



Broadcasting Decision CRTC 2005-199

Ottawa, 18 May 2005

Corus Entertainment Inc., on behalf of its subsidiaries
Across Canada

Application 2005-0139-7
Broadcasting Public Notice CRTC 2005-36
19 April 2005

Licence amendments

*The Commission **approves** the application for licence amendments that will allow the licensees to avail themselves of the incentive program for English-language Canadian television drama set out in Incentives for English-language Canadian television drama, Broadcasting Public Notice CRTC 2004-93, 29 November 2004.*

The application

1. The Commission received an application by Corus Entertainment Inc., on behalf of its subsidiaries indicated in the appendix to this decision, requesting licence amendments in order to add conditions of licence that would allow the licensees to avail themselves of the incentive program for English-language Canadian television drama set out in *Incentives for English-language Canadian television drama*, Broadcasting Public Notice CRTC 2004-93, 29 November 2004 (Public Notice 2004-93).

Background

2. In Public Notice 2004-93, the Commission announced an incentive program designed to increase the production and the broadcast of, the viewing to, and the expenditures on, high quality, original, Canadian drama programming. The Commission stated that a licensee who meets the criteria of the drama incentive program will be permitted to broadcast additional minutes of advertising, beyond the limits set out in applicable regulations or conditions of licence. The Commission specified that such a licensee must apply for a condition of licence in order to avail itself of the incentive program.

Interventions

3. The Commission received interventions from individuals in opposition to this application. The interveners expressed concern that the approval of the proposed licence amendments would result in a possible increase in advertising minutes broadcast by these licensees.

Commission's determination

4. In Public Notice 2004-93, the Commission noted that the additional advertising minutes earned through the drama incentive program will be placed in popular foreign programs that already contain more than 14 minutes of program interruptions in each hour. Accordingly, the Commission is satisfied that Canadian viewers will not experience an increase in program interruptions.
5. The Commission **approves** the application by Corus Entertainment Inc., on behalf of its subsidiaries indicated in the appendix to this decision, to amend the broadcasting licences for the programming undertakings also listed in the appendix in order to add the following **condition of licence** to each licence:

In addition to the 12 minutes of advertising material during any clock hour in a broadcast day permitted by condition of licence, the licensee may broadcast such additional minutes of advertising material calculated in accordance with *Incentives for English-language Canadian television drama*, Broadcasting Public Notice CRTC 2004-93, 29 November 2004, as may be amended from time to time.

6. In addition, the Commission amends the broadcasting licences for the specialty programming undertakings and the Category 1 specialty programming undertakings listed in the appendix in order to replace the preamble to each licensee's condition of licence setting out its requirements for Canadian programming expenditures with the following:

In accordance with the Commission's position on Canadian programming expenditures as set out in *New Flexibility With Regard to Canadian Program Expenditures by Canadian Television Stations*, Public Notice CRTC 1992-28, 8 April 1992, in *The Reporting of Canadian Programming Expenditures*, Public Notice CRTC 1993-93, 22 June 1993, in *Additional Clarification Regarding the Reporting of Canadian Programming Expenditures*, Public Notice CRTC 1993-174, 10 December 1993 and in *Incentives for English-language Canadian television drama*, Broadcasting Public Notice CRTC 2004-93, 29 November 2004, as may be amended from time to time:

Secretary General

This decision is to be appended to each 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 2005-199

Specialty programming undertakings

Licensee	Name of service	Location
YTV Canada, Inc.	YTV	Across Canada
YTV Canada, Inc.	Treehouse TV	Across Canada
W Network Inc.	W Network	Across Canada
Country Music Television Ltd.	CMT	Across Canada

Category 1 specialty programming undertaking

Licensee	Name of service	Location
YTV Canada, Inc. and the Canadian Broadcasting Corporation (the general partners), and 3366341 Canada Inc., Barna-Alper Productions Inc., CineNova Productions Inc., the National Film Board of Canada and Omni Film Productions Ltd. (the limited partners), carrying on business as The Canadian Documentary Channel Limited Partnership	The Canadian Documentary Channel	Across Canada

Category 2 specialty programming undertakings

Licensee	Name of service	Location
3924181 Canada Inc.	Scream	Across Canada
Discovery Kids Canada Company	Discovery Kids	Across Canada