

Broadcasting Notice of Consultation CRTC 2016-225

PDF version

References: 2016-44 and 2016-44-1

Ottawa, 15 June 2016

Notice of hearing

22 to 24 November 2016 Laval, Quebec

28 November to 2 December 2016 Gatineau, Quebec

Renewal of television licences held by large English- and French-language ownership groups

Deadline for submission of interventions/comments/answers: 2 August 2016

[Submit an intervention or view related documents]

The Commission will hold an appearing public hearing, which will begin on 22 November 2016, at 9 a.m. at Palace Convention Centre, 1717 Corbusier Boulevard in Laval, Quebec, to consider applications for the renewal of television licences held by large French-language ownership groups, and the related interventions. The hearing will continue on 28 November 2016, at 9 a.m. at the Conference Centre, Phase IV, 140 Promenade du Portage, in Gatineau, Quebec, to consider applications from the large English-language ownership groups, from Shaw Communications Inc. and from Telelatino Network Inc., and the related interventions.

Introduction

- 1. The Commission is launching a public proceeding to renew the television licences held by the large English- and French-language ownership groups, which will expire on 31 August 2017.
- 2. During the proceeding, the Commission intends to examine, among other issues, those set out in the present notice, which stem from the following objectives:
 - examine the effectiveness of the group-based approach over the last licence term for the large ownership groups, as well as its application to the next licence term.
 - implement certain policy decisions set out in the Broadcasting Regulatory Policy 2015-86.



3. In February 2016, the Commission issued a call for licence renewal applications in Broadcasting Notice of Consultation 2016-44. Following the issuance of that notice, the Commission received applications from the large English- and French-language ownership groups as well as from Shaw Communications Inc.¹ (Shaw) and Telelatino Network Inc. (TLN), for the renewal of the licences for their television services, which expire 31 August 2017.²

French-language groups

Item	Applicant	Application number
1.	Bell Media Inc.	2016-0020-6
2.	Corus Entertainment Inc.	2016-0022-1
3.	Quebecor Media Inc.	2016-0017-2
4.	Groupe V Média inc.	2016-0019-8

English-language groups

Item	Applicant	Application number
5.	Bell Media Inc.	2016-0012-2
6.	Corus Entertainment Inc.	2016-0015-6
7.	Rogers Media Inc.	2016-0009-9

English-language services

Item	Applicant	Application number
8.	Shaw Communications Inc.	2016-0018-0

Third-language services

Item	Applicant	Application number
9.	Telelatino Network Inc.	2016-0405-9

¹ Following the transaction approved in Broadcasting Decision 2016-110, Shaw still holds the licences for the television station CJBN-TV Kenora and the on-demand service Shaw On Demand, and has requested the renewal of these licences.

² In Broadcasting Decision 2016-7, the Commission administratively renewed these licences until 31 August 2017.

- 4. The Commission will hold an appearing public hearing, which will begin on 22 November 2016, at 9 a.m. at Palace Convention Centre, 1717 Corbusier Boulevard in Laval, Quebec, to consider applications from the French-language groups (items 1 to 4) and the related interventions. The hearing will continue on 28 November 2016, at 9 a.m. at the Conference Centre, Phase IV, 140 Promenade du Portage, in Gatineau, Quebec, to consider applications from the English-language groups, from Shaw and from TLN (items 5 to 9), and the related interventions.
- 5. Although the public hearing is taking place in Laval and in Gatineau, parties may appear from the Commission's regional offices via videoconference. Parties who wish to do so are asked to indicate, when filing their interventions, the regional office from which they wish to appear. A list of the Commission's regional offices can be found in this notice. Parties wishing to appear via Skype or teleconference must indicate this when filing their interventions. It is possible that a written-reply period will take place after the appearing phase of the public hearing.
- 6. All useful information for submitting comments is found at the end of this notice. The Commission invites the parties to regularly monitor the public record of the proceeding as documents may be added by the end of the comment phase.
- 7. Today, the Commission has issued Broadcasting Regulatory Policy 2016-224, in which it sets out its new regulatory framework for local and community programming. The Commission is sending requests for information to the groups so that they may propose commitments to comply with this new framework. Responses are expected by **27 June 2016** and will be put on the public record of the proceeding.
- 8. The Commission has collected data throughout the licence term and has made them public. A list of these data and the appropriate links are included in the appendix to this notice. The Commission invites the parties to become familiar with these data and to use them to prepare their interventions.
- 9. The deadline for the submission of interventions/comments/answers is 2 August 2016.
- 10. In order to direct the discussion and debate during the appearing phase of the public hearing, the Commission may publish in the fall of 2016 additional documents that state the topics to explore based on the comments received.

History of the group-based approach

11. The Commission established the group-based approach to the licensing of private television services in Broadcasting Regulatory Policy 2010-167. It was developed to better prepare the broadcasting industry and the Commission to the changing reality of Canada's broadcasting system, in which most Canadian programming services are operated by large integrated groups. To achieve this, the Commission focused on expenditures for the production of Canadian programming rather than on the broadcast of such programming. The group-based approach aims to ensure stable, continued support for the creation of Canadian programming, particularly in regard to programming that is under-represented in the Canadian broadcasting system. The Commission has imposed group requirements related to Canadian programming

expenditures (CPE) as well as group requirements for expenditures for programs of national interest (PNI).³ The Commission also introduced increased flexibility in the allocation and reporting of expenditures for television services in regard to Canadian programming, which allows the groups to focus on the quality of content provided.⁴

- 12. As stated in Broadcasting Decision 2011-441, the group-based approach was applied to Bell Media Inc. (Bell), Shaw and Corus Entertainment Inc. (Corus) when their licences were renewed in 2011. Then, it was applied to Astral Media Inc. (Astral) and to Rogers Media Inc. (Rogers) in Broadcasting Decisions 2012-241 and 2014-399, respectively. Although it was not directly applied to Quebecor Media Inc. (Groupe TVA) when its licences were last renewed in 2012, the CPE requirements imposed on this ownership group in Broadcasting Decision 2012-242 were intended to attain the same objectives.⁵
- 13. The Commission assessed the effectiveness of the group-based approach in the Broadcasting Regulatory Policy 2015-86. It determined that the approach is relevant, that it would be maintained in the English-language market, and that it would encourage jointly held Frenchlanguage services to become recognized as a group when they renew their licences.

Summary of the implementation of the group-based approach

- 14. The group-based approach has permitted the large English- and French-language ownership groups that have used it to benefit from flexibility in allocating their resources while also ensuring support for Canadian programming.
- 15. Overall, the English-language groups have taken advantage of the flexibility provided by the group-based approach to transfer the additional CPE from their conventional television stations to their specialty and pay services and, vice versa, to transfer their additional PNI expenditures from their specialty and pay services to their conventional television stations, in order to meet their group requirements.
- 16. On an aggregated basis,⁶ the total revenues of the large English-language designated groups have dropped by 2.5% per year on average between the 2011-2012 and 2014-2015 broadcast years. Similarly, the CPE of these groups have dropped by 1.4% per year on average over the same period.

³ PNI include drama (program category 7), long-form documentary (program category 2(b)) and award shows. In the French-language market, they also include music and dance programs (program categories 8 and 9). In Broadcasting Regulatory Policy 2010-167, the Commission determined that these programs were of national interest and needed regulatory support since they were more costly to produce and were the main vehicles for showcasing the values and the stories of the Canadian people.

⁴ In Broadcasting Regulatory Policy 2012-596, the Commission increased the flexibility of the group-based approach by removing the 5% limitation on the carry-over of CPE over-expenditures and the obligation to use them in the subsequent broadcast year.

⁵ In Broadcasting Decision 2013-465, the Commission agreed to apply a modified group-based approach to Blue Ant Media. This group is not part of the present notice, as its licence renewal is scheduled at a later date.

