



Broadcasting Notice of Consultation CRTC 2018-154

PDF version

Ottawa, 8 May 2018

Public record: 1011-NOC2018-0154

Notice of hearing

12 July 2018

Gatineau, Quebec

Deadline for submission of interventions/comments/answers: 7 June 2018

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

The Commission will hold a hearing on **12 July 2018 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. **Eternacom Inc., on behalf of Harvest Ministries Sudbury**
Sudbury, North Bay and Elliot Lake, Ontario
Application 2017-0878-6
 2. **Carlsbad Springs Community Association Inc.**
Carlsbad Springs and Vars, Ontario
Application 2018-0096-2
 3. **United Christian Broadcasters Media Canada**
Fort McMurray, Alberta
Application 2018-0070-7
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1. **Eternacom Inc., on behalf of Harvest Ministries Sudbury**
Sudbury, North Bay and Elliot Lake, Ontario
Application 2017-0878-6

Application by **Eternacom Inc.** (Eternacom), **on behalf of Harvest Ministries Sudbury** (Harvest), for authority to acquire from Eternacom the assets of the English-language commercial specialty (Christian music) FM radio stations CJTK-FM Sudbury, CJTK-FM-1 North Bay and CJTK-FM-3 Elliott Lake and their rebroadcasting transmitters.

Eternacom is also requesting new broadcasting licences such that Harvest will continue the operation of the undertakings under the same terms and conditions as those in effect under the current licences.

Eternacom is wholly owned and controlled by Mr. Curtis Belcher.

Harvest is a not-for-profit corporation controlled by its board of directors.

Pursuant to the Purchase and Sale Agreement, Harvest would purchase the assets of the undertakings for \$1. Notwithstanding the proposed value of the transaction, the applicant has agreed to a tangible benefits package equal to 6% of the value of the transaction as determined by the Commission, if necessary.

Following the closing of the transaction, Harvest would become the licensee of CJTK-FM, CJTK-FM-1 and CJTK-FM-3 and their rebroadcasting transmitters, including those of CJTK-FM approved for operation in *CJTK-FM Sudbury – New transmitters in Iroquois Falls, Sault Ste. Marie, Englehart, New Liskeard, Sundridge and Spring Bay*, Broadcasting Decision CRTC 2017-205, 19 June 2017.

Applicant's address:

2150 Lasalle Street
Sudbury, Ontario
P3A 2A7

Email: mail@kfmradio.ca

Email to request electronic version of application: mail@kfmradio.ca

2. Carlsbad Springs Community Association Inc.

Carlsbad Springs and Vars, Ontario
Application 2018-0096-2

Application by **Carlsbad Springs Community Association Inc.** for a broadcasting licence to operate a low-power, English- and French-language community FM radio station in Carlsbad Springs and a low-power rebroadcasting transmitter in Vars.

The radio station would operate at 107.7 MHz (channel 299LP) with an effective radiated power (ERP) of 14.8 watts (non-directional antenna with an effective height of antenna above average terrain (EHAAT) of 23 metres).

The rebroadcasting transmitter would operate at 107.9 MHz (channel 300LP) with an ERP of 1.3 watts (non-directional antenna with an EHAAT of 10 metres).

The applicant proposes to broadcast a minimum of 103 hours of local programming per broadcast week.

The Commission notes that the station launched in April 2017 and is currently operating as the exempt tourist radio station CJRO-FM Carlsbad Springs on frequency 107.7 MHz.

The applicant has indicated that it will cease operating the station as a tourist information radio service upon the launch of the new community radio service.

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:

5556 Piperville Road
Carlsbad Springs, Ontario
K0A 1K0

Email: dlabreche@rogers.com

Website to view application: www.carlsbadsprings.ca

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

3. United Christian Broadcasters Media Canada

Fort McMurray, Alberta
Application 2018-0070-7

Application by **United Christian Broadcasters Media Canada** (UCBC) for authority to acquire from King's Kids Promotions Outreach Ministries Incorporated (King's Kids) the assets of the English-language commercial specialty (Christian music) FM radio station CKOS-FM Fort McMurray.

UCBC is also requesting a new broadcasting licence to continue the operation of the undertaking under the same terms and conditions as those in effect under the current licence.

UCBC is a not-for-profit corporation controlled by its board of directors.

Pursuant to the letter of intent, UCBC would purchase the assets of the undertaking in exchange of the assumption of a debt owned by King's Kids valued at \$108,962.

UCBC requests to be exempted from the requirement to pay tangible benefits.

Commission records indicate that King's Kids, the current licensee of CKOS-FM, is in apparent non-compliance with sections 8(1), 8(2) and 9(3)(b) of the *Radio Regulations, 1986*, which relate to the submission of complete and accurate program logs and music lists, for the broadcast week of 27 November to 3 December 2016.

Should the Commission once again find the current licensee in non-compliance, it would be the second consecutive licence term in which CKOS-FM has been found in non-compliance with its regulatory requirements.

The Commission intends to consider this application in accordance with the approach set out in *Update on the Commission's approach to non-compliance by radio stations*, Broadcasting Information Bulletin CRTC 2014-608, 21 November 2014.

Following the closing of the transaction, UCBC would become the licensee of CKOS-FM.

Applicant's address:

10 Dundas Street West
Belleville, Ontario
K8P 1A1

Fax: 613-966-3211

Email: j.hunt@ucbcanada.com

Email to request electronic version of application: j.hunt@ucbcanada.com

Procedure

Deadline for interventions, comments or answers

7 June 2018

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 filing, or where required, service 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 or served. The Commission advises parties who file or 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 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 "Have your say!" section, 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 at the following address, upon request, during normal business hours.

Les Terrasses de la Chaudière
Central Building
1 Promenade du Portage
Gatineau, Quebec
J8X 4B1
Tel.: 819-997-2429
Fax: 819-994-0218

Toll-free telephone: 1-877-249-2782

Toll-free TDD: 1-877-909-2782

Secretary General