



## Broadcasting Decision CRTC 2003-178

Ottawa, 10 June 2003

**Vidéotron Itée, CF Cable TV Inc. and Videotron (Regional) Ltd.**  
Lachute, Montréal, Sorel and Terrebonne, Quebec

*Application 2002-0951-1*  
*Broadcasting Public Notice CRTC 2003-13*  
*18 March 2003*

### **Distribution of WWBI-TV on a discretionary digital basis**

1. The Commission received an application by Vidéotron Itée, CF Cable TV Inc. and Videotron (Regional) Ltd. (Vidéotron) to distribute on their Class 1 and Class 2 cable distribution undertakings serving the above-mentioned localities, the off-air signal of WWBI-TV<sup>1</sup> (Warner Brothers) Burlington-Plattsburgh, New York.
2. A condition of its licence stipulates that:
  - a) the *Broadcasting Distribution Regulations*;
  - b) the most recent renewal decision or, if there has been no renewal, the initial licensing decision; or
  - c) any subsequent written approvals granted during the term of this licence.
3. Vidéotron filed the present application as required by its conditions of licence.
4. Section 19(g) of the *Broadcasting Distribution Regulations* stipulates that the Commission's prior approval is required should a Class 1 or Class 2 cable licensee wish to distribute the programming service of any non-Canadian television station received directly over the air at the local head end and that began operation after 1 January 1985. WWBI-TV began operating in 1998.

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<sup>1</sup> Broadcasting Public Notice CRTC 2003-13 incorrectly stated the signal name was WBBI-TV Plattsburgh. The correct signal name is WWBI-TV Burlington-Plattsburgh.

5. In *Distribution of WNYO-49 (Warner Brothers) Buffalo, New York*, Decision CRTC 2001-688, 9 November 2001, the Commission confirmed its policy to permit the distribution of U.S. stations that began operation after 1985 only in cases where it is satisfied that the station will not materially compete for Canadian advertising revenues with local broadcasters.
6. Taking into account the licensees' statement that the WWBI-TV signal is readily available off air, the Commission considers that the impact of the distribution of WWBI-TV as part of a discretionary digital tier in the above-mentioned localities will be minimal.
7. Accordingly, the Commission **approves** the application for the discretionary digital distribution by Vidéotron of the off-air signal WWBI-TV (Warner Brothers).

Secretary General

*This decision is to be appended to each licence. It is available in alternative format upon request, and may also be examined at the following Internet site: <http://www.crtc.gc.ca>*