



Broadcasting Notice of Consultation CRTC 2014-541

PDF version

Ottawa, 21 October 2014

Notice of hearing

8 January 2015
Gatineau, Quebec

Deadline for submission of interventions/comments/answers: 20 November 2014

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

The Commission will hold a hearing on **8 January 2015 at 1:30 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. **Rogers Sportsnet Inc.**
Across Canada
Application 2014-0793-2
2. **9149-2819 Québec inc.**
Montréal, Québec, Sherbrooke, Gatineau, Trois-Rivières, Saguenay and their surrounding areas, Quebec
Application 2014-0777-6
3. **Radio communautaire enfant-ado de Gatineau-Ottawa**
Gatineau, Quebec and Ottawa, Ontario
Application 2014-0942-5
4. **Vista Radio Ltd.**
Bolton, Ontario
Application 2013-1218-1
5. **My Broadcasting Corporation**
Milton, Ontario
Application 2014-0046-5
6. **Peach City Community Radio Society**
Penticton, British Columbia
Application 2014-0800-8

1. Rogers Sportsnet Inc.

Across Canada

Application 2014-0793-2

Application by **Rogers Sportsnet Inc. (Rogers)** for a network licence to authorize its agreement with the Canadian Broadcasting Corporation (CBC) for the broadcast of the program “Hockey Night in Canada” on the CBC’s national over-the-air English-language television network.

In *Rogers Media Inc. – Group-based licence renewals*, Broadcasting Decision CRTC 2014-399, 31 July 2014, the Commission instructed Rogers Media Inc. to file the present application to authorize its agreement with the CBC for the broadcast of the program “Hockey Night in Canada” on the CBC. Because of the nature of the agreement, under which the CBC obtains exhibition rights to certain National Hockey League games while delegating editorial and advertising control to Rogers, the Commission was of the view that the issuance of a network licence would help set out the roles and responsibilities of the parties as well as the purpose of the network.

The applicant stated in its application that licence fees should not apply to the proposed television network licence as it only concerns to the production and exhibition of one particular program to be broadcast on the public broadcaster, which is not subject to the *Broadcasting Licence Fee Regulations, 1997*. According to Rogers, the agreement with the CBC is in the interest of the public as it will ensure that millions of Canadians continue to get free access to this popular program.

The Commission notes that it has approved an application by Rogers for a temporary television licence in a Commission letter dated 3 September 2014. The applicant will have to apply for the renewal of its temporary television network licence until the Commission issues its decision regarding the current application.

Applicant’s address:

333 Bloor Street East

6th Floor

Toronto, Ontario

M4W 1G9

Fax: 416-935-8203

Email: susan.wheeler@rci.rogers.com

Website to view application: www.sportsnet.ca

Email to request electronic version of application: susan.wheeler@rci.rogers.com

2. 9149-2819 Québec inc.

Montréal, Québec, Sherbrooke, Gatineau, Trois-Rivières, Saguenay and their surrounding areas, Quebec

Application 2014-0777-6

Application by **9149-2819 Québec inc.** for a regional broadcasting licence to operate terrestrial broadcasting distribution undertakings to serve the above-noted locations.

The applicant requests the following condition of licence:

The licensee is authorized to distribute, at its option, as part of the basic service, WCAX-TV (CBS), WPTZ (NBC), WVNY (ABC), WFFF-TV (FOX) and WETK (PBS) Burlington, Vermont, or alternatively for each signal, the signal of a different affiliate of the same network located in the same time zone as that of the licensed area and included in the *List of non-Canadian programming services authorized for distribution*, as amended from time to time and approved by the Commission.

Applicant's address:

300-1010 Séigny Street
Longueuil, Quebec
J4K 5G7

Email: regulatory@electronicbox.net

Email to request electronic version of application: jp@electronicbox.net

3. Radio communautaire enfant-ado de Gatineau-Ottawa

Gatineau, Quebec and Ottawa, Ontario

Application 2014-0942-5

Application by **Fondation Radio Enfant (du Canada) on behalf of Radio communautaire enfant-ado de Gatineau-Ottawa** to acquire the assets of the French-language community-based AM radio station CJEU Gatineau/Ottawa from Fondation Radio Enfant (du Canada).

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

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

Following this transaction, Radio communautaire enfant-ado Gatineau-Ottawa will become the licensee of CJEU Gatineau/Ottawa.

