



Broadcasting Notice of Consultation CRTC 2012-475

PDF version

Additional reference: 2012-223

Ottawa, 5 September 2012

Notice of hearing

7 November 2012

Gatineau, Quebec

Deadline for submission of interventions/comments/answers: 5 October 2012

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

The Commission will hold a hearing beginning on **7 November 2012 at 9 a.m. at the Conference Centre, Phase IV, 140 Promenade du Portage, Gatineau, Quebec**, to consider the following applications:

Applicant/licensee and locality

1. **Rogers Broadcasting Limited**
Montréal, Quebec
Application 2012-0756-4
2. **4517466 Canada Inc.**
Montréal, Quebec
Application 2012-0175-6
3. **Nostalgia Broadcasting Cooperative Inc.**
Winnipeg, Manitoba
Application 2009-1314-6
4. **Canadian Broadcasting Corporation**
Winnipeg, Manitoba
Application 2012-0816-6
5. **Stingray Digital Group Inc.**
Across Canada
Application 2012-0697-0
6. **Ethnic Channels Group Limited**
Across Canada
Application 2012-0730-9

7. **Ethnic Channels Group Limited**
Across Canada
Application 2012-0732-4
8. **Ethnic Channels Group Limited**
Across Canada
Application 2012-0734-0
9. **Ethnic Channels Group Limited**
Across Canada
Application 2012-0737-4
10. **Ethnic Channels Group Limited**
Across Canada
Application 2012-0738-2
11. **Tony Della Penta, on behalf of a corporation to be incorporated**
Across Canada
Application 2012-0761-3
12. **Fairchild Television Ltd.**
Across Canada
Application 2012-0767-1
13. **Fairchild Television Ltd.**
Across Canada
Application 2012-0768-9
14. **9262-8148 Quebec Inc.**
Across Canada
Application 2012-0777-0
15. **Blue Ant Media Partnership**
Across Canada
Application 2012-0802-5
16. **Cogeco Diffusion Acquisitions inc.**
Montréal, Quebec
Application 2012-0441-1
17. **Dufferin Communications Inc.**
Clarence-Rockland, Ontario
Application 2011-1679-9
18. **Golden West Broadcasting Ltd.**
Steinbach, Manitoba
Application 2012-0446-1

19. **Arctic Radio (1982) Limited**
Thompson, Manitoba
Application 2012-0589-9
20. **Arctic Radio (1982) Limited**
Flin Flon, Manitoba
Application 2012-0692-0
21. **Arctic Radio (1982) Limited**
The Pas, Manitoba
Application 2012-0694-6
22. **Touch Canada Broadcasting (2006) Inc. (the general partner) and C.R.A. Investments Ltd. (the limited partner), carrying on business as Touch Canada Broadcasting Limited Partnership**
Edmonton, Calgary and Red Deer, Alberta
Application 2012-0642-5
23. **Bear Creek Broadcasting Ltd. (general partner and limited partner) and “Jim Pattison Broadcast Group Ltd (the general partner) and Jim Pattison Industries Ltd. (the limited partner) carrying on business as Jim Pattison Broadcast Group Limited Partnership” (the other limited partner), carrying on business as Bear Creek Broadcasting Limited Partnership**
Grande Prairie, Alberta
Application 2012-0797-8

Preamble

Items 1 and 2

The Commission received two applications affecting the Montréal television market. One application was filed by Rogers Broadcasting Limited (Rogers) for authorization to acquire from 2209005 Ontario Inc. the assets of CJNT-TV, an ethnic television station in Montréal. As part of its application, Rogers requested that CJNT-TV's current conditions of licence be amended to allow it to become an English-language commercial television station with regulatory obligations similar to those imposed on other Rogers-owned Citytv services. Should the Commission deny the proposed licence amendments, Rogers would accept that the station remain an ethnic television station but only if the Commission were to accept less restrictive conditions of licence for the ethnic service.

A separate application was filed by 4517466 Canada Inc. (4517466) for a new broadcasting licence to operate a multilingual over-the-air ethnic television station in Montréal to be known as ici (International Channel/Canal International).

There is a relationship between the two applications. The nature of the tangible benefits package proposed by Rogers is contingent upon the Commission's approval of 4517466's application. Rogers submitted that if the Commission were to approve its proposal to

transform CJNT-TV into an English-language commercial television station and if the Commission were also to accept *ici*'s proposal for a new multilingual over-the-air ethnic television station, its tangible benefits package would be spent for the benefit of *ici*. Furthermore, both Rogers and *ici* raised the possibility for future collaborations between the two services.

