



Broadcasting Notice of Consultation CRTC 2011-571

PDF version

Ottawa, 7 September 2011

Notice of hearing

17 October 2011

Montréal, Quebec

Deadline for submission of interventions/comments/answers: 22 September 2011

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

The Commission will hold a hearing beginning on **17 October 2011 at 8:30 a.m.** at the **Delta Centre-Ville Montréal, 777 University Street, Montréal, Quebec** to consider the following applications:

Applicant/licensee and locality

1. **Metromedia CMR Broadcasting Inc.**
Montréal, Quebec
Application 2011-0801-9
2. **Dufferin Communications Inc.**
Montréal, Quebec
Application 2011-1232-5
3. **Bell Media Canada Radio Partnership**
Montréal, Quebec
Application 2011-1235-9
4. **7954689 Canada inc.**
Montréal, Quebec
Application 2011-1236-7
5. **7954689 Canada inc.**
Montréal, Quebec
Application 2011-1237-5

Preamble

In Broadcasting Notice of Consultation 2011-336, the Commission announced that it had received applications by Metromedia CMR Broadcasting (Metromedia) for broadcasting licences to operate AM commercial radio services in Montréal using the frequencies 690 kHz and 940 kHz. Metromedia's applications were to be considered at the 18 July 2011 non-appearing public hearing in the National Capital Region.

In light of the interventions received, the Commission decided not to proceed with these applications as non-appearing items. Accordingly, in Broadcasting Notice of Consultation 2011-336-2, Metromedia's applications were withdrawn from the

18 July 2011 hearing. At that time, the Commission noted that Metromedia's applications would be considered as part of an appearing hearing at a later date.

The Commission then decided that a call for applications for one or more radio stations in Montréal using the frequencies 690 kHz and 940 kHz was warranted. Consequently, on 29 July 2011, the Commission issued Broadcasting Notice of Consultation 2011-453, in which it called for applications for AM radio stations to serve Montréal using the frequencies 690 kHz and 940 kHz. Persons interested in responding to this call had to submit a duly completed application to the Commission by 29 August 2011, as well as all necessary technical documentation to the Department of Industry by the same date.

It later became apparent to the Commission that given the availability of the frequencies 690 kHz and 940 kHz and the tight deadlines, it might not be possible for some of the applicants to submit their technical briefs by the deadline date of 29 August 2011 as specified in the call. Therefore, in Broadcasting Notice of Consultation 2011-453-1, the Commission amended paragraphs 4 and 19 of the call to take this reality into account.

Meanwhile, following the publication of Broadcasting Notice of Consultation 2011-336-2, Metromedia asked the Commission to withdraw its application to operate a French-language AM commercial radio programming undertaking in Montréal. **Given the foregoing, at the request of the applicant, the following item is withdrawn and will not be rescheduled at a later date. The Commission has closed the file on this application.**

**Montréal, Quebec
Application 2011-0802-7**

Application by Metromedia CMR Broadcasting Inc. for a broadcasting licence to operate a French-language AM commercial radio programming undertaking in Montréal.

In response to Broadcasting Notice of Consultation 2011-453, the Commission received five applications for AM licences to serve Montréal using the frequencies 690 kHz and 940 kHz. Some of these applications are technically mutually exclusive:

- Items 2, 3 and 4 are technically mutually exclusive, proposing the use of the frequency 690 kHz.
- Items 1 and 5 are technically mutually exclusive, proposing the use of the frequency 940 kHz.

These applications will be treated as competitive radio applications for Montréal.

**1. Montréal, Quebec
Application 2011-0801-9**

Application by **Metromedia CMR Broadcasting Inc.** for a broadcasting licence to operate an English-language AM commercial radio programming undertaking in Montréal.

The proposed station would operate on frequency 940 kHz (class A) with a daytime and nighttime transmitter power of 50,000 watts.

The station's programming would be dedicated to the broadcast of information relating to traffic and the obstacles caused by roadwork in the greater Montréal region by using the studios, the transmitter and the transmission site of CINW, whose licence was revoked in January 2010. Cogeco Diffusion Acquisitions inc., the applicant's parent company, has entered into a three-year agreement with the ministère des Transports du Québec, with possibility of renewal, that stipulates the broadcasting of this information, among other things.

Given the nature of the station's programming, the applicant is requesting to be relieved of section 15(4) of the *Radio Regulations, 1986* relating to the requirement to devote 60% of Canadian content development (CCD) contributions to FACTOR or MUSICATION. Instead, the licensee is seeking a condition of licence that would allow it to devote 15% of basic annual CCD contributions to the Community Radio Fund of Canada. The remaining 85% would be devoted to scholarships and remunerated training courses for students in journalism attending schools and educational establishments accredited by the provincial authorities.

The application was published in Broadcasting Notice of Consultation 2011-336 for the 18 July 2011 hearing and was later withdrawn in Broadcasting Notice of Consultation 2011-336-2. The Commission will consider the interventions, answers and replies for this item already accepted and placed on the public file for the 18 July 2011 hearing, as well as other interventions received in the context of this hearing.

The Commission notes that additional information has been placed on the file and encourages interested persons to consult the public file.

Applicant's address:

5 Place Ville-Marie
Suite 1700
Montréal, Quebec
H3B 0B3
Fax: 514-874-0776

E-mail: licence@cogeco.com

E-mail to request electronic version of application: licence@cogeco.com

2. Montréal, Quebec **Application 2011-1232-5**

Application by **Dufferin Communications Inc.** for a broadcasting licence to operate a French-language AM commercial radio programming undertaking in Montréal.

The new station would operate on frequency 690 kHz (class A) with a daytime and nighttime transmitter power of 50,000 watts.

