



Broadcasting Notice of Consultation CRTC 2011-600

PDF version

Ottawa, 20 September 2011

Notice of applications received

Various locations

Deadline for submission of interventions/comments/answers: 25 October 2011

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

The Commission has received the following applications:

Applicant/licensee and locality

1. **TELUS Communications Inc., and 1219823 Alberta ULC and Emergis Inc. in partnership with TELUS Communications Inc. in TELE-MOBILE Company, partners in a general partnership carrying on business as TELUS Communications Company**
Across Canada
Application 2011-0037-0
2. **Bell ExpressVu Inc. (the general partner) and Bell Canada (the limited partner), carrying on business as Bell ExpressVu Limited Partnership**
Across Canada
Application 2011-0039-6
3. **Rogers Communications Inc. and Fido Solutions Inc., partners in a general partnership carrying on business as Rogers Communications Partnership**
Across Canada
Application 2011-0042-9
4. **Videon Cablesystems Inc.**
Across Canada
Application 2011-0046-1
5. **Videotron Ltd. and 9227-2590 Québec inc., partners in a general partnership carrying on business as Videotron G. P.**
Quebec and Ontario
Application 2011-0038-8

6. **Cogeco Cable Canada GP Inc. (the general partner) and Cogeco Cable Canada Inc. (the limited partner), carrying on business as Cogeco Cable Canada LP**
Quebec and Ontario
Application 2011-0206-1
7. **MTS Allstream Inc.**
Manitoba
Application 2011-0041-1
8. **Saskatchewan Telecommunications**
Saskatchewan
Application 2011-0043-7

1. Across Canada
Application 2011-0037-0

Application by **TELUS Communications Inc., and 1219823 Alberta ULC and Emergis Inc. in partnership with TELUS Communications Inc. in TELE-MOBILE Company, partners in a general partnership carrying on business as TELUS Communications Company**, to renew the broadcasting licence for its national video-on-demand (VOD) programming undertaking.

The licensee 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, with a few exceptions. Details are available in the application.

The licensee also requested its current conditions of licence pertaining to its outlet for local expression on its VOD platform also apply in the next licence term, subject to, among other things, various amendments to reflect the requirements established in *Community television policy*, Broadcasting Regulatory Policy CRTC 2010-622, 26 August 2010, as amended by Broadcasting Regulatory Policy 2010-622-1, 13 September 2010. Details of the amendments requested are available in the application.

Licensee's address:

3777 Kingsway
Burnaby, British Columbia
V5H 3Z7

Fax: 866-855-3982

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

E-mail to request electronic version of application: ann.mainville-neeson@telus.com

**2. Across Canada
Application 2011-0039-6**

Application by **Bell ExpressVu Inc. (the general partner) and Bell Canada (the limited partner), carrying on business as Bell ExpressVu Limited Partnership**, to renew the broadcasting licence for its national video-on-demand (VOD) programming undertaking.

The licensee 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.

As indicated in Broadcasting Notice of Consultation CRTC 2011-317, 13 May 2011, the licensee has requested that its licence be amended in order to authorize it to offer community programming on its VOD undertaking. The licensee requested that this authorization be applicable in its next licence term, should the Commission approve its request.

Licensee's address:

160 Elgin St.

19th Floor

Ottawa, Ontario

K2P 2C4

Fax: 613-560-0472

E-mail: Bell.Regulatory@Bell.ca

E-mail to request electronic version of application: Bell.Regulatory@Bell.ca

**3. Across Canada
Application 2011-0042-9**

Application by Rogers Communications Inc. and Fido Solutions Inc., partners in a general partnership carrying on business as Rogers Communications Partnership, to renew the broadcasting licence for its national video-on-demand (VOD) programming undertaking.

The licensee 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, with a few exceptions. Details are available in the application.

Licensee's address:

333 Bloor Street East

Toronto, Ontario

M4W 1G9

Fax: 416-935-4875

E-mail: cable.regulatory@rci.rogers.com

E-mail to request electronic version of application: cable.regulatory@rci.rogers.com

4. Across Canada Application 2011-0046-1

Application by **Videon Cablesystems Inc.** to renew the broadcasting licence for its regional video-on-demand (VOD) programming undertaking serving British Columbia, Alberta, Saskatchewan, Manitoba and Ontario.

