



## Broadcasting Decision CRTC 2005-517

Ottawa, 21 October 2005

**Showcase Television Inc.**  
Across Canada

*Application 2005-0318-7*  
*Public Hearing in the National Capital Region*  
*15 August 2005*

### **Girls TV – 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 Showcase Television Inc. (Showcase) for a broadcasting licence to operate a national, English-language Category 2<sup>1</sup> specialty programming undertaking to be known as Girls TV.
2. The applicant proposed to offer a service that would be devoted to programming related to the entertainment and information needs of female viewers between the ages of 5 and 17. The programming would focus on programs that foster a sense of confidence, empowerment and positive self-image.
3. The programming would be drawn from the following categories, as set out in Schedule 1 of the *Specialty Services Regulations, 1990*: 2(a) Analysis and interpretation; 5(b) Informal education/Recreation and leisure; 6(a) Professional sports; 7(a) Ongoing drama 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; 7(e) Animated television programs and films; 7(f) Programs of comedy sketches, improvisations, unscripted works, stand-up comedy; 7(g) Other drama; 8(a) Music and dance other than music video programs or clips; 8(b) Music video clips; 8(c) Music video programs; 9 Variety; 10 Game shows; 11 General entertainment and human interest; 12 Interstitials; 13 Public service announcements; and 14 Infomercials, promotional and corporate videos.

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

## Interventions

4. The Commission received an intervention from The Family Channel Inc. (Family). Family expressed the view that, consistent with similar cases including applications by Family, Showcase's proposed service should be subject to a condition of licence that would ensure that no more than 50% of all programming would be devoted to drama.

## Applicant's reply

5. In its response to Family, Showcase indicated that it had addressed potential competitive concerns in its application, and expressed the view that its application, as presented, adequately addressed the proposed nature of service.

## Commission's analysis and determination

6. In *Licensing framework policy for new digital pay and specialty services*, Public Notice CRTC 2000-6, 13 January 2000, the Commission implemented a competitive, open-entry approach to licensing Category 2 services. While the Commission does not consider the impact that a Category 2 service might have on an existing Category 2 service, it does seek to ensure that Category 2 services do not compete directly with any existing pay or specialty television service, including any Category 1 service.
7. In *Introductory statement - Licensing of new digital pay and specialty services*, Public Notice CRTC 2000-171, 14 December 2000, and *Corrected Appendix 2*, Public Notice 2000-171-1, 6 March 2001 (Public Notice 2000-171-1), the Commission adopted a case-by-case approach in determining whether a Category 2 service should be considered directly competitive with an existing analog pay or specialty or Category 1 service. The Commission examines each application in detail, taking into consideration the nature of service and the unique circumstances of the genre in question.
8. In the present case, the Commission recognizes Showcase's attempt to clearly define the specific nature of the proposed service, and notes that Showcase proposed restrictions to the amounts of programming to be drawn from category 7(d) and 7(e). The Commission also notes that the proposed age and gender limitations proposed by the applicant will serve to limit the extent to which Girls TV will compete directly with any existing pay or specialty service, including any Category 1 service. The Commission is satisfied that no further limitations on the proposed service are warranted.
9. Based on all of the foregoing factors, the Commission is satisfied that this application is in conformity with all applicable terms and conditions announced in Public Notice 2000-171-1. Accordingly, the Commission **approves** the application by Showcase Television Inc. for a broadcasting licence to operate the national, English-language Category 2 specialty programming undertaking, Girls TV.
10. 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

11. 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 21 October 2008. 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 2005-517

### 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, English-language Category 2 specialty programming undertaking devoted to serving the entertainment and information needs of female viewers, aged 5 to 17 years, with a special emphasis on programs that foster a sense of confidence, empowerment and positive self-image.
3. The programming must 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
  - 5(b) Informal education/Recreation and leisure
  - 6(a) Professional sports
  - 7 Drama and comedy
    - (a) Ongoing drama series
    - (b) Ongoing comedy series (sitcoms)
    - (c) Specials, mini-series or made-for-TV feature films
    - (d) Theatrical feature films aired on TV
    - (e) Animated television programs and films
    - (f) Programs of comedy sketches, improvisations, unscripted works, stand-up comedy
    - (g) Other drama
  - 8(a) Music and dance other than music video programs or clips
    - (b) Music video clips
    - (c) Music video programs
  - 9 Variety
  - 10 Game shows
  - 11 General entertainment and human interest
  - 12 Interstitials
  - 13 Public service announcements
  - 14 Infomercials, promotional and corporate videos

4. No more than 15% of all programming broadcast during the broadcast week shall be drawn from category 7(e).
5. No more than 25% of all programming broadcast during the broadcast week shall be drawn from category 7(d).
6. No more than 10% of all programming broadcast during the broadcast week shall be drawn from categories 8(b) and 8(c).

For the purposes of the conditions of this licence, including condition of licence no. 1, *broadcast day* means the period of up to 18 consecutive hours, beginning each day not earlier than six o'clock in the morning and ending not later than one o'clock in the morning of the following day, as selected by the licensee, or any other period approved by the Commission.