⁶ The CPE, PNI and revenue figures were generated using the annual returns filed by the licensees. Figures are based on the current composition of the large English-language designated groups (Bell, Shaw, Corus and Rogers), as defined in Broadcasting Decisions 2011-444, 2011-445, 2011-446, 2013-737 and 2014-399. The services that

- 17. Conversely, in the French-language market, the total revenues of Bell, Corus, Groupe TVA and Groupe V Média inc. (Group V) (the French-language licensees) grew by 3% per year on average between the 2012-2013 and 2014-2015 broadcast years, while the CPE increased by 18.1% per year on average over the same period.
- 18. In total, the large English-language designated groups spent \$3.3 billion in CPE during the period from the 2011-2012 to 2014-2015 broadcast years, 52% of total CPE for all English-language services throughout the period. The French-language licensees spent a total of \$657.9 million between the 2012-2013 and 2014-2015 broadcast years, which represents 42.6% of total CPE for all of the French-language television services for the same period.
- 19. The PNI expenditures of the large English-language designated groups saw an annual decrease of 12.7%, dropping from a cumulative sum of \$158.5 million in the 2011-2012 broadcast year to \$105.4 million in the 2014-2015 broadcast year. However, their contribution counted for close to 80% of the total PNI expenditures reported for all of the English-language services during that period.
- 20. For the French-language licensees, the expenditures for the categories of programs identified as being part of PNI decreased by 12.6% per year between the 2012-2013 and 2014-2015 broadcast years, from \$32.1 million in 2012-2013 broadcast year to \$24.5 million in the 2014-2015 broadcast year. These expenditures accounted for 44.3% of total expenditures for French-language programming.
- 21. In light of the foregoing, the Commission considers that in both linguistic markets, the large English-language designated groups and the French-language licensees have made expenditures that are significant for Canadian programming.
- 22. In addition, viewing has remained relatively stable in both markets over the period. Viewing to the large English-language designated groups' services outside of Quebec⁷ went from 68.71% to 68.81% from the 2011-2012 to 2014-2015 broadcast years. Conversely, viewing to the services owned by the French-language licensees in Quebec dropped slightly from 58.94% to 54.78% (i.e. by 4%) over the past four broadcast years.⁸

were formerly part of the bilingual designated Astral group, and whose acquisition by Bell was approved in Broadcasting Decision 2014-62, were spread between Bell's English- and French-language groups according to the language in which they are offered. The figures relating to the French-language ownership groups (Corus, Groupe TVA and Groupe V) are based on the composition of these groups, as defined in Broadcasting Decisions 2008-129, 2012-242, 2013-737, 2013-738, and 2014-465.

⁷ Figures are based on the current composition of the large English-language designated groups (Bell, Shaw, Corus and Rogers), as defined in Broadcasting Decisions 2011-444, 2011-445, 2011-446, 2013-737 and 2014-399. The services that were formerly part of the bilingual designated Astral group, and whose acquisition by Bell was approved in Broadcasting Decision 2014-62, were spread between Bell's English- and French-language groups according to the language in which they are offered. The figures relating to the French-language ownership groups (Corus, Groupe TVA and Groupe V) are based on the composition of these groups, as defined in Broadcasting Decisions 2008-129, 2012-242, 2013-737, 2013-738, and 2014-465.

⁸ Source: All persons 2+, Quebec francophone market, and Canada minus Quebec francophone markets, 2011-2012 to 2014-2015 broadcast years, Numeris. Figures are based on the current composition of the large English-language designated groups (Bell, Shaw, Corus and Rogers), as defined in Broadcasting Decisions 2011-444, 2011-445,

23. Consequently, the Commission considers that the group-based approach remains appropriate for ensuring the stability of the Canadian television system and for enabling the players in the system to face the future with confidence. However, as part of this proceeding, the Commission intends to assess certain issues relating to the implementation of the group-based approach during the next licence term.

Implementation of the Broadcasting Regulatory Policy 2015-86

- 24. In Broadcasting Regulatory Policy 2015-86, the Commission announced measures aimed at encouraging Canadians to create compelling and diverse programming and to facilitate the transition to a more and more on-demand environment. These measures contribute to attaining policy objectives set out in paragraphs 3(1)(e) and (f), as well as 3(1)(d)iv) of the *Broadcasting Act* (the Act), which stipulate that each element of the broadcasting system shall contribute to the creation and presentation of quality Canadian programming by making predominant use of Canadian creative resources, and thus be readily adaptable to technological change.
- 25. In addition to ensuring that Canadians have access to compelling and diverse programming, Broadcasting Regulatory Policy 2015-86 aims to provide broadcasters with the necessary means to develop creative programming strategies in order to make their programming more readily discoverable and accessible on multiple platforms and better respond to consumer needs. It further aims to encourage broadcasters and the production sector to reinforce their partnerships in order to offer programming that can compete internationally.
- 26. Some of the decisions set out in that policy, such as the elimination of the genre exclusivity policy, came into effect when it was published. In addition, Broadcasting Order 2015-356 regarding the hybrid video-on-demand (VOD) exemption as well as Broadcasting Order 2015-88 regarding discretionary services serving fewer than 200,000 subscribers came into effect on 6 August 2015 and 1 March 2016, respectively. However, the Commission stated that other decisions would come into force at licence renewal.
- 27. In regard to the presentation of Canadian programs, the Commission stated that at the next licence renewals it would eliminate exhibition requirements relating to the broadcast day to which television stations are subject. In addition, for discretionary services, the Commission established that the standard exhibition requirement for the broadcast day will be 35%.

Canadian programming expenditures

28. The Commission has stated that for the large private ownership groups currently operating under the group-based approach, the current CPE percentages to which they are subject

2011-446, 2013-737 and 2014-399. The services that were formerly part of the bilingual designated Astral group, and whose acquisition by Bell was approved in Broadcasting Decision 2014-62, were spread between Bell's English- and French-language groups according to the language in which they are offered. The figures relating to the French-language ownership groups (Corus, Groupe TVA and Groupe V) are based on the composition of these groups, as defined in Broadcasting Decisions 2008-129, 2012-242, 2013-737, 2013-738, and 2014-465.

⁹ As set out in Broadcasting Regulatory Policy 2015-96, access privileges granted to category A services of the large private television groups will be eliminated as of 1 September 2017.

will be maintained. Also to be maintained is the approach for calculating the eligibility of expenditures, set out in Public Notice 1993-93. In addition, services that are part of a group will be subject to CPE requirements that contribute appropriately to that group's overall CPE level. At licence renewal, the Commission also intends to apply CPE requirements to all licensed services that have more than 200,000 subscribers. The CPE percentage will be based on historical expenditure percentages, with a minimum threshold of 10%.

29. In regard to groups operating French- and English-language services, the Commission has announced that it intends to deal with each linguistic group separately and may impose on them different requirements, if necessary. In the French-language market, the Commission intends to establish the financial contribution levels towards Canadian programming on a case-by-case basis, based on the services operated in that market.

Expenditures on programs of national interest

- 30. For groups in the English-language market, the Commission has concluded that the current PNI requirements will be maintained, including the specific program categories, as well as the condition of licence requiring that at least 75% of PNI expenditures be dedicated to independent producers.
- 31. For services in the French-language market, the Commission announced its intention to determine the appropriate PNI requirements at licence renewal, taking into account the particular circumstances of each service including their inclusion in ownership groups of different sizes and situations.
- 32. The groups have discussed in their respective applications the manner in which they intend to attain the objectives of Broadcasting Regulatory Policy 2015-86 using the group-based approach during the next licence term, and proposed commitments they deem appropriate. More specifically, the Commission asked the groups to propose, in their renewal applications, CPE requirements for the group and for each service that is part of the group, as well as to make commitments relating to PNI. The proposals are summarized further down in this notice. The Commission intends to examine these commitments and appropriate regulatory measures in order to attain the previously announced outcomes. The Commission also identified the following issues in order to guide the parties in their comments.

Other issues

Group composition

- 33. Several ownership changes have occurred within the designated groups since the implementation of the group-based approach.
 - Bell has acquired the assets of Astral and has divested itself of a number of services, which Corus, Groupe V and DHX Media Ltd. have acquired.
 - Following the acquisition of MusiquePlus and MusiMax, Groupe V became eligible for the group-based approach.
 - Corus acquired the assets of Shaw Media Inc.

- 34. Rogers and Corus established the composition of their designated groups for the next licence term in their applications. Bell proposed to review the composition of its designated groups so as to create two distinct groups, one for French-language services and one for English-language services. The other incumbents of French-language services, Groupe TVA, Corus and Groupe V, have asked for authorization to form designated groups.
- 35. The Commission intends to examine these proposals and to discuss the appropriate definition of designated group in both linguistic markets.

Diversity of programming

- 36. In accordance with the objectives of Broadcasting Regulatory Policy 2015-86 and section 3(1)(i) of the Act, the Commission has asked the groups to describe their plans with respect to offering diversified programming, including a significant contribution from the Canadian independent production sector, in regard to, among other things:
 - programming for children and youth;
 - regional production;
 - original, first-run programming;
 - feature films; and
 - programming from official language minority communities (OLMCs).
- 37. The Commission intends to examine these plans and to consider the necessity and relevance of implementing regulatory measures in order to ensure that the television system offers diversified programming likely to meet the interests and needs of all Canadians, including youth, Canadians living in the regions, and members of OLMCs.
- 38. The Commission also intends to consider the licensees' proposals relating to script and concept development, promotion, and equity investments, mechanisms that contribute to solid partnerships between producers and broadcasters, and to virtuous cycles of production.