In the Commission's view, the addition of a new English-language service could result in a substantial change to the Montréal television market. Furthermore, depending upon the Commission's determinations, the two applications described above could be considered either competitive or complementary in nature. Accordingly, the Commission will consider these two applications conjointly during the appearing phase of the hearing.

Items 3 and 4

On 18 April 2012, the Commission issued Broadcasting Notice of Consultation 2012-223 calling for applications for a broadcasting licence to operate a new radio station to serve Winnipeg, Manitoba. Items 3 and 4 were received in response to this call and no other applications were received. Since these applications are non-competitive on a technical basis, the Commission intends to consider, subject to interventions, these two applications as non-appearing items.

Items 5 to 23

The Commission intends to consider, subject to interventions, items 5 to 23 without the appearance of the parties.

1. **Rogers Broadcasting Limited**
Montréal, Quebec
Application 2012-0756-4

Application by **Rogers Broadcasting Limited** (Rogers) for authorization to acquire from 2209005 Ontario Inc. (2209005) the assets of CJNT-TV, an ethnic television programming undertaking in Montréal.

This application is subject to the Commission's approval of an application filed by 2209005 to effect a change in its ownership (corporate reorganization) (application 2012-0861-1).

The applicant is owned and controlled by Rogers Communications Inc.

The applicant requests the issuance of a new broadcasting licence to operate CJNT-TV as an English-language commercial television station. The applicant is prepared to commit to Canadian programming expenditure (CPE) requirements and programs of national interest (PNI) requirements that are consistent with those currently imposed on Citytv services.

If the Commission were to deny Rogers' proposal to operate CJNT-TV as an English-language service, the applicant would agree to continue the operation of the undertaking as an ethnic service under most of the terms and conditions in effect under the current licence. However, it requests to be relieved from condition of licences 1(b), which requires CJNT-TV to devote to the broadcast of ethnic programming no less than 75% of the total number of hours broadcast annually between 8 p.m. and 10 p.m., as well as condition of licence 3(b), which requires CJNT-TV to devote to the broadcast of non-ethnic programs no more than 40% of the total number of hours broadcast annually between 6 a.m. and midnight.

The applicant is further requesting a broadcasting licence expiring 31 August 2016 to coincide with the expiry of the current CJNT-TV licence.

Based on the terms of the Asset Purchase Agreement, the purchase price of this transaction is \$10.3 million. Should the Commission accept the proposal to convert CJNT-TV into an English-language service, the applicant proposes a tangible benefits package representing 10% of the value of the transaction to be allocated equally over a period of five years. This funding would be directed to *ici*, which has applied for a multilingual over-the-air ethnic television programming undertaking in Montréal (application 2012-0175-6). However, should CJNT-TV remain an ethnic broadcaster, the applicant would continue to commit to a tangible benefits package representing 10% of the value of the transaction, but allocated over seven years. This funding would be directed to the Rogers Independent Ethnic Production Fund and all monies would subsequently flow to independent ethnic producers in Quebec.

Finally, should the Commission accept the proposal to convert CJNT-TV into an English-language service but deny *ici*'s application, the applicant would continue to commit to a tangible benefits package representing 10% of the value of the transaction, allocated over seven years. The money would go to a self-administered fund to be known as the Rogers Independent Production Fund (Québec). All monies would flow to independent producers based in Montréal and the province of Quebec to support the production of original, high-quality programming in a variety of genres. This money would be incremental to Rogers' proposed CPE for CJNT-TV.

The Commission notes that the current licensee of CJNT-TV has failed to comply with section 10(3) of the *Television Broadcasting Regulations, 1987*, which states that "except as otherwise provided under a condition of its licence, a licensee shall furnish to the Commission, within 30 days after the end of each month, the program log or machine-readable record of the licensee for that month, together with a certificate signed by or on behalf of the licensee attesting to the accuracy of the contents of the log or record." The Commission further notes that without this program log it is unable to assess whether CJNT-TV is in compliance with its current regulatory obligations. CJNT-TV's compliance with its regulatory obligations may be discussed with the applicant and the current licensee during the hearing.

