



Broadcasting Notice of Public Hearing CRTC 2008-14

Ottawa, 13 November 2008

Notice of consultation and hearing

26 January 2009

Orillia, Ontario

Deadline for submission of interventions/comments: 18 December 2008

The Commission will hold a public hearing commencing on **26 January 2009 at 8:30 a.m., at the Best Western Mariposa Inn & Conference Centre, 400 Memorial Avenue, Orillia, Ontario**, to consider the following applications:

Given the number of appearing items to be considered, the Commission would like to advise that it may have to sit on Saturday, 31 January 2009 to complete its consideration of these items.

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

Item Applicant and Locality

1. **Nick Montague, on behalf of a corporation to be incorporated**
Orillia, Ontario
Application No. 2007-1507-1
2. **Larche Communications Inc.**
Orillia, Ontario
Application No. 2008-0789-4
3. **Bayshore Broadcasting Corporation**
Orillia, Ontario
Application No. 2008-0795-1
4. **Newcap Inc.**
Orillia, Ontario
Application No. 2008-0799-3
5. **Debra McLaughlin, on behalf of a corporation to be incorporated**
Orillia, Ontario
Application No. 2008-0831-3
6. **Frank Torres, on behalf of a corporation to be incorporated**
Orillia, Ontario
Application No. 2008-0801-6
7. **Rock 95 Broadcasting Ltd.**
Orillia, Ontario
Application No. 2008-0804-0

8. **Instant Information Services Incorporated**
Orillia, Ontario
Application No. 2008-0800-1
9. **JOCO Communications Inc.**
Gravenhurst, Ontario
Application No. 2007-1150-9
10. **JOCO Communications Inc.**
Gravenhurst, Ontario
Application No. 2008-0867-8
11. **Instant Information Services Incorporated**
Gravenhurst, Ontario
Application No. 2008-0963-4
12. **Muskoka-Parry Sound Broadcasting Limited**
Huntsville, Ontario
Application No. 2008-0513-7
13. **Larche Communications Inc.**
Bracebridge/Gravenhurst, Ontario
Application No. 2008-0945-2
14. **Bill (William) Wrightsell, on behalf of a corporation to be incorporated**
Gravenhurst, Ontario
Application No. 2008-0960-1
15. **Bayshore Broadcasting Corporation**
Gravenhurst, Ontario
Application No. 2008-0962-6
16. **Evanov Communications Inc., on behalf of a corporation to be incorporated**
Gravenhurst, Ontario
Application No. 2007-1294-4
17. **Quinte Broadcasting Company Limited**
Belleville, Ontario
Application No. 2008-1340-4
18. **Pellpropco Inc.**
St. Catharines, Ontario
Reference No. 2008-1495-6
19. **The Family Channel Inc.**
Across Canada
Application No. 2008-1105-1
20. **Fairchild Television Ltd.**
Across Canada
Application No. 2008-1110-1
21. **Fairchild Television Ltd.**
Across Canada
Application No. 2008-1113-4
22. **Surjit S. Gill, on behalf of a corporation to be incorporated**
Across Canada
Application No. 2008-1268-7

23. **Acadia Broadcasting Limited**
Bridgewater, Nova Scotia
Application No. 2008-1251-2
24. **Newcap Inc.**
Elliot Lake, Timmins, Parry Sound, Bracebridge, Kapuskasing, Hearst, Iroquois Falls,
Bancroft, Cochrane, North Bay, Haliburton and Huntsville, Ontario
Application No. 2008-1054-0
25. **Subanasiri Vaithilingam, on behalf of a corporation to be incorporated**
Scarborough, Ontario
Application No. 2008-1161-3
26. **Five Amigos Broadcasting Inc.**
Wallaceburg, Ontario
Application No. 2008-1198-6
27. **Kumar Nadarajah, on behalf of a corporation to be incorporated**
Markham, Ontario
Application No. 2008-1264-5
28. **Mornington Communications Co-operative Limited**
Milverton, Ontario
Application No. 2008-1262-9
29. **Hay Communications Co-operative Limited**
Zurich, Ontario
Application No. 2008-1263-7
30. **My Broadcasting Corporation**
Brighton, Ontario
Application No. 2008-1311-4
31. **Canadian Broadcasting Corporation**
Windsor and Leamington, Ontario
Application No. 2008-1352-8
32. **Touch Canada Broadcasting (2006) Inc. (the general partner), and 1188011
Alberta Ltd. and Touch Canada Broadcasting Inc. (the limited partners),
carrying on business as Touch Canada Broadcasting Limited Partnership**
Calgary, Alberta
Application No. 2008-1064-9
33. **3937844 Canada Inc.**
St. Paul, Alberta
Application No. 2008-1073-0
34. **3937844 Canada Inc.**
High Prairie, Alberta
Application No. 2008-1075-6
35. **Merritt Broadcasting Ltd.**
Merritt, British Columbia
Application No. 2008-1032-6
36. **N L Broadcasting Ltd.**
Merritt, British Columbia
Application No. 2008-1033-4

37. **Cowichan Valley Community Radio Society**
Lake Cowichan, British Columbia
Application No. 2008-1095-4
38. **Sun Country Radio Ltd.**
Kelowna, British Columbia
Application No. 2008-1464-1
39. **Northern Lights Entertainment Inc.**
Iqaluit, Nunavut
Application No. 2008-1307-3

PREAMBLE

Items 1 to 16

On 10 April 2008, the Commission issued Broadcasting Public Notice CRTC 2008-30, calling for applications for a broadcasting licence to provide a commercial radio service to serve Orillia, Ontario.

On 13 May 2008, the Commission issued Broadcasting Public Notice CRTC 2008-42, calling for applications for a broadcasting licence to provide a commercial radio service to serve Bracebridge and Gravenhurst, Ontario.

In response to these calls, the Commission has received a number of applications for licences to serve these markets.

Some of these applications are technically mutually exclusive. These applications are:

For Orillia

Items 1 to 7 are technically mutually exclusive proposing the use of the frequency 89.1 MHz.

These applications, along with item 8 will be treated as competitive radio applications for Orillia, Ontario.

For Bracebridge and Gravenhurst

Items 9 to 11 are technically mutually exclusive proposing the use of the frequencies 101.7 MHz and 101.9 MHz.

Items 13 to 15 are technically mutually exclusive proposing the use of the frequency 102.3 MHz.

These applications, along with items 12 and 16 will be treated as competitive radio applications for Bracebridge and Gravenhurst, Ontario.

Item 17

This involves the licence renewal application of the English-language commercial radio undertaking CJBQ Belleville, Ontario, whereby the station has been found to be operating in apparent non-compliance with the *Radio Regulations, 1986*.

