



Broadcasting Notice of Consultation CRTC 2012-224

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Ottawa, 18 April 2012

Notice of hearing

18 June 2012

Gatineau, Quebec

Deadline for submission of interventions/comments/answers: 18 May 2012

[\[Submit an intervention/comment/answer or view related documents\]](#)

The Commission will hold a hearing commencing on **18 June 2012 at 9:00 a.m., at the Conference Centre, Phase IV, 140 Promenade du Portage, Gatineau, Quebec**, to consider the following applications:

Applicant/Licensee and Locality

1. **CJNE FM Radio Inc.**
Nipawin, Saskatchewan
Application 2011-1686-4
2. **Corus Radio Company**
Brampton, Ontario
Application 2012-0025-3
3. **1158556 Ontario Limited**
Timmins, Ontario
Application 2012-0188-9
4. **Radio 710 AM Inc.**
Niagara Falls, Ontario
Application 2011-0862-1
5. **Radio Charlesbourg/Haute St-Charles**
Charlesbourg, Quebec
Application 2011-1557-7
6. **Radio Sept-Îles inc.**
Sept-Îles, Quebec
Application 2011-1427-2
7. **Radio Sept-Îles inc.**
Sept-Îles, Quebec
Applications 2011-1578-3 and 2011-1429-8

8. **Aboriginal Voices Radio**
Toronto and Ottawa, Ontario, Calgary and Edmonton, Alberta and Vancouver,
British Columbia
Applications 2012-0019-6, 2012-0020-4, 2012-0021-1, 2012-0022-9 and
2012-0017-0
9. **Sirius XM Canada Inc.**
Across Canada
Application 2012-0064-1
10. **Wesley United Church Radio Board**
St. John's, Newfoundland and Labrador
Application 2012-0195-4
11. **CJEC inc.**
Québec, Quebec
Application 2012-0018-8
12. **Cogeco Diffusion Acquisitions inc.**
Montréal, Quebec
Application 2012-0024-5
13. **North Superior Broadcasting Ltd.**
Marathon, Ontario
Application 2011-1684-8
14. **Newcap Inc.**
Ottawa, Ontario
Application 2012-0009-7
15. **Radio 1540 Limited**
Ottawa, Ontario
Application 2012-0032-8
16. **Rogers Broadcasting Limited**
Chilliwack, British Columbia
Application 2012-0029-5
17. **Cowichan Valley Community Radio Society**
Lake Cowichan, British Columbia
Application 2012-0344-7
18. **Association des Francophones du Nunavut**
Iqaluit, Nunavut
Application 2012-0342-1

Preamble

Additional information may be added to the public examination files for the stations as it becomes available. The Commission encourages interested persons to monitor the public examination files and the Commission's website for additional information that they may find useful when preparing their comments.

This notice of consultation relates to several renewal applications from radio stations that are in apparent non-compliance with the *Radio Regulations, 1986* (the Regulations) and/or certain conditions of licence. It also relates to radio stations that were found in non-compliance during their previous licence terms but that now appear to be in compliance with the Regulations and their conditions of licence according to the Commission's analysis of their performance under their current licence terms. The Commission notes that the licences for these undertakings will expire on 31 August 2012. This notice also relates to amendment applications as well as an application for a new licence.

Items 1 to 9

In regard to items 1 to 9, it appears that the licensees in question may have failed to comply with the Regulations and/or certain of their conditions of licence or mandatory orders pursuant to section 12 of the *Broadcasting Act* (the Act). The Commission notes that some of these licensees are currently subject to short-term licence renewals due to non-compliance issues in the stations' previous licence terms. Given the severity and frequency of the instances of apparent non-compliance observed in the current licence terms, the Commission calls the licensees to the public hearing to discuss these issues and to show cause why a mandatory order should not be issued pursuant to section 12(2) of the Act and why, in certain cases, the Commission should not renew a licence or alternatively, suspend or revoke the licence pursuant to sections 9 and 24 of the Act.

The Commission will want to discuss with these licensees all measures taken and/or that could be taken to address the concerns raised by these instances of apparent non-compliance.

Items 10 to 18

The Commission intends to consider, subject to interventions, items 10 to 18 during the non-appearing phase of this hearing.

1. Nipawin, Saskatchewan Application 2011-1686-4

Application by **CJNE FM Radio Inc.** to renew the broadcasting licence for the English-language commercial radio programming undertaking CJNE-FM Nipawin, expiring 31 August 2012.

It appears that the licensee may have failed to comply with section 15 of the *Radio Regulations, 1986* (the Regulations) concerning its annual contributions to Canadian

Content Development (CCD) for the 2008-2009, 2009-2010 and 2010-2011 broadcast years as well as section 9(2) of the Regulations concerning the filing of complete annual returns for the 2010-2011 broadcast year. Specifically, the licensee did not provide the financial statements that needed to be filed along with the annual returns.

Furthermore, it appears that the licensee may have failed to comply with section 9(4) of the Regulations regarding the requirement to provide a response to a Commission inquiry for matters under its jurisdiction. Specifically, the licensee failed to provide the Commission with a music list and a self-assessment report for the week of 8 to 14 January 2012.

The Commission intends to inquire into these matters at the hearing. The Commission expects the licensee to show cause at this hearing why a mandatory order requiring the licensee to comply with sections 9(2) and 9(4) of the Regulations should not be issued.

The Commission reminds the licensee that it may also consider recourse to additional measures, including short-term renewal, suspension, non-renewal or revocation of the licence, pursuant to sections 9 and 24 of the *Broadcasting Act*.

The Commission notes that in *CJNE-FM Nipawin and its transmitter – Licence renewal*, Broadcasting Decision CRTC 2008-348, 10 December 2008, as amended by *CJNE-FM Nipawin – Licence renewal – Correction*, Broadcasting Decision CRTC 2008-348-1, 17 December 2008, the station was granted a four-year short-term licence renewal until 31 August 2012, based on its failure to comply with its condition of licence relating to its CCD contributions.

Licensee's address:

1010 8th Street West
P.O. Box 220
Nipawin, Saskatchewan
S0E 1E0

Fax: 306-862-2334

Email: pro.cjne@sasktel.net

Email to request electronic version of application: pro.cjne@sasktel.net

2. Brampton, Ontario Application 2012-0025-3

Application by **Corus Radio Company** to renew the broadcasting licence for the English-language commercial radio programming undertaking CFNY-FM Brampton, expiring 31 August 2012.

It appears that the licensee may have failed to comply with section 15 of the *Radio Regulations, 1986* (the Regulations) concerning its contributions to Canadian Content Development (CCD) for the 2009-2010 broadcast year as well as sections 2.2(8) and 2.2(9) of the Regulations for the broadcast week of 8 to 14 January 2012 as it relates to

the requirement to devote 35% or more of musical selections from category 2 (Popular music) to Canadian selections broadcast in their entirety.

