



Broadcasting Decision CRTC 2016-75

PDF version

Reference: Part 1 application posted on 25 January 2016

Ottawa, 29 February 2016

Star Choice Television Network Incorporated Across Canada

Application 2016-0080-0

Shaw Direct – Licence amendments

*The Commission **approves**, with modifications, an application by Star Choice Television Network Incorporated for an exception to section 45.1 of the Broadcasting Distribution Regulations as it relates to its direct-to-home broadcasting distribution undertaking Shaw Direct.*

As a result, Shaw Direct will be able to provide a basic service and other programming options that will allow consumers to create their own value propositions based on the television services they want to receive and pay for.

Background

1. In Broadcasting Regulatory Policy 2015-96, which resulted from the Let's Talk TV (LTTV) proceeding, the Commission determined that as of 1 March 2016, broadcasting distribution undertakings (BDUs) will be required to offer a reasonably priced entry-level service. The objective is to maximize choice for Canadians in that they would not have to receive and pay for a large number of discretionary services that they may not want.
2. Accordingly, in Broadcasting Regulatory Policy 2015-514, the Commission announced amendments to the *Broadcasting Distribution Regulations* (the Regulations) to require all licensed terrestrial and direct-to-home (DTH) BDUs to provide to their subscribers by 1 March 2016 a basic service offering that:
 - is priced at no more than \$25 (not including equipment) per month;
 - prioritizes Canadian television services by including:
 - local and regional Canadian television stations and provincial or territorial educational services required under sections 17 and 46 of the Regulations for terrestrial and DTH BDUs respectively;

- services designated by the Commission under section 9(1)(h) of the *Broadcasting Act* for mandatory distribution on the basic service; and
 - in the case of terrestrial BDUs, the community channel and the proceedings of the provincial legislature in one or both official languages, if offered;
 - may also include:
 - in the case of terrestrial BDUs, other Canadian over-the-air (OTA) stations where fewer than 10 local or regional stations are available over the air (to an overall maximum of 10 Canadian OTA stations);
 - any local radio station; and
 - one set of U.S. 4+1 signals.¹
3. For DTH licensees, the list of OTA services that must be carried on the basic service under section 46 of the Regulations remained the same as prior to the amendments. Specifically, they are required to distribute:
- to all subscribers:
 - two independently owned television stations from within their area from each independent ownership group;²
 - to subscribers in Ontario, Quebec, Manitoba, British Columbia, Saskatchewan and Alberta:
 - one of each of the Canadian Broadcasting Corporation's (CBC) English- and French-language network television stations from the subscribers' province;
 - one television station from each major ownership group from the subscribers' province; and
 - one independently owned television station from the subscribers' province.
 - to subscribers in the Atlantic provinces:
 - two of each of the CBC's English- and French-language network television stations that originate in the Atlantic provinces;

¹ "U.S. 4+1 signals" refers to a set of signals that provide the programming of the four U.S. commercial networks (CBS, NBC, ABC, FOX) and the non-commercial PBS network.

² These stations must be distributed to subscribers whose residence or other premises are located within the Grade B contour or noise-limited bounding official contour of the television station in question.

- two television stations that originate in the Atlantic provinces, from each major ownership group; and
 - one independently owned television station from the Atlantic provinces.
- to subscribers in the Yukon Territory, the Northwest Territories and Nunavut,
 - at least one of the CBC's northern television services; and
 - the programming services that are required to be distributed outlined above (except for the Atlantic provinces).
4. Although BDUs may also offer a first-tier offering containing additional Canadian services as an alternative to the basic service, to ensure that the basic service distributed by DTH BDUs fulfills the objective of a smaller package set out in the LTTV policy, section 45.1 was added to the Regulations. Pursuant to this section, except as otherwise provided under a condition of its licence, a licensee may not distribute as part of its basic service any programming services other than those set out above.

