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FROM:	Peter Kovacs		DATE:	Janua	ary 26, 2005
CC:			FAX:		
TO:	Ms. Diane Rhéau	me	FAX:	(819)	994-0218

Sponsorship of RAI International

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VIA FAX: (819) 994-0218 ORIGINAL BY COURIER

January 26, 2005

Ms. Diane Rhéaume Secretary General Canadian Radio-television and Telecommunications Commission Ottawa, Ontario K1A 0N2

Dear Ms. Rhéaume:

Re: Sponsorship of RAI International

In our capacity as a Canadian sponsor, Rogers Cable Communications Inc. (Rogers) is pleased to submit this application for the addition of *RAI International* to the Digital List of Eligible Satellite Services pursuant to Public Notice CRTC 2004-96. Canada remains one of the only countries in the world that does not receive *RAI International* – the 24-hour broadcasting service of Italy's public broadcaster, RAI Radiotelevisione Italiana. Authorization of the distribution of *RAI International* within Canada will be a significant benefit to the Canadian broadcasting system, Italian Canadians and all Canadians interested in the Italian language and culture.

Should the Commission have any other questions or concerns, please do not hesitate to contact me directly at (416) 935-4818.

Yours truly,

Pam Dinsmore

Vice President, Regulatory

Pan Densmore

PJD:

Attachment

Before the Canadian Radio-television and Telecommunications Commission

Application to Amend the Digital List of Eligible Satellite Services to Permit Carriage of the Television Programming Service RAI International

January 2005

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Application to Amend the Digital List of Eligible Satellite Services to Permit Carriage of RAI International in Canada

1. Introduction

- 1. Rogers Cable Communications Inc. ("Rogers") is pleased to submit this application in accordance with Broadcasting Public Notice CRTC 2004-96, 16

 December 2004, for the addition of *RAI International* to the Digital List of Eligible Satellite Services (the "Digital List"). *RAI International* is the 24-hour international broadcasting service of Italy's public broadcaster, *RAI Radiotelevisione Italiana* ("RAI"). RAI has a distinguished history in providing high quality broadcasting services in Italy, and around the world.
- 2. Rogers, Canada's largest cable company, is pleased to sponsor RAI International. While our previous application to add *RAI International* to the Digital List was denied by the Commission on 11 July 2004, the Commission subsequently revised its approach to the assessment of requests to add non-Canadian third-language television services to the Digital Lists. As stated by the Commission in Broadcasting Public Notice 2004-96, "the revised approach puts a greater emphasis on expanding the diversity and choice in television services available to underserved third-language ethnic communities in Canada." Rogers considers that this application meets all the requirements of the new approach, and urges the Commission to approve it as soon as possible.
- 3. The availability of the *RAI International* programming service in Canada will serve to achieve a number of key public policy objectives set out in the *Broadcasting Act* (the "Act"). As we discuss in further detail below, these policy objectives include adding significant diversity to Canada's broadcasting system; enhancing the reflection of aspirations and interests of all Canadians; increasing the availability of ethnocultural programming on television in Canada; and, ensuring the presence of high quality programming drawn from international sources within the Canadian broadcasting system.

- 4. Further, approval of this proposal will greatly enrich the lives of Italian Canadians, who form one of Canada's largest ethnocultural groups. Statistics Canada's 2001 Census data shows that 1.3 million Canadians, or 4.3% of Canada's population, consider themselves to be of Italian origin. In Ontario, there are over 780,000 Italian-Canadians, which amounts to 7% of the population. This group is, therefore, only slightly smaller than the German-Canadian population in Ontario, which is the largest non-English/non-French ethnic group in Canada.
- 5. The addition of *RAI International* to the Digital List will also help combat and defeat signal piracy in Canada. There are approximately 500,000 to 700,000 households that currently use grey and black market satellite services, contrary to Canadian law. A number of Canadians use these services in order to access third-language ethnic programming that is not available in Canada. *RAI International* is distributed by EchoStar in the United States. Thus, the availability of *RAI International* in Canada may repatriate Canadians to Canadian distribution services, which would serve to strengthen the Canadian broadcasting system on a number of levels. We discuss this matter in greater detail below.
- 6. As noted above, this request to add *RAI International* to the Digital List is also consistent with the revised Commission policy relating to the addition of non-Canadian services to the Lists of Eligible Satellite Services, as we discuss in detail below. *RAI International* welcomes the opportunity to provide its 24-hour Italian-language public broadcasting service to Canadians. Canada is one of the few countries in the world that does not receive the rich and diverse programming of *RAI International*. The following sets out the grounds for this proposal.

2. The Sponsor

7. Rogers is pleased to sponsor this proposal to add *RAI International* to the Digital List. For many years, Rogers has been a leader in the distribution of high quality television programming services. We are Canada's largest cable undertaking, and we provide analog and digital cable services to approximately 2.3 million subscribers in Ontario, New Brunswick and Newfoundland. Rogers is wholly-owned by Rogers

Communications Inc., which has been providing outstanding broadcasting services in Canada since the very early days of broadcasting in Canada.

8. Rogers Broadcasting Limited ("RBL") has extensive experience in providing top quality, and diverse programming that is reflective of Canada's ethnocultural communities. For nearly 20 years, RBL has operated CFMT-TV, now known as OMNI.1. That programming service - which is licensed to serve the Greater Toronto area (and is distributed nationally via satellite) - provides programming in no less than 15 languages, that is of interest and reflects no less than 18 ethnocultural groups. OMNI.1 is also retransmitted to the London and Ottawa areas, thereby allowing the viewers in those communities to access the highly informative and entertaining ethnic programming of that service. In 2002, RBL was granted a second ethnic television broadcasting licence for Toronto (Decision CRTC 2002-82). This new service, which is known as OMNI.2, directs its programs to at least 22 ethnocultural groups in the Toronto area, which are not served by OMNI.1. OMNI.2 provides programming in no less than 18 languages that targets primarily audiences of Asian and African origins.

