



Broadcasting Decision CRTC 2013-465

PDF version

Route reference: 2013-19

Additional references: 2013-19-1, 2013-19-3 and 2013-19-4

Ottawa, 30 August 2013

Blue Ant Television Ltd.

Across Canada

Blue Ant Media Solutions Inc. and 8182493 Canada Inc., partners in a general partnership carrying on business as Blue Ant Media Partnership
Across Canada

*The application numbers are set out below.
Public hearing in the National Capital Region
23 April 2013*

Various specialty Category A and B services – Licence renewals and modified group-based licensing approach

*The Commission **renews** the broadcasting licences for the specialty Category A services **bold and travel + escape**, and the specialty Category B services **Bite, EQHD, HIFI, Oasis HD and radX**, from 1 September 2013 to 31 August 2018.*

*The Commission **approves** the requests to revoke the broadcasting licence for **AUX TV**, effective 31 August 2013, and for a new broadcasting licence for the service. The new licence will take effect 1 September 2013 and expire 31 August 2018.*

*Further, the Commission **approves** a modified group-based licensing approach for the above services. The Commission is of the view that adopting such an approach for these services will foster a diversity of voices in the Canadian broadcasting system and support a diversity of programming choices for Canadians, thereby contributing to the achievement of the objectives of the Broadcasting Act.*

The Commission also sets out its determinations relating to Canadian programming expenditures, expenditures on programs of national interest, and Canadian programming exhibition requirements, for the various services.

Finally, the Commission:

- ***denies** the request to qualify in-house productions as independently-produced programming for the various services;*
- ***approves** the request to delete the condition of licence for **AUX TV** relating to the broadcast of music video clips;*

- *denies the request to amend the nature of service definition for EQHD; and*
- *addresses other matters relating to certain conditions of licence, expectations and encouragements for the various services.*

Introduction

1. Blue Ant Television Ltd. and Blue Ant Media Partnership¹ (collectively, Blue Ant Group or “the licensees”) filed applications to renew the broadcasting licences for the following specialty Category A and B² services, all of which expire 31 August 2013:³

Service	Licensee	Application/date received
bold (Category A)	Blue Ant Media Partnership	2012-1537-7 5 December 2012
travel + escape (Category A)	Blue Ant Media Partnership	2012-1198-7 13 September 2012
Bite (Category B)	Blue Ant Media Partnership	2012-1197-9 13 September 2012
EQHD (Category B)	Blue Ant Television Ltd.	2012-1199-5 13 September 2012
HIFI (Category B)	Blue Ant Television Ltd.	2012-1200-3 13 September 2012
Oasis HD (Category B)	Blue Ant Television Ltd.	2012-1201-8 13 September 2012
radX (Category B)	Blue Ant Television Ltd.	2012-1202-6 13 September 2012

2. Blue Ant Media Partnership also requested the revocation of the broadcasting licence for the specialty Category B service AUX TV as well as a new broadcasting licence for the service (application 2012-1196-1, received 13 September 2012). Unlike Blue Ant Group’s other services, the licence term for AUX TV expires 31 August 2015. The licensee stated that approval of its request would give AUX TV the same expiry date as that of the above-noted services. It further stated that it would be administratively inefficient to have to seek the renewal of the broadcasting licence for this service out of step with the licences for the other Blue Ant Group services.

¹ Blue Ant Media Solutions Inc. and 8182493 Canada Inc., partners in a general partnership carrying on business as Blue Ant Media Partnership. The Commission notes that prior to 4 October 2012, Blue Ant Media Solutions Inc. was known as Blue Ant Multimedia Inc.

² As set out in Broadcasting Public Notice 2008-100, effective 31 August 2011, Category 1 digital and analog pay and specialty services were renamed Category A services and Category 2 digital services were renamed Category B services.

³ The original licence expiry date for bold, travel + escape, Bite, EQHD, HIFI, Oasis HD and radX was 31 August 2012. The licences were administratively renewed until 31 August 2013 as a result of Broadcasting Decision 2011-417.

3. In their applications, the licensees proposed the implementation of a modified group-based approach to the licensing of the above-noted services. They also proposed various licence amendments for those services.
4. The Commission received a number of supporting interventions and comments relating to the renewal requests, as well as to the above-noted proposal and proposed licence amendments. It also received opposing interventions, which did not raise any substantive issues in regard to the licence renewal requests. The public record for this proceeding can be found on the Commission's website at www.crtc.gc.ca under "Public Proceedings."

Commission's analysis and decisions

5. After examining the applications in light of all applicable regulations and policies, the Commission considers that the issues it must address relate to the following:
 - the proposed modified group-based licensing approach for Blue Ant Group's services;
 - proposed Canadian programming expenditures (CPE) for the various services;
 - requested changes to expenditures on programs of national interest (PNI) and independently-produced PNI;
 - terms of trade agreements;
 - requested reductions in Canadian programming exhibition requirements for bold and travel + escape;
 - a request to qualify in-house productions as independently-produced programming;
 - a request to delete a condition of licence relating to programming for AUX TV;
 - a request to amend the nature of service definition for EQHD;
 - expectations relating to closed captioning for certain services;
 - the requested revocation of the current broadcasting licence for AUX TV as well as a new broadcasting licence for the service;
 - other matters relating to conditions of licence, expectations and encouragements for the various services; and
 - the length of the licence term.

Modified group-based licensing approach for Blue Ant Group's services

The proposal

6. Blue Ant Group's proposal for a modified group-based licensing approach took into consideration the licensees' size and structure as independent broadcasters, and the fact that they own and operate eight specialty television services. The licensees

indicated they are seeking flexibility in regard to the allocation of their CPE across these licensed services. In support of the proposal, Blue Ant Group provided the following arguments:

- the Commission opened the door to considering a modified group-based approach for other ownership groups in the Commission’s group-based approach to the licensing of private television services (see Broadcasting Regulatory Policy 2010-167, the “group-based policy”);
- the proposal would help better position Blue Ant Group in a vertically integrated environment to develop unique Canadian content and preserve and enable independent voices in the Canadian broadcasting system; and
- the ability to focus expenditures on quality and the audience appeal of Canadian programming, rather than on “tonnage,” should not be a privilege limited only to large ownership groups.

Interventions

7. Various interveners, including Arcadia Content, the National Screen Institute – Canada (NSI), the Ontario College of Art and Design University (OCAD University), the Canadian Cable Systems Alliance Inc. (CCSA), Google Canada (Google), TELUS Communications Company (TELUS) and ZenithOptimedia Canada (ZenithOptimedia), expressed support for Blue Ant Group’s proposal. Content distributors (i.e., Google, the CCSA and TELUS) submitted that regulatory flexibility would enhance Blue Ant Group’s ability to contribute to innovation, diversity of voices, and the achievement of the objectives of the *Broadcasting Act* (the Act). Intervenors involved in content creation (i.e., NSI, Arcadia Content and ZenithOptimedia) spoke highly of their partnerships with Blue Ant Group and of its innovation, creativity and leadership in the field.
8. Although no interveners specifically opposed the proposal for a modified group-based licensing approach, concerns were raised in regard to independent production. These concerns are addressed further in this decision.

Commission’s analysis and decisions

9. In the group-based policy, the Commission stated that it must supervise and regulate the broadcasting system in order to fulfill the policy objectives of the Act. These include encouraging the development of Canadian expression; being readily adaptable to scientific and technological change; and ensuring that each element of the Canadian broadcasting system contributes in an appropriate manner to the creation and presentation of Canadian programming.
10. To facilitate the above, the Commission determined in that policy that it was appropriate to provide “designated groups,” that is, television ownership groups that generate more than \$100 million in annual revenues from private, English-language conventional television stations, with the greatest possible flexibility in how they

may allocate their spending among their various licensed undertakings. In essence, the group-based licensing approach provides an ownership group with the flexibility to meet their various expenditure requirements as a group rather than as individual services.