Innovative approaches

- 39. The Commission recognizes that for Canadian-made programming to succeed both nationally and internationally, it must be widely available and visible. Going forward, the success of the broadcasting industry will depend on its capacity to adapt content to the needs and interests of Canadians. To achieve this, the Commission is of the view that the creation and promotion of Canadian programs must be supported by appropriate models.
- 40. The Commission intends to examine the groups' plans in relation to the following:
 - the development and production of high quality programs with strong potential for international success;
 - strategies for the promotion, export and discoverability of Canadian programs; and
 - success factors and challenges faced.

Video-on-demand and multiplatform programming strategy

- 41. In Broadcasting Regulatory Policy 2015-86, the Commission stated that Canadians were increasingly looking for programs on demand. The Commission created the category of hybrid VOD services and changed the licensing conditions for VOD services to enable broadcasters to meet this demand.
- 42. As part of this process, the Commission is considering the renewals for VOD and pay-per-view (PPV) services that belong to groups in order to discuss the role of such services within the groups and to obtain an overview of their multiplatform programming strategy, and to help them meet the needs of Canadians more effectively.

New regulatory framework for local and community programming

- 43. In Broadcasting Regulatory Policy 2016-224, the Commission set out basic requirements for local programming. It stated that the vast majority of CPE for conventional television stations is allocated to local programming, and local news in particular. The Commission also noted that, generally, this ratio of expenditures increases as the size of the market decreases. Further, when compared to English-language stations, this ratio is higher for third-language stations, but lower for French-language stations. In light of the above, the Commission considered that, as part of the upcoming licence renewals for local television stations, it would be appropriate to maintain the following distinct requirements for licensees:
 - commercial English-language stations will continue to be required to broadcast at least 7 hours of local programming per week in non-metropolitan markets and at least 14 hours per week in metropolitan markets; and
 - the local programming requirements for commercial French-language stations will continue to be assessed on a case-by-case basis, using a benchmark minimum of 5 hours of local programming per week.
- 44. Further, to ensure that Canadians continue to benefit from local reflection in the form of local news, the Commission stated that it considered it appropriate to require that a minimum level of local programming be devoted to local news. Accordingly, the Commission determined that all licensees will be required to broadcast a minimum level of local news and to allocate a percentage of their previous year's revenues to such programming, with the exhibition and expenditure levels to be determined at licence renewal, based on historical levels.
- 45. The Commission determined that, for the purpose of meeting this requirement, it will only count the program segments that meet the definition of locally reflective news programming set out in the new regulatory framework. News programming will be considered locally reflective if it meets all of the following criteria:
 - the subject matter relates specifically to the market a station is licensed to serve;
 - it portrays an image of the market onscreen by, for example, including its residents or officials or featuring coverage of its municipal or provincial government; and
 - it is produced by the station's staff or by independent producers specifically for the station.

46. As previously stated, the Commission sent a request for information to the groups to allow them to make changes to their applications in order to comply with this new regulatory framework. Answers to these questions are expected on **27 June 2016**. The Commission intends to discuss the groups' proposals at the hearing, as well as the proposed implementation of support measures.

National news services

47. In regard to national news services, the Commission adopted new licensing criteria and set out standard requirements in Broadcasting Regulatory Policy 2015-436. These are intended to ensure that Canadians have access to quality information and news programs, as well as to news and information from a variety of sources on issues of public interest. To that end, the Commission asked the licensees of such services to demonstrate how they plan to meet these criteria. Services that meet the criteria will be subject to the standard requirements upon licence renewal and will be able to benefit from mandatory distribution as national news services.

Other ongoing proceedings

- 48. In Broadcasting Notice of Consultation 2016-195, the Commission issued a call for comments on proposed standard requirements for new categories of licences announced in the Broadcasting Regulatory Policy 2015-86 (i.e., television stations, discretionary services and on-demand services). The proposed requirements aim, among other things, to implement some of the policy decisions set out in Broadcasting Regulatory Policies 2015-86, 2015-96 and 2015-104 relating to compliance with the Wholesale Code (the Code), the unbundling of multiplexed services, and improvements to the accessibility of services. The groups that are the subject of the present proceeding have already had an opportunity to comment on the wording of the above requirements and on imposing those requirements on their services. The Commission intends to publish the standard requirements prior to the public hearing announced in the present notice.
- 49. In Broadcasting Notice of Consultation 2016-195, the Commission announced its intention to combine the *Specialty Services Regulations*, 1990 and the *Pay Television Regulations*, 1990 to create the *Discretionary Services Regulations*. The parties will have an opportunity to comment on the proposed wording of the new regulations in due course.

Applications

- 50. In accordance with the policies stemming from the Let's Talk TV proceeding, the groups requested that changes be made to the conditions of licence for their services so as to reflect the following measures that must be implemented at licence renewal:
 - adoption of the standard requirements for the new licence categories;
 - changes to the requirements for the broadcast of Canadian content;
 - designation of services based on the new categories of licence announced by the Commission;
 - adoption of the Code;

- elimination of nature of service conditions of licence;
- removal of requirements relative to terms of trade agreements.
- 51. The following section provides an overview of the key changes proposed by the various groups. For each group, proposals relative to CPE and PNI, as well as to group composition are provided in the introduction, followed by a table indicating specific changes to each service. The Commission may inquire into these proposals in greater detail at the hearing, if necessary.
- 52. The Commission will review the issue of each licensee's compliance with its conditions of licence, as stated in the Commission's clarification letters, which are part of the public record for this proceeding. The Commission will render a decision on the issue in each licensee's licence renewal decision.

French-language groups

1. Bell Media Inc.

Across Canada Application 2016-0020-6

Application by **Bell Media inc.** (Bell), on behalf of the licensees identified below, to renew and/or amend the broadcasting licences for the television services listed below.

Bell proposes to review the composition of its designated groups in order to establish two separate licence groups, one for French-language services and one for English-language services. The group of French-language services would consist of eight services: Canal D, Canal Vie, Cinépop, Super Écran, VRAK, Z, RDS Info and Investigation. In order to integrate the Investigation service into the group, Bell requests that the service's current licence, which expires on 31 August 2018, be revoked on 31 August 2017, and that a new licence be issued to take effect on 1 September 2017.

For its group consisting of French-language services, Bell is proposes a group CPE level of 32% and a PNI level of 5%. Bell also proposes to maintain the requirement to allocate 75% of PNI expenditures to support independent productions.

Currently, Bell's French-language services are divided between two designated groups, the group established in Broadcasting Decision 2011-444 (RDS Info) and the group consisting of services acquired from Astral Media Inc. (Astral) (Canal D, Canal Vie, VRAK, Z, Cinépop and Super Écran), for which the requirements are set out in Broadcasting Decision 2014-62. Under the requirements set out in Broadcasting Decision 2011-444, RDS Info has a CPE threshold of 51% and a group PNI expenditure requirement of 5%. Services that previously belonged to the Astral group are subject to group expenditure requirements of 32% on CPE and 18% on PNI.

Bell proposes that Canadian programming exhibition requirements regarding mainstream sports services, including RDS, should be 50% overall with no requirement regarding the evening broadcast period. Additionally, Bell requests authorization to average advertising minutes over the broadcast day, consistent with the flexibility afforded to mainstream news services.

The key changes proposed, other than those listed in paragraph 50, are set out in the following tables.

Services that would contribute to Bell's French-language group requirements

Service and licensee	Key amendments	Proposed minimum CPE threshold (% of revenues)
Canal D Canal Vie Bell Media Inc.	• None	32%
Cinépop Bell Media Inc.	• Imposition of a 30% Canadian programming exhibition requirement rather than the standard requirement of 35% set out in the Broadcasting Regulatory Policy 2015-86.	32%
Canal D Investigation Bell Media Inc.	• Integration of the service in Bell's French-language group and addition of a condition of licence requiring the licensee to devote 10% of the undertaking's gross revenues from the previous broadcast year to the investment in or acquisition of Canadian programs.	10%
RDS Info Le Réseau des sports (RDS) inc.	• Deletion of the requirement that at least 25% of all Canadian programs other than news, sports and current affairs programs (program categories 1, 2(a), 6(a) and 6(b)) be produced by independent production companies.	51%
Super Écran Bell Media Inc.	• Imposition of a 30% Canadian programming exhibition requirement rather than the standard requirement of 35% established in the Broadcasting Regulatory Policy 2015-86.	32%
	Deletion of the condition requiring the licensee not to distribute any film or video production with respect to which it has carried on activities other than financing or distribution.	

