



Government of Canada  
Department of Communications

Gouvernement du Canada  
Ministère des Communications

---

## Telecommunications Policy Branch

---

---

### Network Development and Standards Policy

---

1.1 MICROWAVE LICENSING POLICY RESPECTING  
CARRIAGE OF PROGRAM SIGNALS TO  
BROADCASTING UNDERTAKINGS =

Effective Date: May 1, 1983

---

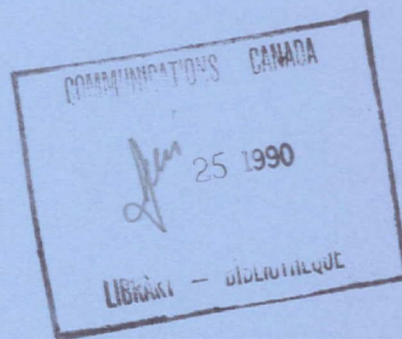
### Network Development Directorate ✓

---

HE  
8689.9  
C3  
M53  
1983

Canada

NSP-001



DD 9724962  
DL 9744810

HE  
8689.9  
C3  
M53  
1983



Microwave Licensing Policy Respecting  
Carriage of Program Signals to  
Broadcasting Undertakings

Industry Canada  
LIBRARY

JUN 03 1993  
JUN

BIBLIOTHEQUE  
Industrie Canada

1. Purpose

The purpose of this document is to outline the policy and procedures of the Department respecting the licensing of private microwave systems to broadcasting undertakings for the carriage of program signals to their broadcast transmitters and cable TV operations.

This document summarizes the pertinent policy principles and application procedures on this subject matter.

2. Background

Since the announcement of the microwave radio licensing policy by the Minister of Communications in the House of Commons on February 12, 1970, substantial changes have taken place in the development of radio communications and the areas of broadcasting services to meet the public needs and interest. The development of cable television services in all major urban centres and many other communities and the extension of broadcasting network services to less populated regions of the country has greatly increased the carriage of television and radio programming signals by microwave facilities.

In November 1980, the Department announced a "Review of Certain Aspects of the Microwave Radio Relay System Licensing Policy related to Intercity Delivery of Signals for Use by a Broadcasting Undertakings". The review proceeded through two rounds of public consultation, involving extensive discussions with broadcasters, cable operators, telecommunications carriers and provincial governments. On March 19, 1983 the new policy and procedures respecting the carriage of program signals to broadcasting undertakings were published in the Canada Gazette Part I.

3. Policy

This new licensing policy statement sets out the approach for dealing with microwave licence applications from broadcasters:

The Department reaffirms the underlying provisions of its 1970 microwave policy (Appendix I) to guide the orderly licensing of microwave radiocommunications. That policy requires that applicants demonstrate: "that there is some public interest and need to be served by the creation of the new facility; that existing communications facilities cannot properly satisfy this interest and need, and; that the applicant will conform to the standards of service and the technical requirements of the existing network so that the most effective and economical use of the radio spectrum is assured".

- 2 -

In addition, the Department "concluded that support for the objectives of the broadcasting policy for Canada should also be recognized as a consideration in the granting of new licences for microwave systems delivering programming signals authorized for distribution pursuant to the Broadcasting Act. Accordingly in dealing with microwave system licensing applications for this purpose, equal importance will henceforth be attached to the impact on broadcasting objectives as to the impact on other telecommunications services. To implement this new principle, the introduction of a more open process for dealing with microwave applications from broadcasting undertaking licensees is necessary. Applicants will be required to make public announcement and disclosure of their applications. An important element of this process is to elicit the program carriage needs of other broadcasters in the general area so as to foster the shared-use of facilities and services for common needs to optimize social benefits and spectrum efficiency. This approach will permit the Department to assess this type of application, and make a decision, based on the foregoing criteria". This public process will greatly simplify and yet improve the means of determining the socio-economic merits of these microwave applications.

These microwave radio systems are licensed as private commercial service to broadcasting undertakings pursuant to the General Radio Regulations, Part II. As condition of licence the private microwave licensee agrees to provide reasonable access and shared-use of the microwave facilities and program signal services on a non-profit basis. Broadcasters operating private microwave systems will not be permitted to operate these facilities for purposes not directly related to their broadcasting licences.

