



Broadcasting Notice of Consultation CRTC 2016-392

PDF version

Ottawa, 3 October 2016

Notice of hearing

7 December 2016
Gatineau, Quebec

Deadline for submission of interventions/comments/answers: 2 November 2016

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

The Commission will hold a hearing on **7 December 2016 at 1 p.m. at the Commission Headquarters, 1 Promenade du Portage, Gatineau, Quebec**. Subject to interventions, the Commission intends to consider the following applications without the appearance of the parties:

Applicant/licensee and locality

1. **CHZ Business News Net Inc.**
Across Canada
Application 2016-0421-5
2. **Blue Ant Television General Partnership**
Across Canada
Application 2016-0652-6
3. **Seventh-Day Adventist Church in Newfoundland and Labrador**
Mount Pearl, Bay Roberts, Marystown, Lewisporte, Gander, Deer Lake,
Botwood, Springdale, Grand Falls, Corner Brook, Port aux Basques, Goose
Bay and Wabush, Newfoundland and Labrador
Application 2016-0136-0
4. **International Harvesters for Christ Evangelistic Association Inc.**
Saint John, New Brunswick
Application 2016-0311-8
5. **My Broadcasting Corporation**
Simcoe, Ontario
Application 2016-0214-4
6. **Peace River Broadcasting Corporation Ltd.**
Peace River, Alberta
Application 2016-0390-3

7. **Peace River Broadcasting Corporation Ltd.**
Peace River, Alberta
Application 2016-0392-8
8. **Manager, Technology Infrastructure, Government of Yukon**
Mount Jubilee, Yukon
Application 2016-0794-6

1. **CHZ Business News Net Inc.**
Across Canada
Application 2016-0421-5

Application by Channel Zero on behalf of **CHZ Business News Net Inc.** for a broadcasting licence to operate a national English-language discretionary service to be known as Bloomberg TV Canada.

The applicant proposes the following brief description of its service:

The service will provide business news and information and related programming in English.

It confirms that it shall devote not more than 10% of the programming broadcast during the broadcast month to live professional sports programming, which falls under program category 6(a) Professional sports.

It also confirms that during the broadcast year ending on 31 August 2017, it will devote at least 25% of the broadcast year and of the evening broadcast period to the broadcast of Canadian programs and, starting in the broadcast year commencing on 1 September 2017, it will devote at least 35% of the broadcast year to the broadcast of Canadian programs.

It further confirms that it will adhere, by condition of licence, to the Wholesale Code, as set out in the appendix to *The Wholesale Code*, Broadcasting Regulatory Policy CRTC 2015-438, 24 September 2015, in its dealings with any licensed or exempt broadcasting undertaking.

Applicant's address:

P.O. Box 6143, Station A
Toronto, Ontario
M5W 1P6
Fax: 416-319-7126
Email: crtc@tvchannelzero.com
Website to view application: www.tvchannelzero.com

2. **Blue Ant Television General Partnership**

Across Canada

Application 2016-0652-6

Application by 8946337 Canada Limited and Blue Ant Media Solutions Inc., partners in a general partnership carrying on business as **Blue Ant Television General Partnership** (BATVGP), and Michael MacMillan, on behalf of a corporation to be incorporated (Newco), partners in a general partnership carrying on business as the Smithsonian Channel General Partnership (SCGP), for authority to acquire the assets of the category B specialty channel Smithsonian Channel from BATVGP.

The partners carrying on business as SCGP are also requesting a new broadcasting licence in order to continue the operation of the undertaking under the same terms and conditions as those in effect under the current licence for the Smithsonian Channel.

BATVGP is wholly owned by Blue Ant Media Inc., which is owned and controlled by Michael MacMillan.

The proposed transaction would be effected through the creation of Newco, which would be owned by BATVGP (80%) and SNI/SI Networks L.L.C. (20%). Newco would then enter into a partnership with BATVGP to form SCGP. Finally, the assets of the Smithsonian Channel would be transferred to SCGP.

