



Broadcasting Notice of Consultation CRTC 2015-201

PDF version

Ottawa, 20 May 2015

Notice of hearing

22 July 2015

Gatineau, Quebec

Deadline for submission of interventions/comments/answers: 19 June 2015

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

The Commission will hold a hearing on **22 July 2015 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**
Across Canada
Application 2015-0288-1
2. **Neeti P. Ray, on behalf of a corporation to be incorporated**
Montréal, Quebec
Application 2015-0251-8
3. **Média ClassiQ inc.**
Montréal and Québec, Quebec
Applications 2015-0322-7 and 2015-0348-3
4. **Jim Pattison Broadcast Group Limited Partnership**
Grande Prairie, Alberta
Application 2015-0241-9
5. **Ash-Creek Television Society**
Cache Creek and Ashcroft, British Columbia
Application 2015-0180-0

1. Canadian Broadcasting Corporation

Across Canada
Application 2015-0288-1

Application by the **Canadian Broadcasting Corporation (CBC)** for authority to acquire, from ARTV Inc., as part of an intra-corporate reorganization, the assets of the French-language speciality Category A service known as ARTV.

The applicant is also requesting a new broadcasting licence in order to continue the operation of the undertaking under the same terms and conditions as those in effect under the current licence.

ARTV Inc. is wholly owned by the CBC, a crown corporation controlled by its board of directors.

Upon completion of the transaction, the CBC would become the licensee of ARTV.

The above transaction would not affect the effective control of the service, which would continue to be exercised by the board of directors of the CBC.

Applicant's address:

181 Queen Street
Ottawa, Ontario
K1P 1K9
Fax: 613-288-6257
Email: affaires.reglementaires@radio-canada.ca
Email to request electronic version of application:
affaires.reglementaires@radio-canada.ca

2. Neeti P. Ray, on behalf of a corporation to be incorporated

Montréal, Quebec
Application 2015-0251-8

Application by **Neeti P. Ray, on behalf of a corporation to be incorporated**, for authority to acquire, from Group CHCR Inc., the assets of the commercial ethnic radio station CKIN-FM Montréal, Quebec.

The applicant is also requesting a new broadcasting licence in order to continue the operation of the station under the same terms and conditions as those in effect under the current licence.

Neeti P. Ray, on behalf of a corporation to be incorporated, will be a corporation solely owned by The Neeti P. Ray Family Trust and will ultimately be controlled by Mr. Neeti P. Ray in his capacity as the sole trustee.

The applicant stated that the value of the transaction is \$540,500, and proposed a tangible benefits package of \$32,430, which is equal to 6% of the proposed value of the transaction.

In the event of a favorable decision, the Commission would only issue a broadcasting licence once the applicant has satisfied, with supporting documentation, that an eligible Canadian corporation has been incorporated.

Applicant's address:

1515 Britannia Road East

Suite 315

Mississauga, Ontario

L4W 4K1

Fax: 905-795-9030

Email: neetiray@gmail.com

Email to request electronic version of application: info@cinaradio.com

3. Média ClassiQ inc.

Montréal and Québec, Quebec

Applications 2015-0322-7 and 2015-0348-3

Application by **Média ClassiQ inc.** for authority to acquire, from Radio-Classique Montréal inc. and Radio-Classique Québec inc., the assets of the French-language specialty commercial radio stations CJPX-FM Montréal, Quebec and CJSQ-FM Québec, Quebec, respectively.

The applicant is also requesting new broadcasting licences in order to continue the operation of the stations. It has proposed amendments to CJSQ-FM's conditions of licence in order to operate it under the same conditions as those in effect under CJPX-FM's current licence, which are set out in *CJPX-FM Montréal – Licence renewal*, Broadcasting Decision CRTC 2010-831, 9 November 2015, and were reimposed in *Various commercial radio stations – Licence renewals*, Broadcasting Decision CRTC 2014-325, 17 June 2014.

The applicant is wholly own by Marignan inc., a corporation wholly owned and controlled by Mr. Gregory Charles.

Pursuant to the assets purchase and sale agreement, the purchase price of the assets is \$10,500,000. The applicant stated that the value of the transaction is \$13,197,478, and proposed a tangible benefits package of \$791,850, which is equal to 6% of the proposed value of the transaction.

Following completion of the transaction, Média ClassiQ inc. would become the licensee of CJPX-FM and CJSQ-FM.

