



Broadcasting Notice of Consultation CRTC 2013-335

PDF version

Ottawa, 12 July 2013

Notice of hearing

12 September 2013
Gatineau, Quebec

Deadline for submission of interventions/comments/answers:
13 August 2013

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

The Commission will hold a hearing on **12 September 2013 at 11:00 a.m., at the Commission Headquarters, 1 Promenade du Portage, Gatineau, Quebec**. The Commission intends to consider the following applications, subject to interventions, without the appearance of the parties:

Applicant/Licensee and Locality

- 1. Canadian Broadcasting Corporation (the general partner) and CineNova Productions Inc., Galafilm Inc., National Film Board of Canada, OmniFilm Entertainment Ltd. and Neil Tabatznik (the limited partners), carrying on business as The Canadian Documentary Channel Limited Partnership**
Across Canada
Application 2013-0768-7
- 2. Rogers Communications Inc., on behalf of Mountain Cablevision Limited**
Across Canada
Application 2013-0906-3
- 3. AGNI Communication Inc.**
Montréal, Quebec
Application 2012-0821-5
- 4. Radio Humsafar Inc.**
Montréal, Quebec
Application 2013-0403-9
- 5. Prince Edward County Radio Corporation**
Prince Edward County, Ontario
Application 2012-0826-5

6. **Dufferin Communications Inc.**
Meaford, Ontario
Application 2012-0994-0
7. **Stephen Guay**
Barriere, British Columbia
Application 2013-0413-8
1. **Canadian Broadcasting Corporation (the general partner) and CineNova Productions Inc., Galafilm Inc., National Film Board of Canada, OmniFilm Entertainment Ltd. and Neil Tabatznik (the limited partners), carrying on business as The Canadian Documentary Channel Limited Partnership**
Across Canada
Application 2013-0768-7

Application by **Canadian Broadcasting Corporation (the general partner) and CineNova Productions Inc., Galafilm Inc., National Film Board of Canada, OmniFilm Entertainment Ltd. and Neil Tabatznik (the limited partners), carrying on business as The Canadian Documentary Channel Limited Partnership** (collectively the applicant) for authority to acquire the assets of the national English-language specialty Category A service known as Documentary, as a result of the acquisition by Neil Tabatznik of the partnership unit currently held by Entertainment One Television BAP Ltd. (Entertainment One).

The applicant is requesting a 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 owned by the Canadian Broadcasting Corporation (82% voting interest), National Film Board of Canada (14% voting interest), Galafilm Inc., Omnifilm Entertainment Ltd., CineNova Productions Inc. and Entertainment One (each holding 1% voting interest) and controlled by the Canadian Broadcasting Corporation.

This transaction will not affect the effective control of the undertaking Documentary, which will continue to be exercised by the Canadian Broadcasting Corporation.

Following completion of the transaction, the applicant will become the licensee of the national English-language specialty Category A service known as Documentary.

Applicant's address:

287 McPherson Avenue
Suite 202
Toronto, Ontario
M4B 1A4

Fax: 1-866-627-2299

Email: boris@aumlaw.com

Email to request electronic version of application: boris@aumlaw.com

2. **Rogers Communications Inc. (RCI), on behalf of Mountain Cablevision Limited**

Across Canada

Application 2013-0906-3

Application by **Rogers Communications Inc. (RCI), on behalf of Mountain Cablevision Limited** (Mountain), for authority to acquire from RCI and Fido Solutions Inc., partners in a general partnership carrying on business as Rogers Communications Partnership (RCP), as part of an intra-corporate reorganization, the licences for the terrestrial broadcasting distribution undertakings operated by RCP under regional licences serving various locations in New Brunswick, Newfoundland and Labrador, Ontario; the licence for the national video-on-demand programming undertaking known as “Rogers On Demand;” and the licences for both the terrestrial and direct-to-home national pay-per-view services known as “Rogers Sportsnet.”

Mountain is requesting broadcasting licences under the same terms and conditions as those in effect under the current licences. Mountain has also requested authorization for RCP to continue the day to day operations of the undertakings.

Mountain and RCP are wholly-owned subsidiaries of RCI.

Following completion of the transaction, Mountain will become the licensee of all of the terrestrial broadcasting distribution undertakings, as well as the video-on-demand and pay-per-view undertakings currently operated by RCP.

This transaction will not affect the effective control of the undertakings which will continue to be exercised by RCI.

Applicant's address:

333 Bloor Street East

Toronto, Ontario

M4W 1G9

Fax: 416-935-4818

Email: cable.regulatory@rci.rogers.com

Email to request electronic version of application: cable.regulatory@rci.rogers.com

3. **AGNI Communication Inc.**

Montréal, Quebec

Application 2012-0821-5

Application by **AGNI Communication Inc.** for a broadcasting licence to operate an ethnic commercial low-power FM radio station in Montréal.

The new station would operate on frequency 102.9 MHz (channel 275LP) with an average effective radiated power (ERP) of 31 watts (maximum ERP of 50 watts with an effective height of antenna above average terrain of 44.4 metres).

The applicant is willing to accept a condition of licence requiring it to direct ethnic programming to a minimum of nine cultural groups in a minimum of six different languages per broadcast week.

The applicant indicates all programming broadcast by the proposed station during the broadcast week will be ethnic programming and third-language programming.