Item 18

This involves the English-language commercial radio programming undertaking CHSC St. Catharines, Ontario, whereby the station has been found to be operating in apparent non-compliance with the *Radio Regulations, 1986*.

The Commission has also received complaints concerning allegations that CHSC has re-oriented a significant portion of its programming to serve the Italian community of Toronto.

Items 19 to 39

The Commission intends to consider, subject to interventions, items 19 to 39 during the non-appearance phase of the public hearing.

1. **Orillia, Ontario**
Application No. 2007-1507-1

Application by **Nick Montague, on behalf of a corporation to be incorporated**, for a licence to operate an English-language FM commercial radio programming undertaking in Orillia.

The new station would operate on frequency 89.1 MHz (channel 206A) with an effective radiated power of 332 watts (non-directional antenna with an effective height of antenna above average terrain of 13 metres).

The applicant proposes a Classic Rock and Country music format.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Applicant's address:

135 Quebec Street, Appartment 7
 Bracebridge, Ontario
 P1L 1P6
 E-Mail: twinlakesbroadcastings@sympatico.ca

Examination of application:

177 Mississaga Street East
 Orillia, Ontario

2. **Orillia, Ontario**
Application No. 2008-0789-4

Application by **Larche Communications Inc.** for a licence to operate an English-language FM commercial radio programming undertaking in Orillia.

The new station would operate on frequency 89.1 MHz (channel 206B1) with an average effective radiated power of 1,000 watts (maximum effective radiated power of 3,300 watts with an effective height of antenna above average terrain of 147 metres).

The applicant proposes a Hot Adult Contemporary (Hot AC) music format.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Applicant's address:

355 Cranston Crescent
Midland, Ontario
L4R 4L3
Fax: 705-526-3060
E-Mail: plarche@kicxfm.com

Examination of application:

CICX-FM
7 Progress Drive
Orillia, Ontario

3. **Orillia, Ontario**
Application No. 2008-0795-1

Application by **Bayshore Broadcasting Corporation** for a licence to operate an English-language FM commercial radio programming undertaking in Orillia.

The new station would operate on frequency 89.1 MHz (channel 206A) with an effective radiated power of 21,000 watts (non-directional antenna with an effective height of antenna above average terrain of 169.3 metres).

The applicant proposes a Soft Adult Contemporary music format.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Applicant's address:

270 Ninth Street East
Owen Sound, Ontario
N4K 5P5
Fax: 519-371-4242
E-Mail: rkentner@bayshorebroadcasting.ca

Examination of application:

Orillia Public Library
36 Mississauga Street West
Orillia, Ontario

4. **Orillia, Ontario**
Application No. 2008-0799-3

Application by **Newcap Inc.** for a licence to operate an English-language FM commercial radio programming undertaking in Orillia.

The new station would operate on frequency 89.1 MHz (channel 206B1) with an average effective radiated power of 1,000 watts (maximum effective radiated power of 3,300 watts with an effective height of antenna above average terrain of 147 metres).

The applicant proposes a Contemporary Hit Radio format.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Applicant's address:

745 Windmill Road
 Dartmouth, Nova Scotia
 B3B 1C2
 Fax: 902-468-5661
 E-Mail: dmurray@ncc.ca

Examination of application:

Orillia Public Library
 36 Mississauga Street West
 Orillia, Ontario

5. **Orillia, Ontario**
Application No. 2008-0831-3

Application by **Debra McLaughlin, on behalf of a corporation to be incorporated**, for a licence to operate an English-language FM commercial radio programming undertaking in Orillia.

The new station would operate on frequency 89.1 MHz (channel 206A) with an average effective radiated power of 2,900 watts (maximum effective radiated power of 10,000 watts with an effective height of antenna above average terrain of 75 metres).

The applicant proposes an Adult Album Alternative (Triple A) music format.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Applicant's address:

1921 Truscott Drive
Mississauga, Ontario
L5J 2A3
Fax: 905-403-9164
E-Mail: debramcl@mail.com

Examination of application:

Orillia Public Library
36 Mississaga Street West
Orillia, Ontario

6. **Orillia, Ontario**
Application No. 2008-0801-6

Application by **Frank Torres, on behalf of a corporation to be incorporated**, for a licence to operate an English-language FM commercial radio programming undertaking in Orillia.

The new station would operate on frequency 89.1 MHz (channel 206B1) with an average effective radiated power of 5,600 watts (maximum effective radiated power of 14,740 watts with an effective height of antenna above average terrain of 130 metres).

The applicant proposes an Adult Contemporary music format.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Applicant's address:

95 Royal Crest Court
Unit 5
Markham, Ontario
L3R 9X5
Fax: 905-470-1655
E-Mail: ftorres@skywords.com

Examination of application:

Orillia Public Library
36 Mississaga Street West
Orillia, Ontario

7. **Orillia, Ontario**
Application No. 2008-0804-0

Application by **Rock 95 Broadcasting Ltd.** for a licence to operate an English-language FM commercial radio programming undertaking in Orillia.

The new station would operate on frequency 89.1 MHz (channel 206A) with an effective radiated power of 6,000 watts (non-directional antenna with an effective height of antenna above average terrain of 75 metres).

The applicant proposes a Hot Adult Contemporary (Hot AC) music format.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Applicant's address:

431 Huronia Road
 Barrie, Ontario
 L4N 9B3
 Fax: 705-792-7858
 E-Mail: dbingley@rock95.com

Examination of application:

Information Services Desk
 Orillia Public Library
 36 Mississaga Street West
 Orillia, Ontario

8. **Orillia, Ontario**
Application No. 2008-0800-1

Application by **Instant Information Services Incorporated** for a licence to operate a low power English-language tourist information FM radio programming undertaking in Orillia.

The new station would operate on frequency 98.5 MHz (channel 253LP) with an effective radiated power of 50 watts (non-directional antenna with an effective height of antenna above average terrain of 60 metres).

The applicant proposes to operate a tourist information service consisting in repeated loops of information on current weather, road conditions, Bank of Canada exchange rate and tourist/community information about local events and attractions. The station will also have the capacity to serve as an emergency broadcast system in the event of an emergency in the Orillia area.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Applicant's address:

170 Thompson Run
Halifax, Nova Scotia
B4B 1T7
Fax: 902-832-5586
E-Mail: jack@informationradio.ca

Examination of application:

Employment Resource Center
50 Andrew Street South
Orillia, Ontario

9. **Gravenhurst, Ontario**
Application No. 2007-1150-9

Application by **JOCO Communications Inc.** for a licence to operate an English-language FM commercial radio programming undertaking in Gravenhurst.

The new station would operate on frequency 101.7 MHz (channel 269A) with an average effective radiated power of 1,780 watts (maximum effective radiated power of 3,160 watts with an effective height of antenna above average terrain of 26 metres).