#### 4. Procedures

There are three stages to the process for dealing with applications from broadcasters for private microwave systems:

In stage one, the applicant files with the Department an application providing specific information. When the Department finds that the information is complete and satisfactory, the applicant will be so advised.

At that time, the applicant will be required to give public notice of his proposal in the Canada Gazette and in one or more newspapers of general circulation within the areas of the proposed system, in accordance with a standard format in Appendix II. At the same time, the application will be available for public examination. Within a prescribed 30 day period from the publication of the Gazette Notice, any person may file with the Department a written intervention, with a copy to the applicant, for the purpose of supporting, opposing or modifying the application. The applicant may then make a written reply to any intervention before 20 days from the expiry of the intervention period. Copies of any intervention and any reply will also be available for public examination.

- 3 -

In general, interventions to be considered relevant to the application should address matters relating to the efficient and orderly development of radiocommunications to meet the program signal delivery requirements of the applicant and other broadcasters in the area.

At stage three, following the public process, the Department will dispose of the application by 1) a decision based on the application and any intervention or reply, or 2) initiating further action to resolve any substantive issue before making a decision.

Furthermore, the Department has made consequential changes to its Radio Standards Procedure 113 to cover the new licensing process of announcing microwave applications. The information to be filed on socio-economic aspects has been reduced with the introduction of the new public process. Both the information to be submitted by the applicant and the public announcement requirements are well detailed in this Procedure. The applicant will have to sign a Declaration for the operation of a shared-use system as a non-commercial co-operative consortium or arrangement and will accept these terms and conditions as part of the licence (copy of the Declaration of Applicant is available from the Department).

#### 5. Implementation

Effective May 1, 1983 new applications by broadcasters for radio licences to establish private microwave facilities for the carriage of programming signals and other signals considered essential by the Department of Communications for the effective operation of broadcasting undertakings will be subject to this procedure.



V. Hill  
Director General  
Telecommunications Policy Branch

References

- (1) House of Commons Proceedings, Thursday, February 12, 1970 - Communications - Statement on Radio Relay Licences (Microwave Radio Licensing Policy).
- (2) Notice published March 19, 1983 in the Canada Gazette, Part I on the "Microwave Licensing Policy Respecting Carriage of Program Signals to Broadcasting Undertakings". News Release issued by the Minister of Communications on March 21, 1983 on this new policy.
- (3) News Release issued March 21, 1983 - Minister of Communications announced the new improved process for licensing microwave delivery of radio and TV signals (Appendix III).
- (4) Notice published March 19, 1983 in the Canada Gazette, Part I on "Radio Standards Procedure (RSP113, Issue 3)".
- (5) Notice published July 24, 1976 in the Canada Gazette, Part I on "Radio Licensing Policies for Short-Haul Microwave Systems in the Bands 12.7-12.95 GHz and 14.5-15.35 GHz."

APPENDIX 1Summary of 1970 Microwave Radio Licensing Policy

On February 12, 1970 the Minister of Communications in a statement in the House of Commons, enunciated the Government's policy on granting of licences to operators of microwave relay systems.

The following is extracted from the Statement:

"In recent years licences for such systems have been granted mainly on technical grounds even though earlier broader criteria had been applied. However, the growing social and economic importance of this form on telecommunications requires that more attention be placed on other criteria if we are to assure an orderly growth of a Canadian communications system which will assure maximum social benefits and a minimum of wasteful duplication of investment in a field where resources are both scarce and essential to the development of the full potential of all segments of Canadian society.

The use of a systems approach in the granting of licences for microwave relays implies that applicants will have to demonstrate:

- that there is some public interest and need to be served by the creation of the new facility;
- that existing communications facilities cannot properly satisfy this interest and need, and;
- that the applicant will conform to the standards of service and the technical requirements of the existing network so that the most effective and economical use of the radio spectrum is assured.

This means that licences will not be granted until applicants have submitted a detailed economic/commercial brief that will permit the Department to assess the system and make a decision based on these criteria.

The applicant will also be required to submit an equally detailed engineering brief so that the Department may determine if the proposed facility meets technical performance standards set out by the Department of Communications.