3. The Request

9. Rogers is respectfully submitting this request to the Commission for an amendment to the Digital List. Specifically, Rogers requests that *RAI International* be added as a new eligible satellite service to Appendix D "List of Part 2, Part 3 and DTH Eligible Satellite Services for Digital Distribution." *RAI International* is not currently on the Lists of Eligible Satellite Services, and is therefore not available for distribution to Canadians. The inclusion of *RAI International* on the Digital List will allow Canadian broadcasting distribution undertakings ("BDUs") to distribute this high quality Italian-language television programming service to Canadian subscribers from coast to coast. *RAI International* strongly supports the fact that Rogers is sponsoring this request. Consistent with Broadcasting Public Notice CRTC 2004-96, we have attached as Appendix 1 a letter from RAI confirming that it has agreed to be sponsored by Rogers in order that the *RAI International* programming service may be made available for Canadians to enjoy.

4. About RAI International

- 10. As mentioned, *RAI International* is the 24-hour international programming service of Italy's public broadcaster, RAI. RAI has been providing Italians with thoughtfully articulated and entertaining television services for nearly fifty years, and radio services for nearly eighty years. It has a proven track record as Italy's leading broadcasting service. Since its inception, RAI has consistently designed its programming schedule to meet the information and entertainment needs of its viewers. It has also ensured that a broad range of voices are heard on its service. RAI's schedules include both programs produced in-house, and programs produced by Italy's independent production community.
- 11. RAI currently operates a broad range of high quality public broadcast services, including three public television broadcasting networks in Italy, a 24-hour news channel broadcast by satellite, a free digital channel distributed by satellite in Europe and throughout the Mediterranean shore of Africa, and six pay television satellite thematic channels (i.e. children's, art, cinema, and others).
- 12. RAI also maintains strong links with the Italian community in Italy and abroad, in order to remain in touch with the needs and interests of its viewers worldwide. It is responsive to the needs and interests of its audiences and welcomes requests and criticisms in order to improve its service. The Internet has also been a key medium for ensuring a close relationship between RAI and its audiences. The RAI web site, www.rai.it, allows a constant exchange between Italy's public broadcaster and its local audience. Foreign audiences can remain in close contact with RAI through the RAI International site, www.international.rai.it, which sets out the latest in RAI International program schedules, and the goings on of RAI International. This site receives more than 200 million hits per year.
- 13. RAI International was created in 1995 in order to respond to an overwhelming demand for Italy's public broadcasting service abroad. RAI International began by providing a 24-hour programming service in the United States, and immediately following in Argentina, Brazil and the rest of Latin America. It has developed a strong

identity as a public service channel around the world, and is now available in 238 countries in the four corners of the world. Its key mandate is to provide a link between Italians living outside of Italy, and their home country. In order to achieve this objective, *RAI International* provides a rich and diverse selection of Italian-language programming, directly targeted to Italians – first, second, third, and possibly fourth generations - living all over the world. *RAI International* is also an outlet that allows individuals who are interested in Italy, from a cultural, social or political perspective, to learn more about that country. Thus, the breadth of the programming available on this 24-hour television Italian-language programming service entertains, educates and informs a broad cross-section of individuals.

RAI International provides four distinct signals: RAI International 1 which 14. reaches Australia, as well as Uruguay and Argentina; RAI International 2 which is available in the United States, Central and Latin America (excluding Uruguay and Argentina); RAI International 3 which is provided in Africa; and RAI International 4 which is the signal available in Asia. The programming schedules of RAI International 1 and 2 are virtually identical. Two separate signals are provided for these services for technical rather than programming reasons (e.g. PAL is used for the transmission of the RAI International 1 signal; and NTSC is used for the transmission of the RAI International 2 signal). As part of this request, RAI International will bring the RAI International 2 signal to Canada. For the purposes of this application, when we refer to the distribution of RAI International programming in Canada, we mean the distribution of the RAI International 2 programming signal. Thus, if the Commission approves this proposal, Canadians would receive the same RAI International programming provided in the U.S. as well as in Central and most of Latin America. Canadians will also receive virtually the same RAI International programming provided in Australia, Argentina and Uruguay.

5. The Programming on RAI International

15. The programming on *RAI International* includes the best programs of *RAI Radiotelevisione Italiana*, Italy's public broadcasting service, as well as original programs made for Italians living abroad. *RAI International* is a generalist broadcasting service that provides a broad range of programs, including dramas, feature films, sports,

news and news commentary, cooking, human interest programs, entertainment programs, Italian music and dance, as well as religious programs. We have attached as Appendix 2 a sample copy of the *RAI International* programming schedule.

16. The following are some of the highlights of RAI International's schedule.

i) News & News Commentary

17. Tg: Each day, RAI International broadcasts more than ten news bulletins (the RAI Tg: Tg1, Tg2, Tg3) allowing its viewers to access the broad range of perspectives of the three RAI public broadcasting channels in Italy. Due to in-depth coverage and analysis of social, political and economic events in Italy, Europe, and around the world, this program offers viewers continuous updates about international news and information with expert analysis on a broad range of issues.

Qui Roma: This is a news program for Italian expatriates, and the generations that have followed, which helps keep Italians living abroad informed of current events and key issues faced by Italy.

Porta a Porta: The most important elements of news, sport and politics are discussed at Bruno Vespa's "home" on this program.

L'Italiana: This program is produced for Italians living abroad. It is broadcast twice a week and allows viewers to discover and explore Italian cities that are most representative of Italy. The emphasis of this program is on current events, news, culture and entertainment.

Zoom: This is a program produced entirely in New York, and lasts 30 minutes. Each week, important news events are analyzed in detail with several guests. It is a program developed specifically for North America.

ii) <u>Drama</u>

18. Un posto al sole: This is the most famous Italian soap opera, featuring love, friendship and infidelities in the wonderful setting of Naples.