11. In the group-based policy, the Commission determined that it would only include Category B services with more than a million subscribers in a group-based renewal. The Commission also noted that, in principle, a modified group-based approach with the associated flexibility could apply to ownership groups other than designated groups, and that it would consider such proposals.
12. In regard to the licensees' proposal, the Commission notes that the programming services controlled by Blue Ant Group are independent broadcasters and do not form part of a large ownership group. The Commission further notes that unlike most other broadcasting ownership groups currently operating under a group-based approach, Blue Ant Group does not control any conventional television stations. In addition, the licensees requested that four specialty Category B services that each serve fewer than one million subscribers be included as part of the group.
13. The Commission nevertheless considers that independent broadcasters are important players in the provision of diverse Canadian programming to the broadcasting system. It also notes that it has recently applied the group-based approach to other groups that, like Blue Ant Group, did not meet the original criterion for being a designated group.⁴
14. The Commission is also of the view that licensing and regulation, particularly in regard to smaller independent services, should be as flexible, responsive and targeted as possible, and should minimize administrative burden so as to allow television programming undertakings to adapt to the changing communications environment, thereby fulfilling some of the objectives of section 5 of the Act. Blue Ant Group has demonstrated that it is committed to Canadian programming, as its historical CPE levels can attest to. The Commission is therefore confident that, even with the flexibility to transfer all of its CPE requirements among its services, Blue Ant Group will continue to make appropriate expenditures on Canadian programming for all of its services.
15. In light of the above, the Commission considers that a group-based licensing approach for Blue Ant Group's services would be relevant, appropriate and consistent with the Commission's views set out in the group-based policy. Accordingly, the Commission **approves** Blue Ant Group's proposal for a modified group-based licensing approach, which includes the flexibility to freely allocate its CPE across its various licensed services. Specific elements of this approach, including conditions of licence that reflect it, are discussed below.

⁴ See, for example, Broadcasting Decision 2011-446 (Corus) and Broadcasting Decision 2012-241 (Astral).

Canadian programming expenditures

bold and travel + escape

16. The current CPE requirement for bold is not less than 51% of gross revenues from the previous broadcast year; for travel + escape, it is 53%. Blue Ant Group requested a minimum CPE requirement of 35% for both bold and travel + escape. To justify its request, Blue Ant Group argued that the average CPE requirement for specialty services owned by vertically integrated entities is 37.4%, which is considerably lower than the levels currently imposed on bold and travel + escape.
17. In the group-based policy, the Commission indicated that it would consider requests for reductions in CPE for specialty services at licence renewal, due to its decision to no longer permit licensees to count licence-fee “top-ups” paid by the Canada Media Fund (CMF) as an eligible CPE. The Commission notes that travel + escape is the only Blue Ant Group service to have reported a CMF licence-fee top-up during the last three broadcast years. Reducing this service’s current requirement by the amount of its average annual CMF licence fee top-up would result in a minimum CPE requirement of 50.5%.
18. In the Commission’s view, Blue Ant Group has not provided evidence justifying that the natures of service of bold and travel + escape warrant a reduction in the services’ CPE requirements to the extent requested by the licensees. Nevertheless, the Commission recognizes that current CPE requirements for these services are among the highest of all specialty Category A services, which have a median requirement of 40%.
19. Further, it is inappropriate to expect smaller independently owned specialty Category A services to make expenditures on Canadian programming that are greater than those made for services operated by larger ownership groups. Accordingly, the Commission considers that imposing a 40% CPE requirement on bold and travel + escape would strike a balance between Blue Ant Group’s request and ensuring an appropriate investment in Canadian programming. **Conditions of licence** to that effect are set out in Appendices 1 and 2 of this decision.

AUX TV, Bite, EQHD, HIFI, Oasis HD and radX

20. The Commission does not generally impose CPE requirements on Category B services. However, in the context of ownership transactions, the Commission has previously directed that the acquiring party allocate specific amounts to the production of Canadian programming as part of the tangible benefits package its proposes.⁵ Blue Ant Group is currently required to expend set amounts on onscreen

⁵ Tangible benefits must be over and above other financial obligations that the licensee would otherwise be required to fulfill under its licence, such as CPE requirements. Since Category B services do not generally have a CPE requirement, an effective level of CPE is established by averaging the service’s last three years of expenditures on Canadian programming. This effective CPE level is then used to determine whether tangible benefits expenditures are “incremental.”

programming for each of the services AUX TV, Bite, EQHD, HIFI, Oasis HD and radX as a result of the tangible benefits packages it proposed when acquiring these services.⁶ These expenditures are essentially tantamount to a CPE requirement.

21. In the case of AUX TV and Bite, the Commission determined that an effective CPE level of 15% of gross revenues would be appropriate, whereas in the case of EQHD, HIFI, Oasis HD and radX, it allocated a fixed dollar amount of \$1,137,179 for all four services combined. Going forward, Blue Ant Group submitted that it would accept an effective CPE of 15% for AUX TV and Bite, and an effective CPE of 10.1% for each of EQHD, HIFI, Oasis HD and radX should the Commission wish to use a percentage instead of a fixed dollar amount.
22. In the Commission's view, CPE levels of 15% for AUX TV and Bite and 10% for EQHD, HIFI, Oasis HD and radX are consistent with previous Commission decisions regarding CPE levels and its usual approach to CPE requirements. **Conditions of licence** in regard to the above for the six services are set out in the appropriate appendices to this decision.

Changes to expenditures on programs of national interest and independently-produced programs of national interest

23. An important element of the group-based approach is the requirement to make expenditures on PNI. In the English-language market, PNI are defined as programming from program categories 2(b) Long-form documentary and 7 Drama and comedy,⁷ as well as certain Canadian award shows.⁸ At least 75% of a group's PNI expenditures must be directed to independently-produced programming.
24. Blue Ant Group proposed a PNI requirement identical to what it has spent on PNI in the previous broadcast year, growing by 25% in the second year and 50% in the third year. It stated that it did not wish to be subject to a requirement that a portion of its PNI expenditures be allocated to independent producers given that its services generally do not offer a significant amount of programming from program categories 2(b) or 7, or Canadian award shows. Blue Ant Group further argued that as this requirement stems from historical requirements of the conventional television sector, it does not apply in its case since the licensees do not operate any conventional television stations.
25. The Canadian Media Production Association (CMPA) proposed that a requirement should be imposed on Category A services that are part of this proceeding to ensure

⁶ See Broadcasting Decisions 2011-585 and 2012-381.

⁷ The full list of program categories is set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*.

⁸ In Broadcasting Regulatory Policy 2010-808, the Commission set out the criteria and mechanisms for determining if a particular award show qualifies as a PNI. Once a program qualifies, the Commission adds it to a list of eligible programs. If a licensee wishes to add award shows to the list, it must apply to the Commission and provide a rationale that demonstrates that the program meets the criteria.

that not less than 25% of all Canadian programs broadcast by the licensees, other than news, sports, and current affairs programming, are produced by non-related, or independent, production companies. Both bold and travel + escape are currently subject to this requirement, which was set out in Public Notice 2000-171.

26. The Commission notes that Blue Ant Group did not provide the specific percentages that would apply to its PNI expenditures. However, considering Blue Ant Group's historical expenditures, the Commission considers that a 9% expenditure level could be used as a baseline to establish its PNI obligations. Applying this baseline to the formula proposed by Blue Ant Group would yield a PNI of 9% in Year 1 of the next licence term, 11.25% in Year 2, and 13.5% for the remaining years of the licence term. The Commission considers these levels appropriate. A **condition of licence** to that effect is set out in each of the appendices of this decision.
27. In regard to independent production, the Commission considers that it would not be appropriate to impose the 75% requirement applied to larger broadcast ownership groups. It does consider, however, that it would be reasonable to maintain the current requirement that 25% of all Canadian programs broadcast, other than news, sports, and current affairs programming, be produced by independent production companies. A **condition of licence** to that effect is set out in Appendices 1 and 2.

Terms of trade agreements

28. The CMPA requested in its intervention that all licensees that are required to broadcast independently-produced programs also be required to adhere to a terms of trade agreement.
29. The Commission is of the view that a key purpose of terms of trade agreements is to level the playing field between independent producers and large broadcasting ownership groups, the latter of which frequently have greater bargaining power. Given that the playing field for negotiation between independent producers and independent broadcasters is already level, the Commission does not consider it necessary to require small, independent broadcasters to adhere to a terms of trade agreement.

