



## Broadcasting Notice of Consultation CRTC 2012-560

PDF version

Ottawa, 12 October 2012

### Notice of hearing

**11 December 2012**

**Gatineau, Quebec**

**Deadline for submission of interventions/comments/answers:**

**13 November 2012**

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

The Commission will hold a hearing commencing on **11 December 2012 at 9:00 a.m., at the Conference Centre, Phase IV, 140 Promenade du Portage, Gatineau, Quebec.**

The Commission intends to consider the following applications:

#### Applicant/Licensee and Locality

1. **OWN Inc.**  
Across Canada  
Reference 2012-1233-1
2. **G4techTV**  
Across Canada  
Reference 2012-1235-7
3. **2329785 Ontario Inc.**  
Across Canada  
Application 2012-0901-5
4. **Radio Vallacquoise inc.**  
Val-des-Lacs, Quebec  
Application 2012-0749-9
5. **Canadian Broadcasting Corporation**  
Trois-Rivières, Quebec  
Applications 2012-0902-3 and 2012-0883-5
6. **Canadian Broadcasting Corporation**  
Sherbrooke, Quebec  
Applications 2012-0903-1 and 2012-0932-0
7. **Fabrique de la Paroisse de Saint-Gérard**  
Weedon, Quebec  
Application 2012-0921-3

## Items 1 and 2

This involves two specialty Category A services that have been found operating in apparent non-compliance with their respective condition of licence regarding their nature of service definition.

## Items 3 to 7

The Commission intends to consider, subject to interventions, items 3 to 7 during the non-appearance phase of the hearing.

1. **OWN Inc.**  
Across Canada  
Reference 2012-1233-1

In *Corus Entertainment Inc. – Group-based licence renewals*, Broadcasting Decision CRTC 2011-446, 27 July 2011 (Broadcasting Decision 2011-446), the Commission found that OWN: The Oprah Winfrey Network (OWN) had not complied with its nature of service definition and directed the licensee to file a report no later than 1 March 2012 detailing the measures it had taken to bring the service into compliance with its nature of service definition. In the alternative, the Commission expected the licensee to surrender its licence for its specialty Category A service and apply for a licence to operate a specialty Category C service or to submit another appropriate proposal by the same date.

Corus Entertainment Inc. (Corus), on behalf of its wholly owned subsidiary OWN Inc., filed an application on 1 March 2012 for a broadcasting licence to operate OWN as a specialty Category B service. Corus also proposed to discontinue the operation of OWN as a specialty Category A service. Corus' application also included a request to add program category 7 Drama and comedy to the programming categories from which the service may draw its programming as well as a request to reduce its Canadian content requirements. Moreover, Corus specified that its application is conditional upon the Commission agreeing to exempt the Shaw-owned cable systems from section 19 of the *Broadcasting Distribution Regulations* with respect to the distribution of OWN.

In a letter dated 22 June 2012, the Commission indicated to Corus that it would not process an application that is conditional upon another application by a third party. Consequently, the Commission once again directed the licensee to come into compliance with its nature of service definition, and this time, by no later than 1 September 2012, or to submit by no later than 9 July 2012 a new application for a broadcasting licence to operate OWN as a specialty Category B or Category C service.

Subsequent to the granting of an extension for filing, Corus filed an application on 23 July 2012 to amend the broadcasting licence of OWN under Part 1 of the *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* (the Rules). In its application, Corus requested to amend the nature of service definition of OWN and to re-designate it as a specialty Category B service. Corus added that since OWN's licence was renewed until 31 August 2016 in Broadcasting Decision 2011-446, it proposed to amend the service's licence for the remainder of the current licence term and

requested that the Commission issue a licence to OWN to operate a specialty Category B service as of 1 September 2016.

On 15 August 2012, the Commission sent a letter to Corus informing it that it would not treat its application under Part 1 of the Rules and that it would inform it in regard to the next steps to be taken.