Incantesimo: This is a highly successful drama on the intrigues that take place in an Italian nursing home. This program is in its seventh season.

Un Anno a Primavera: This is a two-part drama that tells the story of a conscientious objector that works in a mental hospital.

iii) <u>Cultural</u>

19. Concerti di musica classica: "Concerts of classical music" celebrates international masters and symphonic works from concert halls all over Italy and beyond.

Opera lirica: "Grand opera" displays an Italian musical tradition, showing cycles of recordings from the best opera theatres in the world, with interpreters and orchestras of international prestige.

Il caffè: This is a talk show with celebrity guests from the Italian cultural panorama discussing various topics from theatre and cinema to literature and science. Hosted by Giorgia Caruso, a cellist in her own right, this program is both stimulating and entertaining.

Il Teatro in Italia: This is a program about Italian theatre and its history. Two well-known Italian actors guide audiences on the discovery of Italian theatres and plays.

Per un Pugno di Libri: This program is a contest between two teams of students on the classical text of Italian and foreign literature.

Prima della Prima: This program is a journey to discover all of the secrets of theatrical performances.

Varietà: This entertaining program displays a variety of shows filmed throughout the ages, from comedy to musicals and cinema.

Festival di Sanremo: The Festival of Sanremo is an international phenomenon where artists perform and compete in an annual competition showcased on this program. Famous musical stars are born during this festival every year.

Racconti di vita: This program, "Stories of Life," tells the stories of various people that have had an impact on Italian society and history.

iv) <u>Sports</u>

20. La domenica sportiva: This sports program is the oldest sports program of RAI's repertoire. It provides extensive international coverage of soccer as well as other sports.

La grande Giostra dei Gol: This is the most popular RAI International program with the largest audience of viewers worldwide. Each week, four live hours of broadcasting are dedicated to A and B soccer matches. Many guests from the world of sports are also presented and interviewed on this program. Additionally, each week La grande Giostra dei Gol focuses on a different Italian town or city. Residents of the featured Italian location appear on the program and discuss the major attractions of their hometown, including those related to the arts and culture. This program, which is produced specifically for the RAI International programming service, provides a wonderful window on Italy and its people.

90 minuto: This weekly program is dedicated to the game of soccer. Broadcast on Sundays, it provides highlights of and commentary on the week's A and B soccer matches. 90 minuto provides its viewers with coverage of the most important events of the world of soccer.

v) <u>Human Interest</u>

21. *Elisir*. This is a so-called "service" program that provides advice on how to stay healthy, with the help of some of the most important Italian doctors.

Sportello Italia: This is also a service program broadcast specifically for Italian expatriates. It provides advice on how to solve the common problems that arise for Italians living abroad. The presenters on this program respond directly to their viewers with respect to delicate matters regarding retirement, citizenship, and other key issues.

Sereno Variabile: This is a program that showcases wonderful and unknown Italian tourist spots, north and south. It provides viewers with a breath-taking view of Italy.

Uno Mattina: This human interest program focuses on news, culture, lifestyle, family, fashion, movies and sports in Italy and around the world.

Prova del Cuoco: This is a cooking show with a twist. Two teams compete in the kitchen and provide an easy and amusing way to learn about Italian cooking.

La Vita in Diretta: This program provides information about customs, trends and current events from the perspective of an Italian.

Tg2 Medicina 33: This program is a useful service to all people, providing information about health, as well as the prevention and early diagnosis of disease.

Tg2 Salute: This program is also dedicated to health. It analyzes the world of medicine and provides interviews with doctors and experts. These health professionals provide useful advice, and answer questions posed by viewers.

Udienza papale: This is a weekly program that often features the Pope who gives messages of welcome in several languages. Live audiences composed of Italian citizens, tourists, and special groups participate in this tradition that is transmitted by RAI International all over the world.

Sestante: This information program examines important social topics such as immigration, jobs, innovation in the scientific and medical fields, the economy, fashion and agriculture. The in-depth analysis on this program is both insightful and informative.

vi) <u>Feature Films</u>

22. RAI International also offers a vast selection of films chosen specifically for Italian cinema buffs. Program schedules include successful movies from both major directors and newcomers, the great classics of neo-realism and Italian comedy, and the rarest cult films that are simply impossible to track down abroad. Examples of feature

films presented on RAI International include La Stanza del Figlio by Nanni Moretti, Il Mestiere delle Armi by Ermanno Olmi, and L'Ora di Religione by Marco Bellocchio.

6. Filing Requirements to be Met by Sponsors

- 23. In the Appendix to Broadcasting Public Notice CRTC 2004-96, the Commission set out the filing requirements to be met by sponsors of applications for the addition of non-Canadian third-language services to the Digital Lists. In particular, the Commission indicated that the application must include the following information:
 - evidence that the non-Canadian third-language service has agreed to be sponsored by the Canadian party filing the proposal;
 - a statement from the service provider that it has obtained all necessary rights for distribution of its programming in Canada;
 - a description of the service in a form appropriate for gazetting by the
 Commission, indicating whether it is a general interest or a niche service,
 and specifying the language or languages in which the service operates,
 the amount of time devoted to programming in each language (if more
 than one), and a breakdown of programming in the following genres (with
 reference to the Commission's program categories), expressed as both
 the total number of hours per week and as a percentage of the overall
 weekly programming schedule, excluding any programming that contains
 subtitles or secondary audio programming (SAP) in English or in French:
 - news (categories 1, 2a and 3)
 - documentaries (category 2b)
 - lifestyle/human interest/recreation and leisure (categories 5b and
 11)
 - sports (categories 6a and 6b)
 - drama/fiction/comedy (category 7)
 - music/variety (categories 8 and 9)
 - religious (category 4)
 - other (e.g. categories 5a and 10);
 - a program schedule for a recent week that would be representative of the non-Canadian service over the year, with program descriptions;
 - A breakdown of the amount of time during which the service is accompanied by subtitles and/or SAP in English or French, expressed as both the total number of hours per week and as a percentage of the overall weekly programming schedule;

- evidence of potential demand, as gathered through discussions with distributors;
- an undertaking from the non-Canadian service provider that it does not hold, will not obtain, nor will it exercise, preferential or exclusive programming rights in relation to the distribution of programming in Canada. For example, the provider of a non-Canadian service would have to satisfy the Commission that it does not currently, nor will it in future, deal in rights to programming in a manner that unduly precludes a Canadian programming undertaking from acquiring that programming; and
- a description from the service provider of any program supply agreement with any Canadian service, including the period of time covered by the agreement and the number of hours of programming to be supplied under the agreement's term. Where any such agreement has been terminated by the service provider within the preceding twelve months, the rationale for its termination.