Application

5. In the proceeding that led to Broadcasting Regulatory Policy 2015-514, Star Choice Television Network Incorporated (Star Choice) submitted that the proposed basic service was too limiting for its DTH BDU Shaw Direct and could not be achieved with its system. It therefore proposed that the Commission “grandfather” the OTA television stations that DTH BDUs have been distributing on the basic service since 19 March 2015. In the case of Shaw Direct, these stations would include not only those set out in section 46 of the Regulations, but also OTA television stations currently required by condition of licence.³ The Commission rejected this proposal, stating that if Star Choice's particular circumstances required an interim exception to the Regulations, it could apply for a condition of licence to that effect.
6. As a result, Star Choice filed an application for an exception to section 45.1 of the Regulations as it relates to its DTH BDU Shaw Direct. The proposed condition of licence reads as follows:⁴
- Until such time as it has the technical ability to fully implement section 45.1 of the Regulations, the licensee shall be permitted to continue to distribute a distinct basic service that includes:
 - in each of British Columbia, Alberta, Saskatchewan, Manitoba, Ontario and Quebec, all the television stations that are located in

³ See condition of licence 3a) set out in the appendix to Broadcasting Decision 2012-606.

⁴ This proposed condition of licence was revised in a letter from the licensee dated 29 January 2016 to include the Yukon Territory, the Northwest Territories and Nunavut.

each such province distributed pursuant to condition of licence 3a);

- in the Atlantic provinces (as defined in the Regulations), all the television stations that are located in the Atlantic provinces distributed pursuant to condition of licence 3a);
- in the Yukon Territory, all the television stations located in the Yukon Territory and Northwest Territories/Nunavut, as well as television stations located in British Columbia, distributed pursuant to condition of licence 3a); and
- in the Northwest Territories/Nunavut, all the television stations located in the Northwest Territories/Nunavut, as well as television stations located in Alberta and Saskatchewan, distributed pursuant to condition of licence 3a).

7. In support of its application, Star Choice argued that Shaw Direct's infrastructure was never designed to deliver the multitude of distinct basic services that are required of terrestrial BDUs. Star Choice submitted that to enable Shaw Direct to offer basic service packages meeting the requirements of section 45.1, its billing systems would need to be replaced. Star Choice estimated that such a replacement would take approximately 24 months.
8. Moreover, Star Choice indicated that its simultaneous substitution technology is limited and that it would not be able to accurately execute simultaneous substitution requests effectively if it were required to offer a large number of distinct basic services.
9. Further, according to the licensee, its application does not raise any public policy concerns as customers would receive the proposed provincial service offerings within the \$25 price cap required by the Commission.
10. Finally, Star Choice submitted that the proposed condition of licence would ensure that customers living outside the broadcast contours of any local signal can continue to receive the provincial signal to which they are accustomed through an affordable basic service.

Interventions and reply

11. The Commission received interventions commenting on the application from the Public Interest Advocacy Centre (PIAC) and Bragg Communications Incorporated, carrying on business as Eastlink (Eastlink). The public record for the application can be found on the Commission's website at www.crtc.gc.ca or by using the application number provided above.

PIAC

12. PIAC expressed concern that the regulated basic service, which creates equity for Canadian television customers and certainty and fair competition among BDUs, could be affected on a nationwide scale if Star Choice's application were approved. Specifically, it submitted that granting an exception to the Regulations would encourage other BDUs to apply to offer their own versions of the basic service to their customers, potentially causing complications when reviewing the requirements of the basic service—notably, the maximum monthly cost—in the future.
13. Accordingly, should Star Choice's application be approved, PIAC requested that the Commission grant an exception of limited duration to allow Shaw Direct to come into compliance with the Regulations.

