



Broadcasting Notice of Consultation CRTC 2009-2

Route reference:

Decision CRTC 2008-222

Additional references:

Public Notice CRTC 2007-66 and Notices of Public Hearing CRTC 2007-13 and 2008-1

Ottawa, 8 January 2009

Notice of hearing

31 March 2009

Gatineau, Quebec

Deadline for submission of interventions/comments: 12 February 2009

The Commission will hold a public hearing commencing on **31 March 2009 at 9:30 a.m. at the Conference Centre, Portage IV, 140 Promenade du Portage, Gatineau, Quebec** to consider the applications described below.

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

PREAMBLE

Items 1 to 10

On 22 June 2007, the Commission issued Broadcasting Public Notice CRTC 2007-66 calling for applications for broadcasting licences to provide radio programming services for Ottawa, Ontario and Gatineau, Quebec.

In response to this call, the Commission received 11 applications for licences to serve this area.

Those applications were first scheduled to be heard at a public hearing on 3 December 2007 (Broadcasting Notice of Public Hearing CRTC 2007-13, 4 October 2007) but were withdrawn to be rescheduled at a later date (Broadcasting Notice of Public Hearing CRTC 2007-13-2, 3 November 2007).

At a public hearing commencing 13 May 2008 (Broadcasting Notice of Public Hearing CRTC 2008-1) in the National Capital Region, the Commission considered the 11 applications for new radio programming undertakings to serve Ottawa and Gatineau. On 26 August 2008, in Broadcasting Decision CRTC 2008-222 (the Decision), the Commission approved the applications by Astral Media Radio Inc. and by Frank Torres, on behalf of a corporation to be incorporated (OBCI), for broadcasting licences to operate new English-language commercial FM radio stations to serve Ottawa and Gatineau.

On 20 November 2008, by Orders-in-Council P.C. 2008-1769 and P.C. 2008-1770 issued pursuant to section 28 of the *Broadcasting Act* (the Orders-in-Council), the Governor in Council referred the Decision back to the Commission for reconsideration and hearing.

The Orders-in-Council expressed the opinion of the Governor in Council that it is material to the reconsideration and hearing that the Commission fully consider and explain its approach to evaluating the needs of official-language minority communities and how it applies in this case.

As part of this process, in a letter dated 8 December 2008, the Commission sought comments from the applicants in regards to, among other things, the needs of official-language minority communities. Applicants were also invited to amend their applications, if so desired, in light of the Orders-in-Council.

The Commission notes that following a second letter to the applicants dated 23 December 2008, 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 these items on an ongoing basis.

The replies of the applicants to the Commission's letters and the amendments to their applications form part of this public process and are available on the public examination file of each applicant.

Pursuant to the Orders-in-Council described above, the Commission's reconsideration of the applications described below will focus on the needs of official-language minority communities in the Ottawa-Gatineau radio market.

The Commission will consider the interventions and replies already placed on the public file for the 3 December 2007 and 13 May 2008 hearings, as well as the interventions received in the context of this proceeding. (Available on the Commission Web site at www.crtc.gc.ca).

In light of the above, interventions should focus on the needs of official-language minority communities and how such needs should be considered in the Commission's evaluation of the applications. Interventions should be limited to the recent amendments submitted by the applicants dealing with this matter. Interveners wishing to appear must clearly indicate so in their intervention.

The Commission notes that Christian Hit Radio Inc. (application 2007-0072-5) indicated that it does not wish to see its application included in this public process.

Item Applicant and locality

1. **Astral Media Radio Inc.**
Ottawa, Ontario and Gatineau, Quebec
Application No. 2007-1204-3
2. **Frank Torres, on behalf of a corporation to be incorporated**
Ottawa, Ontario
Application No. 2007-1203-5
3. **Réel-Radio**
Gatineau, Quebec
Application No. 2007-0001-0
4. **Radio de la communauté francophone d'Ottawa**
Ottawa, Ontario
Application No. 2007-1217-6
5. **Fiston Kalambay Mutombo, on behalf of a corporation to be incorporated**
Ottawa, Ontario
Application No. 2007-0069-2
6. **Instant Information Services Incorporated**
Ottawa, Ontario
Application No. 2007-1177-2
7. **Instant Information Services Incorporated**
Ottawa, Ontario
Application No. 2007-1202-7
8. **Corus Radio Company**
Ottawa, Ontario and Gatineau, Quebec
Application No. 2007-1181-3
9. **Ottawa Media Inc.**
Ottawa, Ontario and Gatineau, Quebec
Application No. 2007-1178-0
10. **Mark Steven Maheu, on behalf of a corporation to be incorporated**
Ottawa, Ontario
Application No. 2007-1206-9