The proposed station would be called Radio Fierté. Its proposed format would include spoken word and music programming directed to Montréal's gay, lesbian, bisexual and transgendered community through a reflection of this community's interests, concerns and activities.

Music programming would consist of a blend of selections from a variety of musical genres.

Applicant's address:

5312 Dundas Street West
 Toronto, Ontario
 M9B 1B3
 Fax: 416-233-8617
 E-mail: carmela@evanovradio.com
 Website to view application: www.evanovradio.com

3. Montréal, Quebec
Application 2011-1235-9

Application by **Bell Media Canada Radio Partnership** to amend the broadcasting licence for the English-language commercial radio programming undertaking CKGM Montréal, Quebec.

The licensee proposes to amend the licence by changing the frequency of CKGM's transmitter from 990 kHz (class B) to 690 kHz (class A).

The technical brief submitted to the Commission states "that the purpose of this application is to change CKGM's frequency to 690 kHz and modify its facilities to two tower operation. It indicates that CKGM suffers from poor night-time coverage of Montréal, especially in the west end and that 690 kHz offers much less restrictive protection requirements and lower night-time interference levels which will greatly improve CKGM's night-time coverage. The superior propagation characteristics of 690 kHz will improve both day and night coverage of the City."

The licensee wishes to increase the quality of the signal of the station, particularly with respect to its nighttime coverage of Montréal, to better serve its listeners and to become financially viable.

Licensee's address:

299 Queen Street West
 Toronto, Ontario
 M5V 2Z5
 Fax: 416-384-4582
 E-mail: david.spodek@bellmedia.ca
 Website to view application: www.bellmedia.ca/about/Media_R
 E-mail to request electronic version of application: david.spodek@bellmedia.ca

4. Montréal, Quebec
Application 2011-1236-7

Application by **7954689 Canada inc.** for a broadcasting licence to operate a French-language AM commercial radio programming undertaking in Montréal.

The proposed station would operate on frequency 690 kHz (class A) with a daytime and nighttime transmitter power of 50,000 watts.

The applicant is proposing a spoken word format focused on news information, public affairs and debate.

Applicant's address:

6322 Jean-Talon Street East
 Montréal, Quebec
 H1M 1S8

Fax: 514-353-5587

E-mail: nicolastetrault@videotron.ca

E-mail to request electronic version of application: info@690radioparlee.ca

5. Montréal, Quebec
Application 2011-1237-5

Application by **7954689 Canada inc.** for a broadcasting licence to operate a English-language AM commercial radio programming undertaking in Montréal.

The proposed station would operate on frequency 940 kHz (class A) with a daytime and nighttime transmitter power of 50,000 watts.

The applicant is proposing a spoken word format focused on news information, public affairs and debate.

Applicant's address:

6322 Jean-Talon Street East
 Montréal, Quebec
 H1M 1S8

Fax: 514-353-5587

E-mail: nicolastetrault@videotron.ca

E-mail to request electronic version of application: info@940talk.ca

Procedure

Deadline for interventions or answers

22 September 2011

The new *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure*, SOR/2010-277 (the Rules of Procedure), set out, among other

things, the rules for content, format, filing and service of interventions and answers of respondents, the procedure for filing confidential information and requesting its disclosure, and the conduct of the public hearing. 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 “CRTC Rules of Practice and Procedure.”

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.

In accordance with the Rules of Procedure, a document must be filed with, not merely sent to, the Commission by 5 p.m. Vancouver time (8 p.m. Ottawa time) on the date it is due. The Commission takes no responsibility for postal delays and will not notify a party whose submission is received after the deadline date. Late submissions will not be considered by the Commission and will not be made part of the public file.

The intervention or answer 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.

The applicant, respondents and interveners are permitted to coordinate, organize and file, in a single submission, interventions of other interested persons who share their position but do not wish to appear at the hearing as a “Joint Supporting Intervention.” More information on how to do so and 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.

Interventions and answers will be considered by the Commission and will form part of the public record of the proceeding without further notification to parties, provided the procedures set out in the Rules of Procedure and this notice have been followed. Parties will be contacted only if their submissions raise procedural questions.

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

by using 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.

The Commission advises those who file and serve by electronic mode to exercise caution when using e-mail for service of documents, 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 was completed. The sender must keep proof of the sending and the receipt of the document for 180 days after the day on which it is filed.

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 altered during electronic transmission.

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.

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 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, 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 parties and interested persons 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.

Examination of documents

An electronic version of the applications is available on the Commission's website by selecting the application number within this notice. It is also available from the applicants/licensees, either on their websites or upon request by contacting the applicants/licensees at their email addresses, provided above.

A list of all interventions and answers will also be available on the Commission's website. The list is accessible by selecting "View all proceedings open for comment" from the "Public Proceedings" section of the Commission's website and clicking on the "Interventions/Answers" link associated with this notice.

Documents are also available during normal office hours at the Commission offices and documentation centres directly involved with these applications, 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

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

Metropolitan Place
99 Wyse Road
Suite 1410
Dartmouth, Nova Scotia
B3A 4S5
Tel.: 902-426-7997
Fax: 902-426-2721

205 Viger Avenue West
Suite 504
Montréal, Quebec
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Tel.: 514-283-6607

55 St. Clair Avenue East
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Tel.: 416-952-9096

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Suite 970
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Tel.: 204-983-6306
Fax: 204-983-6317

2220 – 12th Avenue
Suite 620
Regina, Saskatchewan
S4P 0M8
Tel.: 306-780-3422

403 – 4th Avenue South-West
Suite 100
Calgary, Alberta
T2P 3N2
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Suite 290
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Secretary General