Eastlink

14. Eastlink noted that Star Choice's proposed condition of licence only refers to "television stations," while its programming grids setting out the basic service for Ontario and Atlantic Canada include the specialty service CP24 and the satellite-to-cable undertaking CTV Two Atlantic (also known as /A\ Atlantic). Eastlink submitted that neither of these services is a "television station" as defined in the Regulations and that these services should not be included on the basic service since their inclusion would disadvantage other BDUs that are prohibited from doing so.
15. Eastlink further submitted that in most cases, Star Choice's proposed basic service is significantly larger than the basic service that other BDUs are permitted to offer. While it acknowledged that the Regulations authorize BDUs to offer a first-tier offering that includes other discretionary services provided that they also offer the entry-level basic service, Eastlink stated that adopting such an approach would be confusing for customers given that to match Shaw Direct, a terrestrial BDU would have to promote two basic services for roughly the same \$25 price point, with one containing more services than the other.
16. Should the Commission grant Star Choice's request, Eastlink argued that competing BDUs should be granted similar flexibility to include some or all of the additional programming services on their basic service to avoid any competitive disadvantage.

Reply by Star Choice

17. In response to the concerns raised by PIAC regarding BDU competition, Star Choice noted that neither its DTH competitor nor any other BDU except Eastlink filed an intervention regarding its application.
18. Star Choice argued that the distribution of duplicate local signals is of no competitive value and has made it more difficult for DTH providers to compete with local terrestrial BDUs. Further, the requirements imposed on DTH BDUs to deliver an

increasing number of local services has made it challenging for DTH providers to remain competitive.

19. In reply to Eastlink's intervention, Star Choice acknowledged that the inclusion of CP24 in the proposed basic package for Ontario was an oversight and agreed that it should not be included as part of any basic service offering. However, with respect to CTV Two Atlantic, Star Choice argued that while delivered by satellite, that channel is treated by the Commission as a conventional television station in that it benefits from simultaneous substitution privileges and the ability to solicit local advertising outside St. John's and Halifax, as well as broadcasts 15 hours of local programming per week.
20. In response to further questions from Commission staff, Star Choice acknowledged that its proposed basic packages for Ontario and Quebec could be further divided into three basic packages for Ontario (Southern Ontario, Eastern Ontario and North/Central Ontario) and two basic packages for Quebec (Western Quebec and Eastern Quebec), lowering the number of local television stations in each of these basic packages from a maximum of 31 to a maximum of 23. Star Choice filed maps with the Commission that set out the boundaries of these regions. The licensee indicated that it would take approximately 9 months to implement the changes necessary to divide its Ontario and Quebec packages and therefore requested that it be provided an interim condition of licence allowing it to provide the originally proposed Ontario and Quebec packages until 1 December 2016, after which time the new packages would be introduced.
21. Also in response to questions from Commission staff, Star Choice indicated that it would adhere to a condition of licence requiring its adherence to the Wholesale Code, consistent with the Commission's policy determinations set out in Broadcasting Regulatory Policy 2015-438.

Commission's analysis and decisions

22. Based on its examination of the public record for this application in light of applicable regulations and policies, the Commission considers that the issues it must address are the following:
 - whether it is appropriate to grant Star Choice an exception to section 45.1 of the Regulations restricting the services that may be included on the basic service;
 - if an exception is appropriate, what television stations should be included on the basic service; and
 - whether a condition of licence relating to the Wholesale Code should be imposed on Shaw Direct.

Exception to the regulatory limit on the services that may be included on the basic service

