

Via E-mail: wireless@ic.gc.ca

April 15, 2009

Mr. Leonard St.-Aubin
Director General
Telecommunications Policy Branch
Industry Canada
16th Floor, 300 Slater Street
Ottawa, Ontario K1A 0C8

Dear Mr. St.-Aubin:

Re: Consultation Paper on the Possible Use of the Extended-Ku Spectrum Bands for Direct-to-Home (DTH) Satellite Broadcasting Services, DGTP-003-08

High Fidelity HDTV appreciates the opportunity to provide these comments pursuant to Industry Canada's consultation on the possible use of the extended-Ku spectrum bands for direct-to-home (DTH) satellite broadcasting services.

We are Canada's leading high definition television broadcasting and production company. The High Fidelity HDTV group of companies own and operate the following CRTC licensed all high definition specialty television services: Oasis HD, Treasure HD, Equator HD, and Rush HD. We have also received approvals from the CRTC to launch additional high definition specialty television services. Our launched television services were first licensed in 2005 and 2006 and they are now distributed, in the aggregate, to more than 1.3 million paying subscribers in Canada via Bell TV, SaskTel, Rogers Cable, Eastlink Cable and other cable companies.

The success of our television services, and those of other Canadian specialty television service operators, depends upon maximizing the reach of the television services to Canadian households. That in turn requires that *all* cable and satellite direct-to-home (DTH) undertakings have enough capacity to distribute such television services.

We have been advised that the DTH service known now as Shaw Direct (formerly Star Choice) faces imminent capacity limitations that will inhibit its ability to add high definition television services unless its capacity is expanded as quickly as possible. We also have been advised that Shaw Direct is, to that end, prepared to invest in the launch of



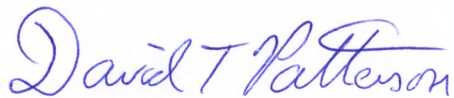
a new extended Ku-band satellite to come into operation in two and a half years, subject to a policy change that would permit extended Ku-band to be used by DTH undertakings.

We strongly support the policy change that is needed to enable Shaw Direct to launch a new satellite in the extended Ku-band. Our high definition television services and other Canadian high and standard definition specialty television services will benefit from the availability of capacity for the delivery of the services to cable and DTH households, and will be hindered if such capacity is not readily available. Ensuring that all Canadian cable and satellite companies have sufficient capacity to distribute our launched and un-launched high definition television services is critically important both to our business and to ensuring that we, as suppliers of Canadian high definition television services, benefit from healthy competition among Canada's broadcast distributors.

We wish to thank Industry Canada for the opportunity to provide these comments.

Yours truly,

HIGH FIDELITY HDTV INC.



David T. Patterson
Senior Vice President