CBC Radio-Canada

August 26, 2005

Manon Auger
Discretionary Services and Social Policy
Canadian Radio-Television &
Telecommunications Commission
Ottawa, Ontario
K1A ON2

Re: <u>Application 2005-0849-2: Proposed Amendment to Country Canada's Nature of Service Condition of Licence</u>

Dear Ms. Auger:

This is in response to your request of August 24, 2005 for clarifications on Country Canada's application. For ease of reference we will repeat the questions and provide our response below each.

1) *In your application, you stated that approval of this request would enable Country Canada to schedule live distribution of Canadian amateur sports events at times that are convenient and attractive to viewers. If the Commission was to grant your request to amend Country Canada's condition of licence to permit measurement of the 10% limitation on sports programming over the broadcast year; would you accept a condition of licence that would limit the amount of professional sports (category 6a) you may broadcast? If so, what would this amount be?*

We do not believe it is necessary or appropriate to impose a limit on the amount of professional sports programming broadcast on Country Canada for the following reasons:

- There is no such limitation in Country Canada's existing conditions of licence. The fact that Country Canada is currently authorized to carry any mix of amateur and professional sports it chooses has not resulted in any adverse impacts on any existing licensee.

- Country Canada is not seeking to materially alter its Nature of Service condition of licence. It is merely seeking flexibility within an existing limit to enable it to more effectively program sporting events in accordance with the seasonal nature of sports.

2) *Please comment on the impact if the Commission was to require by condition of licence that not more than 10% of all programming broadcast during each broadcast month be devoted to subcategories 6a and 6b.*

CBC's proposal to meet the 10% limitation on sports on the basis of a *broadcast year* rather than a *broadcast week* is intended to provide Country Canada with the flexibility to effectively program coverage of sporting events.

The issue is about the method of calculation or measurement of a Condition of Licence limitation, and not about changing the 10% limitation. We are proposing a method that is best suited to sporting events given their seasonal nature.

A method based on annual measurement provides the necessary flexibility to cover sports events given their seasonal nature. The suggested monthly calculation method still would be too constraining for effective sports coverage.

For example, on a monthly basis a 10% limitation provides 54.75 hours of sports programming. In the case of curling during 2005, for example, the hours available for telecast from a typical tournament are in excess of this limit. A monthly approach, therefore, unduly constrains effective coverage of such events. The cost here is borne by our viewers, who cannot watch a full tournament.

Moreover, a monthly calculation does not leave room in the schedule for overlapping sports events that may occur within the same month and sometimes in the same week. For example, in March 2006, there will be World Figure Skating, the Brier, the Commonwealth Games, the Scott Tournament of Hearts, the Paralympics and the Women's Curling World Championship.

Measuring Country Canada's 10% limitation on sports across a broadcast year permits scheduling flexibility to serve our viewers, without increasing the limitation on sports programming in total over the year. We do not believe such a measurement change would adversely impact any existing licensee.

We appreciate this opportunity to respond to your questions. If you require anything further please don't hesitate to contact me.

Yours truly,

Bev Kirshenblatt
Senior Director, Regulatory Affairs