23. Given that DTH BDUs are national in scope, the Commission has consistently treated them differently from terrestrial BDUs. For example, specific provisions are set out for DTH BDUs in a separate section of the Regulations, and DTH BDUs execute simultaneous substitution differently from terrestrial BDUs. Moreover, simultaneous substitution practices differ from one DTH BDU to another. The Commission considers that an exception would be appropriate given the unique nature of DTH BDUs, which in the past have offered one or two basic services on a national basis due to the technical difficulties of offering a larger number of distinct basic services.
24. The amended Regulations have changed the content of the required basic service for DTH providers from a minimum number of stations that must be provided to any given subscriber to a maximum number. As a result of this change, Shaw Direct may experience some difficulty establishing basic packages that comply with the Regulations given its current technical structure and billing system.
25. The Commission considers that granting Star Choice an exception would not provide it with a competitive advantage over other BDUs. In this regard, the Regulations already provide BDUs with the flexibility to make first-tier offerings or add-on packages available to their consumers at little to no extra cost, which would be equivalent to or better than Star Choice's proposal. Moreover, Star Choice acknowledged that it could not charge more than \$25 for the basic service, which is the regulatory limit applicable to other BDUs. As such, the Commission is not convinced that approving the condition of licence would disadvantage other BDUs.
26. The Commission considers that the cost of requiring Star Choice to upgrade its billing system would likely be significant and that this cost may not be justified given that DTH BDU revenues have been on the decline over the last few years. Additionally, requiring Star Choice to upgrade its billing system by a certain date may increase retail rates for DTH subscribers, many of whom do not have access to an alternative television provider.
27. Given that Star Choice's licence expires 31 August 2019, the Commission will have an opportunity to re-examine whether the exception remains appropriate at that time.
28. In light of the above, the Commission finds it appropriate to grant Star Choice an exception to section 45.1 of the Regulations with respect to the local television stations that may be included on the basic service.

Television stations to be included on Star Choice's basic services

29. While CTV Two Atlantic is a satellite-to-cable service, it has always been treated in a manner similar to a conventional television station. For example, like other conventional television stations, CTV Two Atlantic may request simultaneous substitution, may sell local advertising and must meet specific local programming

requirements and adhere to the *Television Broadcasting Regulations, 1987*. Accordingly, the Commission considers it appropriate that CTV Two Atlantic be included on Shaw Direct's basic service in the Atlantic provinces.

30. Having reviewed the record for this proceeding, the Commission is of the preliminary view that it would be appropriate to allow all BDUs to distribute CTV Two Atlantic on the basic service for the Atlantic provinces. As such, in Broadcasting Notice of Consultation 2016-76, also issued today, the Commission has called for comments on an amendment to the general authorizations applicable to terrestrial and DTH BDUs to allow CTV Two Atlantic to be included as part of the basic service, as an exception to sections 16.1 and 45.1 of the Regulations.
31. The Commission considers that the list of television stations that must be carried on Shaw Direct's basic package, as revised above, represents a reasonable compromise between the policy objective of offering a small basic package and the costs and technical limitations associated with imposing requirements that are too restrictive. Moreover, the Commission considers it appropriate to allow Shaw Direct a reasonable period of time to implement the necessary technical and billing changes required to implement the additional packages for Ontario and Quebec. However, the Commission is concerned that the wording of the condition of licence proposed by Star Choice could lead to confusion.
32. Accordingly, the Commission considers it appropriate to replace the general criteria proposed by Star Choice with a definitive list that specifies which television stations Shaw Direct must distribute on each basic service, both during the interim period (i.e., until 30 November 2016) and subsequently until licence renewal. This condition of licence replaces the requirement to carry the television stations meeting the criteria set out in subsections 46(2) and (4)-(7) of the Regulations. The condition of licence does not provide an exception to subsection 46(3), which requires DTH licensees to carry as part of its basic package 9(1)(h) services and provincial educational services, as well as the new section 46(8), which permits DTH licensees to carry as part of its basic package U.S. 4+1 services and any local radio stations. For these services, the Regulations will continue to apply.

Imposition of the Wholesale Code on Star Choice

33. In Broadcasting Regulatory Policy 2015-438, the Commission stated that it would impose the Wholesale Code on licensed BDUs by condition of licence. It also indicated that in assessing applications for other licence amendments, it may take into consideration whether the licensee has this condition of licence or has applied for it.
34. As noted above, Star Choice indicated that it would adhere to a condition of licence requiring it to comply with the Wholesale Code in its dealings with any licensed or exempt broadcasting undertaking. Accordingly, consistent with its policy, the Commission considers that it would be appropriate to impose a **condition of licence** to that effect.

