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APPLICANT

See mailing list

MATTER

Application for licence to broadcast terrestrial television and teletext

Decision of the Swedish Broadcasting Authority

1. In accordance with Chapter 4, Section 3 of the Radio and Television Act (2010:696), the Swedish Broadcasting Authority issues the following licence to broadcast television programming and teletext. At the same time, reported designations are approved for the programming services held by companies that are subject to Swedish jurisdiction. For all other licence holders, the designation will be registered in the Authority registry. A licence entails the right to broadcast a simultaneous programming service in accordance with the terms and conditions stated in the respective decision appendices 1-57.

National programming services

Ref. no.	Licence-holder	Programming service	Licence number (appendix)
13/02572	AENT UK	History	tv2014:1
13/02566	Aftonbladet Hierta AB	Aftonbladet TV	tv2014:2
13/02606	Al Jazeera Media Network	Al Jazeera English	tv2014:3
13/02584	Axess Publishing AB	Axess	tv2014:4
13/02520	BBC Global News Ltd	BBC World News	tv2014:5
13/02551	BBC Worldwide Ltd	BBC Knowledge	tv2014:6
13/02552	BBC Worldwide Ltd	BBC Entertainment	tv2014:7
13/02615	C More Entertainment AB	C More HD Mix	tv2014:8

13/02607	C More Entertainment AB	C More First	tv2014:9
13/02612	C More Entertainment AB	C More Sport	tv2014:10
13/02618	C More Entertainment AB	C More Series	tv2014:11
13/02619	C More Entertainment AB	C More Fotboll/ Hockey/Kids	tv2014:12
13/02595	Discovery Communication Europe Ltd	TLC	tv2014:13
13/02593	Discovery Communication Europe Ltd	Discovery Channel	tv2014:14
13/02600	Discovery Communication Eu- rope Ltd	Animal Planet	tv2014:15
13/02582	Eurosport SAS	Eurosport	tv2014:16
13/02580	Eurosport SAS	Eurosport 2	tv2014:17
13/02587	Fox International Channels Sweden AB	FOX	tv2014:18
13/02622	Hästkanalen AB	Horse1	tv2014:19
13/02424	Kanal Global Television 1 AB	Kanal Global	tv2014:20
13/02567	MTV Networks Europe	MTV	tv2014:21
13/02585	NGC Europe Ltd HD	National Geographic Channel HD	tv2014:22
13/02569	Nickelodeon International Ltd	Nick JR.	tv2014:23
13/02568	Nickelodeon International Ltd	Nickelodeon	tv2014:24
13/02598	SBS Discovery Media UK Ltd	Kanal 9	tv2014:25
13/02589	SBS Discovery Media UK Ltd	Kanal 5	tv2014:26
13/02590	SBS Discovery Media UK Ltd	Kanal 5 HD	tv2014:27
13/02591	SBS Discovery Media UK Ltd	Kanal 11	tv2014:28
13/02519	Scripps Networks International (UK) Ltd.	Travel Channel	tv2014:29
13/02513	The Walt Disney Company Ltd	Disney Channel	tv2014:30
13/02515	The Walt Disney Company Ltd	Disney XD	tv2014:31
13/02528	Turner Broadcasting System Europe Ltd (4)	CNN	tv2014:32
13/02529	Turner Broadcasting System Europe Ltd	Cartoon Network	tv2014:33
13/02531	Turner Broadcasting System Europe Ltd	TCM	tv2014:34
13/02524	Turner Nordic and Baltic AB	TNT	tv2014:35
13/02525	Turner Nordic and Baltic AB	Silver	tv2014:36
13/02537	TV4 AB	TV12	tv2014:37
13/02543	TV4 AB	TV4 Sport HD	tv2014:38
13/02536	TV4 AB	Sjuan	tv2014:39

13/02534	TV4 AB	TV4 HD	tv2014:40
13/02533	TV4 AB	TV4	tv2014:41
13/02540	TV4 AB	TV4 Fakta	tv2014:42
13/02539	TV4 AB	TV4 Film	tv2014:43
13/02559	Viasat Broadcasting UK Ltd	Viasat Explorer	tv2014:44
13/02560	Viasat Broadcasting UK Ltd	TV10	tv2014:45
13/02561	Viasat Broadcasting UK Ltd	TV8	tv2014:46
13/02563	Viasat Broadcasting UK Ltd	TV6	tv2014:47
13/02564	Viasat Broadcasting UK Ltd	TV3 HD	tv2014:48
13/02565	Viasat Broadcasting UK Ltd	TV3	tv2014:49
13/02523	VIMN Netherlands Holding B.V.	Paramount Movie Channel	tv2014:50
13/02522	VIMN Netherlands B.V.	Comedy Central	tv2014:51

Local/regional programming services

Ref. no.	Licence-holder	Programming service	Licence number (appendix)
13/02575	AB Upsala Nya Tidning	24UNT	tv2014:52
13/02577	Norrbottnens Media AB	24Norrbottnen, Malmfälten	tv2014:53
13/02578	Norrbottnens Media AB	24Norrbottnen	tv2014:54
13/02583	Sverigefinska Riksförbundet	TV Finland	tv2014:55
13/02576	Östgöta Media AB	24Corren	tv2014:56
13/02579	Östgöta Media AB	24nt	tv2014:57

2. The Swedish Broadcasting Authority rejects the applications for licences to broadcast television programming and teletext for the following programme services.

