



Broadcasting Decision CRTC 2013-66

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Route reference: 2012-475

Ottawa, 20 February 2013

Stingray Digital Group Inc.

Across Canada

Application 2012-0697-0, received 14 May 2012

Public hearing in the National Capital Region

7 November 2012

The Seasonal Channel – Specialty Category B service

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

The application

1. Stingray Digital Group Inc. (Stingray) filed an application for a broadcasting licence to operate The Seasonal Channel, a national, niche, no spoken word specialty Category B service that would feature still pictures and moving video of nature scenes with appropriate music that would change based upon the season to create a soothing video environment. The Commission did not receive any interventions in connection with this application.
2. Stingray is a private corporation owned by various shareholders and controlled by its board of directors.
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: 8(a), 11(a) and 12. The applicant indicated that the service would not broadcast any music videos, and that programming drawn from program category 12 Interstitials would constitute 5% of the programming broadcast by the service.

Commission's decision

4. The Commission is satisfied that the application complies with all applicable policies, terms and conditions, including those set out in Public Notice 2000-6, Broadcasting Public Notice 2008-100, and Broadcasting Regulatory Policies 2010-786 and 2010-786-1. Accordingly, the Commission **approves** the application by Stingray Digital Group Inc. for a broadcasting licence to operate the national, niche, no spoken

word specialty Category B service The Seasonal Channel. The terms and **conditions of licence** are set out in the appendix to this decision.

Reminder

5. The Commission reminds the applicant that distribution of this service is subject to the requirements set out in the *Broadcasting Distribution Regulations*.

Secretary General

Related documents

- *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
- *Standard conditions of licence, expectations and encouragements for Category B pay and specialty services*, Broadcasting Regulatory Policy CRTC 2010-786, 25 October 2010
- *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services – Regulatory policy*, Broadcasting Public Notice CRTC 2008-100, 30 October 2008
- *Licensing framework policy for new digital pay and specialty services*, Public Notice CRTC 2000-6, 13 January 2000

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

Appendix to Broadcasting Decision CRTC 2013-66

Terms, conditions of licence, expectations and encouragements for the specialty Category B service The Seasonal Channel

Terms

A licence will be issued once the applicant has satisfied the Commission with supporting documentation that the following requirements have been met:

- the applicant has entered into a distribution agreement with at least one licensed distributor; and
- the applicant has informed the Commission in writing that it is prepared to commence operations and has provided the Commission with a launch date for the service. The undertaking must be operational at the earliest possible date and in any event no later than 48 months from the date of this decision.

The licence will expire 31 August 2019.

Conditions of licence

1. The licensee shall adhere to the conditions 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.
2. In regard to the nature of service:
 - (a) The licensee shall provide a national, niche, no spoken word specialty Category B service featuring still pictures and moving video of nature scenes with appropriate music that would change based upon the season to create a soothing video environment.
 - (b) 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:
 - 8 (a) Music and dance other than music video programs or clips
 - 11 (a) General entertainment and human interest
 - 12 Interstitials
3. The service approved hereby is designated as a Category B service.

For the purposes of the conditions of this licence, “broadcast day” refers to the 24-hour period beginning each day at 6 a.m. or any other period approved by the Commission.

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.