



## Broadcasting Decision CRTC 2013-392

PDF version

Route reference: 2013-19

Additional references: 2013-19-1, 2013-19-3 and 2013-19-4

Ottawa, 8 August 2013

### **The Natural Resources Television Channel (IDRN-TV/IDNR-TV) Inc. Across Canada**

*Application 2012-1086-4, received 30 August 2012  
Public hearing in the National Capital Region  
23 April 2013*

### **The Natural Resources Television Channel – Licence renewal**

*The Commission **renews** the broadcasting licence for the national, English- and French-language specialty Category B service The National Resources Television Channel from 1 September 2013 to 31 August 2020.*

*The Commission **denies** the licensee's request for exceptions to requirements relating to the provision of audio description and closed captioning.*

*The terms and **conditions of licence** are set out in the appendix to this decision.*

### **The application**

1. The Natural Resources Television Channel (IDRN-TV/IDNR-TV) Inc. (IDNR-TV), a for-profit organization, filed an application to renew the broadcasting licence for the national, English- and French-language Category 2 specialty programming undertaking<sup>1</sup> The Natural Resources Television Channel, which expires 31 August 2013.<sup>2</sup> This service offers programming focusing on the field of natural resources, with programs dedicated to the workers in this industry, the analysis and interpretation of related federal and provincial legislation and programs, the promotion of Canadian expertise and technologies, relations with Aboriginal peoples, and financial services and markets in the field of natural resources.
2. The licensee also requested mandatory distribution of the service on the basic service of Canadian cable and satellite providers, pursuant to an order issued under

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<sup>1</sup> As set out in Broadcasting Public Notice 2008-100, effective 31 August 2011, Category 2 services were renamed Category B services.

<sup>2</sup> The broadcasting licence for this undertaking was administratively renewed until 31 August 2013 as a result of Broadcasting Decision 2011-417.

section 9(1)(h) of the *Broadcasting Act*. This request was denied in Broadcasting Regulatory Policy 2013-372, also issued today.

3. The Commission received interventions commenting on this application, and notes that it did not receive any interventions in opposition to the licence renewal request. The public record for this application is available on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) under "Public Proceedings."
4. In its application, IDNR-TV proposed to operate the service under the same terms and conditions as those set out in the current licence. It stated, however, that should the Commission deny its request for mandatory distribution, it would, due to financial hardship, request exceptions to requirements relating to the following:
  - the closed captioning of English- and French-language programs; and
  - audio description of Canadian information programs, including news programming.

### **Commission's analysis and decisions**

5. After examining the licence renewal application in light of applicable regulations and policies, the Commission considers that the issues it must address are the following:
  - the licensee's request for exceptions to requirements relating to audio description and closed captioning; and
  - the possible eligibility of the service for exemption.

### **Request for exceptions to requirements relating to audio description and closed captioning**

6. In its Accessibility Policy (see Broadcasting and Telecom Regulatory Policy 2009-430), the Commission indicated that solutions to the problems of the provision and quality of audio description do not require significant resources. Rather, solutions to such problems require sensitivity on the part of program producers and hosts when referring to key on-screen information, such as phone numbers, weather data, sports scores and financial information. The Commission notes that no information was provided by IDNR-TV to support an exception to the requirement to provide audio description.
7. In its 2007 Closed Captioning Policy (see Broadcasting Public Notice 2007-54), the Commission indicated that the standard condition of licence would be applied unless the applicant provides specific and detailed supporting evidence, including financial information, to demonstrate that a modification or exception is appropriate. While some information was submitted by the applicant pertaining to (i) closed captioning costs in relation to average annual revenues, (ii) the number of hours of original programming, and (iii) the closed captioning of its acquired programming, the

Commission does not consider this information to be sufficiently detailed or substantiated to justify an exception to all closed captioning requirements.

8. In light of the above, the Commission **denies** IDNR-TV's request for exceptions to the requirements relating to the provision of audio description and closed captioning.

