



Broadcasting Notice of Consultation CRTC 2015-433

PDF version

Ottawa, 21 September 2015

Notice of hearing

18 November 2015

Gatineau, Quebec

Deadline for submission of interventions/comments/answers: 21 October 2015

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

The Commission will hold a hearing on **18 November 2015 at 11:00 a.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. **Rogers Cable and Data Centres Inc.**
Across Canada
Application 2015-0720-4
2. **Wawatay Native Communications Society**
Sioux Lookout, Ontario
Application 2015-0421-7
3. **Wawatay Native Communications Society**
Timmins, Ontario
Application 2015-0552-0
4. **Voice of Aurora Community Radio**
Aurora, Ontario
Application 2015-0579-4
5. **Christopher Clarke**
Ridgetown, Ontario
Application 2015-0581-9
6. **Harvard Broadcasting Inc.**
Red Deer, Alberta
Application 2015-0371-4

7. **Golden West Broadcasting Ltd.**

Lacombe, Alberta

Application 2015-0411-8

1. **Rogers Cable and Data Centres Inc.**

Across Canada

Application 2015-0720-4

Application by **Rogers Cable and Data Centres Inc. (RCDCI)** for authority to effect a series of transactions resulting in the acquisition of the assets of the broadcasting undertakings currently held by RCDCI and Fido Solutions Inc. (Fido), partners in a general partnership carrying on business as Rogers Communications Partnership (RCP).

RCDCI is also requesting new licences to continue the operation of the regional terrestrial broadcasting distribution undertakings (BDUs) operated by RCP in various locations in Ontario, New Brunswick and Newfoundland and Labrador, the national video-on-demand service known as Rogers On Demand and the national terrestrial pay-per-view and direct-to-home pay-per-view services both known as Rogers Sportsnet, under the same terms and conditions as those in effect under their current licences.

Furthermore, RCDCI is also requesting an amendment to the Ontario regional licence in order to add its existing BDU serving Hamilton, Ontario, to this regional licence, and this, under the same terms and conditions as those in effect the current Hamilton BDU licence.

RCP and RCDCI are controlled by Rogers Communications Inc. (RCI).

RCDCI proposes to effect the corporate reorganization as follows:

Step 1

RCI would proceed with the redemption of its non-voting preferred shares held by Fido in RCI.

Step 2

RCI would amalgamate two of its wholly-owned subsidiaries namely, RCDCI and Rogers Data Centres Alberta Inc., which would continue as RCDCI.

The applicant states that those two preliminary steps do not require prior approval from the Commission.

Step 3

RCDCI would acquire from Fido all the partnership units it holds in RCP and the partnership would cease to exist. As a result, RCDCI would acquire the assets of the above-mentioned undertakings, which would require the issuance of new licences to RCDCI.

This multi-step corporate reorganization would not affect the effective control of the undertakings mentioned above, which would continue to be exercised by RCI.

Applicant's address:

333 Bloor Street East
Toronto, Ontario
M4W 1G9

Fax: 416-935-4875

Email: cable.regulatory@rci.rogers.com

Email to request electronic version of application: cable.regulatory@rci.rogers.com

2. Wawatay Native Communications Society

Sioux Lookout, Ontario

Application 2015-0421-7

Application by **Wawatay Native Communications Society** (Wawatay) for a broadcasting licence to operate a Type B Native radio station in Sioux Lookout.

The station would operate on frequency 89.9 MHz (channel 210A1) with an effective radiated power of 224 watts (non-directional antenna with an effective height of antenna above average terrain of 18.5 metres).

The applicant proposes to broadcast 100 hours of local programming each broadcast week.

Wawatay was granted authority to operate a Type B Native radio station in Sioux Lookout in *Type B Native radio station in Sioux Lookout*, Broadcasting Decision CRTC 2006-646, 27 November 2006. Although Wawatay launched the station, it failed to notify the Commission and no licence was issued. This application seeks to rectify this situation.