In light of the foregoing, the Commission finds that neither of the applications submitted by the licensee adhere to the directives set out in Broadcasting Decision 2011-446 and its letter dated 22 June 2012. Consequently, it appears to the Commission that the licensee remains out of compliance with its nature of service definition. The Commission therefore intends to inquire into, hear and determine these matters at the hearing.

### **Background**

The service currently known as OWN was originally approved in *Canadian Learning Television – Approved*, Decision CRTC 96-600, 4 September 1996.

In *Canadian Learning Television – License Renewal*, Broadcasting Decision CRTC 2004-17, 21 January 2004 (Broadcasting Decision 2004-17), the Commission approved an amendment to the licensee’s nature of service definition as follows:

The licensee shall provide a national English-language specialty television service which provides formal and informal educational programming and learning opportunities that generally focus on adult education. Educational programs will come from a full spectrum of basic, credit-based, skills-related and life-enhancing programs, many of which will be undertaken in cooperation with colleges, universities and training institutions.

[...]

(c) Not less than 55% of the programs during the broadcast day shall be drawn from Category 5(a), and **shall have clear learning objectives (bold added to reflect the addition from the original nature of service)**.

In *Change in effective control*, Broadcasting Decision CRTC 2008-206, 22 August 2008 (Broadcasting Decision 2008-206), the Commission approved an application for authorization to effect a change in the effective control of 1708484 Ontario Inc., which resulted in the service Canadian Learning Television (CLT) being exercised by Corus. Shortly thereafter, Corus announced the rebranding of CLT as VIVA, a women’s entertainment channel with a focus on films, television dramas and lifestyle programming. In a press release dated 29 September 2010, VIVA announced that it was being rebranded as OWN as of 1 March 2011.

In Broadcasting Decision 2011-446, the Commission renewed the broadcasting licence of OWN. In that decision, the Commission maintained the nature of service definition of OWN as approved in Broadcasting Decision 2004-17. In that same decision, the

Commission imposed the nature of service definition as a condition of licence. The licence of the service expires 31 August 2016.

**Non-compliance with the licensee’s nature of service definition**

In the above-mentioned 29 September 2010 press release, Corus stated that “OWN will target adults 18 – 54 with a core of women 25 – 54 and explore issues that matter, from health and wellness, home and relationships to stories of strength and transformation.” Upon learning of Corus’s intent to rebrand VIVA as OWN, the Commission sent a letter to Corus dated 4 October 2010 inquiring as to how this rebrand adheres to OWN’s nature of service definition. In a subsequent letter to Corus dated 7 December 2010, the Commission stated that it might follow up on this matter at the licence renewal in Spring 2011.

In Broadcasting Decision 2011-446, the Commission found that the majority of formal educational programs listed in the programming schedule were associated with television, media or culture studies classes. “More specifically, eight programs are associated with a single script writing course, and two programs are associated with three different courses in cinematography, story development and video production techniques”, as stated by the Commission in paragraph 33 of that decision. The Commission is of the view that by linking television programming to such a narrow range of classes, the licensee did not adhere to OWN’s nature of service definition and acted in such a way as to avoid its regulatory obligations.

Furthermore, the Commission noted in Broadcasting Decision 2011-446 that most of the other programs listed explored themes such as food, fitness, design and relationships. The Commission found that while OWN’s programming was focused on “enhancement programming”, it did not provide basic adult education, job development skills or professional development as reflected in its nature of service definition.

Since neither of the applications submitted by Corus adhere to the directives set out in Broadcasting Decision 2011-446 and its 22 June 2012 letter, the Commission is of the view that the licensee remains out of compliance with OWN’s condition of licence regarding its nature of service definition and with the Commission’s policy on program genre exclusivity set out in *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services* – Regulatory Policy, Broadcasting Public Notice CRTC 2008-100, 30 October 2008.

**Process**

In light of all of the above, the Commission intends to inquire into, hear and determine these matters. Accordingly, pursuant to sections 12 and 24 of the *Broadcasting Act* (the Act), the Commission calls OWN Inc. to this public hearing to show cause as to why:

- a mandatory order should not be issued pursuant to section 12 of the Act requiring the licensee to adhere to its nature of service definition; and

- the Commission should not suspend or revoke the licence pursuant to sections 9 and 24 of the Act.

