



Broadcasting Notice of Consultation CRTC 2014-26

PDF version

Ottawa, 29 January 2014

Notice of hearing

8 April 2014

Gatineau, Quebec

Applications for the renewal of the broadcasting licences for English-language conventional and multilingual ethnic television stations and for certain specialty television services

Deadline for submission of interventions/comments/answers: 28 February 2014

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

The Commission will hold a hearing commencing on **8 April 2014 at 9:00 a.m.**, at the **Conference Centre, Phase IV, 140 Promenade du Portage, Gatineau, Quebec**, to consider the applications described below.

Applicant and Locality

Appearing items

Specialty Category A services

1. **Rogers Broadcasting Limited**
Across Canada
Application 2013-1771-9
2. **Rogers Broadcasting Limited**
Across Canada
Application 2013-1772-7
3. **Rogers Broadcasting Limited**
Across Canada
Application 2013-1773-5
4. **Sportsnet 360 Television Inc.**
Across Canada
Application 2013-1774-3

Specialty Category B service

5. **6878482 Canada Inc.**
Across Canada
Application 2013-1775-1

Specialty Category C service

6. **Rogers Sportsnet Inc.**
Across Canada
Application 2013-1776-9

Conventional television stations

7. **Rogers Broadcasting Limited**
Montréal, Quebec
Application 2013-1759-5
8. **Rogers Broadcasting Limited**
Toronto, Woodstock and Ottawa, Ontario
Application 2013-1760-3
9. **Rogers Broadcasting Limited**
Toronto, London and Ottawa, Ontario
Application 2013-1765-2
10. **Rogers Broadcasting Limited**
Toronto, London and Ottawa, Ontario
Application 2013-1766-0
11. **Rogers Broadcasting Limited**
Portage La Prairie, Manitoba
Application 2013-1761-0
12. **Rogers Broadcasting Limited**
Calgary and Lethbridge, Alberta
Application 2013-1762-8
13. **Rogers Broadcasting Limited**
Calgary, Alberta
Application 2013-1768-6
14. **Rogers Broadcasting Limited**
Edmonton and Red Deer, Alberta
Application 2013-1763-6

15. **Rogers Broadcasting Limited**
Edmonton, Alberta
Application 2013-1769-4
16. **Rogers Broadcasting Limited**
Vancouver, Courtenay and Victoria, British Columbia
Application 2013-1764-4
17. **Rogers Broadcasting Limited**
Vancouver and Victoria, British Columbia
Application 2013-1770-2

Non-appearing items

18. **8094039 Canada Corp.**
Across Canada
Application 2013-1194-3
19. **Le Groupe 50+ Ltée**
Across Canada
Application 2013-1206-6
20. **TELUS Communications Inc., and 1219723 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 2013-1428-6
21. **2380393 Ontario Inc.**
Across Canada
Application 2013-1464-0
22. **CJQC Radio Society, Inc.**
Liverpool, Nova Scotia
Application 2012-1618-5
23. **Fiston Kalambay, on behalf of a corporation to be incorporated**
Ottawa, Ontario
Application 2013-0713-2

Preamble for items 1 to 17

Rogers Media Inc. (Rogers Media), on behalf of Rogers Broadcasting Limited, Sportsnet 360 Television Inc., Rogers Sportsnet Inc., and 6878482 Canada Inc. (Rogers), has filed applications to renew the broadcasting licences for 17 of its television services and stations.

As one of Canada's largest English-language broadcasting groups, Rogers' programming services have an important role to play in fulfilling the objectives of the *Broadcasting Act* (the Act). In particular, its conventional services offer local English-language and multilingual/multi-ethnic programming in several large metropolitan markets. Both its conventional television stations and its specialty services enjoy wide distribution across the country and provide both general interest and more specialized programming to all Canadians.

In this notice, the Commission calls for comments on applications for the renewal of the broadcasting licences for the English-language conventional television stations, the multilingual ethnic television stations, and the specialty services operated by Rogers, and on various proposed amendments to these licences.

In addition, the Commission will examine the role played by Rogers' programming services in fulfilling the objectives of the Act, as well as the following key issues relating to these applications:

- the group-based approach to the licensing of the City television stations and specialty Category A services;
- programming changes relating to the OMNI multilingual ethnic television stations;
- an evaluation of Rogers' compliance with the nature of service definitions for the specialty Category A services G4techTV and Outdoor Life Network;
- the deletion of the requirement to abide by a terms of trade agreement; and
- licence terms for the various services.

