



## Broadcasting Notice of Consultation CRTC 2012-300

PDF version

Ottawa, 18 May 2012

### Notice of hearing

**18 July 2012**

**Gatineau, Quebec**

**Deadline for submission of interventions/comments/answers: 18 June 2012**

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

The Commission will hold a hearing commencing on **18 July 2012 at 2:00 p.m., at the Commission Headquarters, 1 Promenade du Portage, Gatineau, Quebec**. The Commission intends to consider, subject to interventions, the following applications without the appearance of the parties:

#### Applicant/Licensee and Locality

1. **Asian Television Network International Limited**  
Across Canada  
Application 2012-0226-7
2. **Fifth Dimension Properties Inc.**  
Across Canada  
Application 2012-0324-9
3. **Fifth Dimension Properties Inc.**  
Across Canada  
Application 2012-0325-7
4. **Channel Punjabi Broadcasting Corporation**  
Across Canada  
Application 2012-0421-3
5. **GlassBOX Television Inc. and 8182493 Canada Inc., partners in a general partnership carrying on business as Blue Ant Media Partnership**  
Across Canada  
Application 2012-0558-4
6. **Radio Bell Island Inc.**  
Bell Island, Newfoundland and Labrador  
Application 2012-0327-3

7. **Radio Haute Mauricie inc.**

La Tuque, Quebec  
Application 2012-0403-1

1. **Asian Television Network International Limited**

Across Canada  
Application 2012-0226-7

Application by **Asian Television Network International Limited** for a broadcasting licence to operate a national, general interest, third-language ethnic specialty Category B service to be known as South Asian Television Canada Channel 2 (SATV2).

The applicant proposes to offer programming that would be devoted to the South Asian communities across Canada.

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

The applicant further proposes to broadcast not less than 90% of all programming broadcast during the broadcast week in the Hindi language.

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

*Applicant's address:*

130 Pony Drive  
Newmarket, Ontario  
L3Y 7B6

Fax: 905-853-5212

Email: [prakash@asiantelelevision.com](mailto:prakash@asiantelelevision.com)

Email to request electronic version of application: [prakash@asiantelelevision.com](mailto:prakash@asiantelelevision.com)

2. **Fifth Dimension Properties Inc.**

Across Canada  
Application 2012-0324-9

Application by **Fifth Dimension Properties Inc.** for a broadcasting licence to operate a national English-language specialty Category B service to be known as Ebabe TV.

The applicant proposes to offer programming that would be devoted to adult entertainment featuring Internet-related programming. The service would provide a portion of its programming in shorter segments, and would include animated components.

The applicant also proposes to offer programming from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time: 2(a), 5(b), 7(a), 7(c), 7(d), 7(e), 7(g), 8(b), 8(c), 11(a), 12 and 14.

The applicant states that it would commit, by condition of licence, that not more than 10% of all programming broadcast during the broadcast month would be devoted to programming drawn from program categories 8(b) and 8(c) combined.

The applicant requests authorization to make Ebabe TV available in 3D format when available.

*Applicant's address:*

105 Murray Street

Ottawa, Ontario

K1N 5M5

Fax: 613-247-9220

Email: [stu@5d.com](mailto:stu@5d.com)

Email to request electronic version of application: [stu@5d.com](mailto:stu@5d.com)

### **3. Fifth Dimension Properties Inc.**

Across Canada

Application 2012-0325-7

Application by **Fifth Dimension Properties Inc.** for a broadcasting licence to operate a national English-language specialty Category B service to be known as Skinemax TV.

The applicant proposes to offer programming that would be devoted to adult entertainment designed around HD and 3D. The service would feature programming reflecting the latest trends in themes and styles of adult programming.

The applicant also proposes to offer programming from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time: 2(a), 5(b), 7(a), 7(c), 7(d), 7(e), 7(g), 8(b), 8(c), 11(a), 12 and 14.

The applicant states that it would commit, by condition of licence, that not more than 10% of all programming broadcast during the broadcast month would be devoted to programming drawn from program categories 8(b) and 8(c) combined.

The applicant requests authorization to make Skinemax TV available in 3D format when available.

*Applicant's address:*

105 Murray Street

Ottawa, Ontario

K1N 5M5

Fax: 613-247-9220

Email: [stu@5d.com](mailto:stu@5d.com)

Email to request electronic version of application: [stu@5d.com](mailto:stu@5d.com)

**4. Fifth Dimension Properties Inc.**

Across Canada

Application 2012-0421-3

Application by **Channel Punjabi Broadcasting Corporation** for a broadcasting licence to operate an English- and third-language national, niche ethnic specialty Category B service in to be known as Asian Connections Television.

The applicant proposes to offer programming that would be devoted to traditional South Asian religion, entertainment, news and a variety of community events. The programming would target a younger audience and would focus mostly on fashion and magazine-style programs. It would also be dedicated to health, exercise, lifestyle, sports, talk shows, music, and events such as the Country Music Awards, Juno Awards and Vancouver Fashion Week.

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

The applicant further proposes to broadcast 60% of all programming broadcast during the broadcast day in the English language, 30% in the Punjabi language and 10% in the Hindi language.

