



Broadcasting Decision CRTC 2012-414

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Route reference: Part I application posted on 7 June 2012

Ottawa, 27 July 2012

Ontario Educational Communications Authority
Toronto, Ontario

Application 2012-0566-7

TVO (CICA-TV Toronto) – Licence amendment to remove all analog transmitters

*The Commission **approves** the application to amend the broadcasting licence for TVO (CICA-TV Toronto), which is operated by the Ontario Educational Communications Authority (OECA), in order to delete reference to all analog transmitters, effective 1 August 2012. The OECA plans to cease operation of these transmitters on 31 July 2012.*

The application

1. The Ontario Educational Communications Authority (OECA) filed an application requesting that all reference to analog transmitters (listed in the appendix to this decision as per the OECA's application on 9 May 2012) be removed from the TVO licence. The OECA plans to cease operation of these transmitters on 31 July 2012.

Interventions

2. The Commission received interventions from individuals that either opposed or commented on the OECA's plans to cease transmitting TVO's signal in analog.
3. A number of interveners described the importance of the station's programming to keeping the citizens of Ontario well-informed and submitted that cable, satellite or Internet services were either not available or not affordable for many residents of the communities where TVO's analog transmitters would be shut down. Some interveners also expressed the view that it was inequitable to deny free public access to TVO when taxpayers already contribute to its funding.
4. In addition, a number of interveners proposed alternative solutions to avert either the shutdown of the analog transmitters or the loss of TVO's signal in affected communities, including the availability of sub-channel carriage arrangements with licensees of digital transmitters currently serving these communities.

Applicant's reply

5. In its reply, the OECA indicated that it must reduce its dependence on government funding and that it did not have the means to make further expenditures on digital over-the-air (OTA) conversions or to sustain the operation of its analog OTA transmitters.
6. The OECA also noted the availability of alternatives for receiving its station's signal, such as a subscription to services provided by a terrestrial broadcasting distribution undertaking or a direct-to-home satellite distribution undertaking, as well as Shaw Direct TV's Local Television Satellite Solution (LTSS), which will include TVO's signal as part of its free basic service as of 1 August 2012.
7. In response to the alternative solutions proposed by interveners that requested continued OTA service, the OECA replied that given the small number of viewers affected and the alternatives already available, it would be more prudent to direct its limited financial resources to programming.

Commission's analysis and decision

8. The Commission has considered the comments submitted in response to this application and notes the concerns expressed by the parties regarding the availability of the TVO service.
9. The Commission also notes that licences, such as the one held by the OECA, are authorizations to broadcast, but do not convey an obligation to do so. In other words, while the Commission has the discretion to refuse to amend broadcasting licences, even on application from a licensee, it cannot direct the OECA or any other broadcaster to continue to operate its station or transmitters.
10. The Commission further notes the availability of alternatives, including a free basic service provided by Shaw Direct TV as part the LTSS that will include TVO as of 1 August 2012. Specifically, as part of the decision authorizing Shaw to purchase the television assets of Canwest Global,¹ the Commission permitted Shaw to allocate some of its tangible benefits to the provision of free local or regional services and the necessary satellite receiving equipment and installation services for households that no longer have access to over-the-air stations as a result of the digital transition. The LTSS has been extended to 30 November 2012 with monies earmarked to implement a marketing campaign in local media in affected markets.
11. In light of the above, the Commission **approves** the application by the Ontario Educational Communications Authority to amend TVO's broadcasting licence in order to delete all reference to the analog transmitters listed in the appendix to this decision. This amendment is effective 1 August 2012.

¹ *Change in the effective control of Canwest Global Communications Corp.'s licensed broadcasting subsidiaries*, Broadcasting Decision CRTC 2010-782, 22 October 2010.