Applicant's address:

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

2. **4517466 Canada Inc.**
 Montréal, Quebec
 Application 2012-0175-6

Application by **4517466 Canada Inc.** for a broadcasting licence to operate a multilingual over-the-air ethnic television programming undertaking in Montréal to be known as ici (International Channel/Canal International).

The applicant proposes to direct programming to a minimum of 18 ethnic groups in 15 different languages.

The new station would operate on channel 47 with an average effective radiated power (ERP) of 2,700 watts (maximum ERP of 5,500 watts with an effective height of antenna above average terrain of 196 metres).

In another application to the Commission (application 2012-0756-4), Rogers Broadcasting Limited (Rogers) is requesting authorization to acquire the assets of CJNT-TV, an ethnic television programming undertaking in Montréal and convert it to an English-language programming undertaking. Should the Rogers application be approved, Rogers is proposing that the tangible benefits (10% of the value of the transaction) be directed towards ici to be allocated equally over a period of five years. The funding would be used to support production and delivery of local ethnic programming for exhibition on ici. As well, Rogers indicated that its OMNI programming would be available for ici should ici decide to acquire it.

The applicant hopes to pool news gathering resources and personnel with Rogers and plans to sign a master control contract with Rogers so that both stations can be controlled from a single location. However, the applicant will use its own advertising sales staff as the audience for the two proposed services would be different.

Applicant's address:

9225 Christophe-Colomb Avenue
 Suite 4
 Montréal, Quebec
 H2M 2E3
 Fax: 514-385-0711
 Email: 4517466@gmail.com
 Email to request electronic version of application: 4517466@gmail.com

3. **Nostalgia Broadcasting Cooperative Inc.**
Winnipeg, Manitoba
Application 2009-1314-6

Application by **Nostalgia Broadcasting Cooperative Inc.** for a broadcasting licence to operate an English-language FM community radio programming undertaking in Winnipeg.

The new station would operate on frequency 93.7 MHz (channel 229A) with an effective radiated power of 460 watts (omnidirectional antenna with an effective height of antenna above average terrain of 111.6 metres).

The applicant proposes to broadcast 126 hours of programming per broadcast week, of which 100 hours will be local, station-produced programming.

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:

P.O. Box 2282

Station Main

Winnipeg, Manitoba

R3C 4A6

Email: info@cju.ca

Email to request electronic version of application: rschmid1@uwinnipeg.ca

4. **Canadian Broadcasting Corporation**
Winnipeg, Manitoba
Application 2012-0816-6

Application by the **Canadian Broadcasting Corporation (CBC)** for a broadcasting licence to operate a new French-language FM radio programming undertaking in Winnipeg to replace CKSB St-Boniface (Première Chaîne) and its nested FM rebroadcasting transmitter CKSB-10-FM Winnipeg and to revoke the broadcasting licence for CKSB after a three-month simulcast period.

The CBC confirmed that the current rebroadcasting transmitters of CKSB, namely CKSB-FM-1 Sainte Rose du Lac, CKSB-FM-2 St. Lazare, CKSB-FM-3 The Pas, CKSB-FM-4 Flin Flon, CKSB-FM-5 Thompson and CKSB-FM-8 Brandon in Manitoba and CKSB-FM-6 Dryden, CKSB-FM-7 Kenora and CKSB-FM-9 Fort Frances in Ontario would remain associated with the new FM radio programming undertaking.

The new station would operate on frequency 88.1 MHz (channel 201C1) with an effective radiated power of 100,000 watts (non-directional antenna with an effective height of antenna above average terrain of 223 metres).

The CBC is of the view that the proposed changes would allow it to improve the coverage of its radio services in Winnipeg and reach more Francophones in the area.

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

Applicant's address:

181 Queen Street
Ottawa, Ontario
K1P 1K9

Fax: 613-288-6257

Email: affaires.reglementaires@radio-canada.ca

Website to view application: <http://cbc.radio-canada.ca/en/reporting-to-canadians/reports/submissions/2012>

Email to request electronic version of application: affaires.reglementaires@radio-canada.ca

5. **Stingray Digital Group Inc.**
Across Canada
Application 2012-0697-0

Application by **Stingray Digital Group Inc.** for a broadcasting licence to operate a national niche no spoken word specialty Category B service to be known as The Seasonal Channel.

The applicant stated that the channel will feature still pictures and moving video of nature scenes with appropriate music that will change based upon the season to create a soothing video environment.

The applicant 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: 8(a), 11(a) and 12.

