



## Broadcasting Decision CRTC 2011-781

PDF version

Route reference: 2011-427

Additional reference: 2011-427-1

Ottawa, 16 December 2011

### **Gordon Culley, on behalf of a corporation to be incorporated** Across Canada

*Application 2011-0667-5, received 14 April 2011*  
*Public hearing in the National Capital Region*  
*19 September 2011*

### **NewNext Channel – Specialty Category B service**

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

#### **The application**

1. Gordon Culley, on behalf of a corporation to be incorporated (Gordon Culley (OBCI)), filed an application for a broadcasting licence to operate NewNext Channel, a national, English-language Category 2<sup>1</sup> specialty programming undertaking that would showcase movie trailers from Canada and all over the world, along with interviews, and analysis and interpretation of upcoming movies, and have theatrical film movie trailers as its primary programming. The Commission received interventions in support of this application.
2. Gordon Culley (OBCI) will be owned and controlled by its sole shareholder and sole director, Mr. Gordon Culley.
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), 13 and 14.

#### **Commission's decision**

4. 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-

---

<sup>1</sup> As set out in Broadcasting Regulatory Policy 2011-455, as of 1 September 2011, Category 2 services are renamed Category B services.

786-1. Accordingly, the Commission **approves** the application by Gordon Culley, on behalf of a corporation to be incorporated, for a broadcasting licence to operate the national, English-language specialty Category B service, NewNext Channel. The terms and **conditions of licence** are set out in the appendix to this decision.

## Reminder

5. 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
- *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 2011-781

### Terms and conditions of licence for the specialty Category B service NewNext Channel

#### Terms

A licence will be issued once the applicant has satisfied the Commission with supporting documentation that the following requirements have been met:

- an eligible Canadian corporation has been incorporated in accordance with the application in all material respects;
- 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, English-language specialty Category B service that showcases movie trailers from Canada and all over the world, along with interviews, and analysis and interpretation of upcoming movies, and has theatrical film movie trailers as its primary 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:
  - 2 (a) Analysis and interpretation
  - 13 Public service announcements
  - 14 Infomercials, promotional and corporate videos
4. 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 6 a.m. or any other period approved by the Commission.