Ref. no.	Applicant	Programming service
13/02573	AENT UK	H2
13/02574	AENT UK	Lifetime
13/02620	C More Entertainment AB	C More Sports 2
13/02609	C More Entertainment AB	C More Hits
13/20621	CSI Sports Networks, Pte. Ltd	CSI Sports': The "Fight Sports" network
13/02596	Discovery Communication Europe Ltd	Discovery Science
13/02594	Discovery Communication Europe Ltd	Discovery Channel HD
13/02601	Discovery Communication Europe Ltd	Animal Planet HD
13/02605	Discovery Communication Europe Ltd	Investigation Discovery
13/02604	Discovery Communication Europe Ltd	Discovery HD Showcase
13/02581	Eurosport SAS	Eurosport (HD)
13/02586	Fox International Channels Sweden AB	FOX HD
13/02588	Fox International Channels Sweden AB	FOX Life HD
13/02532	H&C TV Ltd	Horse & Country TV
13/02521	MTV Networks Europe	VH1
13/02571	MTV Networks Europe	MTV Live HD
13/02570	Nickelodeon International Ltd	Nick JR. HD
13/02518	The Walt Disney Company Ltd	Disney Junior
13/02530	Turner Broadcasting System Europe Ltd	Boomerang
13/02526	Turner Nordic and Baltic AB	Showtime
13/02527	Turner Nordic and Baltic AB	Star
13/02538	TV4 AB	TV12 HD
13/02542	TV4 AB	TV4 Sport
13/02544	TV4 AB	TV4 Guld
13/02545	TV4 AB	TV4 Komedi
13/02541	TV4 AB	TV4 Fakta XL
13/02557	Viasat Broadcasting UK Ltd	Viasat History
13/02562	Viasat Broadcasting UK Ltd	TV6 HD

Matter

All current licences to broadcast terrestrial television that have been issued by the Swedish Broadcasting Authority expire on 31 March 2014. The Authority announced in September 2013 that there was an opportunity to apply for a licence to broadcast television programming. Prior to this, the Authority had determined a strategy for the issuing of licences to broadcast television programming that will apply during the period 1 April 2014 – 31 March 2020 (ref. no. 13/01736).

The Authority has received 85 applications from 30 different broadcasting companies. Of these, 79 refer to national programming services, and six to regional programming services. All applications and application fees were received within the stated time limitations.

Specific details regarding the applications: broadcast areas, ownership and programming as well as the Authority's processing of the matter.

The following applications were received by the Authority. The submitted programming statements clarify the primary contents of the programming service. Each applicant has also been asked to specify whether they, by agreement or ownership, have any ties to the other applicants.

Applications for national licences

Ownership groups, broadcasting companies and programming services applied for		
Ownership group Number of applications	Broadcasting company	Programming service (main content)
AE Television Networks (UK) Ltd and BSKYB History Ltd 3	AENT Networks UK Ltd	Lifetime (television series, film, lifestyle) History (history) H2 (history)
BBC 3	BBC Global News Ltd (2)	BBC World News (news) BBC Knowledge (documentaries, entertainment)
	BBC Worldwide Ltd (1)	BBC Entertainment (television series)
Bonnier AB 19	TV4 AB (12)	TV4 (mixed programming) TV4 HD (mixed programming) Sjuan (mixed programming) TV4 Guld (comedy) TV4Film (film) TV4 Guld (television series) TV4 Fakta (factual) TV4 Fakta XL (factual) TV12 (sports and lifestyle)

		TV12 hd (sports and lifestyle) TV4 Sport (sports) TV4 Sport HD (sports)
	C More Entertainment AB (7)	C More Fotboll/Hockey/Kids (sports, children's programming) C More Sport (sports) C More Sports 2 (sports) C More First (film) C More C More Hits (film) C More Series (television series) C More HD Mix (sports, film)
Discovery 12	Discovery Communication Europe (8)	Discovery Science (factual) Discovery Channel (factual) Discovery Channel HD (factual) Discovery HD Showcase (factual) Animal planet (factual, nature, science) Animal planet HD (factual, nature, science) Investigation Discovery (crime) TLC (lifestyle channel)
	SBS Discovery Media UK (4)	Kanal 5 (mixed programming) Kanal 5 HD (mixed programming) Kanal 9 (mixed programming) Kanal 11 (mixed programming)
	Eurosport SAS (3)	Eurosport (sports) Eurosport HD (sports) Eurosport 2 (sports)
Fox International Channels Group 4	FOX International Channels Sweden AB (3)	Fox (television series, entertainment, factual) Fox HD (television series, entertainment, factual) Fox Life HD (cooking, travel)
	National Geographic Channel HD (1)	National Geographic Channel HD (factual)
Turner 8	Turner Broadcasting System Europe Ltd (4)	CNN (news) Cartoon (children's programming) Boomerang (children's programming) TCM (film classics)
	Turner Nordic and Baltic AB (4)	Silver (independent film) Showtime (film, action)

