



Broadcasting Notice of Consultation CRTC 2010-926

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Ottawa, 9 December 2010

Notice of hearing

8 February 2011

Gatineau, Quebec

Deadline for submission of interventions/comments: 11 January 2011

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

The Commission will hold a hearing commencing on **8 February 2011 at 9:00 a.m., at the Conference Centre, Phase IV, 140 Promenade du Portage, Gatineau, Quebec**, to consider the following application:

Applicant and Locality

1. **BCE Inc., on behalf of CTVglobemedia Inc. and its licensed broadcasting subsidiaries**

Across Canada

Application 2010-1506-6

1. **Across Canada**
Application 2010-1506-6

Application by **BCE Inc. (BCE), on behalf of CTVglobemedia Inc. (CTVgm) and its licensed broadcasting subsidiaries**, for authority to change the effective control of CTVgm's broadcasting entities to BCE.

BCE is a public corporation controlled by its board of directors that currently holds 15% of the voting shares in the capital of CTVgm.

The other shareholders of CTVgm are 1565117 Ontario Limited (a corporation ultimately controlled by Mr. Kenneth R. Thomson) (40% of the voting shares), Ontario Teacher's Plan Board (25% of the voting shares) and Torstar Corporation (20% of the voting shares).

Pursuant to the terms of the Transaction Agreement dated 10 September 2010, BCE will acquire the remaining 85% of the voting shares in the capital of CTVgm and will therefore exercise effective control.

The applicant submitted that the total value of the transaction is \$3.2 billion including an equity value of \$1.5 billion and \$1.7 billion in proportionate debt. The applicant also stated that the total value (100%) of the broadcasting assets is approximately \$2.9 billion.

BCE is of the view that no tangible benefits are required in the circumstances. However, in the event the Commission were to require such benefits, BCE has on 5 November 2010 proposed a tangible benefits package in the amount of \$70.3 million and by letter dated 3 December 2010 increased that tangible benefits package to \$220.8 million.

Considering the size and scope of the proposed transaction, the Commission may discuss, among other things, the following:

Ownership

In the context of the proposed convergence involving BCE, a significant Canadian communications company with subsidiaries in broadcasting and in telecommunications, and CTVgm, a leading Canadian broadcasting company, the Commission may wish to discuss the potential impact on the market, and, examine various related ownership issues.

Value of the transaction

The Commission may wish to discuss the value of the transaction, the valuation methodology applied to the assets and how these values have been allocated between the various broadcasting undertakings.

Proposed benefits package

The Commission's tangible benefits policy states that the contributions proposed as tangible benefits must be 10% of the value of the transaction as accepted by the Commission for all conventional and specialty television assets and 6% of the value of the transaction for all radio assets.

In addition, the tangible benefits expenditures for all television assets should be: (1) incremental; (2) directed to projects and initiatives that would not normally be undertaken or realized in the absence of the transaction; and (3) generally flow to third parties, such as independent producers.

In the case of the radio benefits, these should be made according to the Commission's amended approach as set out in the *Campus and community radio policy*, Broadcasting Regulatory Policy CRTC 2010-499, 22 July 2010.

Applicant's address:

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Examination of application:

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Victoria, British Columbia

300-380 2nd Avenue West
Vancouver, British Columbia

750 Burrard Street, Suite 300
Vancouver, British Columbia

535 7th Avenue S.W.
Calgary, Alberta

80 Patina Rise S.W.
Calgary, Alberta

10212 Jasper Avenue
Edmonton, Alberta

18520 Stony Plain Road
Edmonton, Alberta

#1 Highway East
Regina, Saskatchewan

216 First Avenue
Saskatoon, Saskatchewan

95 East Broadway
Yorkton, Saskatchewan

8 Forks Market Road
Winnipeg, Manitoba

400 – 345 Graham Avenue
Winnipeg, Manitoba

1445 Pembina Highway
Winnipeg, Manitoba

33 Beacon Road
Barrie, Ontario

601 Stewart Boulevard
Brockville, Ontario

993 Princess Street, Suite 10
Kingston, Ontario

255 King Street North, Suite 207
Waterloo, Ontario

864 King Street West
Kitchener, Ontario

249 Kent Street West
Lindsay, Ontario

1 Communications Road
London, Ontario

245 Oak Street
North Bay, Ontario

87 George Street
Ottawa, Ontario

160 Elgin Street
Ottawa, Ontario

59 George Street North
Peterborough, Ontario

119 East Street
Sault Ste. Marie, Ontario

699 Frood Street
Sudbury, Ontario

681 Pine Street North
Timmins, Ontario

299 Queen Street West
Toronto, Ontario

250 Richmond Street West
Toronto, Ontario

9 Channel Nine Court
Toronto, Ontario

1640 Ouellette Avenue
Windsor, Ontario

300 Ouellette Avenue, Suite 200
Windsor, Ontario

1310 Greene Avenue, Suite 300
Montréal, Quebec

1205 Papineau Avenue
Montréal, Quebec

191 Halifax Street
Moncton, New Brunswick

12 Smythe Street
Saint John, New Brunswick

2900 Agricola Street
Halifax, Nova Scotia

2885 Robie Street
Halifax, Nova Scotia

1283 George Street
Sydney, Nova Scotia

Public participation

Deadline for interventions

11 January 2011

The intervention must be received by the Commission and by the applicant on or before the above-mentioned date. The Commission cannot be held responsible for postal delays and will not notify a party whose intervention is received after the deadline date. The intervention will not be considered by the Commission and will not be part of the public file.

The intervention must include one of the following statements in either the first or the last paragraph:

1. I request to appear at the public hearing.
2. I do not want to appear at the public hearing.

Interventions will be considered by the Commission and will form part of the public record of the proceeding without further notification to intervening parties, provided the procedure set out below has been followed. Parties will be contacted only if their submissions raise procedural questions.

Written interventions should be submitted to the Secretary General of the Commission in **only one** of the following formats:

by using the
[[Broadcasting interventions/comments form](#)]

or

by mail to
CRTC, Ottawa, Ontario K1A 0N2

or

by fax at
819-994-0218

A true copy must be sent to the applicant, and proof that this has been done must accompany the intervention sent to the Commission.

The Commission advises those who file and serve by electronic mode to exercise caution when using e-mail for service of documents or notification, 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 of the notification was completed.

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 damaged during electronic transmission.

Interventions should 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 the application is brought to the oral phase of the hearing, and if parties wish to appear, they must provide reasons why their written interventions are not sufficient and why an appearance is necessary. 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 granted confidentiality, 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 interested parties to monitor the public examination file and the Commission's website for additional information that they may find useful when preparing their interventions.

Examination of documents

An electronic version of the applications is available from the Commission's website by selecting the application number within this notice.

A list of all interventions will also be available on the Commission's website. An electronic version of all interventions submitted will be accessible from this list. To access the list, select "Lists of interventions/comments" under "Public Proceedings" from the Commission's website.

Documents are also available during normal office hours at the local address provided in this notice and at the Commission offices and documentation centres directly involved with this application, 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

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Central Building
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Secretary General