



## Broadcasting Public Notice CRTC 2008-13

Ottawa, 12 February 2008

### Notice of consultation

#### Applications received

#### Various locations

**Deadline for submission of interventions/comments: 18 March 2008**

The Commission has received the following applications:

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

#### Item Applicant and Locality

1. **Yves Sauvé, on behalf of a company to be incorporated**  
Vaudreuil-Dorion, Quebec  
Application No. 2007-1870-3
2. **Corus Entertainment Inc., on behalf of its subsidiary Movie Central Ltd.**  
British Columbia, Alberta, Saskatchewan, Manitoba, Nunavut, the Yukon  
Territory and the Northwest Territories  
Application No. 2007-1896-8
3. **Northern Native Broadcasting (Terrace, B.C.)**  
Smithers, British Columbia  
Application No. 2008-0005-4

1. **Vaudreuil-Dorion, Quebec**  
**Application No. 2007-1870-3**

Application by **Yves Sauvé, on behalf of a company to be incorporated**, for the use of frequency 100.1 MHz (channel 261A) with an average effective radiated power of 550 watts (maximum effective radiated power 1,000 watts/effective antenna height 52.5 metres) for the operation of the new French-language commercial radio programming undertaking approved in Broadcasting Decision CRTC 2007-217, 6 July 2007 (Decision 2007-217).

The present application is filed in response to Decision 2007-217, *Licensing of new radio stations in Montréal and Vaudreuil-Dorion, Quebec* in which the Commission stated that it would only issue a licence to Yves Sauvé, on behalf of a company to be incorporated if it submitted an application proposing the use of another FM frequency that is acceptable to both the Commission and the Department of Industry.

*Applicant's address:*

300 François Leber Street  
 La Prairie, Quebec  
 J5R 5L9  
 Fax: 450-444-4848  
 E-Mail: [yves\\_sauve@hotmail.com](mailto:yves_sauve@hotmail.com)

*Examination of application:*

Town Hall  
 2555 Dutrisac Street  
 Vaudreuil-Dorion, Quebec

2. **British Columbia, Alberta, Saskatchewan, Manitoba, Nunavut, the Yukon Territory and the Northwest Territories**  
**Application No. 2007-1896-8**

Application by **Corus Entertainment Inc., on behalf of its subsidiary Movie Central Ltd.** to amend the licence of the regional English-language pay television service known as Movie Central (formerly known as SuperChannel).

The licensee proposes to replace the definition relating to “new Canadian production” which reads:

"new Canadian production" means:

- (a) a Canadian dramatic program
  - (i) which exceeds 75 minutes in duration and in relation to which all financial expenditures made by the licensee were made prior to the commencement of principal photography or taping and in which principal photography or taping was completed after 1 January 1985, and
  - (ii) which is intended for children and exceeds 22:30 minutes in duration and in relation to which all financial expenditures by the licensee were made prior to the completion of principal photography or taping
- (b) and which is a program that has never been broadcast in English in the licensed territory.

with the following definition:

"new Canadian production" means:

(a) a Canadian dramatic program

(i) which exceeds 75 minutes in duration and in relation to which all financial expenditures made by the licensee were made prior to the commencement of principal photography or taping and in which principal photography or taping was completed after 1 January 1985, and

(ii) which is intended for children and exceeds 22:30 minutes in duration and in relation to which all financial expenditures by the licensee were made prior to the completion of principal photography or taping, or

(iii) which is recognized as 150% Canadian content by the Commission as set out under Public Notice CRTC 2000-42

(b) and which is a program that has never been broadcast in English in the licensed territory.

The licensee argues that the provision of dramatic series is consistent with condition of licence 1(d) which states that the licensee shall devote at least 50% of its programming schedule during each semester to dramatic programs.

Further, the licensee argues that the fact that these Canadian dramatic series are to be offered during prime time will help increase access to such programming, meeting one the goals established for the Canadian broadcasting system under the *Broadcasting Act*.

The licensee argues that this proposed amendment would ensure competitive equity with other general interest services that benefit from the 150% Dramatic program credit.

The licensee further argues that the proposed amendment will ensure the broadest exposure on all broadcast windows, in prime time hours, of English-language Canadian dramatic programming.

The licensee asserts that this will not detract from the nature of the service for this pay television service and that Movie Central will continue to licence all Canadian titles that are suitable for its service.

### **Dramatic program credit - Public Notice CRTC 2000-42**

In Public Notice 2000-42, the Commission established the following criteria for the Dramatic program credit:

A 150% time credit will be awarded for an animated dramatic production (other than continuous action animation) that meets all of the following criteria:

- is produced by a Canadian independent production company or licensee of the CRTC after 15 July 1988;
- is certified as a Canadian program (receives a "C" or "SR" number from the Commission) and achieves ten points;
- that is broadcast
  - (i) between the hours of 7:00 p.m. and 11:00 p.m., or
  - (ii) in the case of an animated dramatic production intended for children, at an appropriate children's viewing time, and
- contains a minimum of 90% dramatic content.

The Commission will grant a 150% time credit each time a certified animated dramatic production is broadcast, within a two-year period from the date of the first broadcast. A licensee will receive the credit for an animated series for a single, two-year period for each cycle of the series, commencing with the broadcast of the first episode of that cycle. As announced in PN 1999-97, as of 1 September 2000, this credit will become unavailable to the largest multi-station ownership groups as identified in that notice.

*Licensee's address:*

181 Bay Street  
 Suite 1630  
 Toronto, Ontario  
 M5J 2T3  
 Fax: (416) 642-3779  
 E-Mail: [sylvie.courtemanche@corusent.com](mailto:sylvie.courtemanche@corusent.com)

*Examination of application:*

At the licensee's address

3. **Smithers, British Columbia**  
**Application No. 2008-0005-4**

Application by **Northern Native Broadcasting (Terrace, B.C.)** to amend the licence of the English-and-Native language Type B radio programming undertaking CFNR-FM Terrace, British Columbia.

The licensee proposes to add a low power FM transmitter at Smithers to broadcast the programming of CFNR-FM in order to serve the population of Smithers.

The transmitter would operate on frequency 95.1 MHz (channel 236LP) with an average effective radiated power of 16.7 watts (maximum effective radiated power of 37.8 watts/ effective antenna height of 198 metres).

*Licensee's address:*

4562 B Queensway Drive  
Terrace, British Columbia  
V8G 3X6  
Fax: 250-638-8027  
E-Mail: [gregsmith@classicrockcfnr.com](mailto:gregsmith@classicrockcfnr.com)

*Examination of application:*

Native Friendship Centre  
1188 Main Street  
Smithers, British Columbia

## **Public Participation**

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

**18 March 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>