		TNT (drama, television series, film) Star! (lifestyle)
MTG 8	Viasat Broadcasting UK Ltd	TV3 (mixed programming) TV3 HD (mixed programming) TV6 (mixed programming) TV 6 HD (mixed programming) TV10 (documentaries and sports) TV8 (mixed programming) Viasat Explorer (factual) History (history)
Walt Disney 3	The Walt Disney Company Ltd	Disney Junior (children's programming) Disney XD (children's programming) Disney Channel (children's programming)
Viacom 8	MTV Networks Europe Ltd (3)	MTV (music, youth channel) VH1 (music) MTV Live HD (music)
	Nickelodeon International Ltd (3)	Nickelodeon (children's programming) Nick JR. (children's programming) Nick JR. HD (children's programming)
	VIMN Netherlands Holding B.V. (1)	Paramount Movie Channel (film)
	VIMN Netherlands B.V (1)	Comedy Central (television series, comedy)

*Eurosport has announced that TF1 and Discovery entered into an agreement in January 2014 for Discovery to acquire fifty-one per cent of Eurosport SAS and for TF1 to remain in possession of 49 %. A notification of this agreement will be submitted to the European Commission.

The following broadcasting companies have only applied for licences for one programming service, and have stated that they are not connected to any other applicant through agreement or ownership.

Broadcasting companies with no connection to other applicants through agreement or ownership	
Broadcasting company	Programming service (main contents)
Aftonbladet Hierta AB	Aftonbladet TV (news)
Al Jazeera Media Network	Al Jazeera (news)
Axess Publishing AB	Axess (factual, music, content, film)
CSI Sports Networks, Pte. Ltd	CSI Sports (sport MMA)
H&C TV Ltd	Horse & Country (horses, country living)

Hästkanalen AB	Hästkanalen (horses and equestrian sports)
Kanal Global Television 1 AB	Kanal Global (mixed programming)
Scripps Networks International (UK) Ltd.	Travel Channel (travel, lifestyle, cooking)

Applications for regional licences

Broadcasting company (ownership group)	Programming service (main content)	Broadcasting area applied for
AB Upsala Nya Tidning (Norrköpings Tidningar)	24UNT (news loop, factual mixed programming, local sports)	Uppsala and vicinity, broadcasting stations Vedyxa and Östhammar
Norrbottnens Media AB (Norrköpings Tidningar)	24Norrbottnen (as above)	Boden, Luleå, Piteå and Älvsbyn, broadcasting station Älvsbyn
	24Norrbottnen Malmfälten (as above)	Malmfälten, broadcasting stations Gällivare, Pajala and Kiruna
Östgöta Media AB (Norrköpings Tidningar)	24Corren (as above)	Västra Östergötland, broadcasting stations Kisa and Motala
	24NT (as above)	Östra Östergötland, broadcasting station Krokek
Sverigefinska Riksförbundet (-)	TV Finland (programming from YLE)	Mälardalen to the same extent as previously, and then subsequently to include Västra Götaland and Norrbotten. Expansion to national broadcasting during the licence period.

The Authority's processing

On 27 February 2014, the Government made a decision regarding the broadcasting space that would be used in various parts of the country for terrestrial television during the period 1 April 2014 – 31 March 2020.

Due to the Government's decision, the Authority asked the Swedish Post and Telecom Authority (PTS) and the broadcasting network operator Teracom AB to account for the broadcasting capacity that they deem to be available for television broadcasting during the period in question. Teracom AB was subsequently asked to supplement its statement with data regarding the capacity it deems will be available, bearing in mind the fact that, with effect from 1 April 2017, there will be five broadcasting networks available for television broadcasts; Teracom AB was also asked to provide information regarding how a transition to a more effective broadcasting technology could be implemented at that time.

During the administration process, the applicants have been given the opportunity to submit supplementations or statements. The Swedish Broadcasting Authority has commissioned the consulting company AB Stelacon to assess the financial circumstances of the applicants. AB Stelacon subsequently provided a verbal and written account of their assessments. According to the consulting agency's assessment, all the applicants had the financial prerequisites to be able to carry out broadcasts in accordance with their applications. The applicants were given access to the assessments made by AB Stelacon.

In preparation for issuing the licences, the Authority has consulted with PTS and the Swedish Competition Authority on the subject of collaboration in technological matters in order to promote accessibility and competition (collaboration agreements), and otherwise informed PTS and the Swedish Competition Authority.

The applicants that are subject to Swedish jurisdiction have accepted the programming-related conditions. All applicants have been afforded an opportunity to make a statement with regard to non-programming-related conditions.

Grounds for the decision made by the Swedish Broadcasting Authority

Current legislation

The Government decides the amount of broadcasting space that may be provided for television broadcasts in different parts of the country and for teletext that require licensing in accordance with this legislation. Licences to broadcast television programming and teletext are issued by the Government if the broadcasting activities are financed through the radio and TV fee, in accordance with the Act (1989:41) on Financing of Radio and Television in the service of the public. In all other cases, the licence is issued by the Swedish Broadcasting Authority. A licence to broadcast television programmes and teletext entails the right to broadcast the number of programming services referred to in the licence simultaneously in each area, during the part of the day specified in the licence (Chapter 4, Sections 1, 3 and 4 of the Radio and Television Act).

A licence to broadcast terrestrial television and teletext may only be issued to broadcasting companies that fulfil the financial and technological requirements to broadcast throughout the entire licence period, and that are willing to collaborate with other licence holders in terms of technological issues (Chapter 4, Section 5 of the Radio and Television Act).