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:

16 5th Avenue
Sioux Lookout, Ontario
P8T 1B7

Fax: 807-737-3224

Email: johng@wawatay.on.ca

Website to view application: www.wawataynews.ca

Email to request electronic version of application: johng@wawatay.on.ca

3. **Wawatay Native Communications Society**

Timmins, Ontario

Application 2015-0552-0

Application by **Wawatay Native Communications Society** (Wawatay) for a broadcasting licence to operate a low-power Type B Native radio station in Timmins.

The station would operate on frequency 106.7 MHz (channel 294LP) with an effective radiated power of 50 watts (non-directional antenna with an effective height of antenna above average terrain of 20 metres).

The applicant proposes to broadcast 100 hours of local programming each broadcast week.

Wawatay was granted authority to operate a Type B Native radio station in Timmins in *Type B Native FM radio station in Timmins*, Broadcasting Decision CRTC 2006-645, 27 November 2006. Although Timmins launched the station, it failed to notify the Commission and no licence was issued. This application seeks to rectify this situation.

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:

135 Pine Street South

Timmins, Ontario

P4N 2K3

Fax: 705-360-1601

Email: johng@wawatay.on.ca

Website to view application: www.wawataynews.ca

Email to request electronic version of application: johng@wawatay.on.ca

4. **Voice of Aurora Community Radio**

Aurora, Ontario

Application 2015-0579-4

Application by **Voice of Aurora Community Radio** for a broadcasting licence to operate a low-power English-language community FM radio station in Aurora.

The station would operate on frequency 101.5 MHz (channel 268LP) with an average effective radiated power (ERP) of 32 watts (maximum ERP of 50 watts with an effective height of antenna above average terrain of 7.3 metres).

The applicant proposes to broadcast a minimum of 119 hours of local programming each broadcast week.

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:

7 Gardiner Drive
Bradford, Ontario
L3Z 3G1

Email: destry40@rogers.com

Email to request electronic version of application: destry40@rogers.com

5. Christopher Clarke
Ridgetown, Ontario
Application 2015-0581-9

Application by **Christopher Clarke** for a broadcasting licence to operate a low-power English-language commercial FM radio station in Ridgetown.

The station would operate on frequency 91.3 MHz (channel 217LP) with an effective radiated power of 50 watts (with an effective height of antenna above average terrain of 9.14 metres).

The applicant proposes a mix of Top 40, classic rock, alternative rock and new country music format, including local talent.

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:

7 York Street East
Unit 2
Ridgetown, Ontario
NOP 2C0

Email: chrishits79@gmail.com

Website to view application: www.ridgefm.com

Email to request electronic version of application: chrishits79@gmail.com

6. Harvard Broadcasting Inc.
Red Deer, Alberta
Application 2015-0371-4

Application by **Harvard Broadcasting Inc.** (Harvard) for authority to acquire from L.A. Radio Group Inc. the assets of the commercial radio programming undertaking CKIK-FM Red Deer, Alberta.

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.

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

Pursuant to the asset purchase and sale agreement, the applicant would purchase the assets for \$4,200,000. The applicant proposed a value of the transaction in the amount of \$4,693,809 and a tangible benefits package of \$281,629, which is equal to 6% of the value of the transaction.

Following completion of the transaction, Harvard would become the licensee of the commercial radio undertaking CKIK-FM.

This application is linked to application 2014-0722-1 from L.A. Radio Group Inc. to renew the broadcasting licence for CKIK-FM. The decision for these two applications will be issued at the same time.

Applicant's address:

400, 255 – 17th Avenue South West
Calgary, Alberta
T2S 2T8

Fax: 403-216-0189

Email: ccowie@harvardbroadcasting.com

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

7. Golden West Broadcasting Ltd.

Lacombe, Alberta

Application 2015-0411-8

Application by **Golden West Broadcasting Ltd.** (Golden West) for authority to acquire from L.A. Radio Group Inc. the assets of the commercial radio programming undertaking CJUV-FM Lacombe, Alberta.

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.

Golden West is a corporation controlled by Mr. Elmer Hildebrand.

Pursuant to the asset purchase agreement, the applicant would purchase the assets for \$4,000,000. The applicant proposed a tangible benefits package of \$240,000 which is equal to 6% of the value of the transaction.