Vrak.TV Bell Media Inc.	Deletion of the requirement to broadcast a minimum of 104 hours of original first-run French-language Canadian programs.	32%
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Services that would not contribute to group requirements

Discretionary services

Service and licensee	Key amendments	Proposed minimum CPE threshold (% of revenues)
RDS Le Réseau des sports (RDS) inc.	Deletion of the requirement to pay tangible benefits for any deficit in the tangible benefits for services divested following the Bell/Astral transaction (Broadcasting Decision 2013-310).	50% (standard condition)
	• Deletion of the requirement to devote 60% of the evening broadcast period to Canadian programs in order to replace it with a 50% overall exhibition requirement for the entire broadcasting day. This amendment would be applied to all mainstream sports services.	

Licensee's address:

299 Queen Street West Toronto, Ontario M5V 2Z5

Email: bell.regulatory@bell.ca

Email to request electronic version of application: alain.strati@bellmedia.ca

2. Corus Entertainment Inc.

Across Canada Application 2016-0022-1

Application by **Corus Entertainment Inc.** (Corus), on behalf of the licensees identified below, to renew and amend the broadcasting licences for the television services listed below.

Corus proposes to group the French-language discretionary services Historia and Séries+ into a designated group. Corus also proposes that the discretionary service La Chaîne Disney be operated separately from the French-language Corus group and not contribute to group requirements relating to CPE. The bilingual discretionary service TELETOON/TÉLÉTOON would keep its bilingual licence and would remain in Corus's English-language designated group.

As for the CPE requirements, Corus proposes to keep the current levels for its services, i.e., 30% for Historia and 17% for Séries+, and to establish a CPE level of 22% for the group. In accordance with the decisions made in connection with the Broadcasting Regulatory Policy 2015-86, Corus proposes to adopt a minimum CPE threshold of 10% for the La Chaîne Disney service, because it would not be part of the group.

According to Corus, there is no justification for imposing a threshold on PNI expenditures for its French-language services.

The proposed key changes, other than those listed in paragraph 50, are set out in the following tables.

Services that would contribute to Corus's French-language group requirements

Service and licensee	Key amendments	Proposed minimum CPE threshold (% of revenues)
Historia 8504644 Canada Inc.	 Replacement of the current description of the service with the following description: The licensee shall provide a national, French-language discretionary service dedicated primarily to history and factual entertainment programming. Deletion of the condition of licence whereby at least 75% of CPE must be allocated to original first-run programs. Deletion of the condition of licence whereby the licensee must limit to 5% per year its expenditures on acquiring the rights to Canadian original programs devoted to programs produced by the licensee's shareholders or affiliates. 	30%
Séries+ 8504652 Canada Inc.	 Replacement of the current description of the service with the following description: The licensee shall provide a national, French-language discretionary service dedicated to television shows and general entertainment programs. Deletion of the condition of licence whereby the licensee must limit the percentage of programs from U.S. sources to 30% per year. Deletion of the condition of licence whereby the licensee must limit to 25% 	17%

	per year its expenditures on acquiring the rights to Canadian original programs devoted to programs produced by the licensee's shareholders or affiliates.	
•	Deletion of the condition of licence relating to CPE and requiring that the licensee allocate:	
	 a) at least \$1.5 million per year to funding original French-language drama; 	
	b) at least \$750,000 over and above the expenditures currently devoted to the investments in or to the acquisition of Canadian programming;	
	c) \$3.5 million during the licence term to pay for dubbing, in French in Canada, Canadian and foreign series that are broadcast.	

Services that would not contribute to group requirements

Discretionary services

Service and licensee	Key amendments	Proposed minimum CPE threshold (% of revenues)
La Chaîne Disney TELETOON Canada Inc.	Addition of a condition of licence whereby the licensee shall, each year, allocate 10% of the service's gross revenues from previous broadcast year to investments in or to the acquisition of Canadian programming.	10%

Licensee's address:

25 Dockside Drive Toronto, Ontario M5A 0B5

Email: sylvie.courtemanche@corusent.com
Website to view application: www.corusent.com

3. Quebecor Media Inc.

Across Canada Application 2016-0017-2

Application by **Quebecor Media Inc.** (QMI), on behalf of the licensees listed below, to renew and/or amend the broadcasting licences for the television services listed below.

QMI proposes the creation of a designated group for the purposes of the Commission's group-based approach to the licensing of private television services that would include all conventional television stations as well as discretionary services of TVA Group Inc., except for Le Canal Nouvelles (LCN), a national news service, and TVA Sports, a mainstream sports service.

Since the discretionary service Argent ceased its operations on 30 April 2016, QMI has not requested to renew the licence for this service.

QMI proposes a CPE level of 70% for its designated group (discretionary services and conventional television stations). The proposed CPE level would be based on the current broadcast year's programming expenditures rather than on historical revenues, as set out in Broadcasting Decision 2012-242.

In accordance with the same decision, QMI requests not to be subject to a PNI expenditure requirement.

In that decision, the Commission imposed conditions of licence setting the TVA Group's CPE requirement at 80%. This requirement applied only to conventional television stations. No requirement relating to PNI expenditures was imposed.

In regard to support for independent production, QMI proposes to extend to its new designated group the approach for its conventional television stations adopted by the Commission in Broadcasting Decision 2012-242. In that decision, the Commission maintained the condition of licence whereby conventional television stations were required to allocate at least \$20 million per broadcast year to programs acquired from independent production companies.

The proposed key changes, other than those listed in paragraph 50, are set out in the following tables.

Services that would contribute to TVA Group requirements

Television stations

Station and licensee	Key amendments	Proposed minimum CPE threshold (% of expenditures of the current broadcast year)
TVA stations: • CFCM-DT Québec • CFER-DT Rimouski	• Reduction in CPE from 80% to 70% of programming expenditures, shared across the group.	70% of programming expenditures, shared across the group

and its transmitter CFER-TV-2 Sept-Îles	Deletion of the condition of licence requiring the conducting of a yearly OLMG:	
CFTM-DT Montréal	survey of OLMCs.	
CHEM-DT Trois-Rivières		
CHLT-DT Sherbrooke		
• CJPM-DT Saguenay and its transmitter CJPM-TV-1 Chambord		
TVA Network TVA Group Inc.		

Discretionary services

Service and licensee	Key amendments	Proposed minimum CPE threshold (% of expenditures of the current broadcast year)
AddikTV TVA Group Inc.	• Replacement of the expectation that the licensee demonstrate that it has begun broadcasting original first-run Canadian programs with the expectation that the licensee will continue to broadcast this type of programs.	No individual CPE threshold proposed
Casa Moi & Cie Prise 2 YOOPA TVA Group Inc.	• None	No individual CPE threshold proposed

Services that would not contribute to TVA Group requirements

Service and licensee	Key amendments	Proposed CPE
LCN TVA Group Inc.	• None	No CPE requirement (standard condition)
TVA Sports TVA Group Inc.	• None	50% (standard condition)

On-demand services

Service and licensee	Key amendments
Illico sur demande Videotron Ltd. and 9227-2590 Québec inc., partners in a general partnership carrying on business as Videotron G.P.	• None

Licensee's address:

612 Saint Jacques Street Montréal, Quebec

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Email: reglementaires@quebecor.com

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4. Groupe V Média inc.

Across Canada Application 2016-0019-8

Application by **Groupe V Média inc.** (Groupe V), a subsidiary of Remstar Diffusion Inc., on behalf of the licensees listed below, to renew and amend the broadcasting licences for the television services listed below.

Groupe V proposes to create a designated group for the purposes of the group-based approach to the licensing of private television services, which would include its five conventional television stations and two discretionary services (MusiquePlus and MusiMax).

Groupe V proposes a minimum group CPE level of 50% of programming expenditures for the current broadcast year and opposes the imposition of a group PNI expenditure requirement.

The proposed key changes, other than those listed in paragraph 50, are set out in the following tables.

Services that would contribute to Groupe V's group requirements

Television stations

Station and licensee	Key amendments	Proposed minimum CPE threshold (% of expenditures of the current broadcasting year)
V stations: • CFAP-DT Québec • CFJP-DT Montréal	 Deletion of the commitment relating to priority programming. No PNI requirement proposed. 	50% of programming expenditures, shared by the whole group

CFKM-DT Trois-	• Deletion of the condition of	
Rivières	licence relating to independent	
• CFKS-DT	production.	
Sherbrooke		
• CFRS-DT		
Saguenay		
Network: V Interactions		
V Interactions inc.		

