



Broadcasting Notice of Consultation CRTC 2015-69

PDF version

Ottawa, 27 February 2015

Notice of hearing

30 April 2015

Gatineau, Quebec

Deadline for submission of interventions/comments/answers: 30 March 2015

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

The Commission will hold a hearing on **30 April 2015 at 11 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. **Blue Ant Media Inc., on behalf of its licensed subsidiaries**
Across Canada
Applications 2014-1144-6, 2014-1273-3 and 2014-1356-7
2. **Antoine Karam, on behalf of a corporation to be incorporated**
Halifax, Nova Scotia
Application 2014-1225-4
3. **Sound of Faith Broadcasting**
Kitchener, Ontario
Application 2014-1149-6
4. **AEBC Internet Corporation**
Greater Toronto Area, Ottawa, Hamilton, London, Kitchener-
Cambridge-Waterloo, St. Catharines-Niagara, Oshawa, Windsor, Barrie,
Kingston, Guelph, Brantford, Thunder Bay, Peterborough, Sudbury, Sault Ste.
Marie, Cornwall, North Bay and their surrounding areas, Ontario
Application 2014-1326-0
5. **Hastings Cable Vision Limited**
Belleville-Kingston, Hamilton-Niagara, Kitchener-London-Stratford-
St. Marys, Ottawa, Oshawa-Peterborough, Sarnia-Windsor, Sault Ste. Marie,
Sudbury, Thunder Bay, Greater Toronto and their surrounding areas, Ontario
Application 2014-1245-2

6. Hastings Cable Vision Limited

Drummondville-Granby-Sherbrooke, Gatineau, Greater Montréal, Québec, Rimouski, Rivière-du-Loup, Rouyn-Noranda, Saguenay, Trois-Rivières, Val-d'Or and their surrounding areas, Quebec
Application 2014-1285-8

1. Blue Ant Media Inc., on behalf of its licensed subsidiaries

Across Canada

Applications 2014-1144-6, 2014-1273-3 and 2014-1356-7

Applications by **Blue Ant Media Inc. (BAMI), on behalf of its licensed subsidiaries**, for authority to effect a series of transactions resulting in acquisitions of assets of the broadcasting undertakings (undertakings) currently held by BAMI's licensed subsidiaries. The proposed transactions are part of a multi-step intra-corporate reorganization to centralize the undertakings under a partnership to be formed, namely 8946337 Canada Limited and Blue Ant Media Solutions Inc. (BAMSI), partners in a general partnership carrying on business as Blue Ant Television General Partnership (BATV GP).

BAMSI wholly owns Blue Ant Television Ltd., licensee of the specialty television services Cottage Life, HiFi, Love Nature (Oasis HD), radX and Smithsonian Channel.

8946337 Canada Limited is wholly owned by BAMSI.

BAMI wholly owns BAMSI and 8182493 Canada Inc. (8182493). BAMSI and 8182493 are currently partners in a general partnership carrying on business as Blue Ant Media Partnership (Media GP) and are the licensees of the specialty television services AUX TV, BITE Television and travel + escape.

Media GP is also authorized to operate the four specialty programming undertakings authorized in *GlassBOX Système – Specialty Category B service*, Broadcasting Decision CRTC 2012-70, 3 February 2012; *GlassBOX Horror – Specialty Category B service*, Broadcasting Decision CRTC 2012-85, 10 February 2012; *GlassBOX News – Specialty Category C service*, Broadcasting Decision CRTC 2012-104, 16 February 2012 and *GlassBOX Créneau musical : musiques émergentes – Specialty Category B service*, Broadcasting Decision CRTC 2012-175, 23 March 2012 (the decisions).

The applicant proposes to effect the reorganization as follows:

Application 2014-1144-6

Step 1

BAMI would transfer its shares of 8182493 to BAMSI.

BATV GP would acquire from Media GP the assets of AUX TV, BITE Television and travel + escape, as well as the four unlaunched GlassBOX specialty television services listed above.

BATV GP is requesting new licences to continue the operations of the licensed undertakings AUX TV, BITE Television and travel + escape under the same terms and conditions as those in effect under their current licences.

BATV GP is also requesting licences to operate the unlaunched undertakings under the same terms and conditions as those set out in their respective decisions. These undertakings are not yet in operation, and the Commission has not issued the licences for these undertakings because the requirements for their issuance have not yet been met. Should this application be approved, the applicant would need to meet the requirements for the issuance of a licence set out in the decisions.

