



Broadcasting Notice of Consultation CRTC 2011-188

PDF version

Ottawa, 16 March 2011

Notice of hearing

17 May 2011

Gatineau, Quebec

Deadline for submission of interventions/comments: 15 April 2011

The Commission will hold a hearing commencing on **17 May 2011 at 9:00 a.m.** at the **Conference Centre, Portage IV, 140 Promenade du Portage, Gatineau, Quebec**, to consider the following applications:

[\[Submit an intervention/comment or view related documents\]](#)

Applicant and Locality

1. **Astral Media Radio inc.**
Gatineau, Quebec
Application 2011-0305-1
2. **RNC MEDIA Inc.**
Gatineau, Quebec
Application 2011-0127-9
3. **Cogeco inc.**
Montréal, Quebec
Reference 2011-0395-2
4. **Radio Péninsule inc.**
Pokemouche, New Brunswick
Application 2011-0098-2
5. **Radio Port-Cartier inc.**
Port-Cartier, Quebec
Application 2011-0432-2
6. **La radio communautaire du comté**
Rimouski and Mont-Joli, Quebec
Application 2011-0423-1
7. **Northwest Broadcasting Inc.**
Kaministiquia, Ontario
Application 2010-1890-4

8. **1158556 Ontario Ltd.**
Timmins, Ontario
Application 2011-0296-2
9. **Way of Life Broadcasting**
Dryden, Ontario
Application 2011-0326-7
10. **Astral Media Radio (Toronto) Inc. and 4382072 Canada Inc., partners in a general partnership carrying on business as Astral Media Radio G.P.**
Calgary, Alberta
Application 2011-0294-6
11. **Vancouver Co-operative Radio**
Vancouver, British Columbia
Application 2011-0165-9
12. **Rogers Broadcasting Limited**
Chilliwack, British Columbia
Application 2011-0371-2
13. **FreeHD Canada Inc.**
Across Canada
Application 2010-0889-7
14. **Bhupinder Bola, on behalf of a corporation to be incorporated**
Across Canada
Application 2010-1804-4
15. **Bhupinder Bola, on behalf of a corporation to be incorporated**
Across Canada
Application 2010-1860-7
16. **Bhupinder Bola, on behalf of a corporation to be incorporated**
Across Canada
Application 2010-1861-4
17. **Bhupinder Bola, on behalf of a corporation to be incorporated**
Across Canada
Application 2010-1903-4
18. **Rogers Broadcasting Limited**
Across Canada
Application 2010-1905-0
19. **Bhupinder Bola, on behalf of a corporation to be incorporated**
Across Canada
Application 2010-1906-8

20. **Bhupinder Bola, on behalf of a corporation to be incorporated**
Across Canada
Application 2010-1910-0
21. **Bhupinder Bola, on behalf of a corporation to be incorporated**
Across Canada
Application 2010-1911-7
22. **World Fishing Network ULC**
Across Canada
Application 2011-0225-1
23. **Stingray Digital Group Inc.**
Across Canada
Application 2011-0335-8
24. **Stingray Digital Group Inc.**
Across Canada
Application 2011-0339-0
25. **Stingray Digital Group Inc.**
Across Canada
Application 2011-0386-1
26. **Bell Aliant Regional Communications Inc.(the general partner), as well as limited partner with 6583458 Canada Inc. (the limited partners), carrying on business as Bell Aliant Regional Communications, Limited Partnership**
Eastern Canada
Application 2010-0836-8
27. **City Church Halifax**
Spryfield, Nova Scotia
Application 2010-0662-7
28. **Bouctouche Community Radio**
Bouctouche, New Brunswick
Application 2010-0728-7
29. **Radio Humsafar Inc.**
Montréal, Quebec
Application 2011-0050-3
30. **Wightman Telecom Ltd.**
Province of Ontario
Application 2010-1785-6

31. **Channel 1 Film and TV Production Inc.**
Province of Ontario
Application 2011-0145-1
32. **Campbellford Area Radio Association**
Campbellford, Ontario
Application 2011-0345-7
33. **Kiig.da.win Media**
Walpole Island First Nation, Ontario
Application 2010-1714-5
34. **Dufferin Communications Inc.**
Township of Muskoka Lakes, Ontario
Application 2010-1803-6
35. **Ekaterina Niman, on behalf of a corporation to be incorporated**
The Greater Toronto Area, specifically bounded by the city of Oshawa on the east, the city of Oakville on the south, the city of Orangeville on the west and the city of East Gwillimbury on the north, Ontario
Application 2010-1846-6
36. **Société Radio Taïga**
Yellowknife, Northwest Territories
Application 2011-0105-5

PREAMBLE

Additional information may be placed on the public examination files for the stations as it becomes available. The Commission encourages interested parties to monitor the public examination files and the Commission's website for additional information that they may find useful when preparing their comments.

The present notice of consultation relates, among other things, to radio stations that are in apparent non-compliance with the *Radio Regulations, 1986* (the Regulations) and/or certain conditions of licence. The Commission notes that the licences for these undertakings will expire 31 August 2011.¹ The notice is divided into three parts, as follows:

Part 1: Items 1 to 3

Sections 2.2(5) and 2.2(10) of the Regulations set out the requirements relating to the broadcast of French-language vocal music (FVM) by certain types of radio stations:

¹ With the exception of item 3 for the radio station CKOI-FM Montréal, for which the licence expires 31 August 2012.

2.2(5) Except as otherwise provided under a condition of its licence, an A.M. licensee, F.M. licensee or digital radio licensee that is licensed to operate a campus station, commercial station or community station in the French language shall, in a broadcast week, devote at least 65% of its vocal musical selections from content category 2 to musical selections in the French language broadcast in their entirety.

2.2(10) Except as otherwise provided under a condition of its licence, an A.M. licensee, F.M. licensee or digital radio licensee that is licensed to operate a commercial station in the French language shall, between 6:00 a.m. and 6:00 p.m., in any period beginning on a Monday and ending on the Friday of that week, devote at least 55% of its vocal musical selections from content category 2 to musical selections in the French language broadcast in their entirety.

On 17 December 2010, the Commission received a complaint by the Association québécoise de l'industrie du disque, du spectacle et de la vidéo (ADISQ)² alleging that certain Francophone radio stations were in non-compliance with the FVM regulatory obligations. According to ADISQ, this non-compliance situation is due to an abusive use of montages in the music programming of the stations in question. ADISQ stipulated that the said stations “wrongly qualify a simple succession of Anglophone selections broadcast almost in their entirety as a montage to then consider this montage as a single Anglophone selection for the purpose of calculating the levels of FVM.” [translation]

On 6 and 7 January 2011, The Society of Authors, Composers and Music Publishers of Canada (SOCAN) and the Association des professionnels de l'édition musicale (APEM) submitted letters of support relating to ADISQ's complaint and its request for Commission action.

The Regulations define a montage as “a compilation of one minute or more in duration containing excerpts from several musical selections but does not include a medley.” In *Regulations Amending the Radio Regulations, 1986 – Commercial Radio Programming*, Public Notice CRTC 1998-132, 17 December 1998 (Public Notice 1998-132), the Commission noted that montages, when properly used, allow audiences to sample selections that would not otherwise be broadcast or to present new artists to audiences on a first time basis. The Commission also specified that in order to be classified as a montage, the programming should consist of excerpts that are tightly woven and tied together by unifying elements such as a common rhythm or theme. Several unrelated musical excerpts played back to back will therefore not be considered to be a montage, even if they are by the same artist. In cases where it is not clear whether the programming is a montage or a series of shortened selections, the Commission will consider the programming to be a series of shortened selections. In cases where the programming is a montage, it will be recognized as a single musical selection based on the duration of the predominant type of material comprising the montage.