The Commission intends to inquire into these matters at the hearing. The Commission expects the licensee to show cause at this hearing why a mandatory order requiring the licensee to comply with sections 2.2(8) and 2.2(9) of the Regulations should not be issued.

The Commission reminds the licensee that it may also consider recourse to additional measures, including short-term renewal, suspension, non-renewal or revocation of the licence, pursuant to sections 9 and 24 of the *Broadcasting Act*.

The Commission notes that in *CFNY-FM Brampton - Licence renewal*, Broadcasting Decision CRTC 2010-647, 31 August 2010, the station was granted a two-year short-term licence renewal until 31 August 2012, based on its failure to comply with its condition of licence relating to CCD contributions.

Licensee's address:

Corus Quay
25 Dockside Drive
Toronto, Ontario
M5A 0B5
Fax: 416-642-7105

Email: sylvie.courtemanche@corusent.com

Email to request electronic version of application: sylvie.courtemanche@corusent.com

3. Timmins, Ontario Application 2012-0188-9

Application by **1158556 Ontario Limited** to renew the broadcasting licence for the English-language commercial radio programming undertaking CHIM-FM Timmins and its transmitters CHIM-FM-1 North Bay, CHIM-FM-2 Iroquois Falls, CHIM-FM-3 Kirkland Lake, CHIM-FM-4 New Liskeard, CHIM-FM-5 Red Deer, CHIM-FM-6 Sault Ste. Marie, CHIM-FM-7 Elliot Lake, CHIM-FM-8 Chapleau, CHIM-FM-9 Wawa and CHIM-FM-10 Kapuskasing, expiring 31 August 2012.

It appears that the licensee may have failed to comply with sections 8, 9(2) and 9(4) of the *Radio Regulations, 1986* (the Regulations) concerning the submission of logger tapes, annual returns and other information for the 2010-2011 broadcast year. In a letter dated 17 January 2012, Commission staff requested that the licensee provide logger tapes and a music list by no later than 30 January 2012. The Commission received this information on 8 February 2012. Furthermore, the annual return for the 2010-2011 broadcast year was filed without the required financial statements and with unacceptable proof of payment to the Canadian Content Development (CCD) initiative FACTOR. In addition, in a letter dated 20 December 2011, Commission staff requested that the licensee submit its renewal application by no later than 25 January 2012. CHIM-FM's renewal application was received 24 February 2012.

It also appears that the licensee may have failed to comply with section 15 of the Regulations and its condition of licence concerning its CCD contributions for the 2010-2011 broadcast year. In *CHIM-FM Timmins and its transmitters CHIM-FM-1 North Bay, CHIM-FM-2 Iroquois Falls, CHIM-FM-3 Kirkland Lake, CHIM-FM-4 New Liskeard, CHIM-FM-5 Red Deer, CHIM-FM-6 Sault Ste. Marie, CHIM-FM-7 Elliot Lake, CHIM-FM-8 Chapleau, CHIM-FM-9 Wawa and CHIM-FM-10 Kapuskasing – Licence renewal and Issuance of mandatory orders*, Broadcasting Decision CRTC 2011-552 and Broadcasting Orders CRTC 2011-553 and 2011-554, 31 August 2011 (Decision 2011-552 and Orders 2011-553 and 2011-554), the Commission directed the licensee to expend the CCD shortfall amount of \$300 for the 2008-2009 broadcast year by no later than 30 September 2011, given that its contribution to Christopher Ste. Croix was deemed ineligible. A condition of licence to this effect was set out stating that the licensee must file appropriate proof of payment and proof of eligibility for the shortfall amount. The licensee submitted documentation indicating that the funds were directed to Christopher Ste. Croix, but did not submit adequate proof of eligibility.

These instances of apparent non-compliance may constitute breaches of the mandatory orders issued in Decision 2011-552 and Orders 2011-553 and 2011-554.

Furthermore, in Decision 2011-552 and Orders 2011-553 and 2011-554, the Commission indicated that it might consider additional measures, including suspension, non-renewal or revocation of the licence, if the licensee once again failed to adhere to the Regulations or any of CHIM-FM's conditions of licence.

The Commission notes that in Decision 2011-552 and Orders 2011-553 and 2011-554, the station was granted a one-year short-term licence renewal until 31 August 2012, based on its failure to comply with its conditions of licence relating to the filing of annual returns for the 2009-2010 broadcast year and its contribution to CCD for the 2008-2009 broadcast year.

The Commission intends to inquire into these matters at the hearing. The Commission will want to discuss with the licensee all other measures taken or those that could be taken in order to address the concerns raised by the instances of non-compliance. In addition to the possibility of imposing mandatory orders, the Commission reminds the licensee that it may also consider recourse to additional measures, including short-term renewal, suspension, non-renewal or revocation of the licence, pursuant to sections 9 and 24 of the *Broadcasting Act*.

Licensee's address:

226 Delnite Road
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P4N 7C2

Fax: 705-264-2150

Email: chimfm@vianet.ca

Email to request electronic version of application: chimfm@vianet.ca

**4. Niagara Falls, Ontario
Application 2011-0862-1**

Application by **Radio 710 AM Inc.** to renew the broadcasting licence for the English-language tourist radio programming undertaking CJRN Niagara Falls, expiring 31 August 2012.

It appears that the licensee may have failed to comply with sections 8(5) and 8(6) of the *Radio Regulations, 1986* (the Regulations) concerning the provision of clear and intelligible tape recordings or other exact copy of matter broadcast for the week of 14 to 20 August 2011.

It also appears that the licensee may have failed to comply with condition of licence 1 set out in the appendix to *CJRN Niagara Falls – Acquisition of Assets (corporate reorganization)*, Broadcasting Decision CRTC 2009-515, 21 August 2009 (Broadcasting Decision 2009-515), which reads as follows:

1. The licensee shall use this station solely to broadcast pre-recorded tourist information for the purpose of informing visitors to Niagara Falls.

In particular, it appears that the licensee may have failed to comply with this condition of licence during the broadcast week of 18 to 24 April 2010, when the station aired the following on Wednesday, 21 April 2010:

- newscasts with international, national and regional items;
- promotions for “105.1 The River” and “The All New Z101 at 101.1 on the FM dial”; and
- sports updates that included international items including, but not limited to, NHL updates with respect to Detroit vs. Phoenix, Nashville vs. Chicago, Philadelphia vs. New Jersey and San Jose vs. Colorado.

In addition, it appears that the licensee may have failed to comply with this condition of licence during the broadcast week of 14 to 20 August 2010. The licensee broadcast the program *Reflections of Islam*, which contained spoken word programming and musical selections with a duration exceeding one minute.