When distributing licences to broadcast terrestrial television and teletext, particular consideration must be given to the broadcasting space being used for varying programming services, so that the broadcasts meet different interests and tastes, both in terms of national, local and regional programming and by several independent broadcasting companies (Chapter 4, Section 6 of the Radio and Television Act).

A licence issued by the Swedish Broadcasting Authority may also be restricted to referring to retransmission, in which case it entails the right of a broadcasting company to only retransmit programming services that are simultaneously transmitted, or those that have been transmitted shortly before by another broadcasting company. With such a licence, the Authority may decide that Chapters 5–8 are not applicable to the broadcasts under that licence (Chapter 4, Section 7 of the Radio and Television Act).

A licence to broadcast television programmes and teletext may also be subject to certain conditions (Chapter 4, Sections 8–11 of the Radio and Television Act).

A licence issued by the Swedish Broadcasting Authority to broadcast television programmes and teletext is valid for six years. If there are special reasons, the Authority may issue a licence that is valid for a shorter period of time. The period of validity for a particular licence condition may be shorter than the validity of the licence (Chapter 4, Section 12 of the Radio and Television Act).

Available broadcasting space and capacity for the period 1 April 2014 – 31 March 2020

The Swedish Broadcasting Authority's strategy for licencing and investigating broadcasting space

On 13 September 2013, the Swedish Broadcasting Authority established a strategy for licensing in respect of terrestrial television (ref. no. 13/01736). The strategy is intended to apply up until 31 March 2020, however, we cannot ignore the fact that changes may occur which would mean that the strategy would need to be revised prior to 2020.

According to the Authority's strategy, the reserved frequency space should be used for television broadcasts. Available frequency space should be made subject to licensing as soon as possible. The Authority will strive towards a gradual transition to DVB-T2, in the part of the terrestrial network for which the Authority is responsible for licensing, during the period 2014–2020. At least three broadcasting networks will be using DVB-T2 no later than 2014, and the others will gradually migrate during the licence period. According to the strategy, the Authority is of the opinion that a migration should primarily entail a transition from the broadcasting technique DVB-T to DVB-T2 rather than a transition where several programming services are transmitted through DVB-T and MPEG-4.

In February 2013, the Swedish Broadcasting Authority was commissioned by the Government to analyse different courses of action, to propose the broadcasting space that should be allotted in various parts of the country for television broadcasts and text between 1 April 2014 and 31 March 2020, and to make a report estimating how many broadcasting networks it will be possible to use within this space.

In its report of 31 May 2013, the Authority proposed that the use of a broadcasting space corresponding to that which is currently used for terrestrial television - 174 – 230 and 470 – 790 MHz, should be allowed in the entire country for television broadcasts and teletext that require licensing in accordance with the Radio and Television Act, during the period in question. From a consumer perspective, according to the Authority's report, the most advantageous course of action would be if the replacement of consumer equipment could take place over a longer transition period, which is an argument for allowing the use of the entire frequency 470 – 790 MHz for terrestrial television up until 31 March 2020. The Authority assessed that, if the entire current broadcasting space is used for terrestrial television up until 31 March 2020, then it would be possible to use at least seven networks within this space. If the entire 700 MHz frequency band is used for activities other than terrestrial television, the Authority estimated that the remaining broadcasting space would have room for at least five broadcasting networks. This commission was carried out in close dialogue with PTS and the Swedish Competition Authority. (Ref. no. 13/00475)

Government decision regarding broadcasting space for terrestrial television 2014 – 2020

On 27 February 2014, the Government made a decision regarding the broadcasting space that may be used in various parts of the country for terrestrial television during the period 1 April 2014 – 31 March 2020. The decision states that seven broadcasting networks throughout the country may be used for licensed television transmissions between 1 April 2014 and 31 March 2017. With effect from 1 April 2017 and until 31 March 2020, at least five broadcasting networks may be used for licensed television transmissions. The decision furthermore states that the Swedish Post and Telecom Authority should be commissioned to develop a plan in preparation for an altered usage, and to the greatest extent possible strive to make the transition as rapid as possible (see Government decisions Ku2013/1232/MFI, Ku2013/1994/MFI, Ku2013/2084/MFI, Ku2013/2201/MFI, Ku2013/2209/MFI; Ku2014/184/MFI/Ku2014/486/MFI).

The assessments of PTS and Teracom AB regarding available broadcasting space and capacity in the networks

Due to the Government's decision regarding broadcasting space, PTS and the current broadcasting network operator Teracom AB were asked to account for the broadcasting capacity that they deem to be available for television broadcasting during the period in question, 2014 – 2020, and above all during the period after 31 March 2017.

In a statement from 13 March 2014, PTS makes the assessment that five national broadcasting networks can be coordinated well ahead of time, so that they can be deployed no later than 1 April 2017. PTS is furthermore of the opinion that the conditions allow for yet another broadcasting network. However, there is some uncertainty with regard to the time plan for coordination and deployment, which is best assessed in close collaboration with Teracom AB. PTS sees the potential and social benefit of such a solution, but cannot guarantee this outcome at present. PTS is of the opinion that the matter requires further investigation so that it can be settled in a

satisfactory manner. PTS is basing its coordination efforts on the assumption of six national broadcasting networks. As the outcome of this coordination is uncertain, PTS argues that a certain flexibility is required in the broadcasting licences issued by the Swedish Broadcasting Authority and the Government.