Reductions in Canadian programming exhibition requirements for bold and travel + escape

30. Blue Ant Group requested reductions to requirements relating to its broadcast of Canadian content in the evening broadcast period (i.e., between 6 p.m. and midnight), from 80% to 50% on bold and from 60% to 50% on travel + escape. The licensees are seeking sustainable levels of Canadian content for these services and argued that the Canadian content exhibition levels imposed on many independent services, such as bold and travel + escape, are too high. They argued that large vertically integrated groups, unlike Blue Ant Group, can acquire and amortize programs across all of their services. In addition, they noted that their services are forced to rerun Canadian programs multiple times in order to fulfill exhibition requirements in a financially feasible manner.

31. In the group-based policy, the Commission stated that “[Canadian content] exhibition requirements should be tailored to reflect the character of each service.” In this case, the Commission agrees with the licensees’ claim that the modest size of their enterprise in a largely vertically integrated environment poses challenges to their acquisition and exhibition of Canadian programs. The Commission also notes that the current Canadian programming exhibition requirements for bold and travel + escape are higher than those for most Category A services.
32. The Commission has concerns, however, over Blue Ant Group’s pursuit of regulatory relief from its Canadian content obligations, so soon after Blue Ant Media Inc.’s⁹ purchase of bold from the Canadian Broadcasting Corporation (CBC) in November 2012 (see Broadcasting Decision 2012-630). The licensees did not indicate during that process that they would be seeking to reduce the exhibition requirements for bold. The Commission reminds the licensees that since it does not solicit competitive applications for changes in effective control of broadcasting undertakings, the onus is on the applicant to demonstrate, among other things, that its application represents the best possible proposal in the circumstances. In this regard, the Commission is of the view that the licensees should have been more forthcoming with their intention to request relief from this requirement.
33. Notwithstanding this consideration, and because the proposed levels would be consistent with the requirements for other Category A services, the Commission **approves** the licensees’ requests to reduce the Canadian programming exhibition levels during the evening broadcast period from 80% to 50% for bold and from 60% to 50% for travel + escape. **Conditions of licence** to that effect are set out in Appendices 1 and 2.

Qualifying in-house productions as independently-produced programming

34. Blue Ant Group requested, for all eight of its services, that it be permitted to count programming that it creates in-house as independent programming, for the purposes of any requirement relating to such programming. It submitted that the independent programming sector in Canada is now very small due to consolidation and that openness to new alternative models is necessary to achieve the policy objectives of the Act.
35. The CMPA, On Screen Manitoba and Alberta Media Production Industries Association (AMPIA) expressed opposition to this proposal. The CMPA noted that while Blue Ant Group is an independent broadcaster relative to the vertically integrated entities, it is still a broadcaster and a gatekeeper. On Screen Manitoba stated that many of Blue Ant Group’s services have low Canadian programming obligations and low Canadian independent production obligations. AMPIA highlighted the importance of bold to regional independent production and expressed concerns over lower levels of such production across the country in general. It

⁹ On behalf of Blue Ant Multimedia Inc. and 8182493 Canada Inc., partners in a general partnership carrying on business as Blue Ant Media Partnership

considered that accepting Blue Ant Group's proposal would further reduce independent regional production across Canada and could also set a precedent for other broadcasters to seek to redefine themselves as independent producers.

36. The Commission does not find Blue Ant Group's arguments convincing. The Act clearly calls for programming that includes a significant contribution from the Canadian independent production sector. In the Commission's view, there is no reason to exclude the licensees from contributing to this objective. Further, whereas Blue Ant Group's use of the term "independent" may reflect its situation within a vertically-integrated environment, the Commission's use of the term "independent production" relates to the relationship between a producer and a licensee. Consequently, the Commission **denies** Blue Ant Group's request to qualify in-house productions towards its independent production obligations.

Deletion of condition of licence relating to programming for AUX TV

37. Blue Ant Media Partnership requested the deletion of the condition of licence for AUX TV that restricts the broadcast of programming drawn from program category 8(b) Music video clips to not more than 35% of all programming broadcast during the broadcast month. The licensee submitted that since AUX TV's programming is devoted to emerging music and the creation of such music, the requested licence amendment would not render the service competitive with MuchMusic, a Category A service devoted to music and music-related programming.
38. In the Commission's view, this restriction runs counter to the core mandate of this service, specifically, to support the emerging music sector through a vast array of programming, including music video clips. Accordingly, the Commission **approves** the licensee's request.

Amendment to the nature of service definition for EQHD

39. Blue Ant Television Ltd. requested an amendment to the nature of service definition for EQHD in order to delete the following description:

The programming shall focus on the roots of human development as well as teachings from other cultures and traditions in Canada and around the world. It shall also focus on what impact human behaviour has on the natural environment and how the natural world affects human ritual and culture.

40. It argued that this change would not alter the nature of service of EQHD and that this additional description is not needed to protect any existing Category A specialty service from competition.
41. The Commission notes that approval of this request would result in the following nature of service definition for EQHD:

The licensee shall provide a national, English-language Category B specialty programming service devoted to programs dedicated exclusively to the exploration of geography, people, places and cultures.

42. In the Commission's view, the description that the licensee proposes to delete provides useful further insight into the programming EQHD is authorized to offer. Without the description, the resulting nature of service definition would be vague and could allow the service to become competitive with Category A services that currently offer any combination of programming relating to geography, people, places and cultures. Consequently, the Commission **denies** the licensee's request to amend the nature of service definition for EQHD.

Expectations relating to closed captioning

43. In Public Notice 2000-171, the Commission set out the expectation that all English-language Category 1 (Category A) and Category 2 (Category B) services should close caption 90% of their programming by the end of the licence term. Since then, the Commission has established new requirements relating to closed captioning, including a requirement that 100% of the programming of such services be closed captioned, which have become part of the standard conditions of licence imposed on all television services.¹⁰
44. Blue Ant Group did not meet the Commission's expectations regarding closed captioning for the 2011-2012 broadcast year for the following services: travel + escape, Bite, EQHD, HIFI, Oasis HD and radX. Although the Commission is disappointed that the licensees did not meet those expectations, it notes their commitment to abide by the standard requirements, including those relating to closed captioning, for the next licence term. If issues relating to closed captioning persist, the Commission may at that time consider what additional regulatory actions it will take to ensure that the programming is accessible to Canadians who are deaf or hard of hearing.

Requests for the revocation of the current broadcasting licence for AUX TV and a new broadcasting licence for the service

45. In regard to Blue Ant Media Partnership's requests for the revocation of the broadcasting licence for AUX TV and for a new broadcasting licence for the service, the Commission considers that this would bring AUX TV in step with the other Blue Ant Group services and would simplify the administration of the modified group-based licensing approach approved above for those services. Accordingly, the Commission **approves** the requests. The revocation will be effective 31 August 2013, and the new broadcasting licence will be effective as of 1 September 2013.

¹⁰ See Broadcasting Regulatory Policies 2010-786-1 and 2011-443.

Other matters

46. The Commission requires the licensees to adhere to the standard conditions of licence applicable to specialty Category A and Category B services for the various services. The Commission notes that the licensees agreed to adhere to these conditions of licence. Further, as per the licensees' request, the Commission deletes conditions of licence for bold that relate to the previous operation of the service by the CBC. Finally, consistent with its determinations set out in Broadcasting Public Notice 2008-100, the Commission **approves** requests in regard to the addition of certain program categories to, and to an increase in the limits on programming drawn from those program categories, for the services bold, AUX TV, EQHD, HIFI, Oasis HD and radX. Amended **conditions of licence**, expectations and encouragements relating to the above are set out in the various appendices to this decision.

Length of licence term

47. In the group-based policy, the Commission stated its intention to impose a five-year licence term, rather than a seven-year licence term, on broadcasting licences controlled by the designated groups. In this regard, it cited the pace of change in the broadcasting environment and its desire to assess the impact of the group-based approach. The Commission notes that Blue Ant Group did not propose a specific length of licence term for its group of services.
48. Consistent with the above, the Commission considers it appropriate to grant a five-year licence term to each of Blue Ant Group's services. As was the case for the broadcasting licences renewed under the approach set out in the group-based policy, the Commission notes that at the next licence renewal process, Blue Ant Group will have an opportunity to comment on the appropriateness of a five-year licence term.