Service and licensee	Key amendments	Proposed minimum CPE threshold (% of expenditures of the current broadcasting year)
MusiquePlus Musiqueplus inc.	Deletion of the condition of licence requiring the contribution of 3.4% (MusiquePlus) and 5% (Musimax) of annual gross revenues to the Remstar Fund for the development and production of Canadian music videos.	No individual CPE threshold proposed
	Deletion of the expectation that the licensee ensure that its programs provide an appropriate reflection of all regions of Quebec, including regions outside of Montréal, and all regions of Canada.	
	• Deletion of the expectation that the licensee respect its agreement with the Association québécoise de l'industrie du disque, du spectacle et de la vidéo relating to the level of music video clip content and programs broadcast between 6 p.m. and midnight.	
	• Deletion of the expectation regarding the subtitling of video clips in languages other than French.	

Licensee's address:

355 Sainte-Catherine Street West Suite 100 Montréal, Quebec H3B 1A5

Email: serge.bellerose55@gmail.com

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English-language groups

5. Bell Media Inc.

Across Canada Application 2016-0012-2

Application by **Bell Media Inc.**, on behalf of the licensees listed below, to renew and/or amend the broadcasting licences for the television services listed below.

Bell proposes a group comprised of all of its English-language services, excluding CTV News Network, a national news service, The Sports Network (TSN), a mainstream sports service, as well as its VOD and PPV services. Bell proposes an average CPE of 27% for its group, as well as a standard CPE of 22% for the English-language television stations owned by the three large ownership groups (Bell, Corus and Rogers). For discretionary services with more than one million subscribers, Bell proposes a standard CPE of 32% of gross revenues from the previous broadcast year. For licensed discretionary services with fewer than one million subscribers, Bell proposes a CPE of 10% of the gross revenues from the previous broadcast year. In regard to PNI, Bell proposes a standard PNI requirement for all groups of 5% of gross revenues from the previous broadcast year, and that at least 75% of expenditures be allocated to independent producers.

Bell proposes that Canadian programming exhibition requirements regarding mainstream sports services, including its own sports service TSN, should be 50% overall with no requirement regarding the evening broadcast period. Additionally, Bell requests the ability to average advertising minutes over the broadcast day, consistent with the flexibility afforded to national news services.

Bell has not requested the renewal of the licences for the English-language discretionary services Juicebox, MuchLoud and MuchVibe. In Bell's view, these services meet the criteria set out in Broadcasting Order 2015-88, which exempts specialty and pay television services serving fewer than 200,000 subscribers from the obligation to hold a licence.

Bell also requests the deletion of the requirement that CTV Two Alberta operate as an educational broadcaster and of existing limitations relating to the amount of advertising the station can air. Bell also proposes that CTV Two Alberta and CTV Two Atlantic, currently satellite-to-cable undertakings, be defined as television stations for the new licence term.

The proposed key changes, other than those listed in paragraph 50, are set out in the following tables.

Services that would contribute to Bell's English-language group requirements

Television stations

Station and licensee	Key amendments	Proposed minimum CPE threshold (% of revenues)
CTV Stations Bell Media Inc.	• Delete several analog transmitters across Canada.	22%
CTV Two Stations Bell Media Inc.	Delete several analog transmitters across Canada.	22%
 CFTK-TV Terrace, British Columbia, and its transmitter CFTK-TV-1 Prince Rupert CJDC-TV Dawson Creek, British Columbia, and its transmitter CJDC-TV-2 Bullhead Mountain Bell Media Radio (Toronto) Inc. and 4382072 Canada Inc., partners in a general partnership carrying on business as Bell Media Radio G.P. 	• None	22%
CTV Two Atlantic (formerly Atlantic Satellite Network) Bell Media Inc.	• Designate this service as a television station.	22%
CTV Two Alberta (formerly ACCESS) Learning and Skills Television of Alberta Limited	 Delete the requirement that CTV Two Alberta operate as an educational broadcaster and existing limitations relating to the amount of advertising the station can broadcast. Designate this service as a television station. 	22%

Service and licensee	Key amendments	Proposed minimum CPE threshold (% of revenues)
Discovery Channel 2953285 Canada Inc.	• None	32%
Book Television Bell Media Inc.	Delete the condition of licence requiring that no less than 25% of all Canadian programs other than news, sports and current affairs be produced by independent producers.	32%
Bravo! Bell Media Inc.	Delete the condition of licence requiring the licensee to contribute the greater of \$600,000 or 5% of gross revenues from the previous broadcast year to Bravo!FACT.	32%
Business News Network Bell Media Inc.	• None	32%
CablePulse 24 Bell Media Inc.	• None	32%
Comedy Gold Bell Media Inc.	• None	10%
E! Bell Media Inc.	• None	32%
Fashion Television Channel Bell Media Inc.	Delete the condition of licence requiring that no less than 25% of all Canadian programs other than news, sports and current affairs be produced by independent producers.	32%
Investigation Discovery Bell Media Inc.	• None	32%
M3 Bell Media Inc.	Delete the condition of licence requiring the licensee to contribute 5% of revenues from the previous broadcast year to MuchFACT for Canadian talent development.	32%

MTV (Canada) Bell Media Inc.	Delete the expectation that the licensee acquire programming from independent production companies and to allocate \$50,000 each broadcast year to independent production companies for concept and script development.	32%
MTV 2 Bell Media Inc.	Delete the condition of licence requiring that no less than 25% of all Canadian programs other than news, sports and current affairs be produced by independent producers.	32%
Much Bell Media Inc.	Delete the condition of licence requiring the licensee to contribute 7% of revenues from the previous broadcast year to MuchFACT for the development and production of Canadian music videos.	32%
MuchRetro Bell Media Inc.	• None	10%
Space Bell Media Inc.	Delete the expectation that no less than 75% of all Canadian programs other than news, sports and current affairs be produced by independent producers.	32%
The Comedy Network Bell Media Inc.	Delete the expectation that 75% of the service's expenditures on original Canadian production be directed to independent productions companies.	32%
Discovery Velocity 2953285 Canada Inc.	• None	32%
Animal Planet Animal Planet Canada Company	• None	32%
Discovery Science Discovery Science Canada Company	• None	32%

ESPN Classic The Sports Network Inc.	• None	32%
The Movie Network (TMN) Bell Media Inc.	Obtain an exception to the standard Canadian programming exhibition requirement of 35% to be authorized to allocate 30% of the broadcast day to Canadian programming. In exchange for this flexibility, the licensee would accept a new nature of service condition of licence.	32%
	• Requests to add multiplex channels with the programming from The Movie Network Encore.	
The Movie Network Encore (TMN Encore) Bell Media Inc.	If the above request to add multiplex channels with the programming of TMN Encore to the licence of TMN is approved, the licence for TMN Encore would not be renewed.	32%
	• If the above request is denied, the licensee requests an exception to the standard Canadian programming exhibition requirement of 35% to be allowed to allocate 30% of the broadcast day to Canadian programming. In exchange for this flexibility, the licensee would accept a new nature of service condition of licence.	

Services that would not contribute to the group's requirements

Service and licensee	Key amendments	Proposed minimum CPE threshold
CTV News Channel Bell Media Inc.	• None	None
The Sports Network (TSN) The Sports Network Inc.	Amend the standard condition of licence relating to Canadian programming exhibition, to decrease the requirement to 50% overall, with no requirement	50% as per the standard condition of licence set out in Broadcasting Regulatory Policy 2009-562-2.

regarding the evening broadcast period.	
Amend the standard condition of licence relating to advertising so that it be averaged over the broadcast day rather than over the course of the program.	

On-demand services

The licensee proposes to renew the licences for the following services subject to the same terms and conditions.

Name of service	Licensee
Bell TV on-demand (VOD)	Bell ExpressVu Inc. (the general partner) and Bell Canada (the limited partner), carrying on business as Bell ExpressVu Limited Partnership
On Demand	Northwestel Inc.
Bell TV on-demand (PPV terrestial)	Bell ExpressVu Inc. (the general partner) and Bell Canada (the limited partner), carrying on business as Bell ExpressVu Limited Partnership
Bell TV on-demand (direct-to-home PPV)	Bell ExpressVu Inc. (the general partner) and Bell Canada (the limited partner), carrying on business as Bell ExpressVu Limited Partnership

Licensee's address:

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M5V 2Z5

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6. Corus Entertainment Inc.

Across Canada Application 2016-0015-6

Application by **Corus entertainment Inc.** (Corus), on behalf of the licensees listed below, to renew and/or amend the broadcasting licences for the television services listed below.

The licensee proposes a designated group comprised of all of its English-language services. Included in the proposed designated group of services are all of the services acquired from Shaw Media Inc. as a result of the corporate reorganization approved in Broadcasting Decision 2016-110, as well as six new services: ABC Spark, BC News 1, National Geographic Wild, Disney Channel, Disney Junior and Disney XD.

Corus has filed three applications for the issuance of new licences to operate the following discretionary services, which are currently exempt: Disney Channel, Disney Junior and Disney XD. These applications will be examined as part of this process.