The licensee requested that its regional licence be amended in order to be authorized to operate on a national basis.

The licensee 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.

Licensee's address:

630-3rd Avenue SW
Suite 900
Calgary, Alberta
T2P 4L4
Fax: 613-688-6799

E-mail: Michael.ferras@sjrb.ca

E-mail to request electronic version of application: Michael.ferras@sjrb.ca

5. Quebec and Ontario Application 2011-0038-8

Application by **Videotron Ltd. and 9227-2590 Québec inc., partners in a general partnership carrying on business as Videotron G. P.**, to renew the broadcasting licence for its regional video-on-demand (VOD) programming undertaking serving Quebec.

The licensee requested that its regional licence be amended to include Ontario.

The licensee 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, with a few exceptions. Details are available in the application.

The Commission notes that it appears that from September 2006 to November 2009, the licensee may have failed to comply with its condition of licence concerning to the percentage of closed captioning it must provide, as set out in *Théâtre Archambault @ la maison – video-on-demand service*, Broadcasting Decision CRTC 2002-203, 23 July 2002. Details are available in the application.

The Commission also notes that based on the sample months of September 2010 and January 2011 provided, it appears that the licensee may have failed to comply with its condition of licence requiring that not less than 5% of the English-language feature films in the inventory available to subscribers be Canadian. Details are available in the application.

Licensee's address:

612 Saint-Jacques Street
Montréal, Quebec
H3C 4M8

Fax: 514-380-4664

E-mail: reglementaires@quebecor.com

Website to view application: http://www.quebecor.com/fr/dossiers_publics

E-mail to request electronic version of application: reglementaires@quebecor.com

6. Quebec and Ontario **Application 2011-0206-1**

Application by **Cogeco Cable Canada GP Inc. (the general partner) and Cogeco Cable Canada Inc. (the limited partner), carrying on business as Cogeco Cable Canada LP**, to renew the broadcasting licence for its regional video-on-demand (VOD) programming undertaking serving Quebec and Ontario.

The licensee 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, with various exceptions. Details are available in the application.

Licensee's address:

5 Place Ville-Marie
Suite 1700
Montréal, Quebec
H3B 0B3

Fax: 514-874-0776

E-mail: licence@cogeco.com

E-mail to request electronic version of application: licence@cogeco.com

7. Manitoba **Application 2011-0041-1**

Application by **MTS Allstream Inc.** to renew the broadcasting licence for its regional video-on-demand (VOD) programming undertaking serving Manitoba.

The licensee 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.

The licensee also requested that its current conditions of licence concerning its outlet for local expression on its VOD platform also apply in the next licence term, subject to, among other things, various amendments to reflect the requirements established in *Community television policy*, Broadcasting Regulatory Policy CRTC 2010-622, 26 August 2010, as amended by Broadcasting Regulatory Policy 2010-622-1, 13 September 2010. Details of the amendments requested are available in the application.

The Commission notes that it appears that from 1 September 2008 until the end of the licence term, the licensee may have failed to comply with its condition of licence concerning the percentage of closed captioning it must provide, as set out in *Licence amendments related to the funding and provision of an outlet for local expression*, Broadcasting Decision CRTC 2007-86, 16 March 2007. Details are available in the application.

Licensee's address:

333 Main Street

Winnipeg, Manitoba

R3C 3V6

Fax: 613-688-8303

E-mail: iworkstation@mtsallstream.com

E-mail to request electronic version of application: iworkstation@mtsallstream.com

8. Saskatchewan Telecommunications Application 2011-0043-7

Application by **Saskatchewan Telecommunications** to renew the broadcasting licence for its regional video-on-demand (VOD) programming undertaking serving Saskatchewan.

The licensee 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, with a few exceptions. Details are available in the application.