Group-based approach to the licensing of the City television stations and specialty Category A services

In *Rogers Media Inc. – Group-based licence renewals*, Broadcasting Decision CRTC 2011-447, 27 July 2011 (Broadcasting Decision 2011-447), in which the Commission renewed the broadcasting licences for various television services affiliated with Rogers Media, the Commission decided that Rogers Media would not yet be considered a designated group for the purpose of its group-based approach set out in *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010 (see also *Group-based licence renewals for English-language television groups – Introductory decision*, Broadcasting Decision CRTC 2011-441, 27 July 2011 (Broadcasting Decision 2011-441)). However, the Commission indicated in Broadcasting Decision 2011-447 that it would reassess the applicability of the group-based approach and Rogers' commitments to Canadian programming expenditures (CPE) and expenditures on programs of national interest (PNI) for its City stations and specialty Category A services at the end of the current licence term (i.e., 31 August 2014).

In the licence renewal applications submitted as part of the present proceeding, Rogers requested that its City television stations and specialty Category A services, including Sportsnet 360, be treated as a designated group for the purposes of the Commission's group-based approach. Further, it indicated that it is prepared to accept a target group CPE of 30%. Although Rogers projects its group CPE to be approximately 29% for the 2013-2014 broadcast year, it expects revenue declines for its conventional television stations to allow it to achieve its proposed 30% target if it maintains its current spending levels. Furthermore, Rogers submitted that the formula used to arrive at an appropriate CPE level for services of other groups is faulty and therefore not appropriate for its own services.

Rogers also indicated that it would accept a 5% PNI expenditure requirement, and that 75% of these expenditures would be allocated to independently-produced programs. Further, Rogers has requested that its proposed group be granted the benefits of the financial flexibility to share CPE requirements across all of these services.

Rogers indicated, however, that its proposed spending targets are only possible if Sportsnet 360 is included in the designated group. If this service is not included, Rogers proposed a group CPE of 26%.

The Commission will also examine the impact of Rogers' group-based approach proposal on its expenditures on sports and other program genres, and particularly on the allocation of these expenditures between its specialty Category C service Sportsnet and the services that will be part of the designated group.

In addition, in light of its PNI expenditure commitment, Rogers proposed the deletion of its current expenditure requirements on incremental local programming. It did not indicate whether it would continue to offer the new local programming funded by this requirement. In assessing this proposal, the Commission will take into consideration Rogers' current commitments to local programming as well as the allocation of its projected expenditures on local programming among all of its services.

Programming changes relating to the OMNI multilingual ethnic television stations

On 30 May 2013, Rogers issued a press release announcing programming changes to its OMNI multilingual ethnic television stations. These changes resulted in the cancellation of several third-language newscasts, magazines and weekly programs. Following this announcement, Unifor (formerly the Communications, Energy and Paperworkers Union of Canada) filed a complaint with the Commission against Rogers. In *Complaint by the Communications, Energy and Paperworkers Union of Canada against Rogers Broadcasting Limited relating to the cancellation of programs on OMNI television stations*, Broadcasting Decision CRTC 2013-657, 5 December 2013, the Commission found that despite these changes, Rogers continued to abide by its conditions of licence. However, the Commission expressed concern over the potential impact of the changes on the communities served by the stations and the apparent lack of local programming on some of the OMNI television stations.

As a result, the Commission requested that Rogers submit applications for the early licence renewal of the OMNI stations. As part of this proceeding, the Commission will examine the role of these stations in providing programming to the communities they serve, including the appropriate levels and scope of multilingual and multi-ethnic programming offered, the methods used to consult with the relevant communities with respect to this programming, as well as the local programming offered by these stations.

The Commission notes that Rogers has provided its consent for the revocation of the current broadcasting licences for the OMNI television stations and the issuance of new licences, should the Commission decide to complete the renewal of the licences for the OMNI television stations following the conclusion of the present proceeding.

Evaluation of Rogers' compliance with the nature of service definitions for the specialty Category A services G4techTV and Outdoor Life Network

In Broadcasting Decision 2011-447, the Commission directed Rogers to file a report by no later than 1 March 2012 detailing the measures it has taken to ensure that it is in compliance with G4techTV's nature of service definition. As set out in *Notice of hearing*, Broadcasting Notice of Consultation CRTC 2012-560-1, 20 November 2012, the Commission required G4techTV to file monthly programming schedules beginning in November 2012, to demonstrate its compliance and assist the Commission in its ongoing monitoring of G4techTV's performance.

In its licence renewal application for G4techTV, Rogers submitted that it has been compliant with its nature of service and therefore requested to be relieved from the requirement to submit monthly compliance reports.