The applicant proposes to operate an Oldies music format.

Applicant's address:

204 King Street
Suite 130
Sturgeon Falls, Ontario
P2B 3K5
Fax: 705-753-6776
E-Mail: joco993@yahoo.ca

Examination of application:

1165 Bethume Drive
Gravenhurst, Ontario

10. **Gravenhurst, Ontario**
Application No. 2008-0867-8

Application by **JOCO Communications Inc.** for a licence to operate an English-language FM commercial radio programming undertaking in Gravenhurst.

The new station would operate on frequency 101.7 MHz (channel 269A) with an average effective radiated power of 1,780 watts (maximum effective radiated power of 3,160 watts with an effective height of antenna above average terrain of 26 metres).

The applicant proposes to operate an All Hits/All Canadian music format.

Applicant's address:

204 King Street
 Suite 130
 Sturgeon Falls, Ontario
 P2B 3K5
 Fax: 705-753-6776
 E-Mail: joco993@yahoo.ca

Examination of application:

1165 Bethume Drive
 Gravenhurst, Ontario

11. **Gravenhurst, Ontario**
Application No. 2008-0963-4

Application by **Instant Information Services Incorporated** for a licence to operate a low power English-language tourist information FM radio station in Gravenhurst.

The new station would operate on frequency 101.9 MHz (channel 270LP) with an effective radiated power of 50 watts (non-directional antenna with an effective height of antenna above average terrain of 60 metres).

The applicant is proposing to operate a tourist information service consisting of repeated loops of information on current weather, road conditions, Bank of Canada exchange rate and tourist/community information about local events and attractions. The station will also have the capacity to serve as an emergency broadcast system in the event of an emergency in the Bracebridge/Gravenhurst area.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Applicant's address:

170 Thompson Run
Halifax, Nova Scotia
B4B 1T7
Fax: 902-832-5586
E-Mail: jack@informationradio.ca

Examination of application:

Town of Gravenhurst
190 Harvie Street
Gravenhurst, Ontario

12. **Huntsville, Ontario**
Application No. 2008-0513-7

Application by **Muskoka-Parry Sound Broadcasting Limited** relating to the licence of the English-language commercial radio station CFBK-FM Huntsville.

In order to improve the coverage of its station, the licensee proposes to change the authorized contours by increasing the effective radiated power from 5,000 watts to 43,400 watts and by decreasing the effective height of antenna above average terrain to 147.0 metres.

The station will continue using the 105.5 MHz frequency (channel 288B).

This application was gazetted on 1 May 2008 in Broadcasting Public Notice CRTC 2008-37. The intervention period closed on 5 June 2008, and no interventions were received in connection with this application.

The Commission notes that the proposed technical amendment would result in the station's 3 mV/m contours partly overlapping the Bracebridge market.

The Commission will be considering a related application at the same hearing:

An application by Newcap Inc. (Application No. 2008-1054-0, see item 24 of the current notice).

The Commission notes that Newcap will be representing the applicant for this related item.

Licensee's address:

46 Nanton Avenue
Toronto, Ontario
M4W 2Y9
Fax: 416-805-0866
E-Mail: cgrossman@hbgradio.com

Examination of application:

CFBK-FM
2-15 Main Street East
Huntsville, Ontario

13. **Bracebridge/Gravenhurst, Ontario**
Application No. 2008-0945-2

Application by **Larche Communications Inc.** for a licence to operate an English-language FM commercial radio programming undertaking in Bracebridge, Ontario.

The new station would operate on frequency 102.3 MHz (channel 272B1) with an average effective radiated power of 17,000 watts (maximum effective radiated power of 17,000 watts with an effective height of antenna above average terrain of 41.3 metres).

The applicant proposes a Country music format.

Applicant's address:

355 Cranston Crescent
Midland, Ontario
L4R 4L3
Fax: 705-526-3060
E-Mail: plarche@kicxfm.com

Examination of application:

Bracebridge Public Library
94 Manitoba Street
Bracebridge, Ontario

14. **Gravenhurst, Ontario**
Application No. 2008-0960-1

Application by **Bill (William) Wrightsell, on behalf of a corporation to be incorporated,** for a licence to operate an English-language FM commercial radio programming undertaking in Gravenhurst.

The new station would operate on frequency 102.3 MHz (channel 272B) with an average effective radiated power of 15,000 watts (maximum effective radiated power of 50,000 watts with an effective height of antenna above average terrain of 116 metres).

The applicant proposes to operate a Gold Based Adult Contemporary music format.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Applicant's address:

68 Cranbrooke Avenue
Toronto, Ontario
M5M 1M4
Fax: 807-346-5756
E-Mail: wrightselladto@rogers.com

Examination of application:

Bracebrigde Public Library
94 Manitoba Street
Bracebridge, Ontario

and

Gravenhurst Public Library
180 Sharpe Street West
Gravenhurst, Ontario

15. **Gravenhurst, Ontario**
Application No. 2008-0962-6

Application by **Bayshore Broadcasting Corporation** for a licence to operate an English-language FM commercial radio programming undertaking in Gravenhurst.

The new station would operate on frequency 102.3 MHz (channel 272B1) with an effective radiated power of 12,500 watts (non-directional antenna with an effective height of antenna above average terrain of 71 metres).

The applicant proposes a Classic Adult Contemporary music format.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Applicant's address:

270 Ninth Street East
Owen Sound, Ontario
N4K 5P5
Fax: 519-371-4242
E-Mail: rkentner@bayshorebroadcasting.ca

Examination of application:

Bracebrigde Public Library
94 Manitoba Street
Bracebridge, Ontario

and

Gravenhurst Public Library
180 Sharpe Street West
Gravenhurst, Ontario

16. **Gravenhurst, Ontario**
Application No. 2007-1294-4

Application by **Evanov Communications Inc., on behalf of a corporation to be incorporated**, for a licence to operate an English-language FM commercial radio programming undertaking in Gravenhurst.

The new station would operate on frequency 102.3 MHz (channel 272A) with an average effective radiated power of 2,484 watts (maximum effective radiated power of 6,000 watts with an effective height of antenna above average terrain of 92 metres).

The applicant proposes an Easy Listening music format.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Applicant's address:

5302 Dundas Street West
Toronto, Ontario
M9B 1B2
Fax: 416-233-8617
E-Mail: carmela@z1035.com

Examination of application:

Gravenhurst Public Library
 180 Sharpe Street West
 Gravenhurst, Ontario

17. **Belleville, Ontario**
Application No. 2008-1340-4

Application by **Quinte Broadcasting Company Limited** to renew the licence of the English-language commercial radio programming undertaking CJBQ Belleville, expiring 31 August 2009.

