



Broadcasting Decision CRTC 2011-648

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Route reference: 2011-336

Ottawa, 14 October 2011

Astral Broadcasting Group Inc.
Across Canada

Application 2011-0336-6, received 4 February 2011
Public hearing in the National Capital Region
18 July 2011

TÉLÉ-VITESSE – Specialty Category B service

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

The application

1. Astral Broadcasting Group Inc. (Astral) filed an application for a broadcasting licence to operate TÉLÉ-VITESSE, a national, French-language Category 2¹ specialty programming undertaking that would offer programming devoted to speed – on land, in water and in the air – and vehicles: automobiles, motorcycles, snowmobiles, trains, boats, planes and more. TÉLÉ-VITESSE would broadcast speed-related magazine programs, documentaries, dramas and reality television shows and on occasion speed sports competitions, as well as programs on vehicles and the technologies that make speed possible. The Commission received interventions in support of this application.
2. Astral is wholly owned and controlled by Astral Media Inc.
3. The applicant proposed to draw programming 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: 2(a), 2(b), 3, 5(b), 6(a), 6(b), 7(a), 7(b), 7(c), 7(d), 7(f), 7(g), 8(a), 8(b), 8(c), 9, 10, 11,² 12, 13 and 14.

¹ As set out in Broadcasting Regulatory Policy 2011-455, as of 1 September 2011 Category 2 services have been renamed Category B services.

² In Broadcasting Regulatory Policy 2011-401, the Commission formally announced that it had amended program category 11 to add a new category, 11(b) Reality television. Consistent with this change, the Commission has added an authorization to broadcast programming from both 11(a) General entertainment and human interest and the new 11(b) program category.

4. The applicant stated that it would devote, by condition of licence, no more than 10% of all programming broadcast to programs drawn from categories 2(b) and 7(d), as well as 8(b) and 8(c) combined, as set out in Broadcasting Public Notice 2008-100.

Commission's decision

5. 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 Astral Broadcasting Group Inc. for a broadcasting licence to operate the national, French-language specialty Category B service TÉLÉ-VITESSE. The terms and **conditions of licence** are set out in the appendix to this decision.

Reminder

6. 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

- *Amendments to the Broadcasting Distribution Regulations and other Commission Regulations*, Broadcasting Regulatory Policy CRTC 2011-455, 29 July 2011
- *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
- *Amendments to certain Regulations made under the Broadcasting Act to add a new program category “Reality television”*, Broadcasting Regulatory Policy CRTC 2011-401, 30 June 2011
- *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
- *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 2011-648

Terms and conditions of licence for the specialty Category B service TÉLÉ-VITESSE

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 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 that will offer programming devoted to speed – on land, in water and in the air – and vehicles: automobiles, motorcycles, snowmobiles, trains, boats, planes and more. TÉLÉ-VITESSE will air speed-related magazine programs, documentaries, dramas and reality television shows and on occasion speed sports competitions, as well as programs on vehicles and the technologies that make speed possible.
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:
 - 2 (a) Analysis and interpretation
(b) Long-form documentary
 - 3 Reporting and actualities
 - 5 (b) Informal education/Recreation and leisure
 - 6 (a) Professional sports
(b) Amateur sports
 - 7 (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
 - (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 (a) General entertainment and human interest
 - (b) Reality television
 - 12 Interstitials
 - 13 Public service announcements
 - 14 Infomercials, promotional and corporate videos
4. The licensee shall devote no more than 10% of all programming broadcast during the broadcast month to programming drawn from each of program categories 2(b) and 7(d), as well as from program categories 8(b) and 8(c) combined.
5. The service approved hereby is designated as a Category B service.

For the purposes of the conditions of this licence, *broadcast day* refers to the 24-hour period beginning each day at 4 a.m. or any other period approved by the Commission.