



Broadcasting Notice of Consultation CRTC 2013-218-1

PDF version

Additional reference: 2013-218

Ottawa, 4 July 2013

Notice of applications received

Various locations

Renewal of the broadcasting licences for certain radio stations expiring 31 August 2013

Correction to item 1

**New deadline for submission of interventions/comments/answers:
15 July 2013**

New deadline for submission of replies: 22 July 2013

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

Further to Broadcasting Notice of Consultation 2013-218, the Commission announces the addition of information relating to item 1 and opens a new intervention period for this item.

Important notice: The interventions/comments/answers submitted in the context of this new intervention period must exclusively be related to the new information on item 1 of this notice of consultation (see additions in **bold**). Additional documents were added to the public file with respect to this new information. Accordingly, interested persons may now file comments by no later than **15 July 2013** and replies by no later than **22 July 2013**.

Correction to item 1

Donnacona, Quebec
Application 2012-0334-8

Application by RNC MEDIA Inc. (RNC) to renew the broadcasting licence for the French-language commercial radio programming undertaking CHXX-FM Donnacona, Quebec and its transmitter CHXX-FM-1 Sainte-Croix-de-Lotbinière, expiring 31 August 2013.

The licensee requested to delete conditions of licence 3 and 4:

3. The licensee shall maintain a studio in Donnacona to ensure local coverage and a local presence.

4. During each broadcast week, the licensee shall broadcast no less than 14 hours of local programming produced at its Donnacona studio and targeting residents of the Portneuf area.

The licensee stated that CHXX-FM has been in a negative financial situation since it was acquired by RNC in 2006. In light of the fact that the station is an integral part of the Québec market, that the programming produced in the Donnacona studio has low listenership in that market and that there is no BBM tuning data for Portneuf to measure its local success, the licensee believes that it is important to replace the local programming hours produced in its Donnacona studio targeting the Portneuf region with programming better tailored to the greater Québec market.

It appears that the licensee may have failed to comply with its condition of licence relating to Canadian talent development contributions for the 2006-2007 broadcast year.

It also appears that the licensee may have failed to comply with sections 2.2(5) and 2.2(10) of the *Radio Regulations, 1986* concerning the broadcast of French-language vocal music during the broadcasting week of 23 to 29 May 2010.

The Commission will examine these instances of apparent non-compliance and the proposed amendment in the context of the renewal of the licence and may consider the use of regulatory measures, such as a short-term renewal, in accordance with *Revised approach to non-compliance by radio stations*, Broadcasting Information Bulletin CRTC [2011-347](#), 26 May 2011.

Licensee's address:

1 Place Ville Marie
Montréal, Quebec
H3B 2B5
Fax: 514-866-8777
Email: rbriere@rncmedia.ca

Procedure

New deadline for interventions/comments/answers

15 July 2013

The *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
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Fax: 819-994-0218

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Secretary General