Each of the foregoing requirements is dealt with in turn below.

(a) Agreement by RAI to be Sponsored

24. The Commission requires evidence that the non-Canadian third-language service has agreed to be sponsored by the Canadian party filing the proposal. This is provided in the letter from RAI in Appendix 1.

(b) Rights for Canada

25. The Commission also requires a statement from the service provider that it has obtained all necessary rights for distribution of its programming in Canada. This is provided in the letter from RAI in Appendix 1.

(c) Description of Service

26. The Commission requires a description of the service in a form appropriate for gazetting by the Commission, indicating whether it is a general interest or a niche service, and specifying the language or languages in which the service operates, the amount of time devoted to programming in each language (if more than one), and a breakdown of programming in the following genres (with reference to the Commission's

program categories), expressed as both the total number of hours per week and as a percentage of the overall weekly programming schedule, excluding any programming that contains subtitles or secondary audio programming (SAP) in English or in French.

27. The RAI programming is described earlier in this application. RAI provides a general interest service in the Italian language. A breakdown of RAI's program schedule using the Commission's program categories is provided in Appendix 2.

(d) Program Schedule

28. The Commission requires a program schedule for a recent week that would be representative of the non-Canadian service over the year, with program descriptions. The program schedule is provided in Appendix 2 and the program descriptions are described earlier in this application.

(e) Subtitles and/or SAP

29. The CRTC asks for a breakdown of the amount of time during which the service is accompanied by subtitles and/or a Secondary Audio Program (SAP) in English or French, expressed as both the total number of hours per week and as a percentage of the overall weekly programming schedule. It is our understanding that the amount of time during which programming on RAI International will be accompanied by subtitled and/or a SAP in English or French is a variable number. That amount, however, will remain below 10%.

(f) Potential Demand

- 30. The Commission requires evidence of potential demand, as gathered through discussions with distributors.
- 31. There is a strong demand for the *RAI International* programming service in Canada and around the world. As mentioned above, this programming service is available in no less than 238 countries worldwide. This strong presence of *RAI International* around the world is indicative of the high quality and distinctive nature of that programming service. This also demonstrates that Italians living outside of Italy

very much want and enjoy *RAI International*'s Italian-language public broadcasting service in their new countries -- no matter where they live.

32. There is also a strong demand for *RAI International* in Canada. The earlier RAI application was supported by petitions signed by over 100,000 Canadians, an incredible outpouring of support. The earlier application was also supported by more than 350 interventions. These interventions were from a wide range of individuals and organizations from across Canada, including MPs, provincial members of parliament, a number of municipal politicians, <u>Italian-Canadian organizations who represent no less than 1,300,000 Italian-Canadians in all corners of the country</u>, and Canadian-Italian individuals of all ages who would like to be able to access *RAI International* in Canada. In Broadcasting Public Notice CRTC 2004-50, the Commission discussed the support that had been expressed by the Italian-Canadian community for the availability of RAI International in Canada. At paragraph 70 of that Public Notice, the Commission summarized key points that were set out in many of the interventions as follows:

"Some of the key points raised in other supporting interventions include the following:

- there is a need for more Italian language programming in the Canadian system;
- RAI International would provide a much needed window on the Italian way
 of life, culture, language and business opportunities;
- RAI International is an uninterrupted 24-hour-a-day Italian-language programming service; and,
- adding RAI International to the digital lists would help curb the demand for obtaining the service through the grey market."
- 33. The Italian community in this country is one of the most important ethnocultural groups, with approximately 1.3 million Italians living here. According to Statistics Canada, Canadians of Italian origin form the second largest ethnocultural group in

Canada Census

Canada. The largest group consists of Canadians of German descent, and the third largest group in Canada is the Chinese. The following table sets out recent data from Statistics Canada on ethnoculutual communities in Canada:

Top 10 ethnic origins (1), based on total responses, Canada, 2001

2001	Number	%
Total population	29,639,030	100.0
Canadian	11,682,680	39.4
English	5,978,875	20.2
French	4,668,410	15.8
Scottish	4,157,215	14.0
Irish	3,822,660	12.9
German	2,742,765	9.3
Chinese	1,094,700	3.7
Ukrainian	1,071,055	3.6
North American Indian	1,000,890	3.4

- 34. In Ontario, there are over 780,000 Italian-Canadians, which amounts to 7% of the population. Italian communities are among the largest ethnocultural communities in many Canadian urban centres, such as Hamilton, St. Catharines, Montreal, Windsor, Sudbury and Thunder Bay. In the Greater Toronto Area, the Italian-language community is the second largest ethnocultural group, just after the Chinese. In Montreal and Windsor, the Italian language remains the un-official third language of those cities, according to Statistics Canada.
- 35. For more than 100 years, Italians have come to Canada for prosperity, adventure, and a new life. In the period between 1880 and 1914, Italians immigrated to Canada in larger numbers then ever before. They came as sojourners, and performed seasonal work. Many were bachelors. A large number of the Italians that came to

Canada between the turn of the 19th century and the First World War, were from Italy or the "Little Italies" of the east coast of the United States. Many would return home to Italy after working during the summer to bring their earnings to their families. When railway work was succeeded by interurban and street railways, a large number of Italians opted to remain in Canada, and sent for their families back home in Italy. The Italian business districts subsequently developed, and the presence of "Little Italies" emerged in major urban centres across Canada. The post-war era of the 1950s and 1960s continued to see an important influx of Italian immigrants to Canada.