1. **Ottawa, Ontario and Gatineau, Quebec**
Application No. 2007-1204-3

Application by **Astral Media Radio Inc.** for a licence to operate an English-language commercial FM radio programming undertaking in Ottawa and Gatineau.

The new station would operate on frequency 99.7 MHz (channel 259C1) with an average effective radiated power of 45,000 watts (maximum effective radiated power of 100,000 watts with an effective height of antenna above average terrain of 125.3 metres).

The applicant proposes a Soft Adult music format.

Applicant's address:

1717 René-Levesque Boulevard East
Suite 200
Montréal, Quebec
H2L 4T9
Fax: 514-529-3263
E-mail: claflamme@corp.astral.com

Examination of application:

15 Taschereau Street
Gatineau, Quebec

and

1504 Merivale Road
Ottawa, Ontario

2. **Ottawa, Ontario**
Application No. 2007-1203-5

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

The new station would operate on frequency 101.9 MHz (channel 270A) with an average effective radiated power of 1,300 watts (maximum effective radiated power of 3,000 watts with an effective height of antenna above average terrain of 32.7 metres).

The applicant proposes a Blues music format.

Applicant's address:

95 Royal Crest Court
Unit 5
Markham, Ontario
L3R 9X5
Fax: 905-470-7655
E-mail: ftorres@skywords.com

Examination of application:

Ottawa Public Library
Emerald Plaza
1547 Merivale
Ottawa, Ontario

3. **Gatineau, Quebec**
Application No. 2007-0001-0

Application by **Réel-Radio** for a licence to operate a French-language community-based campus FM radio programming undertaking in Gatineau.

The new station would operate on frequency 101.9 MHz (channel 270A1) with an average effective radiated power of 158 watts (maximum effective radiated power of 250 watts with an effective height of antenna above average terrain of 5.2 metres).

Applicant's address:

283 Alexandre-Taché Boulevard
Local B-0204
Gatineau, Quebec
J8X 3X7
Fax: 819-595-2219
E-mail: info@reel-radio.fm

Examination of application:

At the applicant's address

4. **Ottawa, Ontario**
Application No. 2007-1217-6

Application by **Radio de la communauté francophone d'Ottawa** for a licence to operate a French-language Type B community FM radio programming undertaking in Ottawa.

The new station would operate on frequency 101.7 MHz (channel 269A) with an average effective radiated power of 718 watts (maximum effective radiated power of 3,250 watts with an effective height of antenna above average terrain of 104.8 metres).

Applicant's address:

290 Dupuis Street
Room 201
Ottawa, Ontario
K1L 1A2
Fax: 819-777-7108
E-mail: rcfo@cscvanier.com

Examination of application:

At the applicant's address

and

Service Center "Hull Sector"
775 de la Carrière Boulevard
Gatineau, Quebec

5. **Ottawa, Ontario**
Application No. 2007-0069-2

Application by **Fiston Kalambay Mutombo, on behalf of a corporation to be incorporated**, for a licence to operate a French-language specialty FM radio programming undertaking in Ottawa.

The new station would operate on frequency 101.9 MHz (channel 270A) with an average effective radiated power of 285 watts (maximum effective radiated power of 450 watts with an effective height of antenna above average terrain of 18 metres).

The applicant proposes a Christian music service with 90% of its weekly total music drawn from subcategory 35 (non-classical religious).

Applicant's address:

73 Jumonville Street, Apt. 6
Gatineau, Quebec
J8Z 1B9
Fax: 819-595-5423
E-mail: fistonkalambay@hotmail.com

Examination of application:

At the applicant's address

6. **Ottawa, Ontario**
Application No. 2007-1177-2

Application by **Instant Information Services Incorporated** relating to the licence for the English-language commercial tourist FM radio programming undertaking CIIO-FM Ottawa.