Similarly, the Commission also indicated in Broadcasting Decision 2011-447 that it would closely monitor Rogers' compliance with Outdoor Life Network's nature of service definition. In the licence renewal application for Outdoor Life Network, Rogers indicated that it operates the service in a manner consistent with the nature of service definition while employing a programming strategy that addresses the constantly changing interests and expectations of Canadian viewers and the state of the broadcasting industry.

Deletion of the requirement to abide by a terms of trade agreement

In Broadcasting Decision 2011-441, the Commission found that a terms of trade agreement between the licensees of programming services and program producers would give both broadcasters and producers stability and clarity in their negotiations, which would be in the best interest of the Canadian broadcasting system. Accordingly, in Broadcasting Decision 2011-447, the Commission imposed conditions of licence requiring the Rogers services operating under licences renewed in that decision to adhere to a terms of trade agreement with the Canadian Media Production Association (CMPA).

Arguing that the terms of trade agreement has posed significant challenges to its ability to commission and invest in the creation of new, high quality Canadian programming that

yields the desired outcomes in terms of popularity, branding, profitability and consumer satisfaction, Rogers has requested the deletion of these conditions of licence for the next licence term. However, since the current terms of trade agreement it has signed with the CMPA remains in effect, Rogers confirmed that it would continue to abide by the terms of that agreement until its expiry in 2016.

Licence terms for the various services

The Commission notes that Rogers has proposed different licence terms for various services. For services that would not form part of the designated group, it proposed the following:

- multilingual ethnic television stations: OMNI 5-year licence term
- specialty Category B service: Sportsnet World 7-year licence term
- specialty Category C service: Sportsnet 7-year licence term

Rogers Media proposed a two-year licence term for all services that would be included in the designated group (including the City television stations and the specialty Category A services The Biography Channel, G4techTV, Outdoor Life Network and Sportsnet 360) so that they have the same expiry date as that of the services of the other large private English-language ownership groups, including Bell Media Inc., Shaw Media Inc. and Corus Entertainment Inc.

Cultural diversity plans

The Commission notes that its overall policy on cultural diversity will be evaluated at a later date to be determined by the Commission in order to ensure adequate evaluation of this policy by all interested parties. Consequently, the implementation of Rogers' cultural diversity corporate plans and annual reports on cultural diversity filed with the Commission over the licence term will not be examined as part of this proceeding, but instead in the context of a broad review at a later date. In the meantime, the Commission expects Rogers to continue filing annual reports on cultural diversity by no later than 31 January of each year until further notice.

Additional information

The Commission notes that additional documents may be added to the public file following the issuance of this notice of consultation. Interested parties are accordingly advised to consult the public file on an ongoing basis.

Items 1 to 17

The Commission intends to consider items 1 to 17 during the appearing phase of the public hearing.

Items 18 to 23

The Commission intends to consider, subject to interventions, items 18 to 23 during the non-appearing phase of the public hearing.

1. **Rogers Broadcasting Limited**

Across Canada

Application 2013-1771-9

Application by **Rogers Broadcasting Limited** to renew the broadcasting licence for the national, English-language specialty Category A service The Biography Channel, which expires 31 August 2014.

With the exception of the proposed amendments described above regarding the group-based approach, terms of trade agreements and the length of the next licence term, the licensee has confirmed that it will continue to operate the service under the same terms and conditions as those in effect under the current licence.

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2. **Rogers Broadcasting Limited**

Across Canada

Application 2013-1772-7

Application by **Rogers Broadcasting Limited** to renew the broadcasting licence for the national, English-language specialty Category A service G4techTV, which expires 31 August 2014.

With the exception of the proposed amendments described above regarding the group-based approach, the filing of compliance reports with respect to the nature of service definition, terms of trade agreements and the length of the next licence term, the licensee has confirmed that it will continue to operate the service under the same terms and conditions as those in effect under the current licence.

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3. **Rogers Broadcasting Limited**

Across Canada

Application 2013-1773-5

Application by **Rogers Broadcasting Limited** to renew the broadcasting licence for the national, English-language specialty Category A service Outdoor Life Network, which expires 31 August 2014.

With the exception of the proposed amendments described above regarding the group-based approach, terms of trade agreements and the length of the next licence term, the licensee has confirmed that it will continue to operate the service under the same terms and conditions as those in effect under the current licence.

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4. **Sportsnet 360 Television Inc.**

Across Canada

Application 2013-1774-3

Application by **Sportsnet 360 Television Inc.** to renew the broadcasting licence for the national, English-language specialty Category A service Sportsnet 360 (formerly The Score), which expires 31 August 2014.

With the exception of the proposed amendments described above regarding the group-based approach, terms of trade agreements and the length of the next licence term, the licensee has confirmed that it will continue to operate the service under the same terms and conditions as those in effect under the current licence.

