



Broadcasting Decision CRTC 2005-144

Ottawa, 11 April 2005

MediaNet Canada Ltd.
Across Canada

Application 2004-1145-5
Broadcasting Public Notice CRTC 2005-7
17 January 2005

Music Music Music (now Tamil TV4) – Licence amendment

*The Commission **approves** the application to amend the broadcasting licence for Music Music Music by adding to the list of program categories that may be broadcast by the service.*

The application

1. The Commission received an application by MediaNet Canada Ltd. (MediaNet) to amend the broadcasting licence for the national ethnic Category 2 specialty programming undertaking known as Music Music Music in order to add to the list of program categories that may be broadcast by the service.
2. The licensee proposed to broaden its nature of service by amending condition of licence 5.(b) set out in *Music Music Music – Category 2 specialty service*, Broadcasting Decision CRTC 2002-271, 4 September 2002, which stipulates that the programming broadcast by Music Music Music must be drawn from categories 8(a), 8(b), 8(c), 9, 11 and 13, as set out in Schedule I to the *Specialty Services Regulations, 1990*.
3. MediaNet requested authority to broadcast programming drawn from categories 1, 2(a), 2(b), 3, 4, 5(a), 5(b), 6(a), 6(b), 7(a), 7(b), 7(c), 7(d), 7(e), 7(f), 7(g), 8(a), 8(b), 8(c), 9, 10, 11, 12, 13 and 14.
4. MediaNet submitted that services with a narrower nature of service are not successful in smaller ethnic communities. MediaNet was of the view that broadcasting programming from additional categories would put it in a better position to negotiate with broadcasting distribution undertakings as well as to provide a service that would foster a viable market.
5. MediaNet indicated that should this application be approved by the Commission, its service name would be changed from Music Music Music to Tamil TV4.
6. The Commission did not receive any interventions in connection with this application.

The Commission's analysis and determination

7. In *Licensing framework policy for new digital pay and specialty services*, Public Notice CRTC 2000-6, 13 January 2000, the Commission implemented a competitive, open-entry approach to licensing Category 2 services. While the Commission does not consider the impact that a new Category 2 service might have on an existing Category 2 service, it does seek to ensure that newly licensed Category 2 services do not compete directly with any existing pay or specialty television service, including any Category 1 service.
8. Consistent with its policy, the Commission has examined the application to determine whether the proposed change will make Music Music Music competitive with any existing specialty, pay or Category 1 service. The Commission has determined that approval of the proposed licence amendment will not make Music Music Music directly competitive with any of these services given that 95% of all programming is required to be in the Tamil language. Accordingly, the Commission **approves** the application by MediaNet Canada Ltd. to amend the broadcasting licence for the national ethnic Category 2 specialty programming undertaking presently known as Music Music Music (now Tamil TV4), by adding program categories to the list of categories from which the licensee may draw its programming.
9. The amended condition of licence 5.(b) now reads as follows:

5.(b) The programming must be drawn from the following categories, as set out in Schedule 1 to the *Specialty Services Regulations, 1990*, as amended from time to time:

- 1 News
- 2 (a) Analysis and interpretation
(b) Long-form documentary
- 3 Reporting and actualities
- 4 Religion
- 5 (a) Formal education and pre-school
(b) Informal education/Recreation and leisure
- 6 (a) Professional sports
(b) Amateur sports
- 7 Drama and comedy
- 8 (a) Music and dance other than music video programs or clips
(b) Music video clips
(c) Music video programs
- 9 Variety
- 10 Game shows
- 11 General entertainment and human interest
- 12 Interstitials
- 13 Public service announcements
- 14 Infomercials, promotional and corporate videos

10. In order to reflect the addition of the new programming categories, condition of licence 5.(a), which requires that the licensee provide a national ethnic Category 2 specialty service consisting of Tamil music is amended as follows:

5.(a) The licensee shall provide a national ethnic Category 2 specialty service consisting of a variety of programming.

11. The Commission notes that this undertaking is not yet in operation.

Secretary General

This decision is to be appended to the licence. It is available in alternative format upon request, and may also be examined in PDF format or in HTML at the following Internet site: <http://www.crtc.gc.ca>