Following completion of the transaction, Golden West would become the licensee of the commercial radio undertaking CJUV-FM.

Applicant's address:

9 Centre Avenue

P.O. Box 950

Altona, Manitoba

R0G 0B0

Fax: 204-346-5323

Emails: lfriesen@goldenwestradio.com, rhildebrand@goldenwestradio.comEmail to request electronic version of application: rhildebrand@goldenwestradio.com**Procedure****Deadline for interventions, comments or answers****21 October 2015**

The *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* (the Rules of Procedure) apply to the present proceeding. The Rules of Procedure set out, among other things, the rules for content, format, filing and service of interventions, replies, answers of respondents and requests for information; the procedure for filing confidential information and requesting its disclosure; and the conduct of public hearings. 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 "Statutes and Regulations." *Guidelines on the CRTC Rules of Practice and Procedure*, Broadcasting and Telecom Information Bulletin CRTC 2010-959, 23 December 2010, provides information to help interested persons and parties understand the Rules of Procedure so that they can more effectively participate in Commission proceedings.

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.

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.

Parties are permitted to coordinate, organize, and file, in a single submission, interventions by other interested persons who share their position. Information on how to file this type of submission, known as a joint supporting intervention, as well as 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.

The Commission encourages interested persons and parties 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.

Submissions longer than five pages should include a summary. Each paragraph of all submissions should be numbered, and the line ***End of document*** should follow the last paragraph. This will help the Commission verify that the document has not been damaged during electronic transmission.

Pursuant to *Filing submissions for Commission proceedings in accessible formats*, Broadcasting and Telecom Information Bulletin CRTC 2015-242, 8 June 2015, the Commission expects incorporated entities and associations, and encourages all Canadians, to file submissions for Commission proceedings in accessible formats (for example, text-based file formats that allow text to be enlarged or modified, or read by screen readers). To provide assistance in this regard, the Commission has posted on its website [guidelines](#) for preparing documents in accessible formats.

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

by completing 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.

Parties who send documents electronically must ensure that they will be able to prove, upon Commission request, that service/filing of a particular document was completed. Accordingly, parties must keep proof of the sending and receipt of each document for 180 days after the date on which the document is filed. The Commission advises parties who file and serve documents by electronic means to exercise caution when using email for the service of documents, as it may be difficult to establish that service has occurred.

In accordance with the Rules of Procedure, a document must be received by the Commission and all relevant parties by 5 p.m. Vancouver time (8 p.m. Ottawa time) on the date it is due. Parties are responsible for ensuring the timely delivery of their submissions and will not be notified if their submissions are received after the deadline. Late submissions, including those due to postal delays, will not be considered by the Commission and will not be made part of the public record.

The Commission will not formally acknowledge submissions. It will, however, fully consider all submissions, which will form part of the public record of the proceeding, provided that the procedure for filing set out above has been followed.

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, email 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, email addresses, postal/street addresses, telephone and facsimile numbers, etc.

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.

Availability of documents

Electronic versions of the applications are available on the Commission's website at www.crtc.gc.ca by selecting the application number within this notice. They are also available from the applicants, either on their websites or upon request by contacting the applicants at their email addresses, provided above.

Electronic versions of the interventions and answers, as well as of other documents referred to in this notice, are available on the Commission's website at www.crtc.gc.ca by visiting the "Participate" section, selecting "Submit Ideas and Comments," and then selecting "our open processes." Documents can then be accessed by clicking on the links in the "Subject" and "Related Documents" columns associated with this particular notice.

Documents are also available from Commission offices, upon request, during normal business hours.

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

505 de Maisonneuve Boulevard West
Suite 205
Montréal, Quebec
H3A 3C2
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
Fax: 204-983-6317

Saskatchewan

403 – 1975 Scarth Street
Regina, Saskatchewan
S4P 2H1
Tel.: 306-780-3422
Fax: 306-780-3319

Alberta

200 – 4th Avenue South-East
Suite 574
Calgary, Alberta
T2G 4X3
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