### **Important**

The Commission notes that additional documents may be added to the public file subsequent to the issuance of this notice of consultation. Parties are accordingly advised to consult the public file for this item on an ongoing basis.

#### *Licensee's address:*

OWN Inc.  
25 Dockside Drive  
Toronto, Ontario  
M5A 0B5  
Email: [Sylvie.courtemanche@corusent.com](mailto:Sylvie.courtemanche@corusent.com)

#### *Examination of the licensee's public file:*

OWN Inc.  
25 Dockside Drive  
Toronto, Ontario  
M5A 0B5  
Email: [Sylvie.courtemanche@corusent.com](mailto:Sylvie.courtemanche@corusent.com)

- 2. G4techTV**  
Across Canada  
Reference 2012-1235-7

In *Rogers Media Inc. – Group-based licence renewals*, Broadcasting Decision CRTC 2011-447, 27 July 2011 (Broadcasting Decision 2011-447), the Commission found that some of G4techTV's programming was not consistent with its nature of service definition and directed the licensee to file a report by no later than 1 March 2012 detailing the measures it had taken to bring the service into compliance with its nature of service definition. In the alternative, the Commission expected the licensee to surrender its licence for the specialty Category A service G4techTV and apply for a licence to operate a specialty Category C service or to submit another appropriate proposal by the same date. Consequently, the licensee submitted to the Commission a report dated 1 March 2012 outlining the steps it had taken to address the Commission's concerns.

In a letter sent 18 June 2012, the Commission indicated that since a considerable amount of G4techTV's programming remained out of compliance with its nature of service definition, it would implement enforcement measures, which could include a mandatory order hearing, if G4techTV was not in compliance by 1 September 2012. The Commission noted that it would take into account G4techTV's non-compliance when considering any future applications by the licensee.

The licensee filed an application for a licence amendment on 30 August 2012 under Part 1 of the *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* (the Rules) in order to re-designate G4techTV as a specialty Category B service. The licensee also requested an amendment to its nature of service definition as follows:

The licensee shall provide a national, English-language specialty Category B service consisting of programming related to technology and appeals to the interests of the digital generation including its on-line communities, culture and trends.

However, the Commission informed the licensee in a letter dated 10 September 2012 that a Part 1 licence amendment process was not appropriate for this type of application, which sought to change fundamental aspects of G4techTV's licence. Consequently, the Commission informed the licensee that it would not treat its application under Part 1 of the Rules and that its application would be treated as an application for a new broadcasting licence to operate a specialty Category B service at a future public hearing.

In a letter dated 28 September 2012, the licensee requested that the Commission reconsider its determination that its application to re-designate G4techTV as a specialty Category B service be treated as an application for a new licence. The licensee submitted that the Commission had the discretion to proceed with the application by means of a licence amendment. Moreover, in a separate letter also dated 28 September 2012, the licensee requested that the Commission suspend its enforcement in regard to G4techTV's non-compliance with its nature of service definition until a final determination has been made with respect to its application for a licence amendment.

In light of the foregoing, the Commission finds that the actions taken by the licensee are not consistent with the directives set out in Broadcasting Decision 2011-447 and its letter dated 18 June 2012. Accordingly, it appears to the Commission that the licensee remains out of compliance with its nature of service definition. The Commission therefore intends to inquire into, hear and determine these matters at the hearing.

### **Background**

In *TechTV Canada – a new specialty channel*, Decision CRTC 2000-454, 14 December 2000 (Decision 2000-454), the Commission issued a licence to techTV Canada Inc., a company to be incorporated, which would be owned in part by Rogers Broadcasting Ltd. (RBL), to operate techTV Canada (now G4techTV), a national, English-language Category 1 specialty programming undertaking. The Commission noted that techTV Canada's programming would be devoted to computers, technology and the Internet, and would "increase the programming diversity available to Canadians by providing information focusing exclusively on technology that is not offered currently in the Canadian broadcasting system". In regard to its nature of service definition, the Commission imposed on techTV Canada the following condition of licence:

The licensee shall provide a national English-language Category 1 specialty television service consisting exclusively of programming related to computing, technology and the Internet.

