



Broadcasting Notice of Consultation CRTC 2009-2-2

Additional reference: 2009-2

Ottawa, 12 February 2009

Notice of hearing

31 March 2009

Gatineau, Quebec

Addition of an application

The deadline for submission of interventions/comments, for this application only, is 6 March 2009.

Further to Broadcasting Notices of Consultation 2009-2 and 2009-2-1, the Commission will also consider the following application:

[Broadcasting intervention/comment form]

Item Applicant and locality

11. **Pelmorex Communications Inc.**
Across Canada
Application No. 2007-1751-4

Preamble for Item 11

This application will be considered in the non-appearing phase of the hearing, subject to any interventions which might render it an appearing item.

11. **Across Canada**
Application No. 2007-1751-4

Application by **Pelmorex Communications Inc.** for the mandatory distribution on digital basic, pursuant to section 9(1)(h) of the *Broadcasting Act*, of the national specialty programming undertakings known as The Weather Network and MétéoMédia.

If the application is approved, the applicant commits to enabling the broadcast of emergency alerts by acting as a national public alerting aggregator and backbone network distributor. It states that without a mandatory distribution order, it will not have the financial stability required to perform these functions.

Canada

Emergency alerting

The applicant proposes to provide a 24/7 alerting operations centre that would aggregate and authenticate alerts from all three levels of government and make them available on a voluntary basis to broadcasters, distributors and media outlets using non-proprietary technology. The applicant states that the proposed system would use standards and protocols proposed by Canadian public authorities and would be available at no additional fee beyond its current wholesale rate of \$0.23.

In *Emergency Alert Services*, Broadcasting Public Notice CRTC 2007-20, dated 28 February 2007, the Commission removed the regulatory obstacles to the provision of emergency alerts to Canadians, noting that the concerned parties had expressed their willingness to participate voluntarily in the establishment of a national emergency alert system. The Commission stated that if in two years time it became apparent that a voluntary approach is not adequate, it might consider additional measures to ensure that Canadians receive timely warnings of imminent perils.

Because of the above-noted commitment to the safety of Canadians and the continued absence of a national emergency alert system two years later, the Commission now proposes to examine Pelmorex's application for mandatory carriage as part of the digital basic service. The Commission may consider granting mandatory carriage for a limited period of time to ensure alerts remain available to distributors on a voluntary basis until Public Safety Canada's National Public Alerting System can be implemented.

Report from Public Safety Canada

The Commission has received a report from Public Safety Canada detailing its plans and efforts to develop and implement a National Public Alerting System. This report, *Status Report to the CRTC on the Participation of the Broadcast Industry*, dated 16 January 2009 and received 11 February 2009, represents the views of Public Safety Canada and various industry participants listed in the report and does not dictate the outcome of this hearing. It has also been placed on the public record of this proceeding, and parties are invited to refer to it in preparing their submissions.

Mandatory distribution under section 9(1)(h)

The applicant requests that the Commission issue a distribution order under section 9(1)(h) of the *Broadcasting Act* requiring all Class 1 terrestrial broadcasting distribution undertakings (BDUs) and direct-to-home satellite undertakings operating in anglophone markets to distribute The Weather Network on digital basic and all such undertakings operating in francophone markets to distribute MétéoMédia on digital basic.

The applicant states that it offers both of its services to minority language communities

(English and French) in Canada at no additional charge to the BDU when carried on basic.

The applicant states that without such a distribution order, its funding will cease to be stable and the weather, environmental and road safety information programming it currently provides to every Canadian community will be jeopardized.

The Commission notes that some matters are still outstanding and that additional comments may be added to the public file.

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Examination of application :

At the applicant's addresses

Secretary General

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<http://www.crtc.gc.ca>.*