- Today, the Italian-Canadian community is strong and vibrant. These citizens reside in all parts of the country, with a strong concentration in the Toronto and Montreal areas. They have established deep roots in Canada through determination, tremendous effort and insight. For instance, there are now countless Italian cultural centres located across Canada such as the *Italian Club* in Regina, Saskatchewan, the *Associazione Italiana Di Monct*on, in Moncton, New Brunswick, the *Hamilton Dante Centre for Italian Language & Culture* in Hamilton, Ontario, the *Centre for Italian Culture and Education* in Toronto, Ontario, and the *Italian Cultural Institute* in Vancouver, British Columbia. These Italian community centres provide a focal point for Italian communities, and offer a broad range of educational, cultural, entertainment and sports programs. Many also offer Italian-language classes to Canadians of Italian descent and to individuals of other cultural backgrounds who are interested in learning Italian. Attached as Appendix 3 is a non-exhaustive list of Italian cultural centres located across Canada.
- 37. In addition to these cultural centres, the Italian community in Canada has also created a vast number of other organizations, clubs, centres and associations to help support and serve the many needs of the Italian-Canadian community. These include sports centres, clubs for Italian senior citizens, centres to help with family assistance and immigration, business organizations, and travel information. Attached as Appendix 4 is a list of a number of those organizations in Canada. That list includes the National Congress of Italian Canadians, which was created in 1974 to help safeguard the interests of Italian Canadians as well as to stimulate their growth and well-being in

Canada; and *COSTI*, which provides educational, social and employment services to help all Italian immigrants in the Greater Toronto Area attain self-sufficiency in Canadian society.

- 38. Italian-Canadians have also developed a strong body of fiction and non-fiction literary works. Their works exist in English, French, Italian and in some Italian dialects. They have received critical recognition both inside and outside of the Italian community. Italian-Canadian literature is studied in schools and universities, and has been anthologized in several important collections, including *The Anthology of Italian-Canadian Writing*; and *Pillars of Lace: The Anthology of Italian-Canadian Women Writers*.
- 39. The first national conference of Italian-Canadian writers was held in Vancouver in 1986 and resulted in the formation of the Association of Italian-Canadian Writers (AICW). The AICW is a non-profit organization that brings together a community of writers, critics, academics, and other artists who promote Italian-Canadian literature and culture. The AICW's mission is to support and encourage the expression and dissemination of the Italian-Canadian experience and to implement an educative process for the valorization and understanding of heritage within a diverse ethnocultural society.
- 40. Additionally, there are a number of Italian-language newspapers available in Canada, such as Corriere Canadese, the daily Italian-Canadian newspaper with the largest readership in Canada, Il Nuovo Mondo-Western Canada's Italian Newspaper of Edmonton, Alberta, the Italian Life Newspaper of North York, Ontario, Italian News Publishers of Winnipeg, Manitoba, and Italian News Publishers, of Winnipeg, Manitoba.
- 41. Italian Canadians are proud, and have generously shared their culture with Canadians. Italian cuisine, wine, sports, literature, fashion and art are now integral parts of Canada's national heritage. <u>Italy is also Canada's ninth-largest trading partner</u>, which status has surely been achieved in large part due to the contribution of Canadian-Italian entrepreneurs.

- 42. As the above indicates, Italian-Canadians of all ages continue to have a strong desire to remain connected with Italy. They want to hear about Italian current events, business trends, political views, and the latest in Italian-language fiction. They want to watch movies made in Italy and tune into the latest Italian soap opera, and enjoy a night at Italy's opera. They also want to laugh at and with Italians. Ultimately, they want to access Italian-language television programming from and about Italy, for Italians living abroad.
- A3. Rogers has also become aware of the strong need and desire for *RAI*International in Canada through the provision, by Rogers Media, of ethnic broadcasting services and as a result of our close ties to Canada's ethnocultural communities.

 Through informal discussions with audiences to OMNI 1, as well as through calls and letters to Rogers, we have confirmed that a significant number of Italian-Canadians want to access the *RAI International* broadcasting service in their homes.

(g) Undertaking from RAI

The Commission also requires an undertaking from the non-Canadian service provider that it does not hold, will not obtain, nor will it exercise, preferential or exclusive programming rights in relation to the distribution of programming in Canada. An undertaking to this effect is provided in the letter from RAI attached as Appendix 1.

(h) Existing Program Supply Agreements

- 45. Finally, the Commission requires a description from the service provider of any program supply agreement with any Canadian service, including the period of time covered by the agreement and the number of hours of programming to be supplied under the agreement's term. Where any such agreement has been terminated by the service provider within the preceding twelve months, the Commission requires the rationale for its termination.
- 46. The required details are provided in the letter from RAI attached in Appendix 1.

7. New Electoral Rights for Italians World-Wide

- A further recent development that has heightened the need to bring *RAI*International to Canada is a change in Italian electoral legislation. As a result of that new legislation, all individuals around the world who hold an Italian passport will have the right to vote in Italy's general elections and referenda. New seats will also be created in the Italian Parliament for Members of Parliament and Senators who will represent Italians living abroad. These elected officials will be based outside of Italy, and voters of the Canadian cities of Toronto and Montreal will have a particular weight in the election of representatives of the North and Central America Division.
- 48. These democratic rights are unique to Italy. In order for Italian-Canadians to exercise these rights, it is important that they have access to the breadth of Italian-language news, information and cultural programming that is only available on *RAI International*. It is also important that Italian-Canadians have access to the same level of public service that Italians in all other regions of the world are currently enjoying in order to effectively exercise their electoral rights.
- As a public broadcaster, RAI has a fiduciary duty to all Italian citizens to provide and promote Italian culture and language among the 200 million Italians that live in all corners of the world. Since the creation of *RAI International* in 1995, RAI has significantly expanded the areas in which this service may be accessed. As mentioned above, *RAI International* is currently available in 238 countries around the world. Approval of this proposal will, therefore, permit the extension of the *RAI International* programming service into one of the last remaining countries that does not receive the 24-hour programming service of Italy's public broadcaster.