It appears to the Commission that the licensee may have failed to comply with the *Radio Regulations, 1986* concerning the broadcast of Canadian content for category 2 music during the broadcast week of March 9 to 15, 2003.

It further appears to the Commission that the licensee may have failed to comply with its condition of licence regarding its contributions to Canadian talent development for the 2006 broadcast year.

The Commission intends to inquire into these matters at the hearing. The Commission expects the licensee to show cause at this hearing why mandatory orders should not be issued requiring the licensee to comply with the *Radio Regulations, 1986* relating to the broadcast of Canadian content for category 2 music during the broadcast week and with its condition of licence relating to Canadian talent development contributions.

The Commission notes that, in Decision CRTC 2005-331 the station was issued a four-year short term renewal based on its failure to comply with the *Radio Regulations, 1986* relating to the broadcast of Canadian content for category 2 music.

Licensee's address:

10 Front Street South
 Belleville, Ontario
 K8N 2Y3
 Fax: 613-969-0374
 E-Mail: billmorton@mix97.com

Examination of application:

At the licensee's address

18. **St. Catharines, Ontario**
Reference No. 2008-1495-6

Please note that the information pertaining to the matters referred to below is only available in hard copy in the public examination file at the CRTC addresses listed in this Notice. However, submissions received from interested parties will be posted on the Commission's Web site.

The Commission has received complaints regarding **Pellpropco Inc.** licensee of the English-language commercial radio programming undertaking CHSC St. Catharines, concerning allegations that CHSC has re-oriented a significant portion of its programming to serve the Italian community of Toronto.

Further, over the course of the current licence term as set out in *CHSC St. Catharines – Licence renewal*, Broadcasting Decision CRTC 2003-388, performance evaluations undertaken by the Commission have revealed numerous instances of apparent non-compliance with the *Radio Regulations, 1986 (the Regulations)*.

In this regard, the Commission notes that on 28 July 2006, an application by the licensee was gazetted by Broadcasting Public Notice CRTC 2006-96 seeking authority to increase the level of third-language programming broadcast on CHSC to 40% of its broadcast week. In its response to interventions the licensee admitted that during the broadcast week of 13 August 2006, CHSC had exceeded the maximum weekly 15% third-language programming level stipulated in section 7.3 of *the Regulations* and as such was in violation of *the Regulations*.

In addition, a verification of the licensee's financial status by Commission staff revealed that CHSC's annual return for the fiscal year 2004-2005 had not been filed. The failure to file this annual return on a timely basis constitutes an apparent violation of subsection 9(2) of *the Regulations*, as communicated to the licensee by way of Commission staff letter dated 27 March 2006.

Subsequent to the 27 March 2006 letter, the licensee filed annual returns for CHSC for the fiscal years 2004-2005, 2005-2006 and 2006-2007. However, the licensee failed to file complete financial statements for each return for each 12 month period ending 31 August as required in Circular 404 and pursuant to subsection 9(2) of *the Regulations*. Although contacted on numerous occasions the licensee has yet to file the missing financial statements. Further, the licensee has failed to file complete annual Canadian talent development expenditure reports with each year's annual return as required. These failures constitute an apparent non-compliance with subsection 9(2) of *the Regulations* for the fiscal years 2004-2005, 2005-2006 and 2006-2007.

In a letter dated 15 January 2007, Commission staff requested the licensee to submit logger tapes and other material related to the programming broadcast by CHSC for the week of 7 to 13 January 2007. The licensee was unable to submit this material for the week requested. Failure to submit this requested material constitutes an apparent violation of subsections 8(5) and 8(6) of *the Regulations*, as communicated to the licensee by way of Commission staff letter dated 14 February 2007.

In order to conduct a second programming evaluation of CHSC, the Commission staff, in a letter dated 30 January 2008, requested the licensee to submit, logger tapes and other material related to the programming broadcast by CHSC for the week of 20 to 26 January 2008. The Commission staff informed the licensee by letter dated 25 March 2008, that the submitted music lists were incomplete making it impossible to conduct CHSC's programming evaluation. In a second letter dated 16 May 2008, Commission staff asked the licensee to submit its revised music lists. The licensee complied by the 13 June 2008 deadline.

In a letter dated 29 August 2008, Commission staff advised the licensee that CHSC's programming evaluation revealed three instances where by the licensee may have failed to comply *the Regulations*:

1. Non-compliance with subsection 2.2(8) of *the Regulations* – the programming evaluation estimated that CHSC broadcast 28.9% Canadian content in Category 2 music over the broadcast week rather than the weekly regulatory minimum of 35%.
2. Non-compliance with subsection 7(3) of *the Regulations* – the programming evaluation estimated that CHSC devoted 15.9% (20 hours) of the broadcast week to third-language programming, exceeding the regulatory maximum of 15%.
3. Non-compliance with subsection 8(4) of *the Regulations* - the licensee failed to provide complete program logs as required under *the Regulations*.

In response to the complaints alleging that the licensee has re-oriented CHSC's local programming to serve the Italian community of Toronto, an investigation by Commission staff revealed that a significant portion of CHSC's weekday and weekend programming does appear to be directed to Toronto's Italian community. This programming consists of both third-language Italian spoken word programming and large programming blocks of Italian music programming accompanied by English-language spoken word.

The licensee confirmed, in writing, that it has engaged a third party to provide it with Italian third-language programming and the Italian music programming. This programming originates from studios located in Woodbridge, Ontario, some 80 kilometers from St. Catharines.

In response to the local programming orientation complaints the licensee confirmed in letters dated 15 July 2008 and 19 July 2008 that:

1. CHSC no longer operated out of its original St. Catharines office and studio facilities.
2. CHSC would be operating out of new studio and office facilities located at its current transmitter site by the end of July 2008.
3. The licensee would contact the Commission once CHSC's new St. Catharines based facilities were operational.

To date, the licensee has not confirmed with the Commission that CHSC's new St. Catharines based studio and office facilities are operational.

The Commission notes that CHSC is licensed to serve listeners in St. Catharines and the immediate surrounding area. In this context, the Commission may wish to discuss certain local programming issues with the licensee including the extent to which CHSC's current local programming content and programming orientation is of direct and particular relevance to St. Catharines and surrounding area, the community CHSC is licensed to serve.

In addition the Commission has received inquiries pertaining to ownership and control issues related to Pellpropco Inc. In view of these inquiries, the Commission may wish to clarify with the licensee current ownership arrangements.

The Commission intends to inquire into, hear and determine these matters. Therefore, pursuant to section 12 of the *Broadcasting Act*, the Commission calls Pellpropco Inc. to this public hearing, to show cause why a mandatory order requiring the licensee to conform to the *Radio Regulations, 1986* concerning Canadian content, the broadcasting of third-language programming, the filing of complete annual returns, and the provision of logger tapes, program logs and music lists should not be issued.