Conclusion

35. In light of all of the above, the Commission **approves**, with modifications, the application by Star Choice Television Network Incorporated to amend its conditions of licence to provide for an exception to section 45.1 of the Regulations as it relates to its DTH BDU Shaw Direct. The Commission therefore **replaces** Star Choice's existing condition of licence 3 as set out in Broadcasting Decision 2012-606 with the new condition of licence 3 set out in the appendix to this decision. The Commission also **imposes** condition of licence 8 set out in the appendix to this decision.

Secretary General

Related documents

- Call for comments on a proposed amendment to the *General authorizations for broadcasting distribution undertakings* to authorize the distribution of CTV Two Atlantic as part of the basic service in the Atlantic provinces, Broadcasting Notice of Consultation CRTC 2016-76, 29 February 2016
- *Amendments to the Broadcasting Distribution Regulations to implement determinations in the Let's Talk TV proceeding*, Broadcasting Regulatory Policy CRTC 2015-514, 19 November 2015
- *The Wholesale Code*, Broadcasting Regulatory Policy CRTC 2015-438, 24 September 2015
- *Let's Talk TV – A World of Choice – A roadmap to maximize choice for TV viewers and to foster a healthy, dynamic TV market*, Broadcasting Regulatory Policy CRTC 2015-96, 19 March 2015
- *Shaw Direct – Licence renewal*, Broadcasting Decision CRTC 2012-606, 31 October 2012

**This decision is to be appended to each licence.*

Appendix to Broadcasting Decision CRTC 2016-75

Conditions of licence, requirements, expectations and encouragement for the Shaw Direct direct-to-home broadcasting distribution undertaking

Conditions of licence

1. In addition to those services identified in section 48 of the *Broadcasting Distribution Regulations*, the licensee is authorized to distribute:
 - a) the Electronic Program Guide, one English- and one French-language marketing channel for its own service and one English- and one French-language marketing channel for its pay-per-view service;
 - b) any non-Canadian audio programming service that it received over-the-air anywhere in Canada; and
 - c) any international radio service that is operated or funded by a national government or its agent.
2. The licensee shall act in accordance with sections 1, 30 and 33 of the *Broadcasting Distribution Regulations* (the Regulations) when it distributes community programming on its barker channel. “Community programming” shall have the same meaning as that set out in section 1 of the Regulations.
3. As an exception to subsection 46(2) and (4)-(7) of the Regulations:
 - a) From 1 March 2016 to 30 November 2016, the licensee shall distribute to a subscriber whose residence or other premises are located in the following provinces or regions, the following television stations as part of its basic service:

British Columbia:

CBUT-DT, CBUFT-DT, CJDC-TV, CFTK-TV, CFJC-TV, CHEK-DT, CKVU-DT, CKPG-TV, CIVI-DT, CIVT-DT, CHBC-DT and CHAN-DT

Alberta:

CBRT-DT, CBXT-DT, CKSA-DT, CHAT-TV, CKAL-DT, CKEM-DT, CFCN-DT, CFRN-DT, CFCN-DT-5, CITL-DT, CICT-DT, CITV-DT, CISA-DT and CBXFT-DT

Saskatchewan:

CKSA-DT, CBKT-DT, CITL-DT, CIPA-TV, CKCK-DT, CFQC-DT, CICC-TV, CFRE-DT, CFSK-DT and CBKFT-DT

Manitoba:

CBWT-DT, CHMI-DT, CKY-DT, CKND-DT and CBWFT-DT

Ontario:

CBET-DT, CBLT-DT, CBLFT-DT, CBOFT-DT, CBOT-DT, CFMT-DT, CFPL-DT, CFTO-DT, CHBX-TV, CHCH-DT, CHEX-DT, CHEX-TV-2, CHFD-DT, CHRO-DT-43, CHWI-DT-60, CICI-TV, CIII-DT-41, CITO-DT, CITY-DT, CJBN-DT, CJMT-DT, CJOH-DT, CKCO-DT, CKVR-DT, CKWS-DT, CKNY-TV, CITS-DT and CKPR-DT