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5. **6878482 Canada Inc.**
 Across Canada
 Application 2013-1775-1

Application by **6878482 Canada Inc.** to renew the broadcasting licence for the national, English-language specialty Category B service¹ Sportsnet World (formerly Setanta Sports Canada and Sportsnet2), which expires 31 August 2014.

The licensee has confirmed that it would adhere to the standard conditions of licence for specialty Category B services set out in *Standard conditions of licence, expectations and encouragements for Category B pay and specialty services – Corrected Appendices 1 and 2*, Broadcasting Regulatory Policy CRTC 2010-786-1, 18 July 2011.

The licensee has requested an amendment to the definition of “broadcast day” for the service, from an 18-hour period to a 24-hour period.

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6. **Rogers Sportsnet Inc.**
 Across Canada
 Application 2013-1776-9

Application by **Rogers Sportsnet Inc.** to renew the broadcasting licence for the national, English-language specialty Category C service Sportsnet (formerly Rogers Sportsnet), which expires 31 August 2014.

The licensee has confirmed that it would continue to adhere to the standard conditions of licence for specialty Category C sports services set out in Appendix 1 to *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.

¹ This service is currently licensed as a Category 2 specialty programming undertaking but, pursuant to the Commission’s determinations set out in *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services – Regulatory policy*, Broadcasting Public Notice CRTC 2008-100, 30 October 2008, will be licensed as a specialty Category B service for the next licence term.

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7. Rogers Broadcasting Limited

Montréal, Quebec

Application 2013-1759-5

Application by **Rogers Broadcasting Limited** to renew the broadcasting licence for the English-language conventional television station CJNT-DT Montréal, Quebec, which expires 31 August 2014.

With the exception of the proposed amendments described above regarding the group-based approach, terms of trade agreements and the length of the next licence term, the licensee has confirmed that it will continue to operate the station under the same terms and conditions as those in effect under the current licence.

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8. Rogers Broadcasting Limited

Toronto, Woodstock and Ottawa, Ontario

Application 2013-1760-3

Application by **Rogers Broadcasting Limited** to renew the broadcasting licence for the English-language conventional television station CITY-DT Toronto and its transmitters CITY-DT-2 Woodstock and CITY-DT-3 Ottawa, Ontario, which expires 31 August 2014.

With the exception of the proposed amendments described above regarding the group-based approach, terms of trade agreements and the length of the next licence term, the licensee has confirmed that it will continue to operate the station under the same terms and conditions as those in effect under the current licence.

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Email: susan.wheeler@rci.rogers.comEmail to request electronic version of application: susan.wheeler@rci.rogers.com**9. Rogers Broadcasting Limited**

Toronto, London and Ottawa, Ontario

Application 2013-1765-2

Application by **Rogers Broadcasting Limited** to renew the broadcasting licence for the multilingual ethnic television station CFMT-DT Toronto (OMNI.1) and its transmitters CFMT-DT-1 London and CFMT-DT-2 Ottawa, Ontario, which expires 31 August 2015.

The licensee has confirmed that it would adhere to the standard conditions of licence for conventional television stations set out in *Standard conditions of licence, expectations and encouragements for conventional television stations*, Broadcasting Regulatory Policy CRTC 2011-442, 27 July 2011, with the exception of the requirements relating to the following: the provision of a minimum of 7 or 14 hours of Canadian local programming in each broadcast week applicable to English-language conventional television stations operating in a non-metropolitan or metropolitan market; the closed captioning of the local advertising in ethnic and third-language programming; and the provision of at least 4 hours of described video per broadcast week. In regard to described video, the licensee indicated that it is very difficult to meet the current expectation to devote a minimum of 4 hours of programming during each broadcast week to the broadcast of programs with described video, since OMNI's original programming consists mainly of news, current affairs or information based programming that is not suitable for described video. It proposed instead to maintain its current requirement to provide a minimum of 4 hours of described video each broadcast month. It also proposed, however, the deletion of the requirement that a minimum of 50% of the required hours broadcast must be original to the service.

The licensee has also proposed the following:

- to delete the condition of licence requiring the licensee to devote not more than 16% of its programming to programs in any one foreign language during each broadcast month;
- to delete the condition of licence requiring the licensee to broadcast a minimum of 75% of ethnic programming between 8 p.m. and 10 p.m.;

- to delete the conditions of licence that prohibit the overlap of English-language and third-language programming with Rogers' conventional City stations, and the overlap of other programming to 10%;
- to amend the broad service mandate to provide programming aimed at a minimum of 10 distinct ethnic groups and 10 distinct languages, rather than 20 of each; and
- to amend the Canadian content obligations to reduce them from not less than 60% to not less than 40% between 6 a.m. and midnight, and from not less than 50% to not less than 40% between 6 p.m. and midnight.

