



## Broadcasting Decision CRTC 2011-718

PDF version

Route reference: 2011-427

Ottawa, 17 November 2011

**Bell Media Inc.**  
Across Canada

*Application 2011-0905-9, received 31 May 2011*  
*Public hearing in the National Capital Region*  
*19 September 2011*

### Discovery French – Specialty Category B service

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

#### The application

1. Bell Media Inc. (Bell) filed an application for a broadcasting licence to operate Discovery French, a national, French-language specialty Category B service that would be devoted to programming exploring scientific and technological discoveries, the environment, nature and human health. The Commission did not receive any interventions in connection with this application.
2. Bell is a wholly owned subsidiary of BCE 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: 1, 2(a), 2(b), 3, 4, 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(a), 11(b), 12, 13 and 14.
4. The applicant also proposed the following condition of licence:
  - Not more than 10% of the programming broadcast over the broadcast month shall be drawn from each of program categories 6(a), 7(d) and 7(e), as well as from program categories 8(b) and 8(c) combined.
5. The applicant noted that the proposed nature of service would be similar to the one for the specialty Category B service Sens, which is set out in Broadcasting Decision 2011-114.

## Commission's decision

6. As was the case in Broadcasting Decision 2011-114 dealing with the specialty Category B service Sens, the Commission considers that the nature of service definition proposed for Discovery French is sufficiently precise to ensure that the service is not directly competitive with Category A services and that it can be exempt for the standard limit which restricts programs from category 2b) to 10% of the broadcast month.
7. 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 Bell Media Inc. for a broadcasting licence to operate the national, French-language specialty Category B service Discovery French. The terms and **conditions of licence** are set out in the appendix to this decision.

## Reminder

8. 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
- *Sens – Category 2 specialty service*, Broadcasting Decision CRTC 2011-114, 21 February 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 2011-718

### Terms and conditions of licence for the specialty Category B service Discovery French

#### 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 devoted to programming exploring scientific and technological discoveries, the environment, nature and human health.
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
  - 4 Religion
  - 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 (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 6(a), 7(d) and 7(e), 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, including condition of licence 1, *broadcast day* means the period of up to 18 consecutive hours, beginning each day not earlier than six o'clock in the morning and ending no later than one o'clock in the morning of the following day, as selected by the licensee, or any other period approved by the Commission.