In *Licence amendment for TechTV Canada - Addition of program categories*, Broadcasting Decision CRTC 2003-169, 26 May 2003 (Broadcasting Decision 2003-169), the Commission approved an application by 3773221 Canada Inc. (a corporation controlled by RBL) to add category 10 Game shows to the list of categories from which techTV Canada could draw its programming. However, the Commission denied a request by the licensee to add category 7 Drama and comedy to the list of categories from which it could draw programming on the grounds that the programming would not be consistent with techTV Canada's nature of service definition.

Subsequently, in *G4techTV – Licence amendment*, Broadcasting Decision CRTC 2006-532, 15 September 2006 (Broadcasting Decision 2006-532), the Commission approved a request by RBL to add category 7 Drama and comedy to the list of programming categories from which G4techTV could draw its programming, but imposed a weekly limit of 15% on category 7 programming and a more specific weekly limit of 5% on programming drawn from category 7(d) Theatrical feature films aired on TV. The Commission determined that there was room on G4techTV for a limited amount of drama programming, especially drama programming such as *anime*.

The Commission notes that it renewed the broadcasting licence of G4techTV until 31 August 2014 in Broadcasting Decision 2011-447 and that G4techTV's nature of service definition has not changed since it was licensed in Decision 2000-454.

#### **Non-compliance with the licensee's nature of service definition**

The Commission conducted a review of G4techTV's programming in preparation for the licence renewals of the English-language television groups. In a letter dated 27 July 2010, the Commission asked the licensee to explain why it is of the view that certain of G4techTV's programs adhere to its nature of service definition.

The licensee responded in a letter dated 18 August 2010 that its programming strategy regarding G4techTV was "aimed at giving our viewers the types of digital lifestyle and information shows they want to see while also offering other types of programs they enjoy." The licensee submitted that the assessment of a service's adherence to its nature of service definition should not be conducted on a program by program basis and that the Commission should rather assess "the overall programming orientation" of a service to determine whether it is in keeping with its nature of service definition.

The Commission informed the licensee in a letter dated 6 December 2010 that some of the programming offered by G4techTV appeared to be inconsistent with its nature of service definition and that it would be prepared to discuss the apparent non-compliance at the licence renewal hearing in Spring 2011.

In Broadcasting Decision 2011-447, the Commission considered a request by the licensee that the word "exclusively" be removed from G4techTV's nature of service definition,

which, according to the licensee, unduly restricted the nature of service definition. The Commission denied the request on the grounds that, over the previous licence term, G4techTV had already been granted a certain amount of program flexibility and that the removal of the word “exclusively” could enable G4techTV to prioritize other types of programming at the expense of programming related to computing, technology and the Internet.

Furthermore, the Commission considered that since the issuance of Broadcasting Decision 2006-532, G4techTV’s programming has departed from its nature of service definition, thereby decreasing programming diversity and arguably making it competitive with other services.

The licensee submitted a report to the Commission on 1 March 2012 outlining the steps it had taken to address the Commission’s concerns. It noted that it had made several changes to G4techTV’s programming schedule since the publication of Broadcasting Decision 2011-447 and had removed several programs that were out of compliance with G4techTV’s nature of service definition. In that report, the licensee also provided program schedules and a programming grid.

In a letter dated 4 April 2012, the Commission requested that the licensee provide a more detailed list and description of the programs that made up a block of programming on G4techTV’s schedule titled “Adult Digital Distraction” (ADD programming) and that it explain how the “Campus PD” program adheres to G4techTV’s nature of service definition. The licensee provided a detailed list of the ADD programming as well as a detailed programming grid in a letter dated 23 April 2012. It submitted that while the ADD programming was “not explicitly about gaming and technology”, it appealed to G4techTV’s “core viewer base”.

