



## Broadcasting Public Notice CRTC 2008-93

Ottawa, 17 October 2008

### Notice of consultation

#### Applications received

#### Various locations

**Deadline for submission of interventions/comments: 21 November 2008**

The Commission has received the following applications:

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

#### Item Applicant and Locality

1. **Avis de Recherche inc.**  
Across Canada  
Application No. 2008-0898-3
2. **Fairchild Television Ltd.**  
Across Canada  
Application No. 2008-1225-7
3. **TVA Group Inc.**  
Across Canada  
Application No. 2008-1299-2
4. **Ontario French Language Educational Communications Authority**  
Province of Ontario  
Application No. 2008-1303-1
5. **Canadian Broadcasting Corporation**  
Calgary and Etzikom, Alberta  
Application No. 2008-1121-7

1. **Across Canada**  
**Application No. 2008-0898-3**

Application by **Avis de Recherche inc.** to amend Distribution order 2007-4, appended to Broadcasting Decision CRTC 2007-246. By this order, DTH distribution undertaking licensees, as well as Class 1 and Class 2 distribution undertakings, excluding multipoint distribution system undertakings, must provide Avis de Recherche's programming service to all digital subscribers living in the province of Quebec as part of digital basic service, effective 24 January 2008.

The applicant proposes to replace paragraph (d) of the distribution order, which reads:

(d) Notwithstanding the foregoing, distribution licensees shall not be required to distribute Avis de Recherche's programming pursuant to this Order unless the licensee or a third party pays for the satellite uplink and transponder costs associated with the delivery of its programming service to such licensees.

with the following paragraph:

(d) Notwithstanding the foregoing, distribution licensees shall not be required to distribute Avis de Recherche's programming pursuant to this Order unless the licensee or a third party pays for the costs of transporting its programming service, by fibre optic cable, to the Montréal Téléport.

*Applicant's address:*

6555 Métropolitain Blvd. East  
Suite 401  
Montréal, Quebec  
H1P 3H3  
Fax: 514-376-1213

*Examination of application:*

At the applicant's address

2. **Across Canada**  
**Application No. 2008-1225-7**

Application by **Fairchild Television Ltd.** to amend the licence of the national ethnic specialty programming undertaking known as Fairchild Television.

The licensee proposes to delete condition of licence 6, which limits spending on programming purchased from TVB of Hong Kong (TVB) which reads:

The licensee shall, in each broadcast year, expend on non-Canadian programs produced by, and acquired from, sources other than TVB or its subsidiaries, an amount representing not less than 15% of its total expenditures on non-Canadian programs.

The licensee also proposes to amend condition of licence 7, which relates to the reporting of such spending, to remove the reference to the deleted condition of licence. The amended paragraph would read:

The licensee shall submit a report, by 30 November 2004 and annually thereafter throughout the licence term, containing data setting out the expenditures it has made to comply with the requirements specified in condition of licence 5 above.

The applicant stated that it is seeking the removal of the spending limit because it believes this limit unnecessarily intrudes on its ability to make prudent business decisions in the acquisition of a variety of non-Canadian, Chinese-language programming from a variety of sources.

The impact of the proposed amendment would be to eliminate the applicant's spending limit with respect to TVB programming, while maintaining existing limits on the number of hours of such programming that may be aired.

*Licensee's address:*

Unit 3300-4151 Hazelbridge Way  
Aberdeen Centre  
Richmond, British Columbia  
V6X 4J7  
Fax: 604-295-1300  
E-Mail: [sephtonc@fairchildtv.com](mailto:sephtonc@fairchildtv.com)

*Examination of application:*

At the licensee's address

3. **Across Canada  
Application No. 2008-1299-2**

Application by **TVA Group Inc.** to amend the licence of the specialty television service known as Le Canal Nouvelles (LCN).

The licensee proposes to make the above-noted service 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 services*, Broadcasting Public Notice CRTC 2006-74, 15 June 2006, programming on the analog service and on the upgraded service 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:*

1600 de Maisonneuve Boulevard East  
Montréal, Quebec  
H2L 4P2  
Fax: 514-380-4664  
E-Mail: [reglementaires@quebecor.com](mailto:reglementaires@quebecor.com)

*Examination of application:*

Department of Regulatory Affairs of QMi  
612 St-Jacques Street  
15<sup>th</sup> Floor  
South Tower  
Montréal, Quebec

and at the following website:

<http://www.quebecor.com/NewsCenter/publicfiles.aspx?Culture=en>

4. **Province of Ontario**  
**Application No. 2008-1303-1**

Application by the **Ontario French Language Educational Communications Authority** to amend the licence of the satellite-to-cable television service known as TFO.

The licensee proposes to make the above-noted service 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 services*, Broadcasting Public Notice CRTC 2006-74, 15 June 2006, programming on the analog service and on the upgraded service 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:*

21 College Street  
Post Office Box 3005  
Station F  
Toronto, Ontario  
M4Y 2M5  
Fax: 416-968-8208  
E-Mail: [lbrunet@tfo.org](mailto:lbrunet@tfo.org)

*Examination of application:*

At the licensee's address

5. **Calgary and Etzikom, Alberta**  
**Application No. 2008-1121-7**

Application by the **Canadian Broadcasting Corporation (CBC)** to amend the licence of television programming undertaking CBRT Calgary by adding the existing transmitter CBCA-TV-1 Etzikom to its list of transmitters.

The CBC proposes to change the program feed source for CBCA-TV-1 Etzikom from CHAT-TV Medicine Hat (AB) to CBRT Calgary. The change is required as a result of Broadcasting Decision CRTC 2008-49, which approved the disaffiliation of CHAT-TV Medicine Hat (AB) from the CBC.

The CBC agrees to relinquish its present radiocommunication distribution undertaking licence for CBCA-TV-1 Etzikom as it is no longer required.

*Licensee's address:*

181 Queen Street  
Ottawa, Ontario  
K1P 1K9  
Fax: 613-288-6257  
E-Mail: [regulatoryaffairs@cbc.ca](mailto:regulatoryaffairs@cbc.ca)

*Examination of application:*

CBC  
1724 Westmount Blvd. N.W.  
Calgary, Alberta

Office of the County of Forty Mile 8  
303 Main Street  
Foremost, Alberta

## **Public Participation**

### **Deadline for Interventions/Comments**

**21 November 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.

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](http://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 Website 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 – 11<sup>th</sup> 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

*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>