Further, pursuant to section 9(c) of the *Broadcasting Act*, the Commission will discuss with the licensee the possible imposition of conditions of licence related to the nature of the local programming broadcast on CHSC including the relevance and orientation of local programming to serve the particular needs and interests of the residents of St. Catharines and the surrounding area.

In addition the Commission will clarify certain current ownership issues.

Information related to these matters may be found in hard copy in the public examination file of this licensee, including copies of the complaints, undertaken evaluations as well as related correspondences.

The Commission notes that additional documents may be added to the public file subsequent to the issuance of this Notice of Public Hearing. Interested parties are accordingly advised to consult the public file for this item on an ongoing basis.

Licensee's address:

111 Zenway Boulevard, Unit 38
2nd Floor
Woodbridge, Ontario
L4H 3H9
Fax: 905-856-2398

Examination of documents:

CRTC – Toronto Office
 55 St. Clair Avenue East
 Suite 624
 Toronto, Ontario

19. **Across Canada**
Application No. 2008-1105-1

Application by **The Family Channel Inc.** for a licence to operate a national English-language Category 2 specialty television programming undertaking to be known as Family Extreme.

The applicant states that the programming will consist of programming from around the world targeted to children aged 6 to 17 years and their families. The schedule will include programs devoted to entertainment, humour, travel, games, science and technology.

The applicant proposes to offer programming from the following categories: 5(b), 6(b), 7(a), 7(b), 7(c), 7(d), 7(e), 7(f), 7(g), 8(a), 8(b), 8(c), 9, 10, 11, 12 and 13, as set out in Schedule I of the *Specialty Services Regulations, 1990*.

The applicant proposes that no more than 15% of all programming broadcast during the broadcast week shall be drawn from category 7(d) Theatrical feature films aired on TV, and 8 Music.

Applicant's address:

181 Bay Street
 Suite 100
 P.O. Box 787
 Toronto, Ontario
 M5J 2T3
 Fax: 514-939-5098
 E-Mail: abarin@tv.astral.com

Examination of application:

At the applicant's address

20. **Across Canada**
Application No. 2008-1110-1

Application by **Fairchild Television Ltd.** for a licence to operate a national general interest, third-language ethnic Category 2 specialty television programming undertaking to be known as Fairchild Television II.

The applicant proposes that the programming will target the Chinese speaking community in Canada and will consist of a wide array of information and entertainment TV programs in the Cantonese language, most of which cannot be scheduled for airing on the current analog Fairchild service due to its already fully occupied airtime capacity.

The applicant proposes to offer programming from the following categories: 1, 2(a), 2(b), 3, 4, 5(b), 6(a), 6(b), 7(a), 7(b), 7(c), 7(d), 7(e), 7(f), 7(g), 8(b), 9, 10, 11, 12, 13 and 14, as set out in Schedule I of the *Specialty Services Regulations, 1990*.

The applicant proposes to broadcast 40% or more of its programming in the Cantonese language, less than 40% in the Mandarin language, and not more than 10% in English, and/or Mandarin, and/or other Chinese dialects such as Shanghaiese, Fujianese etc.

The applicant requests that, of the 12 minutes of advertising material permitted during each clock hour, it may be authorized to broadcast up to 6 minutes of local and regional advertising.

Applicant's address:

Unit 3300-4151 Hazelbridge Way
Aberdeen Centre
Richmond, British Columbia
V6X 4J7
Fax: 604-295-1300
E-Mail: info@fairchildtv.com

Examination of application:

At the applicant's address

21. **Across Canada**
Application No. 2008-1113-4

Application by **Fairchild Television Ltd.** for a licence to operate a national general interest, third-language ethnic Category 2 specialty television programming undertaking to be known as Talentvision II.

The applicant proposes that the programming will target the Chinese speaking community in Canada, who are from Mainland China, and will consist of a wide array of information and entertainment TV programs in the Mandarin-language. Talentvision II (TTV II) will offer complementary programming content to the programming service currently available on Talentvision (TTV), serving primarily Mandarin-speaking Canadians who came to Canada from Mainland China and who have different tastes and preferences from Mandarin speaking people from different geographical backgrounds.

The applicant proposes to offer programming from the following categories: 1, 2(a), 2(b), 3, 4, 5(b), 6(a), 6(b), 7(a), 7(b), 7(c), 7(d), 7(e), 7(f), 7(g), 8(b), 9, 10, 11, 12, 13 and 14, as set out in Schedule I of the *Specialty Services Regulations, 1990*.

The applicant proposes to broadcast 40% or more of its programming in the Mandarin language, less than 40% in the Cantonese language, and not more than 10% in English, in Cantonese or in other Chinese dialects such as Shanghaiese or Fujianese.

The applicant requests that, of the 12 minutes of advertising material permitted during each clock hour, it may be authorized to broadcast up to 6 minutes of local and regional advertising.

Applicant's address:

Unit 3300-4151 Hazelbridge Way
Aberdeen Centre
Richmond, British Columbia
V6X 4J7
Fax: 604-295-1300
E-Mail: info@fairchildtv.com

Examination of application:

At the applicant's address

22. **Across Canada**
Application No. 2008-1268-7

Application by **Surjit S. Gill, on behalf of a corporation to be incorporated**, for a licence to operate a national niche third-language ethnic Category 2 specialty programming undertaking to be known as Music India 2 Television.

The applicant states that the proposed service will offer 100% programming in the Hindi language consisting of a 24-hour Hindi music channel devoted to music videos and music-related content.

The applicant proposes to offer programming from the following categories: 8(a), 8(b), 8(c) and 9, as set out in Schedule I of the *Specialty Services Regulations, 1990*.

The applicant requests that, of the 12 minutes of advertising material permitted during each clock hour, it be authorized to broadcast up to 6 minutes of local and regional advertising.

Applicant's address:

2168 Burquitlam Drive
Vancouver, British Columbia
V5P 2P1
Fax: 604-322-5838
E-Mail: Surjit_s_gill@hotmail.com

Examination of application:

At the applicant's address

23. **Bridgewater, Nova Scotia**
Application No. 2008-1251-2

Application by **Acadia Broadcasting Limited** for a licence to operate an English-language FM commercial radio programming undertaking in Bridgewater.

The new station would operate on frequency 100.7 MHz (channel 264B1) with an effective radiated power of 10,000 watts (non-directional antenna with an effective height of antenna above average terrain of 149.7 metres).

