



Broadcasting Public Notice CRTC 2008-24

Ottawa, 20 March 2008

Notice of consultation

Applications received

Various locations

Deadline for submission of interventions/comments: 24 April 2008

The Commission has received the following applications:

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

Item Applicant and Locality

1. **TELUS Communications Inc. and, 1219823 Alberta ULC in partnership with TELUS Communications Inc. in TELE-MOBILE Company, partners in a general partnership carrying on business as TELUS Communications Company**

Regional broadcasting distribution undertakings in:

Calgary, Edmonton (including St. Albert, Sherwood Park, Spruce Grove and Stony Plain), Fort McMurray, Grande Prairie, Lethbridge, Medicine Hat and Red Deer, Alberta, and

Kamloops, Kelowna, Nanaimo, Penticton, Prince George, Terrace, Vancouver (including Lower Mainland and Fraser Valley), Vernon and Victoria, British Columbia

Application No. 2007-1410-7

2. **Rogers Cable Communications Inc.**
Richmond Hill, Toronto (Downsview), Toronto (Etobicoke), Toronto (Peel/Mississauga) and Toronto (York), Ontario
Application No. 2008-0179-7

3. **TELUS Communications Inc. and, 1219823 Alberta ULC in partnership with TELUS Communications Inc. in TELE-MOBILE Company, partners in a general partnership carrying on business as TELUS Communications Company**

Regional broadcasting distribution undertakings in:

Calgary, Edmonton (including St. Albert, Sherwood Park, Spruce Grove and Stony Plain), Fort McMurray, Grande Prairie, Lethbridge, Medicine Hat and Red Deer, Alberta, and

Kamloops, Kelowna, Nanaimo, Penticton, Prince George, Terrace, Vancouver (including Lower Mainland and Fraser Valley), Vernon and Victoria, British Columbia

Application Nos. 2007-1411-4, 2007-1412-2

1. **Regional broadcasting distribution undertakings in:**

Calgary, Edmonton (including St. Albert, Sherwood Park, Spruce Grove and Stony Plain), Fort McMurray, Grande Prairie, Lethbridge, Medicine Hat and Red Deer, Alberta, and

Kamloops, Kelowna, Nanaimo, Penticton, Prince George, Terrace, Vancouver (including Lower Mainland and Fraser Valley), Vernon and Victoria, British Columbia

Application No. 2007-1410-7

Application by **TELUS Communications Inc. and, 1219823 Alberta ULC in partnership with TELUS Communications Inc. in TELE-MOBILE Company, partners in a general partnership carrying on business as TELUS Communications Company** (TELUS) to amend existing conditions of licence and to add new conditions of licence to its national Video on Demand (VOD) programming service, as set out in Appendix 5 to Broadcasting Decision CRTC 2007-33.

Telus 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. Telus proposes to create original programming through the use of its mobile production units in each of Edmonton, Calgary and Vancouver. It also proposes to work with independent producers, community groups and individuals in order to deliver programming which reflects the people in the communities in its licensed areas and in the provinces of Alberta and British Columbia.

Telus proposes that the programming offered as local expression will qualify as local expression for purposes of the contributions to local expression by a broadcasting distribution undertaking if:

the programming is offered to subscribers on an on-demand basis at no charge;

at least 60% of the community programming inventory be local programming and at least 30% be community access programming for each individual community;

from 30% to 50% of the programming is offered as local expression to community access television programming, according to requests;

where one or more community television corporations are in operation in a licensed area, the licensee makes available to them for community access television programming, on an equitable basis, up to 20% of the programming offered as local expression;

where, during an election period, the licensee offers programming in the licensed area that is of a partisan political character, the licensee shall allocate an equal number of titles of equal duration for all accredited political parties and rival candidates; and

the licensee shall not offer any programming of a partisan political character during provincial election periods.

Telus 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.

It also requests a condition of licence to distribute commercial messages as permitted on community channels in accordance with section 27 of the *Broadcasting Distribution Regulations*.

Licensee's address:

215 Slater Street, 8th Floor

Ottawa, Ontario

K1P 0A6

Fax: 1-866-445-2231

E-Mail: ann.mainville-neeson@telus.com

Examination of application:

At the licensee's address, and

Brian Canfield Center
3777 Kingsway
Burnaby, British Columbia

Plaza South Tower
10020 100 Street North West
Edmonton, Alberta

Telus Tower
411-1 Street South East
Calgary, Alberta

2. **Richmond Hill, Toronto (Downsview), Toronto (Etobicoke), Toronto (Peel/Mississauga) and Toronto (York), Ontario
Application No. 2008-0179-7**

Application by **Rogers Cable Communications Inc.** (Rogers) to extend, under its Class 1 regional licence for cable broadcasting distribution undertakings (BDUs) in Ontario, the authorized service area of its Toronto (Peel/Mississauga) cable BDU to include the authorized service areas of four of its cable BDUs, namely Richmond Hill and three other Toronto serving areas, i.e. Toronto (Downsview), Toronto (Etobicoke) and Toronto (York).