Finally, it appears that the licensee may have failed to comply with section 9(2) of the Regulations concerning the submission of annual returns for the 2008-2009 and 2009-2010 broadcast years.

The Commission intends to inquire into these matters at the hearing. The Commission expects the licensee to show cause at this hearing why a mandatory order requiring the licensee to comply with sections 8(5), 8(6) and 9(2) of the Regulations and with condition of licence 1 set out in the appendix to Broadcasting Decision 2009-515 should not be issued.

The Commission reminds the licensee that it may also consider recourse to additional measures, including short-term renewal, suspension, non-renewal or revocation of the licence, pursuant to sections 9 and 24 of the *Broadcasting Act*.

The Commission notes that in Broadcasting Decision 2009-515, the station was granted a one-year short-term licence renewal until 31 August 2011, based on its failure to comply with its condition of licence relating to the broadcast of pre-recorded tourist information and commercial messages. CJRN's broadcasting licence was administratively renewed until 31 August 2012 in *Administrative renewals*, Broadcasting Decision CRTC 2011-557, 31 August 2011, as amended by *Administrative renewals - Corrections*, Broadcasting Decision CRTC 2011-557-1, 23 September 2011.

Licensee's address:

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Niagara Falls, Ontario
L2E 6X7

Fax: 905-356-0644

Email: andyferri@iaw.com

Email to request electronic version of application: ddancy@cogeco.ca

5. Charlesbourg, Quebec Application 2011-1557-7

Application by **Radio Charlesbourg/Haute St-Charles** (Radio Charlesbourg) to renew the broadcasting licence for the French-language community radio programming undertaking CIMI-FM Charlesbourg, expiring 31 August 2012.

History

The Commission approved Radio Charlesbourg's licence application in *New community radio station*, Broadcasting Decision CRTC 2001-164, 5 March 2001. The station has been operating since 27 November 2001. The Commission notes that in *CIMI-FM Charlesbourg - Licence renewal*, Broadcasting Decision CRTC 2007-326, 23 August 2007 (Broadcasting Decision 2007-326), the station was granted a four-year short-term licence renewal until 31 August 2011,¹ based on its failure to comply with sections 8(5), 8(6) and 9(3) of the *Radio Regulations, 1986* (the Regulations). Moreover, in light of significant changes made to CIMI-FM Charlesbourg's board of directors, the Commission directed the licensee to file, by no later than 31 December 2007, a report setting out the composition of the station's board of directors as well as the term of each board member.

¹ The Commission administratively renewed CIMI-FM's broadcasting licence until 31 August 2012 in *Administrative renewals*, Broadcasting Decision CRTC 2011-555, 31 August 2011, as amended by *Administrative renewals – Corrections*, Broadcasting Decision CRTC 2011-555-1, 23 September 2011.

Commission staff sent a letter dated 14 November 2007 to the licensee requesting updated information with respect to its board of directors. According to Commission records, Radio Charlesbourg does not appear to have responded to this letter. Subsequently, the Commission received a number of complaints from listeners advising that CIMI-FM had ceased broadcasting.

In a letter dated 19 June 2009, Commission staff requested the licensee to inform it as to why the station had ceased broadcasting and to provide its intentions regarding its future operations. On 13 July 2009, the licensee advised Commission staff by email that the station was forced to close following legal and financial conflicts, but that a recovery plan would allow the station to resume broadcasting in September 2009.

On 28 January 2010, Commission staff sent another letter to the licensee seeking a status update. On 2 February 2010, the licensee responded by email that its recovery plan had failed and that the station has not been on the air since 2008. Commission staff attempted to contact the licensee again by email on 17 February 2010, but received no response. After that date, Commission staff did not have a contact person for CIMI-FM. However, on 1 December 2011, the Commission received an application to renew the license of CIMI-FM.

Concerns

The Commission is very concerned that the station has not resumed broadcasting. It therefore appears that the licensee may have failed to comply with the Regulations, as well as the policies and directives of the Commission.

A) Apparent non-compliance with the Regulations

It appears that the licensee may have failed to comply with the following sections of the Regulations:

- 9(2) Request for information – annual returns

The licensee has not submitted any annual returns for its entire licence term.

- 9(4) Request for information – response to any request for information regarding its business that is within the Commission's responsibility

The licensee did not reply to the 14 November 2007 and 17 February 2010 correspondence from Commission staff.

B) Apparent non-compliance with Broadcasting Decision 2007-326

The licensee has not submitted its report on the composition of the station's board of directors as well as the term of each board member that the Commission directed it to file by 31 December 2007 in Broadcasting Decision 2007-326.

C) Apparent non-compliance with *Community radio policy*, Public Notice CRTC 2000-13, 28 January 2000

It appears that the licensee has not met the mandate of a community radio station, as set out in *Community radio policy*, Public Notice CRTC 2000-13, 28 January 2000 (Public Notice 2000-13), since it has apparently ceased broadcasting and has apparently failed to put the station back on air. As set out in Public Notice 2000-13, a community radio station is mandated “to provide community access to the airwaves and to offer diverse programming that reflects the needs and interests of the community that the station is licensed to serve, including music by new and local talent; music not generally broadcast by commercial stations; spoken word programming; and local information.” Since it appears that the station was off the air for most of its licence term, the Commission is of the view that station could not have met these goals.

The Commission however notes the licensee’s plans in regard to how it intends to meet the objectives of the new policy on community radio, as set out in *Campus and community radio policy*, Broadcasting Regulatory Policy CRTC 2010-499, 22 July 2010 (Broadcasting Regulatory Policy 2010-499), should the station be back on the air.

Process

The Commission intends to inquire into these matters at the hearing. In addition, the Commission intends to review the licensee’s plans regarding the re-launch of the station and its future compliance with respect to its conditions of licence and the Regulations. The Commission also intends to inquire into general issues such as the licensee’s governance structure as well as its management practices, community access to airwaves and how the licensee intends to comply with the role and mandate of community radio stations, as set out in Broadcasting Regulatory Policy 2010-499.

In light of the instances of apparent non-compliance mentioned above, the Commission expects the licensee to show cause at this hearing why:

- a mandatory order under section 12 of the *Broadcasting Act* (the Act) requiring the licensee to comply with the Regulations and Broadcasting Regulatory Policy 2010-499 should not be issued;
- its licence should be renewed;
- if its licence is renewed, why the renewal should not be for a short term; and
- its licence should not be suspended or revoked pursuant to sections 9 and 24 of the Act.