² ADISQ's complaint is available on the public file for the radio stations targeted (items 1 to 3).

In *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006 (Broadcasting Public Notice 2006-158), the Commission reiterated its approach regarding montages as set out in Public Notice 1998-132. In paragraphs 95 and 96 of Broadcasting Public Notice 2006-158, the Commission also stated that montages should not be used to circumvent the regulatory requirements relating to FVM. Accordingly, the Commission indicated that it would closely monitor the use of montages and would deal with any problems on a case-by-case basis, imposing necessary measures when appropriate.

Items 1 and 2 relate to CKTF-FM and CFTX-FM Gatineau, respectively, two of the French-language commercial radio stations noted in ADISQ's complaint, whose licences are due to expire 31 August 2011. Item 3 relates to CKOI-FM Montréal, a French-language commercial radio station, also noted in ADISQ's complaint, whose licence is due to expire 31 August 2012. After reviewing these stations' activities, the Commission notes that it appears that the licensees of these stations may have failed to comply with the Regulations. Specifically, there is a shortfall between the levels of FVM broadcast by CKTF-FM, CFTX-FM and CKOI-FM and those required under the Regulations, which is due in part to an incorrect use of montages. The Commission's analysis reveals that montages broadcast by those stations are not compliant with the above-mentioned policies and definitions. Therefore, the programs that were identified by the licensees as montages were disqualified by the Commission and were calculated as a series of shortened selections. The results of the Commission's analysis are available on the public record for each station.

Part 2: Items 4 to 12

In regard to items 4 to 12, it appears to the Commission that the licensees in question may have failed to comply with the Regulations and/or certain of their conditions of licence. It should be noted that these licensees were granted short-term licence renewals due to non-compliance issues in the stations' previous licence terms. As set out in *Practices regarding radio non-compliance*, Circular No. 444, 7 May 2001, which clarifies how the Commission deals with the licence renewals of radio stations that are found to be in non-compliance, a licensee found in such a situation is usually called to a public hearing to discuss the problem and show cause why a mandatory order should not be issued pursuant to section 12(2) of the *Broadcasting Act* (the Act).

In the context of the licence renewals, the Commission will want to discuss with the licensees all other measures taken or those that could be taken in order to address the concerns raised by the situations of non-compliance. In addition to the possibility of imposing mandatory orders, the Commission expects Way of Life Broadcasting (CJIV-FM Dryden) (Item 9) and Vancouver Co-operative Radio (CFRO-FM Vancouver) (Item 11) to demonstrate at this hearing why the Commission should not suspend, revoke or refuse to renew their licences under sections 24 and 9, respectively, of the Act.

Part 3: Items 13 to 36

The Commission intends to consider, subject to interventions, items 13 to 36 during the non-appearance phase of the public hearing.

1. Gatineau, Quebec Application 2011-0305-1

Application by **Astral Media Radio inc.** (Astral) to renew the broadcasting licence for the commercial French-language radio programming undertaking CKTF-FM Gatineau, expiring 31 August 2011.

It appears to the Commission that the licensee may have failed to comply with the *Radio Regulations, 1986* (the Regulations) concerning the broadcast of French-language vocal music during the broadcast week of 23 to 29 May 2010, and between 6 a.m. and 6 p.m., Monday through Friday, of that same week.

The Commission further notes that during the week in question, it would appear that Astral made an abusive use of montages that translated into a reduction in the levels of French-language vocal music to be broadcast according to sections 2.2(5) and 2.2(10) of the Regulations.

It appears to the Commission that the licensee may have failed to comply with section 15 of the Regulations, relating to Canadian content development (CCD) contributions, for the 2009-2010 broadcast year.

The Commission intends to inquire into these matters at the hearing. The Commission expects the licensee to show cause at this hearing why a mandatory order requiring the licensee to comply with sections 2.2(5) and 2.2(10) of the Regulations, relating to the broadcast of French-language vocal music, as well as with section 15 of the Regulations, relating to CCD contributions, should not be issued. The Commission further intends to discuss with the licensee the possibility of imposing additional measures relating to the broadcast of montages (e.g. the imposition of conditions of licence limiting the duration and frequency of montages).

Licensee's address:

1717 René-Lévesque Boulevard East
3rd Floor
Montréal, Quebec
H2L 4T9
Fax: 514-529-3263
E-mail: rshoan@astral.com

Examination of application:

15 Taschereau Street
Gatineau, Quebec

2. Gatineau, Quebec
Application 2011-0127-9

Application by **RNC MEDIA Inc.** (RNC MEDIA) to renew the broadcasting licence for the commercial French-language radio programming undertaking CFTX-FM Gatineau and its transmitter CFTX-FM-1 Gatineau (Buckingham Sector), expiring 31 August 2011.

It appears to the Commission that the licensee may have failed to comply with the *Radio Regulations, 1986* (the Regulations) concerning the broadcast of French-language vocal music during the broadcast week of 30 May to 5 June 2010, and between 6 a.m. and 6 p.m., Monday through Friday, of that same week.

The Commission further notes that during the week in question, it would appear that RNC MEDIA made an abusive use of montages that translated into a reduction in the levels of French-language vocal music to be broadcast according to sections 2.2(5) and 2.2(10) of the Regulations.

It also appears to the Commission that the licensee may have failed to comply with section 15 of the Regulations, relating to Canadian content development (CCD) contributions, for the 2007-2008, 2008-2009 and 2009-2010 broadcast years.

In addition, in its application, the licensee identified its apparent failure to comply with the following condition of licence, as set out in *French-language pop/rock and urban FM radio station in Gatineau with a transmitter in Gatineau (Buckingham sector)*, Broadcasting Decision CRTC 2005-255, 23 June 2005:

The licensee shall devote at least \$274,820 in direct expenditures to the promotion of Canadian artists over seven consecutive years beginning in the first year of operations. The minimum yearly contribution during the licence term shall be \$39,260 per broadcast year.

The licensee also proposes to delete the following condition of licence, wishing instead and now wishes to adhere to section 2.2(8) of the Regulations:

The licensee shall, as an exception to the percentage of Canadian musical selections set out in section 2.2(8) of the *Radio Regulations, 1986*, in any broadcast week, devote a minimum of 45% of its musical selections from content category 2 to Canadian selections broadcast in their entirety.

The Commission intends to inquire into these matters at the hearing. The Commission expects the licensee to show cause at this hearing why a mandatory order requiring the licensee to comply with its conditions of licence and with sections 2.2(5) and 2.2(10) of

the Regulations, relating to the broadcast of French-language vocal music, as well as with section 15 of the Regulations, relating to CCD contributions, should not be issued. The Commission further intends to discuss with the licensee the possibility of imposing additional measures relating to the broadcast of montages (e.g. the imposition of conditions of licence limiting the duration and frequency of montages).

Licensee's address:

1 Ville Marie Place
 Suite 1523
 Montréal, Quebec
 H3B 2B5
 Fax: 514-866-8777
 E-mail: rbriere@rncmedia.ca

Examination of application:

At the licensee's address

and

171-A Jean-Proulx Street
 Gatineau, Quebec

3. Montréal, Quebec
Reference 2011-0395-2

The Commission received a complaint by the Association québécoise de l'industrie du disque, du spectacle et de la vidéo (ADISQ) alleging that CKOI-FM Montréal is in non-compliance with sections 2.2(5) and 2.2(10) of the *Radio Regulations, 1986* (the Regulations) regarding the broadcast of French-language vocal musical selections (FVM). ADISQ also argues that this non-compliance is due to an incorrect use of montages.

