



## Broadcasting Decision CRTC 2016-240

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Reference: Part 1 application posted on 29 January 2016

Ottawa, 23 June 2016

**0859291 B.C. Ltd.**

Victoria and River Jordan, British Columbia

*Application 2016-0107-1*

### **CHEK-DT Victoria and its transmitter CHEK-TV-2 River Jordan – Licence amendment**

*The Commission **approves** an application by 0859291 B.C. Ltd. (CHEK TV) to amend the broadcasting licence for the conventional television station CHEK-DT Victoria and its transmitter CHEK-TV-2 River Jordan to allow described video programming supplied by Accessible Media Inc. (AMI) drawn from any program category to fulfill the station's described video obligations.*

*As a result, CHEK TV viewers who are blind or partially sighted will have access to quality described video programming.*

#### **Application**

1. 0859291 B.C. Ltd. (CHEK TV) filed an application to amend the broadcasting licence for the conventional television station CHEK-DT Victoria and its transmitter CHEK-TV-2 River Jordan, British Columbia. The Commission did not receive any interventions in connection with this application.
2. Specifically, the licensee requested relief from its condition of licence relating to described video programming by allowing described video programming supplied by Accessible Media Inc. (AMI) drawn from any program category to fulfill the condition.
3. Condition of licence 10, set out in *CHEK-TV Victoria and its transmitters – Acquisition of assets*, Broadcasting Decision CRTC 2009-699, 9 November 2009, reads as follows:

The licensee shall broadcast, beginning in year 4 of its licence term, an average of 4 hours per week of described programming, of which 50% must be original to the service.

To fulfill this condition, the described programming may be drawn from the following categories: 2(b) Long-form documentary; 7 Drama and comedy; 9 Variety; and 11 General entertainment and human interest, as well as programming targeted to children.

4. CHEK TV submitted that while it had been able to meet its described video obligation in the 2014-2015 broadcast year, it was falling slightly below for the 2015-2016 broadcast year and would thus need to acquire content to fulfill its obligation. The applicant stated that acquiring content is difficult due to the financial challenges it is experiencing as an independent conventional television station.
5. CHEK TV indicated that it had come to a preliminary agreement with AMI to make up the shortfall of approximately 1 hour per week of original described video programming and in return, it would promote AMI's service. While 50 hours of AMI programming with described video could be available to CHEK TV, only 6 hours of that programming is available from the program categories identified in the condition of licence. Therefore, CHEK TV requested permission to use any described programming supplied by AMI to meet its described video obligation.
6. CHEK TV submitted that this approach would be positive for the Canadian broadcasting industry as it would provide its viewers who are blind or partially sighted with descriptive video that is original Canadian content while promoting AMI's services to CHEK TV's viewers.

### **Commission's analysis and decision**

7. The Commission considers that CHEK TV has found an innovative approach to ensure that it offers programming that is accessible for viewers who are blind or partially sighted. Though most of the programming to be supplied by AMI would not adhere strictly to the program categories identified in CHEK TV's condition of licence, the Commission is confident that AMI would provide quality described programming of interest to the communities served by CHEK TV.
8. In light of the above, the Commission **approves** the application by 0859291 B.C. Ltd. to amend the broadcasting licence for the conventional television station CHEK-DT Victoria and its transmitter CHEK-TV-2 River Jordan. Condition of licence 10 shall now read as follows:

The licensee shall broadcast, beginning in year 4 of its licence term, an average of 4 hours per week of described programming, of which 50% must be original to the service.

To fulfill this condition, the described programming may:

- a) be drawn from the following categories: 2(b) Long-form documentary; 7 Drama and comedy; 9 Variety; 11(a) General entertainment and human interest; and 11(b) Reality television, as well as programming targeted to children; or
- b) be drawn from any program category if it is supplied by Accessible Media Inc.

9. The Commission **directs** the licensee to submit at licence renewal:

- a report detailing when the AMI-sourced described video programming was broadcast (date and time) and the program titles; and
- information relating to viewers' experiences with the AMI-sourced described video programming.

Secretary General

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