



## Broadcasting Decision CRTC 2013-249

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Route reference: Part 1 application posted on 12 February 2013

Ottawa, 17 May 2013

**2953285 Canada Inc.**

Toronto, Ontario

*Application 2013-0297-6*

### Discovery World HD – Licence amendments

*The Commission **approves** an application by 2953285 Canada Inc. to add program categories to the list of categories from which it may draw programming for broadcast on the English-language specialty Category B service Discovery World HD. The Commission also imposes **conditions of licence** relating to standard limitations on the amount of programming that can be drawn from certain program categories each broadcast month.*

#### The application

1. 2953285 Canada Inc. (2953285 Canada) filed an application to add the following program categories to the list of categories<sup>1</sup> from which it may draw programming for broadcast on the English-language specialty Category B service Discovery World HD (formerly Discovery HD):
  - 4 Religion
  - 6 (a) Professional sports
  - (b) Amateur sports
  - 8 (a) Music and dance other than music video programs or clips
  - (b) Music video clips
  - (c) Music video programs
  - 9 Variety
2. In *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services – Regulatory Policy, Broadcasting Public Notice CRTC 2008-100, 30 October 2008* (Broadcasting Public Notice 2008-100), the Commission established standard limitations on the amount of programming that can be drawn from certain program categories during each broadcast month. In this regard, the applicant stated that Discovery World HD's nature of service along with the standard limitations of 10% of the broadcast month for programming drawn from

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<sup>1</sup> The full list of program categories is set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*.

program category 6(a) and from program categories 8(b) and 8(c) combined would ensure that the service does not become competitive with any existing Category A service.

3. The Commission did not receive any interventions in connection with this application.

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

4. After examining the application in light of applicable regulations and policies, the Commission considers that the issue it must address is whether the addition of the above-noted program categories is consistent with Discovery World HD's nature of service and the applicable Commission policies.
5. Consistent with Broadcasting Public Notice 2008-100, the Commission considers that Discovery World HD's nature of service along with the standard limitations of 10% per broadcast month for programming drawn from program category 6(a) and from program categories 8(b) and 8(c) combined are sufficient to ensure that it does not become competitive with any existing Category A service.

### **Conclusion**

6. In light of the above, the Commission **approves** the application by 2953285 Canada Inc. to amend the broadcasting licence for the English-language specialty Category B service Discovery World HD to add program categories to the list of categories from which it may draw programming for broadcast on the service. The service's **condition of licence 2(b)** shall now read as follows:

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 preschool  
(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, improvisations, unscripted work, 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 Games shows
  - 11 (a) General entertainment and human interest
  - (b) Reality television
  - 12 Interstitials
  - 13 Public service announcements
  - 14 Infomercials, promotional and corporate videos
7. Further, consistent with Broadcasting Public Notice 2008-100, the Commission imposes the following **conditions of licence 2(d) and 2(e)**:
- d) The licensee shall devote not more than 10% of all programming broadcast during the broadcast month to programming drawn from program category 6(a).
  - e) The licensee shall devote not more than 10% of all programming broadcast during the broadcast month to programming drawn from program categories 8(b) and 8(c) combined.
8. The Commission reminds 2953285 Canada that the onus lies on it, as the licensee of Discovery World HD, to ensure that all the programming broadcast on its service is consistent with its nature of service.

Secretary General

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