The licensee is currently operating the low-power station on frequency 99.7 MHz (channel 259LP).

The licensee proposes to change the authorized contours by increasing the effective radiated power from 25 watts to an average effective radiated power of 427 watts (maximum effective radiated power of 1,000 watts with an effective height of antenna above average terrain of 82.5 metres).

The authorized contours of the transmitter would be increased significantly as a result of the proposed increase in power.

The Commission notes that the increase in power would change the status of CIIO-FM Ottawa from an unprotected low-power service to a regular Class A service.

The licensee indicates that it now has an agreement in development with the City of Ottawa to become the Designated Broadcast System in the event of an emergency. Since Ottawa's land mass encompasses almost 4,700 square kilometres, accommodating a population of more than 1.1 million, the signal from its low-power FM station will not reach many of the people who may be affected by an emergency.

Licensee's address:

170 Thompson Run
 Halifax, Nova Scotia
 B4B 1T7
 Fax: 902-832-5586
 E-mail: jack@inforadiocanada.com

Examination of application:

1380 Prince of Wales Drive
 Ottawa, Ontario

7. **Ottawa, Ontario**
Application No. 2007-1202-7

Application by **Instant Information Services Incorporated** for a licence to operate a French-language commercial tourist FM radio programming undertaking in Ottawa.

The new station would operate on frequency 101.9 MHz (channel 270A1) with an effective radiated power of 200 watts (non-directional antenna with an effective height of antenna above average terrain of 78.5 metres).

The applicant proposes to operate a tourist information service consisting of pre-recorded messages informing travellers of weather and road conditions as well as attractions and services in Ottawa and nearby communities.

Applicant's address:

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

Examination of application:

1380 Prince of Wales Drive
Ottawa, Ontario

**8. Ottawa, Ontario and Gatineau, Quebec
Application No. 2007-1181-3**

Application by **Corus Radio Company** for a licence to operate an English-language commercial specialty FM radio programming undertaking in Ottawa and Gatineau.

The new station would operate on frequency 101.9 MHz (channel 270B1) with an average effective radiated power of 4,100 watts (maximum effective radiated power of 10,000 watts with an effective height of antenna above average terrain of 3.7 metres).

The applicant proposes a spoken word News/Talk format.

Applicant's address:

BCE Place, Bay Wellington Tower
181 Bay Street
Suite 1630
Toronto, Ontario
M5J 2T3
Fax: 613-692-0505
E-mail: sylvie.courtemanche@corusent.com

Examination of application:

150 Edmonton Street
Gatineau, Quebec

9. **Ottawa, Ontario and Gatineau, Quebec**
Application No. 2007-1178-0

Application by **Ottawa Media Inc.** for a licence to operate an English-language FM commercial radio programming undertaking in Ottawa and Gatineau.

The new station would operate on frequency 99.7 MHz (channel 259B1) with an average effective radiated power of 4,800 watts (maximum effective radiated power of 10,000 watts with an effective height of antenna above average terrain of 100.5 metres).

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

Applicant's address:

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

Examination of application:

127 York Street
Ottawa, Ontario

10. **Ottawa, Ontario**
Application No. 2007-1206-9

Application by **Mark Steven Maheu, on behalf of a corporation to be incorporated**, for a licence to operate an English-language commercial FM radio programming undertaking in Ottawa.

The new station would operate on frequency 99.7 MHz (channel 259B1) with an average effective radiated power of 3,700 watts (maximum effective radiated power of 8,000 watts with an effective height of antenna above average terrain of 99.6 metres).

The applicant proposes a Pop Alternative music format.

Applicant's address:

1412 Bouton d'Or Street
Orléans, Ontario
K1E 3L2
Fax: 613-834-6514
E-mail: mark@maheu.fm

Examination of application:

Cumberland Public Library
1599 Tenth Line Road
Ottawa, Ontario

Public Participation

Deadline for interventions/comments

12 February 2009

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 Web page 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

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>.