The Commission conducted an analysis to determine the percentage of FVM was broadcast by CKOI-FM during the broadcast week of 30 May to 5 June 2010.³ It appears to the Commission that the licensee may have failed to comply with the Regulations concerning the broadcast of French-language vocal music during the broadcast week in question, and between 6 a.m. and 6 p.m., Monday through Friday, of that same week.

³ In *Transfer of effective control of various commercial radio programming undertakings from Corus Entertainment Inc. to Cogeco inc.*, Broadcasting Decision CRTC 2010-942, 17 December 2010, the Commission approved the transfer of ownership and control of CKOI-FM from Corus Entertainment Inc. (Corus) to Cogeco inc. The station's apparent situation of non-compliance occurred while CKOI-FM was under the ownership of Corus.

The Commission further notes that during the week in question, it would appear that CKOI-FM made an abusive use of montages that translated into a reduction in the levels of French-language vocal music to be broadcast according to sections 2.2(5) and 2.2(10) of the Regulations.

The Commission intends to inquire into these matters at the hearing. The Commission expects the licensee to show cause at this hearing why a mandatory order requiring the licensee to comply with sections 2.2(5) and 2.2(10) of the Regulations, relating to the broadcast of French-language vocal music, should not be issued. The Commission further intends to discuss with the licensee the possibility of imposing additional measures relating to the broadcast of montages (e.g. the imposition of conditions of licence limiting the duration or frequency of montages).

Licensee's address:

5 Place Ville-Marie
Suite 1700
Montréal, Quebec
H3B 0B3
Fax: 514-874-9625
E-mail: licence@cogeco.com

4. Pokemouche, New Brunswick Application 2011-0098-2

Application by **Radio Péninsule inc.** to renew the broadcasting licence for the French-language Type B community radio programming undertaking CKRO-FM Pokemouche, expiring 31 August 2011.

In *Campus and community radio policy*, Broadcasting Regulatory Policy CRTC 2010-499, 22 July 2010, the Commission announced that it would remove the distinction between Type A and Type B community stations. In order to do so entirely, the Commission must amend the *Radio Regulations, 1986* (the Regulations). As such, when the Regulations are amended, the type designation will become irrelevant and this station will simply be a community station.

It appears to the Commission that the licensee may have failed to comply with section 9(2) of the Regulations, relating to the filing of annual returns, for the 2007-2008, 2008-2009 and 2009-2010 broadcast years.

The Commission intends to inquire into this matter at the hearing. The Commission expects the licensee to show cause at this hearing why a mandatory order requiring the licensee to comply with section 9(2) of the Regulations should not be issued.

The Commission notes that in *CKRO-FM Pokemouche - Licence renewal*, Broadcasting Decision CRTC 2007-218, 6 July 2007, the station was granted a four-year short term renewal, until 31 August 2011, based on its failure to comply with its condition of licence

requiring that at least 5% of all musical selections played in each broadcast week be from content category 3.

Licensee's address:

142, Road 113
 Pokemouche, New Brunswick
 E8P 1K7
 Fax: 506-336-9058
 E-mail: donald@ckro.ca

Examination of application:

At the licensee's address

5. Port-Cartier, Quebec
Application 2011-0432-2

Application by **Radio Port-Cartier inc.** to renew the broadcasting licence for the French-language commercial radio programming undertaking CIPC-FM Port-Cartier, expiring 31 August 2011.

It appears to the Commission that the licensee may have failed to comply with section 2.2(10) of the *Radio Regulations, 1986* (the Regulations), relating to the broadcast of French-language vocal music between 6 a.m. and 6 p.m., Monday through Friday, for the broadcast week of 14 to 20 February 2010, and also to sections 8(5) and 8(6) of the Regulations, relating to the provision of complete logger tapes.

It also appears to the Commission that the licensee may have failed to comply with section 15 of the Regulations, relating to Canadian content development contributions, for the 2007-2008, 2008-2009 and 2009-2010 broadcast years.

The Commission intends to inquire into these matters at the hearing. The Commission expects the licensee to show cause at this hearing why a mandatory order requiring the licensee to comply with sections 2.2(10), 8(5), 8(6) and 15 of the Regulations should not be issued.

The Commission notes that in *CIPC-FM Port-Cartier – Licence renewal*, Broadcasting Decision CRTC 2007-395, 30 October 2007, the station was granted a four-year short term renewal, until 31 August 2011, based on its failure to comply with its condition of licence relating to its contribution to Canadian talent development for the 2004-2005 broadcast year.

Licensee's address:

52 Élie-Rochefort Street
 Port-Cartier, Quebec
 G5B 1N2
 Fax: 418-968-9900
 E-mail: direction991@globetrotter.net or radiofm@globetrotter.net

Examination of application:

At the licensee's address

**6. Rimouski and Mont-Joli, Quebec
 Application 2011-0423-1**

Application by **La radio communautaire du comté** to renew the broadcasting licence for the French-language Type B community radio programming undertaking CKMN-FM Rimouski and Mont-Joli, expiring 31 August 2011.

In *Campus and community radio policy*, Broadcasting Regulatory Policy CRTC 2010-499, 22 July 2010, the Commission announced that it would remove the distinction between Type A and Type B community stations. In order to do so entirely, the Commission must amend the *Radio Regulations, 1986* (the Regulations). As such, when the Regulations are amended, the type designation will become irrelevant and this station will simply be a community station.

It appears to the Commission that the licensee may have failed to comply with section 9(2) of the Regulations, relating to the submission of annual returns, for 2005-2006, 2006-2007 and 2009-2010 broadcast years.

The Commission intends to inquire into this matter at the hearing. The Commission expects the licensee to show cause at this hearing why a mandatory order requiring the licensee to comply with section 9(2) of the Regulations should not be issued.

The Commission notes that, in *CKMN-FM Rimouski and Mont-Joli – Licence renewal*, Broadcasting Decision CRTC 2005-263, 28 June 2005, the station was granted a four-year short term renewal, until 31 August 2009, based on its failure to comply with the Regulations as they relate to the provision of logger tapes and playlists.

The Commission notes that the broadcasting licence for CKMN-FM was administratively renewed from 1 September 2009 to 31 August 2011 in *Administrative renewals*, Broadcasting Decision CRTC 2009-334, 9 June 2009.

Licensee's address:

232 montée Industrielle et Commerciale
 Rimouski, Quebec
 G5M 1A7

Fax: 418-724-7815
E-mail: ckmn-fm@cgocable.ca

Examination of application:

At the licensee's address

and

28 des Fusiliers
Mont-Joli, Quebec

7. Kaministiquia, Ontario
Application 2010-1890-4

Application by **Northwest Broadcasting Inc.** to renew the broadcasting licence for the low-power, English-language commercial radio programming undertaking CFQK-FM Kaministiquia and its transmitter CKED-FM Shuniah Township, expiring 31 August 2011.

It appears to the Commission that the licensee may have failed to comply with section 2.2(3) of the *Radio Regulations, 1986* (the Regulations), relating to the broadcast of Canadian content for category 3 music. Specifically, it was found that the licensee did not broadcast any category 3 Canadian selections during the broadcast week of 14 to 20 February 2010.

The Commission intends to inquire into this matter at the hearing. The Commission expects the licensee to show cause at this hearing why a mandatory order should not be issued requiring the licensee to comply with section 2.2(3) of the Regulations.

The Commission notes that in *CFQK-FM Kaministiquia and its transmitter CKED-FM Shuniah Township – Licence renewal*, Broadcasting Decision CRTC 2007-321, 22 August 2007, the station was granted a four-year short term renewal, until 31 August 2011, based on its failure to comply with its condition of licence relating to Canadian talent development contributions.