The applicant proposes a Country music format.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Applicant's address:

58 King Street
Saint-John, New Brunswick
E2L 3T4
Fax: 506-632-3407
E-Mail: macmullin.jim@radioabl.ca

Examination of application:

CKBW Radio
215 Dominion Street
Bridgewater, Nova Scotia

24. **Elliot Lake, Timmins, Parry Sound, Bracebridge, Kapuskasing, Hearst, Iroquois Falls, Bancroft, Cochrane, North Bay, Haliburton and Huntsville, Ontario**
Application No. 2008-1054-0

Application by **Newcap Inc.** (Newcap) for authority to acquire from The Haliburton Broadcasting Group Inc. (Haliburton) the assets of the following commercial radio programming undertakings:

- CHMS-FM Bancroft;
- CFBG-FM Bracebridge;
- CHPB-FM Cochrane;
- CKNR-FM Elliot Lake and its transmitter CKNR-FM-1 Elliot Lake;
- CFZN-FM Haliburton;
- CFIF-FM Iroquois Falls;
- CKAP-FM Kapuskasing and its transmitter CKHT-FM Hearst;
- CFXN-FM North Bay;
- CKLP-FM Parry Sound; and
- CHMT-FM Timmins.

The applicant is also seeking authority to acquire the assets of commercial radio undertaking CFBK-FM Huntsville from Muskoka-Parry Sound Broadcasting Limited (Muskoka), a wholly-owned subsidiary of Haliburton.

The applicant is requesting new licences to continue the operation of the undertakings under the same terms and conditions as those in effect under the current licences, upon surrender of the licences currently issued to Haliburton and Muskoka.

The value of the transaction based on the terms of the purchase agreement is \$18,950,000. Pursuant to the *Commercial Radio Policy, 2006* (Public Notice CRTC 2006-158, 15 December 2006), the applicant has proposed a tangible benefits package totalling \$1,137,000 to be paid over a seven-year period (representing 6% of the value of the transaction).

The Commission notes that three of the stations being acquired are presently in their first term of licence (CHPB-FM Cochrane - Broadcasting Decision CRTC 2003-580, CFXN-FM North Bay - Broadcasting Decision CRTC 2005-393 and CFZN-FM Haliburton - Broadcasting Decision CRTC 2005-488).

The Commission also notes that control of Muskoka, licensee of CFBK-FM Huntsville, was recently transferred to Haliburton (Public Notice CRTC 2008-14). The applicant has committed to assume the unfulfilled tangible benefits resulting from this previous transaction.

The Commission will be considering two related applications at the same hearing:

An application by Muskoka requesting a technical amendment to CFBK-FM Huntsville (Application No. 2008-0513-7, see item 12 of the current Notice); and an application by Newcap for a licence to operate an English-language FM commercial radio programming undertaking in Orillia. (Application No. 2008-0799-3, see item 4 of the current Notice).

The Commission notes that Newcap will be representing the applicants for all related items.

Applicant's address:

745 Windmill Road
Dartmouth, Nova Scotia
B3B 1C2
Fax: 902-468-5661
E-Mail: dmurray@ncc.ca

Examination of application:

At the applicant's address

and

CHMS-FM 97.7
30674 Highway 28 East
Bancroft, Ontario

50-1 Balls Drive
Bracebridge, Ontario

60 James Street, Suite 301
Parry Sound, Ontario

152 Highland Street, Upper Level
Haliburton, Ontario

22 Queen Street, Unit 2A
Kapusksasing, Ontario

118 Main Street East
North Bay, Ontario

32 Mountjoy Street North
Timmins, Ontario

15 Charles Walk
Elliot Lake, Ontario

153 3rd Street, North Office
Cochrane, Ontario

2-15 Main Street East
Huntsville, Ontario

25. **Scarborough, Ontario**
Application No. 2008-1161-3

Application by **Subanasiri Vaithilingam, on behalf of a corporation to be incorporated**, for a licence to operate an AM commercial ethnic radio programming undertaking in Scarborough.

The new station would operate on frequency 1 350 kHz with a transmitter power of 1,000 watts day-time and 87 watts night-time.

The applicant proposes to direct ethnic programming to a minimum of 5 groups in a minimum of 6 languages.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Applicant's address:

2370 Midland Avenue
Suite B17
Toronto, Ontario
M1S 5C6
Fax: 416-946-1475
E-Mail: frogers1@sympatico.ca

Examination of application:

At the applicant's address

26. **Wallaceburg, Ontario**
Application No. 2008-1198-6

Application by **Five Amigos Broadcasting Inc.** for a licence to operate an English-language FM commercial radio programming undertaking in Wallaceburg.

The new station would operate on frequency 99.1 MHz (channel 256A) with an average effective radiated power of 570 watts (maximum effective radiated power of 1,000 watts with an effective height of antenna above average terrain of 60 metres).

The applicant proposes an Adult Contemporary music format.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Applicant's address:

7275 Riverview Drive
Chatham, Ontario
N7L 4W7
Fax: 519-436-1574
E-Mail: gaarssen@altagas.ca

Examination of application:

Wallaceburg Library
209 James Street
Wallaceburg, Ontario

27. **Markham, Ontario**
Application No. 2008-1264-5

Application by **Kumar Nadarajah, on behalf of a corporation to be incorporated**, for a licence to operate an AM commercial ethnic radio programming undertaking in Markham.

The new station would operate on frequency 960 kHz with a transmitter power of 1,000 watts day-time and 175 watts night-time.

The applicant proposes to direct ethnic programming to a minimum of 22 groups in a minimum of 16 languages.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Applicant's address:

622 Highglen Avenue
Markham, Ontario
L3S 4P6
Fax: 416-267-7707
E-Mail: markhamradio@gmail.com

Examination of application:

Unionville – Markham Public Library
 15 Library Lane
 Markham, Ontario

28. **Milverton, Ontario**
Application No. 2008-1262-9

Application by **Mornington Communications Co-operative Limited** for a licence to operate a regional video-on-demand programming undertaking to serve the villages and surrounding rural areas of Milverton, Gadshill, Newton, Millbank, Hesson, and portions of Listowel.

The applicant proposes to offer programming that will consist primarily of feature films but may also include other types of programming such as children's video, short films, and television shows.

The applicant also indicates that the programming will be predominantly in the English-language.

The applicant is seeking a condition of licence that would permit it to distribute, on an on-demand basis, programming that contains commercial messages where those commercial messages were already included in a program previously aired by a Canadian programming undertaking. Such a program offered on an on-demand basis would be offered at no charge to the subscriber.

