The applicant stated that it would accept the minimum levels of Canadian content established for music video specialty services.
6. The applicant proposes to offer a 3-D version of the service once it becomes readily available.
7. The applicant is prepared to accept and fulfill the standard conditions of licence set out in Broadcasting Regulatory Policy 2010-355. The Commission notes that these conditions of licence are now included in Broadcasting Regulatory Policy 2010-786-1.

### **Commission's determination**

8. The Commission is satisfied that the application complies with all applicable policies, terms and conditions, including those set out in Public Notice 2000-6, Broadcasting Public Notice 2008-100 and Broadcasting Regulatory Policies 2010-786 and 2010-786-1. Accordingly, the Commission **approves** the application by Stingray Digital Group Inc. for a broadcasting licence to operate the national, French-language specialty Category B service, The Karaoke Channel Français. The terms and **conditions of licence** are set out in the appendix to this decision.

### **Reminder**

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

Secretary General

### **Related documents**

- *Standard conditions of licence, expectations and encouragements for Category B pay and specialty services – Corrected Appendices 1 and 2*, Broadcasting Regulatory Policy CRTC 2010-786-1, 18 July 2011
- *Standard conditions of licence, expectations and encouragements for Category B pay and specialty services*, Broadcasting Regulatory Policy CRTC 2010-786, 25 October 2010
- *Implementation of Accessibility Policy with respect to new Category 2 pay and specialty services*, Broadcasting Regulatory Policy CRTC 2010-355, 8 June 2010

- *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services* – Regulatory policy, Broadcasting Public Notice CRTC 2008-100, 30 October 2008
- *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 2011-566

### Terms and conditions of licence for the specialty Category B service The Karaoke Channel Français

#### 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 will expire 31 August 2018.

#### 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 – Corrected Appendices 1 and 2*, Broadcasting Regulatory Policy CRTC 2010-786-1, 18 July 2011.
2. The licensee shall provide a national, French-language specialty Category B service devoted to karaoke music from a wide variety of music genres. The proposed service shall consist of music video clips and programs produced exclusively for karaoke programming.
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:
  - 8 (a) Music and dance other than music video programs or clips
  - (b) Music video clips
  - (c) Music video programs
  - 12 Interstitials
  - 13 Public service announcements
  - 14 Infomercials, promotional and corporate videos
4. The licensee shall offer multilingual programming based on the following proportions :

The licensee may expend at its discretion, up to 100% of the broadcast week to the French-language programming.

The licensee may expend at its discretion up to 25% of the broadcast week to programming in English.

The licensee may expend at its discretion up to 10% of the broadcast week to karaoke any programming in third languages. The licensee is prepared to accept the minimum levels of Canadian content established for music video specialty services.

5. The licensee is prepared to accept the minimum levels of Canadian content established for music video specialty services.
6. The licensee shall offer a 3-D version of the service once it becomes readily available.
7. The broadcasting undertaking licensed hereby is designated as a Category B service.

For the purpose of this condition of licence, the term “broadcast week” shall have the same meaning as that set out in the *Radio Regulations, 1986*.

“Music videos” will be known as “music video clips” and “Canadian music video clip” and shall have the same meaning as that set out in section V of Appendix I of *Certification for Canadian programs – A revised approach*, Public Notice CRTC 2000-42, 17 March 2000, as amended from time to time.