Conclusion

49. In light of all of the above, the Commission **renews** the broadcasting licences for the specialty Category A services bold and travel + escape, and the specialty Category B services Bite, EQHD, HIFI, Oasis HD and radX. The licences will expire 31 August 2018. The Commission also **approves** the requests to revoke the broadcasting licence for AUX TV, effective 31 August 2013, and for a new broadcasting licence for the service, effective 1 September 2013. This licence will also expire 31 August 2018. The terms and **conditions of licence** for these services are set out in the appropriate appendices to this decision.
50. The Commission reminds the licensees that they must fulfill any outstanding tangible benefits as set out in prior Commission decisions.¹¹

¹¹ See Broadcasting Decisions 2011-585, 2012-381, 2012-419 and 2012-630.

Program logs

51. Section 7(2) of the *Specialty Services Regulations, 1990* (the Regulations) state that, except as otherwise provided under a condition of its licence, a licensee shall furnish to the Commission, within 30 days after the end of each month, the program log or machine-readable record of its programming for the month.
52. The Commission reminds the licensees that, according to the Regulations, the logs for the services that form part of the present decision shall at all times be kept in an acceptable form, which means that they must be accurate, exact and precise.
53. The Commission will provide an annual assessment of the licensees' compliance with their regulatory requirements. This evaluation will be sent to the licensees before the end of the broadcast year following the year being evaluated. This will allow the licensees to verify that they are in compliance with their requirements for the broadcast year being evaluated.
54. It is important that the licensees ensure that their program logs are accurate throughout the year because the Commission will not re-evaluate the licensees' compliance for the broadcast year in question.

Secretary General

Related documents

- *bold – Acquisition of assets*, Broadcasting Decision CRTC 2012-630, 16 November 2012
- *AUX TV, BITE Television, CURV TV, GlassBOX Créneau musical : musiques émergentes, GlassBOX Horror, GlassBOX News, GlassBOX Système, travel + escape and TREK TV – Acquisition of assets (Corporate reorganization)*, Broadcasting Decision CRTC 2012-419, 1 August 2012
- *Change in effective control*, Broadcasting Decision CRTC 2012-381, 16 July 2012
- *Astral Media inc. – Group-based licence renewals*, Broadcasting Decision CRTC 2012-241, 26 April 2012
- *AUX TV, BITE Television and travel + escape – Change of effective control*, Broadcasting Decision CRTC 2011-585, 14 September 2011
- *Corus Entertainment Inc. – Group-based licence renewals*, Broadcasting Decision CRTC 2011-446, 27 July 2011
- *Standard conditions of licence, expectations and encouragements for specialty and pay television Category A services*, Broadcasting Regulatory Policy CRTC 2011-443, 27 July 2011

- *Administrative renewals*, Broadcasting Decision CRTC 2011-417, 12 July 2011
- *Definitions for television program categories*, Broadcasting Regulatory Policy CRTC 2010-808, 1 November 2010
- *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
- *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010
- *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services – Regulatory policy*, Broadcasting Public Notice CRTC 2008-100, 30 October 2008
- *Introductory statement – Licensing of new digital pay and services*, Public Notice CRTC 2000-171, 14 December 2000

**This decision and the appropriate appendix are to be appended to each licence.*

Appendix 1 to Broadcasting Decision CRTC 2013-465

Terms, conditions of licence, expectations and encouragements for the specialty Category A service bold

Terms

The licence will expire 31 August 2018.

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 specialty and pay television Category A services*, Broadcasting Regulatory Policy CRTC 2011-443, 27 July 2011, as amended from time to time.
2. In regard to the nature of service:
 - (a) The licensee shall provide a national, English-language specialty Category A service with a focus on adults aged 25 to 54. The service will provide information, interaction and entertainment programming dedicated to reflecting Canada's rural and non-urban regions, to national and regional audiences. The mandate of the service will be to reflect in its programming the unique tapestry of Canada's regions, including programming that reflects the reality of rural Canadians.
 - (b) The licensee may draw programming from all the program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time.
 - (c) The licensee shall devote not more than 10% of all programming broadcast during the broadcast year to programming drawn from each of program categories 6(a) Professional sports and 6(b) Amateur sports.
 - (d) The licensee shall devote not more than 10% of all programming broadcast during each broadcast month to programming drawn from program category 7(d) Theatrical feature films aired on TV.
 - (e) The licensee shall devote not more than 10% of all programming broadcast during each broadcast month to programming drawn from program categories 8(b) Music video clips and 8(c) Music video programs combined.
3. In each broadcast year or portion thereof, the licensee shall devote to the broadcast of Canadian programs not less than 80% of the broadcast day and not less than 50% of the evening broadcast period.
4. Except as provided for in conditions of licence 5 and 8 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting

Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming 40% of the previous broadcast year's gross revenues of the undertaking.

5. The licensee may count expenditures made for the acquisition of or investment in Canadian programming by one or more specialty services from the "Blue Ant Group" in the same broadcast year towards fulfilling the requirement in condition of licence 4 as long as these expenditures are not used by those specialty services towards fulfilling their own Canadian programming expenditure requirements or tangible benefit requirements.
6. Except as provided for in conditions of licence 7 and 8 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall, in each broadcast year, devote to the acquisition of or investment in programs of national interest, namely, programs drawn from program categories 2(b) Long-form documentary and 7 Drama and comedy, and eligible Canadian award shows:
 - (a) 9% of the previous broadcast year's gross revenues of all specialty services from the "Blue Ant Group" in the first year of the licence term;
 - (b) 11.25% of the previous broadcast year's gross revenues of all specialty services from the "Blue Ant Group" in the second year of the licence term; and
 - (c) 13.5% of the previous broadcast year's gross revenues of all specialty services from the "Blue Ant Group" in the third year of the licence term and thereafter.
7. The licensee may count expenditures made for the acquisition of or investment in programs of national interest by one or more specialty services from the "Blue Ant Group" in the same broadcast year towards fulfilling the requirement in condition of licence 6 as long as these expenditures are not used by those specialty services towards fulfilling their own programs of national interest requirements or tangible benefit requirements.
8. In regard to expenditures on Canadian programming and/or programs of national interest (PNI):
 - (a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming and/or on PNI that is up to 5% less than the minimum required expenditure for that year calculated in accordance with conditions of licence 4 and 6 respectively; in such case, the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year's under-expenditure.
 - (b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming or PNI

that is greater than the minimum required expenditure as set out in conditions of licence 4 and 6, the licensee may deduct that amount as long as it does not exceed 10% of the minimum required expenditure in that year from the minimum required expenditure for the following year of the licence term.

- (c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming and PNI, at a minimum, the total of the minimum required expenditures calculated in accordance with conditions of licence 4 and 6.
9. Not less than 25% of all Canadian programs broadcast by the licensee, other than news, sports, and current affairs programming (program categories 1 News, 2(a) Analysis and interpretation, 6(a) Professional sports and 6(b) Amateur sports), shall be produced by independent production companies.
10. In addition to the 12 minutes of advertising material during any clock hour in a broadcast day permitted by condition of licence 1, the licensee may broadcast such additional minutes of advertising material calculated in accordance with *Incentives for English-language Canadian television drama*, Broadcasting Public Notice CRTC 2004-93, 29 November 2004, as may be amended from time to time.
11. The service licensed hereby is designated as a Category A service.

For the purposes of these conditions of licence:

“affiliated” means a person that controls the licensee, or that is controlled by the licensee or by a person that controls the licensee.

“Blue Ant Group” means, collectively, those services that are controlled by Blue Ant Television Ltd., and Blue Ant Media Solutions Inc. and 8182493 Canada Inc., partners in a general partnership carrying on business as Blue Ant Media Partnership, and for which the broadcasting licences have been renewed in *Various specialty Category A and B services – Licence renewals and modified group-based licensing approach*, Broadcasting Decision CRTC 2013-465, 30 August 2013.

“broadcast day,” “broadcast month,” “broadcast year,” “clock hour” and “evening broadcast period” shall have the same meanings as those set out in the *Television Broadcasting Regulations, 1987*.

