



Broadcasting Notice of Consultation CRTC 2010-174

Ottawa, 23 March 2010

Notice of applications received

Various locations

Deadline for submission of interventions/comments: 27 April 2010

The Commission has received the following applications:

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

Applicant and locality

1. **Astral Media Radio inc.**
Magog, Quebec
Application No. 2009-1499-6
2. **Astral Media Radio inc.**
Amqui, Quebec
Application No. 2009-1500-4
3. **Astral Media Radio (Toronto) Inc. and 4382072 Canada Inc., partners in a general partnership carrying on business as Astral Media Radio G.P.**
Brandon, Manitoba
Application No. 2009-1505-1
4. **Astral Media Radio (Toronto) Inc. and 4382072 Canada Inc., partners in a general partnership carrying on business as Astral Media Radio G.P.**
Kelowna, British Columbia
Application No. 2009-1501-9
5. **Astral Media Radio (Toronto) Inc. and 4382072 Canada Inc., partners in a general partnership carrying on business as Astral Media Radio G.P.**
Vernon, British Columbia
Application No. 2009-1502-7
6. **Astral Media Radio (Toronto) Inc. and 4382072 Canada Inc., partners in a general partnership carrying on business as Astral Media Radio G.P.**
Fort St. John, British Columbia
Application No. 2009-1503-5

7. **Astral Media Radio (Toronto) Inc. and 4382072 Canada Inc., partners in a general partnership carrying on business as Astral Media Radio G.P.**
 Kitimat, British Columbia
 Application No. 2009-1504-3

1. Magog, Quebec
Application No. 2009-1499-6

Application by **Astral Media Radio inc.** to renew the broadcasting licence of the French-language commercial radio programming undertaking CIMO-FM Magog and its transmitter CIMO-FM-1 Sherbrooke, expiring 31 May 2010.

The Commission notes that the licensee may have failed to comply with section 9(2) of the *Radio Regulations, 1986* relating to the filing of annual returns for the 2003 broadcast year.

Licensee's address:

1717 René-Lévesque Boulevard East
 Suite 200
 Montréal, Quebec
 H2L 4T9
 Fax: 514-529-3263
 E-Mail: rshoan@radio.astral.com

Examination of application:

64 Merry Street North
 Magog, Quebec

and

2185 King Street West
 Office 20
 Sherbrooke, Quebec

2. Amqui, Quebec
Application No. 2009-1500-4

Application by **Astral Media Radio inc.** to renew the broadcasting licence of the French-language commercial radio programming undertaking CFMV-FM Amqui, expiring 31 May 2010.

The Commission notes that the licensee has requested that the condition of licence concerning the filing of annual reports on the diversity of musical selections imposed in *Transfer of control of 3903206 Canada Inc., of Telemedia Radio Atlantic Inc. and of 50% of Radiomedia Inc. to Astral Radio Inc.*, Broadcasting Decision CRTC 2002-90, 19 April 2002, not be made applicable for the new licence term for the following reasons:

- the context that led to the imposition of this obligation never materialized and is completely different now;
- of the numerous ownership groups of FM stations in Quebec, Astral is the only one that is currently subject to such an obligation;
- the annual reports submitted by Astral since 2003 have demonstrated that the concerns that some may have had related to common ownership of networks have proven to be unfounded.

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 Fax: 514-529-3263
 E-Mail: rshoan@radio.astral.com

Examination of application:

111 Gaétan-Archambault Avenue
 Amqui, Quebec

3. Brandon, Manitoba
Application No. 2009-1505-1

Application by **Astral Media Radio (Toronto) Inc. and 4382072 Canada Inc., partners in a general partnership carrying on business as Astral Media Radio G.P.** to renew the broadcasting licence of the English-language commercial radio programming undertaking CKXA-FM Brandon, expiring 31 May 2010.

The Commission notes a situation of apparent non-compliance related to CKXA-FM's transitional condition of licence involving its 2008 broadcast year Canadian content development (CCD) contribution.

In *Canadian content development commitments*, Broadcasting Decision CRTC 2009-794, 22 December 2009, the Commission approved, in part, a payment plan proposed by Astral to remedy this CCD shortfall and indicated that it would deal with this apparent non-compliance at the time of the station's licence renewal.

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 Montréal, Quebec
 H2L 4T9
 Fax: 514-529-3263
 E-Mail: rshoan@radio.astral.com

Examination of application:

2940 Victoria Avenue
 Brandon, Manitoba

**4. Kelowna, British Columbia
 Application No. 2009-1501-9**

Application by **Astral Media Radio (Toronto) Inc. and 4382072 Canada Inc., partners in a general partnership carrying on business as Astral Media Radio G.P.** to renew the broadcasting licence of the English-language commercial radio programming undertaking CILK-FM Kelowna and its transmitters CILC-FM Magna Bay and CILK-FM-1 Big White Mountain, expiring 31 May 2010.

Further, the licensee proposes to amend its licence by deleting the following condition of licence:

Where the licensee broadcasts religious programming as defined in *Religious Programming Policy*, Public Notice CRTC 1993-78, 3 June 1993, the licensee shall adhere to the guidelines set out in sections III B.2.a) and IV of that public notice with respect to the provision of balance and ethics in religious programming, as amended from time to time.

The licensee has failed to find similar religious programming to replace its previously broadcast religious program “Faith Matters,” which has ceased production. Astral requests the deletion of the condition of licence given that it has now replaced its religious programming with music.