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10. Rogers Broadcasting Limited

Toronto, London and Ottawa, Ontario

Application 2013-1766-0

Application by **Rogers Broadcasting Limited** to renew the broadcasting licence for the multilingual ethnic television station CJMT-DT Toronto (OMNI.2) and its transmitters CJMT-DT-1 London and CJMT-DT-2 Ottawa, Ontario, which expires 31 August 2015.

The licensee has confirmed that it would adhere to the standard conditions of licence for conventional television stations set out in *Standard conditions of licence, expectations and encouragements for conventional television stations*, Broadcasting Regulatory Policy CRTC 2011-442, 27 July 2011, with the exception of the requirements relating to the following: the provision of a minimum of 7 or 14 hours of Canadian local programming in each broadcast week applicable to English-language conventional television stations operating in a non-metropolitan or metropolitan market; the closed captioning of the local advertising in ethnic and third-language programming; and the provision of at least 4 hours of described video per broadcast week. In regard to described video, the licensee indicated that it is very difficult to meet the current expectation to devote a minimum of 4 hours of programming during each broadcast week to the broadcast of programs with described video, since OMNI's original programming consists mainly of news, current affairs or information based programming that is not suitable for described video. It proposed instead to maintain its current requirement to provide a minimum of 4 hours of described video each broadcast month. It also proposed, however, the deletion of the requirement that a minimum of 50% of the required hours broadcast must be original to the service.

The licensee has also proposed the following:

- to delete the condition of licence requiring the licensee to devote not more than 16% of its programming to programs in any one foreign language during each broadcast month;
- to delete the condition of licence requiring the licensee to broadcast a minimum of 80% of ethnic programming between 8 p.m. and 10 p.m.;
- to delete the conditions of licence that prohibit the overlap of English-language and third-language programming with Rogers' conventional City stations, and the overlap of other programming to 10%;
- to amend the broad service mandate to provide programming aimed at a minimum of 10 distinct ethnic groups and 10 distinct languages, rather than 20 of each; and
- to amend the Canadian content obligations to reduce them from not less than 60% to not less than 40% between 6 a.m. and midnight, and from not less than 50% to not less than 40% between 6 p.m. and midnight.

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11. Rogers Broadcasting Limited

Portage La Prairie, Manitoba
Application 2013-1761-0

Application by **Rogers Broadcasting Limited** to renew the broadcasting licence for the English-language conventional television station CHMI-DT Portage La Prairie, Manitoba, which expires 31 August 2014.

With the exception of the proposed amendments described above regarding the group-based approach, terms of trade agreements and the length of the next licence term, the licensee has confirmed that it will continue to operate the station under the same terms and conditions as those in effect under the current licence.

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12. Rogers Broadcasting Limited

Calgary and Lethbridge, Alberta

Application 2013-1762-8

Application by **Rogers Broadcasting Limited** to renew the broadcasting licence for the English-language conventional television station CKAL-DT Calgary and its transmitter CKAL-DT-1 Lethbridge, Alberta, which expires 31 August 2014.

With the exception of the proposed amendments described above regarding the group-based approach, terms of trade agreements and the length of the next licence term, the licensee has confirmed that it will continue to operate the station under the same terms and conditions as those in effect under the current licence.

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13. Rogers Broadcasting Limited

Calgary, Alberta

Application 2013-1768-6

Application by **Rogers Broadcasting Limited** to renew the broadcasting licence for the multilingual ethnic television station CJCO-DT Calgary, Alberta (OMNI AB), which expires 31 August 2015.

The licensee has confirmed that it would adhere to the standard conditions of licence for conventional television stations set out in *Standard conditions of licence, expectations and encouragements for conventional television stations*, Broadcasting Regulatory Policy CRTC 2011-442, 27 July 2011, with the exception of the requirements relating to the following: the provision of a minimum of 7 or 14 hours of Canadian local programming in each broadcast week applicable to English-language conventional television stations operating in a non-metropolitan or metropolitan market; the closed captioning of the local advertising in ethnic and third-language programming; and the provision of at least 4 hours of described video per broadcast week. In regard to described video, the licensee indicated that it is very difficult to meet the current expectation to devote a minimum of 4 hours of programming during each broadcast week to the broadcast of programs with

described video, since OMNI's original programming consists mainly of news, current affairs or information based programming that is not suitable for described video. It proposed instead to maintain its current requirement to provide a minimum of 4 hours of described video each broadcast month. It also proposed, however, the deletion of the requirement that a minimum of 50% of the required hours broadcast must be original to the service.

