



Broadcasting Decision CRTC 2010-336

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Route reference: 2010-211

Ottawa, 2 June 2010

Fifth Dimension Properties Inc.
Across Canada

Application 2010-0493-6, received 19 March 2010

Penthouse TV – Licence amendment

1. The Commission **approves** the application by Fifth Dimension Properties Inc. to amend the broadcasting licence for the national, Category 2 pay television programming undertaking known as Penthouse TV in order to allow the service to be available for distribution in high definition (HD) format. The Commission did not receive any interventions in connection with this application.
2. Consistent with the Commission's approach to HD specialty services set out in Broadcasting Public Notice 2006-74, as well as with the changes to this approach announced in Broadcasting Public Notice 2008-100, the licensee shall be subject to the following **condition of licence** until the end of its current licence term:

The licensee is authorized to make available for distribution a version of its service in high definition (HD) format, provided that not less than 95% of the video and audio components of the upgraded and standard definition versions of the service are the same, exclusive of commercial messages and of any part of the service carried on a subsidiary signal. Further, all of the programming making up the 5% allowance shall be provided in HD.

Secretary General

Related documents

- *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services* – Regulatory policy, Broadcasting Public Notice CRTC 2008-100, 30 October 2008
- *Regulatory framework for the licensing and distribution of high definition pay and specialty services*, Broadcasting Public Notice CRTC 2006-74, 15 June 2006

** This decision is to be appended to the licence.*