



## Broadcasting Decision CRTC 2007-303

Ottawa, 14 August 2007

### **Rogers Cable Communications Inc.**

Tillsonburg, Ontario

*Application 2007-0948-8, received 26 June 2007*

*Broadcasting Public Notice CRTC 2007-80*

*13 July 2007*

### **Class 2 cable broadcasting distribution undertaking at Tillsonburg – Licence amendment**

*The Commission **approves** the application by Rogers Cable Communications Inc. to amend the current individual Class 2 licence for its cable broadcasting distribution undertaking (BDU) serving Tillsonburg, Ontario, as well as its Class 2 regional licence for this BDU, the latter to take effect 1 September 2007.*

#### **The application**

1. The Commission received an application by Rogers Cable Communications Inc. (Rogers) to amend the broadcasting licence for its Class 2 cable broadcasting distribution undertaking (BDU) serving Tillsonburg, Ontario. Rogers noted that this request would apply to its current individual Class 2 licence for this BDU, as well as to the Class 2 regional licence for this BDU that was approved by the Commission in Broadcasting Decision 2007-231 and that will take effect 1 September 2007.
2. Rogers proposed to delete its authority to distribute WKBW-TV (ABC) Buffalo, New York, received over the air, as part of the basic service, and to add the following condition of licence:

The licensee is authorized to distribute, at its option, the signals of WJET-TV (ABC) Erie, Pennsylvania, WOIO (CBS) Cleveland, and WUAB (MyTV) Cleveland, Ohio, as part of the basic service.

3. Rogers stated that the proposed amendment would enable it to mirror, on its Tillsonburg system, the channel line up offered on the St. Thomas/Strathroy system, as these systems would be interconnected. Rogers also noted that, as a result of this interconnection, its customers in Tillsonburg would receive a greatly expanded cable television line-up and would have access to a broader selection of Canadian and non-Canadian digital channels, which have not been available due to capacity constraints.

4. With respect to WOIO (CBS) Cleveland, Ohio, Rogers acknowledged that it is an exception for a licensee to carry duplicate U.S. affiliates on the basic service, but also noted that the Commission granted this exception to Rogers when it interconnected the St. Thomas and Strathroy service areas. Rogers further stated that the St. Thomas/Strathroy system is authorized to carry, on the basic service, two duplicate U.S. CBS affiliates, namely, WWJ-TV Detroit, Michigan and WOIO Cleveland, Ohio.
5. With respect to WUAB (MyTV) Cleveland, Ohio, Rogers acknowledged that adding this channel to the Tillsonburg basic line-up would add another non-Canadian viewing option. Rogers noted, however, that this service is on the *Lists of Eligible Satellite Services*, and that a precedent already exists in St. Thomas/Strathroy, which currently has the authority to carry this signal as part of the basic service.
6. The Commission did not receive any interventions in connection with this application.

### **Commission's analysis and determinations**

7. The Commission **approves** the application by Rogers Cable Communications Inc. to amend the broadcasting licence for its Class 2 cable broadcasting distribution undertaking serving Tillsonburg, Ontario. Accordingly, the condition of licence that reads as follows:

The licensee is authorized to distribute, at its option, the programming services of WDIV (NBC) Detroit, Michigan and WKBW-TV (ABC) Buffalo, New York, as part of the basic service.

is replaced by the following **condition of licence**:

The licensee is authorized to distribute, at its option, the programming services of WDIV (NBC) Detroit, Michigan, WJET-TV (ABC) Erie, Pennsylvania, and WOIO (CBS) and WUAB (MyTV) Cleveland, Ohio, as part of the basic service.

8. The Commission notes that this amendment shall apply to Rogers' current individual Class 2 licence for this undertaking, as well as to the Class 2 regional licence for this undertaking, the latter to take effect 1 September 2007.

Secretary General

### **Related documents**

- *Class 2 regional licence for a cable broadcasting distribution undertaking in Ontario*, Broadcasting Decision CRTC 2007-231, 13 July 2007

*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>*