



## Broadcasting Decision CRTC 2006-297

Ottawa, 17 July 2006

**LC Média inc.**  
Across Canada

*Application 2005-0875-7*  
*Public Hearing at Québec, Québec*  
*20 March 2006*

### **Passion Performance – Category 2 specialty service**

*In this decision, the Commission **approves** an application for a broadcasting licence to operate a new Category 2 specialty programming undertaking.*

#### **The application**

1. The Commission received an application by LC Média inc. for a broadcasting licence to operate a national French-language Category 2<sup>1</sup> specialty programming undertaking to be known as Passion Performance.
2. The applicant proposed to offer a service that would consist of educational programs and instructive or informative magazine programs devoted to car, truck, ATV, motorbike and recreational vehicle enthusiasts. All of the programming would be drawn from the following categories as set out in Schedule I to the *Specialty Services Regulations, 1990*: 2(a) Analysis and interpretation; 2(b) Long-form documentary; 5(a) Formal education and pre-school; 5(b) Informal education/Recreation and leisure; 6(a) Professional sports; 6(b) Amateur sports; 7(a) Ongoing dramatic series; 7(b) Ongoing comedy series (sitcoms); 7(c) Specials, mini-series or made-for-TV feature films; 7(d) Theatrical feature films aired on TV; 12 Interstitials; and 14 Infomercials, promotional and corporate videos.
3. The applicant also proposed to accept the following conditions of licence:
  - a) No more than 20% of all programming broadcast during each broadcast week shall be devoted to programming drawn from categories 6(a) and 6(b).
  - b) No more than 5% of all programming broadcast during each broadcast week shall be devoted to programming drawn from category 7.
4. The Commission received interventions in support of this application.

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<sup>1</sup> Category 2 services are defined in *Introductory statement – Licensing of new digital pay and specialty services*, Public Notice CRTC 2000-171, 14 December 2000.

## Commission's analysis and determination

5. The Commission is satisfied that the application is in conformity with all applicable terms and conditions announced in *Introductory statement – Licensing of new digital pay and specialty services – Corrected Appendix 2*, Public Notice CRTC 2000-171-1, 6 March 2001 (Public Notice 2000-171-1). Accordingly, the Commission **approves** the application by LC Média inc. for a broadcasting licence to operate the national French-language Category 2 specialty programming undertaking, Passion Performance.
6. The licence will expire 31 August 2012, and will be subject to the **conditions** set out in Public Notice 2000-171-1, as well as to the **conditions** set out in the appendix to this decision.

## Issuance of the licence

7. A licence will be issued once the applicant has satisfied the Commission, with supporting documentation, that the following requirements have been met:
  - the applicant has entered into a distribution agreement with at least one licensed distributor; and
  - the applicant has informed the Commission in writing that it is prepared to commence operations. The undertaking must be operational at the earliest possible date and in any event no later than 36 months from the date of this decision, unless a request for an extension of time is approved by the Commission before 17 July 2009. In order to ensure that such a request is processed in a timely manner, it should be submitted at least 60 days before that date.

Secretary General

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

## Appendix to Broadcasting Decision CRTC 2006-297

### Conditions of licence

1. The licence will be subject to the conditions set out in *Introductory statement – Licensing of new digital pay and specialty services – Corrected Appendix 2*, Public Notice CRTC 2000-171-1, 6 March 2001.
2. The licensee shall provide a national French-language Category 2 specialty programming service that will offer programming consisting of educational programs and instructive or informative magazine programs devoted to car, truck, ATV, motorbike and recreational vehicle enthusiasts.
3. The programming shall be drawn exclusively from the following categories, as set out in Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time:
  - 2 (a) Analysis and interpretation  
(b) Long-form documentary
  - 5 (a) Formal education and pre-school  
(b) Informal education/Recreation and leisure
  - 6 (a) Professional sports  
(b) Amateur sports
  - 7 (a) Ongoing dramatic series  
(b) Ongoing comedy series (sitcoms)  
(c) Specials, mini-series or made-for-TV feature films  
(d) Theatrical feature films aired on TV
  - 12 Interstitials
  - 14 Infomercials, promotional and corporate videos
4. No more than 20% of all programming broadcast during each broadcast week shall be devoted to programming drawn from categories 6(a) and 6(b).
5. No more than 5% of all programming broadcast during each broadcast week shall be devoted to programming drawn from category 7.

For the purposes of the conditions of this licence, including condition of licence no. 1, *broadcast day* refers to the 24-hour period beginning each day at 6 a.m., or any other period approved by the Commission.