Specifically, the applicant is requesting the following conditions of license:

1. The applicant shall adhere to the *Pay Television Regulations, 1990*, with the exception of paragraph 3(2)(d) Commercial messages, and section 4 Logs and records.
2. The applicant shall not include as part of its video-on-demand offering any program containing a commercial message except where:
 - (a) the message was already included in a program previously broadcast by a Canadian programming service;
 - (b) the program's inclusion as part of the video-on-demand offering is in accordance with the terms of a written agreement entered into with the operator of the Canadian programming service that broadcast the program; and
 - (c) the program is offered to subscribers on an on-demand basis at no charge.

Applicant's address:

16 Mill Street East
 Milverton, Ontario
 N0K 1M0
 Fax: 519-595-4142
 E-Mail: rbanks@mornington.ca

Examination of application:

At the applicant's address

29. **Zurich, Ontario**
Application No. 2008-1263-7

Application by **Hay Communications Co-operative Limited** for a licence to operate a regional video-on-demand programming undertaking to serve the villages and surrounding rural areas of Zurich, Grand Bend and Dashwood.

The applicant proposes to offer programming that will consist primarily of feature films but may also include other types of programming such as children's video, short films, and television shows.

The applicant also indicates that the programming will be predominantly in the English-language.

The applicant is seeking a condition of licence that would permit it to distribute, on an on-demand basis, programming that contains commercial messages where those commercial messages were already included in a program previously aired by a Canadian programming undertaking. Such a program offered on an on-demand basis would be offered at no charge to the subscriber.

Specifically, the applicant is requesting the following conditions of license:

1. The applicant shall adhere to the *Pay Television Regulations, 1990*, with the exception of paragraph 3(2)(d) Commercial messages, and section 4 Logs and records.

2. The applicant shall not include as part of its video-on-demand offering any program containing a commercial message except where:

(a) the message was already included in a program previously broadcast by a Canadian programming service;

(b) the program's inclusion as part of the video-on-demand offering is in accordance with the terms of a written agreement entered into with the operator of the Canadian programming service that broadcast the program; and

(c) the program is offered to subscribers on an on-demand basis at no charge.

Applicant's address:

72863 Blind Line
P.O. Box 99
Zurich, Ontario
N0M 2T0
Fax: 519-236-7776
E-Mail: hay@hay.net

Examination of application:

At the applicant's address

30. **Brighton, Ontario**
Application No. 2008-1311-4

Application by **My Broadcasting Corporation** for a licence to operate an English-language FM commercial radio programming undertaking in Brighton.

The new station would operate on frequency 100.9 MHz (channel 265A) with an average effective radiated power of 650 watts (maximum effective radiated power of 1,450 watts/directional antenna with an effective height of antenna above average terrain of 147 metres).

The applicant propose an Adult Contemporary/Gold music format.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Applicant's address:

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

Examination of application:

Brighton Public Library
35 Alice Street
Brighton, Ontario

31. **Windsor and Leamington, Ontario**
Application No. 2008-1352-8

Application by **Canadian Broadcasting Corporation** to convert radio station CBE Windsor from the AM band to the FM band.

The applicant is also proposing to establish a new FM transmitter at Leamington.

The new station would operate on frequency 97.5 MHz (channel 248B) with an average effective radiated power of 3,200 watts (maximum effective radiated power of 19,000 watts with an effective height of antenna above average terrain of 130.1 metres).

The Leamington transmitter would operate on frequency 91.5 MHz (channel 218B1) with an average effective radiated power of 6,100 watts (maximum effective radiated power of 10,400 watts with an effective height of antenna above average terrain of 58.7 metres).

The applicant is requesting, pursuant to sections 9(1)(e) and 24(2) of the *Broadcasting Act*, the revocation of the licence of CBE effective at the end of the simulcast period.

The applicant has indicated that it will apply, within 30 days of the implementation of the proposed FM transmitter at Windsor, for the revocation of the authority granted in Broadcasting Decision CRTC 2008-101 for a nested FM transmitter on the 102.3 MHz frequency in Windsor.

The applicant has indicated that it will launch both the Windsor and Leamington transmitters within one year of the approval where, at which time, it will operate in simulcast mode for three months. Following this period, the applicant is also requesting, pursuant to sections 9(1)(e) and 24(1) of the *Broadcasting Act*, the revocation of the licence of CBE Windsor.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

This application requires the issuance of a new licence.

Applicant's address:

P.O. Box 3220, Station C
 Ottawa, Ontario
 K1Y 1E4
 Fax: 613-288-6257
 E-Mail: regulatoryaffairs@cbc.ca

Examination of application:

CBC / Radio-Canada
825 Riverside Drive West
Windsor, Ontario

and

Municipality of Leamington
38 Eric Street North
Leamington, Ontario

32. **Calgary, Alberta**
Application No. 2008-1064-9

Application by **Touch Canada Broadcasting (2006) Inc. (the general partner), and 1188011 Alberta Ltd. and Touch Canada Broadcasting Inc. (the limited partners), carrying on business as Touch Canada Broadcasting Limited Partnership** for a licence to operate an English-language AM commercial radio programming undertaking in Calgary.

The new station would operate on frequency 700 kHz with a transmitter power of 50,000 watts day-time and 20,000 watts night-time.

The applicant proposes a Gospel music format.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Applicant's address:

5324 Calgary Trail
Suite 210
Edmonton, Alberta
T6H 4J8
Fax: 780-430-2815
E-Mail: applications@touchcanada.com

Examination of application:

#100-4510 Macleod Trail South
Calgary, Alberta

33. **St. Paul, Alberta**
Application No. 2008-1073-0

Application by **3937844 Canada Inc.**, a subsidiary of Newcap Inc., to convert radio station CHLW St. Paul from the AM band to the FM band.

The new station would operate on frequency 97.7 MHz (channel 249B) with an average effective radiated power of 16,000 watts (maximum effective radiated power of 36,000 watts with an effective height of antenna above average terrain of 122.6 metres).

The applicant proposes a Country music format.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

This application requires the issuance of a new licence.

Applicant's address:

745 Windmill Road
 Dartmouth, Nova Scotia
 B3B 1C2
 Fax: 902-468-5661
 E-Mail: dmurray@ncc.ca

Examination of application:

#201 4341-50th Street
 St. Paul, Alberta

34. **High Prairie, Alberta**
Application No. 2008-1075-6

Application by **3937844 Canada Inc.**, a subsidiary of Newcap Inc., to convert radio station CKVH High Prairie from the AM band to the FM band.

The new station would operate on frequency 93.5 MHz (channel 228B1) with an effective radiated power of 25,000 watts (non-directional antenna with an effective height of antenna above average terrain of 65.9 metres).

The applicant proposes a Classic Hits music format.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

This application requires the issuance of a new licence.

