



Broadcasting Public Notice CRTC 2006-18

Ottawa, 16 February 2006

The Commission has received the following applications. The deadline for submission of interventions/comments is 23 March 2006.

Item Applicant and Locality

1. **Bell ExpressVu Inc. (the general partner), and BCE Inc. and 4119649 Canada Inc. (partners in BCE Holdings G.P., a general partnership that is the limited partner), carrying on business as Bell ExpressVu Limited Partnership**
Across Canada
2. **Toronto Raptors Network Ltd.**
Across Canada
3. **Canadian Broadcasting Corporation (CBN)**
St. Vincent's, Newfoundland and Labrador
4. **Saskatchewan Telecommunications**
Battleford, Estevan, Melfort, Moose Jaw, North Battleford, Pilot Butte, Prince Albert, Regina, Saskatoon, Swift Current, Weyburn, White City, Yorkton, Saskatchewan
5. **902890 Alberta Ltd. (CIHS-FM)**
Wetaskiwin, Alberta

1. Across Canada Application No. 2005-1465-5

Application by **Bell ExpressVu Inc. (the general partner), and BCE Inc. and 4119649 Canada Inc. (partners in BCE Holdings G.P., a general partnership that is the limited partner), carrying on business as Bell ExpressVu Limited Partnership** to amend the licence of its national direct-to-home satellite distribution undertaking.

The licensee proposes to replace the condition of licence relating to the distribution of non-Canadian programming services which reads:

1. Unless otherwise authorized by the Commission, in addition to those services identified in section 39 of the *Broadcasting Distribution Regulations* (the Regulations), the licensee is authorized to distribute:

(b) the following non-Canadian programming services:

WHDH-TV Boston, Massachusetts/ KING-TV Seattle, Washington (NBC)
WGBH-TV Boston / KCTS-TV Seattle (PBS)
WBZ-TV Boston / KIRO-TV Seattle (CBS)
WCVB-TV Boston / KOMO-TV Seattle (ABC)
WFXT Boston / KCPQ Tacoma/Seattle (FOX)

with the following condition:

1. Unless otherwise authorized by the Commission, in addition to those services identified in section 39 of the *Broadcasting Distribution Regulations* (the Regulations), the licensee is authorized to distribute:

(b) the following non-Canadian programming services:

WHDH-TV Boston, Massachusetts/ KING-TV Seattle, Washington (NBC)
WGBH-TV Boston / KCTS-TV Seattle (PBS)
WBZ-TV Boston / KIRO-TV Seattle (CBS)
WCVB-TV Boston / KOMO-TV Seattle (ABC)
WFXT Boston / KCPQ Tacoma/Seattle (FOX)
WGBH-FM Boston
KUOW-FM Seattle

The applicant is requesting to distribute two new member stations of the non-Canadian audio programming service National Public Radio (NPR), noted above in bold.

The applicant states Canadian listeners will be the primary beneficiaries of access to the high quality content featured on these NPR member stations.

Licensee's address:

110 O'Connor Street
6th Floor
Ottawa, Ontario
K1P 1H1
Fax: (613) 560-0472
E-Mail: bell.regulatory@bell.ca

Examination of application:

At the licensee's address

[\[Broadcasting intervention/comments form\]](#)

2. **Across Canada**
Application No. 2006-0011-5

Application by **Toronto Raptors Network Ltd.** (TRNL) to amend the licence of the national Category 2 specialty programming undertaking known as Raptors NBA TV and its related high definition format (Raptors NBA TV HD).

TRNL proposes to replace the condition of licence relating to the provision of live basketball games which reads:

- c) The licensee may broadcast live basketball games representing up to a maximum of 5% of its program schedule.

with the following condition:

- c) The licensee may broadcast live basketball games representing up to a maximum of 15% of its program schedule.

The licensee states that such an amendment will not alter its nature of service. TRNL also states that such an amendment will not cause it to be competitive with any other sports service.

Licensee's address:

Toronto Raptors Network Ltd.
40 Bay Street
Suite 400
Toronto, Ontario
M5J 2X2

c/o Astrid Zimmer (Associate Counsel) and

Christopher Johnston, Barrister and Solicitor
Johnston and Buchan LLP
275 Slater Street
Suite 1700
Ottawa, Ontario
K1P 5H9
Fax: (416) 815-5688
E-Mail: Johnston@johnstonbuchan.com
E-Mail: azimmer@mapleleafsports.com

Examination of application:

Toronto Raptors Network Ltd.
Legal Department
40 Bay Street
Toronto, Ontario

[\[Broadcasting intervention/comments form\]](#)

3. **St. Vincent's, Newfoundland and Labrador**
Application No. 2005-1567-9

Application by the **Canadian Broadcasting Corporation** to amend the licence of radio programming undertaking CBN St. John's, Newfoundland and Labrador.

