



## Broadcasting Notice of Consultation CRTC 2010-927

PDF version

Route reference: 2010-485

Ottawa, 9 December 2010

### Call for comments on proposed regulations for the digital television transition

1. Consistent with *Issues related to the digital television transition*, Broadcasting Regulatory Policy CRTC 2010-485, 16 July 2010, the Commission proposes to adopt the annexed *Conversion from Analog to Digital Television Regulations* to require licensed television broadcasters that operate stations, including rebroadcasting transmitters, in the following markets and/or on channels 52 to 69<sup>1</sup> to broadcast public service announcements (PSAs) and service loss notices relating to the conversion to digital television on 31 August 2011:
  - markets containing a provincial, a territorial or the national capital;
  - markets with populations over 300,000; and
  - markets with more than one local television station.
2. The Commission invites comments on the wording of the proposed regulations set out in the appendix to this notice. As set out in the appendix, the regulations will come into force on the day on which they are registered and will cease to have effect on 31 August 2011. Unless otherwise authorized by condition of licence, every licensee will be required to broadcast the PSAs and service loss notices as specified in the regulations beginning no later than 1 March 2011 or six months before the licensee ceases to broadcast in analog, whichever is sooner.
3. The Commission will accept comments that it receives on or before **11 January 2011**. The Commission cannot be held responsible for postal delays and will not notify a party whose comment is received after the deadline date. The comment will not be considered by the Commission and will not be part of the public file.
4. 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.

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<sup>1</sup> For a list of affected transmitters, see *Analog transmitters mandated for digital conversion, or operating on channels 52 to 69 in non-mandatory markets*, Broadcasting Information Bulletin CRTC 2010-719, 28 September 2010, as corrected by Broadcasting Information Bulletin CRTC 2010-719-1, 4 October 2010.

## Procedure for filing comments

- Interested parties can file their comments to the Secretary General of the Commission in **only one** of the following formats:

**by using the**

[\[Broadcasting interventions/comments form\]](#)

or

**by mail to**

CRTC, Ottawa, Ontario K1A 0N2

or

**by fax at**

819-994-0218

- Submissions longer than five pages should include a summary.
- Each paragraph of the submission should be numbered. In addition, where the comment 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 damaged during electronic transmission.

## Important notice

- All information that parties 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](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.

12. 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 documents**

13. A list of all comments will also be available on the Commission's website. An electronic version of all comments submitted will be accessible from this list. To access the list, select "Lists of interventions/comments" under "Public Proceedings" from the Commission's website.
14. The public may examine public comments and related documents at the following Commission offices during normal business hours.

### **Location of Commission offices**

Toll-free telephone: 1-877-249-2782  
Toll-free TDD: 1-877-909-2782

Les Terrasses de la Chaudière  
Central Building  
1 Promenade du Portage, Room 206  
Gatineau, Quebec  
J8X 4B1  
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  
Fax: 204-983-6317

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

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

858 Beatty Street  
Suite 290  
Vancouver, British Columbia  
V6B 1C1  
Tel.: 604-666-2111  
Fax: 604-666-8322

Secretary General

# Appendix to Broadcasting Notice of Consultation CRTC 2010-927

## CONVERSION FROM ANALOG TO DIGITAL TELEVISION REGULATIONS

### INTERPRETATION

1. The following definitions apply in these Regulations.

“broadcast day”, in respect of a licensee, means the period of up to 18 consecutive hours, beginning each day not earlier than six o’clock in the morning and ending not later than one o’clock in the morning of the following day, as selected by the licensee. (*journée de radiodiffusion*)

“broadcast week” means a period of seven consecutive days beginning on a Sunday. (*semaine de radiodiffusion*)

“licensed” means licensed by the Commission under paragraph 9(1)(b) of the *Broadcasting Act*. (*autorisé*)

“licensee” means a station operator or network operator who is authorized to operate an analog transmitter with a power greater than 50 watts on the VHF band or greater than 500 watts on the UHF band. (*titulaire*)

“network operator” means a person licensed to operate a television network. (*exploitant de réseau*)

“programming” means anything that is broadcast, but does not include visual images, whether or not combined with sounds, that consist predominantly of alphanumeric text. (*programmation*)

“station” means a television programming undertaking that transmits sounds and images or a broadcasting transmitting undertaking that transmits sounds and images, but does not include a broadcasting undertaking that only rebroadcasts the radiocommunications of another licensed broadcasting undertaking. (*station*)

“station operator” means a person licensed to operate a station. (*exploitant de station*)

### APPLICATION

2. These Regulations apply to every licensee

(a) that operates in markets that include the national capital or a provincial or territorial capital;

(b) that operates in markets that have populations of 300,000 persons or more;

(c) that operates in markets that are served by more than one television station;  
and

(d) whose programming is broadcast on channels 52 to 69 in any market.

