



Broadcasting Notice of Consultation CRTC 2012-65

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Ottawa, 31 January 2012

Call for comments on a proposed amendment to the definition of “broadcast day” in the standard conditions of licence for competitive mainstream sports specialty services

*The Commission calls for comments on a proposed amendment to the definition of “broadcast day” applicable to the standard conditions of licence for competitive mainstream sports specialty services. The amendment would allow licensees of specialty Category C services operating in the mainstream sports genre to choose between an 18- or a 24-hour broadcast day. The deadline for comments is **6 March 2012**.*

Introduction

1. Bell Media Inc. (Bell) requested an amendment to the definition of “broadcast day” applicable to the standard conditions of licence for competitive mainstream sports specialty services, as set out in *Conditions of licence for competitive Canadian specialty services operating in the genres of mainstream sports and national news – Implementation of the Accessibility Policy and other matters*, Broadcasting Regulatory Policy CRTC 2009-562-1, 18 June 2010. Specifically, for the purposes of these conditions, “broadcast day” is defined as having the same meaning as that set out in the *Television Broadcasting Regulations, 1987*, which is “the period of up to 18 consecutive hours, beginning each day not earlier than six o’clock in the morning and ending not later than one o’clock in the morning of the following day, as selected by the licensee.”
2. Bell proposed that the above-noted definition be amended to allow licensees of specialty Category C services operating in the mainstream sports genre to choose between an 18- or a 24-hour broadcast day, as is permitted for licensees of specialty Category B services. Bell indicated that if this request was approved, it intended to file applications to amend the licences for its specialty Category C services Le Réseau des sports (RDS) and The Sports Network (TSN) to adopt a 24-hour broadcast day.
3. In support of its proposal, Bell argued that Category C services should be accorded the same flexibility as Category B services. Bell also noted that services such as RDS and TSN offer a high level of live programming, the start times or program lengths of which are difficult to predict. Bell submitted that restricting these services to an 18-hour day was a disincentive to investing in and broadcasting live Canadian programming. For example, under the existing rules coverage of high-profile sporting events such as the 2012 Olympics could result, according to Bell, in RDS and TSN’s only being able to claim partial Canadian content hours due to differences in corresponding start times between events. More specifically, Bell submitted that the

proposed amendment would provide these licensees with the scheduling flexibility required to accommodate live programming based in Western time zones, an issue that affects mainstream sports services throughout the broadcast year. Bell further argued that its proposal would allow licensees to maximize potential revenue opportunities, which in turn would result in more programming dollars being returned to the Canadian broadcasting system.

Call for comments

4. The Commission calls for comments on the proposed amendment to the definition of “broadcast day” applicable to the standard conditions of licence for competitive mainstream sports specialty services. The Commission will accept comments that it receives on or before **6 March 2012**.

Procedure

5. The new *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure*, SOR/2010-277 (the Rules of Procedure), set out, among other things, the rules for content, format, filing and service of interventions, the procedure for filing confidential information and requesting its disclosure, and the conduct of the public hearing. Accordingly, the procedure set out below must be read in conjunction with the Rules of Procedure and its accompanying documents, which can be found on the Commission’s website under “CRTC Rules of Practice and Procedure.”
6. In accordance with the Rules of Procedure, a document must be filed with, not merely sent to, the Commission by 5 p.m. Vancouver time (8 p.m. Ottawa time) on the date it is due. The Commission takes no responsibility for postal delays and will not notify a party whose submission is received after the deadline date. Late submissions will not be considered by the Commission and will not be made part of the public file.
7. Submissions must be filed by sending them to the Secretary General of the Commission by **only one** of the following means:

by using the
[\[Intervention/comment/answer form\]](#)

or

by mail to
CRTC, Ottawa, Ontario K1A 0N2

or

by fax at
819-994-0218

8. Submissions longer than five pages should include a summary.

9. Each paragraph of the submission should be numbered. In addition, where the intervention is filed by electronic means, the line *****End of document***** should be entered following the last paragraph of the document, as an indication that the document has not been altered during electronic transmission.

Important notice

10. All information that parties provide as part of this public process, except information designated confidential, whether sent by postal mail, facsimile, e-mail or through the Commission's website at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's website. This information includes personal information, such as full names, e-mail addresses, postal/street addresses, telephone and facsimile numbers, and any other personal information parties provide.
11. The personal information that parties provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.
12. Documents received electronically or otherwise will be put on the Commission's website in their entirety exactly as received, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.
13. The information that parties provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the web page of this particular public process. As a result, a general search of the Commission's website with the help of either its own search engine or a third-party search engine will not provide access to the information that was provided as part of this public process.
14. The Commission encourages parties and interested persons to monitor the record of the proceeding, available on the Commission's website, for additional information that they may find useful when preparing their submissions.

Examination of documents

15. A list of all interventions will also be available on the Commission's website. The list is accessible by selecting "View all proceedings open for comment" from the "Public Proceedings" section of the Commission's website and clicking on the "Interventions/Answers" link associated with this notice.
16. The public may examine public interventions and related documents at the following Commission offices during normal business hours.

Location of Commission offices

Toll-free telephone: 1-877-249-2782

Toll-free TDD: 1-877-909-2782

Les Terrasses de la Chaudière
Central Building
1 Promenade du Portage, Room 206
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Fax: 819-994-0218

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