



Broadcasting Decision CRTC 2007-338

Ottawa, 29 August 2007

Shaw Pay-Per-View Ltd.
Across Canada

*Application 2007-0933-9, received 21 June 2007
Broadcasting Public Notice CRTC 2007-82
13 July 2007*

Terrestrial pay-per-view programming undertaking – Licence amendment

*The Commission **approves** an application by Shaw Communications Inc., on behalf of its subsidiary Shaw Pay-Per-View Ltd., to amend the broadcasting licence for its national English-language general interest terrestrial pay-per-view programming undertaking, in order to allow the service to make itself available in high definition (HD) format.*

*The licence is subject to a **condition of licence** whereby not less than 95% of the video and audio components of the upgraded and analog versions of the service shall be the same, exclusive of commercial messages and of any part of the service carried on a subsidiary signal. All of the programming making up the 5% allowance shall be provided in HD format.*

The application

1. The Commission received an application by Shaw Communications Inc., on behalf of its subsidiary Shaw Pay-Per-View Ltd., to amend the broadcasting licence for the national English-language general interest terrestrial pay-per-view programming undertaking, in order to allow the service to make itself available in high definition (HD) format.
2. In accordance with Broadcasting Public Notice 2006-74, the licensee stated that the programming on the analog service and on the upgraded service would be comparable, that is to say, not less than 95% of the video and audio components would be the same, exclusive of commercial messages and of any part of the service carried on a subsidiary signal. Further, all programming making up the 5% allowance would be provided in HD.
3. The Commission did not receive any interventions in connection with this application.

Commission's analysis and determinations

4. In Broadcasting Public Notice 2003-61 and Broadcasting Public Notice 2006-74, the Commission stated that it would authorize the licensee of a Canadian pay or specialty service to make available an upgraded version of its service, by means of an amendment to the licence of the existing service, for a term of three years.

5. The Commission considers that this application is consistent with the framework for such a licence amendment set out in Broadcasting Public Notice 2006-74.
6. Accordingly, the Commission **approves** the application by Shaw Communications Inc., on behalf of its subsidiary Shaw Pay-Per-View Ltd., to amend the broadcasting licence for the national English-language general interest terrestrial pay-per-view programming undertaking, in order to allow the service to make itself available in HD format.
7. In Broadcasting Public Notice 2006-74, the Commission stated that:

Those services that are authorized to offer HD programming by way of licence amendment will remain subject to the requirement initially imposed in Public Notice 2003-61 that the programming on the analog or SD¹ service and on the upgraded service be comparable, that is, not less than 95% of the video and audio components must be the same. Further, the Commission will require that all of the programming making up the 5% allowance be provided in HD.

8. The licensee is therefore subject to the following **condition of licence**:

The licensee is authorized to make available for distribution, for a period of three years from the date of this decision, a version of its service in high definition format, provided that not less than 95% of the video and audio components of the upgraded and analog versions of the service are the same, exclusive of commercial messages and of any part of the service carried on a subsidiary signal. All of the programming making up the 5% allowance shall be provided in high definition format.

Secretary General

Related documents

- *Regulatory framework for the licensing and distribution of high definition pay and specialty services*, Broadcasting Public Notice CRTC 2006-74, 15 June 2006
- *The regulatory framework for the distribution of digital television signals*, Broadcasting Public Notice CRTC 2003-61, 11 November 2003

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>

¹ Standard definition