The licensee proposes to add an FM transmitter at St. Vincent's to broadcast the programming service of CBC Radio One originating from CBN, in order to improve its service to the population of St. Vincent's.

The transmitter would operate on frequency 92.1 MHz (channel 221B1) with an average effective radiated power of 1,940 watts (maximum effective radiated power of 7,300 watts/antenna height of 97.1 metres).

Licensee's address:

181 Queen Street
Ottawa, Ontario
K1P 1K9
Fax: (613) 288-6257
E-Mail: regulatoryaffairs@cbc.ca

Examination of application:

Town Office
St. Vincent's, Newfoundland and Labrador

[\[Broadcasting intervention/comments form\]](#)

4. **Battleford, Estevan, Melfort, Moose Jaw, North Battleford, Pilot Butte, Prince Albert, Regina, Saskatoon, Swift Current, Weyburn, White City, Yorkton, Saskatchewan**

Application Nos. 2005-1239-4/2005-1237-8

Applications by **Saskatchewan Telecommunications** (SaskTel) to amend the licences for its regional, Saskatchewan-based, video-on-demand programming undertaking (VOD) and of its broadcasting distribution undertakings (BDU's) serving the above noted locations as follows:

Video-on-demand licence

SaskTel proposes to offer an outlet for local expression through its digital interactive video-on-demand service that would provide subscribers with community programming available on demand 24 hours per day, seven days per week. SaskTel proposes to work with community members, local clubs, and local production companies to create and provide a range of programming that would reflect each community in its licensed areas and the province as a whole.

SaskTel proposes that the programming offered through its outlet for local expression be subject, by way of conditions of licence, to policy and regulatory requirements similar to those applicable to programming provided on community channels, including:

- A requirement that at least 60% of the community programming inventory be local programming and at least 30% be community access programming for each individual community;
- A requirement that it adhere to the relevant provisions relating to community channels, set out in sections 27 and 28 of the *Broadcasting Distribution Regulations*;
- A requirement that it adhere to all relevant industry codes and standards; and
- A requirement to adhere to the specific terms of reference for an independent programming committee with a view to ensuring freedom of expression and journalistic, creative, and programming independence as contemplated in the *Direction to the CRTC (Ineligibility to Hold Broadcasting Licences)* SOR/85-627, dated 27 June 1985, as amended by SOR/97-231, dated 22 April 1997.

SaskTel requests a condition of licence that would permit it, as an exception to the *Pay Television Regulations, 1990*, to distribute up to 10% of programming produced by itself or a related person, as well as to distribute commercial messages as permitted on community channels.

SaskTel proposes to amend its current condition of licence by which it must contribute 5% of its gross annual revenues to an existing independently administered Canadian program production fund. SaskTel requests that it be allowed to retain 2% of that annual contribution for use by its proposed outlet for local expression.

SaskTel also indicated that it is prepared to provide programming in French and in other languages in accordance with audience demand.

Broadcasting Distribution Undertakings licence

SaskTel requests an amendment to its licence to permit it to recognize its contribution to its proposed outlet for local expression as a “contribution to local expression” under section 29 of *Broadcasting Distribution Regulations*. The condition of licence would allow SaskTel to allocate up to 2% of its gross revenues derived from broadcasting activities in the broadcast year for the programming made available on its outlet for local expression.

To ensure that each community receives an appropriate share of SaskTel's expenditures on its proposed outlet for local expression, the Company proposes that each service area receive a dollar amount proportionate to its customer base. The Company also proposed that up to 20% of the funds that would be allocated to Regina and Saskatoon on a proportionate basis under this proposal could, depending on program submission and program needs, be reallocated to programming produced in the smaller service areas, to programming produced outside the service areas or to programming covering provincial events.

Licensee's address:

2121 Saskatchewan Drive
Regina, Saskatchewan
S4P 3Y2
Fax: (306) 565-6216
E-Mail: document.control@sasktel.sk.ca

Examination of application:

At the licensee's address

and

Estevan Shoppers Mall
Estevan, Saskatchewan
400 King St.