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

*Applicant's address:*

804-37<sup>th</sup> Avenue East

Vancouver, British Columbia

V5W 1G2

Fax: 604-207-9861

Email: [hbal@asianconnectionstv.com](mailto:hbal@asianconnectionstv.com)

Email to request electronic version of application: [hbal@asianconnectionstv.com](mailto:hbal@asianconnectionstv.com)

**5. GlassBOX Television Inc. and 8182493 Canada Inc., partners in a general partnership carrying on business as Blue Ant Media Partnership**

Across Canada

Application 2012-0558-4

Application by **GlassBOX Television Inc. (GlassBOX) and 8182493 Canada Inc. (8182493), partners in a general partnership carrying on business as Blue Ant Media Partnership (the Partnership)**, for authority to acquire, as part of a corporate reorganization, the assets of the broadcasting undertakings held by GlassBOX Television Inc. and 7506465 Canada Inc. (7506465).

The applicant is also requesting broadcasting licences to continue the operation of the undertakings under the same terms and conditions as those in effect under the current licences.

GlassBOX is the licensee of the specialty Category B services BITE Television and AUX TV, as well as 5 other specialty Category B services and one specialty Category C service not yet in operation. 7506465, a wholly owned subsidiary of GlassBOX, is the licensee of the specialty Category A service *travel + escape*.

GlassBOX, the managing partner holding 99.99% of the voting interest in the general partnership, is wholly owned by Blue Ant Media Inc., a corporation controlled by Mr. Michael MacMillan.

8182493, the other partner holding the remaining 0.01% of the voting interest in the Partnership, is wholly owned by Blue Ant Media Inc.

The Commission notes that following the creation of the Partnership, GlassBOX intends to amalgamate with its wholly owned subsidiary 7506465.

Following completion of the transaction, GlassBOX Television Inc. and 8182493 Canada Inc., partners in a general partnership carrying on business as Blue Ant Media Partnership, will become the licensee of the above-referenced undertakings.

The above transaction will not affect the effective control of the undertakings which will continue to be exercised by Mr. Michael MacMillan.

*Applicant's address:*

130 Merton Street  
Suite 400  
Toronto, Ontario  
M4S 1A4

Fax: 416-486-0404

Email: [babramson@mccarthy.ca](mailto:babramson@mccarthy.ca)

Email to request an electronic version of the application: [babramson@mccarthy.ca](mailto:babramson@mccarthy.ca)

**6. Radio Bell Island Inc.**

Bell Island, Newfoundland and Labrador  
Application 2012-0327-3

Application by **Radio Bell Island Inc.** for a broadcasting license to operate a low-power English-language FM community radio programming undertaking in Bell Island.

The new station would operate at 93.9 MHz (channel 230LP) with an effective radiated power of 28 watts (non-directional antenna with an effective height above average terrain of 12 metres).

The Commission may withdraw this application from the 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:*

St. Michael's Regional High  
 P.O. Box 974  
 Bell Island, Newfoundland and Labrador  
 A0A 4H0  
 Fax: 709-488-3800  
 Email: [radiobellisland@gmail.com](mailto:radiobellisland@gmail.com)  
 Email to request electronic version of application: [radiobellisland@gmail.com](mailto:radiobellisland@gmail.com)

**7. Radio Haute Mauricie inc.**  
 La Tuque, Quebec  
 Application 2012-0403-1

Application by **Radio Haute Mauricie inc.** to convert the French-language radio programming undertaking CFLM La Tuque from the AM to the FM band.

The new station would operate at 97.1 MHz (channel 246B) with an average effective radiated power (ERP) of 18,200 watts (maximum ERP of 32,000 watts with an effective height of antenna above average terrain of 127.3 metres).

The applicant is proposing to maintain CFLM's current music format of Popular, Rock, Dance and Country.

The applicant is requesting permission to simulcast the programming of the new FM station on CFLM for three months after the new station is on air.

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

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

This application requires the issuance of a new licence.

*Applicant's address:*

529 St-Louis Street  
 La Tuque, Quebec  
 G9X 3P6  
 Fax: 819-676-8000  
 Email: [ann.armstrong@tlb.sympatico.ca](mailto:ann.armstrong@tlb.sympatico.ca)  
 Website to view application: [www.spectrumexpert.ca/LaTuque](http://www.spectrumexpert.ca/LaTuque)  
 Email to request electronic version of application: [ann.armstrong@tlb.sympatico.ca](mailto:ann.armstrong@tlb.sympatico.ca)

## Procedure

### Deadline for interventions or answers

**18 June 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](http://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

2220 – 12<sup>th</sup> Avenue  
Suite 620  
Regina, Saskatchewan  
S4P 0M8  
Tel.: 306-780-3422

100 – 4<sup>th</sup> Avenue South-West  
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Calgary, Alberta  
T2P 3N2  
Tel.: 403-292-6660  
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858 Beatty Street  
Suite 290  
Vancouver, British Columbia  
V6B 1C1  
Tel.: 604-666-2111  
Fax: 604-666-8322

Secretary General