### PUBLIC SERVICE ANNOUNCEMENTS

**3.** (1) Except as otherwise provided under a licensee's condition of licence, every licensee must, beginning no later than March 1, 2011 or six months before the licensee ceases to broadcast in analog, whichever is sooner, broadcast a public service announcement at least six times per broadcast day, increasing to eight times per broadcast day beginning on August 1, 2011 or one month before the licensee ceases to broadcast in analog, whichever is sooner.

(2) At least 25% of the required announcements per broadcast day must be broadcast between 7:00 p.m. and 11:00 p.m.

(3) The broadcast announcements must

(a) have a duration of at least 30 consecutive seconds;

(b) contain the information set out in Schedule 1; and

(c) be closed captioned and contain audio description of on-screen information.

(4) A licensee may use a crawl to fulfil up to 25% of their obligations under this section.

(5) A crawl must not be used during the broadcast of programming that contains audio description of on-screen information or described video.

### SERVICE LOSS NOTICES

**4.** (1) Except as otherwise provided under a licensee's condition of licence, if the conversion of a transmitter to digital results in the loss of a licensee's signal for a part of the population served, the licensee must, beginning no later than March 1, 2011 or six months before the licensee ceases to broadcast in analog, whichever is sooner, broadcast a service loss notice at least once per broadcast day.

(2) At least three of the required notices per broadcast week must be broadcast between 7:00 p.m. and 11:00 p.m.

(3) The broadcast notices must

(a) have a duration of at least 30 consecutive seconds;

(b) contain the information set out in Schedule 2; and

(c) be closed captioned and contain audio description of on-screen information.

(4) A licensee may use a crawl to fulfil up to 25% of their obligations under this section.

(5) A crawl must not be used during the broadcast of programming that contains audio description of on-screen information or described video.

#### OTHER MEANS OF INFORMATION

5. Except as otherwise provided under a licensee's condition of licence, every licensee must, beginning no later than March 1, 2011 or six months before the licensee ceases to broadcast in analog, whichever is sooner, post and keep posted on their website the information regarding the conversion that is set out in Schedule 1 and, if applicable, Schedule 2.

#### CESSATION OF OBLIGATION

6. A licensee's obligation to broadcast and post public service announcements and service loss notices ceases when the licensee completes their conversion and shuts off their analog transmitter.

#### CESSATION OF EFFECT

7. These Regulations cease to have effect on August 31, 2011.

#### COMING INTO FORCE

8. These Regulations come into force on the day on which they are registered.

#### SCHEDULE 1

*(Paragraph 3(3)(b) and section 5)*

#### PUBLIC SERVICE ANNOUNCEMENTS

A public service announcement must contain the following information:

(a) a statement to the effect that the Canadian television system is in the process of converting its over-the-air transmitters from analog to digital;

(b) a statement to the effect that only those viewers who receive the signal directly over the air might be impacted by the conversion;

(c) a description of the steps that an over-the-air viewer must take to continue receiving and viewing the station's over-the-air programming after the conversion, including information about the antennas or converter boxes that viewers might need for that

continued reception and viewing, or an indication of where further information on those steps can be found;

- (d) the channel number on which the station will broadcast programming after the conversion;
- (e) the exact date and time that the station will cease broadcasting in analog;
- (f) the exact date and time that the station will begin or began broadcasting in digital on the post-conversion channel referred to in paragraph (d); and
- (g) the licensee's contact information and website address.

## SCHEDULE 2

*(Paragraph 4(3)(b) and section 5)*

### SERVICE LOSS NOTICES

A service loss notice must contain the following information:

- (a) a statement to the effect that the Canadian television system is in the process of converting its over-the-air transmitters from analog to digital and that some viewers might experience a loss of service following the conversion;
- (b) a statement to the effect that only those viewers who receive the signal directly over the air might be impacted by the conversion;
- (c) a description of the discrete geographic areas where the loss of service is likely to occur;
- (d) a description of the steps that an over-the-air viewer must take to continue receiving and viewing the station's over-the-air programming after the conversion, including information about the antennas or converter boxes that viewers might need for that continued reception and viewing, or an indication of where further information on those steps can be found;
- (e) the exact date and time that the station will cease broadcasting in analog; and
- (f) the licensee's contact information and website address.