



## Broadcasting Decision CRTC 2014-613

PDF version

Route reference: Part 1 application posted on 10 September 2014

Ottawa, 26 November 2014

### **Rogers Communications Partnership** Across Canada

*Application 2014-0886-5*

### **Addition of WWE Network to the *List of non-Canadian programming services authorized for distribution***

*The Commission **approves** an application to add WWE Network to the List of non-Canadian programming services authorized for distribution (the list) and amends the list accordingly. The revised list is available on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) by clicking on "TV & Radio" and selecting "Programming."*

#### **Introduction**

1. Rogers Communications Partnership (Rogers), acting as the Canadian sponsor, filed an application to add WWE Network to the *List of non-Canadian programming services authorized for distribution* (the list).
2. Rogers described WWE Network as a 24-hour niche service (100% English-language with a 5% Spanish-language secondary audio program) providing wrestling entertainment programming. Its target audience is Canadian wrestling fans, specifically males and young adults who enjoy watching wrestling and want access to information programming about matches and entertainers and to detailed analysis of events. The service originates in the United States, and the programming is produced in-house by WWE, Inc.
3. The Commission's general approach to the addition of non-Canadian English- and French-language services to the list is set out in Public Notice 2000-173 and reiterated in Broadcasting Public Notice 2008-100. Under this approach, the Commission assesses such requests in the context of its general policy, which, among other things, precludes the addition of a non-Canadian service that can be considered either totally or partially competitive with Canadian specialty or pay television services.

#### **Interventions and reply**

4. The Commission received interventions in support of the present application. It also received interventions commenting on and in opposition to the application, to which

the applicant replied. The public record for this application can be found on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) or by using the application number provided above.

5. Many interveners expressed concern that WWE Network would only be offered by Rogers and that it would be made available through Rogers' broadcasting distribution undertakings (BDUs) rather than as an audiovisual subscription service delivered over the Internet. They also submitted that WWE Network should be required to abide by the same Canadian content requirements as those for Canadian services. Further, many interveners submitted that the service should broadcast the same programs as those broadcast in the United States rather than a selection of "the best of" programming.
6. In its reply, Rogers stated that if the service were added to the list, all Canadian BDUs could negotiate carriage of WWE Network on their systems. It added that it was WWE, Inc.'s choice to make it available in Canada through licensed and exempt BDUs rather than as an audiovisual subscription service delivered over the Internet. Rogers further stated that it nevertheless intended to make the service available on its other platforms and that the service would presumably be offered in a similar manner by other Canadian BDUs, should they decide to carry it.
7. Moreover, Rogers indicated that the Commission authorizes the distribution of non-Canadian services in Canada without requiring them to abide by Canadian exhibition or other regulatory requirements. It added that access to such services directly benefits the Canadian broadcasting system by increasing diversity in programs available to Canadians and that Canadian talent benefits indirectly, given—as stated by certain interveners—the various Canadian professional wrestlers showcased on the service.
8. Finally, Rogers confirmed that the WWE Network service that it proposed to distribute in Canada would broadcast the same content as that broadcast by the WWE Network service in the United States and that the service would complement its other offerings, such as various sporting programs on Sportsnet 360 and live events on pay-per-view.

### **Commission's analysis and decision**

9. Given that Rogers has addressed the concerns raised in the interventions, the Commission is satisfied that the application does not raise any issues. Accordingly, the Commission **approves** the application by Rogers Communications Partnership to add WWE Network to the *List of non-Canadian programming services authorized for distribution* and amends the list accordingly. The revised list is available on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) by clicking on "TV & Radio" and selecting "Programming," and may be obtained in hard copy on request.

Secretary General

**Related documents**

- *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services* – Regulatory policy, Broadcasting Public Notice CRTC 2008-100, 30 October 2008
- *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