Licensee's address:

87 North Hill Street
Thunder Bay, Ontario
P7A 5V6
Fax: 807-334-1018
E-mail: dcaron@dougallmedia.com

Examination of application:

At the licensee's address

8. Timmins, Ontario
Application 2011-0296-2

Application by **1158556 Ontario Ltd.** to renew the broadcasting licence for the English-language commercial specialty radio programming undertaking CHIM-FM Timmins and its transmitters CHIM-FM-1 North Bay, CHIM-FM-2 Iroquois Falls, CHIM-FM-3 Kirkland Lake, CHIM-FM-4 New Liskeard, CHIM-FM-5 Red Deer, CHIM-FM-6 Sault Ste. Marie, CHIM-FM-7 Elliot Lake, CHIM-FM-8 Chapleau and CHIM-FM-9 Wawa, expiring 31 August 2011.

It appears to the Commission that the licensee may have failed to comply with sections 9(2) and 15 of the *Radio Regulations, 1986* (the Regulations), relating, respectively, to the filing of annual returns for the 2009-2010 broadcast year, and to contributions to Canadian content development initiatives, for the 2007-2008, 2008-2009 and 2009-2010 broadcast years.

The Commission intends to inquire into this matter at the hearing. The Commission expects the licensee to show cause at this hearing why a mandatory order should not be issued requiring the licensee to comply with sections 9(2) and 15 of the Regulations.

The Commission notes that in *CHIM-FM Timmins – Licence renewal*, Broadcasting Decision CRTC 2007-433, 24 December 2007, the station was granted a four-year short term renewal, until 31 August 2011, based on the station's non-compliance relating to the filing of annual reports as well as its non-compliance with its condition of licence relating to contributions to Canadian talent development.

Licensee's address:

226 Delnite Road
 Timmins, Ontario
 P4N 7C2
 Fax: 705-264-2150
 E-mail: chimfm@vianet.ca

Examination of application:

At the licensee's address

and

Addresses where the public can examine the application in the localities where the various transmitters are located will be added to the licensee's public examination file as they become available.

9. Dryden, Ontario
Application 2011-0326-7

Application by **Way of Life Broadcasting** to renew the broadcasting licence for the low-power, English-language specialty radio programming undertaking CJIV-FM Dryden, expiring 31 August 2011.

It appears to the Commission that the licensee may have failed to comply with section 9(4) of the *Radio Regulations, 1986* (the Regulations), relating to the filing of information requested by the Commission, specifically, a report detailing the licensee's plan to broadcast local programming in Dryden, including the range and type of local and Canadian programming to be offered, as required in *CJIV-FM Dryden – Licence renewal*, Broadcasting Decision CRTC 2010-325, 28 May 2010 (Broadcasting Decision 2010-325).

It also appears to the Commission that the licensee may have failed to comply with sections 8(5) and 8(6) of the Regulations, relating to the provision of complete logger tapes.

The Commission intends to inquire into these matters at the hearing. The Commission expects the licensee to show cause at this hearing why a mandatory order requiring the licensee to comply with sections 8(5), 8(6) and 9(4) of the Regulations should not be issued. Furthermore, the Commission intends to review the licensee's plans relating to the broadcast of local programming. Given the licensee's numerous instances of apparent non-compliance, the Commission reminds the licensee that it may also consider recourse to additional measures, including short-term renewal, suspension, non-renewal or revocation of the licence, pursuant to sections 9 and 24 of the *Broadcasting Act*.

The Commission notes that, in Broadcasting Decision 2010-325, the station was granted a two-year short term renewal, until 31 August 2011, due to the scope and severity of the licensee's non-compliance with the Regulations and its lack of local programming offerings.

Licensee's address:

P.O. Box 112
 Dryden, Ontario
 P8N 2Y7
 E-mail: cjivradio.jacob@gmail.com

Examination of application:

16640 Highway 17 West
 Dryden, Ontario

10. Calgary, Alberta
Application 2011-0294-6

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 for the English-language commercial radio programming undertaking CIBK-FM Calgary, expiring 31 August 2011.

It appears to the Commission that the licensee may have failed to comply with section 15 of the *Radio Regulations, 1986* (the Regulations), relating to Canadian content development (CCD) contributions, for the 2007-2008, 2008-2009 and 2009-2010 broadcast years.

The Commission intends to inquire into this matter at the hearing. The Commission expects the licensee to show cause at this hearing why a mandatory order requiring the licensee to comply with its section 15 of the Regulations, relating to CCD contributions, should not be issued.

In *CIBK-FM Calgary – Licence renewal* - Broadcasting Decision CRTC 2007-342, 30 August 2007, the station was granted a four-year short term renewal, until 31 August 2011, due to the licensee's non-compliance with its condition of licence relating to contributions to Canadian talent development.

Licensee's address:

1717 René-Lévesque Boulevard East
 3rd Floor
 Montréal, Quebec
 H2L 4T9
 Fax : 514-529-3263
 E-mail : rshoan@astral.com

Examination of application:

300-1110 Centre Street North East
 Calgary, Alberta

11. Vancouver, British Columbia
Application 2011-0165-9

Application by **Vancouver Co-operative Radio** to renew the broadcasting licence for the English-language Type B community radio programming undertaking CFRO-FM Vancouver, expiring 31 August 2011.

In *Campus and community radio policy*, Broadcasting Regulatory Policy CRTC 2010-499, 22 July 2010, the Commission announced that it would remove the distinction between Type A and Type B community stations. In order to do so entirely, the

Commission must amend the *Radio Regulations, 1986* (the Regulations). As such, when the Regulations are amended, the type designation will become irrelevant and this station will simply be a community station.

It appears to the Commission that the licensee may have failed to comply with section 9(2) of the Regulations, relating to the submission of annual returns, for the 2008-2009 and 2009-2010 broadcast years

The Commission intends to inquire into this matter at the hearing. The Commission expects the licensee to show cause at this hearing why a mandatory order requiring the licensee to comply with section 9(2) of the Regulations should not be issued. Furthermore, given that this represents a third consecutive licence term with issues of non-compliance, the Commission also expects the licensee to show cause why the Commission should not suspend or refuse to renew the broadcasting licence for CFRO-FM.

The Commission notes that in *CFRO-FM Vancouver – Licence renewal*, Broadcasting Decision CRTC 2008-119, 2 June 2008, the station was granted a three-year short term renewal, until 31 August 2011, based on non-compliance relating to the broadcast of Canadian musical selections from content category 2.

The Commission also notes that in *CFRO-FM Vancouver – Licence renewal*, Broadcasting Decision CRTC 2004-341, 13 August 2004, the station was issued a four-year short term renewal until 31 August 2008 based on its non-compliance with section 8 of the Regulations, relating to the submission of logger tapes.

Licensee's address:

110-360 Columbia Street
Vancouver, British Columbia
V6A 4J1
E-mail: cfro.interventions@gmail.com

Examination of application:

At the licensee's address

12. Chilliwack, British Columbia **Application 2011-0371-2**

Application by **Rogers Broadcasting Limited** to renew the broadcasting licence for the English-language commercial radio programming undertaking CFUN-FM Chilliwack and its transmitters CFUN-FM-1 Abbotsford and CFUN-FM-2 Vancouver (formerly CKCL-FM, CKCL-FM-1 and CKCL-FM-2), expiring 31 August 2011.