The Commission notes a situation of apparent non-compliance related to CILK-FM’s transitional condition of licence involving its 2008 broadcast year Canadian content development (CCD) contribution.

In *Canadian content development commitments*, Broadcasting Decision CRTC 2009-794, 22 December 2009, the Commission approved, in part, a payment plan proposed by Astral to remedy this CCD shortfall and indicated that it would deal with this apparent non-compliance at the time of the stations’ renewal.

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 Suite 200
 Montréal, Quebec
 H2L 4T9
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 E-Mail: rshoan@radio.astral.com

Examination of application:

435 Bernard Avenue
 Kelowna, British Columbia

and

C/O Sunny Side Super Mart
 5328 Squilax-Angle Mont Road
 Celista, British Columbia

and

5315 Big White Road
 Big White Mountain, British Columbia

5. Vernon, British Columbia
Application No. 2009-1502-7

Application by **Astral Media Radio (Toronto) Inc. and 4382072 Canada Inc., partners in a general partnership carrying on business as Astral Media Radio G.P.** to renew the broadcasting licence of the English-language commercial radio programming undertaking CICF-FM Vernon and its transmitter CICF-4-FM Armstrong/Enderby, expiring 31 May 2010.

The Commission notes a situation of apparent non-compliance related to CICF-FM's transitional condition of licence involving its 2008 broadcast year Canadian content development (CCD) contribution.

In *Canadian content development commitments*, Broadcasting Decision CRTC 2009-794, 22 December 2009, the Commission approved, in part, a payment plan proposed by Astral to remedy this CCD shortfall and indicated that it would deal with this apparent non-compliance at the time of the stations' renewal.

Licensee's address:

1717 René-Lévesque Boulevard East
 Suite 200
 Montréal, Quebec
 H2L 4T9
 Fax: 514-529-3263
 E-Mail: rshoan@radio.astral.com

Examination of application:

2800 – 31st Street
 Vernon, British Columbia

and

C/O Okanagan Regional Library
 514 Cliff Avenue
 Enderby, British Columbia

6. Fort St. John, British Columbia
Application No. 2009-1503-5

Application by **Astral Media Radio (Toronto) Inc. and 4382072 Canada Inc., partners in a general partnership carrying on business as Astral Media Radio G.P.** to renew the broadcasting licence of the English-language commercial radio programming undertaking CKNL-FM Fort St. John, expiring 31 May 2010.

The Commission notes a situation of apparent non-compliance related to CKNL-FM's transitional condition of licence involving its 2008 broadcast year Canadian content development (CCD) contribution.

In *Canadian content development commitments*, Broadcasting Decision CRTC 2009-794, 22 December 2009, the Commission approved, in part, a payment plan proposed by Astral to remedy this CCD shortfall and indicated that it would deal with this apparent non-compliance at the time of the stations' renewal.

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 E-Mail: rshoan@radio.astral.com

Examination of application:

10532 and 10534 Alaska Road
Fort St. John, British Columbia

**7. Kitimat, British Columbia
Application No. 2009-1504-3**

Application by **Astral Media Radio (Toronto) Inc. and 4382072 Canada Inc., partners in a general partnership carrying on business as Astral Media Radio G.P.** to renew the broadcasting licence of the commercial English-language radio programming undertaking CKTK-FM Kitimat, expiring 31 May 2010.

The Commission notes a situation of apparent non-compliance related to CKTK-FM's transitional condition of licence involving its 2008 broadcast year Canadian content development (CCD) contribution.

In *Canadian content development commitments*, Broadcasting Decision CRTC 2009-794, 22 December 2009, the Commission approved, in part, a payment plan proposed by Astral to remedy this CCD shortfall and indicated that it would deal with this apparent non-compliance at the time of the stations' renewal.

Licensee's address:

1717 René-Lévesque Boulevard East
Suite 200
Montréal, Quebec
H2L 4T9
Fax: 514-529-3263
E-Mail: rshoan@radio.astral.com

Examination of application:

350 City Centre
Kitimat, British Columbia

Public participation

Deadline for interventions

27 April 2010

The intervention must be received by the Commission and by the applicant on or before the above-mentioned date. The Commission cannot be held responsible for postal delays and will not notify a party whose intervention is received after the deadline date. The intervention will not be considered by the Commission and will not be part of the public file.

Interventions will be considered by the Commission and will form part of the public record of the proceeding without further notification to intervening parties, provided the procedure set out below has been followed. Parties will be contacted only if their submissions raise procedural questions.

Written interventions should be submitted to the Secretary General of the Commission in **only one** of the following formats:

by using the
[\[Broadcasting interventions/comments form\]](#)

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.

Parties must ensure that, before initiating service through electronic mode, they will be able to satisfy the Commission, upon request, that service of the notification was completed.

Submissions longer than five pages should include a summary.

Each paragraph of the submission should be numbered. In addition, 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.

Interventions should 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.

Important notice

All information that parties provide as part of this public process, except information granted confidentiality, whether sent by postal mail, facsimile, e-mail 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, e-mail addresses, postal/street addresses, telephone and facsimile numbers, and any other personal information parties provide.

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.

The Commission encourages interested parties to monitor the public examination file and the Commission's website for additional information that they may find useful when preparing their interventions.

Examination of documents

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

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

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 this application, or, upon request, within two (2) working days, at any other Commission offices and documentation centres.

Location of Commission offices

Toll-free telephone: 1-877-249-2782

Toll-free TDD: 1-877-909-2782

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Fax: 819-994-0218

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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>.