



## Broadcasting Notice of Consultation CRTC 2013-12

PDF version

Ottawa, 16 January 2013

### Notice of applications received

**Across Canada**

**Deadline for submission of interventions/comments/answers: 20 February 2013**

[\[Submit an intervention/comment/answer or view related documents\]](#)

The Commission has received the following applications:

#### **Applicant/licensee and locality**

**Rogers Media Inc., on behalf of The Score Television Network Limited**

Across Canada

Applications 2012-1327-2 and 2012-1573-1

**Rogers Media Inc., on behalf of The Score Television Network Limited**

Across Canada

Applications 2012-1327-2 and 2012-1573-1

Application by **Rogers Media Inc. (Rogers), on behalf of The Score Television Network Limited (STNL)**, to change its effective control from the trustee Peter Viner to Rogers.

The proposed transaction would be effected through the transfer of all of the shares in the share capital of Score Media Inc. (Score Media), the parent corporation of STNL, from the trustee to Rogers.

On 24 August 2012, the Commission approved a Voting Trust Agreement pursuant to which all of the shares in Score Media were to be transferred to an independent trustee, pending the Commission's decision on the current proposed ownership transaction. Score Media is presently owned by John Levy.

STNL is the licensee of the specialty Category A service known as The Score.

Following the proposed transaction, STNL would be controlled by Rogers, a corporation owned and controlled by Rogers Communications Inc.

Pursuant to the Arrangement Agreement dated 25 August 2012, the purchase price to acquire all the issued and outstanding shares in the share capital of Score Media, including other settlement arrangements related to the proposed transaction, amounts to \$171,000,000.

The applicant proposes a tangible benefits package representing 10% of the value of the transaction. The funds would be directed over a five-year period to the following projects and self-administered funds: Sportsnet Winter Games, Digital Media Production Scholarships and Amateur Sports Production. All the programming and expenditures would be incremental to those of The Score and Rogers sports services. The funds would flow to the Canadian independent production sector, and none of the costs of administering these initiatives would be taken from the funds.

The applicant also filed an application (2012-1573-1) to renew the broadcasting licence of The Score and to amend the conditions of licence in effect under the current licence.

The applicant proposes to replace the following condition of licence:

1. (c) No more than 10% of the licensee's quarterly broadcast schedule shall be drawn from categories 2(a) and 2(b) combined.

with the following:

1. (c) No more than 15% of the licensee's quarterly broadcast schedule shall be drawn from categories 2(a) and 2(b) combined.

Rogers submitted that this amendment would enable it to slightly increase the amount of analysis, interpretation and documentary programming The Score can provide and, as such, allow it to minimally expand its analysis of all sports, including amateur and underrepresented sports.

The applicant also proposes to replace the following condition of licence:

1. (f) The licensee shall break into all programming other than headline sports news broadcasts at least once every fifteen minutes to present video highlights as well as sports results and information in a format that includes both audio and video components.

with the following:

1. (f) The licensee shall break into all programming other than headline sports news broadcasts and live sports event programs at least once every fifteen minutes to present video highlights as well as sports results and information in a format that includes both audio and video components.
- (g) The licensee shall break into live sports event programming a minimum of once an hour to present video highlights as well as sports results and information in a format that includes both audio and video components.

Rogers stated that this amendment would give it the flexibility needed to provide The Score's signature headline news programming in a manner that is most suitable to the nature of the specific types of sports that are broadcast live on the service. Rogers submitted that it is prepared to break into live sports once every fifteen minutes as the

nature of the game permits it, but that the mandatory fifteen-minute break can be very disruptive during certain live sporting events with continuous play without pre-planned breaks for the players or for broadcast purposes, such as soccer.