It appears to the Commission that the licensee may have failed to comply with the following conditions of licence set out in *CKCL-FM Chilliwack and its transmitters*

CKCL-FM-1 Abbotsford and CKCL-FM-2 Vancouver – Licence renewal, Broadcasting Decision CRTC 2007-148, 22 May 2007 (Broadcasting Decision 2007-148):

1. The licensee shall broadcast at least once every half hour, a station identification which includes specific reference to the frequency and location of the Chilliwack transmitter.
2. The licensee shall refrain from identifying CKCL-FM and its transmitters on a basis that includes exclusive reference to Vancouver.
3. The licensee shall include in the programming broadcast on CKCL-FM and its transmitters on a regular basis each day, coverage of local news, sports and events of direct and particular relevance to the Fraser Valley, in particular Chilliwack.
4. The licensee shall include in each traffic report and each weather report broadcast on CKCL-FM and its transmitters a specific reference to the areas CKCL-FM is licensed to serve.

It also appears to the Commission that the licensee may have failed to comply with section 15 of the *Radio Regulations 1986* (the Regulations), relating to contributions to Canadian content development, for the 2008-2009 and 2009-2010 broadcast years.

The licensee requests to amend two of its conditions of licence set out in Broadcasting Decision 2007-148. Specifically, the licensee proposes to replace condition of licence 1 with the following condition of licence:

The licensee shall broadcast at least twice hourly a station identification which includes specific reference to the Chilliwack, Abbotsford and Vancouver transmitters.

The licensee also proposes to amend condition of licence 3 by removing the words “each day”, such that it reads as follows:

The licensee shall include in the programming broadcast on CFUN-FM and its transmitters on a regular basis, coverage of local news, sports and events of direct and particular relevance to the Fraser Valley, in particular Chilliwack.

The licensee indicated that the requested amendments to the above-noted conditions of licence are necessary in order to provide the flexibility needed to reflect operational realities while maintaining the station’s focus on locally oriented programming.

The Commission intends to inquire into all of these matters at the hearing. The Commission expects the licensee to show cause at this hearing why a mandatory order requiring the licensee to comply with its conditions of licence and with section 15 of the Regulations should not be issued.

In Broadcasting Decision 2007-148, CKCL-FM was granted a four-year short term renewal, until 31 August 2011, due to a lack of locally relevant programming for the Chilliwack and Fraser Valley areas.

Licensee's address:

6-333 Bloor Street East
Toronto, Ontario
M4W 1G9
Fax: 416-935-8203
E-mail: susan.wheeler@rci.rogers.com

Examination of application:

46167 Yale Road
Unit 309
Chilliwack, British Columbia

and

2440 Ash Street
Vancouver, British Columbia

and

Clearbrook Library
32320 George Ferguson Way
Abbotsford, British Columbia

**13. Across Canada
Application 2010-0889-7**

Application by **FreeHD Canada Inc.** for a broadcasting licence to operate a national video-on-demand (VOD) programming undertaking to be known as Blusky On Demand.

The applicant proposes to offer, in high definition, the top blockbuster movies, film festival nominations and winning documentaries, and local programming of national interest, as well as some programs in 3-D.

The applicant indicates that the programming would be predominantly in the English language but that the service would also provide some content in the French language.

The applicant committed to abide by the standard conditions of licence, expectations and encouragement for VOD undertakings set out in *Standard requirements for video-on-demand undertakings*, Broadcasting Regulatory Policy CRTC 2011-59, 31 January 2011.

Applicant's address:

8000 Bathurst Street
Unit 1
Thornhill, Ontario
L4J 0B8
Fax: 613-747-8709
E-mail: lrankin@freehdcanada.ca

Examination of application:

1700 Langstaff Road
Suite 2002
Vaughan, Ontario

**14. Across Canada
Application 2010-1804-4**

Application by **Bhupinder Bola, on behalf of a corporation to be incorporated**, for a broadcasting licence to operate a national, English-language Category 2 specialty programming undertaking to be known as The Work TV Channel.

The applicant states that the programming would be devoted to the world of work, jobs, unions, news and careers.

The applicant proposes to offer programming from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time: 1, 2(a), 2(b), 3, 5(a), 5(b), 7(a), 7(b), 7(c), 7(d), 7(e), 7(g), 9, 10, 11, 12, 13 and 14..

The applicant proposes to broadcast not less than 90% of its programming in the English language during the broadcast week and up to 10% in the French language.

Applicant's address:

80 Carlauren Road
Suite 23
Woodbridge, Ontario
L4L 7Z5
Fax: 905-851-5108
E-mail: pipbola@rogers.com

Examination of application:

At the applicant's address

15. Across Canada
Application 2010-1860-7

Application by **Bhupinder Bola, on behalf of a corporation to be incorporated**, for a broadcasting licence to operate a national, general-interest English-language ethnic Category 2 specialty programming undertaking to be known as Caribbean HDTV.

The applicant states that the proposed service would offer programming content devoted to the Caribbean community and to south Asians originating from India. Further, not less than 80% of the programming would be in English and not more than 20% in Hindi, Punjabi and Urdu, devoted to the Caribbean community and to those South Asians originating from India.

The applicant states the service would acquire programming from existing television services that operate in the Caribbean.

The applicant proposes to offer programming from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time: 1, 2(a), 2(b), 3, 5(b), 6(a), 6(b), 7(a), 7(b), 7(c), 7(d), 7(e), 7(f), 7(g), 8(a), 8(b), 8(c), 9, 10, 11, 13 and 14.

The applicant requests that, of the 12 minutes of advertising material permitted during each clock hour, it be authorized to broadcast up to 6 minutes of local and regional advertising.

Additionally, the applicant seeks authority to offer both a standard definition and a high definition version of the service.

Applicant's address:

80 Carlauren Road
 Suite 23
 Woodbridge, Ontario
 L4L 7Z5
 Fax: 905-851-5108
 E-mail: pipbola@rogers.com

Examination of application:

At the applicant's address

16. Across Canada
Application 2010-1861-4

Application by **Bhupinder Bola, on behalf of a corporation to be incorporated**, for a broadcasting licence to operate a national, niche English-language ethnic Category 2 specialty programming undertaking to be known as Chinese English News HDTV.

The applicant states that the proposed service would be completely devoted to news programming from mainland China to serve the Chinese community in Canada. The service would partner with existing news television networks that offer English-language programming and operate in mainland China.

The applicant proposes to offer programming from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time: 1, 2(a), 2(b), 3, 11, 13 and 14.

The applicant requests that, of the 12 minutes of advertising material permitted during each clock hour, it be authorized to broadcast up to 6 minutes of local and regional advertising.

Additionally, the applicant seeks authority to offer both a standard definition and a high definition version of the service.

Applicant's address:

80 Carlauren Road
Suite 23
Woodbridge, Ontario
L4L 7Z5
Fax: 905-851-5108
E-mail: pipbola@rogers.com

Examination of application:

At the applicant's address

**17. Across Canada
Application 2010-1903-4**

Application by **Bhupinder Bola, on behalf of a corporation to be incorporated**, for a broadcasting licence to operate a national, general-interest, third-language Category 2 specialty programming undertaking to be known as Chinese Mandarin TV.

The applicant states that the programming would be devoted to the Chinese Mandarin community in Canada.

The applicant proposes to offer programming from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*., as amended from time to time: 1, 2(a), 2(b), 3, 4, 5(a), 5(b), 6(a), 6(b), 7(a), 7(b), 7(c), 7(d), 7(e), 7(f), 7(g), 8(a), 8(b), 8(c), 9, 10, 11, 12, 13 and 14.

The applicant proposes to broadcast not less than 90% of its programming during the broadcast week in the Mandarin language and the remaining programming in the English language.

