



Broadcasting Decision CRTC 2016-322

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Reference: Part 1 application posted on 24 May 2016

Ottawa, 10 August 2016

Newcap Inc.

Lloydminster and Bonnyville, Alberta

Application 2016-0510-7

CKSA-DT Lloydminster and its transmitter CKSA-TV-2 Bonnyville – Disaffiliation from the CBC English-language television network

*The Commission **approves** an application to disaffiliate the English-language conventional television station CKSA-DT Lloydminster and its transmitter CKSA-TV-2 Bonnyville from the English-language television network operated by the Canadian Broadcasting Corporation (CBC).*

The licensee's current affiliation agreement with the CBC will expire on 31 August 2016. CBC network-supplied programming will continue to be available through cable and direct-to-home satellite subscriptions.

Application

1. Newcap Inc. (Newcap) filed an application to disaffiliate its English-language conventional television station CKSA-DT Lloydminster, Alberta, and its transmitter CKSA-TV-2 Bonnyville from the Canadian Broadcasting Corporation (CBC) effective 31 August 2016.¹
2. Newcap indicated that it was notified by the CBC in its current affiliation agreement and in a letter dated 20 January 2015 that it would not continue an affiliation relationship beyond 31 August 2016. Newcap indicated that it therefore had no choice but to disaffiliate and seek alternative programming. It added that it intends to operate as an independent conventional television station and to source programming from another supplier.
3. The Commission did not receive any interventions regarding this application.

¹ The standard conditions of licence for conventional television stations set out in the appendix to *Standard conditions of licence, expectations and encouragements for conventional television stations*, Broadcasting Regulatory Policy CRTC 2011-442, 27 July 2011, state that a conventional television licensee shall not affiliate with or disaffiliate from any network operator without the prior written approval of the Commission.

Commission's analysis and decision

4. In regard to the availability of CBC programming, section 3(1)(m)(vii) of the *Broadcasting Act* states that the programming provided by the CBC should be made available throughout Canada by the most appropriate and efficient means and as resources become available for the purpose. The Commission considers that the responsibility to provide the CBC's services rests with the CBC, not with private broadcasters. In this respect, although the CBC's programming will no longer be available over-the-air in the affected markets following disaffiliation, it will remain available on the basic service provided by cable and satellite operators.
5. In light of all of the above, the Commission **approves** the application by Newcap Inc. to disaffiliate its English-language conventional television programming undertaking CKSA-DT Lloydminster and its transmitter CKSA-TV-2 Bonnyville from the CBC English-language television network effective 31 August 2016.

Secretary General

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