



Broadcasting Notice of Consultation CRTC 2014-282

PDF version

Ottawa, 29 May 2014

Notice of applications received

Across Canada

Deadline for submission of interventions/comments/answers: 3 July 2014

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

The Commission has received the following applications:

Groupe V Média inc.

Across Canada

Applications 2013-1803-0 and 2014-0063-9

Applications by Groupe V Média inc. (Groupe V) on behalf of MusiquePlus Inc., licensee of the French-language specialty Category A services MusiquePlus and MusiMax, for authority to transfer the ownership and effective control of the licensee from the trustee Pierre Boivin to Groupe V.

Groupe V also requests amendments to certain conditions of licence of MusiquePlus and MusiMax. The main changes proposed are the following:

- harmonization of the natures of service of MusiquePlus and MusiMax. - both services would henceforth be required to devote at least 75% of their programming to music-related programs;
- reduction of Canadian content during the broadcast day and evening from 55% to 45%;
- removal of the requirements regarding expenditures paid to independent producers;
- removal of the conditions of licence relating to the group-based approach since MusiquePlus and MusiMax will no longer be part of an ownership group as defined in *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010; and
- addition of a condition of licence requiring that in each broadcast year the licensee devote 31% of the previous broadcast year's gross revenues to the investment in or acquisition of Canadian programs.

In *Astral broadcasting undertakings – Change of effective control*, Broadcasting Decision CRTC 2013-310, 27 June 2013 (Broadcasting Decision 2013-310), the Commission

approved, subject to certain changes, an application by Astral Media inc. (Astral) for authority to change the effective control of its broadcasting undertakings to BCE Inc. The transaction proposed arises from Broadcasting Decision 2013-310, in which the Commission ordered BCE Inc. to divest itself of various services, including MusiquePlus and MusiMax.

At the close of the transaction, the licensee MusiquePlus Inc. would be wholly owned by Groupe V, a corporation belonging to the Remstar group.

The applicant indicated that following an approval by the Commission, Groupe V would effect a corporate reorganization at the same time as the closing of the transaction. This reorganization would not change the effective control of the undertakings, which would continue to be exercised by Maxime Rémillard.

Under the terms of the purchase and sale agreement, the base purchase price to acquire all of the issued and outstanding shares in the capital of MusiquePlus Inc. is \$15.52 million and the net purchase price is \$14.42 million (base price less a vendor consideration of \$1.5 million in additional purchase of pre-paid advertising).

The applicant proposed a tangible benefits package equivalent to 10% of the net price (i.e. \$1.4 million), to be paid over a period of three years.

Applicant's address:

3595 Armand-Charbonneau Street
Trois-Rivières, Quebec
G9B 2B6
Fax: 514-390-6317
Email: reglementaire@vtele.ca

Procedure

Deadline for interventions, comments or answers

3 July 2014

The *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* (the Rules of Procedure) apply to the present proceeding. The Rules of Procedure set out, among other things, the rules for content, format, filing and service of interventions, replies, answers of respondents and requests for information; 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 "Statutes and Regulations." *Guidelines on the CRTC Rules of Practice and Procedure*, Broadcasting and Telecom Information Bulletin CRTC 2010-959, 23 December 2010, provides information to help interested persons and parties understand the Rules of Procedure so that they can more effectively participate in Commission proceedings.

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.

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.

The Commission encourages interested persons and parties 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.

Submissions longer than five pages should include a summary. Each paragraph of all submissions should be numbered, and the line ***End of document*** should follow the last paragraph. This will help the Commission verify that the document has not been damaged during electronic transmission.

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

by completing 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.

Parties who send documents electronically must ensure that they will be able to prove, upon Commission request, that service/filing of a particular document was completed. Accordingly, parties must keep proof of the sending and receipt of each document for 180 days after the date on which the document is filed. The Commission advises parties who file and serve documents by electronic means to exercise caution when using email for the service of documents, as it may be difficult to establish that service has occurred.

In accordance with the Rules of Procedure, a document must be received by the Commission and all relevant parties by 5 p.m. Vancouver time (8 p.m. Ottawa time) on the date it is due. Parties are responsible for ensuring the timely delivery of their submissions and will not be notified if their submissions are received after the deadline.

Late submissions, including those due to postal delays, will not be considered by the Commission and will not be made part of the public record.

The Commission will not formally acknowledge submissions. It will, however, fully consider all submissions, which will form part of the public record of the proceeding, provided that the procedure for filing set out above has been followed.

Important notice

All information that parties provide as part of this public process, except information designated confidential, whether sent by postal mail, facsimile, email 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, email addresses, postal/street addresses, telephone and facsimile numbers, etc.

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.

Availability of documents

Electronic versions of the applications are available on the Commission's website at www.crtc.gc.ca by selecting the application number within this notice. They are also available from the applicants, either on their websites or upon request by contacting the applicants at their email addresses, provided above.

Electronic versions of the interventions and answers, as well as of other documents referred to in this notice, are available on the Commission's website at www.crtc.gc.ca by visiting the "Participate" section, selecting "Submit Ideas and Comments," and then selecting "our open processes." Documents can then be accessed by clicking on the links in the "Subject" and "Related Documents" columns associated with this particular notice.

Documents are also available from Commission offices upon request during normal business hours.

Location of Commission offices

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Secretary General