Applicant's address:

730 Wellington Street
Montréal, Quebec
H3C 1T4

Fax: 514-664-1143

Email: rbraide@stingraydigital.com

Email to request electronic version of application: rbraide@stingraydigital.com

6. **Ethnic Channels Group Limited**

Across Canada

Application 2012-0730-9

Application by **Ethnic Channels Group Limited** for a broadcasting licence to operate a national niche third-language ethnic specialty Category B service to be known as Hindi News that will operate in Hindi (90%) and English (10%).

The applicant stated that the channel will provide news, information and public affairs programming in Hindi to the Hindi-speaking community.

The applicant 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, 12, 13 and 14.

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

Applicant's address:

907 Alness Street

Toronto, Ontario

M3J 2J1

Fax: 416-736-7577

Email: slavalevin@ethnicchannels.com

Email to request electronic version of application: slavalevin@ethnicchannels.com

7. **Ethnic Channels Group Limited**

Across Canada

Application 2012-0732-4

Application by **Ethnic Channels Group Limited** for a broadcasting licence to operate a national niche third-language ethnic specialty Category B service to be known as Hindi Music TV that will operate in Hindi (90%) and English (10%).

The applicant stated that the channel will provide music and music-related programming in Hindi to the Hindi-speaking community.

The applicant 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(b), 3, 7(a), 7(b), 7(c), 7(d), 7(e), 7(f), 7(g), 8(a), 8(b), 8(c), 9, 11(a), 11(b), 12, 13 and 14.

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

Applicant's address:

907 Alness Street
Toronto, Ontario
M3J 2J1

Fax: 416-736-7577

Email: slavalevin@ethnicchannels.com

Email to request electronic version of application: slavalevin@ethnicchannels.com

8. Ethnic Channels Group Limited

Across Canada

Application 2012-0734-0

Application by **Ethnic Channels Group Limited** for a broadcasting licence to operate a national niche third-language ethnic specialty Category B service to be known as Bollywood Movies TV that will operate in Hindi (90%) and English (10%).

The applicant proposes to offer programming devoted predominantly to Hindi movies for the Hindi-speaking community.

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(b), 7(a), 7(b), 7(c), 7(d), 7(e), 7(f), 7(g), 8(a), 8(b), 11(a), 12, 13 and 14.

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

Applicant's address:

907 Alness Street
Toronto, Ontario
M3J 2J1

Fax: 416-736-7577

Email: slavalevin@ethnicchannels.com

Email to request electronic version of application: slavalevin@ethnicchannels.com

9. Ethnic Channels Group Limited

Across Canada

Application 2012-0737-4

Application by **Ethnic Channels Group Limited** for a broadcasting licence to operate a national niche third-language ethnic specialty Category B service to be known as Hindi Women's TV, that will operate in Hindi (90%) and English (10%).

The applicant proposes to offer programming of particular interest to the women in the Hindi-speaking community.

The applicant also proposes to offer programming from the following categories, as set out in item 6 of Schedule I of the *Specialty Services Regulations, 1990*, as amended from time to time: 2(a), 2(b), 3, 4, 5(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 requests that it be authorized to devote up to 6 of the 12 minutes of advertising material permitted during each clock hour to local and regional advertising.

Applicant's address:

907 Alness Street

Toronto, Ontario

M3J 2J1

Fax: 416-736-7577

Email: slavalevin@ethnicchannels.com

Email to request electronic version of application: slavalevin@ethnicchannels.com

10. Ethnic Channels Group Limited

Across Canada

Application 2012-0738-2

Application by **Ethnic Channels Group Limited** for a broadcasting licence to operate a national niche third-language ethnic specialty Category B service to be known as Mandarin Children's TV that will operate in Mandarin (90%) and English (10%).

The applicant proposes to offer programming directed to Mandarin-speaking children and youth from preschool age up to age 17.

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), 2(b), 3, 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 requests that it be authorized to devote up to 6 of the 12 minutes of advertising material permitted during each clock hour to local and regional advertising.

Applicant's address:

907 Alness Street

Toronto, Ontario

M3J 2J1

Fax: 416-736-7577

Email: slavalevin@ethnicchannels.com

Email to request electronic version of application: slavalevin@ethnicchannels.com

11. **Tony Della Penta, on behalf of a corporation to be incorporated**

Across Canada

Application 2012-0761-3

Application by **Tony Della Penta, on behalf of a corporation to be incorporated**, for a broadcasting licence to operate a national niche third-language ethnic specialty Category B service to be known as The Italian Food and Cooking Channel.