Secretary General

**This decision is to be appended to the licence.*

Appendix to Broadcasting Decision CRTC 2012-414

Analog low-powered relay television transmitters located in Ontario

Alberton	CICA-TV-56
Armstrong	CICO-TV-90
Barclay	CICO-TV-17
Barwick	CICA-TV-57
Batchawana Bay	CICO-TV-82
Beardmore	CICA-TV-82
Belle Vallee	CICA-TV-40
Bergland	CICA-TV-84
Brethour	CICE-TV-13
Bruce Mines	CICA-TV-43
Caramat	CICA-TV-72
Chamberlain Township	CICO-TV-83
Charlton	CICO-TV-21
Constance Lake	CICA-TV-20
Dack Township	CICO-TV-65
Desbarats	CICO-TV-66
Devlin	CICA-TV-62
Dobie	CICA-TV-33
Dymond Township	CICO-TV-31
Eagle River	CICA-TV-88
Earlton	CICA-TV-34
Emo	CICA-TV-76
Englehart	CICA-TV-36

Evansville	CICE-TV-20
Evanturel	CICO-TV-67
Fauquier	CICA-TV-92
Fort Hope Indian Reserve	CICA-TV-25
Gore Bay	CICA-TV-21
Goulais River	CICO-TV-77
Gull Bay Indian Reserve	CICO-TV-47
Hanbury (Harley)	CICA-TV-41
Harty	CICA-TV-93
Hilliardton	CICA-TV-4
Hilton Beach	CICA-TV-5
Hudson	CICA-TV-89
Hudson Township	CICA-TV-15
Ignace	CICA-TV-26
Jellicoe	CICA-TV-81
Kaboni	CICE-TV-23
Kagawong	CICA-TV-16
Karalash Corners	CICO-TV-84
Kasabonika Indian Reserve	CICA-TV-27
Kenogami Lake	CICO-TV-70
Kerns Township	CICO-TV-1
Killarney	CICO-TV-85
Kitigan	CICO-TV-43
Lac Ste-Thérèse	CICO-TV-2
Laird Township	CICO-TV-3

Larder Lake	CICA-TV-38
Latchford	CICA-TV-39
Lee Valley	CICO-TV-71
Little Current	CICA-TV-22
Longlac	CICA-TV-71
Mackenzie	CICE-TV-1
Manitowaning	CICA-TV-44
Massey	CICA-TV-53
Matachewan	CICA-TV-61
Mattice	CICA-TV-94
Michipicoten River	CICE-TV-2
Missanabie	CICO-TV-72
Moonbeam	CICA-TV-95
Moosonee	CICA-TV-91
Morson	CICA-TV-64
Nairn	CICO-TV-5
Nakina	CICA-TV-80
Nestor Falls	CICA-TV-79
Nipigon	CICA-TV-74
Opasatika	CICA-TV-96
Pays Plat	CICE-TV-15
Pearl	CICO-TV-56
Pic Mobert	CICO-TV-51
Pickle Lake	CICA-TV-75
Pinewood	CICA-TV-86

Rainy Lake Indian Reserve	CICO-TV-73
Rainy River	CICA-TV-77
Red Lake	CICO-TV-41
Redditt	CICA-TV-49
Richards Landing	CICO-TV-75
Rosspport	CICO-TV-58
Sandy Lake	CICA-TV-52
Searchmont	CICO-TV-8
Shakespeare Township	CICE-TV-7
Silver Water	CICO-TV-10
Sioux Lookout	CICA-TV-85
Sioux Narrows	CICA-TV-78
Tehkummah	CICO-TV-11
Temagami North	CICO-TV-12
Temagami	CICA-TV-19
Thessalon	CICA-TV-46
Thormloe	CICO-TV-13
Tobermory	CICO-TV-95
Val Cote	CICO-TV-14
Val Rita	CICA-TV-97
Vermillion Bay	CICA-TV-87
Virginiatown	CICA-TV-98
Wabigoon Lake Indian Reserve	CICE-TV-9
Walford	CICO-TV-44
Watten	CICO-TV-45

Weagamow	CICA-TV-99
Webequie	CICA-TV-28
Wharncliffe	CICO-TV-16
Whitefish Falls	CICA-TV-55
Wikwemikong	CICO-TV-63
Wild Goose	CICO-TV-94
Wunnummin Lake	CICA-TV-29

Analog medium- and high-powered transmitters located in Ontario

Hawkesbury	CICO-TV-96
Huntsville	CICA-TV-13
Kenora	CICO-TV-91
Kingston	CICO-TV-38
McArthur Mills/Bancroft	CICO-TV-93
North Bay	CICA-TV-6
Owen Sound	CICA-TV-12
Parry Sound	CICE-TV-11
Pembroke	CICE-TV-16
Penetanguishene	CICA-TV-51
Peterborough	CICO-TV-74
Sault Ste Marie	CICO-TV-20
Sudbury	CICO-TV-19
Timmins	CICA-TV-7