In a statement on 14 March 2014, Teracom AB makes the assessment that at least six national broadcasting networks will be available for use after 31 March 2017, and based on this assumption, the company intends to gradually migrate the broadcasting networks to DVB-T2.

The Swedish Broadcasting Authority has since then maintained an ongoing dialogue with Teracom AB regarding the capacity that is available, based on the assumption that there will be five coordinated networks with effect from 1 April 2017, and regarding how quickly Teracom AB intends to upgrade the broadcasting networks to the more efficient broadcasting technology DVB-T2. During these discussions and in a supplementary statement, Teracom AB has declared that the company intends to migrate two broadcasting networks to DVB-T2 during the first quarter of 2015. Teracom AB makes the assessment that, with effect from 1 April 2014, there will be a total of 45 programme slots for the Authority to distribute, of which 39 are for standard resolution television (SDTV), and six for high resolution television (HDTV). Through the planned transition to a more effective broadcasting technology, conditions will allow for the issuing of licences up until 31 March 2020, according to Teracom AB. Teracom AB also says that it will be possible to allow certain programming services to migrate from SD to HD over time. According to Teracom AB, the possibility cannot be ruled out that additional space may be made available over time, space which can then be advertised for new programming services.

Specific information regarding the regional broadcasts

As far as the six licence applications for regional broadcasting are concerned, Teracom AB is of the opinion that there is broadcasting space for these, but that some requests cannot be met. According to Teracom AB, the number of regional licences will not affect the number of possible national licences. Otherwise, Teracom AB has mainly stated as follows.

Sverigefinska Riksförbundet and AB Upsala Nya Tidning are both broadcasting in Mälardalen, and the technological upgrade of the networks will mean that, as early as in 2014, it will only be possible to allow Sverigefinska Riksförbundet to continue DVB-T transmissions. Nor is there room to allow AB Upsala Nya Tidning to expand its current broadcasting area to include the area reached by the smaller broadcasting station in Östhammar. Furthermore, it will not be possible to allow Sverigefinska Riksförbundet to expand its current broadcasting area to include Västra Götaland, but it would be possible to expand into Norrbotten. The intended upgrade of the broadcasting networks to DVB-T2 also means that the broadcasting area for Östgöta Media AB (24Corren) will be altered, so that the area currently reached by the smaller broadcasting station in Åtvidaberg can no longer be secured if the broadcast is to

continue transmitting in DVB-T. If Corren24 is instead to be broadcast using DVB-T2, it would be possible to retain the present broadcasting area.

The Authority's assessment of available broadcasting capacity and possible licensing

Terrestrial television is subject to “double licensing”. The Swedish Broadcasting Authority issues licences to the broadcasting companies to broadcast television programming, while PTS issues licences to use radio transmitters. PTS is responsible for the management of Swedish frequencies and for coordination with neighbouring countries.

PTS has six national broadcasting networks that form the basis of its coordination work, and assesses that a coordination of five broadcasting networks can be realised well ahead of 1 April 2017. Considering the uncertainty described by PTS in terms of the time plan, primarily with regard to international coordination and implementation, and the difficulty in predicting how much of the population a sixth network would reach, the Swedish Broadcasting Authority makes the assessment that this licensing round must be based on the assumption that five national broadcasting networks will be available for use with effect from 1 April 2017. However, the conditions for a sixth broadcasting network must have been clarified no later than the time when PTS has completed its Government commission to produce a plan in preparation for the altered usage.

On 27 March 2014, the Government announced that Sveriges Television AB and Sveriges Utbildningsradio AB are licensed to broadcast two programming services in HD. Their licences are valid until 17 April 2014 and the Government intends to come back with more information regarding these companies' rights to broadcast HDTV after 18 April 2014 (see se Ku2014/644/MFI (in part)).

Against this background and through this decision, the Authority announces 51 national licences and 6 regional licences. The national licences correspond to 45 programming slots, distributed over seven broadcasting networks. Six of the permits are for HDTV transmissions. The number of issued licences is larger than the number of slots as 12 licences refer to time-shared programming services. Following discussions with PTS and Teracom AB, the Authority makes the assessment that all licences issued through this decision will fit within the available broadcasting space throughout the period 1 April 2014 – 31 March 2020. This assumption is based on it being possible to deploy at least five broadcasting networks 1 April 2017.

At the same time, the Authority makes the assessment that it may be possible during the licence period to advertise additional licences, partly for DVB-T transmissions in the broadcasting network currently allocated to Sveriges Television AB, and partly for transmissions within a sixth broadcasting network.

The table below describes the number of programming slots along with various technological conditions, such as how as the broadcasting licences are to be distrib-

uted with effect from 1 April 2014. However, the Authority will be promoting a transition over to DVB-T2. The Authority's goal is that the transition is to be complete no later than 31 March 2017. Broadcasting technology, compression technology and the exact distribution of licences for broadcasts in SD and HD will be adjusted through a continuous evaluation of the licensing conditions, and will depend partly on the technological upgrade of broadcasting networks and the rescheduling and co-ordination of the broadcasting space that needs to take place during this period.

Broadcasting technology	Compression technology	Resolution	Number of programming slots
DVB-T	MPEG-2	SD	24
DVB-T	MPEG-4	SD	10
DVB-T2	MPEG-4	SD	5
DVB-T2	MPEG-4	HD	6

Assessment of whether the applicants meet the basic requirements to be issued a licence

Financial and technological circumstances

The Authority makes the assessment that all of the applicants are financially and technologically equipped to make broadcasts in accordance with their respective applications.