This application was first scheduled to be heard at a hearing held on 20 March 2013 (Broadcasting Notice of Consultation 2013-13) but was withdrawn to be rescheduled at a later date.

The Commission will consider the interventions and the related reply already accepted and placed on the public file for the 20 March 2013 hearing as well as other interventions received in the context of this hearing.

Applicant's address:

505-7290 Hutchinson Street
Montréal, Quebec
H3N 1Z1

Fax: 514-587-2458

Email: phillip@ixica.com

Email to request electronic version of application: phillip@ixica.com

4. **Radio Humsafar Inc.**
Montréal, Quebec
Application 2013-0403-9

Application by **Radio Humsafar Inc.** for a broadcasting licence to operate an English- and third-language AM commercial ethnic radio station in Montréal.

The station would operate on frequency 1610 kHz (Class C) with a transmitter power of 1,000 watts day-time and 1,000 watts night-time.

The applicant is willing to accept a condition of licence requiring it to direct ethnic programming to a minimum of ten cultural groups in a minimum of eight different languages per broadcast week.

The applicant indicates that, of the total programming broadcast during the broadcast week, 126 hours would be devoted to ethnic programming 84 hours of which would be third-language programming.

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: 514-368-0565

Email: js@radiohumsafar.com

Email to request electronic version of application: js@radiohumsafar.com

5. **Prince Edward County Radio Corporation**

Prince Edward County, Ontario

Application 2012-0826-5

Application by **Prince Edward County Radio Corporation** for a broadcasting licence to operate an English-language community FM radio station in Prince Edward County.

The station would operate on frequency 99.3 MHz (channel 257A) with an average effective radiated power (ERP) of 1,688 watts (maximum ERP of 3,000 watts with an effective height of antenna above average terrain of 71 metres).

The applicant proposes to broadcast 126 hours of programming per broadcast week, of which 120 hours would be local station-produced programming.

This application was first scheduled to be heard at a hearing held on 20 March 2013 (Broadcasting Notice of Consultation 2013-13) but was withdrawn to be rescheduled at a later date.

The Commission will consider the interventions already accepted and placed on the public file for the 20 March 2013 hearing as well as other interventions received in the context of this hearing.

Applicant's address:

c/o Mathers Law Office

6 Talbot Street

Picton, Ontario

K0K 2T0

Email: info@county-community-radio.ca

Website: www.county-community-radio.ca

Email to request electronic version of application: info@county-community-radio.ca

6. **Dufferin Communications Inc.**

Meaford, Ontario

Application 2012-0994-0

Application by **Dufferin Communications Inc.** for a broadcasting licence to operate an English-language commercial FM radio station in Meaford.

The new station would operate on frequency 99.3 MHz (channel 257A) with an effective radiated power of 100 watts (non-directional antenna with an effective height of antenna above average terrain of 177 metres).

The applicant proposes an Adult Contemporary/Easy Listening music format.

Applicant's address:

5312 Dundas Street West
Toronto, Ontario
M9B 1B3

Fax: 416-233-8617

Email: carmela@evanovradio.com

Website: www.evanovradio.com

Email to request electronic version of application: carmela@evanovradio.com

7. **Stephen Guay**
Barriere, British Columbia
Application 2013-0413-8

Application by **Stephen Guay** for a broadcasting licence to operate an English-language commercial low-power FM radio station in Barriere.

The proposed station would operate on frequency 93.1 MHz (channel 226LP) with an average effective radiated power of 13.5 watts (non-directional antenna with an effective height of antenna above average terrain of -144.5 metres).¹

The applicant proposes a music format consisting of pop, light rock, country and standard hits.

Applicant's address:

4577 Barriere Town Road
P.O. Box 591
Barriere, British Columbia
V0E 1E0

Fax: 250-672-9904

Email: norththompsonradio@hotmail.com

Email to request electronic version of application: norththompsonradio@hotmail.com

¹ These technical parameters reflect those approved by the Department of Industry.

Procedure

Deadline for interventions or answers

13 August 2013

The *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 and answers of respondents, the procedure for filing confidential information and requesting its disclosure, and the conduct of the public hearing. 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."

An intervention or an answer from a respondent must be filed with the Commission and served on 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 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 must 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 an application is brought to an oral phase of the hearing, and if parties wish to appear, they must provide reasons why their written interventions or answers are not sufficient and why an appearance is necessary. Parties requiring communication support must state their request on the first page of their intervention. 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 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, either on their websites or upon request by contacting the applicants 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 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

Regional offices

Nova Scotia

Metropolitan Place
99 Wyse Road
Suite 1410
Dartmouth, Nova Scotia
B3A 4S5
Tel.: 902-426-7997
Fax: 902-426-2721

Quebec

205 Viger Avenue West
Suite 504
Montréal, Quebec
H2Z 1G2
Tel.: 514-283-6607

Ontario

55 St. Clair Avenue East
Suite 624
Toronto, Ontario
M4T 1M2
Tel.: 416-952-9096

Manitoba

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

Saskatchewan

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

Alberta

100 – 4th Avenue South-West
Suite 403

Calgary, Alberta
T2P 3N2
Tel.: 403-292-6660
Fax: 403-292-6686

British Columbia

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

Secretary General