109 MacLeod Ave.
Melfort, Saskatchewan

83 Ominica St. W.
Moose Jaw, Saskatchewan

1201 100th St. N
North Battleford, Saskatchewan

Gateway Mall
1403 Central Ave.
Prince Albert, Saskatchewan

Cornwall Centre,
2121 Sask. Dr.
Main Floor
Regina, Saskatchewan

122 1st Ave. S.
Saskatoon, Saskatchewan

Wheatland Mall
1150 Central Ave. N.
Swift Current, Saskatchewan

314 Coteau Ave.
Weyburn, Saskatchewan

Parkland Mall
277 Broadway East
Yorkton, Saskatchewan

[\[Broadcasting intervention/comments form\]](#)

5. **Wetaskiwin, Alberta**
Application No. 2006-0064-4

Application by **902890 Alberta Ltd.** relating to the licence of radio programming undertaking CIHS-FM Wetaskiwin.

The licensee proposes to change the authorized contours by increasing the average effective radiated power from 1,700 watts to an effective radiated power of 5,120 watts and by increasing the antenna height (non-directional antenna/antenna height of 70.4 metres).

The licensee wishes to improve reception to the east and southwest of Wetaskiwin.

The authorized contours of the station will be increased significantly because of the proposed increase in power and an increase in transmitter height.

Licensee's address:

5206 – 50th Avenue
Wetaskiwin, Alberta
T9A 0S8
Fax: (780) 352-2502
E-Mail: mail@cihsfm.com

Examination of application:

At the licensee's address

[\[Broadcasting intervention/comments form\]](#)

Public Participation

Deadline for Interventions/Comments

23 March 2006

The intervention must be received by the CRTC and by the applicant on or before the above-mentioned date. The Commission cannot be held responsible for postal delays.

Your intervention will be considered by the Commission, and will form part of the public record of the proceeding without further notification to you, provided the procedure set out below has been followed. You will be contacted only if your submission raises procedural questions.

Submit your written intervention to the Secretary General of the Commission in **only one** of the following formats:

by using the

Broadcasting Intervention/Comments Form

located below the description of each application within this public notice

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.

Before initiating service through electronic mode, please ensure that you will be able to satisfy the Commission, upon request, that service of the notification was completed.

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.

Each paragraph of the document should be numbered.

Your intervention should clearly identify the application and indicate whether you support or oppose the application, or if you propose changes to it, include the facts and grounds for your proposal.

Important notice

Note that all information that you provide as part of this public process, except information granted confidentiality, whether sent by postal mail, facsimile, e-mail or through the Commission's web site at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's web site. This information includes your personal information, such as your full name, e-mail address, postal/street address, telephone and facsimile number(s), and any other personal information you provide.

Documents received electronically or otherwise will be put on the Commission's web site in their entirety exactly as you send them, 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 personal information you 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.

Examination of Documents

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

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

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 these applications or, upon request, within 2 working days, at any other CRTC offices and documentation centres.

Central Building

Les Terrasses de la Chaudière
1 Promenade du Portage, Room 206
Gatineau, Quebec K1A 0N2
Tel: (819) 997-2429 – TDD: 994-0423
FAX: (819) 994-0218

Metropolitan Place

99 Wyse Road, Suite 1410
Dartmouth, Nova Scotia B3A 4S5
Tel: (902) 426-7997 – TDD: 426-6997
FAX: (902) 426-2721

205 Viger Avenue West

Suite 504
Montréal, Quebec H2Z 1G2
Tel: (514) 283-6607

55 St. Clair Avenue East, Suite 624

Toronto, Ontario M4T 1M2
Tel: (416) 952-9096

Kensington Building

275 Portage Avenue, Suite 1810
Winnipeg, Manitoba R3B 2B3
Tel: (204) 983-6306 – TDD: 983-8274
FAX: (204) 983-6317

Cornwall Professional Building

2125 – 11th Avenue, Room 103
Regina, Saskatchewan S4P 3X3
Tel: (306) 780-3422

10405 Jasper Avenue, Suite 520

Edmonton, Alberta T5J 3N4
Tel: (780) 495-3224

530-580 Hornby Street
Vancouver, British Columbia V6C 3B6
Tel: (604) 666-2111 – TDD: 666-0778
FAX: (604) 666-8322

Secretary General

This document is available in alternative format upon request, and may also be examined in PDF format or in HTML at the following Internet site:

<http://www.crtc.gc.ca>