The licensee requested that its current conditions of licence concerning its outlet for local expression on its VOD platform also apply in the next licence term, subject to, among other things, various amendments to reflect the requirements established in the *Community television policy*, Broadcasting Regulatory Policy CRTC 2010-622, 26 August 2010, as amended by Broadcasting Regulatory Policy 2010-622-1, 13 September 2010. Furthermore, the licensee requested the deletion of its condition of licence requiring the establishment and maintenance of an Independent Programming Committee (IPC), as set out in *Licence amendments related to the funding and provision of an outlet for local expression*, Broadcasting Decision CRTC 2006-490, 8 September 2006. Details of the amendments requested are available in the application.

The Commission notes that it appears that based on the sample month of January 2011 provided, the licensee may have failed to comply with its condition of licence requiring that not less than 20% of all programming other than feature films in the inventory available to subscribers be Canadian. Details are available in the application.

Licensee's address:

2121 Saskatchewan Drive

Regina, Saskatchewan

S4P 3Y2

Fax: 306-565-6216

E-mail: document.control@sasktel.sk.ca

E-mail to request electronic version of application: document.control@sasktel.sk.ca

Procedure

Deadline for interventions, comments or answers

25 October 2011

The new *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure*, SOR/2010-277 (the Rules of Procedure), set out, among other things, the rules for content, format, filing and service of interventions, the procedure for filing confidential information and requesting its disclosure, and the conduct of public hearings. Accordingly, the procedure set out below must be read in conjunction with the Rules of Procedure and its accompanying documents, which can be found on the Commission's website under "CRTC Rules of Practice and Procedure."

This notice may announce applications that would normally be subject to the written process described in Part 1 of the Rules of Procedure, but that were filed before 1 April 2011. An explanation in this regard is set out in *Implementation of new Rules of Practice and Procedure*, Broadcasting and Telecom Regulatory Policy CRTC 2010-958, 23 December 2010.

An intervention or answer from a respondent must be received by the Commission and by the applicant on or before the above-mentioned date. An answer from a respondent must also be served on any other respondent.

In accordance with the Rules of Procedure, a document must be filed with, not merely sent to, the Commission by 5 p.m. Vancouver time (8 p.m. Ottawa time) on the date it is due. The Commission takes no responsibility for postal delays and will not notify a party whose submission is received after the deadline date. Late submissions will not be considered by the Commission and will not be made part of the public file.

Interventions and answers from respondents will be considered by the Commission and will form part of the public record of the proceeding without further notification to parties, provided the procedures set out in the Rules of Procedure and this notice have

been followed. Parties will be contacted only if their submissions raise procedural questions.

Submissions must be filed by sending them to the Secretary General of the Commission by **only one** of the following means:

by using the
[\[Intervention/comment/answer form\]](#)

or

by mail to
CRTC, Ottawa, Ontario K1A 0N2

or

by fax at
819-994-0218

A true copy of each intervention or answer from a respondent must be sent to the applicant and, in the case of a respondent to an application, to any other respondent.

The Commission advises those who file and serve by electronic mode to exercise caution when using e-mail for service of documents, 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 was completed. The sender must keep proof of the sending and the receipt of the document for 180 days after the day on which it is filed.

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 altered during electronic transmission.

Interventions and answers 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 designated confidential, 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 parties and interested persons to monitor the record of the proceeding, available on the Commission's website, for additional information that they may find useful when preparing their submissions.

Examination of documents

An electronic version of the applications is available on the Commission's website by selecting the application number within this notice. It is also available from the applicants/licensees, either on their websites or upon request by contacting the applicants/licensees at their email addresses, provided above.

A list of all interventions and answers will also be available on the Commission's website. The list is accessible by selecting "View all proceedings open for comment" from the "Public Proceedings" section of the Commission's website and by clicking on the "Interventions/Answers" link associated with this notice.

Documents are also available during normal office hours 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

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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
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Tel.: 514-283-6607

55 St. Clair Avenue East
Suite 624
Toronto, Ontario
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Tel.: 416-952-9096

360 Main Street
Suite 970
Winnipeg, Manitoba
R3C 3Z3
Tel.: 204-983-6306
Fax: 204-983-6317

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

403 – 4th Avenue South-West
Suite 100
Calgary, Alberta
T2P 3N2
Tel.: 403-292-6660
Fax: 403-292-6686

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V6B 1C1
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Fax: 604-666-8322

Secretary General