Licensee’s address:

3202 Dagneau Street
 Québec, Quebec
 G1C 7W8

Email: primerica2011@gmail.com

Email to request electronic version of application: primerica2011@gmail.com

**6. Sept-Îles, Quebec
Application 2011-1427-2**

Radio Sept-Îles inc. (Radio Sept-Îles) is the licensee of the French-language commercial radio programming undertaking CKCN-FM Sept-Îles, Quebec. The licence for this station expires on 31 August 2013.

History

Mr. Langis St-Gelais, on behalf of Radio Sept-Îles, filed an application on 21 October 2011 seeking authority to effect a change in the effective control of Radio Sept-Îles pursuant to section 11(4)(a) of the *Radio Regulations, 1986* (the Regulations). The transaction involved the transfer of all issued and outstanding voting shares of Médias Nord-Côtiers inc. (Médias), the parent company of Radio Sept-Îles, held by Mr. Richard Bourgoing (67%) to Mr. St-Gelais, the minority shareholder (33%), resulting in a change in effective control of the broadcasting undertaking held by Radio Sept-Îles.

The Commission notes that the change in effective control occurred on 17 December 2009, at which time all voting shares held by Mr. Bourgoing were in fact transferred to Mr. St-Gelais.

Consequently, the Commission notes that Radio Sept-Îles has apparently failed to comply with section 11(4)(a) of the Regulations since it may have changed its effective control without obtaining the Commission's prior approval.

The Commission also notes that Radio Sept-Îles may have failed to comply with section 15 of the Regulations relating to its contributions to Canadian Content Development for the 2009-2010 broadcast year.

The Commission notes that the tangible benefits from the transaction in 2008 would not have been paid in full.

Process

The Commission intends to inquire into these matters and expects the licensee to show cause at this hearing why:

- a mandatory order under section 12 of the *Broadcasting Act* (the Act) requiring the licensee to adhere to the Regulations and its conditions of licence should not be issued; and
- the Commission should not suspend or revoke the licence held by Radio Sept-Îles pursuant to sections 9 and 24 of the Act.

Licensee's address:

365 Laure Blvd
Sept-Îles, Quebec
G4R 1X2

Fax: 418-968-6662

Email: direction@le941.com and bourguyy@neuf.fr

Email to request electronic version of application: direction@le941.com

**7. Sept-Îles, Quebec
Applications 2011-1578-3 and 2011-1429-8**

Radio Sept-Îles inc. (Radio Sept-Îles) is the licensee of the French-language commercial radio programming undertaking CKCN-FM Sept-Îles, Quebec. The licence for this station expires on 31 August 2013.

History

Mr. Langis St-Gelais, on behalf of Radio Sept-Îles, filed an application on 21 October 2011 seeking authority to effect a change in the effective control of Radio Sept-Îles pursuant to section 11(4)(a) of the *Radio Regulations, 1986* (the Regulations).

Pursuant to the provision in a memorandum of understanding dated 7 July 2010, the potential buyers Messrs. Jean Laverdière, Luc Hovington, Yvan Beaulieu and Alban Plourde, through their holding corporations, exercised their option on 31 August 2011 and requested the authority to acquire through their holding corporations all the issued and outstanding shares in the capital of Médias Nord-Côtiers inc. (Médias), the parent company of Radio Sept-Îles.

It appears that pursuant to this transaction, the effective control of Radio Sept-Îles and of Médias would be exercised by their respective board of directors consisting of Messrs. Laverdière, Hovington, Beaulieu and Plourde.

Consequently, it appears that Radio Sept-Îles may have failed to comply with section 11(4)(a) of the Regulations since it may have changed its effective control without obtaining the Commission's prior approval.

As part of its analysis, the Commission became aware of another agreement entitled "Contrat d'emploi" (hereby referred to as the agreement) that was entered into on 26 July 2010 between Radio Sept-Îles and Mr. Beaulieu, and which related to the daily management of CKCN-FM.

In light of the terms of the agreement, the Commission considers that the effective control of CKCN-FM would have been transferred on 26 July 2010 by the transfer of the daily management to M. Beaulieu, without the Commission's prior approval and thus, contrary to section 11(4)(a) of the Regulations.

It also appears that the licensee may have failed to comply with section 15 of the Regulations concerning its contributions to Canadian Content Development for the 2009-2010 broadcast year.

The Commission notes that the tangible benefits from the transaction in 2008 would not have been paid in full.

Process

The Commission intends to inquire into these matters and expects the licensee to show cause at this hearing why:

- a mandatory order under section 12 of the *Broadcasting Act* (the Act) requiring the licensee to conform to the Regulations and its conditions of licence should not be issued; and
- the Commission should not suspend or revoke the licence held by Radio Sept-Îles pursuant to sections 9 and 24 of the Act.

Licensee's address:

365 Laure Blvd
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G4R 1X2

Fax: 418-968-6662

Email: direction@le941.com

Email to request electronic version of application: direction@le941.com

8. Toronto and Ottawa, Ontario, Calgary and Edmonton, Alberta and Vancouver, British Columbia Applications 2012-0019-6, 2012-0020-4, 2012-0021-1, 2012-0022-9 and 2012-0017-0

Applications by **Aboriginal Voices Radio (AVR)** to renew the broadcasting licences for the Native Type B radio programming undertakings CKAV-FM Toronto, CKAV-FM-2 Vancouver, CKAV-FM-3 Calgary, CKAV-FM-4 Edmonton and CKAV-FM-9 Ottawa (collectively the AVR undertakings), expiring 31 August 2012.

History

AVR appeared before the Commission at the 30 October 2006 hearing in Regina to discuss, for each of its stations, the instances of apparent non-compliance with the *Radio Regulations, 1986* (the Regulations) relating to the submission of annual returns and with its conditions of licence requiring that at least 25% of all programming broadcast during each broadcast week be devoted to spoken word programming. For the Toronto station, the Commission had discussed the instances of non-compliance relating to the filing of complete logger tapes. At that time, the Commission also had concerns regarding the local programming broadcast on AVR's stations.

In *CKAV-FM Toronto, CKAV-FM-2 Vancouver, CKAV-FM-3 Calgary and CKAV-FM-9 Ottawa - Licence renewals*, Broadcasting Decision CRTC 2007-121, 27 April 2007, the Commission renewed the broadcasting licences for the Native Type B radio programming undertakings CKAV-FM Toronto, CKAV-FM-2 Vancouver, CKAV-FM-3 Calgary and CKAV-FM-9 Ottawa for a short term, from 1 May 2007 to 31 August 2010.

AVR appeared again before the Commission at the 12 May 2010 hearing in Toronto to discuss, for each of its stations, the instances of apparent non-compliance with the Regulations relating to the submission of annual returns and its failure to comply with its condition of licence requiring that at least 25% of its weekly broadcast schedule be devoted to local programming. The Commission also had concerns regarding the staff levels of the stations, the stations' funding, the local newscasts, the continuity of the original proposal made by AVR to the Commission and the quality of service provided in the markets.

