



Broadcasting Public Notice CRTC 2006-102

Ottawa, 14 August 2006

The Commission has received the following applications. The deadline for submission of interventions/comments is 18 September 2006.

Item Applicant and Locality

1. **MusiquePlus inc.**
Across Canada
2. **Bell Aliant Regional Communications Inc., the general partner, as well as a limited partner together with Bell Canada and 6583458 Canada Inc. (the limited partners), carrying on business as Bell Aliant Regional Communications, Limited Partnership**
Saint-John/Moncton, New Brunswick; Halifax, Dartmouth, Bedford and Saskville, Nova Scotia; St. John's Paradise and Mount Pearl, Newfoundland and Labrador

1. **Across Canada** **Application No. 2006-0908-4**

Application by **MusiquePlus inc.** to amend the licences of the national specialty programming undertakings known as MusiquePlus and MusiMax.

The licensee proposes to make the above-noted services available for distribution in high definition format.

In accordance with the framework set out in *Regulatory framework for the licensing and distribution of high definition pay and specialty service* Broadcasting Public Notice CRTC [2006-74](#), 15 June 2006, programming on the analog services and on the upgraded services will be comparable, that is, not less than 95% of the video and audio components will be the same, exclusive of the commercial messages and of any part of the service carried on a subsidiary signal. Further, all programming making up the 5% allowance will be provided in HD.

Licensee's address:

355 Sainte-Catherine Street West
Montréal, Quebec
H3B 1A5
Fax: 514-284-1889
E-Mail: vheroux@musiqueplus.com

Canada

Examination of application:

At the licensee's address

[\[Broadcasting intervention/comments form\]](#)

2. **Saint-John/Moncton, New Brunswick; Halifax, Dartmouth, Bedford and Saskville, Nova Scotia; St. John's Paradise and Mount Pearl, Newfoundland and Labrador Application No. 2006-0901-8**

Application by **Bell Aliant Regional Communications Inc., on its behalf as the general partner, as well as a limited partner together with Bell Canada and 6583458 Canada Inc. (the limited partners), carrying on business as Bell Aliant Regional Communications, Limited Partnership**, to amend the conditions of licence for the licence of the cable distribution undertakings serving the above-mentioned locations.

The applicant proposes to amend the conditions of licence relating to the compliance with the *Direction to the CRTC (Ineligibility of Non-Canadians)* (the Direction) set out in *Broadcasting distribution undertakings – Acquisition of assets and change in ownership*, Broadcasting Decision CRTC 2006-276, 30 June 2006, which reads:

- 100% of the trustees of Holdings Trust and Parent Trust and any subsidiary trusts be Canadian at all times;
- 100% of the directors of GP Co. and Wireline GP be Canadians at all times; and,
- no less than 80% of the shareholders of GP Co. and its CEO be Canadian at all times.

The applicant requests that the conditions of licences be amended as follows:

- 100% of the trustees of Bell Aliant Regional Communications Income Fund¹ and Bell Aliant Holdings Trust² and any subsidiary trusts be Canadians at all times;
- no less than 80% of the directors of Bell Aliant Regional Communications Holdings Inc. and Bell Aliant Regional Communications Inc. be Canadians at all times;
- no less than 80% of the shareholders of Bell Aliant Regional Communications Holdings Inc.³ and its CEO be Canadians at all times.

¹ Identified in the original application as "Parent Trust"

² Identified in the original application as "Holdings Trust"

³ Identified in the original application as "GP Co."

The applicant submits that the amended conditions of licence listed above will satisfy the concerns identified by the Commission in Broadcasting Decision CRTC 2006-276 and will ensure that the Direction is complied with at all times.

The applicant stated that the amendments requested for the first and third conditions are to replace defined terms with the actual name of the entity concerned. The only substantive change requested is to amend the second condition.

The applicant further submitted that the amendments requested will result in the corporate entities forming part of the reorganized structure being treated in the same manner as other corporate licensee under the Direction.

Licensee's address:

One Brunswick Square, 5th Floor
 Saint-John, New Brunswick
 E2L 4K2
 Fax: 506-694-2473
 E-Mail: regulatory.matters@aliant.ca

Examination of application:

Bell Aliant Regional Communications Inc.
 Regulatory Matters
 6 South Maritime Centre
 1505 Barrington Street
 Halifax, Nova Scotia

Bell Aliant Regional Communications Inc.
 Regulatory Matters
 69 Belvedere Avenue
 Charlottetown, Prince Edward Island

Bell Aliant Regional Communications Inc.
 Regulatory Matters
 One Brunswick Square, 5th Floor
 Saint-John, New Brunswick

Bell Aliant Regional Communications Inc.
 Regulatory Matters
 Fort William Building
 10 Factory Lane
 St. John's, Newfoundland and Labrador

[\[Broadcasting intervention/comments form\]](#)

Public Participation

Deadline for Interventions/Comments

18 September 2006

The intervention must be received by the CRTC and by the applicant on or before the above-mentioned date. The Commission cannot be held responsible for postal delays.

Your intervention will be considered by the Commission, and will form part of the public record of the proceeding without further notification to you, provided the procedure set out below has been followed. You will be contacted only if your submission raises procedural questions.

Submit your written intervention to the Secretary General of the Commission in **only one** of the following formats:

by using the

Broadcasting Intervention/Comments Form

located below the description of each application within this public notice

or

by mail to

CRTC, Ottawa, Ontario K1A 0N2

or

by fax at

819-994-0218

A true copy must be sent to the applicant and proof that this has been done must accompany the intervention sent to the Commission.

The Commission advises those who file and serve by electronic mode to exercise caution when using e-mail for service of documents or notification, as it may be difficult to establish that service has occurred.

Before initiating service through electronic mode, please ensure that you will be able to satisfy the Commission, upon request, that service of the notification was completed.

Where the intervention is filed by electronic means, the line *****End of document***** should be entered following the last paragraph of the document, as an indication that the document has not been damaged during electronic transmission.

Each paragraph of the document should be numbered.

Your intervention should clearly identify the application and indicate whether you support or oppose the application, or if you propose changes to it, include the facts and grounds for your proposal.

Important notice

Note that all information that you provide as part of this public process, except information granted confidentiality, whether sent by postal mail, facsimile, e-mail or through the Commission's web site at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's web site. This information includes your personal information, such as your full name, e-mail address, postal/street address, telephone and facsimile number(s), and any other personal information you provide.

Documents received electronically or otherwise will be put on the Commission's web site in their entirety exactly as you send them, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.

The personal information you provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.

Examination of Documents

An electronic version of applications is available from the Commission's web site by selecting the application number within this notice.

A list of all interventions/comments will also be available on the Commission's Web site. An electronic version of all interventions/comments submitted will be accessible from this list. To access the list, select "Lists of interventions/comments" under "Public Proceedings" from the Commission's Web site.

Documents are also available during normal office hours at the local address provided in this notice and at the Commission offices and documentation centres directly involved with these applications or, upon request, within 2 working days, at any other CRTC offices and documentation centres.

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Secretary General

This document is available in alternative format upon request, and may also be examined in PDF format or in HTML at the following Internet site:

<http://www.crtc.gc.ca>