#### **Possible eligibility of the service for exemption**

9. In Broadcasting Order 2012-689, the Commission issued a new exemption order respecting certain programming undertakings that would otherwise be eligible to be operated as Category B services. That exemption order applies to specialty Category B services that serve no more than 200,000 subscribers and that elect to operate under any one of the approved natures of service set out in any of the Commission's licensing decisions for Category 2 or Category B services. An undertaking that meets the eligibility criteria set out in that order may begin operation under that order at any time immediately following registration of its service with the Commission.
10. The Commission notes that The Natural Resources Television Channel is eligible to operate under the exemption order set out in Broadcasting Order 2012-689, using its own or another approved nature of service. The Commission therefore encourages IDNR-TV to exempt its specialty Category B service by registering its service with the Commission by using the secured service "[My CRTC Account \(Partner Log In or GCKey\)](#)" and filling out form 305 using the process outlined at [http://www.crtc.gc.ca/eng/forms/form\\_202.htm](http://www.crtc.gc.ca/eng/forms/form_202.htm).

#### **Conclusion**

11. The Commission **renews** the broadcasting licence for the specialty Category B service The Natural Resources Television Channel from 1 September 2013 to 31 August 2020. The terms and **conditions of licence** are set out in the appendix to this decision.

#### **Program logs**

12. Section 7(2) of the *Speciality Service Regulations, 1990* states that except as otherwise provided under a condition of its licence, a licensee shall furnish to the Commission, within 30 days after the end of each month, the program log or machine-readable record of its programming for the month.
13. The Commission reminds IDNR-TV that pursuant to these regulations, the logs shall at all times be kept in an acceptable form, which means that they must be accurate, exact and precise.
14. The Commission will provide an annual assessment of the licensee's compliance with its regulatory requirements. This evaluation will be sent to the licensee before the end of the broadcast year following the year being evaluated. This will allow the licensee to verify that it is in compliance with its requirements for the year being evaluated.

15. It is important that IDNR-TV ensure that its program logs are accurate throughout the year because the Commission will not re-evaluate the licensee's compliance for the year in question.

Secretary General

**Related documents**

- *Applications for mandatory distribution on cable and satellite under section 9(1)(h) of the Broadcasting Act, Broadcasting Regulatory Policy CRTC 2013-372, 8 August 2013*
- *New exemption order respecting certain programming undertakings that would otherwise be eligible to be operated as Category B services and amendments to the Exemption order respecting certain third-language television undertakings, Broadcasting Order CRTC 2012-689, 19 December 2012*
- *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*
- *Administrative renewals, Broadcasting Decision CRTC 2011-417, 12 July 2011*
- *Accessibility of telecommunications and broadcasting services, Broadcasting and Telecom Regulatory Policy CRTC 2009-430, 21 July 2009*
- *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services – Regulatory policy, Broadcasting Public Notice CRTC 2008-100, 30 October 2008*
- *A new policy with respect to closed captioning, Broadcasting Public Notice CRTC 2007-54, 17 May 2007*

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

## Appendix to Broadcasting Decision CRTC 2013-392

### Terms, conditions of licence, expectations and encouragements for The Natural Resources Television Channel

#### Terms

The licence will take effect 1 September 2013 and expire 31 August 2020.

#### Conditions of licence

1. The licensee shall adhere to the conditions of licence set out in Appendix 1 to *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, as amended from time to time.
2. In regard to the nature of service:
  - (a) The licensee shall provide a national, English- and French-language specialty Category B service offering programming focusing on the field of natural resources. The programs will be dedicated to the workers in this industry, the analysis and interpretation of related federal and provincial legislation and programs, the promotion of Canadian expertise and technologies, relations with Aboriginal peoples, and financial services and markets in the field of natural resources.
  - (b) The programming shall be drawn 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
    - 5 (a) Formal education and pre-school  
(b) Informal education/Recreation and leisure
    - 7 (c) Specials, mini-series or made-for-TV feature films  
(d) Theatrical feature films aired on TV
    - 12 Interstitials
    - 14 Infomercials, promotional and corporate videos
  - (c) The licensee shall devote not more than 20% of all programming broadcast during the broadcast week to programming drawn from program category 7(d).
  - (d) The licensee shall devote not more than 25% of all programming broadcast during the broadcast week to programs on financial services and markets.
  - (e) The licensee shall devote not more than 25% of all programming broadcast during the broadcast week to programs on Aboriginal peoples.

3. The broadcasting undertaking licensed hereby is designated as a Category B service.

### **Expectations**

The standard expectations applicable to this licensee are set out in Appendix 1 to *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, as amended from time to time.

### **Encouragements**

The standard encouragements applicable to this licensee are set out in Appendix 1 to *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, as amended from time to time.