Collaboration with other licence holders

License holders should collaborate on technological issues. The purpose of such technological collaboration is to ensure that certain common basic functions are working. At the same time, no agreement between licence holders must constitute a collaboration that inhibits competition, accessibility or technological development. Any collaboration agreements should therefore only cover matters of multiplexing, electronic programming guides, standards for the software that controls certain applications, and conditioned access and the handling of programme cards. The applicants themselves are to take the responsibility for developing a collaboration agreement.

All applicants have declared themselves willing to cooperate on technological matters and the broadcasting companies that the Authority is now intending to issue with licences have also entered into agreements regarding such cooperation. The Authority therefore considers all the broadcasting companies to have fulfilled the requirement of collaborating with other licence holders in technological matters.

Selection of programming services that are to be licensed

Selection criteria for programming services

Since there were more applications that meet the basic requirements for a licence to broadcast television programmes and teletext than can be accommodated within the available broadcasting space, the Swedish Broadcasting Authority will now choose a selection of applicants. In making the selection, consideration shall be given to the content of the programming services, to providing space for several independent broadcasting companies, and to granting licences to both national and regional/local programming services.

Broadcast quality – distribution of licences for SD and HD transmissions

The Authority makes the assessment that transmissions in HD add something to the overall selection, namely programme content with a significantly clearer picture, and can therefore contribute to meeting a larger variety of interests and tastes. The exact distribution between transmissions in SD and HD must however be decided upon following an overall assessment of content and ownership.

Possibility of parallel broadcasts

In several cases, the broadcasting companies have applied for a licence to broadcast in both SD and HD, to have the possibility of broadcasting their channels in parallel. The Authority is of the opinion, in accordance with its strategy, that a limited amount of parallel transmissions in SD and HD can be motivated by consumer interests and the long-term development of the terrestrial network as a form of distribution. Parallel broadcasting of a limited number of programming services could, on the one hand, lessen the negative consequences of the transition to newer broadcasting technologies predicted by the broadcasting companies.

However, the Government decision on broadcasting space means that the 700 MHz frequency band may only be used for television broadcasts and teletext up until 31 March 2017. In the Authority's opinion, this means that the space for parallel transmissions will be significantly reduced after that time.

Bearing in mind the fact that the scope of the broadcasting space that may become available for DVB-T transmissions cannot yet be determined, even after 31 March 2017, the Authority makes the assessment that licences cannot currently be issued for broadcasting using the DVB-T technology up until 31 March 2020, but only until 31 March 2017. However, the Authority's view is that it will be possible at a later stage, well ahead of 31 March 2017, to advertise licences for DVB-T transmissions and parallel broadcasting during the period 1 April 2017 – 31 March 2020. But such advertisement would, in the Authority's opinion, require Sveriges Television AB and Sveriges Utbildningsradio AB to give up broadcasting space in the network used by these companies; the conditions for a sixth network would also need to have been investigated in more detail and found to be good. The purpose of any parallel broadcasts after 31 March 2017 is, as mentioned, to further facilitate the transition of consumers into a new broadcasting era.

Programming

As previously mentioned, the Authority must consider whether the broadcasting space can be claimed to supply programming services that appeal to various interests and tastes when selecting applicants. Programming must be varied and include programming services that offer a mixed content, as well as programming services that have a more specialised content or a specific target audience. In its selection, the Authority weighs the number of licences that should be issued within the different content categories against the number of programming services provided by each ownership group. The majority of the applicants have applied for licences to broadcast programming services during most of the day, every day of the week. A few applicants have applied to be licensed for a limited part of the day.

Dividing programming services into categories does not provide a complete picture of their content, especially since certain programming services are included in several categories but still cannot be considered mixed-content programming. However, the primary orientation of the programming services can be stated in this decision based on the applicants' own programme definitions.

The Authority is of the opinion that the licences should be distributed among the different programme categories so that the overall selection in the terrestrial network caters to as many interests and preferences as possible. In most of the categories, the number of applications is higher than that which can be accommodated.

Mixed contents

Among the applicants, there are a large number of programming services with a mixed content of television series, films, lifestyle programmes and general entertainment (18). When distributing licences for this group of mixed-content programming services, the Authority deems it to be particularly important that a great number of ownership groups are represented.

According to the assessment of the Authority, this category contributes to ensuring that the overall selection of programming caters to different interests and preferences. Based on the total number of licences that can be issued, the Authority has made the overall assessment that all the programming services in this category should be part of the selection.

Factual content/documentaries

Another category with a high number of applicants is programming services with factual content and documentaries (17). An additional number of programming services have a certain amount of such content, such as the channels with mixed content. Four applications refer to HDTV, of which two refer to parallel broadcasting in SD and HD.

According to the assessment of the Authority, the factual content/documentaries category contributes to ensuring that the overall selection of programming caters to different interests and preferences. Based on the total number of licences that can be issued, the Authority has made the overall assessment that nine of the programming services in this category should be part of the selection.

Children

Eight applications refer to programming services targeted at children, and one other programming service includes a selection of children's programmes. These programming services are intended for children of various ages. The selection is primarily based on the age group targeted by the programming, with the aim of reaching as many age groups and interests as possible.