Applicant's address:

855 boul. de la Gappe
Suite 310
Gatineau, Quebec
J8T 8H9

Fax: 819-243-6226

Email: info@radioenfant.ca

Email to request electronic version of application: info@radioenfant.ca

4. Vista Radio Ltd.

Bolton, Ontario

Application 2013-1218-1

Application by **Vista Radio Ltd.** to amend the broadcasting licence for the commercial radio station CJFB-FM Bolton, Ontario to change the frequency from 105.5 MHz (channel 288LP) to 102.7 MHz (channel 274A).

The licensee also proposes to change the authorized contours by increasing the average effective radiated power (ERP) from 50 to 1,565 watts (maximum ERP from 50 to 4,000 watts) and by decreasing the effective height of antenna above average terrain from 15.7 to -22 metres.

The licensee stated that neither CJFB-FM nor its neighbouring radio station CFGM-FM Caledon, Ontario, have achieved profitability since their licensing due to intense competition from out-of-market stations and limited coverage in their respective service areas resulting from hilly terrain and low transmission power.

The licensee therefore wishes to consolidate the operation of the two stations by increasing the reach of CJFB-FM into Caledon and subsequently revoking the licence for CFGM-FM.

The licensee has submitted a separate application (2013-1219-9) to revoke the licence for CFGM-FM in the event that the Commission approves present application.

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.

The present application was initially published as part of a public process under Part 1 of the *CRTC Rules of Practice and Procedure*. It was subsequently scheduled to be heard at a hearing held on 13 May 2014 (*Notice of hearing*, Broadcasting Notice of Consultation CRTC 2014-102, 6 March 2014) but was withdrawn to be rescheduled at a later date. The Commission will consider the interventions and the reply already accepted and filed on the public record for the 13 May 2014 public hearing as well as other interventions received in the context of this hearing.

Applicant's address:

201-910 Fitzgerald Avenue
Courtenay, British Columbia
V9N 2R5

Fax: 250-334-9540

Email: gpoulton@vistaradio.netWebsite to view application: www.vistaradio.caEmail to request electronic version of application: renewalappinfo@vistaradio.net

5. My Broadcasting Corporation

Milton, Ontario
Application 2014-0046-5

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

The proposed station would operate at 101.3 MHz (channel 267A) with an average effective radiated power (ERP) of 264 watts (maximum ERP of 1,100 watts with an effective height above average terrain of -8.2 metres).

The applicant proposes to offer an Adult Contemporary/Gold music format.

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:

321B Raglan Street South
Renfrew, Ontario
K7V 4H4

Fax: 613-432-1086

Email: andrew@myfmradio.ca

Email to request electronic version of application: milton@myfmradio.ca

6. Peach City Community Radio Society

Penticton, British Columbia
Application 2014-0800-8

Application by **Peach City Community Radio Society** for a broadcasting licence to operate a low-power, English-language community FM radio station in Penticton.

The proposed station would operate at 92.9 MHz (channel 225LP) with an average effective radiated power of 49.9 watts (non-directional antenna with an effective height above average terrain of -51.6 metres).

The applicant proposes to broadcast 126 hours of programming per broadcast week, of which 106 hours would be local programming.

Applicant's address:

c/o 104-4400 McLean Creek Road
Okanagan Falls, British Columbia
V0H 1R6

Fax: 250-493-1218

Email: president@peachcityradio.org

Website to view application: www.peachcityradio.org

Email to request electronic version of application: president@peachcityradio.org

Procedure

Deadline for interventions, comments or answers

20 November 2014

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, replies, answers of respondents 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 its accompanying 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.

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 the an application to be considered during the non-appearing phase of the hearing 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 "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

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
Dartmouth, Nova Scotia
B3A 4S5
Tel.: 902-426-7997
Fax: 902-426-2721

Quebec

505 de Maisonneuve Boulevard West
Suite 205
Montréal, Quebec
H3A 3C2
Tel.: 514-283-6607

Ontario

55 St. Clair Avenue East
Suite 624
Toronto, Ontario
M4T 1M2
Tel.: 416-952-9096

Manitoba

360 Main Street
Suite 970
Winnipeg, Manitoba
R3C 3Z3
Tel.: 204-983-6306
Fax: 204-983-6317

Saskatchewan

403 – 1975 Scarth Street
Regina, Saskatchewan
S4P 2H1
Tel.: 306-780-3422
Fax: 306-780-3319

Alberta

200 – 4th Avenue South-East
Suite 574
Calgary, Alberta
T2G 4X3
Tel.: 403-292-6660
Fax: 403-292-6686

British Columbia

858 Beatty Street
Suite 290
Vancouver, British Columbia
V6B 1C1
Tel.: 604-666-2111
Fax: 604-666-8322

Secretary General