In *CKAV-FM Toronto, CKAV-FM-2 Vancouver, CKAV-FM-3 Calgary, CKAV-FM-4 Edmonton and CKAV-FM-9 Ottawa – Licence renewals and Issuance of a mandatory order*, Broadcasting Decision CRTC 2010-614 and Broadcasting Order CRTC 2010-615, 24 August 2010 (Decision 2010-614 and Order 2010-615), the Commission renewed the broadcasting licences for the AVR undertakings for another short term, from 1 September 2010 to 31 August 2012. The Commission also imposed a mandatory order pursuant to section 12(2) of the *Broadcasting Act* (the Act) requiring the licensee to comply at all times with the requirements set out in section 9(2) of the Regulations, which deal with the filing of annual returns.

Current compliance issues with respect to spoken word programming

Subsequent to the Commission's monitoring of the AVR stations' programming for the broadcast week of 25 September to 1 October 2011, it appears that the licensee may have failed to comply with condition of licence 2 for its stations in Vancouver, Calgary and Edmonton, which reads as follows:

(2)The licensee shall broadcast daily local newscasts on each station which must include at least five distinct local news stories for each market served by AVR per broadcast day.

For the purposes of this condition, "distinct local news stories" are those that incorporate spoken word material of direct and particular relevance to the community served.

It also appears that the licensee may have failed to comply with condition of licence 3 for its stations in Vancouver and Calgary, which reads as follows:

(3)The licensee shall devote a minimum of twenty hours per broadcast week to structured enriched spoken word programming. For the purposes of this condition of licence, "structured enriched spoken word programming" shall be defined as:

spoken word programming of any length and in any language involving some

research pertaining to the documentation of current and past events, instruction and information, human interest information, leisure interests, public affairs, cultural programming, storytelling, academic instruction, interview and the like;

spoken word programming as described above that does not include song intros/outros, surveillance information (such as news reports, weather and public service announcements), impromptu, casual or spontaneous talk by announcers during music-flow programming, contests, or any programming defined by content categories 2, 3, 4 or 5 as set out in the *Radio Regulations, 1986*; and

spoken word programming as described above and of which the duration shall not include the time devoted to musical selections interspersed with or interrupting such programming.

The licensee shall provide, upon the Commission's request, the schedule for a broadcast week of all the programming defined above.

Local programming concerns

In addition to the instances of apparent non-compliance described above, the Commission continues to be concerned with the level of local programming broadcast on the AVR undertakings and the minimal amount of local news, weather, sports coverage as well as the promotion of local events and activities, in particular as this all relates to the condition of licence 1 for these stations, which reads as follows:

(1) The licensee shall, for each station, devote a minimum of 25% of its weekly broadcast schedule to the broadcast of local programming. Local programming must incorporate spoken word material of direct and particular relevance to the community served. This must include local news, weather, sports coverage, and the promotion of local events and activities.

For purposes of this condition, "local programming" shall have the same meaning as that set out in *Commercial Radio Policy, 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006, as amended from time to time.

Proposed licence modifications

The applicant is proposing to not operate its undertakings under the same terms, conditions of licence and definitions set out in Decision 2010-614 and Order 2010-615 for its next licence term. The applicant proposes the following changes:

Terms

- To be granted a seven-year licence renewal rather than a short-term licence renewal.

- The removal of the requirement to file details on the implementation of the strategic objectives that it proposed for its undertakings following the hearing since the licensee has filed that report with the Commission.
- The removal of the requirement to submit audited financial statements as part of the annual returns for each of its stations beginning with the 2010 broadcast year since it represents significant additional costs for the licensee.

Conditions of licence

- The deletion of the above-mentioned condition of licence 3 for the following reasons:
 - With respect to its obligation to devote a minimum of twenty hours per broadcast week to structured enriched spoken word programming and because of the direct and indirect costs it imposes significantly hinder the licensee's ability to achieve its programming objectives.
 - With respect to its obligation to provide, upon the Commission's request, the schedule for a broadcast week of all the programming defined in the condition of licence, the applicant indicated that it is not necessary since section 9(4)(b) of the Regulations already requires that "at the request of the Commission, a licensee shall respond to... any request for information regarding the licensee's adherence to the conditions of its licence..."
- The replacement of the word "Aboriginal" for "Indigenous" in conditions of licence 4 and 5. The conditions of licence would therefore read as follows (**changes in bold**):

(4) The licensee shall ensure that a minimum of 2% of all spoken word programming broadcast during each broadcast week is in a Canadian **Indigenous** language.

(5) The licensee shall ensure that a minimum of 2% of all vocal musical selections aired during each broadcast week is in a Canadian **Indigenous** language.

The licensee indicated that Indigenous is a term that encompasses languages of the First Nations, Inuit and Métis.

Expectations

- The removal of the expectation that AVR build a studio in Vancouver and arrange studio access for third parties in Calgary and Edmonton since the licensee indicated that it has achieved this expectation.
- The removal of the expectation that live programming be part of AVR's service since the licensee indicated that it has achieved this expectation.

Encouragements

- The removal of the requirement to appoint a board member with experience in Aboriginal media to help it develop and achieve its strategic objectives since its board of directors has always included members with experience in Indigenous media.

Mandatory Order

- To not re-impose a mandatory order requiring that the applicant submit its annual returns since it has filed them on time in each of the 2010 and 2011 broadcast years.

Process

The Commission intends to inquire into these matters and expects the licensee to show cause at this hearing why:

- a mandatory order under section 12 of the Act requiring the licensee to comply with the Regulations and its conditions of licence should not be issued;
- its licence should be renewed;
- if its licence is renewed, why the renewal should not be for a short term;
- its licence should not be suspended or revoked pursuant to sections 9 and 24 of the Act.

In addition, the Commission intends to inquire into the operations of AVR. In particular, the Commission intends to inquire at the hearing into the current staff levels of the stations and their duties, the stations' funding, revenues and expenditures, AVR's management and governance structure, AVR's overall business plan, the continuity of the original proposed AVR service and the quality of service that it now provides to the five markets for which it is licensed to serve.

Licensee's address:

426 Fourth Line Rd.
RR#1

Ohsweken, Ontario
N0A 1M0

Fax: 416-702-4328

Email: avrgreg@gmail.com

Email to request electronic version of application: avrgreg@gmail.com and info.avr1@gmail.com

**9. Across Canada
Application 2012-0064-1**

Application by **Sirius XM Canada Inc.** to renew the broadcasting licence for the satellite subscription radio programming undertakings Sirius Canada and XM Canada, expiring 31 August 2012.