According to the assessment of the Authority, the children's category contributes to ensuring that the overall selection of programming caters to different interests and preferences. Based on the total number of licences that can be issued, the Authority has made the overall assessment that five of the programming services in this category should be part of the selection. Considering that these channels are targeted at children, all of their broadcasting licences should be limited to certain times of the day.

Films and television series

Several licence applications have been made for programming services that mainly broadcast film (7) or television series (3). The Authority has made a selection based on the programme descriptions submitted, with the aim of creating a wide range within this category.

According to the assessment of the Authority, the films and television series category contributes to ensuring that the overall selection of programming caters to different interests and preferences. Based on the total number of licences that can be issued, the Authority has made the overall assessment that eight of the programming services, which also include one programming service from the sports category, should be part of the selection. Several of these programming services should only be licensed to broadcast at certain times of the day.

Sports

Sport-related content must still be considered an important part of the selection, and it must also be considered important that such content is also broadcast in HD. Fifteen applications refer to programming services that largely consist of sports content. Out of these programming services, eight consist entirely or predominantly of sports content. The others have a mixed content, for example broadcasting sports on some nights and weekends while otherwise showing a mixed content, such as lifestyle programmes. Seven applications refer to HD transmissions and three of these are also applying for licences to broadcast in SD.

Out of the programming services within the sports category, some have a more specialised content. The Authority is of the opinion that this type of programming services should also be represented in the terrestrial network, but that it is not possible to cater to all interests and preferences due to limited space. In its selection, the Authority must therefore consider the local ties of the programming service, based on what the broadcasting company has stated in its programming description.

According to the assessment of the Authority, the sports category contributes to ensuring that the overall selection of programming caters to different interests and preferences. The Authority has made the overall assessment that eight of these pro-

gramming services, which also includes one programming service from the film category, should be part of the selection.

News

Four applications refer to news channels. Three refer to foreign news broadcasters and one refers to a Swedish news broadcaster.

According to the assessment of the Authority, the news category contributes to ensuring that the overall selection of programming caters to different interests and preferences. Based on the total number of licences that can be issued and the fact that these programming services reflect the news from different perspectives, the Authority has made the overall assessment that all the programming services in this category should be part of the selection.

Music

Two applications refer to channels that only broadcast music programmes. The Authority notes that technology developments have resulted in a decreased interest in this type of content in the television broadcasts, and this trend is expected to continue in the coming six years. The Authority therefore finds that, in this licensing round, no licences should be issued for music programming, since the various interests and preferences that need to be catered to within this limited space can be better met by licensing programming services in other categories.

Regional broadcasting

Six applications refer to the broadcasting of regional channels. The Authority feels that regional programming strengthens the total selection in the terrestrial network. All broadcasting companies that have applied to broadcast regionally should therefore be issued with a licence.

Ownership

A large part of the national applications refer to programming services provided by major media houses. The following ownership groups are predominant among the applications.

BBC (3)	Eurosport (3)	Turner (8)
Bonnier AB (19)	Fox International Channels Group (4)	Walt Disney (3)
Discovery (12)	MTG (8)	Viacom (8)

The Authority is of the opinion that all of these ownership groups, along with other applicants, should be awarded licences to ensure that the broadcasting space is claimed by several, independent broadcasting companies. At the same time, the number of licences issued to different ownership groups and broadcasting companies must be weighed against the contents of the programming services, and how these cater to different interests and preferences.

The Authority's assessment of the programming services that are to be licensed

Following an overall assessment of selection and ownership, the Authority finds that licences should be issued to the following programming services.

Main category	Programming service
Children	Cartoon Network, Disney XD, Disney Channel, Nickelodeon, Nick JR. (As well as C More Fotboll/Hockey/Kids, which is included in the sports category) (all with shared programming slots)
Mixed content channels and others	BBC Entertainment, Comedy Central, Fox, Kanal 5, Kanal 5 HD, Kanal 9, Kanal 11, Kanal Global, MTV, Sjuan, TV3, TV3 HD, TV4, TV4 HD, TV6, TV8, TLC, TV10
Factual content/documentaries	Animal Planet, Axess, BBC Knowledge, Discovery Channel, History Channel, National Geographic Channel HD, Travel Channel, TV4 Fakta, Viasat Explorer
Films and television series	C More First, C More Series, C More HD Mix, Paramount Movie Channel, Silver, TCM, TNT, TV4 Film
News	Aftonbladet TV, Al Jazeera, CNN, BBC World News
Sports	C More Sport, Eurosport, Eurosport 2, Horse1, TV4 Sport HD, TV12, TV10, C More Fotboll/Hockey/Kids (as well as C More HD Mix, which is also included in the film category)
Regional broadcasting	24Corren, 24Norrbottnen, 24Norrbottnen, Malmfäl- ten, 24 nt, 24UNT, TV Finland

All other licence applications are to be rejected. The applications referred to are specified under item two of the Swedish Broadcasting Authority decision.

More details regarding the licence contents, time limitation and terms and conditions

Appendices 1-57 provide more details regarding the licensing terms and conditions for each respective programming service.

Content and period of the licence

A licence to broadcast a programming service will, with some exceptions, be valid for the entire period 1 April 2014–31 March 2020.

