



## Broadcasting Decision CRTC 2010-475

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Route reference: 2010-156

Ottawa, 14 July 2010

**Le Réseau des sports (RDS) inc.**  
Across Canada

*Application 2010-0123-9, received 29 January 2010*

### **Le Réseau des sports – Licence amendment**

1. The Commission **approves** the application by CTVglobemedia Inc., on behalf of its subsidiary Le Réseau des sports (RDS) inc., to amend the broadcasting licence for the French-language specialty television programming undertaking Le Réseau des sports (RDS) in order to replace its current conditions of licence with the standard conditions set out in Broadcasting Regulatory Policy 2009-562. The new **conditions of licence** are set out in the appendix to this decision.
2. The licensee also requested flexibility in regard to closed-captioning in order to address specific challenges associated with the captioning of French-language programming in the genre of mainstream sports. RDS proposed to caption 50% of the programming broadcast over the broadcast year, as set out in Decision 2001-735, and to progressively increase this level over the next three years to reach 100%.
3. The Commission received an intervention from Mr. Joe Clark, who opposes the exception regarding closed-captioning sought by RDS. The comment is available on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) under "Public proceedings."
4. In Decision 2001-735, the Commission stated that 50% of the programs broadcast by RDS should be captioned as of 2006. The Commission also encouraged RDS to caption 90% of its content by the end of its licence term, originally scheduled for 2008.<sup>1</sup>
5. In Broadcasting and Telecom Regulatory Policy 2009-430 (the Accessibility Policy), the Commission stated that captioning technology should no longer be considered a technology in development and that it would no longer consider it as a factor when considering requests by broadcasters, including French-language broadcasters, for exceptions to the policy that generally requires that 100% of programming be closed captioned.

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<sup>1</sup> The Commission notes that the licence for RDS was administratively renewed until 31 August 2009 in Broadcasting Decision 2006-319 and until 31 August 2011 in Broadcasting Decision 2009-145, subject to the same conditions of licence.

6. In the present case, the Commission is of the view that the reasons given by the licensee in its request for an exception to the new standard condition of licence relating to closed-captioning are insufficient. The Commission recognizes, however, that the requirement to caption 100% of the service's programming represents a significant change in the amount of captioning currently provided by the licensee. Accordingly, the Commission considers it appropriate to provide the licensee with a transition period, beginning the date of this decision and ending 31 August 2010, to allow it to address any logistical or technical matters so as to ensure that it is able to deliver 100% captioning to its subscribers.

### **Implementation of the Accessibility Policy with respect to competitive Canadian mainstream sports and national news specialty services**

7. In Broadcasting Regulatory Policy 2009-562-1, the Commission amended the standard conditions of licence for competitive Canadian mainstream sports and national news specialty services so as to include standardized conditions of licence relating to accessibility of programming, as well as the standard authorization to make available for distribution an upgraded version of a service in high definition format. Accordingly, the Commission considers that the licence should also be subject to the conditions of licence set out in Broadcasting Regulatory Policy 2009-562-1.

Secretary General

#### **Related documents**

- *Conditions of licence for competitive Canadian specialty services operating in the genres of mainstream sports and national news – Implementation of the Accessibility Policy and other matters*, Broadcasting Regulatory Policy CRTC 2009-562-1, 18 June 2010
- *Conditions of licence for competitive Canadian specialty services operating in the genres of mainstream sports and national news*, Broadcasting Regulatory Policy CRTC 2009-562, 4 September 2009
- *Accessibility of telecommunications and broadcasting services*, Broadcasting and Telecom Regulatory Policy CRTC 2009-430, 21 July 2009
- *Administrative renewals*, Broadcasting Decision CRTC 2009-145, 17 March 2009
- *Administrative licence renewals*, Broadcasting Decision CRTC 2006-319, 28 July 2006
- *Licence renewal for Le Réseau des sports*, Decision CRTC 2001-735, 29 November 2001

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

## **Appendix to Broadcasting Decision CRTC 2010-475**

### **Conditions of licence for the specialty programming undertaking Le Réseau des sports**

1. The licence will be subject to the standard conditions set out in *Conditions of licence for competitive Canadian specialty services operating in the genres of mainstream sports and national news – Implementation of the Accessibility Policy and other matters*, Broadcasting Regulatory Policy CRTC 2009-562-1, 18 June 2010, as amended from time to time.
2. 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.