Sirius XM Canada Inc. indicated that it does not seek to renew a separate licence for Sirius Canada and proposed to hold a single licence covering both the Sirius Canada and XM Canada undertakings.

Sirius XM Canada Inc. proposed to amend the condition of licence requiring the licensee to contribute a minimum of 5% of gross revenues in each broadcast year to Canadian Content Development (CCD) by reducing the amount to 0.5% of gross revenues in each broadcast year.

The application contains details on other proposed amendments to the conditions of licence for the next licence term.

It appears that Canadian Satellite Radio Inc. (CSRI), the former licensee of XM Canada, may have failed to comply with its conditions of licence relating to CCD for the 2009-2010 and 2010-2011 broadcast years. It also appears that subsequent to the Commission's monitoring of the service in 2008, CSRI may have failed to comply with its conditions of licence relating to Canadian music content and advertising.

It further appears that Sirius Canada Inc., the former licensee of Sirius Canada, may have failed to comply with its conditions of licence relating to CCD contributions for the 2006-2007 and 2007-2008 broadcast years and the level of new Canadian music.

The Commission encourages parties and interested persons to monitor the record of the proceeding available on the Commission's website for additional information concerning CCD that they may find useful when preparing their submissions.

The Commission intends to discuss these instances of apparent non-compliance at the hearing as well as other topics such as:

- the future of satellite radio, the development of competing technologies, the business plans of the services, including channel line-ups;
- contributions to CCD;
- directives and other matters raised in *Canadian Satellite Radio Inc. and Sirius Canada Inc. – Change in effective control*, Broadcasting Decision CRTC 2011-240, 11 April 2011; and
- the length of the next licence term and the appropriateness of a three-year licence term.

Licensee's address:

135 Liberty Street
 4th Floor
 Toronto, Ontario
 M6K 1A7
 Fax: 416-513-7489
 Email: oliver.jaakkola@siriusxm.ca
 Email to request electronic version of application: oliver.jaakkola@siriusxm.ca

**10. St. John's, Newfoundland and Labrador
 Application 2012-0195-4**

Application by **Wesley United Church Radio Board** to renew the broadcasting licence for the English-language religious radio programming undertaking VOWR St. John's, expiring 31 August 2012.

It appears that the licensee may have failed to comply with section 9(2) of the *Radio Regulations, 1986* (the Regulations) concerning the filing of annual returns for the 2008-2009, 2009-2010 and 2010-2011 broadcast years as well as section 9(4) of the Regulations concerning the provision of a response to any inquiry made by the Commission regarding a licensee's undertaking. Specifically, the licensee failed to file its undertaking's renewal application on time.

The Commission reminds the licensee that it may also consider recourse to additional measures, including short-term renewal, suspension, non-renewal or revocation of the licence, pursuant to sections 9 and 24 of the *Broadcasting Act*.

The Commission notes that in *VOWR St. John's – Licence renewal*, Broadcasting Decision CRTC 2008-355, 16 December 2008, the station was granted a four-year short-term licence renewal until 31 August 2012, based on its failure to comply with section 9(2) of the Regulations relating to the filing of annual returns for the 2000-2001 to 2004-2005 and 2006-2007 broadcast years.

Licensee's address:

101 Patrick Street
 St. John's, Newfoundland and Labrador
 A1E 3Y5
 Fax: 709-579-9232
 Email: vowr@vowr.org
 Email to request electronic version of application: grtilley@nf.sympatico.ca

11. Québec, Quebec
Application 2012-0018-8

Application by **CJEC inc.** to renew the broadcasting licence for the French-language commercial radio programming undertaking CJEC-FM Québec, expiring 31 August 2012.

As it relates to Canadian Content Development (CCD) contributions going forward, the licensee has specified that it will adhere to the requirements set out in section 15 of the *Radio Regulations, 1986* (the Regulations). In this regard, the Commission notes that the condition of licence 3 set out in *CJEC-FM Québec – Licence renewal*, Broadcasting Decision CRTC 2008-345, 5 December 2008 (Broadcasting Decision 2008-345), to which CJEC-FM was subject, has now lapsed.

It appears that the licensee may have failed to comply with section 2.2(5) of the Regulations concerning the broadcast of French-language vocal music during the broadcasting week of 30 May to 5 June 2010 as well as section 15 of the Regulations concerning its contributions to CCD for the 2009-2010 and 2010-2011 broadcast years.

The Commission reminds the licensee that it may also consider recourse to additional measures, including short-term renewal, suspension, non-renewal or revocation of the licence, pursuant to sections 9 and 24 of the *Broadcasting Act*.

The Commission notes that in Broadcasting Decision 2008-345, the station was granted a four-year short-term renewal until 31 August 2012, based on its failure to comply with its conditions of licence relating to music diversity and the lack of novelty, emerging artists as well as the contribution to CCD.

Licensee's address:

5 Place Ville Marie
 Suite 100
 Montréal, Quebec
 H3B 0B3
 Fax: 418-682-8430

Email: demande@leclerccommunication.ca

Website to see the application: www.leclerccommunication.ca

Email to request electronic version of application: demande@leclerccommunication.ca

12. Montréal, Quebec
Application 2012-0024-5

Application by **Cogego Diffusion Acquisitions inc.** to renew the broadcasting licence for the French-language commercial radio programming undertaking CKOI-FM Montréal, expiring 31 August 2012.

The licensee proposes to delete the following condition of licence:

In Public Notice CRTC 1996-114 entitled *Implementation of the New Approach to Canadian Talent Development*, the Commission indicated that it would impose,

as a condition of licence, any specific commitments made by licensees to direct money for Canadian talent development specifically to MusicAction. The licensee shall make an annual payment to MusicAction of \$27,000.

In its place, the licensee proposes to adhere to the requirements set out in section 15 of the *Radio Regulations, 1986* (the Regulations).

It appears that the licensee may have failed to comply with section 2.2(9) of the Regulations concerning the broadcast of Canadian musical selections during the broadcast week of 8 to 14 January 2012 as well as section 15 of the Regulations concerning annual contributions to Canadian Content Development for the 2010-2011 broadcast year.

The Commission reminds the licensee that it may also consider recourse to additional measures, including short-term renewal, suspension, non-renewal or revocation of the licence, pursuant to sections 9 and 24 of the *Broadcasting Act*.

In 2011, the licensee appeared before the Commission in a hearing regarding radio montages, which led to *Complaint regarding the broadcast of French-language vocal music by CKOI-FM Montréal*, Broadcasting Decision CRTC 2011-726, 24 November 2011 and *Requirements for the broadcast of radio montages*, Broadcasting Information Bulletin CRTC 2011-728, 24 November 2011. In that decision published on 24 November 2011, the Commission imposed a new condition of licence on the licensee regarding montages, which came into effect on 1 April 2012. The Commission therefore will not analyse CKOI-FM's results regarding the percentages of music selections in the French language broadcast (sections 2.2 (5) and 2.2(10) of the Regulations) in this renewal hearing.