8. Benefits of Approval of this Request

- (a) Approval of this Request will Satisfy a Number of Objectives of the Broadcasting Act
- 50. Should the Commission approve this proposal, a number of important public policy objectives set out in the Act will be achieved. First, the presence of *RAI*International in Canada will add significant diversity to Canada's broadcasting system.

As discussed above, there is currently no generalist television service in Canada dedicated to providing Italian-language programming 24 hours each day, seven days per week. There is also no Italian-language programming service in Canada that has a public service mandate. Moreover, the diversity and breadth of programming available on *RAI International* is currently unmatched by any Canadian television programming service. Section 3(1)(i)(i) of the Act states that:

"It is hereby declared as the broadcasting policy for Canada that:

- (i) the programming provided by the Canadian broadcasting system should
- (i) be varied and comprehensive, providing a balance of information, enlightenment and entertainment for men, women and children of all ages, interests and tastes."

Thus, the presence of *RAI International* would serve to meet this key public policy objective of the Act relating to the importance of a diverse broadcasting system.

(b) Approval of this Request will Contribute to the Availability of Ethnic Programming in Canada

- 51. Ethnic programming is an important component of the Canadian broadcasting system. There are currently five general interest analog specialty services licensed to provide ethnic programming to Canadians. These services are *Telelatino*, *Fairchild TV*, *SATV*, *Odyssey* and *Talentvision*. None of these services, however, provide Italian-language programming throughout the entire broadcast week. Thus, one of Canada's largest ethnic groups Italian-Canadian does not currently have access to a 24-hour general interest programming service.
- 52. The importance of ethnic programming is also outlined in the Act.
- 53. Section 3(1)(d) of the Act states that

"the Canadian broadcasting system should,

(iii) through its programming and the employment opportunities arising out of its operations, serve the needs and interests, and reflect the circumstances and aspirations, of Canadian men, women and children,

including equal rights, the linguistic duality and multicultural and multiracial nature of Canadian society..."

54. All of the programming broadcast on *RAI International* will be directed to an ethnic community in Canada (e.g. Italian-Canadians), and will therefore consist of ethnic programming. The Commission's *Ethnic Broadcast Policy* (see Public Notice CRTC 1999-117) defines ethnic programming as:

"An ethnic program is one, in any language, that is specifically directed to any culturally or racially distinct group other than one that is Aboriginal Canadian or from France or the British Isles."

Thus, the addition of *RAI International* to the Digital List will serve to enhance the availability of ethnic programming in Canada. It will also reflect the interests and needs of a strong Canadian ethnic community that is well established and has made tremendous contributions to our country.

(c) Approval Will Help Resolve the Signal Piracy Issue in Canada

- The availability of black and grey market satellite services in Canada poses a real threat to Canadian distribution services. As the Commission is aware, a number of Canadian consumers purchase decryption cards from black-market sources. Others are customers of grey-market operators who set consumers up with fraudulent U.S. addresses, allowing them to subscribe to American satellite services.
- 57. A number of consumers have opted in favour of black and grey market services in part because of a lack of access to ethnic services in Canada. This includes a significant number of Canadian households receiving *RAI International* from Echostar. Thus, the presence of *RAI International* in Canada may help repatriate grey and black market users to Canadian distribution undertakings.

(d) Approval Will Help with the Launch of Canadian Cable Digital Services

58. Approval of this request will likely have a positive impact on the roll-out of digital cable services in Canada. The ability to offer attractive and diverse programming services, such as *RAI International*, is critical to the continued deployment of digital

cable services in Canada. Cable operators providing digital service require a large number of attractive programming services in order to persuade customers to acquire a digital box. Our customers will not commit to the additional cost of digital technology unless they are able to receive an array of attractive services that are distinct from those services otherwise available on an analog basis.

59. In a world where Canadians are subjected to a multitude of new information, entertainment and communication offerings almost daily, Canadian television viewers are demanding, in return for their support of the broadcasting system, diverse high quality programming services, more choice and flexibility, and access to new services. The addition of *RAI International* to our list of service offerings will encourage Italian-Canadians to subscribe to our digital cable services. Thus, approving this application will help increase the number of Rogers' digital customers. This in turn will help position Rogers for the transition of analog services to digital.

(e) The Avallability of RAI International In Canada will Assist with the Launch of Canadian Digital Specialty Services

60. As stated, the availability of *RAI International* in Canada will likely increase the penetration of digital set-top boxes due to the highly attractive nature of the *RAI International* programming. This, in turn, may have a positive effect on Canadian digital specialty services. An increase in the penetration of digital set-top boxes will allow Canadian pay and speciality services to reach a wider audience, as well as to potentially generate greater advertising and subscription revenues. Thus, approving the addition of *RAI International* to the Digital List could very well serve to strengthen the Canadian broadcasting system on a number of fronts.

(f) The Presence of RAI International in Canada will Have Limited Impact on Telelatino

61. Under the revised approach adopted by the Commission, viewers cannot subscribe to RAI International without first subscribing to Telelatino. Because of this packaging rule, and the fact that RAI International will be limited to a digital tier and will not be soliciting advertising in Canada, Commission approval of this request will not have any material effect on *Telelatino*.