The applicant requests that, of the 12 minutes of advertising material permitted during each clock hour, it be authorized to broadcast up to 6 minutes of local and regional advertising.

Additionally, the applicant seeks authority to offer both a standard definition and a high definition version of the service.

Applicant's address:

80 Carlauren Road
Suite 23
Woodbridge, Ontario
L4L 7Z5
Fax: 905-851-5108
E-mail: pipbola@rogers.com

Examination of application:

At the applicant's address

**18. Across Canada
Application 2010-1905-0**

Application by **Rogers Broadcasting Limited** for a broadcasting licence to operate a national, general-interest French-language Category 2 specialty programming undertaking to be known as Sports d'intérêt général de Rogers.

The applicant states that its request is consistent with the Commission's framework for competitive mainstream sports services, as set out in *Conditions of licence for competitive Canadian specialty services operating in the genres of mainstream sports and national news*, Broadcasting Regulatory Policy CRTC 2009-562, 4 September 2009, and that it has accepted that the service be subject to the standard conditions of licence set out in *Conditions of licence for competitive Canadian specialty services operating in the genres of mainstream sports and national news – Implementation of the Accessibility Policy and other matters*, Broadcasting Regulatory Policy CRTC 2009-562-1, 18 June 2010.

Applicant's address:

333 Bloor Street East
Toronto, Ontario
M4W 1G9
Fax: 416-935-8203
E-mail: susan.wheeler@rci.rogers.com

Examination of application:

At the applicant's address

19. Across Canada
Application 2010-1906-8

Application by **Bhupinder Bola, on behalf of a corporation to be incorporated**, for a broadcasting licence to operate a national, general-interest, third-language Category 2 specialty programming undertaking to be known as Chinese Cantonese TV.

The applicant states that programming would be devoted to the Chinese Cantonese community in Canada.

The applicant proposes to offer programming from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time: 1, 2(a), 2(b), 3, 4, 5(a), 5(b), 6(a), 6(b), 7(a), 7(b), 7(c), 7(d), 7(e), 7(f), 7(g), 8(a), 8(b), 8(c), 9, 10, 11, 12, 13 and 14.

The applicant proposes to broadcast not less than 90% of its programming during the broadcast week in the Cantonese-language and the remaining programming in the English-language.

The applicant requests that, of the 12 minutes of advertising material permitted during each clock hour, it be authorized to broadcast up to 6 minutes of local and regional advertising.

Additionally, the applicant seeks authority to offer both a standard definition and a high definition version of the service.

Applicant's address:

80 Carlauren Road
 Suite 23
 Woodbridge, Ontario
 L4L 7Z5
 Fax: 905-851-5108
 E-mail: pipbola@rogers.com

Examination of application:

At the applicant's address

20. Across Canada
Application 2010-1910-0

Application by **Bhupinder Bola, on behalf of a corporation to be incorporated**, for a broadcasting licence to operate a national, English- and third-language specialty audio programming undertaking to be known as Worktalk.

The applicant proposes to broadcast spoken word content that provides a national perspective on the workplace in Canada.

The applicant proposes to broadcast not less than 60% of the programming broadcast during the broadcast week in the English-language and no more than 40% in other languages such as Hindi, Punjabi, Tamil, Mandarin and Cantonese.

Applicant's address:

80 Carlauren Road
Suite 23
Woodbridge, Ontario
L4L 7Z5
Fax: 905-851-5108
E-mail: pipbola@rogers.com

Examination of application:

At the applicant's address

**21. Across Canada
Application 2010-1911-7**

Application by **Bhupinder Bola, on behalf of a corporation to be incorporated**, for a broadcasting licence to operate a national, French- and third-language specialty audio programming undertaking to be known as Worktalk.

The applicant proposes to broadcast spoken word content that provides a national perspective on the workplace in Canada.

The applicant proposes to broadcast not less than 60% of the programming broadcast during the broadcast week in the French-language and no more than 40% in other languages such as Hindi, Punjabi, Tamil, Mandarin and Cantonese.

Applicant's address:

80 Carlauren Road
Suite 23
Woodbridge, Ontario
L4L 7Z5
Fax: 905-851-5108
E-mail: pipbola@rogers.com

Examination of application:

At the applicant's address

22. Across Canada
Application 2011-0225-1

Application by **World Fishing Network ULC** (WFN ULC) for authority to acquire, as part of a corporate reorganization, the assets of the national category 2 specialty programming undertaking known as World Fishing Network, from Insight Sports Ltd. (Insight).

The applicant also requests a new broadcasting licence to continue the operation of the undertaking under the same terms and conditions as those in effect under the current licence.

WFN ULC is a wholly-owned subsidiary of Insight.

This transaction would not affect the effective control of the undertaking, which would continue to be exercised by Insight.

Applicant's address:

184 Pearl Street
 Suite 202
 Toronto, Ontario
 M5H 1L5
 Fax: 416-593-6991
 E-mail: gferenbok@insightsports.com

Examination of application:

At the applicant's address

23. Across Canada
Application 2011-0335-8

Application by **Stingray Digital Group Inc.** for a broadcasting licence to operate a national, English-language Category 2 specialty programming undertaking to be known as Concert TV.

The applicant states that the programming would be devoted to contemporary and classical music concerts from a wide variety of music genres offered in standard definition and high definition, as well as 3-D once it becomes readily available.

The applicant also proposes to broadcast up to 25% of its programming during the broadcast week in the French language.

The applicant proposes to offer programming from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time: 1, 2(a), 2(b), 3, 5(b), 7(a), 7(c), 7(d), 7(g), 8(a), 8(b), 8(c), 9, 10, 11, 12, 13 and 14.

The applicant proposes the following programming limits:

- category 2(b) (Long-form documentary) limited to 10% per broadcast month.
- categories 7(a) (Ongoing dramatic series), 7(c) (Specials, mini-series or made-for-TV feature films) and 7(d) (Theatrical feature films aired on TV) combined limited to 10% per broadcast month.
- categories 8(b) (Music video clips) and 8(c) (Music video programs) combined limited to 10% per broadcast month.

Applicant's address:

730 Wellington Street
 Montreal, Quebec
 H3C 1T4
 Fax: 514-664-1143
 E-mail: rbraide@stingraydigital.com

Examination of application:

At the applicant's address

24. Across Canada Application 2011-0339-0

Application by **Stingray Digital Group Inc.** for a broadcasting licence to operate a national, French-language Category 2 specialty programming undertaking to be known as The Karaoke Channel Français.

The applicant states that the programming would be devoted to karaoke music from a wide variety of music genres.

The applicant proposes to offer programming from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time: 8(a), 8(b), 8(c), 12, 13 and 14.

The applicant states that the proposed service would consist of music video clips and programs produced exclusively for karaoke programming. As such, the applicant is of the view that it would not be convenient to limit to 10% of the broadcast month the programming drawn from program categories 8(b) and 8(c) combined pursuant to *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services* – Regulatory policy, Broadcasting Public Notice CRTC 2008-100, 30 October 2008.

The proposed service would offer multilingual programming based on the following proportions:

- French: up to 100% of the broadcast week at the applicant's option;
- English: up to 25% of the broadcast week at the applicant's option;
- other language(s): up to 10% of the broadcast week of any third language karaoke programming at the applicant's option.

The applicant is prepared to accept the minimum levels of Canadian content established for music video specialty services.

The applicant is prepared to accept and fulfill the standard conditions of licence set out in *Implementation of the Accessibility Policy with respect to new Category 2 pay and specialty services*, Broadcasting Regulatory Policy CRTC 2010-355, 8 June 2010.

The applicant proposes to offer a 3-D version of the service once it becomes readily available.

