



## Broadcasting Decision CRTC 2013-17

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Route reference: 2012-370

Ottawa, 17 January 2013

**Paul Girouard, on behalf of a corporation to be incorporated**  
Across Canada

*Application 2012-0525-3, received 17 April 2012*  
*Public hearing in Montréal, Quebec*  
*10 September 2012*

### **Boating Television – Specialty Category B service**

*The Commission **approves** an application for a broadcasting licence to operate a specialty Category B service.*

#### **The application**

1. Paul Girouard, on behalf of a corporation to be incorporated (Paul Girouard (OBCI)), filed an application for a broadcasting licence to operate Boating Television, a national, English-language specialty Category B service that would be dedicated to all aspects of boating and nautical activities including boats, water sports and the people involved in these activities. The Commission did not receive any interventions in connection with this application.
2. Paul Girouard (OBCI) will be controlled by its sole shareholder and director Paul Girouard.
3. The applicant proposed to draw programming from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time: 2(a), 2(b), 3, 5(b), 6(a), 6(b), 7(a), 7(b), 7(c), 7(d), 7(e), 7(f), 7(g), 9, 10, 11(a), 11(b), 12, 13 and 14.

#### **Commission's decision**

4. The Commission is satisfied that the application complies with the applicable policies, terms and conditions set out in Public Notice 2000-6, and Broadcasting Regulatory Policies 2010-786 and 2010-786-1. With respect to Broadcasting Public Notice 2008-100, the Commission notes that the applicant did not propose any limits on Category 7 programming. In accordance with Broadcasting Public Notice 2008-100, the Commission considers that a limit of 10% on Category 7 programming would be appropriate in order to ensure that the service would not be directly competitive with existing Category A services. Accordingly, the Commission **approves** the application by Paul Girouard, on behalf of a corporation to be

incorporated, for a broadcasting licence to operate the national, English-language specialty Category B service Boating Television. The terms and **conditions of licence** are set out in the appendix to this decision.

## **Reminder**

5. The Commission reminds the applicant that distribution of this service is subject to the requirements set out in the *Broadcasting Distribution Regulations*.

Secretary General

## **Related documents**

- *Standard conditions of licence, expectations and encouragements for Category B pay and specialty services – Corrected Appendices 1 and 2*, Broadcasting Regulatory Policy CRTC 2010-786-1, 18 July 2011
- *Standard conditions of licence, expectations and encouragements for Category B pay and specialty services*, Broadcasting Regulatory Policy CRTC 2010-786, 25 October 2010
- *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services – Regulatory policy*, Broadcasting Public Notice CRTC 2008-100, 30 October 2008
- *Licensing framework policy for new digital pay and specialty services*, Public Notice CRTC 2000-6, 13 January 2000

*\*This decision is to be appended to the licence.*

## Appendix to Broadcasting Decision CRTC 2013-17

### Terms, conditions of licence, expectations and encouragements for the specialty Category B service Boating Television

#### Terms

A licence will be issued once the applicant has satisfied the Commission with supporting documentation that the following requirements have been met:

- an eligible Canadian corporation has been incorporated in accordance with the application in all material respects;
- the applicant has entered into a distribution agreement with at least one licensed distributor; and
- the applicant has informed the Commission in writing that it is prepared to commence operations and has provided the Commission with a launch date for the service. The undertaking must be operational at the earliest possible date and in any event no later than 48 months from the date of this decision.

The licence will expire 31 August 2019.

#### Conditions of licence

1. The licensee shall adhere to the conditions set out in Appendix 1 to *Standard conditions of licence, expectations and encouragements for Category B pay and specialty services – Corrected Appendices 1 and 2*, Broadcasting Regulatory Policy CRTC 2010-786-1, 18 July 2011.
2. In regard to the nature of service:
  - (a) The licensee shall provide a national, English-language specialty Category B service dedicated to all aspects of boating and nautical activities including boats, water sports and the people involved in these activities.
  - (b) The programming shall be drawn exclusively from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:
    - 2 (a) Analysis and interpretation
    - (b) Long-form documentary
    - 3 Reporting and actualities
    - 5 (b) Informal education/Recreation and leisure
    - 6 (a) Professional sports
    - (b) Amateur sports
    - 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
- 9 Variety
  - 10 Game shows
  - 11 (a) General entertainment and human interest
    - (b) Reality television
  - 12 Interstitials
  - 13 Public service announcements
  - 14 Infomercials, promotional and corporate videos

(c) The licensee shall devote no more than 10% of all programming broadcast each broadcast month to programming drawn from program category 7.

3. The service approved hereby is designated as a Category B service.

For the purposes of the conditions of this licence, “broadcast day” means the period of up to 18 consecutive hours, beginning each day not earlier than six o’clock in the morning and ending no later than one o’clock in the morning of the following day, as selected by the licensee, or any other period approved by the Commission.

### **Expectations**

The standard expectations applicable to this licensee are set out in Appendix 1 to *Standard conditions of licence, expectations and encouragements for Category B pay and specialty services – Corrected Appendices 1 and 2*, Broadcasting Regulatory Policy CRTC 2010-786-1, 18 July 2011, as amended from time to time.

### **Encouragements**

The standard encouragements applicable to this licensee are set out in Appendix 1 to *Standard conditions of licence, expectations and encouragements for Category B pay and specialty services – Corrected Appendices 1 and 2*, Broadcasting Regulatory Policy CRTC 2010-786-1, 18 July 2011, as amended from time to time.