“independent production company” is defined as a Canadian company carrying on business in Canada with a Canadian business address, that is owned and controlled by Canadians, whose business is the production of film, videotape or live programs for distribution and in which the licensee and any company related to the licensee owns or controls, directly or indirectly, in aggregate, less than 30% of the equity.

“programming dedicated to reflecting Canada’s rural and non-urban regions” shall

mean English-language programs at least 30 minutes long (less a reasonable amount of time for commercials, if any) in which the principal photography occurred in Canada at a distance of more than 150 kilometres from Montréal, Toronto or Vancouver. Programs in which the principal photography occurred on Vancouver Island will also be considered regionally produced programs. Programs of News (program category 1), Analysis and Interpretation (program category 2), Reporting and Actualities (program category 3) and Sports (program category 6) are excluded.

“rural Canadians” shall mean individuals from the three distinct segments of the rural populations as defined by Statistics Canada, namely, individuals from rural non-metro adjacent areas, rural metro adjacent areas and rural northern areas.

Expectations

The standard expectations applicable to this licensee are set out in Appendix 1 to *Standard conditions of licence, expectations and encouragements for specialty and pay television Category A services*, Broadcasting Regulatory Policy CRTC 2011-443, 27 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 specialty and pay television Category A services*, Broadcasting Regulatory Policy CRTC 2011-443, 27 July 2011, as amended from time to time.

Appendix 2 to Broadcasting Decision CRTC 2013-465

Terms, conditions of licence, expectations and encouragements for the specialty Category A service travel + escape

Terms

The licence will expire 31 August 2018.

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 specialty and pay television Category A services*, Broadcasting Regulatory Policy CRTC 2011-443, 27 July 2011, as amended from time to time.
2. In regard to the nature of service:
 - (a) The licensee shall provide a national, English-language specialty Category A service that is dedicated entirely to travel-related programming.
 - (b) The licensee may draw programming from all the program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time.
 - (c) During each broadcast month, not more than 10% of all programming broadcast shall be drawn from each of program categories 6(a) Professional sports, 7(d) Theatrical feature films aired on TV and 7(e) Animated television programs and films, as well as from program categories 8(b) Music video clips and 8(c) Music video programs combined.
3. In each broadcast year or portion thereof, the licensee shall devote to the broadcast of Canadian programs not less than 60% of the broadcast day and not less than 50% of the evening broadcast period.
4. Except as provided for in conditions of licence 5 and 8 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming 40% of the previous broadcast year's gross revenues of the undertaking.
5. The licensee may count expenditures made for the acquisition of or investment in Canadian programming by one or more specialty services from the "Blue Ant Group" in the same broadcast year towards fulfilling the requirement in condition of licence 4 as long as these expenditures are not used by those specialty services towards fulfilling their own Canadian programming expenditure requirements or tangible benefit requirements.

6. Except as provided for in conditions of licence 7 and 8 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall, in each broadcast year, devote to the acquisition of or investment in programs of national interest, namely, programs drawn from program categories 2(b) Long-form documentary and 7 Drama and comedy, and eligible Canadian award shows:
 - (a) 9% of the previous broadcast year's gross revenues of all specialty services from the "Blue Ant Group" in the first year of the licence term;
 - (b) 11.25% of the previous broadcast year's gross revenues of all specialty services from the "Blue Ant Group" in the second year of the licence term; and
 - (c) 13.5% of the previous broadcast year's gross revenues of all specialty services from the "Blue Ant Group" in the third year of the licence term and thereafter.
7. The licensee may count expenditures made for the acquisition of or investment in programs of national interest by one or more specialty services from the "Blue Ant Group" in the same broadcast year towards fulfilling the requirement in condition 6 as long as these expenditures are not used by those specialty services towards fulfilling their own programs of national interest requirements or tangible benefit requirements.
8. In regard to expenditures on Canadian programming and/or programs of national interest (PNI):
 - (a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming and/or on PNI that is up to 5% less than the minimum required expenditure for that year calculated in accordance with conditions of licence 4 and 6 respectively; in such case, the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year's under-expenditure.
 - (b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming or PNI that is greater than the minimum required expenditure as set out in conditions of licence 4 and 6, the licensee may deduct that amount as long as it does not exceed 10% of the minimum required expenditure in that year from the minimum required expenditure for the following year of the licence term.
 - (c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming and PNI, at a minimum, the total of the minimum required expenditures calculated in accordance with conditions of licence 4 and 6.
9. No less than 25% of all Canadian programs broadcast by the licensee, other than news, sports, and current affairs programming (program categories 1 News,

2(a) Analysis and interpretation, 6(a) Professional sports and 6(b) Amateur sports), shall be produced by independent production companies.

10. In addition to the 12 minutes of advertising material during any clock hour in a broadcast day permitted by condition of licence 1, the licensee may broadcast such additional minutes of advertising material calculated in accordance with *Incentives for English-language Canadian television drama*, Broadcasting Public Notice CRTC 2004-93, 29 November 2004, as may be amended from time to time.
11. The service licensed hereby is designated as a Category A service.

For the purposes of these conditions of licence:

“affiliated” means a person that controls the licensee, or that is controlled by the licensee or by a person that controls the licensee.

“Blue Ant Group” means, collectively, those services that are controlled by Blue Ant Television Ltd., and Blue Ant Media Solutions Inc. and 8182493 Canada Inc., partners in a general partnership carrying on business as Blue Ant Media Partnership, and for which the broadcasting licences have been renewed in *Various specialty Category A and B services – Licence renewals and modified group-based licensing approach*, Broadcasting Decision CRTC 2013-465, 30 August 2013.

“broadcast day” shall be defined as the 18-hour period beginning at 6 a.m. each day.

“broadcast month,” “broadcast year,” “clock hour” and “evening broadcast period” shall have the same meanings as those set out in the *Television Broadcasting Regulations, 1987*.

“independent production company” is defined as a Canadian company carrying on business in Canada with a Canadian business address, that is owned and controlled by Canadians, whose business is the production of film, videotape or live programs for distribution and in which the licensee and any company related to the licensee owns or controls, directly or indirectly, in aggregate, less than 30% of the equity.

Expectations

The standard expectations applicable to this licensee are set out in Appendix 1 to *Standard conditions of licence, expectations and encouragements for specialty and pay television category A services*, Broadcasting Regulatory Policy 2011-443, 27 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 specialty and pay television category A services, Broadcasting Regulatory Policy 2011-443, 27 July 2011, as amended from time to time.

Appendix 3 to Broadcasting Decision CRTC 2013-465

Terms, conditions of licence, expectations and encouragements for the specialty Category B service AUX TV

Terms

The licence will expire 31 August 2018.

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, as amended from time to time.
2. In regard to the nature of service:
 - (a) The licensee shall provide a national, English-language specialty Category B service devoted to emerging music and its creation, including programming featuring emerging music and aimed at helping emerging musicians.
 - (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:
 - 1 News
 - 2 (a) Analysis and interpretation
(b) Long-form documentary
 - 3 Reporting and actualities
 - 5 (a) Formal education and pre-school
(b) Informal education/Recreation and leisure
 - 7 (a) Ongoing drama series
(c) Specials, mini-series or made-for-TV feature films
(d) Theatrical feature films aired on TV
(e) Animated television programs or films
(f) Programs of comedy sketches, improvisations, unscripted works, stand-up comedy
 - 8 (a) Music and dance other than music video programs or clips
(b) Music video clips
(c) Music video programs
 - 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 not more than 15% of the programming broadcast during each broadcast month to programming drawn from each of program categories 5(a), 7(a), 7(c), 7(d), 7(e), 7(f) and 10.
 - (d) The licensee may rebroadcast non-educational emerging music programming that ceases to be emerging music programming with the following limitations:
 - i. the total airtime of such programming shall not comprise more than 20% of all programming broadcast during the broadcast month;
 - ii. such programming drawn from program category 8(b) shall not comprise more than 25% of the time of any individual programs; and
 - iii. no more than six hours per broadcast month shall be devoted to the rebroadcast of such programming in retrospective programs.
3. Except as provided for in conditions of licence 4 and 7 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming 15% of the previous broadcast year's gross revenues of the undertaking.
 4. The licensee may count expenditures made for the acquisition of or investment in Canadian programming by one or more specialty services from the "Blue Ant Group" in the same broadcast year towards fulfilling the requirement in condition of licence 3 as long as these expenditures are not used by those specialty services towards fulfilling their own Canadian programming expenditure requirements or tangible benefit requirements.
 5. Except as provided for in conditions of licence 6 and 7 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall, in each broadcast year, devote to the acquisition of or investment in programs of national interest, namely, programs drawn from program categories 2(b) Long-form documentary and 7 Drama and comedy, and eligible Canadian award shows:
 - (a) 9% of the previous broadcast year's gross revenues of all specialty services from the "Blue Ant Group" in the first year of the licence term;
 - (b) 11.25% of the previous broadcast year's gross revenues of all specialty services from the "Blue Ant Group" in the second year of the licence term; and
 - (c) 13.5% of the previous broadcast year's gross revenues of all specialty services from the "Blue Ant Group" in the third year of the licence term and thereafter.
 6. The licensee may count expenditures made for the acquisition of or investment in programs of national interest by one or more specialty services from the "Blue Ant Group" in the same broadcast year towards fulfilling the requirement in condition of licence 5 as long as these expenditures are not used by those specialty services