The Commission is of the view that the measures identified in the licensee’s 1 March 2012 and 23 April 2012 submissions as well as its application dated 30 August 2012 are not consistent with the Commission’s directives set out in Broadcasting Decision 2011-447 and its 18 June 2012 letter. While the Commission was prepared to process an application for G4techTV to be operated as a specialty Category B service as a means of resolving the licensee’s non-compliance, the licensee has demonstrated an unwillingness to proceed in such a manner. As a result, it appears to the Commission that G4techTV remains out of compliance with its condition of licence regarding its nature of service definition and with the Commission’s policy on program genre exclusivity set out in *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services* – Regulatory Policy, Broadcasting Public Notice CRTC 2008-100, 30 October 2008.

### **Process**

In light of all of the above, the Commission intends to inquire into, hear and determine these matters. Accordingly, pursuant to sections 12 and 24 of the *Broadcasting Act* (the Act), the Commission calls G4techTV to this hearing to show cause as to why:

- a mandatory order should not be issued pursuant to section 12 of the Act requiring the licensee to adhere to its nature of service definition; and
- the Commission should not suspend or revoke the licence pursuant to sections 9 and 24 of the Act.

### **Important**

The Commission notes that additional documents may be added to the public file subsequent to the issuance of this notice of consultation. Parties are accordingly advised to consult the public file for this item on an ongoing basis.

#### *Licensee's address:*

Rogers Broadcasting Limited  
333 Bloor Street East  
Toronto, Ontario  
M4W 1G9  
Email: [susan.wheeler@rci.rogers.com](mailto:susan.wheeler@rci.rogers.com)

#### *Examination of the licensee's public file:*

Rogers Broadcasting Limited  
333 Bloor Street East  
Toronto, Ontario  
M4W 1G9  
Email: [susan.wheeler@rci.rogers.com](mailto:susan.wheeler@rci.rogers.com)

- 3. 2329785 Ontario Inc.**  
Across Canada  
Application 2012-0901-5

Application by **2329785 Ontario Inc.** for a broadcasting license to operate a national, ethnic specialty category B service to be known as Varietas Media Group - Tamil.

The applicant states that the programming would be devoted to Tamil-Canadians belonging to the children's, youth, young adult and middle-age demographics (up to the age of 65).

The applicant proposes to broadcast 55 to 60% of its programming in the English language and 40 to 45% of its programming in the Tamil language.

The applicant also proposes to draw its programming from all the program categories set out in item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time, with the exception of category 15.

The applicant states that it would accept the following condition of licence:

The licensee shall devote no more than 10% of all programming broadcast during the broadcast month to programs drawn from each of program categories 2(b), 6(a), 7(d) and 7(e), and from program categories 8(b) and 8(c) combined.

The applicant requests that it be authorized to devote up to 6 of the 12 minutes of advertising material permitted during each clock hour to local and regional advertising.

*Applicant's address:*

22 Lee Avenue  
Markham, Ontario  
L3R 0L7

Fax: 416-752-7262

Email: [pkay11@gmail.com](mailto:pkay11@gmail.com)

Email to request electronic version of application: [pkay11@gmail.com](mailto:pkay11@gmail.com)

4. **Radio Vallacquoise inc.**  
Val-des-Lacs, Quebec  
Application 2012-0749-9

Application by **Radio Vallacquoise inc.** for a broadcasting licence to operate a French-language developmental community FM radio programming undertaking in Val-des-Lacs.

The new station would operate at 106.5 MHz (channel 293VLP) with an effective radiated power of 5 watts (non-directional antenna with an effective height of antenna above average terrain of 8.9 metres).

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:*

348 Val-des-Lacs Road  
Val-des-Lacs, Quebec  
J0T 2P0

Email: [radiovallacquoise@hotmail.com](mailto:radiovallacquoise@hotmail.com)

Email to request electronic version of application: [real.train@hotmail.com](mailto:real.train@hotmail.com)

5. **Canadian Broadcasting Corporation**  
Trois-Rivières, Quebec  
Applications 2012-0902-3 and 2012-0883-5

**Application 2012-0902-3**

Application by the **Canadian Broadcasting Corporation (CBC)** for a broadcasting licence to operate a French-language FM radio programming undertaking in Trois-Rivières.