The applicant proposes to broadcast no less than 90% of all programming broadcast during the broadcast week in the Italian language.

The applicant stated that the service will be devoted to providing programming to Canadians with origins in Italy or who are of Italian descent and who are 25 years of age and older.

The applicant added that programs will offer instructional programming that is both entertaining and informative, all while addressing the importance of food and nutrition. It will showcase authentic Italian recipes from Northern Italy to the island of Sicily and will include programming on cooking instruction, preparation and presentation, the process of selecting foods and ingredients and the art of entertaining and food culture. It will also feature recipes from around the world.

The applicant intends to broadcast its programming in high definition.

The applicant also proposes to offer programming from the following program categories set out in item 6 of Schedule I of the *Specialty Services Regulations, 1990*, as amended from time to time: 2(b), 5(b), 10, 11(a), 11(b), 12, 13 and 14.

The applicant also confirmed that it would adhere to the standard conditions of licence and expectations set out in *Standard conditions of licence, expectations and encouragements for Category B pay and specialty services – Corrected Appendices 1 and 2*, Broadcasting Regulatory Policy CRTC 2010-786-1, 18 July 2011.

The applicant requests that it be authorized to devote up to 10 of the 12 minutes of advertising material permitted during each clock hour to local and regional advertising.

Applicant's address:

1870 Charles Smallwood Street

Laval, Quebec

H7W 5L8

Fax: 450-978-3022

Email: tdpenta@ReteMontreal.com

Email to request electronic version of application: tdpenta@ReteMontreal.com

12. **Fairchild Television Ltd.**

Across Canada

Application 2012-0767-1

Application by **Fairchild Television Ltd.** for a broadcasting licence to operate a national general interest third-language ethnic specialty Category B service to be known as Fairchild Television II (FTV II).

The applicant proposes to broadcast no less than 90% of all programming broadcast during the broadcast week in the Cantonese language. No more than 10% of all programming will be in Mandarin and/or other Chinese dialects such as Shanghaiese and Fujianese, as well as in English.

The applicant stated that programming will consist of a broad array of program categories, of which at least 80% will differ from the programming available on Fairchild Television (FTV).

The applicant added that FTV II will offer a wide array of information and entertainment TV programs in high and standard definition, ranging from news and analysis to variety and feature films, most of which cannot be scheduled for airing on the current FTV Category A service due to fully occupied airtime capacity.

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

The applicant confirmed that it would adhere to the standard conditions of licence and expectations set out in *Standard conditions of licence, expectations and encouragements for Category B pay and specialty services – Corrected Appendices 1 and 2*, Broadcasting Regulatory Policy CRTC 2010-786-1, 18 July 2011.

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

Applicant's address:

Unit 3300-4151 Hazelbridge Way

Aberdeen Centre

Richmond, British Columbia

V6X 4J7

Fax: 604-295-1300

Email: info@fairchildtv.com

Email to request electronic version of application: jchan@fairchildtv.com

13. **Fairchild Television Ltd.**

Across Canada

Application 2012-0768-9

Application by **Fairchild Television Ltd.** (Fairchild) for a broadcasting licence to operate a national general interest third-language ethnic specialty Category B service to be known as Talentvision II (TTV II).

The applicant proposes to broadcast no less than 90% of all programming broadcast during the broadcast week in the Mandarin language. No more than 10% of all programming will be in other Chinese dialects such as Cantonese, Shanghaiese and Fujianese, as well as in English.

The applicant stated that the programming will consist of a broad array of program categories, of which at least 80% will differ from the programming available on Talentvision (TTV).

The applicant added that TTV II will offer a wide array of information and entertainment TV programs in high and standard definition, ranging from news and analysis to variety and feature films, most of which cannot be scheduled for airing on the current TTV Category A service due to fully occupied airtime capacity.

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

The applicant confirmed that it would adhere to the standard conditions of licence and expectations set out in *Standard conditions of licence, expectations and encouragements for Category B pay and specialty services – Corrected Appendices 1 and 2*, Broadcasting Regulatory Policy CRTC 2010-786-1, 18 July 2011.

