



Broadcasting Notice of Consultation CRTC 2009-254

Ottawa, 7 May 2009

Call for comments on the proposed addition of Al Jazeera English to the lists of eligible satellite services for distribution on a digital basis

1. The Commission received a request dated 27 February 2009 from Ethnic Channels Group Limited (ECGL) for the addition of Al Jazeera English (AJE), a non-Canadian, English-language satellite service originating in Qatar, to the lists of eligible satellite services for distribution on a digital basis (the digital lists). The documents related to this request are available on the Commission's website at www.crtc.gc.ca under "Public Proceedings."
2. ECGL described AJE as a 24-hour-a-day, seven-day-a-week English-language international news service.
3. In *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services – Regulatory policy*, Broadcasting Public Notice CRTC 2008-100, 30 October 2008 (Broadcasting Public Notice 2008-100), the Commission confirmed the effectiveness of its approach to authorizing non-Canadian English- or French-language services. It noted that its competitiveness test, based primarily on overlap between non-Canadian and Canadian pay and specialty services, reflects the objectives of the *Broadcasting Act* in that it gives priority to the distribution of Canadian services while recognizing the choice, diversity and alternative perspectives that can be added to the system by the availability of non-Canadian programming services. As set out in that public notice, the Commission considers that this approach recognizes the importance to Canadian services of a separate Canadian rights market and assists those services by encouraging direct partnerships with non-Canadian services or by the licensing of specific programs.
4. In regard to non-Canadian news services, however, the Commission considers a more open-entry approach to be consistent with the importance it places on a diversity of editorial points of view. Accordingly, the Commission stated in paragraph 246 of Broadcasting Public Notice 2008-100 that,

absent clear evidence, as determined by the Commission, that a non-Canadian news service would violate Canadian regulations, such as those regarding abusive comment, the Commission will be predisposed to authorize non-Canadian news services for distribution in Canada.
5. Consistent with the above, and in particular with the importance placed by the Commission on a diversity of editorial points of view, parties wishing to submit that AJE should not be authorized for distribution in Canada should provide detailed support for their position. Such support might consist, for example, of transcripts or tapes of actual programs aired on AJE, along with details as to the date or dates on which they aired.

Call for comments

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

Ethnic Channels Group Limited
907 Alness Street
Toronto, Ontario
M3J 2J1
Attention: Mr. Slava Levin

E-mail: slavalevin@ethnicchannels.com
Fax: 416-736-7677

7. Proof that comments have been sent to ECGL must accompany the original version of the comments sent to the Commission.
8. Comments on ECGL's request must be received by the Commission no later than **8 June 2009**. A copy of the comments must be received by ECGL no later than the deadline for receipt of comments by the Commission.
9. ECGL 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 **22 June 2009**.
10. 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

11. 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

12. Submissions longer than five pages should include a summary.
13. 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

14. 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.
15. 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.
16. 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.
17. 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.
18. 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

Regional offices

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
2220 – 12th Avenue
Suite 620
Regina, Saskatchewan
S4P 0M8
Tel.: 306-780-3422

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

580 Hornby Street
Suite 530
Vancouver, British Columbia
V6C 3B6
Tel.: 604-666-2111
TDD: 604-666-0778
Fax: 604-666-8322

Secretary General

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