



## Broadcasting Decision CRTC 2007-402

Ottawa, 26 November 2007

### **Open Learning Agency, on behalf of a corporation to be incorporated under the name of Knowledge Network Corporation Burnaby, British Columbia**

*Application 2007-0777-1, received 17 May 2007  
Public Hearing in Kelowna, British Columbia  
30 October 2007*

### **Acquisition of assets**

*The Commission **approves** the application by Open Learning Agency, on behalf of a corporation to be incorporated under the name of Knowledge Network Corporation, to acquire the assets of the Knowledge Network.*

### **Introduction**

1. The Commission received an application by Open Learning Agency (OLA), on behalf of a corporation to be incorporated under the name of Knowledge Network Corporation (KNC), to acquire the assets of the Knowledge Network (KN), a non-commercial satellite-to-cable programming undertaking offering educational programming to British Columbia, from OLA. The applicant also applied for a licence to continue the operation of KN under the same terms and conditions as those in effect under the current licence.
2. KNC would be established through the *Knowledge Network Corporation Act*, which is presently before the legislature of the Province of British Columbia. The existing OLA Board of Directors would continue as directors of the new KNC, pursuant to the proposed legislation.
3. The applicant explained that the Province of British Columbia had recently significantly changed the operations of OLA such that the related entities that were within that organization had been moved to other public bodies or discontinued. OLA further stated that the unique operation of KN had caused the Province of British Columbia to determine that a separate independent entity with responsibility for the operation of KN should be created. The applicant further stated that the *Knowledge Network Corporation Act* is intended to continue the operation of KN in its existing form, and better codifies the structure and mandate of the service consistent with the Province's objectives and the objectives set out in the *Direction of the CRTC (Ineligibility to Hold Broadcasting Licences)*.
4. The Commission received one intervention in support of the application from The BC Cancer Foundation.

## Commission's analysis and determination

5. The Commission has examined the provisions of the existing *Open Learning Agency Act*, which currently governs the operations of KN in British Columbia, and those of the proposed *Knowledge Network Corporation Act*. The Commission is of the view that the proposed legislation is reflective of the existing *Open Learning Agency Act* with respect to the operations of KN. The Commission is also of the view that the legislation complies with the terms of the *Direction of the CRTC (Ineligibility to Hold Broadcasting Licences)*. In addition, the Commission notes that its concerns with respect to linguistic duality, pursuant to section 3(d)(iii) of the *Broadcasting Act*, have been properly addressed.
6. In light of the above, the Commission **approves** the application by Open Learning Agency, on behalf of a corporation to be incorporated under the name of Knowledge Network Corporation, to acquire the assets of the Knowledge Network, a non-commercial satellite-to-cable programming undertaking offering educational programming to Burnaby, British Columbia, from Open Learning Agency.
7. The Commission will issue a broadcasting licence to KNC, upon surrender to the Commission of the licence originally issued to OLA. The new licence will expire on 31 August 2008, which is the same expiry date as that of the current licence, and will be subject to the conditions specified in the current licence.

## Employment equity

8. In accordance with Public Notice 1992-59, the Commission encourages the applicant to consider employment equity issues in its hiring practices and in all other aspects of its management of human resources.

Secretary General

## Related documents

- *Knowledge Network – Licence renewal*, Broadcasting Decision CRTC 2005-237, 3 June 2005
- *Direction to the CRTC (Ineligibility to Hold Broadcasting Licences)*, Order in Council P.C. 1995-2108, 27 June 1985, as amended by Order in Council P.C. 1997-629, 22 April 1997

- *Implementation of an employment equity policy*, Public Notice CRTC 1992-59, 1 September 1992

*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>*