The licensee has also proposed the following:

- to delete the condition of licence requiring the licensee to devote not more than 16% of its programming to programs in any one foreign language during each broadcast month;
- to delete the condition of licence requiring the licensee to broadcast a minimum of 80% of Canadian programming between 8 p.m. and 10 p.m.;
- to delete the conditions of licence that prohibit the overlap of English-language and third-language programming with Rogers' conventional City stations, and the overlap of other programming to 10%;
- to amend the broad service mandate to provide programming aimed at a minimum of 10 distinct ethnic groups and 10 distinct languages, rather than 20 of each; and
- to amend the Canadian content obligations to reduce them from not less than 60% to not less than 40% between 6 a.m. and midnight, and from not less than 50% to not less than 40% between 6 p.m. and midnight.

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14. Rogers Broadcasting Limited

Edmonton and Red Deer, Alberta
Application 2013-1763-6

Application by **Rogers Broadcasting Limited** to renew the broadcasting licence for the English-language conventional television station CKEM-DT Edmonton and its transmitter CKEM-DT-1 Red Deer, Alberta, which expires 31 August 2014.

With the exception of the proposed amendments described above regarding the group-based approach, terms of trade agreements and the length of the next licence term, the

licensee has confirmed that it will continue to operate the station under the same terms and conditions as those in effect under the current licence.

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15. Rogers Broadcasting Limited

Edmonton, Alberta

Application 2013-1769-4

Application by **Rogers Broadcasting Limited** to renew the broadcasting licence for the multilingual ethnic television station CJEO-DT Edmonton, Alberta (OMNI AB), which expires 31 August 2015.

The licensee has confirmed that it would adhere to the standard conditions of licence for conventional television stations set out in *Standard conditions of licence, expectations and encouragements for conventional television stations*, Broadcasting Regulatory Policy CRTC 2011-442, 27 July 2011, with the exception of the requirements relating to the following: the provision of a minimum of 7 or 14 hours of Canadian local programming in each broadcast week applicable to English-language conventional television stations operating in a non-metropolitan or metropolitan market; the closed captioning of the local advertising in ethnic and third-language programming; and the provision of at least 4 hours of described video per broadcast week. In regard to described video, the licensee indicated that it is very difficult to meet the current expectation to devote a minimum of 4 hours of programming during each broadcast week to the broadcast of programs with described video, since OMNI's original programming consists mainly of news, current affairs or information based programming that is not suitable for described video. It proposed instead to maintain its current requirement to provide a minimum of 4 hours of described video each broadcast month. It also proposed, however, the deletion of the requirement that a minimum of 50% of the required hours broadcast must be original to the service.

The licensee has also proposed the following:

- to delete the condition of licence requiring the licensee to devote not more than 16% of its programming to programs in any one foreign language during each broadcast month;
- to delete the condition of licence requiring the licensee to broadcast a minimum of 80% of Canadian programming between 8 p.m. and 10 p.m.;

- to delete the conditions of licence that prohibit the overlap of English-language and third-language programming with Rogers' conventional City stations, and the overlap of other programming to 10%;
- to amend the broad service mandate to provide programming aimed at a minimum of 10 distinct ethnic groups and 10 distinct languages, rather than 20 of each; and
- to amend the Canadian content obligations to reduce them from not less than 60% to not less than 40% between 6 a.m. and midnight, and from not less than 50% to not less than 40% between 6 p.m. and midnight.

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16. Rogers Broadcasting Limited

Vancouver, Courtenay and Victoria, British Columbia

Application 2013-1764-4

Application by **Rogers Broadcasting Limited** to renew the broadcasting licence for the English-language conventional television station CKVU-DT Vancouver and its transmitters CKVU-DT-1 Courtenay and CKVU-DT-2 Victoria, British Columbia, which expires 31 August 2014.

With the exception of the proposed amendments described above regarding the group-based approach, terms of trade agreements and the length of the next licence term, the licensee has confirmed that it will continue to operate the station under the same terms and conditions as those in effect under the current licence.

Licensee's address:

333 Bloor Street East

6th Floor

Toronto, Ontario

M4W 1G9

Fax: 416-935-8203

Email: susan.wheeler@rci.rogers.com

Email to request electronic version of application: susan.wheeler@rci.rogers.com

17. **Rogers Broadcasting Limited**

Vancouver and Victoria, British Columbia

Application 2013-1770-2

Application by **Rogers Broadcasting Limited** to renew the broadcasting licence for the multilingual ethnic television station CHNM-DT Vancouver (OMNI BC) and its transmitter CHNM-DT-1 Victoria, British Columbia, which expires 31 August 2015.