The proposed station would replace one of the existing rebroadcasting transmitters of its service CBFX-FM Montréal, namely CBFX-FM-1 Trois-Rivières. The new station would continue to offer programming received from the network Espace Musique as well as broadcast distinct regional programming and an additional 20 minutes of local programming content per broadcast week.

The technical parameters of the new station would be the same as those currently authorized for its CBFX-FM-1 Trois-Rivières transmitter.

**Application 2012-0883-5**

Subject to approval of application 2012-0902-3, the CBC also proposes to amend the broadcasting licence for the radio programming undertaking CBFX-FM Montréal by deleting the rebroadcasting transmitter CBFX-FM-1 Trois-Rivières.

*Applicant's address:*

181 Queen Street  
Ottawa, Ontario  
K1P 1K9

Fax: 613-288-6257

Email: [affaires.reglementaires@radio-canada.ca](mailto:affaires.reglementaires@radio-canada.ca)

Website to view application: <http://cbc.radio-canada.ca/fr/rendre-des-comptes-aux-canadiens/rapports/presentations/2012/>

Email to request electronic version of application: [affaires.reglementaires@radio-canada.ca](mailto:affaires.reglementaires@radio-canada.ca)

**6. Canadian Broadcasting Corporation**

Sherbrooke, Quebec

Applications 2012-0903-1 and 2012-0932-0

**Application 2012-0903-1**

Application by the **Canadian Broadcasting Corporation** (CBC) for a broadcasting licence to operate a French-language FM radio programming undertaking in Sherbrooke.

The proposed station would replace one of the existing rebroadcasting transmitters of its service CBFX-FM Montréal, namely CBFX-FM-2 Sherbrooke. The new station would continue to offer programming received from the network Espace Musique as well as broadcast distinct regional programming and an additional 20 minutes of local programming content per broadcast week.

The technical parameters of the new station would be the same as those currently authorized for its CBFX-FM-2 Sherbrooke transmitter.

**Application 2012-0932-0**

Subject to approval of application 2012-0903-1, the CBC also proposes to amend the broadcasting licence for the radio programming undertaking CBFX-FM Montréal by deleting the rebroadcasting transmitter CBFX-FM-2 Sherbrooke.

*Applicant's address:*

181 Queen Street

Ottawa, Ontario

K1P 1K9

Fax: 613-288-6257

Email: [affaires.reglementaires@radio-canada.ca](mailto:affaires.reglementaires@radio-canada.ca)

Website to view application:

<http://cbc.radio-canada.ca/fr/rendre-des-comptes-aux-canadiens/rapports/presentations/2012/>

Email to request electronic version of application:

[affaires.reglementaires@radio-canada.ca](mailto:affaires.reglementaires@radio-canada.ca)

**7. Fabrique de la Paroisse de Saint-Gérard**

Weedon, Quebec

Application 2012-0921-3

Application by **Fabrique de la Paroisse de Saint-Gérard** for a broadcasting licence to operate a French-language religious (church) FM low-power radio programming undertaking in Weedon.

The new station would operate at 98.5 MHz (channel 253LP) with an effective radiated power of 1.2 watt (non-directional antenna with an effective height of antenna above average terrain of 5.23 metres).

The applicant proposes to broadcast 2.5 hours of local programming each week. The station would provide live masses, weddings, funerals, baptisms and other such religious celebrations.

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:*

189 Principale Street

Weedon, Quebec

J0B 3J0

Fax: 819-877-2566

Email: [LLE40@hotmail.ca](mailto:LLE40@hotmail.ca)

Email to request electronic version of application: [LLE40@hotmail.ca](mailto:LLE40@hotmail.ca)

## Procedure

### Deadline for interventions or answers

**13 November 2012**

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 or licensee 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 or licensee 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 an application to be considered during the non-appearing phase of the hearing 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](http://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 and the pre-hearing files is available on the Commission's website by selecting the application or file 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 and these pre-hearing files, 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***

#### **Nova Scotia**

Metropolitan Place  
 99 Wyse Road  
 Suite 1410  
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