Rogers intends to maintain two separate, existing channel lineups, one for Richmond Hill and one for the other Toronto systems forming part of this proposed amalgamated undertaking.

The proposed amalgamated undertaking would also entail extending current conditions of licence applicable to certain current undertakings to other current undertakings forming part of this application.

In that respect, the licensee also requests that:

- a) the following condition of licence, currently applicable to the Toronto (Downsview), Toronto (Etobicoke), Toronto (Peel/Mississauga) and Toronto (York) systems, be added to the current Richmond Hill system:

The licensee is relieved from the requirements of section 17 of the *Broadcasting Distribution Regulations* with respect to CKVR-TV Barrie, provided that it is distributed as part of the basic service.

b) the following condition of licence, currently applicable to the Toronto (Peel/Mississauga) system, be added to the current Richmond Hill, Toronto (Downsview), Toronto (Etobicoke) and Toronto (York) systems:

The licensee is relieved from the requirements of section 17 of the *Broadcasting Distribution Regulations* with respect to CKCO-TV Kitchener, provided that it is distributed as part of the digital basic service.

c) the following condition of licence, currently applicable to the Richmond Hill, Toronto (Etobicoke), Toronto (Peel/Mississauga) and Toronto (York) systems, be added to the current Toronto (Downsview) system:

The licensee is relieved from the requirements of section 17 of the *Broadcasting Distribution Regulations* with respect to the television station licensed to Crossroads Television System, provided that it is distributed as part of the basic service on a cable channel that is no higher than channel 36.

d) the following condition of licence, currently applicable to the Toronto (Peel/Mississauga) system, be added to the current Toronto (Downsview), Toronto (Etobicoke) and Toronto (York) systems:

The licensee is relieved from the requirement of section 25 of the *Broadcasting Distribution Regulations* to distribute the signals of TFO (a French-language educational television programming service) and of CBLT Toronto on unrestricted channels. Should the quality of these signals deteriorate significantly, the licensee shall immediately undertake any necessary corrective action, including the distribution of these services on other channels.

Applicant's address:

333 Bloor Street East, 9th Floor
Toronto, Ontario
M4W 1G9
Fax: 416-935-4875
E-Mail: cable.regulatory@rci.rogers.com

Examination of application:

At the licensee's address

3. **Regional broadcasting distribution undertakings in:**
Calgary, Edmonton (including St. Albert, Sherwood Park, Spruce Grove and Stony Plain), Fort McMurray, Grande Prairie, Lethbridge, Medicine Hat and Red Deer, Alberta, and
Kamloops, Kelowna, Nanaimo, Penticton, Prince George, Terrace, Vancouver (including Lower Mainland and Fraser Valley), Vernon and Victoria, British Columbia
Application Nos. 2007-1411-4, 2007-1412-2

Applications by **TELUS Communications Inc. and, 1219823 Alberta ULC in partnership with TELUS Communications Inc. in TELE-MOBILE Company, partners in a general partnership carrying on business as TELUS Communications Company (TELUS)** to amend the Class 1 regional licences for its cable distribution undertakings serving the above-mentioned locations.

Telus requests an amendment to its licences to allow it to allocate up to 5% of its gross revenues derived from broadcasting activities in the broadcast year for the programming made available on its outlet for local expression in Calgary and Edmonton (including St. Albert, Sherwood Park, Spruce Grove and Stony Plain), Alberta and in Vancouver (including Lower Mainland and Fraser Valley, British Columbia).

The licensee also proposed that up to 20% of the funds that would be allocated to Calgary, Edmonton and Vancouver could, depending on program submission and program needs, be reallocated towards programming of broader community interests produced in other licensed areas, for programming produced outside the licensed areas or for programming covering provincial events.

The current conditions of licence applicable to these two regional licences are set out in Appendices 2 and 3 to Decision CRTC 2007-33.

Licensee's address:

215 Slater Street, 8th Floor
Ottawa, Ontario
K1P 0A6
Fax: 1-866-445-2231
E-Mail: ann.mainville-neeson@telus.com

Examination of applications:

At the licensee's address, and

Brian Canfield Center
3777 Kingsway
Burnaby, British Columbia

Plaza South Tower
10020-100 Street North West
Edmonton, Alberta

Telus Tower
411-1 Street South East
Calgary, Alberta

Public Participation

Deadline for Interventions/Comments

24 April 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, 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 – 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: 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>