The licensee has confirmed that it would adhere to the standard conditions of licence for conventional television stations set out in *Standard conditions of licence, expectations and encouragements for conventional television stations*, Broadcasting Regulatory Policy CRTC 2011-442, 27 July 2011, with the exception of the requirements relating to the following: the provision of a minimum of 7 or 14 hours of Canadian local programming in each broadcast week applicable to English-language conventional television stations operating in a non-metropolitan or metropolitan market; the closed captioning of the local advertising in ethnic and third-language programming; and the provision of at least 4 hours of described video per broadcast week. In regard to described video, the licensee indicated that it is very difficult to meet the current expectation to devote a minimum of 4 hours of programming during each broadcast week to the broadcast of programs with described video, since OMNI's original programming consists mainly of news, current affairs or information based programming that is not suitable for described video. It proposed instead to maintain its current requirement to provide a minimum of 4 hours of described video each broadcast month. It also proposed, however, the deletion of the requirement that a minimum of 50% of the required hours broadcast must be original to the service.

The licensee has also proposed the following:

- to delete the condition of licence requiring the licensee to devote not more than 16% of its programming to programs in any one foreign language during each broadcast month;
- to delete the condition of licence requiring the licensee to broadcast a minimum of 100% of ethnic programming between 8 p.m. and 10 p.m.;
- to delete the conditions of licence that prohibit the overlap of English-language and third-language programming with Rogers' conventional City stations, and the overlap of other programming to 10%;
- to amend the broad service mandate to provide programming aimed at a minimum of 10 distinct ethnic groups and 10 distinct languages, rather than 20 of each; and
- to amend the Canadian content obligations to reduce them from not less than 60% to not less than 40% between 6 a.m. and midnight, and from not less than 50% to not less than 40% between 6 p.m. and midnight.

Licensee's address:

333 Bloor Street East

6th Floor

Toronto, Ontario

M4W 1G9

Fax: 416-935-8203

Email: susan.wheeler@rci.rogers.comEmail to request electronic version of application: susan.wheeler@rci.rogers.com**18. 8094039 Canada Corp.**

Across Canada

Application 2013-1194-3

Application by **8094039 Canada Corp.** for a broadcasting licence to operate a national, English-language specialty Category B service to be known as Starlight.

The applicant stated that the programming would be devoted to Canadian movies, particularly feature films and documentaries intended for theatrical release, and would include Canadian feature films, Canadian feature documentaries, Canadian made-for-TV movies, and programs with or about Canadian creators. All feature films intended for theatrical distribution would be presented without commercial interruption.

The applicant proposes to offer programming drawn 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: 2(a), 2(b), 5(b), 7(c), 7(d), 7(e), 8(b), 8(c), 12, 13 and 14.

The applicant stated that it would accept the following conditions of licence:

The licensee shall devote, over the course of each broadcast month,

- a) not less than 85% of its programming and 85% of the evening broadcast period to the broadcast of Canadian programs;
- b) not more than 25% of its programming from program category 7(d); and
- c) not less than 10% of its programming from program categories 8(b) and 8(c) combined.

Applicant's address:

9 Price Street

Toronto, Ontario

M4W 1Z1

Fax: 416-868-0673

Email: gbuck@mccarthy.caEmail to request electronic version of application: babramson@mccarthy.ca

19. Le Groupe 50+ Ltée
 Across Canada
 Application 2013-1206-6

Application by **Le Groupe 50+ Ltée** for a broadcasting licence to operate a national, French-language specialty Category B service to be known as Canal 50+.

The applicant stated that the service would be dedicated to people aged 50 and over that are active, retired or soon to be retired, and that still play an active economic role in today's society.

The applicant proposes to offer programming drawn 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(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(a), 11(b), 12, 13 and 14. Not more than 10% of total programming would be drawn from any of these program categories.

The applicant stated that the proposed service would not compete with any existing pay or specialty Category A or C services, as there are currently no French-language services devoting at least 10% of their programming specifically to people aged 50 and over.

Applicant's address:

107 Mont Shefford Road
 Shefford, Quebec
 J2M 1N7

Email: canal50plus@gmail.com

Email to request electronic version of application: canal50plus@gmail.com

20. TELUS Communications Inc., and 1219723 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 2013-1428-6

Application by **TELUS Communications Inc., and 1219723 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** for a broadcasting licence to operate a national terrestrial pay-per-view service to be known as TELUS Pay-per-view.

The applicant proposes to offer programming that would consist of live and tape-delayed professional and amateur sports events, and live and tape-delayed special events including programs of comedy sketches, improvisations, unscripted works, stand-up comedy, music and dance, variety, and general entertainment and human interest.