(g) The Presence of RAI International in Canada will Greatly Enrich the Lives of Italian Canadians & Meet their Viewing Needs

62. Italian Canadians have a great desire to remain in touch with their Italian heritage. This is a strong, and often close-knit community that is very proud of its cultural heritage. It is important for these individuals to remain abreast of the political, economic and cultural events in Italy. It is also important for these individuals to be able to see their Italian heritage on television. As discussed above, there is a strong need and demand for the availability of *RAI International* programming in Canada. The presence of that programming service will, therefore, fill a large gap, reflect the interests of the many Italian-Canadians on television, and meet the tremendous demand for this service in Canada.

(h) Approval will Assist Italian-Canadians in the Exercise of their Democratic Rights

As indicated above, new legislation in Italy will allow all Italian citizens to vote in Italy's general election and referenda. These democratic rights are unique to Italy, and in order to effectively exercise these rights, it is important that Italian citizens in Canada have access to the breadth of Italian-language news, information, and cultural programming that is only available on *RAI International*.

(i) Approval of this Request will Ensure the presence of high quality programming drawn from international sources within the Canadian broadcasting system.

64. A further key objective of the Act is to ensure that Canadians have access to the best possible programming from Canada and beyond. Section 3(1)(i)(iii) of the Act states that,

"the programming provided by the Canadian broadcasting system should

- (iii) be drawn from local, regional, national and <u>international sources</u>. [Emphasis added]
- 65. *RAI International* was created by Italy's public broadcasting service, RAI, which has a long history of broadcast excellence. As mentioned above, RAI has been providing high quality television programming to viewers since the inception of television

broadcasting. Further, the programming on *RAI International* is of the highest of quality and is informative, educational and entertaining. Thus, approval of this request would bring many hours of additional programming from an established international source that will indeed strengthen Canada's broadcasting system, and meet a key public policy objective of the Act.

9. Conclusion

66. In light of the above, we respectfully request that the Commission approve this proposal to add *RAI International* to the Digital List. Approval of this request will be of significant benefit to the Canadian broadcasting system, Italian-Canadians, and all Canadians interested in Italian language and culture. Canada remains one of the only countries in the world that does not receive the Italian-language programming of Italy's public broadcasting service. It is our respectful submission that Italian-Canadians should have the same opportunity to view *RAI International* as that afforded to most other Italians that reside around the world.

Appendix 1



Protocolla INT/00 LAL

Pour 26/1/05

Ms. Diane Rhéaume
Secretary General
Canadian Radio-television and
Telecommunications Com mission
Gatineau, Quebec
K1A 0N2

Dear Ms. Rheaume:

Re: Amendment to the Digital List of Eligible Satellite Services in order to add the Television Programming Service RAI International

On behalf of RAI Radiotelevisione Italiana ("RAI"), I am very pleased to provide you with this letter confirming our strong interest in providing the programming service of RAI Internat anal to all Canadians. Should the CRTC approve Rogers Cable Communications Inc.'s request to amend the Digital List of Eligible Satellite Services in order to add RAI International to the list, RAI undertakes to provide the broadcast signal of RAI International in Canada.

RAI is a leading broadcaster in Italy. Established by Italian legislation, RAI is Ita y's public broadcasting service, and is mandated to promote and share Italian culture and lang age to all Italians, regardless of where they reside. We have been providing our citizens with rad o services since 1924, and television broadcast services since 1954.

In 1995, we created RAI International in order to meet the strong need and demand for our Italian-language public broadcasting service in all regions outside of Italy. RAI International is a general interest service that provides Italian-language programming 24-hours per day, seven day sper week, which is directed to Italians living abroad. The programming on our service includes the best of RAI's programming, as well as programming created specifically for RAI International. Our schedule is distinctive, thoughtfully articulated, informative, and highly entertaining.

There is a strong demand for *RAI International* in Canada. We are contacted on a dai y basis by Italian-Canadians urging us to bring our international service to Canada. Last year, over 100,000 Italian-Canadians signed a petition requesting that *RAI International* be permitted to be accessed in Canada.

With respect to the proposal by Rogers, we are also very pleased that one of Canada's leading media companies has graciously offered to sponsor the application to amend the Digital List of Eligible Satellite Services, in order that *RAI International* may be added to the Lists.

SEGUE LETTERA

FOGLIÓ N.

RAI would like to confirm that we agree to be sponsored by Rogers, and very much approxiate their support.

RAI is also pleased to confirm that RAI International has obtained the necessary rights for the distribution of its programming in Canada.

Further, RAI is pleased to undertake that *RAI International* does not hold, will not obtain nor will it exercise any preferential or exclusive programming rights in relation to the distribution of programming in Canada.

RAI or its affiliates currently have the following programming agreements in place in Canada:

- 1. A RAI affiliate has agreed to supply soccer programs to TLN. That agreement, which covers about 326 hours of soccer programs, runs until June 30, 2005.
- 2. RAI has agreed to supply one of its news programs, TG1, to Rogers Broadcasting Ltd., for broadcast on OMNL1. This program is a daily half-hour program. The agreement runs will January 2006.
- 3. RAI has agreed to supply TG2 on a daily basis to Can West Global Broadcastin; Inc., for broadcast on CH, Montreal. The agreement runs until January 2005 and we are presently regotiating a renewal.
- 4. RAI has also agreed to supply Chin Tv with the soccer program 90° Minuto. The agre 'ment runs until June 2005.

We sincerely thank the Commission for its attention to this matter.

