



## Broadcasting Public Notice CRTC 2007-141

Ottawa, 18 December 2007

*The Commission has received the following applications. The deadline for submission of interventions/comments is 22 January 2008.*

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

### 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 (ExpressVu)**  
Across Canada  
Application No. 2007-1562-5
2. **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 (ExpressVu)**  
Across Canada  
Application No. 2007-1571-6
3. **Astral Media Radio Atlantic Inc.**  
Plaster Rock, New Brunswick  
Application No. 2007-1684-7
4. **Archambault Group Inc.**  
Province of Quebec  
Application No. 2007-1599-8

### 1. Across Canada Application No. 2007-1562-5

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 (ExpressVu)** to extend a condition of licence of its direct-to-home (DTH) distribution undertaking.

The licensee is requesting an extension of its condition of licence granting authorization to distribute partial or omnibus channels containing unique local

programming approved in Broadcasting Decision CRTC 2005-457 and set to expire on 28 February 2008. The licensee proposes that this condition of licence should be extended to the end of its current DTH licence term, specifically 31 August 2010.

The licensee currently distributes, on partial or omnibus channels, the following programming:

CBC Charlottetown  
CBC Fredericton  
CTV Ottawa  
SRC Toronto  
TVA Rimouski

In Broadcasting Decision CRTC 2005-457, the Commission noted that the original expiration date for the authority to use partial or omnibus channels was set with the expectation that the authorization would not expire until after the conclusion of the Commission's anticipated proceeding addressing the distribution of HD programming by DTH distributors.

The Commission announced in Broadcasting Notice of Public Hearing CRTC 2007-10-3 that the public hearing dealing in part with the distribution of HD programming by DTH distributors will be held on 7 April 2008.

Consequently, the current expiration date would pass before this proceeding commenced.

*Licensee's address:*

110 O'Connor Street  
6<sup>th</sup> Floor  
Ottawa, Ontario  
K1P 1H1  
Fax: 613-560-0589  
E-Mail: [nicole.godin@bell.ca](mailto:nicole.godin@bell.ca)

*Examination of application:*

Bell Regulatory Library  
110 O'Connor Street  
7<sup>th</sup> Floor  
Ottawa, Ontario

2. **Across Canada**  
**Application No. 2007-1571-6**

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 (ExpressVu)**, for a condition of licence associated with its direct-to-home (DTH) satellite distribution undertaking to facilitate the northern distribution of the Aboriginal Peoples Television Network (APTN).

ExpressVu seeks relief from section 5 of the *Broadcasting Distribution Regulations* to allow it to distribute the signal of APTN North to households in certain northern communities, without providing its basic service. By using ExpressVu to distribute its signal, ExpressVu states that APTN will no longer have to sustain its network of low-power over-the-air transmitters that has become too costly to maintain.

Under its agreement with APTN, ExpressVu (or its agents) will install satellite antennas (dishes) and provide satellite receivers (set-top boxes) initially to approximately 660 dwellings in 17 communities in the far north. The receivers will be authorized to decode the signal of APTN North only. The combination of dish and set-top-box will replace the over-the-air antennas currently used by the residents of these northern communities and will allow APTN to discontinue over-the-air transmission. All households in the affected communities are eligible to participate in this program. Those households wishing to take advantage of this opportunity will not be charged for the equipment or the APTN signal. It is ExpressVu's understanding that APTN has secured funding for this project from the Department of Canadian Heritage.

Assuming successful deployment in the initial phases and continued financial support to APTN from the Department of Canadian Heritage, ExpressVu and APTN intend to extend the program to a further 2,900 households in 19 communities in the medium term. The program could be extended to as many as 92 communities in the future.

ExpressVu requests the following condition of licence and, in order to provide future flexibility, that it apply to any household located north of 60° latitude, as follows:

The licensee is exempt, by condition of licence, from the requirement to provide a basic service to any household located north of 60° North Latitude that receives only the signal of APTN.

To accommodate future changes in technology, ExpressVu further requests that this condition of licence also apply to the APTN-HD signal.

