



## Broadcasting Decision CRTC 2011-519

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Route reference: 2011-188

Ottawa, 23 August 2011

### **Rogers Broadcasting Limited**

Across Canada

*Application 2010-1905-0, received 22 December 2010*

*Public hearing in the National Capital Region*

*17 May 2011*

### **Sports d'intérêt général de Rogers – Category C service**

*The Commission **approves** an application for a broadcasting licence to operate a new Category C service.*

#### **The application**

1. The Commission received an application by Rogers Broadcasting Limited (Rogers) for a broadcasting licence to operate a national, French-language Category 2 specialty television programming undertaking to be known as Sports d'intérêt général de Rogers. The service would be devoted to all aspects of sports with an emphasis on mainstream Canadian professional sports. The Commission did not receive any interventions in connection with this application.
2. In Broadcasting Regulatory Policy 2009-562, the Commission stated that new competitive services operating in the mainstream sports genre would be licensed as Category 2 services until the regulatory revisions required to fully implement the policies set out in Broadcasting Public Notice 2008-100 come into effect. In this respect, the Commission notes that the regulatory amendment process has been completed and that the Commission has made the *Regulations amending the Broadcasting Distribution Regulations*.<sup>1</sup> The Commission also notes that Rogers' licence would be in effect 1 September 2011, the same date that the revisions to the *Broadcasting Distribution Regulations* (the Regulations) come into force. Consequently, Rogers would be subject to the new distribution requirements laid out in the Regulations and the Commission would designate the service as a Category C service, as set out in condition of licence 2.
3. Rogers is controlled by Rogers Communications Inc.

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<sup>1</sup> See Broadcasting Regulatory Policy 2011-455.

4. Rogers stated that its application is consistent with the Commission's framework for competitive mainstream sports services, as set out in Broadcasting Regulatory Policy 2009-562, and that it would accept that the service be subject to the standard conditions of licence set out in Broadcasting Regulatory Policy 2009-562-1.

### **Commission's determination**

5. The Commission is satisfied that the application is consistent with the regulatory framework for competitive services operating in the mainstream sports genre set out in Broadcasting Regulatory Policies 2009-562 and 2009-562-1. Accordingly, the Commission **approves** the application by Rogers Broadcasting Limited for a broadcasting licence to operate the national, French-language Category C service Sports d'intérêt général de Rogers. The terms and **conditions of licence** are set out in the appendix to this decision.

### **Reminder**

6. The Commission reminds the applicant that the distribution of this service is subject to the requirements set out in the *Broadcasting Distribution Regulations*.

Secretary General

### **Related documents**

- *Amendments to the Broadcasting Distribution Regulations and other Commission Regulations*, Broadcasting Regulatory Policy CRTC 2011-455, 29 July 2011
- *Conditions of licence for competitive Canadian speciality services operating in the genres of mainstream sports and national news – Implementation of the Accessibility Policy and other matters*, Broadcasting Regulatory Policy CRTC 2009-562-1, 18 June 2010
- *Conditions of licence for competitive Canadian specialty services operating in the genres of mainstream sports and national news*, Broadcasting Regulatory Policy CRTC 2009-562, 4 September 2009
- *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services – Regulatory Policy*, Broadcasting Public Notice CRTC 2008-100, 30 October 2008

*\*This decision is to be appended to the licence.*

## Appendix to Broadcasting Decision CRTC 2011-519

### Terms and conditions of licence for the Category C service Sports d'intérêt général de Rogers

#### Terms

The 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 licence distributor; and
- the applicant has informed the Commission in writing that it is prepared to commence operations and has provided the Commission with a launch date for the service. The undertaking must be operational at the earliest possible date and in any event during the 48 months following the date of this decision.

The licence will take effect 1 September 2011 and expire 31 August 2018.

#### Conditions of licence

1. The licence will be subject to the conditions set out in *Conditions of licence for competitive Canadian speciality services operating in the genres of mainstream sports and national news – Implementation of the Accessibility Policy and other matters*, Broadcasting Regulatory Policy CRTC 2009-562-1, 18 June 2010.
2. The broadcasting undertaking licensed hereby is designated as a Category C service.
3. The licensee shall provide a French-language Category C service devoted to all aspects of sports with an emphasis on mainstream Canadian professional sports.
4. In order to ensure that the licensee complies at all times with the *Direction to the CRTC (Ineligibility of non-Canadians)*, the licensee shall file for the Commission's review a copy of any programming supply agreement and/or licence or trademark agreement it has entered into with a non-Canadian party within 30 days of its execution. In addition, the Commission may request any additional document(s) that could affect control of the programming or management of the service.