Programming may also include interstitials, public service announcements and filler programming.

The applicant also indicated that the programming would be primarily in the English-language, but that it would also offer some French-language programming.

The applicant confirmed that it would abide by the standard conditions of licence and expectations set out in *Revised regulatory framework for pay-per-view services*, Broadcasting Regulatory Policy CRTC 2013-561, 23 October 2013.

Applicant's address:

215 Slater Street

Ottawa, Ontario

K1P 0A6

Fax: 613-683-1466

Email: regulatory.affairs@telus.com

Email to request electronic version of application: regulatory.affairs@telus.com

21. 2380393 Ontario Inc.

Across Canada

Application 2013-1464-0

Application by **2380393 Ontario Inc.** for a broadcasting licence to operate a national, English-language specialty Category B service to be known as EDGESport.

The applicant stated that the service would be devoted solely to extreme sports and pastimes, such as freestyle MotoX, rock climbing, wakeboarding, skateboarding, base jumping, surfing and BMX bike racing. The applicant added that extreme sports are defined as non-traditional sports or non-conventional athletic endeavours, which are performed at a high degree of intensity or risk.

The applicant also indicated that it would not provide coverage of traditional competitive sports such as baseball, basketball, football, hockey, tennis or golf.

The applicant proposes to offer programming drawn 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(c), 7(d), 7(e), 8(b), 10, 11(a), 11(b), 12, 13 and 14.

The applicant stated that it would accept the following conditions of licence:

Not more than 10% of all programming broadcast during the broadcast month shall be drawn from each of the following program categories: 2(b), 7(a), 7(d), 7(e) and 8(b).

Not more than 10% of all programming broadcast during the broadcast month shall be comprised of live event professional sports programming drawn from program category 6(a).

The applicant added that it would not be feasible for it to abide by the Commission's standard limitation of 10% of the broadcast month for programming drawn from program category 6(a).

Applicant's address:

171 East Liberty Street, Suite 230
 Toronto, Ontario
 M6K 3P6
 Fax: 647-727-0983
 Email: anthony@fightnetwork.com
 Website to view application: fightnetwork.com

22. CJQC Radio Society, Inc.

Liverpool, Nova Scotia
 Application 2012-1618-5

Application by **CJQC Radio Society, Inc.** for a broadcasting licence to operate a low-power, English-language community FM radio station in Liverpool.

The station would operate on frequency 99.3 MHz (channel 257LP) with an effective radiated power of 50 watts (non-directional antenna with an effective height of antenna above average terrain of -4.2 metres).

The applicant proposes to broadcast 126 hours of programming per broadcast week, of which 91 hours would be local programming.

Applicant's address:

P.O. Box 1244
 Liverpool, Nova Scotia
 B0T 1K0
 Email: stationmanager@qccrfm.com
 Email to request electronic version of application: info@qccrfm.com

23. Fiston Kalambay, on behalf of a corporation to be incorporated

Ottawa, Ontario

Application 2013-0713-2

Application by **Fiston Kalambay, on behalf of a corporation to be incorporated**, for a broadcasting licence to operate a low-power, French-language specialty FM radio station in Ottawa.

The station would operate on frequency 92.7 MHz (channel 224LP) with an effective radiated power of 50 watts (non-directional antenna with an effective height of antenna above average terrain of 41 metres).

The applicant proposes a Christian music service with 90% of its weekly total music to be drawn from content subcategory 35 (Non-classic religious).

Applicant's address:

20N, Des étudiants Street

Gatineau, Quebec

J8Y 1B8

Fax: 819-595-7376

Email: fistonkalambay@hotmail.comEmail to request electronic version of application: fistonkalambay@hotmail.com**Procedure****Deadline for interventions or answers****28 February 2014**

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 licensee or 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.

For applications to be considered during the appearing phase of the hearing, the intervention or answer 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.

The applicant, respondents and interveners are permitted to coordinate, organize and file, in a single submission, interventions of other interested persons who share their position but do not wish to appear at the hearing as a “Joint Supporting Intervention.” More information on how to do so and a template for the covering letter to be filed by the parties can be found in *Changes to certain practices for filing interventions – Expansion of filing practices to include the filing of joint supporting comments for broadcasting policy proceedings*, Broadcasting Information Bulletin CRTC 2010-28-1, 10 December 2010.

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 licensee or 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 to be considered during the non-appearing phase of the hearing is brought to the 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. They are 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 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
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Tel.: 819-997-2429
Fax: 819-994-0218

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Dartmouth, Nova Scotia
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Fax: 902-426-2721

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Fax: 204-983-6317

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V6B 1C1

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Secretary General