Applicant's address:

730 Wellington Street
 Montreal, Quebec
 H3C 1T4
 Fax: 514-664-1143
 E-mail: rbraide@stingraydigital.com

Examination of application:

At the applicant's address

25. Across Canada
Application No. 2011-0386-1

Application by **Stingray Digital Group Inc.** for a broadcasting licence to operate a national, English-language Category 2 specialty programming undertaking to be known as The Karaoke Channel.

The applicant states that the programming would be devoted to karaoke music from a wide variety of music genres.

The applicant proposes to offer programming from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time: 8(a), 8(b), 8(c), 12, 13 and 14.

The applicant states that the proposed service would consist of music video clips and programs produced exclusively for karaoke programming. As such, the applicant is of the view that it would not be convenient to limit to 10% of the broadcast month the programming drawn from program categories 8(b) and 8(c) combined pursuant to *Regulatory frameworks for broadcasting distribution undertakings and discretionary*

programming services – Regulatory policy, Broadcasting Public Notice CRTC 2008-100, 30 October 2008.

The proposed service would offer multilingual programming based on the following proportions:

- English: up to 100% of the broadcast week at the applicant's option;
- French: up to 25% of the broadcast week at the applicant's option;
- other language(s): up to 10% of the broadcast week of any third language karaoke programming at the applicant's option.

The applicant is prepared to accept the minimum levels of Canadian content established for music video specialty services.

The applicant is prepared to accept and fulfill the standard conditions of licence set out in *Implementation of the Accessibility Policy with respect to new Category 2 pay and specialty services*, Broadcasting Regulatory Policy CRTC 2010-355, 8 June 2010.

The applicant proposes to offer a 3-D version of the service once it becomes readily available.

Applicant's address:

730 Wellington Street
 Montreal, Quebec
 H3C 1T4
 Fax: 514-664-1143
 E-mail: rbraide@stingraydigital.com

Examination of application:

At the applicant's address

26. Eastern Canada Application 2010-0836-8

Application by **Bell Aliant Regional Communications Inc. (the general partner)**, as well as **limited partner with 6583458 Canada Inc. (the limited partners)**, carrying on business as **Bell Aliant Regional Communications, Limited Partnership**, for a broadcasting licence to operate a regional video-on-demand programming undertaking to be known as Bell Aliant TV Video-On-Demand.

The applicant proposes to provide a general-interest service featuring primarily feature films, but that could also include other types of programming such as non-live events, children's programming, archival television programming, community programming and adult programming.

The applicant indicated that although the programming would be predominantly in the English language, it would offer 10% of its programming in the French language. The applicant also stated that it may offer third-language feature films based on audience demand.

The applicant has agreed to abide by the standard conditions of licence set out in *Standard requirements for video-on-demand undertakings*, Broadcasting Regulatory Policy CRTC 2011-59, 31 January 2011.

Applicant's address:

5201 Duke Street – Upper Level
Halifax, Nova Scotia
B3N 1J9
Fax: 506-694-2473
E-mail: regulatory@bell.aliant.ca

Examination of application:

At the applicant's address

27. Spryfield, Nova Scotia
Application 2010-0662-7

Application by **City Church Halifax** for a broadcasting licence to operate an English-language FM commercial specialty radio programming undertaking in Spryfield.

The new station would operate on frequency 94.7 MHz (channel 234LP) with an effective radiated power of 50 watts (non-directional antenna with an effective height of antenna above average terrain of 8.3 metres).

The applicant proposes to broadcast 126 hours of programming per broadcast week, of which a minimum of 40 hours would be station-produced programming. The applicant also proposes to broadcast French- and Spanish-language programming. It intends to serve the Spryfield and surrounding areas with a format that features inspirational Christian music.

At least 95% of its weekly total music would be drawn from subcategory 35 (Non-classical religious).

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Applicant's address:

276 Herring Cove Road
Spryfield, Nova Scotia

B3P 1M1
Fax: 902-477-5077
E-mail: c.citychurch@ns.sympatico.ca

Examination of application:

At the applicant's address

28. Bouctouche, New Brunswick
Application 2010-0728-7

Application by **Bouctouche Community Radio** for a broadcasting licence to operate a French-language FM community radio programming undertaking in Bouctouche.

In *Campus and community radio policy*, Broadcasting Regulatory Policy CRTC 2010-499, 22 July 2010, the Commission announced that it would remove the distinction between Type A and Type B community stations. In order to do so entirely, the Commission must amend the *Radio Regulations, 1986* (the Regulations). As such, when the Regulations are amended, the type designation will become irrelevant and this station will simply be a community station.

The new station would operate on frequency 100.7 MHz (channel 264B) with an average effective radiated power of 10,423 watts (maximum effective radiated power of 50,000 watts with an effective height of antenna above average terrain of 107.7 metres).

The applicant proposes to provide approximately 32% of its programming during the broadcast week in the English language.

Applicant's address:

P.O. Box 2175
Bouctouche, New Brunswick
E4S 2J2
Fax: 506-743-1033
E-mail: daigled@nb.aibn.com

Examination of application:

211 Irving Boulevard
Bouctouche, New Brunswick

29. Montréal, Quebec
Application 2011-0050-3

Application by **Radio Humsafar Inc.** for a broadcasting licence to operate a commercial ethnic AM radio programming undertaking in Montréal.

The new station would operate on frequency 1400 kHz (class C) with a transmitter power of 1000 watts day-time and 1000 watts night-time.

The applicant proposes to direct its programming to a minimum of eight ethnic groups in a minimum of six different languages.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Applicant's address:

7655 Cordner Street
LaSalle, Quebec
H8N 2X2
Fax: 450-963-7229

Examination of application:

At the applicant's address

**30. Province of Ontario
Application 2010-1785-6**

Application by **Wightman Telecom Ltd.** for a broadcasting licence to operate a regional terrestrial pay-per-view programming undertaking.

The applicant proposes to offer primarily live sporting events initially but may include other types of programs in the future. The applicant proposes to draw programming exclusively from the following program categories set out in Item 6 of Schedule 1 to the *Pay Television Regulations, 1990*, as amended from time to time: 2(b), 5(a), 5(b), 6(a), 6(b), 7(a), 7(b), 7(c), 7(d), 7(e), 7(f), 7(g), 8(a), 8(b), 8(c), 9, 10, 11 and 15.

The applicant indicates that the programming would be predominantly in the English-language.

Applicant's address:

100 Elora Street North
Clifford, Ontario
N0G 1M0
Fax: 519-327-8010
E-mail: tsullivan@wightman.ca

Examination of application:

At the applicant's address

31. Province of Ontario
Application 2011-0145-1

Application by **Channel 1 Film and TV Production Inc.** for a broadcasting licence to operate a national, general-interest third-language ethnic Category 2 specialty programming undertaking to be known as MP TV.

The applicant states that the service would offer a broad range of programming on Punjabi culture, cultural programs and dance music. It would also include news and analysis, music videos in Hindi, Punjabi and English, concerts, entertainment reports, artist interviews, movies, dramas, and documentaries on artists.

The applicant proposes to offer programming from the following program categories set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*, as amended from time to time: 1, 2(a), 2(b), 3, 4, 5(a), 5(b), 6(a), 6(b), 7(a), 7(b), 7(c), 7(d), 7(e), 7(f), 7(g), 8(a), 8(b), 8(c), 9, 10, 11, 12, 13 and 14.

The applicant proposes to broadcast not less than 90% of its programming during the broadcast week in the Punjabi and Urdu languages.

The applicant requests that, of the 12 minutes of advertising material permitted during each clock hour, it be authorized to broadcast up to 6 minutes of local and regional advertising.

