



## Broadcasting Decision CRTC 2011-785

PDF version

Route reference: 2011-427

Additional reference: 2011-427-1

Ottawa, 16 December 2011

### **Asian Television Network International Limited** Across Canada

*Application 2011-0774-8, received 2 May 2011*  
*Public hearing in the National Capital Region*  
*19 September 2011*

### **ATN Hindi Movie Channel 6 – Specialty Category B service**

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

#### **The application**

1. Asian Television Network International Limited (ATN) filed an application for a broadcasting licence to operate ATN Hindi Movie Channel 6, a national, niche third-language ethnic Category 2<sup>1</sup> specialty programming undertaking that would provide movies in the Hindi language and additional programming linked to the movies, including interviews with the stars, showcases on the movies' music, as well as discussions on the movies' production. The Commission did not receive any interventions in connection with this application.
2. ATN is controlled by Mr. Shan Chandrasekar.
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: 7(c), 7(d), 7(e), 7(g), 11,<sup>2</sup> and 13.
4. ATN proposed to broadcast no less than 90% of its programming in the Hindi language. Further, ATN requested that, of the 12 minutes of advertising material

---

<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.

<sup>2</sup> 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.

permitted during each clock hour, it be authorized to broadcast up to 6 minutes of local or regional advertising.<sup>3</sup>

### **Commission's analysis and decision**

5. After examining the public record for this application in light of applicable regulations and policies, the Commission considers that the issue it must address is the resemblance of the proposed service to other specialty Category B services licensed to ATN that have recently been approved by the Commission, and that have similar nature of service definitions and program categories.
6. In Broadcasting Decisions 2011-684, 2011-685 and 2011-686, the Commission approved applications by ATN for broadcasting licences to operate specialty Category B services to be known as ATN Hindi Movie Channel 3, ATN Hindi Movie Channel 4, and ATN Hindi Movie Channel 5, respectively. The Commission notes that the nature of service definition as well as the program categories from which ATN proposed to draw programming for the proposed ATN Hindi Movie Channel 6 are identical to those for the above-noted approved services.
7. In the Commission's view, there is no need to grant a licence to ATN for a specialty Category B service that is essentially identical to other services for which applications by ATN have been approved.
8. In light of the above, the Commission **denies** the application by Asian Television Network International Limited for a broadcasting licence to operate the national, niche third-language ethnic specialty Category B service ATN Hindi Movie Channel 6.
9. The Commission reminds the applicant that, under standard conditions of licence for Category B services, licensees are authorized to offer a "multiplexed" service, i.e., the same service over multiple channels, provided that its regulatory requirements are met for each of the channels on which the service is offered.

Secretary General

### **Related documents**

- *ATN Hindi Movie Channel 5 – Specialty Category B service*, Broadcasting Decision CRTC 2011-686, 4 November 2011
- *ATN Hindi Movie Channel 4 – Specialty Category B service*, Broadcasting Decision CRTC 2011-685, 4 November 2011

---

<sup>3</sup> "Local advertising" is advertising that does not fall within the definition of national or regional advertising, i.e., advertising to persons who provide goods or services in more than one market and/or province.

- *ATN Hindi Movie Channel 3 – Specialty Category B service*, Broadcasting Decision CRTC 2011-684, 4 November 2011
- *Amendments to the Broadcasting Distribution Regulations and other Commission Regulations*, Broadcasting Regulatory Policy CRTC 2011-455, 29 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