Licensee's address:

5 Place Ville Marie
Suite 1700
Montréal, Quebec
H3B 0B3

Fax: 514-874-0776

Email: licence@cogeco.com

Email to request electronic version of applications: licence@cogeco.com

13. Marathon, Ontario Application 2011-1684-8

Application by **North Superior Broadcasting Ltd.** to renew the broadcasting licence for the English-language commercial radio programming undertaking CFNO-FM Marathon and its transmitters CFNO-FM-1 Nipigon/Red Rock, CFNO-FM-2 Hornepayne, CFNO-FM-4 Geraldton, CFNO-FM-5 Longlac, CFNO-FM-7 Nakina and CFNO-FM-8 White River, expiring 31 August 2012.

The Commission notes that further to *CFNO-FM Marathon and its transmitters – Licence Renewal*, Broadcasting Decision CRTC 2008-363, 23 December 2008, the licensee was granted a four-year short-term licence renewal until 31 August 2012, based on its failure to comply with its condition of licence relating to its Canadian Content Development (formerly Canadian Talent Development) contributions as well as with sections 2.2(8) and 2.2(9) of the *Radio Regulations, 1986* (the Regulations) with respect to Canadian content for category 2 music.

The licensee has requested to continue operating the undertaking under the same terms and conditions set out in the current licence.

It appears that the licensee is now in compliance with the Regulations and its conditions of licence.

Licensee's address:

87 North Hill Street
Thunder Bay, Ontario
P7A 5V6

Fax: 807-344-1018

Email: dcaron@dougallmedia.com

Email to request electronic version of application: dcaron@dougallmedia.com

14. Ottawa, Ontario
Application 2012-0009-7

Application by **Newcap Inc.** to renew the broadcasting licence for the English-language commercial radio programming undertaking CIHT-FM Ottawa, expiring 31 August 2012.

The Commission notes that in *CIHT-FM Ottawa/Gatineau – Licence Renewal*, Broadcasting Decision CRTC 2009-169, 31 March 2009, the station was granted a three-years and five month short-term licence renewal until 31 August 2012, based on its failure to comply with its condition of licence relating to Canadian Content Development contributions.

The licensee has requested to continue operating the undertaking under the same terms and conditions set out in the current licence.

It appears that the licensee is now in compliance with the *Radio Regulations, 1986* and its conditions of licence.

Licensee's address:

745 Windmill Road
Dartmouth, Nova Scotia
B3B 1C2

Fax: 902-468-5661

Email: dmurray@ncc.ca

Email to request electronic version of application: dmurray@ncc.ca

15. Ottawa, Ontario
Application 2012-0032-8

Application by **Radio 1540 Limited** to renew the broadcasting licence for the commercial ethnic radio programming undertaking CJLL-FM Ottawa, expiring 31 August 2012.

It appears that the licensee may have failed to comply with section 15 of the *Radio Regulations, 1986* concerning its contributions to Canadian Content Development (CCD) for the 2008-2009, 2009-2010 and 2010-2011 broadcast years.

The Commission reminds the licensee that it may also consider recourse to additional measures, including short-term renewal, suspension, non-renewal or revocation of the licence, pursuant to sections 9 and 24 of the *Broadcasting Act*.

The Commission notes that in *CJLL-FM Ottawa/Gatineau – Licence renewal*, Broadcasting Decision CRTC 2009-133, 12 March 2009, the station was granted a three-year short-term licence renewal until 31 August 2012, based on its failure to comply with its condition of licence relating to CCD contributions.

Licensee's address:

622 College Street

4th floor,

Toronto, Ontario

M6G 1B6

Fax: 416-531-4517

Email: lenny@chinradio.com

Email to request electronic version of application: theresa@chinradio.com

16. Chilliwack, British Columbia
Application 2012-0029-5

Application by **Rogers Broadcasting Limited** to renew the broadcasting licence for the English-language commercial radio programming undertaking CFUN-FM Chilliwack and its transmitters CFUN-FM-1 Abbotsford and CFUN-FM-2 Vancouver, expiring 31 August 2012.

The Commission notes that further to *CFUN-FM Chilliwack and its transmitters CFUN-FM-1 Abbotsford and CFUN-FM-2 Vancouver – Licence renewal and amendment and issuance of mandatory orders*, Broadcasting Decision CRTC 2011-539 and Broadcasting Orders CRTC 2011-540, 2011-541, 2011-542 and 2011-543, 31 August 2011 (Decision 2011-539 and Orders 2011-540, 2011-541, 2011-542 and 2011-543), the station was granted a one-year short-term licence renewal until 31 August 2012, based on its failure to comply with its conditions of licence relating to

the local reflection of the Abbotsford market and its contribution to Canadian Content Development for the 2008-2009 and 2009-2010 broadcast years.

The licensee proposes to continue operating the undertaking under the same terms and conditions set out in the current licence, with the exception of its conditions of licence 2 and 3.

The licensee also proposes to amend two of its conditions of licence set out in Decision 2011-539 and Orders 2011-540, 2011-541, 2011-542 and 2011-543. Specifically, the licensee proposes to replace condition of licence 2 with the following:

2. The licensee shall broadcast at least once every hour a station identification which includes specific reference to the frequency and location of the Chilliwack transmitter.

The licensee further proposes to amend condition of licence 4 by removing the words “each day”, to read as follows:

4. The licensee shall include in the programming broadcast on CFUN-FM and its transmitters on a regular basis Monday to Friday coverage of local news, sports and events of direct and particular relevance to the Fraser Valley, in particular Chilliwack.

The licensee indicated that the proposed amendments to the above-noted conditions of licence are necessary in order to provide the flexibility needed to reflect operational realities while maintaining the station’s focus on locally oriented programming.

It appears that the licensee is now in compliance with the *Radio Regulations, 1986* and its conditions of licence.

Licensee’s address:

6-333 Bloor Street East
 Toronto, Ontario
 M4W 1G9
 Fax: 416-935-8203
 Email: susan.wheeler@rci.rogers.com
 Website to see the application: www.sonicnation.ca

**17. Lake Cowichan, British Columbia
 Application 2012-0344-7**

Application by **Cowichan Valley Community Radio Society** for a broadcasting licence to operate an English-language low-power FM community radio programming undertaking in Lake Cowichan, British Columbia.

The new station would operate at 97.5 MHz (channel 248LP) with an effective radiated power of 50 watts (non-directional antenna with an effective height of antenna above average terrain of 26 metres).

