



Broadcasting Decision CRTC 2012-615

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Route reference: Part 1 application posted on 5 June 2012

Ottawa, 5 November 2012

Videotron Ltd. and 9227-2590 Québec inc., partners in a general partnership carrying on business as Videotron G.P.

Various locations in the province of Quebec

Application 2012-0659-0

Various terrestrial broadcasting distribution undertakings in the province of Quebec – Licence amendments

*The Commission **approves** the application by Videotron Ltd. and 9227-2590 Québec inc., partners in a general partnership carrying on business as Videotron G.P., to amend the broadcasting licences for various terrestrial broadcasting distribution undertakings in the province of Quebec in order to add a condition of licence relating to a zone-based approach to community programming.*

Introduction

1. The Commission received an application by Videotron Ltd. and 9227-2590 Québec inc., partners in a general partnership carrying on business as Videotron G.P. (Videotron), to amend the broadcasting licences for various terrestrial broadcasting distribution undertakings (BDUs) in the province of Quebec in order to add a condition of licence relating to a zone-based approach to community programming. A list of these zones is set out in the appendix to this decision. The BDUs in question serve the following locations:
 - Sherbrooke
 - Granby
 - Chicoutimi
 - Québec and surrounding areas
 - Gatineau (Aylmer, Gatineau, Hull) and surrounding areas
2. In its application, Videotron proposed to add a condition of licence that would vary the application of certain provisions relating to community programming, as set out in sections 31 and 32 of the *Broadcasting Distribution Regulations* (the Regulations), in order to enable it to establish five zones for its community programming in Quebec.

Videotron indicated that to the extent possible it would maintain the cooperation model with the independent community television corporations operating in its territory.

3. Videotron was of the view that the proposed grouping is justified by the following:
 - each zone is located in a limited geographic area, which encourages the creation of programming relating to concerns shared by the localities involved, such as common social and economic interests, culture, history and heritage;
 - the grouping of financial resources and volunteers will help facilitate the production of high-quality and varied local community programming; and
 - this approach will greatly facilitate tasks involving broadcasting, administration, production of program logs and closed captioning of programs.
4. Videotron agreed to comply with regulatory requirements related to local programming, access programming and expenses related to community access programming in the identified zones.
5. The Commission did not receive any interventions regarding this application.

Commission's analysis and decision

6. The Regulations provide that a licensed BDU may offer a community channel in its licensed area under the terms and conditions set out therein.
7. The Commission notes that in 2006 and 2007 it approved some applications proposing zone-based community programming. According to this practice, a BDU offers a community channel in many of its service areas. In general, the BDU that wishes to implement a zone-based approach for community programming proposes the addition of a condition of licence that sets out the terms and conditions applicable to that channel.
8. The establishment of zone-based community programming is generally approved in the service areas of smaller communities located in close proximity as a means of mitigating the difficulties experienced by licensed BDUs in providing and maintaining quality community programming in these small service areas.
9. In *Amended exemption order for terrestrial broadcasting distribution undertakings serving fewer than 20,000 subscribers – provision of community television channels*, Broadcasting Order CRTC 2011-753, 7 December 2011, the Commission authorized exempt BDUs to distribute community channels under a zone-based approach to serve a community of interest.

10. The Commission recognizes that producing local community television programming in small communities in different municipalities presents challenges, including limited financial and human resources. In this case, the Commission considers that the proximity of the municipalities in the zones proposed by Videotron fosters the creation of a community of interest at the local and regional levels and allows residents to be better informed about the events and activities taking place in their community.
11. In light of all of the above, the Commission **approves** the application by Videotron Ltd. and 9227-2590 Québec inc., partners in a general partnership carrying on business as Videotron G.P., to amend the broadcasting licences for various terrestrial BDUs in the province of Quebec in order to add a condition of licence relating to a zone-based approach to community programming. A list of these zones is set out in the appendix to this decision. Accordingly, the following **condition of licence** will be added to the licences for the BDUs serving the locations mentioned in this decision:

Going forward, sections 31 and 32 of the *Broadcasting Distribution Regulations* will apply to community television channels serving the zones for community programming approved by the Commission in *Various terrestrial broadcasting distribution undertakings in the province of Quebec – Licence amendments*, Broadcasting Decision 2012-615, 5 November 2012.

Secretary General

**This decision is to be appended to each licence.*

Appendix to Broadcasting Decision CRTC 2012-615

Zone	Service areas
Estrie	Sherbrooke Fleurimont Lennoxville Coaticook East Angus Beebe-Stanstead
Granby	Granby Waterloo Cowansville
Saguenay Lac St-Jean	Chicoutimi St-Félicien Dolbeau
Québec-Lévis	Québec and surrounding areas Côte de Beaupré Île d'Orléans
Outaouais	Hull Aylmer Cantley Gatineau Buckingham-Masson Thurso Papineauville St-André Avellin Montebello Maniwaki