The primary objective of these new procedures is to provide for the planning of the efficient and orderly growth of the Canadian Telecommunications network in the social and economic interest of Canadians in all parts of Canada.

It will allow the Minister of Communications, in the granting of new licences for microwave relays, to determine that the new

- 2 -

facilities will provide significant advantages over existing facilities in terms of cost, convenience and quality of service.

The new microwave licensing approach should make it easier for the federal government to more effectively perform its function of coordinating national telecommunications policy with provincial requirements and programs of provincial development".



APPENDIX IIFormat and Content of Public Notices

[Name of Applicant(s)]

RADIO ACT

[Name of applicant(s)], on behalf of [name and location of broadcasting licensees to be served by the proposed system, or the broadcasting members of a Consortium] hereby gives notice that it has made application to the Department of Communications' [name of regional office] regional office for private microwave radio stations at [name and location of radio sites]. The proposed microwave system is to provide carriage for [list each programming signal to be carried giving in each case the identity and the location of its source].

The proposed system consists of [give a brief and concise description of the system, number of radio channels, routing of the signals and communities to be served].

Examination of Application - Copies of the application are available for examination during normal office hours at:

- [Name/address of location provided by the applicant at a local area of the proposed system]
- [Name/address of the regional office of the Department of Communications where the public file will be maintained].

Intervention - Any interested person who is not a party to the application may submit a written intervention to support, oppose or modify the application. An intervenor shall mail, telegraph or deliver his written intervention to the regional director [address of regional office processing the application] and to the applicant on or before [day, month, year - expiry date of intervention to be based on 30 days from the date of publication of this Notice in the Canada Gazette].

The intervention should contain a clear and concise statement describing the interests and concerns of the intervenor respecting the application, together with any document that may be useful in explaining or supporting the intervention. In general, interventions to be considered relevant to the application should address matters relating to the efficient and orderly development of radiocommunications to meet the program signal delivery requirements of the applicant and other broadcasters in the area. Furthermore, the applicant may make written reply to the Department and to the intervenor on any intervention on or before 20 days from the expiry date of the intervention period.

- 2 -

Interventions and replies received in response to this Notice will be put in a public file for examination at the above address of the Department of Communications until such time as considered reasonable or until a decision has been rendered on the application.

Dated this \_\_\_\_ day of \_\_\_\_\_.

[Full name and address of  
applicant]

APPENDIX IIIFox announces improved process for licensing microwave delivery of  
radio and TV signals

OTTAWA, March 21, 1983 -- Communications Minister Francis Fox today announced improvements in the process for the licensing under the Radio Act of microwave systems used by broadcasting undertakings to bring in distant radio and TV signals.

"These changes were recommended after an extensive public review of microwave-licensing policy, just completed by the Department of Communications", Mr. Fox said. "They involve a much more open and effective process for considering private microwave applications from broadcasters or consortia of broadcasters and should encourage further extension of programming services into underserved communities."

"Though involving no change in the fundamental principles underlying the existing licensing policy announced in 1970, these new procedures should make it much easier to identify and avoid duplication of such microwave facilities, thereby ensuring more efficient carriage of programming services approved by the Canadian Radio-television and Telecommunications Commission," the Minister added.

In order to ensure that potential participants and other affected parties will have an opportunity to express their interest, the new process calls for public announcement of all microwave licence applications made by licensed broadcasting undertakings.

"This more open approach will have many benefits," the Minister explained. "Beyond avoiding abrupt or unexpected changes in existing service arrangements, the new process should encourage joint and early planning by potential users of shared microwave facilities to deliver programming services in a given region with as much efficiency and flexibility as possible."

"The shared use of microwave facilities should make it more economical to bring additional programming services into small communities," the Minister said. "Equally important, it should result in significantly more efficient use of that increasingly scarce resource -- the radio frequency spectrum in the microwave bands."

To these ends, private microwave licences will contain terms and conditions which permit reasonable future access to, and shared use of, microwave facilities by other broadcasters, as well as the non-profit operation of the shared facilities.

The new procedures have been published in the Canada Gazette and will come into effect May 1, 1983.

- 2 -

The Minister also called on the broadcasting industry to propose performance standards for these microwave systems which would help ensure the quality of programming signals relayed to distant communities through a number of connected systems.