*Licensee's address:*

6<sup>th</sup> floor  
 110 O'Connor St.  
 Ottawa, Ontario  
 K1P 1H1  
 Fax: 613-560-0472  
 E-Mail: [bell.regulatory@bell.ca](mailto:bell.regulatory@bell.ca)

*Examination of application:*

Bell Regulatory Library  
 7<sup>th</sup> floor  
 110 O'Connor St.  
 Ottawa, Ontario

3. **Plaster Rock, New Brunswick**  
**Application No. 2007-1684-7**

Application by **Astral Media Radio Atlantic Inc.** (Astral) to amend the licence of the English-language commercial radio programming undertaking CIKX-FM Grand Falls, New Brunswick.

The licensee proposes to amend the licence by changing the frequency from 91.7 MHz (channel 219LP) to 88.3 MHz (channel 202LP) of its transmitter CIKX-FM-1 Plaster Rock, New Brunswick.

The licensee indicates that its unprotected frequency would create interference to CBC's transmitter CBAF-FM-21 Bon Accord, New Brunswick which has recently been approved to broadcast on 91.7 MHz (channel 219C) in Broadcasting Decision CRTC 2007-361, 1 October 2007.

*Licensee's address:*

206 Rockwood Avenue  
 Fredericton, New Brunswick  
 E3B 2M2  
 Fax: 514-529-3263  
 E-mail: [claflamme@corp.astral.com](mailto:claflamme@corp.astral.com)

*Examination of application:*

CIKX-FM  
 399 Broadway Boulevard  
 Grand Falls, New Brunswick

4. **Province of Quebec**  
**Application No. 2007-1599-8**

Application by **Archambault Group Inc.** (Archambault) to amend the licence of its video-on-demand programming undertaking known as Illico on Demand (Illico).

The licensee proposes to replace its condition of licence No. 1 requiring it to comply with the Regulations by requesting an exemption for paragraphs 3(2)(e) (programming produced by the licensee) and 3(2)(f) (programming produced by a person related to the licensee) of the Regulations, and to authorize it to distribute programming, other than filler programming, produced by the licensee or by a person related to the licensee.

In response to questions for clarification, the applicant indicated that it would be willing to accept a condition of licence requiring that it distribute a maximum of 10% of programming, other than filler programming, produced by the licensee or by a person related to the licensee during the broadcast year.

In addition, the licensee requests authority to charge a subscriber fee for programming distributed by Illico, including community programming provided by Videotron that contains commercial messages that were already included in a program previously broadcast by a Canadian programming service.

The applicant affirmed that it would be willing to accept a condition of licence requiring it to allocate all revenues generated by a subscriber fee for community programming distributed by the licensee exclusively to the production of community programming.

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

The message is included in the licensee's community programming in accordance with paragraphs 27(1)(g), (h) and (i) of the *Broadcasting Distribution Regulations*.

The licensee submitted that the Commission's approval would allow Archambault to increase the number of original Canadian public programs without affecting broadcasters.

The licensee indicated that the Commission has already approved similar applications submitted by Shaw on Demand (CRTC Decision 2007-273) and by Rogers on Demand (CRTC Decision 2007-391).

*Licensee's address:*

612 Saint-Jacques Street  
Montréal, Quebec  
H3C 1C8  
Fax: 514-380-4664  
E-Mail: [reglementaires@quebecor.com](mailto:reglementaires@quebecor.com)

*Examination of application:*

Quebecor Media Inc.  
465 McGill Street  
5th Floor  
Montréal, Quebec  
or  
<http://www.quebecor.com/NewsCenter/PublicFiles.aspx>

## **Public Participation**

### **Deadline for Interventions/Comments**

**22 January 2008**

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

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](http://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.

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.

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.

Please note that the information you 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 Webpage of this particular public process. As a result, a general search of our Website with the help of either our own

search engine or a third-party search engine will not provide access to the information which was provided as part of this public process.

### **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  
Toll free Telephone: 1-877-249-2782  
Toll-free TDD: 1-877-909-2782  
Fax: 819-994-0218

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 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: 204-983-8274  
Fax: 204-983-6317

Cornwall Professional Building  
2125 – 11<sup>th</sup> 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: 604-666-0778  
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>