



Broadcasting Decision CRTC 2005-165

Ottawa, 20 April 2005

All TV Inc.
Across Canada

Application 2004-1008-5
Public Hearing at Vancouver, British Columbia
28 February 2005

All TV-SBS – Category 2 specialty service

*In this decision, the Commission **approves** the application for a broadcasting licence to operate a new Category 2 specialty programming undertaking.*

The application

1. The Commission received an application by All TV Inc., for a broadcasting licence to operate a national ethnic Category 2¹ specialty programming undertaking to be known as All TV-SBS.
2. The applicant proposed to offer a service that would be devoted to the Korean-speaking community. The international programming to be offered by the proposed service would stem from SBS, one of Korea's major broadcasters. The applicant stated that 90% of its programming would be in the Korean language and 10% of its programming would be in the English language.
3. The Commission did not receive any interventions in connection with this application.

Commission's analysis and determination

4. The Commission is satisfied that the application is in conformity with all applicable terms and conditions announced in *Introductory statement – Licensing of new digital pay and specialty services – Corrected Appendix 2*, Public Notice CRTC 2000-171-1, 6 March 2001 (Public Notice 2000-171-1). Accordingly, the Commission **approves** the application by All TV Inc. for a broadcasting licence to operate the national ethnic Category 2 specialty programming undertaking, All TV-SBS.

¹The Category 2 services are defined in *Introductory statement - Licensing of new digital pay and specialty services*, Public Notice CRTC 2000-171, 14 December 2000.

5. The licence will expire 31 August 2011, and will be subject to the conditions set out in Public Notice 2000-171-1, as well as to the **conditions of licence** set out in the appendix to this decision.

Issuance of the licence

6. A licence will be issued once the applicant has satisfied the Commission, with supporting documentation, that the following requirements have been met:
- the applicant has entered into a distribution agreement with at least one licensed distributor; and
 - the applicant has informed the Commission in writing that it is prepared to commence operations. The undertaking must be operational at the earliest possible date and in any event no later than 36 months from the date of this decision, unless a request for an extension of time is approved by the Commission before 20 April 2008. In order to ensure that such a request is processed in a timely manner, it should be submitted at least 60 days before that date.

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>

Appendix to Broadcasting Decision CRTC 2005-165

Conditions of licence

1. The licence will be subject to the conditions set out in *Introductory statement – Licensing of new digital pay and specialty services – Corrected Appendix 2*, Public Notice CRTC 2000-171-1, 6 March 2001 (Public Notice 2000-171-1), as well as to the following conditions of licence:
2. The licensee shall provide a national ethnic Category 2 specialty programming undertaking devoted to the Korean-speaking community. The international programming offered by the service will stem from SBS, one of Korea's major broadcasters.
3. Not less than 90% of the programming broadcast during the broadcast week shall be in the Korean language.
4. Not more than 10% of the programming broadcast during the broadcast week shall be in the English language.
5. The programming must be drawn exclusively from the following categories, as set out in Schedule I 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

6. Condition of licence 4.a) relating to advertising, as set out in Public Notice 2000-171-1, will be replaced by the following:

- a) Except as otherwise provided in subparagraphs b) and c), the licensee shall not distribute more than 12 minutes of advertising material during each clock hour, no more than 6 minutes of which may consist of local or regional advertising.

For the purposes of the conditions of this licence, including condition of licence no.1, *broadcast day* refers to the 24-hour period beginning each day at 6 a.m., or any other period approved by the Commission.