Applicant's address:

745 Windmill Road
 Dartmouth, Nova Scotia
 B3B 1C2
 Fax: 902-468-5661
 E-Mail: dmurray@ncc.ca

Examination of application:

4833 – 52nd Avenue
 High Prairie, Alberta

35. **Merritt, British Columbia**
Application No. 2008-1032-6

Application by **Merritt Broadcasting Ltd.** to convert the English-language commercial radio station CJNL Merritt from the AM band to the FM band.

Merritt Broadcasting Ltd. is a corporation controlled by N L Broadcasting Ltd.

The new station would operate on frequency 101.1 MHz (channel 266B1) with an effective radiated power of 200 watts (omni-directional antenna with an effective height of antenna above average terrain of 601.4 metres).

This AM to FM conversion is tied to an application (2008-1033-4) filed by N L Broadcasting Ltd. licensee of CHNL Kamloops to add an AM transmitter at Merritt.

The addition of the AM transmitter will ensure that CHNL's programming continues to be available in Merritt since CJNL also broadcasts programming received from CHNL.

The applicant has indicated that both applications are non severable.

The applicant is requesting permission to simulcast the programming of the new FM station on CJNL for a period of 3 months from the date of implementation of the new FM station.

The applicant is also requesting, pursuant to sections 9(1)(e) and 24(1) of the *Broadcasting Act*, the revocation of the licence of CJNL-AM effective at the end of the simulcast period.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

This application requires the issuance of a new licence.

Applicant's address:

611 Lansdowne Street
Kamloops, British Columbia
V2C 1Y6
Fax: 250-372-2293
E-Mail: rdunn@radionl.com

Examination of application:

201 – 2196 Quilchena Avenue
Merritt, British Columbia

36. **Merritt, British Columbia**
Application No. 2008-1033-4

Application by **N L Broadcasting Ltd.** (NLB) to amend the licence of the English-language AM commercial radio programming undertaking CHNL Kamloops, British Columbia.

The licensee proposes to add an AM transmitter at Merritt.

The new transmitter would operate on frequency 1230 kHz (class C) with a transmitter power of 1,000 watts, day-time and night-time.

This transmitter addition is tied to an application (2008-1032-6) filed by Merritt Broadcasting Ltd. (a corporation controlled by NLB) to convert radio station CJNL Merritt from the AM band to the FM band. CJNL also broadcasts programming received from CHNL.

The addition of the AM transmitter at Merrit will ensure that CHNL's programming continues to be available in Merrit.

The transmitter will operate under the same technical parameters as authorized to CJNL.

The licensee has indicated that both applications are non severable.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Licensee's address:

611 Lansdowne Street
 Kamloops, British Columbia
 V2C 1Y6
 Fax: 250-372-2293
 E-Mail: rdunn@radionl.com

Examination of application:

201 – 2196 Quilchena Avenue
 Merritt, British Columbia

37. **Lake Cowichan, British Columbia**
Application No. 2008-1095-4

Application by the **Cowichan Valley Community Radio Society** for a licence to operate an English-language FM developmental community radio programming undertaking in Lake Cowichan.

The new station would operate on frequency 98.7 MHz (channel 254VLP) with an average effective radiated power of 3.7 watts (maximum effective radiated power of 5 watts with an effective height of antenna above average terrain of 14 metres).

The applicant plans to focus its music programming on local talent. It also wishes to establish itself as an emergency service broadcaster by proving a link to the various community emergency services in the Cowichan Valley.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Applicant's address:

37 Wellington Road
 Lake Cowichan, British Columbia
 V0R 2G0
 Fax: 250-749-6689
 E-Mail: admin@cvcradio.ca

Examination of application:

At the applicant's address

38. **Kelowna, British Columbia**
Application No. 2008-1464-1

Application by **Sun Country Radio Ltd.** to acquire the assets of the radio programming undertaking CKKO-FM Kelowna from Sun Country Cablevision Ltd.

The applicant is also requesting a licence to continue the operation of the undertaking under the same terms and conditions as those in effect under the current licence.

As part of the proposed corporate reorganization, Sun Country Radio Ltd. would acquire the assets of CKKO-FM from Sun Country Cablevision Ltd. The licence to operate the cable distribution undertaking serving Salmon Arm will continue to be held by Sun Country Cablevision Ltd.

Sun Country Radio Ltd. is a corporation controlled by its board of directors which composed of the same directors as for Sun Country Cablevision Ltd.'s board of directors.

The Commission has not issued the licence for this undertaking because the requirements for the issuance of the licence have not yet been met.

Applicant's address:

51-3rd Street, North-East
 Salmon Arm, British Columbia
 V1E 4N2
 Fax: 250-832-2146
 E-Mail: mike.hall@sunwave.net

Examination of application:

1601 Bertram Street
 Kelowna, British Columbia

39. **Iqaluit, Nunavut**
Application No. 2008-1307-3

Application by **Northern Lights Entertainment Inc.** (Northern Lights) for authority to acquire from Nunavut Nalautinga Ltd. (Nalautinga) the assets of the English-language commercial radio programming undertaking CKIQ-FM Iqaluit.

The applicant is requesting a new licence to continue the operation of the undertaking under the same terms and conditions as those in effect under the current licence, upon surrender of the licence currently issued to Nalautinga.

Following the proposed transaction Northern Lights, a corporation owned and controlled by Mr. Glenn Craig, would become the licensee of the broadcasting undertaking listed above.

The value of the transaction based on the terms of the purchase agreement is \$185,000. The applicant is requesting an exemption from the tangible benefits policy.

Applicant's address:

P.O. Box 417
Iqaluit, Nunavut
X0A 0H0
Fax: 867-975-2598
E-Mail: ckiqfm@gmail.com

Examination of application:

262 Tumiit Plaza
Iqaluit, Nunavut

Public Participation

Deadline for interventions/comments

18 December 2008

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.

The intervention must include one of the following statements in either the first or the last paragraph:

- 1 - I request to appear at the public hearing.
- 2 - I do not want to appear at the public hearing.

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.

In the event that the application is brought to the oral phase of the hearing, and if you wish to appear, you must provide reasons why your written comments are not sufficient and why an appearance is necessary.

Persons requiring communications support such as assistance listening devices and sign language interpretation are requested to inform the Commission at least twenty (20) days before the commencement of the public hearing so that the necessary arrangements can be made.

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.

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.

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.

Please note that the information you provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the Webpage of this particular public process. As a result, a general search of our Web site with the help of either our own search engine or a third-party search engine will not provide access to the information which was provided as part of this public process.

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
 Dartmouth, Nova Scotia B3A 4S5
 Tel: 902-426-7997
 FAX: 902-426-2721

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
Tel: 204-983-6306 – TDD: 204-983-8274
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
Tel: 604-666-2111 – TDD: 604-666-0778
FAX: 604-666-8322

Secretary General

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