Corus proposes an average CPE requirement of 26% for its group, as well as individual CPE requirements of 27% for its television stations and discretionary services, with the exception of the six new discretionary services to be added to the group, for which Corus proposes a 10% minimum CPE requirement. In regard to PNI, Corus proposes a minimum group requirement of 5%, with at least 75% of the expenditures to be allocated to independent producers.

Corus proposes the deletion of the provision that allows a maximum of 25% of the required CPE for television services to be attributed to any other qualifying discretionary service within the same designated group.

The licensee also proposes that time limits for advertising be eliminated for all discretionary services, as well as all other limits relating to the distribution of commercial messages.

The proposed key changes, other than those listed in paragraph 50, are set out in the following tables.

Services that would contribute to Corus's English-language group's requirements

Television stations

Station and licensee	Key amendments	Proposed minimum CPE threshold (% of revenues)
Global television stations Shaw Television G.P. Inc. (the general partner) and Shaw Media Global Inc. (the limited partner), carrying on business as Shaw Television Limited Partnership	Reduce the number of hours of local programming broadcast by CKMI Global Montréal during the broadcast week from 14 to 7 hours.	27% of the gross revenues from the previous year, for each television station
 CKWS-DT-1 Brighton, Ontario CKWS-TV Kingston, Ontario, and its transmitter CKWS-TV-3 Smiths Falls CHEX-TV-2 Oshawa, Ontario, and its transmitter CHEX-TV-1 Bancroft CHEX-TV Peterborough, Ontario 	• None	27% of the gross revenues from the previous year, for each television station

• CKWS-TV-2 Prescott,	
Ontario	
591987 B.C. Ltd.	

Service and licensee	Key amendments	Proposed minimum CPE threshold (% of revenues)
ABC Spark 3924181 Canada Inc.	• None	10%
Action Showcase Television Inc.	• None	27%
BBC Canada Jasper Broadcasting Inc.	• None	27%
BC News 1 Shaw Television G.P. Inc. (the general partner) and Shaw Media Global Inc. (the limited partner), carrying on business as Shaw Television Limited Partnership	Delete restrictions relating to local advertising.	10%
Cartoon Network TELETOON Canada Inc.	• None	27%
CMT Country Music Television Ltd.	Delete the condition of licence requiring the licensee to allocate no less than 11% of gross revenues from the previous year to the development and production of Canadian music videos 10	27%
Cosmopolitan TV Cosmopolitan Television Canada Company	• None	27%

 $^{^{\}rm 10}$ Corus filed application 2016-0253-2 to amend this condition of licence as part of a Part 1 process.

Crime + Investigation Shaw Television G.P. Inc. (the general partner) and Shaw Media Global Inc. (the limited partner), carrying on business as Shaw Television Limited Partnership, and Shaw Media Global Inc., partners in general partnership carrying on business as Mystery Partnership	•	Delete the condition of licence requiring that no less than 25% of all Canadian programs broadcast by the licensee other than news, sports, and current affairs programming (program categories 1, 2(a), 6(a), and 6(b)) be produced by independent production companies. Delete the condition of licence requiring the licensee to file with the Commission an annual report setting out the details of all expenditures related to the tangible benefits associated with the acquisition of assets of Crime + Investigation (formerly known as Mystery).	27%
Deja View Shaw Television G.P. Inc. (the general partner) and Shaw Media Global Inc. (the limited partner), carrying on business as Shaw Television Limited Partnership	•	None	27%
DIY HGTV Canada Inc.	•	None	27%
DTOUR Shaw Television G.P. Inc. (the general partner) and Shaw Media Global Inc. (the limited partner), carrying on business as Shaw Television Limited Partnership, and Shaw Media Global Inc., partners in a general partnership carrying on business as TVtropolis General Partnership	•	Delete the expectation that in each broadcast year, a minimum of 75% of all expenditures for Canadian programming broadcast on the service, other than news and public affairs, be directed to independent production companies.	27%
Fyi Discovery Health Channel Canada ULC	•	None	27%

Food Network Food Network Canada Inc.	Delete the condition of licence relating to the distribution of commercial messages to children up to 5 years old.	27%
HGTV HGTV Canada Inc.	Delete the expectation that the licensee ensure that at least 50% of its programming is original, first-run Canadian programming acquired from an independent production company, and that for Canadian drama, the licensee make reasonable use of independent production companies.	27%
History Television History Television Inc.	Delete the expectation that original, first-run Canadian programming must be acquired from an independent production company.	27%
H2 Shaw Television G.P. Inc. (the general partner) and Shaw Media Global Inc. (the limited partner), carrying on business as Shaw Television Limited Partnership, and Shaw Media Global Inc., partners in Men TV General Partnership	Delete the condition of licence requiring the licensee to file with the Commission an annual report setting out the details of all expenditures made during the year to fulfill the tangible benefits associated with the acquisition of assets of The Cave.	27%
The Independent Film Channel Showcase Television Inc.	• Delete the condition of licence requiring that no less than 25% of all Canadian programs broadcast by the licensee, other than news, sports, and current affairs programming (program categories 1, 2(a), 6(a), and 6(b)) be produced by independent production companies.	27%
Lifetime Showcase Television Inc.	• None	27%

MovieTime Shaw Television G.P. Inc. (the general partner) and Shaw Media Global Inc. (the limited partner), carrying on business as Shaw Television Limited Partnership	• None	27%
National Geographic Channel NGC Channel Inc.	• None	27%
National Geographic Wild NGC Channel Inc.	• None	10%
Nickelodeon 4537459 Canada Inc.	• None	27%
OWN OWN Inc.	Delete the expectation that in each broadcast year, a minimum of 75% of all expenditures for Canadian programming broadcast on the service, other than news and current affairs, be directed to independent production companies.	27%
Showcase Showcase Television Inc.	Delete the requirement to devote, over the licence term, no less than \$12 million on licence fees to independent producers for the production of a minimum of 50 hours of original Canadian drama programs.	27%
	 Delete the requirement relating to the acquisition, from independent producers, of no less than 75% of its original, first-run Canadian content hours. Delete the expectation relating to condition of licence 2(d), whereby the program broadcast by the licensee must include non-Canadian drama programs 	
	that are not currently available in the Canadian broadcasting system.	

Slice Life Network Inc.	Delete the requirement that at least 75% of all programs broadcast by the licensee be produced by independent production companies.	27%
Sundance Channel Life Network Inc.	• None	27%
TELETOON/TÉLÉTOON TELETOON Canada Inc.	Delete the condition of licence requiring that, in each broadcast year, at least 75% of all expenditures for the acquisition or commissioning of original, first-run Canadian programming be set aside for non-related producers.	27%
	Delete the condition of licence requiring the licensee to: a) not remit any script and concept development expenditures to its shareholders or affiliated corporations; and b) direct a minimum of one-third of all script and concept development expenditures to Canadian French-language producers.	
	Delete the condition of licence requiring the licensee to maintain decision-making personnel dedicated to program commissioning exclusively to TELETOON/TÉLÉTOON.	
	Delete the condition of licence whereby, in each broadcast month, the licensee shall not devote more than 10% of the programs broadcast to programming broadcast by either of the specialty services TreeHouse TV or YTV.	

Troo House TV	 Delete the condition of licence requiring the licensee to use the accrual method of accounting in making calculation for the purposes of its conditions of licence relating to CPE and PNI (conditions of licence 4 to 9 and 11). Delete the expectation that a minimum of 75% of all original, first-run Canadian programming broadcast be acquired from non-related producers. Delete the expectation to demonstrate responsibility in the scheduling of programming intended for adult audiences, taking into account the time zone differences between where the program originates and where it is received. Delete the expectation to continue to provide a "safe haven" for young children throughout the day by broadcasting 12 hours of programming every weekday from 6 a.m. to 6 p.m. suitable for unsupervised viewing by young children and by scheduling at least 31.5 hours of advertising-free programming between 6 a.m. and 6 p.m. from Monday to Friday each broadcast week. 	270/
TreeHouse TV YTV Canada Inc.	• None	27%
W Movies 7202377 Canada Inc.	• None	27%
W Network W Network Inc.	Delete the condition of licence requiring the licensee to use the accrual method of accounting in making calculations for the purposes of its conditions of licence relating to CPE and PNI.	27%

YTV YTV Canada Inc.	Delete the condition of licence requiring the licensee to use the accrual method of accounting in making calculation for the purposes of its conditions of licence relating to CPE and PNI.	27%
	Delete the condition of licence requiring that, in each broadcast year, the programming distributed by the licensee include a minimum of 90 hours of original, first-run Canadian programs that have been acquired by YTV from an independent production company, either through co-production or licensing arrangements.	

