



Broadcasting Public Notice CRTC 2007-19

Ottawa, 26 February 2007

Call for comments on the proposed addition of CaribVision to the lists of eligible satellite services for distribution on a digital basis

1. The Commission received a request dated 15 December 2006 from Rogers Cable Communications Inc. (Rogers) for the addition of CaribVision, a non-Canadian English-language service, to the lists of eligible satellite services for distribution on a digital basis (the digital lists). Rogers described the service as follows:

CaribVision is a general-interest service offering programming in English. Its primary objective is to help viewers stay connected to Caribbean culture through a broad range of programming, including programs in the news, documentary, children's, game show, talk, informal education and music/variety genres.
2. In its request, Rogers stated its belief that the approach set out in *Improving the diversity of third-language television services - A revised approach to assessing requests to add non-Canadian third-language television services to the lists of eligible satellite services for distribution on a digital basis*, Broadcasting Public Notice CRTC 2004-96, 16 December 2004 (Public Notice 2004-96), applies to its request. Under the approach set out in Public Notice 2004-96, requests to add non-Canadian third-language general interest services to the digital lists are generally approved, subject, as appropriate, to new distribution and linkage rules described in that notice. In this context, Rogers noted that, even though CaribVision does not offer programming in a third language, it does offer programming that targets the Caribbean community.
3. The Commission's approach to requests for the addition of non-Canadian English- and French-language services to the digital lists is set out in *Call for proposals to amend the lists of eligible satellite services through the inclusion of additional non-Canadian services eligible for distribution on a digital basis only*, Public Notice CRTC 2000-173, 14 December 2000 (Public Notice 2000-173). In Public Notice 2000-173, the Commission indicated that it would assess such requests in the context of its general policy which, among other things, precludes the addition of a non-Canadian satellite service that can be considered either totally or partially competitive with Canadian specialty or pay television services. The Commission stated that, in applying this policy, it would take into account all specialty and pay television programming services whose licence applications had been approved by the Commission, including all of the launched and unlaunched Category 1 and Category 2 specialty and pay television services.

4. By letter dated 4 January 2007, the Commission requested that Rogers provide any comments it might have as to whether or not CaribVision would be totally or partially competitive with any Canadian pay or specialty services, in the event that the Commission did not accept Rogers' position that the approach set out in Public Notice 2004-96 should apply to its request.
5. In its response dated 19 January 2007, Rogers submitted, among other things, that the Commission should amend its policy under Public Notice 2004-96 to extend it to general interest English-language services that are clearly directed to an ethnic audience. Rogers also submitted that, in any event, since CaribVision's schedule consists of content that specifically targets the Caribbean diaspora, there is no licensed Canadian service with which CaribVision would be competitive.
6. Prior to determining whether it should consider Rogers' proposed amendment to the policy under Public Notice 2004-96, the Commission wishes to consider whether or not it would be appropriate for it to add CaribVision to the digital lists under the existing approach for English-language services. Accordingly, the Commission calls for comments on whether or not the service should be added to the digital lists under the approach set out in Public Notice 2000-173.
7. The Commission will rely primarily on the comments filed to identify the Canadian pay and specialty services with which CaribVision might be totally or partially competitive and which therefore should be included in its assessment of the competitiveness of the service. Parties wishing to argue that CaribVision would be competitive should therefore name the specific Canadian pay or specialty service with which they consider the service would compete, and provide details, such as a programming comparison, to support their views.

Call for comments

8. The Commission calls for comments on Rogers' request for the addition of CaribVision to the digital lists. Parties submitting comments should also submit a true copy of their comments to the Canadian sponsor, Rogers, at the following address:

Rogers Cable Communications Inc.
333 Bloor Street East, 9th floor
Toronto, Ontario
M4W 1G9
Fax: 416-935-4875
E-mail: cable.regulatory@rci.rogers.com
9. Proof that comments have been sent to the sponsor must accompany the original version of the comments sent to the Commission.

10. Comments must be received by the Commission no later than **28 March 2007**. A copy of the comments must be received by Rogers no later than the deadline for receipt of comments by the Commission.
11. Rogers may file a written reply to any comments received concerning its request. This reply should be filed with the Commission, and a copy sent to the person who submitted the comments, by no later than **12 April 2007**.
12. The Commission will not formally acknowledge comments. It will, however, fully consider all comments and they will form part of the public record of the proceeding, provided that the procedures for filing set out below have been followed.

Procedures for filing comments

13. Interested parties can file their comments to the Secretary General of the Commission:
 - **by using the**
Broadcasting Intervention/Comments Form
 - OR
 - **by mail to**
CRTC, Ottawa, Ontario K1A 0N2
 - OR
 - **by fax at**
819-994-0218
14. Submissions longer than five pages should include a summary.
15. Please number each paragraph of your submission. In addition, please enter the line *****End of document***** following the last paragraph. This will help the Commission verify that the document has not been damaged during transmission.

Important notice

16. Note that all information that you provide as part of this public process, except information granted confidentiality, whether sent by postal mail, facsimile, e-mail or through the Commission's Web site at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's Web site. This information includes your personal information, such as your full name, e-mail address, postal/street address, telephone and facsimile number(s), and any other personal information you provide.

17. Documents received electronically or otherwise will be put on the Commission's Web site in their entirety exactly as you send them, 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.
18. The personal information you 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.
19. Please note that the information you 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 our Web site with the help of either our own search engine or a third-party search engine will not provide access to the information which was provided as part of this public process.
20. The Commission encourages interested parties to monitor the public examination file and the Commission's Web site for additional information that they may find useful when preparing their comments.

**Examination of public comments and related documents at the following
Commission offices during normal business hours**

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

Central Building
Les Terrasses de la Chaudière
1 Promenade du Portage, Room 206
Gatineau, Quebec K1A 0N2
Tel: 819-997-2429
Fax: 819-994-0218

Metropolitan Place
99 Wyse Road
Suite 1410
Dartmouth, Nova Scotia B3A 4S5
Tel: 902-426-7997
Fax: 902-426-2721

205 Viger Avenue West
Suite 504
Montréal, Quebec H2Z 1G2
Tel: 514-283-6607

55 St. Clair Avenue East
Suite 624
Toronto, Ontario M4T 1M2
Tel: 416-952-9096

Kensington Building
275 Portage Avenue
Suite 1810
Winnipeg, Manitoba R3B 2B3
Tel: 204-983-6306
TDD: 204-983-8274
Fax: 204-983-6317

Cornwall Professional Building
2125 - 11th Avenue
Room 103
Regina, Saskatchewan S4P 3X3
Tel: 306-780-3422

10405 Jasper Avenue
Suite 520
Edmonton, Alberta T5J 3N4
Tel: 780-495-3224

530-580 Hornby Street
Vancouver, British Columbia V6C 3B6
Tel: 604-666-2111
TDD: 604-666-0778
Fax: 604-666-8322

Secretary General

This document 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>