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

Applicant's address:

Unit 3300-4151 Hazelbridge Way

Aberdeen Centre

Richmond, British Columbia

V6X 4J7

Fax: 604-295-1300

Email: info@fairchildtv.com

Email to request electronic version of application: jchan@fairchildtv.com

14. **9262-8148 Quebec Inc.**
 Across Canada
 Application 2012-0777-0

Application by **9262-8148 Quebec Inc.** for a broadcasting licence to operate a national French-language specialty Category B service to be known as Télé Santé +.

The applicant stated that the programming will be devoted to all aspects of health and disease, for humans as well as for animals, as well as all associated factors.

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

The applicant stated that it would accept conditions of licence requiring it to:

- devote no more than 10% of all programming broadcast during the broadcast month to programs drawn from program category 7(e); and
- devote no more than 20% of all programming broadcast during the broadcast month to programs drawn from category 2(b).

The applicant confirmed that it would adhere to the standard conditions of licence and expectations set out in *Standard conditions of licence, expectations and encouragements for Category B pay and specialty services – Corrected Appendices 1 and 2*, Broadcasting Regulatory Policy CRTC 2010-786-1, 18 July 2011.

Applicant's address:

208 de Bayeux Street
 Boucherville, Quebec
 J4B 7T9

Fax: 514-397-8515

Email: mjlapointe@bcf.ca

Email to request electronic version of application: mjlapointe@bcf.ca

15. **Blue Ant Media Partnership**
 Across Canada
 Application 2012-0802-5

Application by **Blue Ant Media Inc., on behalf of GlassBOX Television Inc. and 8182493 Canada Inc., partners in a general partnership carrying on business as Blue Ant Media Partnership** (the Partnership), for authorization to acquire from the Canadian Broadcasting Corporation the assets of the national English-language Category 1 specialty programming undertaking known as bold, pursuant to subsection 10(4) of the *Specialty Services Regulations, 1990*.

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

The Partnership is controlled by Michael MacMillan.

Pursuant to the terms of the Asset Purchase Agreement, the purchase price for the assets is \$8 million. Upon closing of the transaction, the applicant will be acquiring the undertaking's programming inventory, for the sum of \$2 million. The applicant proposed a tangible benefits package representing 10% of the entire value of the transaction (i.e., \$10 million) to be allocated over a seven-year period.

Applicant's address:

33 Prince Arthur Avenue
Toronto, Ontario
M4V 3R5

Fax: 416-868-0673

Email to request electronic version of application: babramson@mccarthy.ca

16. Cogeco Diffusion Acquisitions inc.

Montréal, Quebec

Application 2012-0441-1

Application by **Cogeco Diffusion Acquisitions inc.** relating to the broadcasting licence for the English-language radio programming undertaking CKBE-FM Montréal, which operates on frequency 92.5 MHz (channel 223C1).

The licensee proposes to change the station's authorized contours by increasing the effective radiated power (ERP) from 44,100 to 100,000 watts (non-directional antenna with an effective height of antenna above average terrain from 297.4 to 298.9 metres). The other technical parameters would remain unchanged.

The licensee noted that the proposed ERP is the maximum ERP permitted for the class of this station, which is C1. The licensee stated that the increase is made possible because the moratorium over power increases for stations located on Mount Royal in Montréal imposed by the Department of Industry has been lifted. The licensee added that the proposed change would have no impact on its financial projections and on other stations in the market.

The Commission notes that the technical change would increase the population in the 3 mV/m authorized contours by 3,588,380 and in the 0.5 mV/m authorized contours by 4,288,695.

The present application was initially published as part of a public process under Part 1 of the *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure*. Given the interventions received relating to the application and the scope of the requested change, the application is hereby being scheduled as a non-appearing

item as part of this public hearing. The interventions received under the Part 1 process will be added to the public hearing file.

This application is technically mutually exclusive with an application by Dufferin Communications Inc. (2011-1679-9), which will also be considered at this 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 application: licence@cogeco.com

17. **Dufferin Communications Inc.**
Clarence-Rockland, Ontario
Application 2011-1679-9

Application by **Dufferin Communications Inc.** for a broadcasting licence to operate an English-language commercial FM radio programming undertaking in Clarence-Rockland.

The new station would operate on frequency 92.5 MHz (channel 223A) with an effective radiated power of 300 watts (effective height of antenna above average terrain of 60 metres).

The applicant proposes to offer an Adult Contemporary music format.

This application is technically mutually exclusive with an application by Cogeco Diffusion Acquisitions inc. (2012-0441-1), which will also be considered at this hearing.