Applicant's address:

30 Intermodal Drive
 Unit # 2
 Brampton, Ontario
 L6T 5K1
 Fax: 905-458-5756
 E-mail: mptv@hotmail.ca

Examination of application:

At the applicant's address

32. Campbellford, Ontario
Application 2011-0345-7

Application by **Campbellford Area Radio Association** to renew the broadcasting licence for the English-language Type B community radio programming undertaking CKOL-FM Campbellford and its transmitter CKOL-FM-1 Madoc, expiring 31 August 2011.

In *Campus and community radio policy*, Broadcasting Regulatory Policy CRTC 2010-499, 22 July 2010, the Commission announced that it would remove the distinction between Type A and Type B community stations. In order to do so entirely, the

Commission must amend the *Radio Regulations, 1986* (the Regulations). As such, when the Regulations are amended, the type designation will become irrelevant and this station will simply be a community station.

It appears to the Commission that the licensee may have failed to comply with section 9(2) of the Regulations, relating to the filing of annual returns, for the 2009-2010 broadcast year.

The Commission notes that in *CKOL-FM Campbellford and its transmitter CKOL-FM-1 Madoc – Licence renewal*, Broadcasting Decision CRTC 2007-162, 1 June 2007, the station was granted a four-year short term renewal, until 31 August 2011, based on the station's non-compliance relating to the broadcast of Canadian musical selections from content category 2.

Licensee's address:

15 Raglan Street South
Campbellford, Ontario
K0L 1L0
Fax: 705-653-1089
E-mail: ckol-radio@bell.net

Examination of application:

At the licensee's address

and

The Madoc Public Library
20 Davidson Street
Madoc, Ontario

33. Walpole Island First Nation, Ontario Application 2010-1714-5

Application by **Kiig.da.win Media** for a broadcasting licence to operate an English-language FM Type B native radio programming undertaking in Walpole Island First Nation.

The new station would operate on frequency 98.3 MHz (channel 252LP) with an average effective radiated power of 50 watts (non-directional antenna with an effective height of antenna above average terrain of 31.1 metres).

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Applicant's address:

785 Tecumseh Road
 Thunderbird Plaza Unit No. 11
 Walpole Island First Nation, Ontario
 N8A 4K9
 Fax: 519-627-7035
 E-mail: alan.d.jacobs@gmail.com

Examination of application:

At the applicant's address

**34. Township of Muskoka Lakes, Ontario
 Application 2010-1803-6**

Application by **Dufferin Communications Inc.** for a broadcasting licence to operate an English-language commercial FM radio programming undertaking in the Township of Muskoka Lakes.

The new station would operate on frequency 104.7 MHz (channel 284B) with an effective radiated power of 40,000 watts (non-directional antenna with an effective height of antenna above average terrain of 57.5 metres).

The applicant proposes to offer an Adult Contemporary music format.

Applicant's address:

5312 Dundas Street West
 Toronto, Ontario
 M9B 1B3
 Fax: 416-233-8617
 E-mail: carmela@evanovradio.com

Examination of application:

69 Joseph Street
 Port Carling, Ontario

**35. The Greater Toronto Area, specifically bounded by the city of Oshawa on the east, the city of Oakville on the south, the city of Orangeville on the west and the city of East Gwillimbury on the north, Ontario
 Application 2010-1846-6**

Application by **Ekaterina Niman, on behalf of a corporation to be incorporated**, for a Class 1 broadcasting licence to operate a terrestrial broadcasting distribution undertaking (BDU) to serve the above-noted area.

The applicant requests the following conditions of licence:

- The licensee is authorized to distribute, at its option, as part of its digital basic service, the signals of WIVB-TV (CBS), WGRZ-TV (NBC), WKBW-TV (ABC), WUTV (FOX) and WNED-TV (PBS) Buffalo, New York, or, alternatively for each signal, the signal of a different affiliate of the same network located in the same time zone as that of the licensed area and included on the appropriate list of eligible satellite services, as amended from time to time and approved by the Commission.
- The licensee is authorized to distribute, at its option, the following signals on a digital discretionary basis:
 - any of the distant Canadian television signals set out in the *List of Part 3 eligible satellite services*; and
 - a second set of signals that provides the programming of the four U.S. commercial networks (CBS, NBC, ABC, FOX) and the non-commercial PBS network (hereafter referred to as the U.S. 4+1 signals).

The distribution on a discretionary basis on the licensee's digital service of a second set of U.S. 4+1 signals and distant Canadian signals is subject to the provision that, with respect to such signals, the licensee adhere to the requirements regarding non-simultaneous program deletion set out in section 43 of the *Broadcasting Distribution Regulations*. The Commission may suspend the application of this provision, with respect to the signals to be distributed, upon its approval of an executed agreement between the licensee and broadcasters. Such an agreement must deal with issues related to the protection of program rights arising in connection with the discretionary carriage of a second set of U.S. 4+1 signals and distant Canadian signals solely on the licensee's digital service.

- The licensee is authorized to distribute, at its option, WNYO-49 (Warner Brothers) Buffalo, New York, on a digital discretionary basis.

Applicant's address:

78 College Avenue West, #325
 Guelph, Ontario
 M1G 4S7
 Fax: 519-767-1510
 E-mail: niman.ekaterina@gmail.com

Examination of application:

175 Vanguard Road
Concord, Ontario

36. Yellowknife, Northwest Territories
Application 2011-0105-5

Application by **Société Radio Taïga** for authority to acquire from L'Association Franco-Culturelle de Yellowknife the assets of the French-language Type A community FM radio programming undertaking CIVR-FM Yellowknife.

The applicant also requests a new broadcasting licence to continue the operation of the undertaking under the same terms and conditions as those in effect under the current licence.

The applicant is a not-for-profit organization controlled by its board of directors.

There is no financial value linked to this transaction, as per the Business Transfer Contract.

Applicant's address:

P.O. Box 456
Yellowknife, Northwest Territories
X1A 2N4
Fax: 867-873-6663
E-mail: societeradiotaiga@gmail.com

Examination of application:

5016 48th Street
Yellowknife, Northwest Territories

and

5102 51st Street
2nd Floor
Yellowknife, Northwest Territories

Public participation

Deadline for interventions

15 April 2011

The intervention must be received by the Commission and by the applicant or licensee 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.

The intervention must include one of the following statements in either the first or the last paragraph:

1. I request to appear at the public hearing.
2. I do not want to appear at the public hearing.

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 or to the licensee, 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.

In the event that the application is brought to the oral phase of the hearing, and if parties wish to appear, they must provide reasons why their written interventions are not sufficient and why an appearance is necessary. Only those parties whose requests to appear have been granted will be contacted by the Commission and invited to appear at the public hearing.

Persons requiring communications support such as assistance listening devices and sign language interpretation are requested to inform the Commission at least twenty (20) days before the commencement of the public hearing so that the necessary arrangements can be made.

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. 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 these applications, 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

Les Terrasses de la Chaudière
Central Building
1 Promenade du Portage, Room 206
Gatineau, Quebec
J8X 4B1
Tel.: 819-997-2429
Fax: 819-994-0218

Regional offices

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
Fax: 204-983-6317

2220 – 12th Avenue
Suite 620
Regina, Saskatchewan
S4P 0M8
Tel.: 306-780-3422

10405 Jasper Avenue
Suite 520
Edmonton, Alberta
T5J 3N4
Tel.: 780-495-3224

858 Beatty Street
Suite 290
Vancouver, British Columbia
V6B 1C1
Tel.: 604-666-2111
Fax: 604-666-8322

Secretary General