Following Step 1, 8182493 would be wound-up into BAMSI, and Media GP would be dissolved.

Application 2014-1356-7

Step 2

Blue Ant Television Ltd. would be wound-up into BAMSI. As a result, BAMSI would acquire the broadcasting assets held by Blue Ant Television Ltd., namely Cottage Life, HiFi, Love Nature (Oasis HD), radX and Smithsonian Channel.

BAMSI is requesting new licences to continue the operations of the above licensed undertakings under the same terms and conditions as those in effect under their current licences.

Application 2014-1273-3

Step 3

As a final step, BATV GP would acquire from BAMSI the assets of Cottage Life, HiFi, Love Nature (Oasis HD), radX and Smithsonian Channel.

BATV GP is requesting new licences to continue the operations of the above licensed undertakings under the same terms and conditions as those in effect under their current licences.

The above transactions would not affect the effective control of the undertakings mentioned above, which would continue to be exercised by Mr. Michael MacMillan.

Applicant's address:

130 Merton Street
Suite 200
Toronto, Ontario
M4S 1A4
Fax: 416-486-0404

Email: asha.daniere@blueantmedia.ca

Website to view the applications: <http://blueantmedia.ca/>

2. Antoine Karam, on behalf of a corporation to be incorporated

Halifax, Nova Scotia
Application 2014-1225-4

Application by **Antoine Karam, on behalf of a corporation to be incorporated** for a broadcasting licence to operate an ethnic commercial FM specialty radio station in Halifax.

The proposed station would operate at 99.1 MHz (channel 256A) with an average effective radiated power (ERP) of 300 watts (maximum ERP of 355 watts with an effective height of antenna above average terrain of 224 metres).

The applicant states that it would accept a condition of licence requiring it to direct ethnic programming to at least 21 cultural groups in a minimum of 10 different languages each broadcast week.

The applicant also states that 100 % of the programming to be broadcast each broadcast week would be devoted to ethnic and third-language programming, of which at least 102 hours would be devoted to local 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:

11876 Demeulles Street
Montréal, Quebec
H4J 2E5

Fax: 514-745-3475

Email: tony@1450am.ca

Website to view application: www.octavecom.ca/applications.html

Email to request electronic version of application: francois@octavecom.ca

3. Sound of Faith Broadcasting

Kitchener, Ontario
Application 2014-1149-6

Application by **Sound of Faith Broadcasting** for a broadcasting licence to operate an English-language FM specialty (Christian music) radio station in Kitchener.

The proposed station would operate at 93.7 MHz (channel 229A) with an effective radiated power of 420 watts (non-directional antenna with an effective height of antenna above average terrain of 58 metres).

The applicant proposes a Christian music service with at least 95% of the weekly total music drawn from content subcategory 35 (Non-classic religious).

This new FM station would replace the applicant's existing low-power (Christian music) radio station CJTW-FM Kitchener, which operates at 94.3 MHz. The applicant is also

requesting, pursuant to sections 9(1)(e) and 24(1) of the *Broadcasting Act*, the revocation of the licence for CJTW-FM upon commencement of operations of the new FM 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:

659 King Street East
Suite 207

Kitchener, Ontario

N2G 2MA

Fax: 519-575-9119

Email: info@faithfm.org

Website to view application: www.faitthfm.org

Email to request electronic version of application: info@faithfm.org

4. AEBC Internet Corporation

Greater Toronto, Ottawa, Hamilton, London, Kitchener-Cambridge-Waterloo, St. Catharines-Niagara, Oshawa, Windsor, Barrie, Kingston, Guelph, Brantford, Thunder Bay, Peterborough, Sudbury, Sault Ste. Marie, Cornwall, North Bay and their surrounding areas, Ontario

Application 2014-1326-0

Application by **AEBC Internet Corporation** for a regional broadcasting licence to operate terrestrial broadcasting distribution undertakings to serve the above-noted locations.

The applicant is requesting the following condition of licence:

The licensee is authorized to distribute, at its option, and as part of the basic service, WXYZ-TV (ABC), WWJ-TV (CBS) and WDIV-TV (NBC) Detroit, Michigan; WUHF-TV (FOX) Rochester and WNED-TV (PBS) Buffalo, New York, or alternatively for each signal, the signal of a different affiliate of the same network located in the same time zone as that of the licensed area and included on the *List of non-Canadian programming services authorized for distribution*, as amended from time to time.