Following completion of the transaction, the partners carrying on business as SCGP would become the licensees of the category B specialty channel Smithsonian Channel.

The transaction would not affect the effective control of the undertaking, which would continue to be exercised by Michael MacMillan.

Applicant's address:

130 Merton Street

Suite 200

Toronto, Ontario

M4S 1A4

Fax: 416-486-0404

Email: asha.daniere@blueantmedia.ca

Email to request electronic version of application: asha.daniere@blueantmedia.ca

3. **Seventh-Day Adventist Church in Newfoundland and Labrador**

Mount Pearl, Bay Roberts, Marystown, Lewisporte, Gander, Deer Lake, Botwood, Springdale, Grand Falls, Corner Brook, Port aux Basques, Goose Bay and Wabush, Newfoundland and Labrador

Application 2016-0136-0

Application by **Seventh-Day Adventist Church in Newfoundland and Labrador** for a broadcasting licence to operate an English-language specialty (Christian music) FM radio station to replace the English-language religious AM (Christian music) radio station VOAR Mount Pearl.

The FM station would operate at 96.7 MHz (channel 244C1) with an average effective radiated power of 100,000 watts (non-directional antenna with an effective height above average terrain of 156.8 metres).

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

It requests permission to simulcast the programming of the new specialty (Christian music) FM station on VOAR Mount Pearl and its rebroadcasting transmitter VOAR-FM-1 Bay Roberts for six months from the date of implementation of the new station.

It also requests that the Commission revoke, pursuant to sections 9(1)(e) and 24(1) of the *Broadcasting Act*, the licence for VOAR Mount Pearl and its rebroadcasting transmitter VOAR-FM-1 Bay Roberts, effective at the end of the simulcast period.

The remaining rebroadcasting transmitters, VOAR-2-FM Marystown, VOAR-3-FM Lewisporte, VOAR-4-FM Gander, VOAR-5-FM Deer Lake, VOAR-6-FM Botwood, VOAR-7-FM Springdale, VOAR-8-FM Grand Falls, VOAR-9-FM Corner Brook, VOAR-10-FM Port aux Basques, VOAR-11-FM Goose Bay and VOAR-12-FM Wabush, would become rebroadcasting transmitters 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 20 days prior to the hearing that the application is technically acceptable.

Applicant's address:

1041 Topsail Road
 Mount Pearl, Newfoundland and Labrador
 A1N 5E9
 Fax: 709-745-1600
 Email: voar@voar.org
 Email to request electronic version of application: voar@voar.org

4. International Harvesters for Christ Evangelistic Association Inc.

Saint John, New Brunswick
 Application 2016-0311-8

Application by **International Harvesters for Christ Evangelistic Association Inc.** for a broadcasting licence to operate an English-language specialty FM (Christian music) radio station in Saint John.

The station would operate at 104.9 MHz (channel 285A) with an effective radiated power of 860 watts (non-directional antenna with an effective height above average terrain of 72.3 metres).

The applicant proposes a Christian music format with 100% of its weekly total music drawn from subcategory 35 (Non-classical religious).

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry at least 20 days prior to the hearing that the application is technically acceptable.

Applicant's address:

645 Pinewood Road
 Unit 4
 Riverview, New Brunswick
 Fax: 506-872-2234
 Email: jeff@jefflutes.com
 Website to view application: www.harvestersfm.com
 Email to request electronic version of application: jeff@jefflutes.com

5. My Broadcasting Corporation

Simcoe, Ontario
 Application 2016-0214-4

Application by **My Broadcasting Corporation** for a broadcasting licence to operate an English-language commercial FM radio station in Simcoe.

The station would operate at 99.7 MHz (channel 259B1) with an average effective radiated power (ERP) of 9,640 watts (maximum ERP of 18,000 watts with an effective height of antenna above average terrain of 26.03 metres).

The applicant proposes a Classic Hits format.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry at least 20 days prior to the hearing that the application is technically acceptable.

