



## Broadcasting Regulatory Policy CRTC 2011-515

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Route reference: 2011-307

Ottawa, 19 August 2011

### **Addition of RAINews to the lists of eligible satellite services for distribution on a digital basis**

*The Commission **approves** a request to add RAINews to the lists of eligible satellite services for distribution on a digital basis and amends the lists accordingly. The revised lists are available on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) under "Broadcasting Sector."*

#### **Introduction**

1. The Commission received a request dated 25 March 2011 from Rogers Communications Inc. (Rogers) to add RAINews to the lists of eligible satellite services for distribution on a digital basis (the digital lists).<sup>1</sup>
2. Rogers described RAINews as the all-news broadcasting service of Italy's public broadcaster RAI Radiotelevisione Italiana and specified that it provides Italian-language daily news and current affairs programming focused on events and issues that are taking place in Italy and around the world.
3. In Broadcasting Public Notice 2004-96, the Commission stated that requests to add non-Canadian general interest third-language services to the digital lists would generally be approved, subject to any requirement it deemed appropriate. In the case of non-Canadian third-language services that provide narrowly targeted or "niche" programming, the Commission stated that it would continue to apply a case-by-case assessment to determine whether such services are partially or totally competitive with Canadian pay or specialty services.
4. In regard to non-Canadian news services, however, the Commission considers a more open-entry approach to be consistent with the importance it places on a diversity of editorial points of view. Accordingly, in paragraph 246 of Broadcasting Public Notice 2008-100, the Commission stated the following:

[...] absent clear evidence, as determined by the Commission, that a non-Canadian news service will violate Canadian regulations, such as those

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<sup>1</sup> In Broadcasting Regulatory Policy 2011-399, the Commission announced that, as of 1 September 2011, the digital lists will be replaced with a consolidated list to be known as the *List of non-Canadian programming services authorized for distribution*.

regarding abusive comment, the Commission will be predisposed to authorize non-Canadian news services for distribution in Canada.

5. Consistent with this approach, in Broadcasting Notice of Consultation 2011-307, the Commission called for comments on the proposed addition of RAINews to the digital lists pursuant to the approach described above. The Commission stated that parties wishing to argue that RAINews should not be authorized for distribution in Canada should provide detailed support for their position.
6. The Commission received 27 interventions in response to Broadcasting Notice of Consultation 2011-307. Twenty-six of these interventions supported Rogers' request to add RAINews to the digital lists. The other intervention, submitted by Telelatino Network Inc. (Telelatino), did not object to Rogers' request, but raised concerns about the Commission's general approach regarding the authorization of non-Canadian third-language services.

### **Commission's analysis and determination**

7. With respect to Telelatino's comments, the Commission notes that it adopted its approach to the addition of third-language services after a public process. It does not consider it appropriate to revisit its approach at this time.
8. In the absence of opposing comments and any evidence that the service would violate Canadian regulations, the Commission **approves** the addition of RAINews to the digital lists and amends the lists of eligible satellite services accordingly. The lists of eligible satellite services are available on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) under "Broadcasting Sector" and may be obtained in hard copy on request.

Secretary General

### **Related documents**

- *List of non-Canadian programming services authorized for distribution*, Broadcasting Regulatory Policy CRTC 2011-399, 30 June 2011
- *Call for comments on the addition of RAINews to the lists of eligible satellite services for distribution on a digital basis*, Broadcasting Notice of Consultation CRTC 2011-307, 11 May 2011
- *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services* – Regulatory policy, Broadcasting Public Notice CRTC 2008-100, 30 October 2008
- *Improving the diversity of third-language television services – A revised approach to assessing requests to add non-Canadian third-language television services to the lists of eligible satellite services for distribution on a digital basis*, Broadcasting Public Notice CRTC 2004-96, 16 December 2004