As far as programming services that are transmitted in parallel using different broadcasting technologies are concerned, the Authority is of the opinion, as mentioned above, that, based on the current uncertainty regarding available broadcasting space after 1 April 2017, it will not be appropriate to broadcast parallel transmissions after that time. For the programming services transmitted in parallel and in SD there are thus special reasons for the licence period to be shorter than six years, and these licences should cease to be valid with effect from 31 March 2017.

The right to broadcast a programming service also entails the right to broadcast programme-related additional services, to a reasonable extent.

The licensing terms and conditions will generally apply during the same time period as the licence itself, but the Authority makes the assessment that certain technological requirements, i.e., sections 1, 3, 5 and 8 should be applicable for a shorter period in order to be reviewable. The primary reason for this is the technological development towards a more effective broadcasting technology, which is intended to be completed by 31 March 2017. In previous Authority decisions regarding licences for terrestrial television, these requirements have been valid for one year. However, the Authority deems that, under current conditions, they should be valid for six months, until 30 September 2014, and that a review must take place after that time. The review of these requirements will subsequently take place at least once per year.

The broadcasts should have been initiated within a certain time frame, and licences can be revoked if the holder has not started broadcasting within that period.

Conditions that can and should be set for the licences

The Authority can issue a licence under certain conditions, in accordance with the Radio and Television Act. A decision regarding a licence may not contain programming-related conditions other than those to which the applicant has agreed.

Coverage requirements

Coverage requirements should be set on the basis that the programming service must be made accessible in the areas where available network infrastructure and frequency resources in the current broadcasting network allow. All of the current broadcasting networks have primarily the same coverage area.

As with previous licensing decisions, the Authority finds no reason to distribute programming services within their respective broadcasting network. The programming services will, in consideration of the transition to a more effective broadcasting technology, be moved between broadcasting networks over time. A system where the Authority places programming services into the broadcasting networks risks becoming unnecessarily formalised and inflexible. However, should the broadcasting companies and the company supplying the programming service be unable to work out the details of the distribution in the current broadcasting networks, the Swedish Broadcasting Authority may issue conditions regarding placement in the broadcasting network in connection with its review of licence terms and conditions.

Broadcasting hours

For a licence to be used effectively, the Authority is of the opinion that the licence should be issued on the condition that the programming service is transmitted for an average of 100 hours per week over the course of the calendar year. For those with limited broadcasting hours, the corresponding requirement should be an average of

50 hours per week over the course of the calendar year, if the broadcasting company is entitled to broadcast twelve hours per day.

Technological requirements

The broadcasts shall be of a high technological quality. The broadcasts shall be made with such a high level of security that any transmission breaks are as brief as possible.

The specific details in respect of the technological requirements in terms of compression and broadcasting technologies depend on the resolution in which the transmission is broadcast, and when each programming service is estimated to change over to DVB-T2.

Unless otherwise stated in the terms and conditions, the broadcasting must be effected using DVB-T broadcasting technology and MPEG-2 compression technology. For the programming services where no specific time has been indicated for the transition to DVB-T2, this transition will be regulated in the upcoming review decisions regarding technological requirements.

Some programming services are already obligated, as of 1 April 2014, to broadcast HDTV. Other programming services will have the same obligation once the transition to DVB-T2 is complete. These licences will then contain requirements for the technological quality of the broadcasts to be significantly higher than for transmissions of SDTV, with an image resolution of at least 720 picture lines per frame in progressive format. Considering the uncertainty regarding the frequencies that will be available at any given time during the transition period resulting from the migration to DVB-T2, but also with effect from 1 April 2017, the obligation to broadcast HDTV should however apply on the condition that the rights of other licence holders to broadcast can be maintained.

Conditions for programming content

Conditions pertaining to contents can only be set for the programming services provided by broadcasting companies subject to Swedish legislation. The broadcasting companies have accepted these conditions.

When establishing the conditions specified in Section 9 for programming contents, the Authority's decisions have been based on the programme declarations stated in the licence application, which have been approved by the broadcasting companies.

The Authority may establish conditions entailing that the licence holder must broadcast programming with contents especially adapted for persons with disabilities. The Authority feels that the use of loudness normalisation is an example of one such adaptation. In their applications, the applicants have stated their position on loudness normalisation, and their plans to use it in accordance with the Loudness Recommendation EBU R128 produced by the European Broadcasting Union (EBU). This recommendation specifies how the broadcasting companies can measure and normalise audio using Loudness meters instead of Peak Meters (PPMs). Many applicants have

made positive statements regarding loudness normalisation, and several of the broadcasting companies have taken measures to facilitate their implementation of the recommendation. The Authority therefore finds cause to introduce requirements for the broadcasting companies to promote such procedures.

As far as other programming-related requirements are concerned, for example in terms of objectivity, respect of privacy and sponsorships, these correspond to the requirements set in previous licensing decisions.

This decision was made by Director-General Magnus Larsson following a report provided by legal consultant Eva Bengtsson. Kerstin Morast and Magnus Nemlander also participated in making the final decision.

Magnus Larsson

Eva Bengtsson

How to appeal, see appendix 58

Copy for information to:

The Ministry of Culture
The Division of Media, Film and Sports (MFI)
The Swedish Post and Telecom Authority
The Swedish Competition Authority
Teracom AB
Sveriges Television AB

This is an electronic copy of the decision. All signatures are on the original document, which is kept at the premises of the Swedish Broadcasting Authority.