



Broadcasting Decision CRTC 2006-532

Ottawa, 15 September 2006

3773221 Canada Inc.
Across Canada

Application 2006-0141-0
Broadcasting Public Notice CRTC 2006-35
29 March 2006

G4techTV – Licence amendment

*The Commission **approves** an application to amend the broadcasting licence for the national, English-language, Category 1 specialty service known as G4techTV in order to permit the broadcast of category 7 (Drama and comedy) programming with a weekly limit of 15% of its broadcast schedule. In addition, programming drawn from category 7(d) Theatrical feature films aired on TV, will be restricted to a weekly limit of 5% of the service's broadcast schedule.*

The application

1. The Commission received an application by 3773221 Canada Inc. (G4tech Inc.), a corporation controlled by Rogers Broadcasting Limited, to amend the broadcasting licence for the national, English-language Category 1 specialty service known as G4techTV to permit the broadcast of programming drawn from category 7 Drama and comedy, with a 15% weekly limit. As part of this process, G4tech Inc. further stated that it would accept an additional 5% weekly limitation on the broadcast of programming drawn from category 7(d) Theatrical feature films aired on TV.

Background

2. The Commission originally licensed the operation of G4techTV (formerly known as TechTV Canada) in *TechTV Canada – a new specialty channel*, Decision CRTC 2000-454, 14 December 2000. As indicated in that decision, the service was to “provide lifestyle information for the “e-generation” with programming devoted to computers, technology and the Internet.”
3. In *Licence amendment for TechTV Canada – Addition of program categories*, Broadcasting Decision CRTC 2003-169, 26 May 2003 (Decision 2003-169), the Commission denied a request by the licensee to add category 7 to the list of categories from which it could draw programming. The Commission noted that TechTV Canada had been in operation for less than two years at that time, and was licensed on a one-per-genre basis following a highly competitive public hearing process. It also considered that the addition of category 7 programming would not be consistent with TechTV Canada's nature of service.

Licensee's rationale for the present application

4. In support of its application for authority to broadcast programming drawn from category 7 on G4techTV, G4tech Inc. argued that approval of the application would enable G4techTV to appropriately respond to the interests and demands of its viewers, without bringing G4techTV into direct competition with other licensed Canadian specialty services. G4tech Inc. submitted that its viewers are increasingly looking for a "more expanded" programming offering, including drama, comedy and animation which depict issues and themes of direct interest to them.
5. With respect to audience interest, G4tech Inc. argued that G4techTV viewers have increasingly expressed a greater interest in programming which addresses the new culture of technology. G4tech Inc. indicated that, in response, G4techTV has shifted its focus from financial news and information to user-friendly technology information and digital lifestyle programming. G4tech Inc. stated the current prohibition on the broadcast of category 7 programming on G4techTV prevents the broadcast of other popular programming such as *anime*, a specific genre of computer-generated animation whose storylines and plots often discuss futuristic technological themes.
6. G4tech Inc. further noted that a number of other Category 1 and Category 2 information and lifestyle-based services already have the ability to provide a limited amount of category 7 programming, and that similar flexibility should be granted to G4techTV.
7. With respect to the Commission's reasons for the denial of G4techTV's request to broadcast programming from category 7, set out in Decision 2003-169, G4tech Inc. submitted that G4techTV has now been in operation for more than four years, and that the interests of its viewers have shifted to a broader variety of technology-based programming, such as drama, comedy and new animation.

Interventions

8. The Commission received several interventions in support of this application. Seven interveners specifically cited the addition of *anime* programming to G4techTV as desirable.

Commission's analysis and determinations

9. The Commission considers that the main issue to be determined in its consideration of this application is whether the addition of a limited amount of programming drawn from category 7 would be consistent with G4techTV's nature of service, considering its mandate to provide a service "consisting exclusively of programming related to computing, technology and the Internet". In the Commission's view, in order for the proposed amendment to be consistent with G4techTV's nature of service, it must allow G4techTV to meet its target audience's demands, while still ensuring that the service provides a prominent place for programming with computing, technology and the Internet as its central theme.

10. As noted by G4tech Inc. the market for programming related to G4techTV's nature of service has evolved in recent years. Given the rapid changes to the computing and technology industry, and the changing demographics of the population typically interested in such programming, expanding the categories from which G4techTV may draw its programming may be appropriate, in order to allow the service to remain relevant and of interest to its viewers. The Commission therefore considers that there is room for a limited amount of drama programming, especially drama programming such as *anime*, on G4techTV. The Commission further notes that there were no interventions in opposition to the proposed amendment.
11. Accordingly, the Commission **approves** the application by 3773221 Canada Inc. to amend the broadcasting licence for G4techTV, in order to add category 7 Drama and comedy to the list of programming categories from which G4techTV may draw its programming, and to limit such programming to 15% of each broadcast week. A **condition of licence** to this effect is set out below.
12. In addition, the Commission is imposing, by **condition of licence**, a 5% weekly limit on the amount of programming that may be broadcast from category 7(d) Theatrical feature films aired on TV.
13. Accordingly, the amended condition number 1 of G4techTV's licence will read as follows:
 1. (a) The licensee shall provide a national English-language Category 1 specialty television service consisting exclusively of programming related to computing, technology and the Internet.
 - (b) The programming must be drawn exclusively from the following categories, as set out in section 6 of Schedule 1 to the *Specialty Services Regulations, 1990*, as amended from time to time:
 - 1 News
 - 2 (a) Analysis and interpretation
 - (b) Long form documentary
 - 3 Reporting and actualities
 - 5 (b) Informal education/Recreation and leisure
 - 7 Drama and comedy
 - (a) Ongoing dramatic series
 - (b) Ongoing comedy series (sitcoms)
 - (c) Specials, mini-series or made-for-TV feature films
 - (d) Theatrical feature films aired on TV
 - (e) Animated television programs and films
 - (f) Programs of comedy sketches, improvisation, unscripted works, stand-up comedy
 - (g) Other drama

- 11 General entertainment and human interest
- 12 Interstitials
- 13 Public service announcements
- 14 Infomercials, promotional and corporate videos

(c) During each broadcast week, not more than 5% of all programming broadcast shall be drawn from category 2(b) Long form documentary.

(d) During each broadcast week, not more than 15% of all programming broadcast shall be drawn from category 7 Drama and comedy.

(e) During each broadcast week, not more than 5% of all programming broadcast shall be drawn from category 7(d) Theatrical feature films aired on TV.

Secretary General

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>