towards fulfilling their own programs of national interest requirements or tangible benefit requirements.

7. In regard to expenditures on Canadian programming and/or programs of national interest (PNI):
 - (a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming and/or on PNI that is up to 5% less than the minimum required expenditure for that year calculated in accordance with conditions of licence 3 and 5 respectively; in such case, the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year's under-expenditure.
 - (b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming or PNI that is greater than the minimum required expenditure as set out in conditions of licence 3 and 5, the licensee may deduct that amount as long as it does not exceed 10% of the minimum required expenditure in that year from the minimum required expenditure for the following year of the licence term.
 - (c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming and PNI, at a minimum, the total of the minimum required expenditures calculated in accordance with conditions of licence 3 and 5.
8. The service licensed hereby is designated as a Category B service.

For the purposes of these conditions of licence:

“affiliated” means a person that controls the licensee, or that is controlled by the licensee or by a person that controls the licensee.

“Blue Ant Group” means, collectively, those services that are controlled by Blue Ant Television Ltd., and Blue Ant Media Solutions Inc. and 8182493 Canada Inc., partners in a general partnership carrying on business as Blue Ant Media Partnership, and for which the broadcasting licences have been renewed in *Various specialty Category A and B services – Licence renewals and modified group-based licensing approach*, Broadcasting Decision CRTC 2013-465, 30 August 2013.

“broadcast day,” “broadcast month” and “broadcast year” shall have the same meanings as those set out in the *Television Broadcasting Regulations, 1987*.

“educational emerging music programming” means informal or formal educational programming aimed at assisting musicians or potential musicians in their careers or musicianship; and

“non-educational emerging music programming“ means programming in which no performing artist who is the primary focus of that programming, except where that performing artist acts as a host, had any musical selection appear on any of the RPMM 100 Singles, RPM Retail Singles, The Record Retail Singles, The Record Country, RPM 100 Country Tracks, Canadian Music Network National Airplay, Canadian Music Network Country Top 50 Audience, Billboard Hot 100 Singles, or Billboard Hot Country charts more than 12 months prior to the date on which the programming aired.

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.

Appendix 4 to Broadcasting Decision CRTC 2013-465

Terms, conditions of licence, expectations and encouragements for the specialty Category B service Bite

Terms

The licence will expire 31 August 2018.

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, as amended from time to time.
2. In regard to the nature of service:
 - (a) The licensee shall provide a national, English-language specialty Category B service devoted predominantly to short-form films shot on film, video or created with computer animation. The licensee will showcase Canadian and international cutting-edge short-form films, from 1 to 40 minutes in length.
 - (b) The programming should 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
 - 5 (b) Informal education/Recreation & Leisure
 - 7 Drama and Comedy
 - (a) On-going dramatic series;
 - (b) On-going comedy series (sitcoms);
 - (c) Specials, mini-series or made-for-TV feature films;
 - (d) Theatrical feature films aired on television;
 - (e) Animated television programs and films (excludes computer graphic productions without story lines);
 - (f) Programs of comedy sketches, improvisations, unscripted works, stand-up comedy;
 - (g) Other drama
 - 8 (b) Music video clips;
 - (c) Music video programs
 - 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 not more than 10% of the programming broadcast in each broadcast month to programming drawn from each of program categories 2(b) and 7(d).
 - (d) The licensee shall devote not more than 15% of all programming broadcast over the broadcast day and the evening broadcast period (measured in each case during the broadcast semester) to material drawn from program categories 8(b) or 8(c).
3. Except as provided for in conditions of licence 4 and 7 and in accordance with A *group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming 15% of the previous broadcast year's gross revenues of the undertaking.
 4. The licensee may count expenditures made for the acquisition of or investment in Canadian programming by one or more specialty services from the "Blue Ant Group" in the same broadcast year towards fulfilling the requirement in condition of licence 3 as long as these expenditures are not used by those specialty services towards fulfilling their own Canadian programming expenditure requirements or tangible benefit requirements.
 5. Except as provided for in conditions of licence 6 and 7 and in accordance with A *group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall, in each broadcast year, devote to the acquisition of or investment in programs of national interest, namely, programs drawn from program categories 2(b) Long-form documentary and 7 Drama and comedy, and eligible Canadian award shows:
 - (a) 9% of the previous broadcast year's gross revenues of all specialty services from the "Blue Ant Group" in the first year of the licence term;
 - (b) 11.25% of the previous broadcast year's gross revenues of all specialty services from the "Blue Ant Group" in the second year of the licence term; and
 - (c) 13.5% of the previous broadcast year's gross revenues of all specialty services from the "Blue Ant Group" in the third year of the licence term and thereafter.
 6. The licensee may count expenditures made for the acquisition of or investment in programs of national interest by one or more specialty services from the "Blue Ant Group" in the same broadcast year towards fulfilling the requirement in condition of licence 5 as long as these expenditures are not used by those specialty services towards fulfilling their own programs of national interest requirements or tangible benefit requirements.

7. In regard to expenditures on Canadian programming and/or programs of national interest (PNI):
- (a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming and/or on PNI that is up to 5% less than the minimum required expenditure for that year calculated in accordance with conditions of licence 3 and 5 respectively; in such case, the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year's under-expenditure.
 - (b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming or PNI that is greater than the minimum required expenditure as set out in conditions of licence 3 and 5, the licensee may deduct that amount as long as it does not exceed 10% of the minimum required expenditure in that year from the minimum required expenditure for the following year of the licence term.
 - (c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming and PNI, at a minimum, the total of the minimum required expenditures calculated in accordance with conditions of licence 3 and 5.
8. The service licensed hereby is designated as a Category B service.

For the purposes of these conditions of licence:

“affiliated” means a person that controls the licensee, or that is controlled by the licensee or by a person that controls the licensee.

“Blue Ant Group” means, collectively, those services that are controlled by Blue Ant Television Ltd., and Blue Ant Media Solutions Inc. and 8182493 Canada Inc., partners in a general partnership carrying on business as Blue Ant Media Partnership, and for which the broadcasting licences have been renewed in *Various specialty Category A and B services – Licence renewals and modified group-based licensing approach*, Broadcasting Decision CRTC 2013-465, 30 August 2013.

“broadcast day,” “broadcast month,” “broadcast year” and “evening broadcast period” shall have the same meanings as those set out in the *Television Broadcasting Regulations, 1987*.

“broadcast semester” shall mean the total number of hours devoted by the licensee to broadcast during the aggregate of the broadcast months in a sixth month period, beginning each 1 September and 1 March.

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.*

Appendix 5 to Broadcasting Decision CRTC 2013-465

Terms, conditions of licence, expectations and encouragements for the specialty Category B service EQHD

Terms

The licence will expire 31 August 2018.

