



Broadcasting Public Notice CRTC 2008-104

Ottawa, 5 November 2008

Notice of consultation

Call for comments on the proposed addition of Fox Business Network to the lists of eligible satellite services for distribution on a digital basis

1. The Commission received a request dated 5 September 2008 from Rogers Cable Communications Inc. (Rogers) for the addition of Fox Business Network (FBN), a non-Canadian, English-language satellite service originating in the United States, to the lists of eligible satellite services for distribution on a digital basis (the digital lists).
2. Rogers described the service as a recently launched 24-hour high definition (HD) cable and satellite business news network that seeks to expand the audience for business news by appealing to viewers beyond Wall Street.
3. The Commission's approach to requests for the addition of non-Canadian English- and French-language services to the digital lists is set out in *Call for proposals to amend the lists of eligible satellite services through the inclusion of additional non-Canadian services eligible for distribution on a digital basis only*, Public Notice CRTC 2000-173, 14 December 2000 (Public Notice 2000-173). Under this approach, the Commission assesses such requests in the context of its general policy which, among other things, precludes the addition of a non-Canadian satellite service that can be considered either totally or partially competitive with Canadian specialty or pay television services. In applying this policy, the Commission takes into account all specialty and pay television programming services whose licence applications have been approved by the Commission, including launched and unlaunched Category 1 and Category 2 services.
4. The Commission will rely primarily on the comments filed to identify the Canadian pay and specialty services with which FBN might be totally or partially competitive and which therefore should be included in the assessment of the competitiveness of the service. Parties wishing to argue that FBN would be competitive should therefore name the specific Canadian pay or specialty services with which they consider the service would compete and provide details to support their views, such as comparisons as to nature and genre of service, programming schedules, programming sources and supply, and target audience.

Call for comments

5. The Commission calls for comments on Rogers' request for the addition of FBN to the digital lists. Parties submitting comments on the request should also submit a true copy of their comments to the Canadian sponsor, Rogers, at the following address:

Rogers Cable Communications Inc.
333 Bloor Street East
Toronto, Ontario
M4W 1G9
(Attention: Cable Regulatory Department)

E-mail: cable.regulatory@rci.rogers.com
Fax : 416-935-4875

6. Proof that comments have been sent to Rogers must accompany the original version of the comments sent to the Commission.
7. Comments on Rogers' request must be received by the Commission no later than **8 December 2008**. A copy of the comments must be received by Rogers no later than the deadline for receipt of comments by the Commission.
8. Rogers may file a written reply to any comments received concerning its request. This reply should be filed with the Commission, and a copy sent to the person who submitted the comments, by no later than **23 December 2008**.
9. The Commission will not formally acknowledge comments. It will, however, fully consider all comments and they will form part of the public record of the proceeding, provided that the procedures for filing set out below have been followed.

Procedures for filing comments

10. Interested parties can file their comments to the Secretary General of the Commission:
 - by using the
Broadcasting Intervention/Comments Form
 - OR
 - by mail to
CRTC, Ottawa, Ontario K1A 0N2
 - OR
 - by fax at
819-994-0218
11. Submissions longer than five pages should include a summary.
12. Please number each paragraph of your submission. In addition, please enter the line *****End of document***** following the last paragraph. This will help the Commission verify that the document has not been damaged during transmission.

Important notice

13. Note that all information that you provide as part of this public process, except information granted confidentiality, whether sent by postal mail, facsimile, e-mail or through the Commission's Website at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's website. This information includes your personal information, such as your full name, e-mail address, postal/street address, telephone and facsimile number(s), and any other personal information you provide.
14. The personal information you 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.
15. Documents received electronically or otherwise will be put on the Commission's website in their entirety exactly as you send them, 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.
16. Please note that the information you 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 webpage of this particular public process. As a result, a general search of our website with the help of either our own search engine or a third-party search engine will not provide access to the information which was provided as part of this public process.
17. The Commission encourages interested parties to monitor the public examination file and the Commission's website for additional information that they may find useful when preparing their comments.

Examination of public comments and related documents at the following Commission offices during normal business hours

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

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

Central Building
Les Terrasses de la Chaudière
1 Promenade du Portage, Room 206
Gatineau, Quebec K1A 0N2
Tel.: 819-997-2429
Fax: 819-994-0218

Metropolitan Place
99 Wyse Road
Suite 1410
Dartmouth, Nova Scotia B3A 4S5
Tel.: 902-426-7997
Fax: 902-426-2721

205 Viger Avenue West
Suite 504
Montréal, Quebec H2Z 1G2
Tel.: 514-283-6607

55 St. Clair Avenue East
Suite 624
Toronto, Ontario M4T 1M2
Tel.: 416-952-9096

Kensington Building
275 Portage Avenue
Suite 1810
Winnipeg, Manitoba R3B 2B3
Tel.: 204-983-6306
TDD: 204-983-8274
Fax: 204-983-6317

Cornwall Professional Building
2125 - 11th Avenue
Room 103
Regina, Saskatchewan S4P 3X3
Tel.: 306-780-3422

10405 Jasper Avenue
Suite 520
Edmonton, Alberta T5J 3N4
Tel.: 780-495-3224

530-580 Hornby Street
Vancouver, British Columbia V6C 3B6
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Secretary General

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