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.

The application was published in Broadcasting Notice of Consultation 2012-212 for the 7 June 2012 hearing and was later withdrawn in Broadcasting Notice of Consultation 2012-212-1. The Commission will consider the interventions and replies for this item already accepted and placed on the public file for the 7 June 2012 hearing, as well as other interventions received in the context of this hearing.

Applicant's address:

5312 Dundas Street West
Toronto, Ontario
M9B 1B3

Fax: 416-233-8617

Email: carmela@evanovradio.com

Website to view application: www.evanovradio.com

Email to request electronic version of application: carmela@evanovradio.com

18. Golden West Broadcasting Ltd.

Steinbach, Manitoba

Application 2012-0446-1

Application by **Golden West Broadcasting Ltd.** for a broadcasting licence to operate an English-language FM commercial radio programming undertaking in Steinbach.

The new station would operate on frequency 88.5 MHz (channel 203C1) with an effective radiated power of 61,000 watts (non-directional antenna with an effective height of antenna above average terrain of 117.4 metres).

The applicant proposes a Country Favourites music format targeting listeners aged 18 to 54.

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:

9 Centre Avenue
Altona, Manitoba
R0G 0B0

Fax: 204-346-5323

Email: lfriesen@goldenwestradio.com, rhildebrand@goldenwestradio.com

Email to request electronic version of application: rhildebrand@goldenwestradio.com

19. Arctic Radio (1982) Limited

Thompson, Manitoba

Application 2012-0589-9

Application by **Arctic Radio (1982) Limited** for a broadcasting licence to operate an English-language FM commercial radio programming undertaking in Thompson to replace its English-language AM commercial station CHTM.

The new station would operate on frequency 102.9 MHz (channel 275A1) with an effective radiated power of 190 watts (non-directional antenna with an effective height of antenna above average terrain of 95.8 metres).

The applicant wishes to maintain the AM transmitter as a repeater of the new FM service. The AM transmitter would operate at the current technical parameters, specifically on frequency 610 kHz (class B) with a day-time transmitter power of 1,000 watts.

The new service would maintain the existing mainstream Adult Contemporary music format targeting listeners aged 25 to 54.

It appears to the Commission that the licensee may have failed to comply with section 9(2) of the *Radio Regulations, 1986* with respect to the filing of annual returns for the 2009-2010 broadcast year.

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:

103 Cree Road

Thompson, Manitoba

R8N 0B9

Fax: 204-778-5252

Email: application@arcticradio.ca

Email to request electronic version of application: application@arcticradio.ca

20. **Arctic Radio (1982) Limited**

Flin Flon, Manitoba

Application 2012-0692-0

Application by **Arctic Radio (1982) Limited** for a broadcasting licence to operate an English-language FM commercial radio programming undertaking in Flin Flon to replace its English-language AM commercial station CFAR.

The new station would operate on frequency 102.9 MHz (channel 275A1) with an effective radiated power of 191 watts (non-directional antenna with an effective height of antenna above average terrain of 55.1 metres).

The applicant wishes to maintain the AM transmitter as a repeater of the new FM service. The AM transmitter would operate on frequency 590 kHz (class B) with a day-time transmitter power of 10,000 watts.

The new service would maintain the existing mainstream Adult Contemporary music format targeting listeners aged 25 to 54.

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:

103 Cree Road
Thompson, Manitoba
R8N 0B9
Fax: 204-778-5252
Email: application@arcticradio.ca
Email to request electronic version of application: application@arcticradio.ca

21. **Arctic Radio (1982) Limited**
The Pas, Manitoba
Application 2012-0694-6

Application by **Arctic Radio (1982) Limited** for a broadcasting licence to operate an English-language FM commercial radio programming undertaking in The Pas to replace its English-language AM commercial station CJAR.

The new station would operate on frequency 102.9 MHz (channel 275A1) with an effective radiated power of 250 watts (non-directional antenna with an effective height of antenna above average terrain of 37.7 metres).

The applicant wishes to maintain the AM transmitter as a repeater of the new FM service. The AM transmitter would operate on frequency 1240 kHz (class C) with a day-time transmitter power of 1,000 watts.

The new service would maintain the existing mainstream Adult Contemporary music format targeting listeners aged 25 to 54 years.