Cowichan Valley Community Radio Society currently operates a developmental community radio station in Lake Cowichan, the licence for which expires on 31 August 2012.

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
 Box 275
 Lake Cowichan, British Columbia
 V0R 2G0
 Fax: 250-479-6635
 Email: admin@cicv.ca
 Website to view application: www.cicv.ca
 Email to request electronic version of application: admin@cicv.ca

**18. Iqaluit, Nunavut
 Application 2012-0342-1**

Application by **Association des Francophones du Nunavut** to renew the broadcasting licence for the community radio programming undertaking CFRT-FM Iqaluit, expiring 31 August 2012.

It appears that the licensee may have failed to comply with section 9(2) of the *Radio Regulations, 1986* (the Regulations) relating to the submission of annual returns for the 2007-2008, 2008-2009, 2009-2010 and 2010-2011 broadcast years as well as section 9(4) of the Regulations concerning the provision of a response to any inquiry made by the Commission regarding a licensee's undertaking. Specifically, the licensee failed to file its renewal application for its undertaking on time.

The Commission reminds the licensee that it may also consider recourse to additional measures, including short-term renewal, suspension, non-renewal or revocation of the licence, pursuant to sections 9 and 24 of the *Broadcasting Act*.

The Commission notes that in *CFRT-FM Iqaluit-Licence renewal*, Broadcasting Decision CRTC 2008-333, 1 December 2008, the station was granted a four-year short-term licence renewal until 31 August 2012, based on its failure to provide, no later than 30 November of each year, an annual return for the broadcast year ending on the previous 31 August.

Licensee's address:

P.O. Box 880

Iqaluit, Nunavut

X0A 0H0

Fax: 867-979-0800

Email: flantin@nunafranc.ca

Email to request electronic version of application: flantin@nunafranc.ca

Procedure

Deadline for interventions or answers

18 May 2012

The new *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure*, SOR/2010-277 (the Rules of Procedure), set out, among other things, the rules for content, format, filing and service of interventions and answers of respondents, the procedure for filing confidential information and requesting its disclosure, and the conduct of the public hearing. Accordingly, the procedure set out below must be read in conjunction with the Rules of Procedure and its accompanying documents, which can be found on the Commission's website under "CRTC Rules of Practice and Procedure."

An intervention or an answer from a respondent must be filed with the Commission and served on the applicant on or before the above-mentioned date. An answer from a respondent must also be served on any other respondent.

In accordance with the Rules of Procedure, a document must be filed with, not merely sent to, the Commission by 5 p.m. Vancouver time (8 p.m. Ottawa time) on the date it is due. The Commission takes no responsibility for postal delays and will not notify a party whose submission is received after the deadline date. Late submissions will not be considered by the Commission and will not be made part of the public file.

The intervention or answer 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.

The applicant, respondents and interveners are permitted to coordinate, organize and file, in a single submission, interventions of other interested persons who share their position but do not wish to appear at the hearing as a "Joint Supporting Intervention." More information on how to do so and a template for the covering letter to be filed by the parties can be found in *Changes to certain practices for filing interventions – Expansion of filing practices to include the filing of joint supporting comments for broadcasting*

policy proceedings, Broadcasting Information Bulletin CRTC 2010-28-1,
10 December 2010.

Interventions and answers will be considered by the Commission and will form part of the public record of the proceeding without further notification to parties, provided the procedures set out in the Rules of Procedure and this notice have been followed. Parties will be contacted only if their submissions raise procedural questions.

Submissions must be filed by sending them to the Secretary General of the Commission by **only one** of the following means:

by using the
[\[Intervention/comment/answer form\]](#)

or

by mail to
CRTC, Ottawa, Ontario K1A 0N2

or

by fax at
819-994-0218

A true copy of each intervention or answer from a respondent must be sent to the applicant and, in the case of a respondent to an application, to any other respondent.

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

Parties must ensure that, before initiating service through electronic mode, they will be able to satisfy the Commission, upon request, that service was completed. The sender must keep proof of the sending and the receipt of the document for 180 days after the day on which it is filed.

Submissions longer than five pages should include a summary.

Each paragraph of the submission should be numbered. In addition, 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 altered during electronic transmission.

Interventions and answers must clearly identify the application referred to and indicate whether parties support or oppose the application, or, if they propose changes to it, include the facts and grounds for their proposal.

In the event that the application is brought to the oral phase of the hearing, and if parties wish to appear, they must provide reasons why their written interventions or answers are not sufficient and why an appearance is necessary. Parties requiring communication support must state their request on the first page of their intervention. Only those parties whose requests to appear have been granted will be contacted by the Commission and invited to appear at the public hearing.

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

All information that parties provide as part of this public process, except information designated confidential, whether sent by postal mail, facsimile, e-mail or through the Commission's website at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's website. This information includes personal information, such as full names, e-mail addresses, postal/street addresses, telephone and facsimile numbers, and any other personal information parties provide.

The personal information that parties 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 website in their entirety exactly as received, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.

The information that parties 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 the Commission's website with the help of either its own search engine or a third-party search engine will not provide access to the information that was provided as part of this public process.

The Commission encourages parties and interested persons to monitor the record of the proceeding, available on the Commission's website, for additional information that they may find useful when preparing their submissions.

Examination of documents

An electronic version of the applications is available on the Commission's website by selecting the application number within this notice. It is also available from the applicants/licensees, either on their websites or upon request by contacting the applicants/licensees at their email addresses, provided above.

A list of all interventions and answers will also be available on the Commission's website. The list is accessible by selecting "View all proceedings open for comment" from the "Public Proceedings" section of the Commission's website and clicking on the "Interventions/Answers" link associated with this notice.

Documents are also available during normal office hours at the Commission offices and documentation centres directly involved with these applications, or, upon request, within two (2) working days, at any other Commission offices and documentation centres.

Location of Commission offices

Toll-free telephone: 1-877-249-2782

Toll-free TDD: 1-877-909-2782

Les Terrasses de la Chaudière
 Central Building
 1 Promenade du Portage, Room 206
 Gatineau, Quebec
 J8X 4B1
 Tel.: 819-997-2429
 Fax: 819-994-0218

Regional offices

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

360 Main Street
 Suite 970
 Winnipeg, Manitoba
 R3C 3Z3

Tel.: 204-983-6306
Fax: 204-983-6317

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Suite 620
Regina, Saskatchewan
S4P 0M8
Tel.: 306-780-3422

100 – 4th Avenue South-West
Suite 403
Calgary, Alberta
T2P 3N2
Tel.: 403-292-6660
Fax: 403-292-6686

858 Beatty Street
Suite 290
Vancouver, British Columbia
V6B 1C1
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Fax: 604-666-8322

Secretary General