Applicant's address:

B11-970 Burrard Street

Vancouver, British Columbia

V6Z 2R4

Fax: 604-628-0747

Email: accounts@aebc.com

Website to view application: www.aebc.com

5. Hastings Cable Vision Limited

Belleville-Kingston, Hamilton-Niagara, Kitchener-London-Stratford-St. Marys, Ottawa, Oshawa-Peterborough, Sarnia-Windsor, Sault Ste. Marie, Sudbury, Thunder Bay, Greater Toronto and their surrounding areas, Ontario
Application 2014-1245-2

Application by **Hastings Cable Vision Limited** for a regional broadcasting licence to operate terrestrial broadcasting distribution undertakings to serve the above-noted locations.

The applicant is requesting the following conditions of licence:

For all undertakings:

The licensee is authorized to distribute, on a digital discretionary basis, the non-Canadian services WNYO and WNLO Buffalo, New York, or alternatively for each signal, the signal of a different affiliate of the same network located in the same time zone as that of the licensed area.

For Kitchener-London-Stratford-St. Marys, Sarnia-Windsor, Sault Ste. Marie, Sudbury, Thunder Bay and their surrounding areas:

The licensee is authorized to distribute, at its option, as part of the basic service, WWJ-HD (CBS), WDIV-HD (NBC), WXYZ-HD (ABC) and WJBK-DT (FOX) Detroit, Michigan, and WQLN (PBS) Erie, Pennsylvania, or alternatively for each signal, the signal of a different affiliate of the same network located in the same time zone as that of the licensed area and included on the *List of non-Canadian programming services authorized for distribution*, as amended from time to time.

For Greater Toronto, Hamilton-Niagara, Oshawa-Peterborough and their surrounding areas:

The licensee is authorized to distribute, at its option, as part of the basic service, WIVB-TV (CBS), WGRZ-HD (NBC), WKBW-HD (ABC), WUTV-HD (FOX) and WNED-HD (PBS) Buffalo, New York, or alternatively for each signal, the signal of a different affiliate of the same network located in the same time zone as that of the licensed area and included on the List of non-Canadian programming services authorized for distribution, as amended from time to time.

For Belleville-Kingston, Ottawa and their surrounding areas:

The licensee is authorized to distribute, at its option, as part of the basic service, WCAX-HD (CBS), WVNY-HD (ABC) and WFFF-HD (FOX) Burlington, Vermont; WPTZ-HD (NBC) Plattsburgh and WPBS-DT (PBS) Watertown, New York, or alternatively for each signal, the signal of a different affiliate of the same network located in the same time zone as that of the licensed area and included on the List of non-Canadian programming services authorized for distribution, as amended from time to time.

Applicant's address:

800 Richmond Street
Chatham, Ontario
N7M 5J5

Email: regulatory@hastingscablevision.ca

Email to request electronic version of application: regulatory@hastingscablevision.ca

6. Hastings Cable Vision Limited

Drummondville-Granby-Sherbrooke, Gatineau, Greater Montréal, Québec, Rimouski, Rivière-du-Loup, Rouyn-Noranda, Saguenay, Trois-Rivières, Val-d'Or and their surrounding areas, Quebec
Application 2014-1285-8

Application by **Hastings Cable Vision Limited** for a regional broadcasting licence to operate terrestrial broadcasting distribution undertakings to serve the above-noted locations.

The applicant is requesting the following conditions of licence:

- The licensee is authorized to distribute, at its option, as part of the basic service, WCAX-HD (CBS), WVNY-HD (ABC) and WFFF-HD (FOX) Burlington, Vermont; WPTZ-HD (NBC) Plattsburgh and WPBS-DT (PBS) Watertown, New York, or alternatively for each signal, the signal of a different affiliate of the same network located in the same time zone as that of the licensed area and included on the List of non-Canadian programming services authorized for distribution, as amended from time to time.
- The licensee is authorized to distribute, on a digital discretionary basis, the non-Canadian services WNYO and WNLO Buffalo, New York, or alternatively for each signal, the signal of a different affiliate of the same network located in the same time zone as that of the licensed area.

Applicant's address:

800 Richmond Street
Chatham, Ontario
N7M 5J5

Email: regulatory@hastingscablevision.ca

Email to request electronic version of application: regulatory@hastingscablevision.ca

Procedure

Deadline for interventions, comments or answers

30 March 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.

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
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Fax: 902-426-2721

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Fax: 204-983-6317

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Secretary General