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, as amended from time to time.
2. In regard to the nature of service:
 - (a) The licensee shall provide a national, English-language specialty Category B service devoted to programs dedicated exclusively to the exploration of geography, people, places and cultures. The programming shall focus on the roots of human development as well as teachings from other cultures and traditions in Canada and around the world. It shall also focus on what impact human behaviour has on the natural environment and how the natural world affects human ritual and culture.
 - (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 & leisure
 - 7 Drama and Comedy
 - (a) On-going dramatic series;
 - (b) On-going comedy series (sitcoms);
 - (c) Specials, mini-series or made-for-TV feature films;
 - (d) Theatrical feature films aired on television;
 - (e) Animated television programs and films (excludes computer graphic productions without story lines);
 - (f) Programs of comedy sketches, improvisations, unscripted works, stand-up comedy;
 - (g) Other drama
 - 8 (a) Music and dance
(b) Music video clips
 - 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 not more than 10% of the programming broadcast during each broadcast month to programming drawn from each of program categories 7(e) and 8(b).
- (d) The licensee shall devote not more than 15% of the programming broadcast during each broadcast week to programming drawn from program category 7(d).
3. Except as provided for in conditions of licence 4 and 7 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming 10% of the previous broadcast year's gross revenues of the undertaking.
4. The licensee may count expenditures made for the acquisition of or investment in Canadian programming by one or more specialty services from the "Blue Ant Group" in the same broadcast year towards fulfilling the requirement in condition of licence 3 as long as these expenditures are not used by those specialty services towards fulfilling their own Canadian programming expenditure requirements or tangible benefit requirements.
5. Except as provided for in conditions of licence 6 and 7 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall, in each broadcast year, devote to the acquisition of or investment in programs of national interest, namely, programs drawn from program categories 2(b) Long-form documentary and 7 Drama and comedy, and eligible Canadian award shows:
- (a) 9% of the previous broadcast year's gross revenues of all specialty services from the "Blue Ant Group" in the first year of the licence term;
 - (b) 11.25% of the previous broadcast year's gross revenues of all specialty services from the "Blue Ant Group" in the second year of the licence term; and
 - (c) 13.5% of the previous broadcast year's gross revenues of all specialty services from the "Blue Ant Group" in the third year of the licence term and thereafter.
6. The licensee may count expenditures made for the acquisition of or investment in programs of national interest by one or more specialty services from the "Blue Ant Group" in the same broadcast year towards fulfilling the requirement in condition of

licence 5 as long as these expenditures are not used by those specialty services towards fulfilling their own programs of national interest requirements or tangible benefit requirements.

7. In regard to expenditures on Canadian programming and/or programs of national interest (PNI):
 - (a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming and/or on PNI that is up to 5% less than the minimum required expenditure for that year calculated in accordance with conditions 3 and 5 respectively; in such case, the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year's under-expenditure.
 - (b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming or PNI that is greater than the minimum required expenditure as set out in conditions of licence 3 and 5, the licensee may deduct that amount as long as it does not exceed 10% of the minimum required expenditure in that year from the minimum required expenditure for the following year of the licence term.
 - (c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming and PNI, at a minimum, the total of the minimum required expenditures calculated in accordance with conditions of licence 3 and 5.
8. The service licensed hereby is designated as a Category B service.

For the purposes of these conditions of licence:

“affiliated” means a person that controls the licensee, or that is controlled by the licensee or by a person that controls the licensee.

“Blue Ant Group” means, collectively, those services that are controlled by Blue Ant Television Ltd., and Blue Ant Media Solutions Inc. and 8182493 Canada Inc., partners in a general partnership carrying on business as Blue Ant Media Partnership, and for which the broadcasting licences have been renewed in *Various specialty Category A and B services – Licence renewals and modified group-based licensing approach*, Broadcasting Decision CRTC 2013-465, 30 August 2013.

“broadcast day,” “broadcast month” and “broadcast year” shall have the same meanings as those set out in the *Television Broadcasting Regulations, 1987*.

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.*

Appendix 6 to Broadcasting Decision CRTC 2013-465

Terms, conditions of licence, expectations and encouragements for the specialty Category B service HIFI

Terms

The licence will expire 31 August 2018.

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, as amended from time to time.
2. In regard to the nature of service:
 - (a) The licensee shall provide a national, English-language specialty Category B service devoted to collectors and their collections, and will showcase creations, celebrate beauty, intricacy, aesthetics and the merits of an object for its own sake. The programming will also include tours of museums and galleries open to the public and behind-the-scenes, celebrate unique architecture and design, and highlight the dedication and knowledge of the committed collector.
 - (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 & Actualities
 - 5 (b) Informal education/Recreation & Leisure
 - 7 Drama and Comedy
 - (a) On-going dramatic series;
 - (b) On-going comedy series (sitcoms);
 - (c) Specials, mini-series, and made-for-TV feature films;
 - (d) Theatrical feature films aired on television;
 - (e) Animated television programs and films (excludes computer graphic productions without story lines);
 - (f) Programs of comedy sketches, improvisations, unscripted works, stand-up comedy
 - (g) Other drama
 - 8 (a) Music and dance
 - (b) Music video clips
 - 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 not more than 10% of the programming broadcast during each broadcast month to programming drawn from each of program categories 7(e) and 8(b).
- (d) The licensee shall devote not more than 15% of the programming broadcast in each broadcast month to programming drawn from program category 7(d).
3. Except as provided for in conditions of licence 4 and 7 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming 10% of the previous broadcast year's gross revenues of the undertaking.
4. The licensee may count expenditures made for the acquisition of or investment in Canadian programming by one or more specialty services from the "Blue Ant Group" in the same broadcast year towards fulfilling the requirement in condition of licence 3 as long as these expenditures are not used by those specialty services towards fulfilling their own Canadian programming expenditure requirement or tangible benefit requirement.
5. Except as provided for in conditions of licence 6 and 7 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall, in each broadcast year, devote to the acquisition of or investment in programs of national interest, namely, programs drawn from program categories 2(b) Long-form documentary and 7 Drama and comedy, and eligible Canadian award shows:
- (a) 9% of the previous broadcast year's gross revenues of all specialty services from the "Blue Ant Group" in the first year of the licence term;
 - (b) 11.25% of the previous broadcast year's gross revenues of all specialty services from the "Blue Ant Group" in the second year of the licence term; and
 - (c) 13.5% of the previous broadcast year's gross revenues of all specialty services from the "Blue Ant Group" in the third year of the licence term and thereafter.
6. The licensee may count expenditures made for the acquisition of or investment in programs of national interest by one or more specialty services from the "Blue Ant Group" in the same broadcast year towards fulfilling the requirement in condition of licence 5 as long as these expenditures are not used by those specialty services towards fulfilling their own programs of national interest requirements or tangible benefit requirement.

7. In regard to expenditures on Canadian programming and/or programs of national interest (PNI):
- (a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming and/or on PNI that is up to 5% less than the minimum required expenditure for that year calculated in accordance with conditions of licence 3 and 5 respectively; in such case, the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year's under-expenditure.
 - (b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming or PNI that is greater than the minimum required expenditure as set out in conditions of licence 3 and 5, the licensee may deduct that amount as long as it does not exceed 10% of the minimum required expenditure in that year from the minimum required expenditure for the following year of the licence term.
 - (c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming and PNI, at a minimum, the total of the minimum required expenditures calculated in accordance with conditions of licence 3 and 5.
8. The service licensed hereby is designated as a Category B service.

For the purposes of these conditions of licence:

“affiliated” means a person that controls the licensee, or that is controlled by the licensee or by a person that controls the licensee.

“Blue Ant Group” means, collectively, those services that are controlled by Blue Ant Television Ltd., and Blue Ant Media Solutions Inc. and 8182493 Canada Inc., partners in a general partnership carrying on business as Blue Ant Media Partnership, and for which the broadcasting licences have been renewed in *Various specialty Category A and B services – Licence renewals and modified group-based licensing approach*, Broadcasting Decision CRTC 2013-465, 30 August 2013.

“broadcast day,” “broadcast month” and “broadcast year” shall have the same meanings as those set out in the *Television Broadcasting Regulations, 1987*.

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.