Applicant's address:

1755 St-Patrick Street

Suite 405

Montréal, Quebec

H3K 3G9

Phone: 514-938-1682

Email: serge.bellerose55@gmail.com

Email to request electronic version of application: serge.bellerose55@gmail.com

4. Jim Pattison Broadcast Group Limited Partnership

Grande Prairie, Alberta

Application 2015-0241-9

Application by **Jim Pattison Broadcast Group Ltd. (the general partner) and Jim Pattison Industries Ltd. (the limited partner), carrying on business as Jim Pattison Broadcast Group Limited Partnership**, for authority to acquire, from Bear Creek Broadcasting Ltd. (BCBL) (general partner and limited partner), and Jim Pattison Broadcast Group Ltd. (the general partner) and Jim Pattison Industries Ltd. (the limited partner), carrying on business as Jim Pattison Broadcast Group Limited Partnership (the other limited partner), carrying on business as Bear Creek Broadcasting Limited Partnership (BCB Limited Partnership), the assets of the English-language commercial FM radio station CIKT-FM Grande Prairie.

The applicant is also requesting a new broadcasting licence in order to continue the operation of the station under the same terms and conditions as those in effect under the current licence.

Jim Pattison Broadcast Group Limited Partnership is owned and controlled by Mr. James A. Pattison through various wholly owned subsidiaries.

BCB Limited Partnership is controlled by Mr. Ken Truhn.

The transaction would be effected through the acquisition, by Jim Pattison Broadcast Group Limited Partnership, of all the issued and outstanding voting units held by BCBL in BCB Limited Partnership.

As a result, BCB Limited Partnership would cease to exist and the assets would be transferred to Jim Pattison Broadcast Group Limited Partnership, which would become the new licensee of CIKT-FM.

Pursuant to the share purchase agreement, the purchase price for the shares is \$4,500,000. The applicant stated that the value of the transaction is \$4,658,916, and proposed a tangible benefits package of \$279,535 which is equal to 6% of the value of the transaction.

Additional information may be placed on the public examination file. The Commission encourages interested parties to monitor the public examination file and the

Commission's website for additional information that they may find useful when preparing their comments.

The licensee is in apparent non-compliance with CIKT-FM's condition of licence 5, set out in *CIKT-FM Grande Prairie – Acquisition of assets*, Broadcasting Decision CRTC 2012-687, 18 December 2012, for the 2012-2013 broadcast year. This condition of licence requires a minimum annual contribution of \$60,000 to the development and promotion of Canadian talent, allocated to specific initiatives. It appears that the licensee considered its over-payments made in the 2007-2008 and 2008-2009 broadcast years as repayment for the apparent payment shortfall for the 2012-2013 broadcast year.

As stated in *Clarifications regarding Canadian content development contributions made by commercial radio stations*, Broadcasting Information Bulletin CRTC 2009-251, 5 May 2009, unless otherwise specified, all "over-and-above" contributions required by condition of licence must be made annually, starting in the first year of operation and continuing in each subsequent broadcast year. Annual Canadian content development (CCD) (formerly Canadian talent development) contributions required by condition of licence cannot be deferred, in whole or in part, to any subsequent broadcast year unless prior authority is sought and obtained from the Commission. The Commission notes that the licensee did not obtain prior approval from the Commission for the above-noted payment deferral.

The circumstances of the station's apparent non-compliance will be examined in the context of the present application.

Applicant's address:

460 Pemberton Terrace
Kamloops, British Columbia
V2C 1T5

Fax: 250-374-0445

Email: rarnish@jpbg.com

Email to request electronic version of application: rarnish@jpbg.com

5. Ash-Creek Television Society
Cache Creek and Ashcroft, British Columbia
Application 2015-0180-0

Application by **Ash-Creek Television Society** for a broadcasting licence to operate a low-power, English-language community FM radio station in Cache Creek, British Columbia, with a low-power FM rebroadcasting transmitter in Ashcroft, British Columbia.

The originating station would operate on frequency 97.1 MHz (channel 246LP) with an effective radiated power (ERP) of 25.6 watts (with an effective height of antenna above average terrain (EHAAT) of -54 metres).

The rebroadcasting transmitter would operate on frequency 99.1 MHz (channel 256VLP) with an ERP of 6.4 watts (with an EHAAT of -41.4 metres).

The applicant proposes to broadcast an average of 126 hours of local programming per broadcast week.

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:

P.O. Box 667

Cache Creek, British Columbia

V0K 1H0

Fax: 250-457-9669

Email: lprf@telus.net

Email to request electronic version of application: lprf@telus.net

Procedure

Deadline for interventions, comments or answers

19 June 2015

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 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.

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.

Parties are permitted to coordinate, organize, and file, in a single submission, interventions by other interested persons who share their position. Information on how

to file this type of submission, known as a joint supporting intervention, as well as 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.

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.

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, 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

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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Secretary General