



Broadcasting Decision CRTC 2008-169

Ottawa, 13 August 2008

eScapes Television Corporation
Across Canada

Application 2007-1649-1, received 21 November 2007
Public Hearing in the National Capital Region
13 May 2008

eScapes – Category 2 specialty service

*The Commission **approves** an application for a broadcasting licence to operate a new Category 2 specialty programming undertaking.*

1. eScapes Television Corporation filed an application for a broadcasting licence to provide eScapes, a national, English-language Category 2 specialty service that would offer twenty-four hours per day of high quality, high definition, original and Canadian-produced nature and human activity programming to be used as background visuals.
2. The Commission did not receive any interventions in connection with this application.
3. The applicant described the service as including no audio, except the natural sounds of the environments being shown. However, if the service offers any spoken word programming in future, the Commission is of the view that the service should provide captioning for 100% of its spoken word programs beginning in its first year of operation. A **condition of licence** in this regard is set out in the appendix to this decision.
4. The Commission is satisfied that the application is in conformity with all applicable terms and conditions announced in Public Notice 2000-171-1. Accordingly, the Commission **approves** the application by eScapes Television Corporation for a broadcasting licence to operate the national, English-language Category 2 specialty programming undertaking eScapes. The terms and **conditions of licence** are set out in the appendix to this decision.

Secretary General

Related documents

- *A new policy with respect to closed captioning, Broadcasting Public Notice CRTC 2007-54, 17 May 2007*

- *Introductory statement – Licensing of new digital pay and specialty services – Corrected Appendix 2*, Public Notice CRTC 2000-171-1, 6 March 2001
- *Licensing framework policy for new digital pay and specialty services*, Public Notice CRTC 2000-6, 13 January 2000

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>.

Appendix to Broadcasting Decision CRTC 2008-169

Terms and conditions of licence for the Category 2 specialty programming undertaking eScapes

Terms

A licence will be issued once the applicant has satisfied the Commission, with supporting documentation, that the following requirements have been met:

- the applicant has entered into a distribution agreement with at least one licensed distributor; and
- the applicant has informed the Commission in writing that it is prepared to commence operations. The undertaking must be operational at the earliest possible date and in any event no later than 36 months from the date of this decision, unless a request for an extension of time is approved by the Commission before 13 August 2011. In order to ensure that such a request is processed in a timely manner, it should be submitted at least 60 days before that date.

The licence will expire 31 August 2014.

Conditions of licence

1. The licence will be subject to the conditions set out in *Introductory statement – Licensing of new digital pay and specialty services – Corrected Appendix 2*, Public Notice CRTC 2000-171-1, 6 March 2001.
2. The licensee shall provide a national, English-language Category 2 specialty programming service consisting of twenty-four hours per day of high quality, high definition, original and Canadian-produced nature and human activity programming to be used as background visuals.
3. The programming shall be drawn exclusively from the following categories set out in item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:
 - 2 (b) Long-form documentary
 - 5 (b) Informal education/Recreation and leisure
 - 11 General entertainment and human interest
4. The licensee shall caption 100% of any spoken word programs over the broadcast day, consistent with the approach set out in *A new policy with respect to closed captioning*, Broadcasting Public Notice CRTC 2007-54, 17 May 2007.

5. In order to ensure that the licensee complies at all times with the *Direction to the CRTC (Ineligibility of non-Canadians)*, P.C. 1997-486, 8 April 1997, as amended by P.C. 1998-1268, 15 July 1998, the licensee shall file, for the Commission's prior review, a copy of any programming supply agreement and/or licence trademark agreement it intends to enter into with a non-Canadian party.

For the purposes of the conditions of this licence, including condition of licence no. 1, *broadcast day* refers to the 24-hour period beginning each day at 6 a.m. or any other period approved by the Commission.