Quebec:

CHAU-DT, CBFT-DT, CBMT-DT, CBVT-DT, CFAP-DT, CFCF-DT, CFCM-DT, CFEM-DT, CFER-TV, CFGS-DT, CFJP-DT, CFKM-DT, CFRS-DT, CFTF-DT, CFTM-DT, CFTU-DT, CFVS-DT, CHEM-DT, CHLT-DT, CHOT-DT, CIMT-DT, CJBR-DT, CJNT-DT, CJPM-DT, CKFS-DT, CKMI-DT, CKRN-DT, CKTM-DT, CKSH-DT, CKRT-DT and CKTV-DT

Atlantic provinces:

CBCT-DT, CBAT-DT, CBHT-DT, CBNT-DT, CJCH-DT, CKCW-DT, CKLT-DT, CJCБ-DT, CIHF-DT, CHNB-DT, CJON-DT, CBAFT-DT and CTV Two Atlantic (also known as /A\ Atlantic)

Yukon Territory:

CBUT-DT, CFYK-DT, CBUFT-DT, CJDC-TV, CFTK-TV, CFJC-TV, CHEK-DT, CKVU-DT, CKPG-TV, CIVI-DT, CIVT-DT, CHBC-DT and CHAN-DT

Northwest Territories and Nunavut:

CBRT-DT, CBXT-DT, CKSA-DT, CBKT-DT, CFYK-DT, CHAT-TV, CKAL-DT, CKEM-DT, CFCN-DT, CFRN-DT, CFCN-DT-5, CITL-DT, CIPA-TV, CKCK-DT, CFQC-DT, CICC-TV, CICT-DT, CITV-DT, CISA-DT, CFRE-DT, CFSK-DT, CBXFT-DT and CBKFT-DT

- b) Beginning 1 December 2016, the licensee shall distribute to a subscriber whose residence or other premises are located in a province or region other than Ontario and Quebec as part of its basic service, the television stations listed in 3a) for their respective province or region.
- c) Beginning 1 December 2016, the licensee shall distribute to a subscriber whose residence or other premises are located in the following regions of Ontario or Quebec the following television stations as part of its basic service:

Southern Ontario:

CHWI-DT-60, CBET-DT, CBLT-DT, CBLFT-DT, CIII-DT-41, CFTO-DT, CITY-DT, CHEX-TV-2, CFPL-DT, CKCO-DT, CHCH-DT, CKVR-DT, CFMT-DT, CJMT-DT and CBOFT-DT

Eastern Ontario:

CBLT-DT, CIII-DT-41, CFTO-DT, CITY-DT, CBOT-DT, CBOFT-DT, CHRO-DT-43, CJOH-DT, CHOT-DT, CKNY-TV and CKWS-DT

North/Central Ontario:

CBOFT-DT, CFTO-DT, CBLT-DT, CIII-DT-41, CITY-DT, CITO-DT, CICI-TV, CHBX-TV, CHEX-DT, CKNY-TV, CHFD-DT, CKPR-DT and CJBN-TV

Western Quebec:

CBFT-DT, CFTM-DT, CFJP-DT, CKSH-DT, CHLT-DT, CFKS-DT, CHOT-DT, CFGS-DT, CFVS-DT, CKRN-DT, CFEM-DT, CBMT-DT, CJNT-DT, CFCF-DT, CFTU-DT and CKMI-DT

Eastern Quebec:

CFJP-DT, CBFT-DT, CHAU-DT, CBVT-DT, CFCM-DT, CFAP-DT, CJBR-DT, CFER-TV, CKRT-DT, CIMT-DT, CFTF-DT, CFTU-DT, CKTV-DT, CJPM-DT, CFRS-DT, CKTM-DT, CHEM-DT, CFKM-DT, CFTM-DT, CBMT-DT, CJNT-DT, CFCF-DT and CKMI-DT

