



Broadcasting Decision CRTC 2010-909

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Route reference: 2010-454

Ottawa, 6 December 2010

FDR Media Group Inc., on behalf of a corporation to be incorporated Across Canada

Application 2010-0892-0, received 27 May 2010

FDR Media Group Inc., on behalf of a corporation to be incorporated Across Canada

Application 2010-0933-2, received 27 May 2010

Bollywood Times HD TV and Mehndi HD TV – Licence amendment

1. The Commission **approves** applications by FDR Media Group Inc. (FDR), on behalf of a corporation to be incorporated, to amend the broadcasting licences for the national, niche third-language ethnic Category 2 specialty services known as Bollywood Times HD TV and Mehndi HD TV in order to modify the condition of licence for each service relating to the language of the programming broadcast so as to reduce to 90% the amount of programming broadcast during the broadcast week that must be in the Hindi language. Accordingly, condition of licence 4, which currently reads as follows:

4. The licensee shall broadcast 100% of all programming during the broadcast week in the Hindi language.

shall be replaced by the following **condition of licence**:

The licensee shall broadcast not less than 90% of all programming during the broadcast week in the Hindi language.

2. The Commission considers that the licensee's requests in this regard are consistent with the determinations set out in Broadcasting Public Notice 2004-96, and reiterated in Broadcasting Public Notice 2005-104, which state that for a proposed service to be considered a third-language ethnic Category 2 service, it must commit to devote at least 90% of the program schedule of the service to programming in languages other than English or French.¹

¹ In this regard, the Commission has in the past imposed a condition of licence requiring a new service to devote not less than 90% of its program schedule to programming in a third language, although the applicant proposed to devote up to 100% of its program schedule to programming in that third language. See, for example, Broadcasting Decision 2010-790.

3. The Commission received an intervention in opposition to these applications from Asian Television Network International Limited (ATN), the licensee of South Asian Television Network (SATV), a national, analog, ethnic television service that serves the South Asian communities of Canada. The intervention and the licensee's reply can be found on the Commission's website at www.crtc.gc.ca under "Public Proceedings." ATN submitted that the proposed amendment to each service's condition of licence would increase their ability to compete with SATV. In reply, FDR argued that approval of the proposed amendments would not change each service's nature of service description. The Commission considers that the nature of service conditions of licence of Mehndi HD TV and Bollywood Times HD TV, which are set out in Broadcasting Decisions 2010-270 and 2010-268, respectively, make these services truly niche services, and that the proposed amendments are consistent with the services being identified as such.

Secretary General

Related documents

- *Various Category 2 specialty services*, Broadcasting Decision CRTC 2010-790, 26 October 2010
- *Mehndi HD TV – Category 2 specialty service*, Broadcasting Decision CRTC 2010-270, 13 May 2010
- *Bollywood Times HD TV – Category 2 specialty service*, Broadcasting Decision CRTC 2010-268, 13 May 2010
- *Revised approach for the consideration of broadcasting licence applications proposing new third-language ethnic Category 2 pay and specialty services*, Broadcasting Public Notice CRTC 2005-104, 23 November 2005
- *Improving the diversity of third-language television services – A revised approach to assessing requests to add non-Canadian third-language television services to the lists of eligible satellite services for distribution on a digital basis*, Broadcasting Public Notice CRTC 2004-96, 16 December 2004

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