*Applicant's address:*

370 King Street West  
Suite 435

P.O. Box 10

Toronto, Ontario

Fax: 416-977-7851

E-mail to request electronic version of application: [susan.wheeler@rci.rogers.com](mailto:susan.wheeler@rci.rogers.com)

## **Procedure**

### **Deadline for interventions or answers**

**20 February 2013**

The new *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure*, SOR/2010-277 (the Rules of Procedure), set out, among other things, the rules for content, format, filing and service of interventions, the procedure for filing confidential information and requesting its disclosure, and the conduct of public hearings. Accordingly, the procedure set out below must be read in conjunction with the Rules of Procedure and its accompanying documents, which can be found on the Commission's website under "CRTC Rules of Practice and Procedure."

This notice may announce applications that would normally be subject to the written process described in Part 1 of the Rules of Procedure, but that were filed before 1 April 2011. An explanation in this regard is set out in *Implementation of new Rules of Practice and Procedure*, Broadcasting and Telecom Regulatory Policy CRTC 2010-958, 23 December 2010.

An intervention or answer from a respondent must be received by the Commission and by the applicant on or before the above-mentioned date. An answer from a respondent must also be served on any other respondent.

In accordance with the Rules of Procedure, a document must be filed with, not merely sent to, the Commission by 5 p.m. Vancouver time (8 p.m. Ottawa time) on the date it is due. The Commission takes no responsibility for postal delays and will not notify a party whose submission is received after the deadline date. Late submissions will not be considered by the Commission and will not be made part of the public file.

Interventions and answers from respondents will be considered by the Commission and will form part of the public record of the proceeding without further notification to parties, provided the procedures set out in the Rules of Procedure and this notice have been followed. Parties will be contacted only if their submissions raise procedural questions.

Submissions must be filed by sending them to the Secretary General of the Commission by **only one** of the following means:

**by using the**  
[\[Intervention/comment/answer form\]](#)

or

**by mail to**  
CRTC, Ottawa, Ontario K1A 0N2

or

**by fax at**  
819-994-0218

A true copy of each intervention or answer from a respondent must be sent to the applicant and, in the case of a respondent to an application, to any other respondent.

The Commission advises those who file and serve by electronic mode to exercise caution when using e-mail for service of documents, as it may be difficult to establish that service has occurred.

Parties must ensure that, before initiating service through electronic mode, they will be able to satisfy the Commission, upon request, that service was completed. The sender must keep proof of the sending and the receipt of the document for 180 days after the day on which it is filed.

Submissions longer than five pages should include a summary.

Each paragraph of the submission should be numbered. In addition, where the intervention is filed by electronic means, the line **\*\*\*End of document\*\*\*** should be entered following the last paragraph of the document, as an indication that the document has not been altered during electronic transmission.

Interventions and answers should clearly identify the application referred to and indicate whether parties support or oppose the application, or, if they propose changes to it, include the facts and grounds for their proposal.

### **Important notice**

All information that parties provide as part of this public process, except information designated confidential, whether sent by postal mail, facsimile, e-mail or through the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca), becomes part of a publicly accessible file and will be posted on the Commission's website. This information includes personal information, such as full names, e-mail addresses, postal/street addresses, telephone and facsimile numbers, and any other personal information parties provide.

The personal information that parties provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.

Documents received electronically or otherwise will be put on the Commission's website in their entirety exactly as received, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.

The information that parties provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the web page of this particular public process. As a result, a general search of the Commission's website with the help of either its own search engine or a third-party search engine will not provide access to the information that was provided as part of this public process.

The Commission encourages parties and interested persons to monitor the record of the proceeding, available on the Commission's website, for additional information that they may find useful when preparing their submissions.

### **Examination of documents**

An electronic version of the application is available on the Commission's website by selecting the application number within this notice. It is also available from the licensee, either on its website or upon request by contacting the licensee at its email address, provided above.

A list of all interventions and answers will also be available on the Commission's website. The list is accessible by selecting "View all proceedings open for comment" from the "Public Proceedings" section of the Commission's website and by clicking on the "Interventions/Answers" link associated with this notice.

Documents are also available during normal office hours at the Commission offices and documentation centres directly involved with this application, or, upon request, within two (2) working days, at any other Commission offices and documentation centres.

### **Location of Commission offices**

Toll-free telephone: 1-877-249-2782

Toll-free TDD: 1-877-909-2782

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Secretary General