Applicant's address:

321B Raglan Street South
 Renfrew, Ontario
 Fax: 613-432-1086
 Email: andrew@myfmradio.ca
 Email to request electronic version of application: simcoe@myfmradio.ca

6. Peace River Broadcasting Corporation Ltd.

Peace River, Alberta
 Application 2016-0390-3

Application by **Peace River Broadcasting Corporation Ltd.** to change the technical parameters of the English-language commercial radio programming undertaking CKKX-FM Peace River.

Specifically, the licensee proposes to relocate the transmitter site, to change the antenna's radiation pattern from non-directional to directional and the class from A to C1 and to increase the maximum effective radiated power (ERP) from 2,500 to 50,000 watts, the average ERP from 2,500 to 30,000 watts and the effective height of antenna above average terrain from 155.2 to 219.9 metres.

It states that these technical changes are necessary to improve signal strength and reception issues with its primary FM transmitter.

It also states that the proposed contours will not extend signal coverage to markets that are not already served by the licensee.

It further states that this application is non-severable from application 2016-0392-8, also to be considered at this hearing, which seeks to convert CKYL Peace River to the FM band.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry at least 20 days prior to the hearing that the application is technically acceptable.

Applicant's address:

9807 – 100th Avenue
Bag 300
Peace River, Alberta
T8S 1T5

Fax: 780-624-5424

Email: chrisblack@ylcountry.com

Email to request electronic version of application: chrisblack@ylcountry.com

7. Peace River Broadcasting Corporation Ltd.

Peace River, Alberta

Application 2016-0392-8

Application by **Peace River Broadcasting Corporation Ltd.** for a broadcasting licence to operate an English-language commercial FM radio station to replace the AM commercial radio station CKYL Peace River.

The station would operate at 94.9 MHz (channel 235C1), the authorized frequency of the rebroadcasting transmitter CKYL-FM-1 Peace River.

The applicant proposes to change the technical parameters of CKYL-FM-1 by relocating the transmitter site, by changing the class from A to C1 and the antenna's radiation pattern from non-directional to directional and by increasing the average effective radiated power (ERP) from 2,500 to 62,000 watts (maximum ERP from 2,500 to 100,000 watts with an increase in the effective height of antenna above average terrain from 155.2 to 219.9 metres).

It also proposes to maintain the station's current Hot Country music format.

The applicant requests permission to simulcast the programming of the new FM station on CKYL Peace River for three months from the date of implementation of the new station.

The applicant also requests that the Commission revoke, pursuant to sections 9(1)(e) and 24(1) of the *Broadcasting Act*, the licence for CKYL Peace River effective at the end of the simulcast period.

The applicant states that this application is non-severable from application 2016-0390-3, also to be considered at this hearing, seeking to change the technical parameters of CKKX-FM Peace River.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry at least 20 days prior to the hearing that the application is technically acceptable.

Applicant's address:

9807 – 100th Avenue
 Bag 300
 Peace River, Alberta
 T8S 1T5
 Fax: 780-624-5424

Email: chrisblack@ylcountry.com

Email to request electronic version of application: chrisblack@ylcountry.com

8. Manager, Technology Infrastructure, Government of Yukon

Mount Jubilee, Yukon
 Application 2016-0794-6

Application by the **Manager, Technology Infrastructure, Government of Yukon**, for a broadcasting licence to operate a radiocommunication distribution undertaking to serve Mount Jubilee, Yukon.

The applicant proposes to distribute the programming service of CBC Radio One Whitehorse at 103.1 MHz (channel 276A) with an average effective radiated power (ERP) of 340 watts (maximum ERP of 482 watts with an effective height of antenna above average terrain of 271.45 metres).

Applicant's address:

2071 Second Avenue, ICT W-10
 Box 2703
 Whitehorse, Yukon
 Y1A 2C6
 Fax: 867-393-6200

Email: noah.gehmair@gov.yk.ca

Email to request electronic version of application: noah.gehmair@gov.yk.ca

Procedure

Deadline for interventions, comments or answers

2 November 2016

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, answer, replies 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 related 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 is brought to an oral phase of the hearing and 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

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Fax: 902-426-2721

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Secretary General