



Broadcasting Notice of Consultation CRTC 2013-360

PDF version

Ottawa, 2 August 2013

Notice of hearing

3 October 2013

Gatineau, Quebec

Deadline for submission of interventions/comments/answers: 3 September 2013

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

The Commission will hold a hearing on **3 October 2013 at 1:00 p.m., at the Commission Headquarters, 1 Promenade du Portage, Gatineau, Quebec**. The Commission intends to consider the following applications, subject to interventions, without the appearance of the parties:

Applicant/licensee and locality

1. **My Broadcasting Corporation**
Peterborough, Ontario
Application 2013-0786-9
2. **My Broadcasting Corporation**
Carleton Place, Ontario
Application 2013-0869-3
3. **My Broadcasting Corporation**
Arnprior, Ontario
Application 2013-0870-1
4. **Harvard Broadcasting Inc.**
Fort McMurray, Alberta
Application 2013-1023-4

1. **My Broadcasting Corporation**
Peterborough, Ontario
Application 2013-0786-9

Application by **My Broadcasting Corporation** (MBC) for authority to acquire from 4352416 Canada Inc. (the licensee) the assets of the English-language specialty radio station CJMB-FM Peterborough and for a new licence to continue the operation of the station under the same terms and conditions as those in effect under the current licence.

On 22 May 2013, the licensee filed for bankruptcy and Doyle Salewski Inc. was appointed trustee. On 10 July 2013, the Commission approved the change in effective control of CJMB-FM to Doyle Salewski Inc. as well as a Temporary Management

Arrangement pursuant to which MBC would manage the station on behalf of Doyle Salewski Inc.

MBC is owned by John Pole (35.05%), Andrew Dickson (35.05%) and Blackburn Radio Inc. (29.9%), and is jointly controlled by the two main shareholders.

The purchase price for the transaction, pursuant to the terms of the Asset Purchase and Sale Agreement, is \$60,000. The applicant does not propose tangible benefits due to the unprofitability of the station.

Upon completion of the proposed transaction, MBC would become the licensee of the station and would exercise its control.

Applicant's address:

321B Raglan Street South
Renfrew, Ontario
K7B 4H4

Fax: 877-840-6936

Email: andrew@myfmradio.ca

Email to request electronic version of application: peterborough@myfmradio.ca

2. My Broadcasting Corporation

Carleton Place, Ontario
Application 2013-0869-3

Application by **My Broadcasting Corporation** (MBC) for a broadcasting licence to operate an English-language commercial FM radio station serving Carleton Place and Almonte.

The applicant proposed a gold-based Adult Contemporary music format targeting adults between the ages of 25 to 54.

The proposed station would operate at 107.7 MHz (channel 299A) with an average effective radiated power (ERP) of 362 watts (maximum ERP of 675 watts with an effective height of antenna above average terrain of 99.4 metres).

MBC currently uses 107.7 MHz (channel 299A) for CHMY-FM-1 Arnprior, a transmitter of CHMY-FM Renfrew, Ontario. In application 2013-0870-1, MBC requested to convert the transmitter CHMY-FM-1 Arnprior to a radio station that would provide local service to Arnprior through the use of the frequency 97.5 MHz (channel 248A). MBC stated that if its application for a radio station in Carleton Place were denied, it would continue to use 107.7 MHz for its Arnprior station.

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:

321B Raglan Sreet South
Renfrew, Ontario
K7V 4H4

Email: andrew@myfmradio.ca

Email to request electronic version of application: carletonplace@myfmradio.ca

3. My Broadcasting Corporation

Arnprior, Ontario

Application 2013-0870-1

Application by **My Broadcasting Corporation** (MBC) for a broadcasting licence to operate an English-language commercial FM radio station. To do this, MBC proposed to convert its transmitter CHMY-FM-1 Arnprior to a radio station that would serve Arnprior, McNab and Braeside.

The applicant proposed a gold-based Adult Contemporary music format targeting adults between the ages of 25 and 54.

The proposed station would operate at 97.5 MHz (channel 248A) with an average effective radiated power (ERP) of 769 watts (maximum ERP of 1,400 watts with an effective height of antenna above average terrain of 105 metres).

In application 2013-0869-3, MBC requested to operate a radio station to serve Carleton Place and Almonte through the use of 107.7 MHz (channel 299A). This frequency is currently used by the transmitter CHMY-FM-1.

MBC indicated that if application 2013-0869-3 were denied, it would continue to operate its Arnprior transmitter at 107.7 MHz.

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:

321B Raglan Street South
Renfrew, Ontario
K7V 4H4

Email: andrew@myfmradio.ca

Email to request electronic version of application: arnprior@myfmradio.ca

4. Harvard Broadcasting Inc.

Fort McMurray, Alberta

Application 2013-1023-4

Application by **Harvard Broadcasting Inc.** (Harvard) for authority to acquire the assets of the radio station CHFT-FM Fort McMurray, Alberta from Newcap Inc. and for a new licence to continue the operation of the station under the same terms and conditions as those in effect under the current licence.

Harvard is owned and controlled by Mr. Paul James Hill.

Upon completion of the transaction, Harvard would become the licensee of the radio station.

Pursuant to the asset purchase and sale agreement, the applicant will purchase the assets for \$5,000,000. The applicant has adjusted the price paid and added an amount of \$120,000, the estimated working capital and has proposed a tangible package of \$307,200 (which is equal to 6% of the adjusted amount of \$5,120,000).

Applicant's address:

1874 Scarth Street

Suite 2000

Regina, Saskatchewan

S4P 4B3

Fax: 403-216-0189

Email: ccowie@harvardbroadcasting.com

Email to request electronic version of application: ccowie@harvardbroadcasting.com

Procedure

Deadline for interventions, comments or answers

3 September 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 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 an 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, either on their websites or upon request by contacting the applicants 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

Nova Scotia

Metropolitan Place
 99 Wyse Road
 Suite 1410
 Dartmouth, Nova Scotia
 B3A 4S5
 Tel.: 902-426-7997
 Fax: 902-426-2721

Quebec

205 Viger Avenue West
 Suite 504
 Montréal, Quebec
 H2Z 1G2
 Tel.: 514-283-6607

Ontario

55 St. Clair Avenue East
 Suite 624
 Toronto, Ontario
 M4T 1M2
 Tel.: 416-952-9096

Manitoba

360 Main Street
Suite 970
Winnipeg, Manitoba
R3C 3Z3
Tel.: 204-983-6306
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Saskatchewan

2220 – 12th Avenue
Suite 620
Regina, Saskatchewan
S4P 0M8
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Alberta

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

British Columbia

858 Beatty Street
Suite 290
Vancouver, British Columbia
V6B 1C1
Tel.: 604-666-2111
Fax: 604-666-8322

Secretary General