



Broadcasting Public Notice CRTC 2006-138

Ottawa, 26 October 2006

The Commission has received the following applications. The deadline for submission of interventions/comments is 30 November 2006.

[Broadcasting intervention/comments form]

Item Applicant and locality

1. **Bell Aliant Regional Communications Limited Partnership**
St. John's, Paradise and Mount Pearl, Newfoundland and Labrador
Application No. 2006-1235-0
2. **My Broadcasting Corporation**
Strathroy, Ontario
Application No. 2006-1240-0
3. **MTS Allstream Inc.**
Winnipeg and surrounding areas, Manitoba
Application Nos. 2006-0843-2 and 2006-0845-8
4. **Saskatchewan Communications Network Corporation**
Regina, Saskatchewan
Application No. 2005-1568-7

1. **St. John's, Paradise and Mount Pearl, Newfoundland and Labrador**
Application No. 2006-1235-0

Application by **Bell Aliant Regional Communications Inc., general partner, as well as limited partner with Bell Canada and 6583458 Canada Inc. (the limited partners), carrying on business as Bell Aliant Regional Communications Limited Partnership** (Bell Aliant) to amend its Class 1 regional broadcasting licence for its cable broadcasting distribution undertaking (BDU) serving the above-mentioned locations.

Bell Aliant proposes to delete the following condition of licence which reads:

The licensee must distribute the ASN service in accordance with the terms of an agreement between ASN and Newfoundland Broadcasting Limited (NTV), whereby commercial messages that are likely to have a negative impact on NTV be deleted from the ASN service.

Bell Aliant noted that, in Broadcasting Decision CRTC 2006-459, dated 31 August 2006, the Commission removed the above-noted condition of licence from the regional Rogers Cable Communications Inc.'s Class 1 regional licence for its cable BDU serving St. John's and surrounding area, Newfoundland and Labrador.

Licensee's address:

1 Germain Street
 Floor 5
 Saint John, New Brunswick
 E2L 4K2
 Fax: 506-694-2473
 E-Mail: regulatory@bell.aliant.ca

Examination of Application:

1 Brunswick Square
 Floor 5
 Saint John, New Brunswick

Maritime Centre
 Floor 11
 Halifax, Nova Scotia

Fort William Building
 Floor 5
 St. John's, Newfoundland and Labrador

2. **Strathroy, Ontario**
Application No. 2006-1240-0

Application by **My Broadcasting Corporation** (MBC) to amend the licence of the new radio programming undertaking at Strathroy, Ontario, approved in *English-language FM radio station in Strathroy*, Broadcasting Decision CRTC 2006-571, 3 October 2006 (Decision 2006-571).

The licensee proposes to amend the licence by changing the frequency from 91.1 MHz (channel 216A) to 105.7 MHz (channel 289A).

In Decision 2006-571, the Commission noted an intervention by CJRT-FM Inc., licensee of CJRT-FM Toronto, expressing concerns over MBC's proposed use of frequency 91.1 MHz related to the potential for interference to CJRT-FM. The Commission also noted the willingness of MBC to file an application to amend its licence to use frequency 105.7 MHz, if necessary.

MBC indicates that the alternate frequency would have less interference in the extremities of the area to be served due to co-channel with the use of the frequency 91.1 MHz by the adjacent station CJRT-FM.

Licensee's address:

P.O. Box 961
Renfrew, Ontario
K7V 4H4
Fax: 613-432-1086
E-Mail: andrew@myfmradio.ca

Examination of application:

Strathroy Public Library
34 Frank Street
Strathroy, Ontario

3. **Winnipeg and surrounding areas, Manitoba**
Application Nos. 2006-0843-2 and 2006-0845-8

Applications by **MTS Allstream Inc.** (MTS) to amend the regional licences for its, Manitoba-based, video-on-demand programming undertaking (VOD) and its Class 1 cable broadcasting distribution undertaking (BDU) serving Winnipeg and surrounding areas.

Video-on-demand licence

MTS proposes to offer an outlet for local expression through its digital interactive VOD service that would provide subscribers with community programming available on demand 24 hours per day, seven days per week. MTS proposes to work with independent producers, local media, community groups and individual citizens to create and provide a range of programming that would reflect the needs and interests of people in Winnipeg.

MTS proposes that the programming offered through its outlet for local expression be subject, by way of conditions of licence, to policy and regulatory requirements similar to those applicable to programming provided on community channels, including:

A requirement that at least 60% of the community programming inventory be local programming and at least 30% be community access programming for Winnipeg;

A requirement that it adhere to the relevant provisions relating to community channels, set out in sections 27 and 28 of the *Broadcasting Distribution Regulations*; and

A requirement that it adhere to all relevant industry codes and standards.

MTS requests a condition of licence that would permit it, as an exception to the *Pay Television Regulations, 1990*, to distribute up to 10% of programming produced by itself or a related person, as well as to distribute commercial messages as permitted on community channels.

MTS proposes to amend its current condition of licence by which it must contribute 5% of its gross annual revenues to an existing independently administered Canadian program production fund. MTS requests that it be allowed to retain 2% of that annual contribution for use by its proposed outlet for local expression.

Broadcasting distribution undertaking

MTS requests an amendment to its licence to permit its contribution to its proposed outlet for local expression to be recognized as a "contribution to local expression" under section 29 of *Broadcasting Distribution Regulations*. The condition of licence would allow MTS to allocate up to 2% of its gross revenues derived from broadcasting activities in the broadcast year for the programming made available on its outlet for local expression.

Licensee's address:

45 O'Connor Street, Suite 1400
Ottawa, Ontario
K1P 1A4
Fax: 613-688-8303
E-Mail: iworkstation@mtsallstream.com

Examination of application:

Bestlands Building
Security / Reception
191 Pioneer Avenue
Winnipeg, Manitoba

4. **Regina, Saskatchewan** **Application No. 2005-1568-7**

Application by **Saskatchewan Communications Network Corporation (SCN)** to renew the broadcasting licence for the non-commercial satellite to cable programming undertaking issued to SCN for the purpose of distributing educational programming, expiring 28 February 2007.

Details are provided in the application.

Licensee's address:

2440 Broad Street, Suite E-313
Regina, Saskatchewan
S4P 0A5
Fax: 306-787-0496
E-Mail: renewal2006@scn.ca

Examination of application:

At the licensee's address

Public Participation

Deadline for Interventions/Comments

30 November 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]

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.

Central Building
Les Terrasses de la Chaudière
1 Promenade du Portage, Room 206
Gatineau, Quebec K1A 0N2
Tel: 819-997-2429
Toll free Telephone: 1-877-249-2782
Toll-free TDD: 1-877-909-2782
Fax: 819-994-0218

Metropolitan Place
99 Wyse Road, Suite 1410
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205 Viger Avenue West, Suite 504
Montréal, Quebec H2Z 1G2
Tel: 514-283-6607

55 St. Clair Avenue East, Suite 624
Toronto, Ontario M4T 1M2
Tel: 416-952-9096

Kensington Building
275 Portage Avenue, Suite 1810
Winnipeg, Manitoba R3B 2B3
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Fax: 204-983-6317

Cornwall Professional Building
2125 – 11th Avenue, Room 103
Regina, Saskatchewan S4P 3X3
Tel: 306-780-3422

10405 Jasper Avenue, Suite 520
Edmonton, Alberta T5J 3N4
Tel: 780-495-3224

530-580 Hornby Street
Vancouver, British Columbia V6C 3B6
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Fax: 604-666-8322

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>