



Canadian
Association of
Broadcasters

L'Association
canadienne des
radiodiffuseurs

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May 10, 2006

Sent via email

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

Dear Ms. Rhéaume:

Re: Broadcasting Public Notice CRTC 2006-43 – Application No. 2006-0175-9 by Bell ExpressVu Limited Partnership to amend the licence of its national direct-to-home (DTH) pay-per-view (PPV) programming undertaking known as Vu!

1. The Canadian Association of Broadcasters (CAB) – the national voice of Canada's private broadcasters, representing the vast majority of Canadian programming services, including private television and radio stations, networks and specialty, pay and pay-per-view television services – is pleased to submit its comments in relation to the above-noted application.
2. In its application, the licensee has proposed to add a condition of licence with respect to its PPV service *Vu!* that would prohibit it from distributing programming that contains any commercial message, except if the message is already included in a program previously aired by a Canadian television programming undertaking and is subsequently offered on an on-demand basis at no additional charge to the subscriber.
3. As requested by the licensee, that amendment would be consistent with amendments approved by the Commission with respect to video-on-demand (VOD) services operated by Rogers Communications and Groupe Archambault, and with an amendment recently requested by Bell ExpressVu with respect to its VOD service *Vu! On Demand*.

4. The CAB notes that this application represents the first time that such an amendment has been requested with respect to a PPV undertaking. However, the CAB considers that VOD and PPV undertakings are similar with respect to the nature of their services. While the transactional details vary, both types of undertaking offer programming, essentially on-demand, to subscribers (a key difference being that the extent of PPV content typically available at any given time is limited by distribution capacity constraints).
5. Accordingly, the CAB has no objection to Bell ExpressVu's proposed amendment to its PPV licence, provided that it reflects the specific conditions noted above.
6. The CAB appreciates the opportunity to participate in this proceeding.

Sincerely,

A handwritten signature in black ink that reads "Wayne Charman". The signature is written in a cursive, flowing style.

Wayne Charman
Vice-President
Television and Specialty & Pay Services

c.c. Bell ExpressVu Limited Partnership (bell.regulatory@bell.ca)

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