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:

103 Cree Road
Thompson, Manitoba
R8N 0B9
Fax: 204-778-5252
Email: application@arcticradio.ca
Email to request electronic version of application: application@arcticradio.ca

22. **Touch Canada Broadcasting (2006) Inc. (the general partner) and C.R.A. Investments Ltd. (the limited partner), carrying on business as Touch Canada Broadcasting Limited Partnership**
Edmonton, Calgary and Red Deer, Alberta
Application 2012-0642-5

Application by **Touch Canada Broadcasting (2006) Inc. (the general partner) and C.R.A. Investments Ltd. (the limited partner), carrying on business as Touch Canada Broadcasting Limited Partnership (Touch Canada LP)**, for authorization to effect a two-step corporate reorganization requiring the issuance of new licences for CJCA and CJRY-FM Edmonton, CJLI-FM and CJSI-FM Calgary and CKRD-FM Red Deer.

Both the general partner and the limited partner are owned and controlled by Mr. Charles R. Allard.

The corporate reorganization will take place as follows:

Step 1

C.R.A. Investments Ltd. (CRA) will acquire all Class A voting shares of Touch Canada Broadcasting Inc. (TCBI), the current limited partner in Touch Canada LP, which is also a corporation owned and controlled by Mr. Allard. As a result, TCBI will become wholly owned and controlled by CRA.

Step 2

TCBI will be wound up. As a result, the 99.98% voting units held by TCBI in Touch Canada LP will be transferred from TCBI to CRA. CRA will become the limited partner in Touch Canada LP. This transaction requires the issuance of new licences to the new partners carrying on business as Touch Canada LP.

The applicant is requesting new licences to continue the operation of CJCA and CJRY-FM Edmonton, CJLI and CJSI-FM Calgary and CKRD-FM Red Deer under the same terms and conditions as those in effect under the current licences.

This transaction will not affect the effective control of the above-mentioned undertakings, which will continue to be exercised by Mr. Allard.

Applicant's address:

5324 Calgary Trail, N.W.
Suite 210
Edmonton, Alberta
T6H 4J8
Fax: 780-430-2815

Email: applications@touchcanada.com

Email to request electronic version of application: mlewis@lbhmedialaw.com

23. **Bear Creek Broadcasting Ltd. (general partner and limited partner) and “Jim Pattison Broadcast Group Ltd (the general partner) and Jim Pattison Industries Ltd. (the limited partner) carrying on business as Jim Pattison Broadcast Group Limited Partnership” (the other limited partner), carrying on business as Bear Creek Broadcasting Limited Partnership**
 Grande Prairie, Alberta
 Application 2012-0797-8

Application by **Bear Creek Broadcasting Ltd. (general partner and limited partner) and “Jim Pattison Broadcast Group Ltd (the general partner) and Jim Pattison Industries Ltd. (the limited partner) carrying on business as Jim Pattison Broadcast Group Limited Partnership” (the other limited partner), carrying on business as Bear Creek Broadcasting Limited Partnership**, for authorization to acquire from Bear Creek Broadcasting Ltd. (Bear Creek) the assets of the English-language radio programming undertaking CIKT-FM Grande Prairie, Alberta.

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

Bear Creek is wholly owned and controlled by 1283836 Alberta Ltd., a corporation owned and controlled by Mr. Ken Truhn.

Jim Pattison Broadcast Group Limited Partnership (JPBG Limited Partnership) is owned and controlled by Mr. James A. Pattison through various subsidiaries.

Following the closing of the transaction, the applicant will be held by Bear Creek (holding 51.01% of the units) and JPBG Limited Partnership (holding 48.99% of the units) and will be controlled by Mr. Ken Truhn.

The above transaction will not affect the effective control of the undertaking, which will continue to be exercised by Mr. Truhn, the general partner.

The Commission notes that the current licensee of CKIT may have failed to comply with its conditions of licence relating to Canadian content development contributions for the broadcast years 2007-2008 through 2010-2011. The Commission is also missing descriptions of initiatives funded by the licensee to prove their eligibility.

Applicant’s address:

104-8716-108th Street
 Grande Prairie, Alberta
 T8V 4C7
 Fax: 708-882-6708
 Email: ktruhn@q99live.com
 Website to view the application: ktruhn@q99live.com

Procedure

Deadline for interventions/comments/answers

5 October 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 an application to be considered during the non-appearing phase of the hearing 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

2220 – 12th Avenue
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S4P 0M8
Tel.: 306-780-3422

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Secretary General