New broadcasting licences

Service, application number and applicant	Description of service	Proposed minimum CPE threshold (% of revenues)
Disney XD 2016-0217-8 9329994 Canada Inc.	A national, English-language discretionary service offering Disney XD programming for children, youth and their families.	10%
Disney Junior 2016-0216-0 9329994 Canada Inc.	A national, English-language discretionary service for children, youth and their families, offering Disney Junior programming primarily targeting young children and their families.	10%
Disney Channel 2015-1373-9 9329994 Canada Inc.	A national, English-language discretionary service for children, youth and their families, offering Disney Channel programming including first-run television series, theatrically-released and original made-for-TV movies.	10%

Licensee's address:

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Email: sylvie.courtemanche@corusent.com
Website to view application: www.corusent.com

7. Rogers Media Inc.

Across Canada Application 2016-0009-9

Application by **Rogers Media Inc.**, on behalf of the licensees listed below, to renew and/or amend the broadcasting licences for the television services listed below.

The licensee proposes to include its discretionary services FX and FXX as part of its designated group. The OMNI stations and the general interest sports services Sportsnet and Sportsnet One would remain excluded from the group. Rogers proposes a group CPE of 30% of gross revenues from the previous broadcast year, with individual CPE requirements of 30% gross revenues from the previous broadcast year for its English-language television stations and discretionary services. In regard to PNI, Rogers proposes a group requirement of 5%, with at least 75% of the expenditures to be allocated to independent producers.

The licensee also proposes not to renew the network licence approved in Broadcasting Decision 2015-154 for the program *Hockey Night in Canada*, and to impose a condition of licence that would outline its responsibility for *Hockey Night in Canada* programming aired by the Canadian Broadcasting Corporation's (CBC) English-language television stations on the mainstream sports service Sportsnet. Further, Rogers requests to delete the group requirement to file a "Report on Specified Procedures" set out in Broadcasting Decision 2014-399 and to impose on Sportsnet a condition of licence requiring the filing of an unaudited report on the allocation of revenues and expenses relating to the National Hockey League programming broadcast on the licensed programming undertakings.

The licensee has not requested the renewal of the licence for Sportsnet World, and wishes to operate this service as an exempt service. In Rogers' view, the service meets the criteria set out in Broadcasting Order 2015-88.

Rogers proposes to renew the licences for the OMNI television stations on a standalone basis, with individual CPE requirements of 27% of gross revenues from the previous broadcast year. These stations would not contribute to Rogers' designated group CPE and PNI requirements. Rogers also proposes to amend several conditions of licence, as set out in the table below. Consistent with Broadcasting Decision 2016-8, the Commission intends to review the OMNI stations' ongoing performance and requirements, including the provision of local third-language programming, at licence renewal.

In a related application (2016-0377-0), Rogers requests a broadcasting licence to operate a new ethnic discretionary service composed of four multiplex channels. Rogers requests that this

service be granted mandatory distribution as part of the basic service on all licensed and exempt BDUs (with more than 2,000 subscribers) for a period of five years.

The proposed key changes, other than those listed in paragraph 50, are set out in the following tables.

Services that would contribute to the group's requirements

Television stations

Service and licensee	Key amendments	Proposed minimum CPE threshold (% of revenues)
City television stations Rogers Media Inc.	Delete the rebroadcasting transmitter CKVU-DT-1 Courtenay.	30%

Station and licensee	Key amendments	Proposed minimum CPE threshold (% of revenues)
VICELAND (formerly The Biography Channel) Rogers Media Inc.	Delete the condition of licence requiring that not less than 25% of programs other than news, sports and current affairs programming be produced by independent producers.	30%
G4techTV Rogers Media Inc.	Delete the condition of licence requiring that not less than 25% of programs other than news, sports and current affairs programming be produced by independent producers.	30%
Outdoor Life Network (OLN) Rogers Media Inc.	Delete the condition of licence relating to independent productions.	30%
	Delete the condition of licence relating to the filing of a report to demonstrate nature of service compliance.	
	Delete the expectation that 75% of all original, first-run programming be acquired from independent producers.	
Sportsnet 360 Rogers Media Inc.	• None	30%

FX 8064750 Canada Inc.	 Add conditions of licence relating to a 30% CPE requirement and the inclusion of the service in Rogers Media Inc.'s designated group. Add a condition of licence relating to 5% PNI expenditures. 	30%
	Add a condition of licence requiring that 75% of PNI expenditures be made to independent producers.	
FXX 8834776 Canada Inc.	Add conditions of licence relating to a 30% CPE requirement and the inclusion of the service in Rogers Media Inc.'s designated group.	30%
	• Add a condition of licence relating to 5% PNI expenditures.	
	Add a condition of licence requiring that 75% of PNI expenditures be made to independent producers.	

Services that would not contribute to the group's requirements

Television stations

Key amendments	Proposed minimum CPE threshold (% of revenues)
Amend the broad service condition of licence by reducing, from 20 to 15, the number of distinct ethnic groups and languages that must be reflected in the programming of the OMNI stations.	27%
Delete the condition of licence relating to the 16% limit on the broadcast of programming in any one foreign language.	
• Amend the condition of licence requiring the licensee to establish an Advisory Council by 30 November 2014.	
	 Amend the broad service condition of licence by reducing, from 20 to 15, the number of distinct ethnic groups and languages that must be reflected in the programming of the OMNI stations. Delete the condition of licence relating to the 16% limit on the broadcast of programming in any one foreign language. Amend the condition of licence requiring the licensee to establish an Advisory Council by

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requiring the licensee to devote at least 50% of its programming to Canadian content for the evening broadcast period, as set out in Broadcasting Regulatory Policy 2015-86.
• Delete the requirement to provide 2 hours of original described video programming per week.
• For the OMNI stations in Calgary and Edmonton, amend the condition of licence in order to measure the number of local programs broadcast weekly over the broadcast year.
• For the OMNI station in Vancouver, delete the conditions of licence relating to the outstanding tangible benefits and to the related reporting requirements, since the balance was paid on 31 August 2015.
Delete the expectation relating to the maintenance of news bureaus in Victoria and Ottawa.

Discretionary services

Station and licensee	Key amendments	Proposed minimum CPE threshold (% of revenues)
Sportsnet Rogers Media Inc.	Delete the condition of licence relating to the filing of a programming supply agreement with non-Canadian parties.	50%, consistent with Broadcasting Regulatory Policy 2009-562-2
	Add a condition of licence that would replace the network licence. This condition of licence would outline the licensee's responsibility for <i>Hockey Night in Canada</i> programming broadcast on the CBC's English-language television stations.	
	Add the current condition of licence applicable to Rogers's	

	designated group relating to the filing of an annual unaudited report containing information on the allocation of all the revenues and expenses relating to NHL programming.	
Sportsnet One (formerly Rogers Mainstream Sports) Rogers Media Inc.	Delete the nature of service condition of licence and replace it with the standard conditions of licence for mainstream sports, as set out in Broadcasting Regulatory Policy 2009-562-2.	50%, consistent with Broadcasting Regulatory Policy 2009-562-2
	Delete the condition of licence relating to the filing of a programming supply agreement with non-Canadian parties.	
	Delete the condition of licence relating to the broadcast of religious programming.	

On-demand service

Rogers Communications Canada Inc. filed application 2016-0332-4 to renew the licence for the on-demand service Rogers on Demand, subject to the same terms and conditions set out in the current licence, for a seven-year licence term. The licensee agrees to adhere to the standard requirements set out in Appendix 2 to Broadcasting Regulatory Policy 2015-355.

Network

Network and licensee	Key amendments
Television network Rogers Media Inc.	• Rogers does not wish to renew its network licence. It requests that it no longer be required to hold a network licence in order to continue to broadcast the program <i>Hockey Night in Canada</i> on the CBC's English-language conventional television stations.
	Rogers proposes to replace the network licence by specific conditions of licence that would be imposed on Sportsnet.

Licensee's address:

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8. Shaw Communications Inc.

Across Canada Application 2016-0018-0

Application by **Shaw Communications Inc.** (Shaw), on behalf of Shaw Cablesystems Limited, licensee of the English-language television station CJBN-TV Kenora, Ontario, and Shaw Cablesystems (VCI) Limited, licensee of the national VOD service known as Shaw On Demand, to renew the broadcasting licences for these undertakings on a standalone basis.

Shaw agrees to adhere to the new standard requirements for television stations and on-demand services set out in Appendices 1 and 3 of Broadcasting Notice of Consultation 2016-195. Shaw proposes that licences for the services be renewed for a seven-year licence term.

Shaw proposes a minimum CPE requirement of 20% for CJBN-TV, consistent with Broadcasting Regulatory Policy 2015-86.