4. The licensee is relieved from the requirements of section 7 of the *Broadcasting Distribution Regulation* solely for the purpose of distributing, on a part-time basis, via partial and/or omnibus channels, the local and regional news, weather, sports and other unique local or regional programming exhibited by those licensed over-the-air, i.e., conventional television stations not distributed by the licensee in their entirety. Distribution of programming on a part-time basis is subject to the following requirements:
 - a) Distribution of part-time programming may only take place on a partial channel with the prior written consent of the television station originating the programming. In addition, the further prior written consent of the television station is necessary in order to distribute this part-time programming on an omnibus channel, or at a time that is not simultaneous broadcast on the television station.
 - b) Prior notification must be given to the Commission before the programming of a television station to be distributed on a part-time basis is added to the licensee's channel line-up.
 - c) The licensee shall provide equitable distribution of participating television stations distributed in the manner described above.
5. The licensee is relieved of the requirement of section 47(2)(a) of the *Broadcasting Distribution Regulations* to distribute the specialty service known as Talentvision, unless requested to do so by the licensee of the service.

6. The licensee shall provide one or more simple means of accessing described programming, whether in an open or embedded format, that requires little or no visual acuity.
7. As an exception to subsection 7.2(2) of the *Broadcasting Distribution Regulations*, any alert that the licensee receives from the National Alert Aggregation and Dissemination System shall not be required to be received by subscribers who possess non-National Public Alerting System (NPAS) capable receivers identified as “Legacy 97,” “DSR 500” and “00.FE.” This exception shall continue until the licensee replaces all non-NPAS capable receivers with NPAS-capable receivers. The licensee shall continue its efforts to replace all non-NPAS capable receivers by maintaining internal processes to migrate customers off the above-mentioned receivers.

The licensee shall, until the date on which the solution for the distribution of emergency alerts is fully implemented, report to the Commission on a monthly basis, in writing, as to the remaining number of affected customers for its national direct-to-home broadcasting distribution undertaking Shaw Direct.

8. The licensee shall adhere to the Wholesale Code, set out in the appendix to *The Wholesale Code*, Broadcasting Regulatory Policy CRTC 2015-438, 24 September 2015, in its dealings with any licensed or exempt broadcasting undertaking.

Requirements

The licensee is required to promote information on all of its disability-specific services and products, in the accessible manner(s) of its choice.

The licensee is required to incorporate an easy-to-find home page link to the special needs/disability sections of its website, if its website includes such sections.

The licensee is required to make the information on its website accessible to the point of providing reasonable accommodation for persons with disabilities (examples of what the Commission considers to be reasonable accommodations are listed in paragraph 66 of *Accessibility of telecommunications and broadcasting services*, Broadcasting and Telecom Regulatory Policy CRTC 2009-430, 21 July 2009).

Where customer service functions on its website are not accessible, the licensee is required to ensure that persons with disabilities will not incur a charge or otherwise be disadvantaged if they use an alternate avenue of customer service.

The licensee is required to make accessible any customer service functions that are available solely over its website.

The licensee is required to make its general call centers accessible to the point of providing reasonable accommodation to persons with disabilities by:

- a) training customer service representatives in handling enquiries from persons with disabilities and familiarizing them with the service provider's products and services for persons with disabilities; and
- b) making its Interactive Voice Response systems accessible.

Expectations

The Commission expects the licensee to ensure that subscribers are able to identify programming with described video in the electronic program guide.

The Commission expects the licensee to make information available in alternative formats to subscribers regarding, among other things, the programming and services offered and the channel line-up.

Encouragement

The Commission encourages the licensee to ensure that its set-top boxes are accessible to subscribers with vision and fine motor skill disabilities.