



Broadcasting Decision CRTC 2015-371

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Reference: 2015-69

Ottawa, 13 August 2015

AEBC Internet Corp.

Various locations in Ontario

Application 2014-1326-0, received on 16 December 2014

Hastings Cable Vision Limited

Various locations in Ontario and Quebec

Applications 2014-1245-2 and 2014-1285-8, received on 3 December 2014

Public hearing in the National Capital Region

30 April 2015

Regional broadcasting licences for terrestrial broadcasting distribution undertakings to serve various locations in Ontario and Quebec

*The Commission **denies** applications by AEBC Internet Corp. and Hastings Cable Vision Limited for regional broadcasting licences to operate terrestrial broadcasting distribution undertakings (BDUs) to serve various locations in Ontario and Quebec.*

Based on the information provided in their applications, AEBC Internet Corp.'s and Hastings Cable Vision Limited's proposed BDUs will be eligible to operate under the revised Exemption order for terrestrial BDUs with fewer than 20,000 subscribers. The Commission will add the undertakings to the list of registered exempt BDUs once AEBC Internet Corp. and Hastings Cable Vision Limited notify the Commission that they are ready to commence operations. Thereafter, AEBC Internet Corp. and Hastings Cable Vision Limited may begin operating the BDUs listed in this decision under the terms and conditions set out in Broadcasting Order 2014-445 or in the revised Exemption order for terrestrial BDUs with fewer than 20,000 subscribers.

Applications

1. AEBC Internet Corp. and Hastings Cable Vision Limited filed applications for regional broadcasting licences to operate terrestrial broadcasting distribution undertakings (BDUs) to serve the locations listed in the table below.

2. The applicants requested authorization to distribute, as part of the basic service, the U.S. 4+1¹ signals listed in the table below, or alternatively for each signal, the signal of a different affiliate of the same network located in the same time zone as that of the licensed area and included on the *List of non-Canadian programming services and stations authorized for distribution*.

Licensee	Locations	U.S. 4+1 signals
AEBC Internet Corp.	Greater Toronto, Ottawa, Hamilton, London, Kitchener-Cambridge-Waterloo, St. Catharines-Niagara, Oshawa, Windsor, Barrie, Kingston, Guelph, Brantford, Thunder Bay, Peterborough, Sudbury, Sault Ste. Marie, Cornwall, North Bay and their surrounding areas, Ontario	WXYZ-TV (ABC), WWJ-TV (CBS) and WDIV-TV (NBC) Detroit, Michigan; and WUHF-TV (FOX) Rochester and WNED-TV (PBS) Buffalo, New York
Hastings Cable Vision Limited	Kitchener-London-Stratford-St. Marys, Sarnia-Windsor, Sault Ste. Marie, Sudbury, Thunder Bay and their surrounding areas, Ontario	WWJ-HD (CBS), WDIV-HD (NBC), WXYZ-HD (ABC) and WJBK-DT (FOX) Detroit, Michigan; and WQLN (PBS) Erie, Pennsylvania
Hastings Cable Vision Limited	Greater Toronto, Hamilton-Niagara, Oshawa-Peterborough and their surrounding areas, Ontario	WIVB-TV (CBS), WGRZ-HD (NBC), WKBW-HD (ABC), WUTV-HD (FOX) and WNED-HD (PBS) Buffalo, New York
Hastings Cable Vision Limited	Belleville-Kingston, Ottawa and their surrounding areas, Ontario	WCAX-HD (CBS), WVNY-HD (ABC) and WFFF-HD (FOX) Burlington, Vermont; and WPTZ-HD (NBC) Plattsburgh and WPBS-DT (PBS) Watertown, New York
Hastings Cable Vision Limited	Drummondville-Granby-Sherbrooke, Gatineau, Greater Montréal, Québec, Rimouski, Rivière-du-Loup, Rouyn-Noranda, Saguenay, Trois-Rivières, Val-d'Or and their surrounding areas, Quebec	WCAX-HD (CBS), WVNY-HD (ABC) and WFFF-HD (FOX) Burlington, Vermont; and WPTZ-HD (NBC) Plattsburgh and WPBS-DT (PBS) Watertown, New York

¹ This refers to the set of signals that provide the programming of the four U.S. commercial networks (CBS, NBC, ABC, FOX) and the non-commercial PBS network.

3. In addition, Hastings Cable Vision Limited requested authorization to distribute, in each of its proposed service areas, on a digital discretionary basis, the non-Canadian services WNYO and WNLO Buffalo, New York, or alternatively for each signal, the signal of a different affiliate of the same network located in the same time zone as that of the licensed area.
4. The Commission did not receive any interventions regarding these applications.

Commission's analysis and decisions

5. In Broadcasting Regulatory Policy 2015-96, the Commission determined that it would broaden the Exemption order for terrestrial BDUs with fewer than 20,000 subscribers to allow new BDUs to enter and compete in markets with licensed BDUs. In Broadcasting Notice of Consultation 2015-258, the Commission invited comments on proposed amendments to that order, which will put into effect the Commission's determinations set out in the above policy.
6. As a result of these amendments, any new terrestrial BDU that qualifies for exemption will be required to register and submit to the Commission the general information listed in the above notice no later than three months prior to commencing operations in a new service area. Moreover, upon launch of the service, the name of the BDU and the service area(s) will be added to the list of registered exempt BDUs posted on the Commission's website. The Commission expects programming services to negotiate affiliation agreements with these new BDUs in good faith during this transitional period.
7. Based on the information provided, the applicants' proposed BDUs will be eligible to operate under the above-noted order. For registration purposes, the Commission is satisfied with the information provided by AEBC Internet Corp. and Hastings Cable Vision Limited in their applications and will add their undertakings to the list of registered exempt BDUs once they notify the Commission that they are ready to commence operations. Thereafter, AEBC Internet Corp. and Hastings Cable Vision Limited may begin operating the BDUs listed in the table above under the terms and conditions set out in Broadcasting Order 2014-445 or in the revised Exemption order for terrestrial BDUs with fewer than 20,000 subscribers. However, they will be required to apply for a BDU licence once any of their undertakings reaches 20,000 subscribers.
8. In light of the above, the Commission **denies** the application by AEBC Internet Corp. for a regional broadcasting licence to operate terrestrial BDUs to serve the locations listed in the table above.
9. In addition, the Commission **denies** the applications by Hastings Cable Vision Limited for regional broadcasting licences to operate terrestrial BDUs to serve the locations listed in the table above.

Secretary General

Related documents

- *Call for comments on proposed amendments to the exemption order for terrestrial broadcasting distribution undertakings serving fewer than 20,000 subscribers*, Broadcasting Notice of Consultation CRTC 2015-258, 17 June 2015
- *A World of Choice – A roadmap to maximize choice for TV viewers and to foster a healthy, dynamic TV market*, Broadcasting Regulatory Policy CRTC 2015-96, 19 March 2015
- *Amendments to various regulations, the standard conditions of licence for video-on-demand undertakings and certain exemption orders – Provisions requiring the mandatory distribution of emergency alert messages*, Broadcasting Regulatory Policy CRTC 2014-444 and Broadcasting Orders CRTC 2014-445, 2014-446, 2014-447 and 2014-448, 29 August 2014