Appendix 7 to Broadcasting Decision CRTC 2013-465

Terms, conditions of licence, expectations and encouragements for the specialty Category B service Oasis HD

Terms

The licence will expire 31 August 2018.

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, as amended from time to time.
2. In regard to the nature of service:
 - (a) The licensee shall provide a national, English-language specialty Category B service devoted to urban and wild landscapes by Canadian and international cinematographers.
 - (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 & Actualities
 - 5 (b) Informal education/Recreation & Leisure
 - 7 Drama and Comedy
 - (a) On-going dramatic series;
 - (b) On-going comedy series (sitcoms);
 - (c) Specials, mini-series, and made-for-TV feature films;
 - (d) Theatrical feature films aired on television;
 - (e) Animated television programs and films (excludes computer graphic productions without story lines);
 - (f) Programs of comedy sketches, improvisations, unscripted works, stand-up comedy;
 - (g) Other drama
 - 8 (a) Music and dance
(b) Music video clips
 - 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 not more than 10% of the programming broadcast during each broadcast month to programming drawn from each of program categories 7(e) and 8(b).
 - (d) The licensee shall devote not more than 15% of the programming broadcast in each broadcast month to programming drawn from program category 7(d).
3. Except as provided for in conditions of licence 4 and 7 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming 10% of the previous broadcast year's gross revenues of the undertaking.
 4. The licensee may count expenditures made for the acquisition of or investment in Canadian programming by one or more specialty services from the "Blue Ant Group" in the same broadcast year towards fulfilling the requirement in condition of licence 3 as long as these expenditures are not used by those specialty services towards fulfilling their own Canadian programming expenditure requirements or tangible benefit requirements.
 5. Except as provided for in conditions of licence 6 and 7 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall, in each broadcast year, devote to the acquisition of or investment in programs of national interest, namely, programs drawn from program categories 2(b) Long-form documentary and 7 Drama and comedy, and eligible Canadian award shows:
 - (a) 9% of the previous broadcast year's gross revenues of all specialty services from the "Blue Ant Group" in the first year of the licence term;
 - (b) 11.25% of the previous broadcast year's gross revenues of all specialty services from the "Blue Ant Group" in the second year of the licence term; and
 - (c) 13.5% of the previous broadcast year's gross revenues of all specialty services from the "Blue Ant Group" in the third year of the licence term and thereafter.
 6. The licensee may count expenditures made for the acquisition of or investment in programs of national interest by one or more specialty services from the "Blue Ant Group" in the same broadcast year towards fulfilling the requirement in condition of licence 5 as long as these expenditures are not used by those specialty services towards fulfilling their own programs of national interest requirements or tangible benefit requirement.
 7. In regard to expenditures on Canadian programming and/or programs of national

interest (PNI):

- (a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming and/or on PNI that is up to 5% less than the minimum required expenditure for that year calculated in accordance with conditions of licence 3 and 5 respectively; in such case, the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year's under-expenditure.
- (b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming or PNI that is greater than the minimum required expenditure as set out in conditions of licence 3 and 5, the licensee may deduct that amount as long as it does not exceed 10% of the minimum required expenditure in that year from the minimum required expenditure for the following year of the licence term.
- (c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming and PNI, at a minimum, the total of the minimum required expenditures calculated in accordance with conditions of licence 3 and 5.

8. The service licensed hereby is designated as a Category B service.

For the purposes of these conditions of licence:

“affiliated” means a person that controls the licensee, or that is controlled by the licensee or by a person that controls the licensee.

“Blue Ant Group” means, collectively, those services that are controlled by Blue Ant Television Ltd., and Blue Ant Media Solutions Inc. and 8182493 Canada Inc., partners in a general partnership carrying on business as Blue Ant Media Partnership, and for which the broadcasting licences have been renewed in *Various specialty Category A and B services – Licence renewals and modified group-based licensing approach*, Broadcasting Decision CRTC 2013-465, 30 August 2013.

“broadcast day,” “broadcast month” and “broadcast year” shall have the same meanings as those set out in the *Television Broadcasting Regulations, 1987*.

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.

Appendix 8 to Broadcasting Decision CRTC 2013-465

Terms, conditions of licence, expectations and encouragements for the specialty Category B service radX

Terms

The licence will expire 31 August 2018.

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, as amended from time to time.
2. In regard to the nature of service:
 - (a) The licensee shall provide a national, English-language specialty Category B service devoted to adrenaline high definition programming that focuses on the impact of high definition imagery on high-octane, limit-defying human activity and adventure that tests individual personal limits, both physical and mental.
 - (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 & Actualities
 - 5 (b) Informal education/Recreation & Leisure
 - 6 (b) Amateur sports
 - 7 Drama and Comedy
 - (a) On-going dramatic series;
 - (b) On-going comedy series (sitcoms);
 - (c) Specials, mini-series, and made-for-TV feature films;
 - (d) Theatrical feature films aired on television;
 - (e) Animated television programs and films (excludes computer graphic productions without story lines);
 - (f) Programs of comedy sketches, improvisations, unscripted works, stand-up comedy;
 - (g) Other drama
 - 8 (a) Music and dance
 - (b) Music video clips
 - 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 not more than 10% of the programming broadcast during each broadcast month to programming drawn from each of program categories 7(e) and 8(b).
 - (d) The licensee shall devote not more than 15% of the programming broadcast in each broadcast month to programming drawn from program category 7(d).
3. Except as provided for in conditions of licence 4 and 7 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming 10% of the previous broadcast year's gross revenues of the undertaking.
 4. The licensee may count expenditures made for the acquisition of or investment in Canadian programming by one or more specialty services from the "Blue Ant Group" in the same broadcast year towards fulfilling the requirement in condition of licence 3 as long as these expenditures are not used by those specialty services towards fulfilling their own Canadian programming expenditure requirements or tangible benefit requirements.
 5. Except as provided for in conditions of licence 6 and 7 and in accordance with *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010, the licensee shall, in each broadcast year, devote to the acquisition of or investment in programs of national interest, namely, programs drawn from program categories 2(b) Long-form documentary and 7 Drama and comedy, and eligible Canadian award shows:
 - (a) 9% of the previous broadcast year's gross revenues of all specialty services from the "Blue Ant Group" in the first year of the licence term;
 - (b) 11.25% of the previous broadcast year's gross revenues of all specialty services from the "Blue Ant Group" in the second year of the licence term; and
 - (c) 13.5% of the previous broadcast year's gross revenues of all specialty services from the "Blue Ant Group" in the third year of the licence term and thereafter.
 6. The licensee may count expenditures made for the acquisition of or investment in programs of national interest by one or more specialty services from the "Blue Ant Group" in the same broadcast year towards fulfilling the requirement in condition of licence 5 as long as these expenditures are not used by those specialty services towards fulfilling their own programs of national interest requirements or tangible benefit requirement.

7. In regard to expenditures on Canadian programming and/or programs of national interest (PNI):
- (a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming and/or on PNI that is up to 5% less than the minimum required expenditure for that year calculated in accordance with conditions of licence 3 and 5 respectively; in such case, the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year's under-expenditure.
 - (b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming or PNI that is greater than the minimum required expenditure as set out in conditions of licence 3 and 5, the licensee may deduct that amount as long as it does not exceed 10% of the minimum required expenditure in that year from the minimum required expenditure for the following year of the licence term.
 - (c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming and PNI, at a minimum, the total of the minimum required expenditures calculated in accordance with conditions of licence 3 and 5.
8. The service licensed hereby is designated as a Category B service.

For the purposes of these conditions of licence:

“affiliated” means a person that controls the licensee, or that is controlled by the licensee or by a person that controls the licensee.

“Blue Ant Group” means, collectively, those services that are controlled by Blue Ant Television Ltd., and Blue Ant Media Solutions Inc. and 8182493 Canada Inc., partners in a general partnership carrying on business as Blue Ant Media Partnership, and for which the broadcasting licences have been renewed in *Various specialty Category A and B services – Licence renewals and modified group-based licensing approach*, Broadcasting Decision CRTC 2013-465, 30 August 2013.

“broadcast day,” “broadcast month” and “broadcast year” shall have the same meanings as those set out in the *Television Broadcasting Regulations, 1987*.

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.