Licensee's address:

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9. Telelatino Network Inc.

Application 2016-0405-9

Application by **Telelatino Network Inc.** (TLN) to renew and amend the broadcasting licences for the discretionary services Telelatino and SkyTG 24 on a standalone basis.

TLN agrees to adhere to the new standard requirements for discretionary services set out in Appendix 2 to Broadcasting Notice of Consultation 2016-195. TLN requests that the licences for the services be renewed for a seven-year licence term.

The proposed key changes, other than those listed in paragraph 50, are set out in the following table.

Service and licensee	Key amendments	Proposed minimum CPE threshold (% of revenues)
Telelatino Across Canada Telelatino Network Inc.	• None	23%
Sky TG24 Toronto, Ontario Telelatino Network Inc.	• Request for an exception from the standard 10% limit on the broadcast of programming from program category 6(a).	10%

Delete the condition of licence requiring the licensee to devote no less than 90% of all programming broadcast during the broadcast week to programming in the Italian language.	
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Licensee's address:

5125 Steeles Avenue West Toronto, Ontario M9L 1R5

Email: agathap@tlntv.com

Email to request electronic version of application: agathap@tlntv.com

Procedure

Deadline for interventions, comments or answers

2 August 2016

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, answer, 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.

An intervention or an answer from a respondent must be filed with the Commission and served on the applicant on or before the above-mentioned date. An answer from a respondent must also be served on any other respondent.

Interventions and answers must clearly identify the application referred to and indicate whether parties support or oppose the application, or, if they propose changes to it, include the facts and grounds for their proposal.

The intervention or answer must include one of the following statements in either the first or the last paragraph:

- 1. I request to appear at the public hearing.
- 2. I do not want to appear at the public hearing.

Parties are permitted to coordinate, organize, and file, in a single submission, interventions by other interested persons who share their position. Information on how to file this type of submission, known as a joint supporting intervention, as well as a template for the covering letter to be filed by the parties, can be found in Broadcasting Information Bulletin 2010-28-1.

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.

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.

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 <u>guidelines</u> for preparing documents in accessible formats.

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

A true copy of each intervention or answer from a respondent must be sent to the applicant and, in the case of a respondent to an application, to any other respondent.

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.

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.

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.

If parties wish to appear, they must provide reasons why their written interventions or answers are not sufficient and why an appearance is necessary. Parties requiring communication support must state their request on the first page of their intervention. Only those parties whose requests to appear have been granted will be contacted by the Commission and invited to appear at the public hearing.

Persons requiring communications support such as assistance listening devices and sign language interpretation are requested to inform the Commission at least twenty (20) days before the commencement of the public hearing so that the necessary arrangements can be made.

Important notice

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, 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.

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.

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.

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

Electronic versions of the applications are available on the Commission's website at www.crtc.gc.ca by selecting the application number within this notice. They are also available

from the applicants, either on their websites or upon request by contacting the applicants at their email addresses, provided above.

Electronic versions of the interventions and answers, as well as of other documents referred to in this notice, are available on the Commission's website at 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.

Documents are also available from Commission offices, upon request, during normal business hours.

Location of Commission offices

Toll-free telephone: 1-877-249-2782 Toll-free TDD: 1-877-909-2782

Les Terrasses de la Chaudière Central Building 1 Promenade du Portage, Room 206 Gatineau, Quebec J8X 4B1

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220 – 4th Avenue Southeast Suite 172 Calgary, Alberta T2G 4X3

Tel.: 403-292-6660 Fax: 403-292-6686

British Columbia

858 Beatty Street Suite 290 Vancouver, British Columbia V6B 1C1

Tel.: 604-666-2111 Fax: 604-666-8322

Secretary General

Related documents

 Policy framework for local and community television, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016

- Call for comments on standard requirements for television stations, discretionary services, and on-demand services, Broadcasting Notice of Consultation CRTC 2016-195, 20 May 2016
- Various television services and stations Corporate reorganization (transfer of shares),
 Broadcasting Decision CRTC 2016-110, 23 March 2016
- Call for licence renewal applications, Broadcasting Notice of Consultation CRTC 2016-44, 8 February 2016
- Requests that Rogers Media Inc. reinstate third-language newscasts on its OMNI stations, Broadcasting Decision CRTC 2016-8, 12 January 2016
- Administrative renewals, Broadcasting Decision CRTC 2016-7, 12 January 2016
- Revised standard conditions of licence for Canadian discretionary services operating as national news services, Broadcasting Regulatory Policy CRTC 2015-436, 23 September 2015
- Revised exemption order for certain classes of video-on-demand (VOD) undertakings and updated standard conditions of licence for licensed VOD undertakings, Broadcasting Regulatory Policy CRTC 2015-355 and Broadcasting Order CRTC 2015-356, 6 August 2015
- Filing submissions for Commission proceedings in accessible format, Broadcasting and Telecom Information Bulletin CRTC 2015-242, 8 June 2015
- Rogers Media Inc. Television network licence, Broadcasting Decision CRTC 2015-154, 17 April 2015
- Let's Talk TV Navigating the Road Ahead Making informed choices about television providers and improving accessibility to television programming, Broadcasting Regulatory Policy CRTC 2015-104, 26 March 2015
- Let's Talk TV 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
- Exemption order respecting discretionary television programming undertakings serving fewer than 200,000 subscribers, Broadcasting Order CRTC 2015-88, 12 March 2015
- Let's Talk TV The way forward Creating compelling and diverse Canadian programming, Broadcasting Regulatory Policy CRTC 2015-86, 12 March 2015

- MusiquePlus and MusiMax Change in effective control and licence amendments, Broadcasting Decision CRTC 2014-465, 11 September 2014
- Rogers Media Inc. Group-based licence renewals, Broadcasting Decision CRTC 2014-399, 31 July 2014
- Astral broadcasting undertakings Change in effective control Follow-up to the Astral-BCE transaction, Broadcasting Decision CRTC 2014-62, 17 February 2014
- *Historia and Séries+ Acquisition of assets and change in effective control*, Broadcasting Decision CRTC 2013-738, 20 December 2013
- TELETOON/TÉLÉTOON, TELETOON Retro, TÉLÉTOON Rétro and Cartoon Network Change of effective control; TELETOON/TÉLÉTOON, TELETOON Retro and TÉLÉTOON Rétro Licence renewal and amendment, Broadcasting Decision CRTC 2013-737, 20 December 2013
- Various specialty Category A and B services Licence renewals and modified group-based licensing approach, Broadcasting Decision CRTC 2013-465, 30 August 2013
- Astral broadcasting undertakings Change in effective control, Broadcasting Decision CRTC 2013-310, 27 June 2013
- Revised policy for large broadcast groups regarding Canadian programming expenditure over-expenditures for conventional television and specialty services, Broadcasting Regulatory Policy CRTC 2012-596, 30 October 2012
- *TVA Group Inc. Licence renewals*, Broadcasting Decision CRTC 2012-242, 26 April 2012
- Astral Media inc. Group-based licence renewals, Broadcasting Decision CRTC 2012-241, 26 April 2012
- Corus Entertainment Inc. Group-based licence renewals, Broadcasting Decision CRTC 2011-446, 27 July 2011
- *Shaw Media Inc. Group-based licence renewals*, Broadcasting Decision CRTC 2011-445, 27 July 2011
- Bell Media Inc. Group-based licence renewals, Broadcasting Decision CRTC 2011-444, 27 July 2011
- Group-based licence renewals for English-language television groups Introductory decision, Broadcasting Decision CRTC 2011-441, 27 July 2011

- 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
- A group-based approach to the licensing of private television services, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010
- Conditions of licence for competitive Canadian specialty services operating in the genres
 of mainstream sports and national news Definition of "broadcast day" for mainstream
 sports services, Broadcasting Regulatory Policy CRTC 2009-562-2, 25 May 2012
- Change in the effective control of TQS inc. and licence renewals of the television programming undertakings CFJP-TV Montréal, CFJP-DT Montréal, CFAP-TV Québec, CFKM-TV Trois-Rivières, CFKS-TV Sherbrooke, CFRS-TV Saguenay and of the TQS network, Broadcasting Decision CRTC 2008-129, 26 June 2008
- The reporting of Canadian programming expenditures, Public Notice CRTC 1993-93, 22 June 1993

Appendix to Broadcasting Notice of Consultation CRTC 2016-225 List and Links to Public Data

List of CRTC Canadian Program Recognition Numbers

Financial data

- Financial Summaries for Broadcasting Sector
- Video-on-demand Aggregate Statistical Data

Ownership Charts

Annual/Monthly Reports Filed by Broadcasting Industry Players

Communications Monitoring Reports