Yours very truly,

Marrian Lagian

Appendix 2 Rai International North American Program Schedule

Sunday January 16 – Saturday January 22, 2005 24 hour Viewing Period

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Appendix 2 (Continued)

RAI INTERNATIONAL

Breakdown of Programming Categories

Weekly Percentages & Hours

Week of January 16 to January 22, 2005

Television program categories	Weekly Percentages	Weekly Hours
1 News	14.53%	24.4
2a Analysis and Interpretation	16.95%	28.5
3 Reporting & Actualities	0.34%	0.6
4 Religion	1,69%	2.8
5a Formal Education & Pre-school	2.36%	4.0
5b Informal Education/Recreation & Leisure	11.99%	20.1
6 Sports	6.70%	11.3
7 Drama and Comedy	8.44%	14.2
8a Music and dance	3.21%	5.4
9 Variety	6.93%	11.6
10 Game shows	2.03%	3.4
11 General entertainment and human interest	24.83%	41.7
Total		168

Appendix 3

List of a Number of Italian Cultural Centres Located Across Canada (non-exhaustive list)

Italian Cultural Institute

496 Huron Street

Toronto, Ontario

(416) 921-2393

Italbook-Libreria Italiana

1291 St Clair Avenue West

Toronto, Ontario

(416) 651-3310

Hamilton Dante Centre For Italian Language & Culture Inc

346 Main Street East

Hamilton, Ontario

(905) 527-3400

Italian Canadian Club Of Guelph

135 Ferguson Street

Guelph, Ontario

(519) 821-1110

Italian Club

2148 Connaught Street

Regina, Saskatchewan

(306) 525-8181

Associazione Italiana Di Moncton Inc

Moncton, New Brunswick

(506) 859-2426

Calgary Italian Club

416 Avenue 1 NE

Calgary, Alberta

(403) 264-4133

Italian Canadian Centre

Winnipeg, Manitoba

(204) 487-4597

Italian Canadian Cultural Centre

1511 St Edward Boulevard North

Lethbridge, Alberta

(403) 320-0572

Italian Canadian Fraternal Society Port Alberni, British Columbia (250) 723-7399

Italian Cultural Centre 3075 Slocan Street Vancouver, British Columbia (604) 430-3337

Italian Cultural Centre 132 Algoma Street South Thunder Bay, Ontario (807) 345-5511

Italian Cultural Centre Of Brampton 8 Automatic Road Brampton, Ontario (905) 790-8886

Italian Cultural Institute 1200, avenue du Docteur-Penfield Montréal, Québec (514) 849-3473

Italian Cultural Institute 510 Hastings Street West Vancouver, British Columbia (604) 688-0809

Italian Cultural Institute 4550 Hwy 7 Woodbridge, Ontario (905) 265-8492

Italian Cultural Society 14230 133 Ave NW N Edmonton, Alberta (780) 453-6182

Italian-Canadian Cultural Association 2629 Agricola Street Halifax, Nova Scotia (902) 453-5327

Centro Culturale Italiano Del Quebec 505 Jean Talon East Montreal, Quebec (514) 495-4120

Association Italo-Quebec 1040, avenue Belvédère Sillery, Québec (418) 681-7111

Centro Scuola e Cultura Italiana 901 Lawrence Avenue West Toronto, Ontario (416) 789-4246

Associazione Celano dei Marsi Gabriele Santilli 10180 Pr. Des Riverains Anjou, Quebec (514) 351-2960

Eloro Cultural Association Connie Di Mauro 2100 Pharmacy Avenue Toronto, Ontario (416) 499-2456

Appendix 4

Various Italian-Canadian Organizations (Non-Exhaustive List)

National Congress Of Italian Canadians-Toronto District (F A C I) 756 Ossington Avenue Toronto, Ontario (416) 531-9964

Centre for Italian Culture and Education 901 Lawrence Avenue West Toronto, Ontario (416) 789-4970

COSTI 1710 Dufferin Street Toronto, Ontario (416) 658-1600

Italian Chamber of Commerce-Montreal Bureau 1150 550 Sherbrooke Street West Montreal, Quebec (514) 844-4249

Canadian Italian Business & Professional Association Of Toronto 901 Lawrence Avenue West North York, Ontario (416) 782-4445

Canadian Italian Family Assistance 756 Ossington Avenue Toronto, ON (416) 588-8042

C I T Compagnia Italiana Turismo Canada Inc. 666 Sherbrooke West Montreal, Quebec (514) 845-9101

Villa Marconi Long Term Care Centre 1026 Baseline Road Ottawa, Ontario (613) 727-6201 Canadian-Italian Business & Professional Association of Québec inc. 8370, boulevard Lacordaire Saint-Léonard, Québec (514) 254-4929

Canadian Italian Business and Professional Association 6020 rue Jean Talon Est Montreal, Quebec (514) 254-4929

Italian Assistance Centre Victoria, British Columbia (250) 383-8041

Italian Community Centre 865 Gladstone Avenue Ottawa, Ontario (613) 567-4532

Italian Community Services – Social Services Organization 9111 110 Avenue NW N Edmonton, Alberta (780) 421-9559

Italian Government Tourist Board 175 Bloor East Toronto, Ontario (416) 925-4882

Ital-Canadian Seniors 9111-110 Avenue Edmonton, Alberta (780) 424-1255

ttalian Trade Commission 1501, avenue McGill Collège Montréal, Québec (514) 284-0265

Canadian Italian Advocates Organization 7050 Weston Road, Suite 607 Vaughan, Ontario (905) 850-9000

Conseil Régional des Personnes Âgées Italo-Canadiennes 671 Ogilvy Avenue - 3 -

Montreal, Quebec (514) 273-6388

Amesbury Italian Seniors Club 1507 Lawrence Avenue West North York, Ontario (416) 241-4497

Curinga Italian Canadian Sport Club 17 Clarke Road London, Ontario (519) 451-0221

Italian-Canadian Patronage for Assistant to Immigrants 6865 Christophe-Colomb Montreal, Quebec (514) 271-5590

Oshawa Italian Recreation Club 245 Simcoe Street South Oshawa, Ontario (905) 725-8053

York Italian Hunting & Sport Association 317 1/2 Oakwood Avenue York, Ontario (416) 658-5952

Fondation Communautaire Canadienne-Italienne du Québec inc. 6370 Lacordaire St-Léonard, Québec (514) 274-6725