



## Broadcasting Notice of Consultation CRTC 2016-76

PDF version

Ottawa, 29 February 2016

### **Call for comments on a proposed amendment to the *General authorizations for broadcasting distribution undertakings* to authorize the distribution of CTV Two Atlantic as part of the basic service in the Atlantic provinces**

*The Commission calls for comments on an amendment to the general authorizations applicable to terrestrial and direct-to-home broadcasting distribution undertakings to authorize CTV Two Atlantic to be included as part of the basic service to subscribers in the Atlantic provinces, as an exception to sections 16.1 and 45.1 of the Broadcasting Distribution Regulations.*

*The deadline for the submission of comments is **31 March 2016**.*

#### **Introduction**

1. In Broadcasting Decision 2016-75, the Commission authorized Star Choice Television Network Incorporated to distribute CTV Two Atlantic as part of its basic service to subscribers in the Atlantic provinces. In that decision, the Commission also expressed the preliminary view that it would be appropriate to allow all broadcasting distribution undertakings (BDUs), including terrestrial and direct-to-home BDUs, to distribute CTV Two Atlantic on the basic service in the Atlantic provinces.
2. Sections 16.1 and 45.1 of the *Broadcasting Distribution Regulations* (the Regulations) limit the content of the basic service that BDUs can distribute to specified local television stations and certain other services. For BDUs to distribute CTV Two Atlantic as part of their basic service in the Atlantic provinces, they would require an exception to the Regulations.
3. Therefore, the Commission proposes to add the following to the *General authorizations for broadcasting distribution undertakings* (the latest version of which is published in Broadcasting Regulatory Policy 2015-380):

**Definitions.** The terms “**Atlantic provinces**,” “authorized non-Canadian programming service,” “**basic service**,” “Canadian programming service,” “high definition,” “non-Canadian programming service” and “standard definition” have the same meaning as that set out in the *Broadcasting Distribution Regulations* (the Regulations), as amended from time to time.

...

**7. As an exception to sections 16.1 and 45.1 of the *Broadcasting Distribution Regulations*, the licensee may distribute CTV Two Atlantic as part of the basic service offered to subscribers located in the Atlantic provinces.**

## Call for comments

4. In light of the above, the Commission calls for comments on the appropriateness of the amendment proposed above and the proposed wording. Comments should be limited to the addition of CTV Two Atlantic only. The Commission will accept interventions that it receives on or before **31 March 2016**.

## Procedure

5. The *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* (the Rules of Procedure) apply to the present proceeding. The Rules of Procedure set out, among other things, the rules for content, format, filing and service of interventions, answers, replies and requests for information; the procedure for filing confidential information and requesting its disclosure; and the conduct of public hearings. Accordingly, the procedure set out below must be read in conjunction with the Rules of Procedure and related documents, which can be found on the Commission's website under "[Statutes and Regulations](#)." The guidelines set out in Broadcasting and Telecom Information Bulletin 2010-959 provide information to help interested persons and parties understand the Rules of Procedure so that they can more effectively participate in Commission proceedings.
6. The Commission encourages interested persons and parties to monitor the record of the proceeding, available on the Commission's website, for additional information that they may find useful when preparing their submissions.
7. Submissions longer than five pages should include a summary. Each paragraph of all submissions should be numbered, and the line **\*\*\*End of document\*\*\*** should follow the last paragraph. This will help the Commission verify that the document has not been damaged during electronic transmission.
8. Pursuant to Broadcasting and Telecom Information Bulletin 2015-242, the Commission expects incorporated entities and associations, and encourages all Canadians, to file submissions for Commission proceedings in accessible formats (for example, text-based file formats that allow text to be enlarged or modified, or read by screen readers). To provide assistance in this regard, the Commission has posted on its website [guidelines](#) for preparing documents in accessible formats.
9. Submissions must be filed by sending them to the Secretary General of the Commission using **only one** of the following means:

**by completing the**  
[\[Intervention/comment/answer form\]](#)

or

**by mail to**  
CRTC, Ottawa, Ontario K1A 0N2

or

**by fax at**  
819-994-0218

10. Parties who send documents electronically must ensure that they will be able to prove, upon Commission request, that service/filing of a particular document was completed. Accordingly, parties must keep proof of the sending and receipt of each document for 180 days after the date on which the document is filed. The Commission advises parties who file and serve documents by electronic means to exercise caution when using email for the service of documents, as it may be difficult to establish that service has occurred.
11. In accordance with the Rules of Procedure, a document must be received by the Commission and all relevant parties by 5 p.m. Vancouver time (8 p.m. Ottawa time) on the date it is due. Parties are responsible for ensuring the timely delivery of their submissions and will not be notified if their submissions are received after the deadline. Late submissions, including those due to postal delays, will not be considered by the Commission and will not be made part of the public record.
12. The Commission will not formally acknowledge submissions. It will, however, fully consider all submissions, which will form part of the public record of the proceeding, provided that the procedure for filing set out above has been followed.

### **Important notice**

13. All information that parties provide as part of this public process, except information designated confidential, whether sent by postal mail, facsimile, email or through the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca), becomes part of a publicly accessible file and will be posted on the Commission's website. This information includes personal information, such as full names, email addresses, postal/street addresses, telephone and facsimile numbers, etc.
14. The personal information that parties provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.
15. Documents received electronically or otherwise will be put on the Commission's website in their entirety exactly as received, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.
16. The information that parties provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the web page of this particular public process. As a result, a general search of the Commission's website with the help of either its own

search engine or a third-party search engine will not provide access to the information that was provided as part of this public process.

### **Availability of documents**

17. Electronic versions of the interventions and of other documents referred to in this notice, are available on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) by visiting the "Participate" section, selecting "Submit Ideas and Comments," and then selecting "our open processes." Documents can then be accessed by clicking on the links in the "Subject" and "Related Documents" columns associated with this particular notice.
18. Documents are also available from Commission offices, upon request, during normal business hours.

### **Location of Commission offices**

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Secretary General

## Related documents

- *Shaw Direct – Licence amendments*, Broadcasting Decision CRTC 2016-75, 29 February 2016
- *General authorizations for broadcasting distribution undertakings*, Broadcasting Regulatory Policy CRTC 2015-380, 19 August 2015
- *Filing submissions for Commission proceedings in accessible formats*, Broadcasting and Telecom Information Bulletin CRTC 2015-242, 8 June 2015
- *Guidelines on the CRTC Rules of Practice and Procedure*, Broadcasting and Telecom Information Bulletin CRTC 2010-959, 23 December 2010
- *Changes to certain practices for filing interventions – Expansion of filing practices to include the filing of joint supporting comments for broadcasting policy proceedings*, Broadcasting Information Bulletin CRTC 2010-28-1, 10 December 2010