



Broadcasting Notice of Consultation CRTC 2016-349

PDF version

Ottawa, 30 August 2016

Notice of application received

Various locations in Manitoba

**Deadline for submission of interventions/comments/answers:
4 October 2016**

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

The Commission has received the following application:

Applicant/Licensee and Locality

MTS Inc.

Various locations in Manitoba
Application 2016-0602-1

Application by **MTS Inc.** (MTS) for authority to effect a change in the ownership and effective control of the terrestrial broadcasting distribution undertaking (BDU) serving Winnipeg and surrounding areas, Manitoba, currently licensed to MTS, to **Bell Canada** (Bell), pursuant to section 4(4)(a) of the *Broadcasting Distribution Regulations*.

The proposed change in ownership and control of this BDU is part of a Plan of arrangement (the Plan) whereby BCE Inc. (BCE) will purchase all issued and outstanding shares of Manitoba Telecom Services Inc. (Manitoba Telecom) for approximately \$3.9 billion.

Pursuant to the Plan, the transaction also involves the telecommunications services of MTS. The application submitted by MTS does not include the telecommunications services as the change in ownership of these elements does not require prior approval from the Commission pursuant to the *Telecommunications Act*.

Bell would also acquire MTS's exempt BDUs serving various locations in Manitoba. Prior approval from the Commission is not required for that portion of the transaction.

Bell is a wholly owned subsidiary of BCE, a publicly held company. The effective control of Bell is exercised by BCE, which in turn is controlled by its board of directors.

MTS is a wholly owned subsidiary of MTS Communications Holdings Inc. (MCH) which is wholly owned by Manitoba Telecom, a publicly held company. MTS is effectively controlled by its board of directors.

The steps of the proposed transaction affecting the licensed broadcasting undertakings would be as follows:

First, the parent corporation of MTS, MCH, would be wound up into Manitoba Telecom.

Second, Bell would acquire all the issued and outstanding shares in the capital of Manitoba Telecom.

Third, BCE would incorporate a new wholly owned subsidiary (BCE Subco), which would acquire the shares of Manitoba Telecom from Bell. Manitoba Telecom would then amalgamate with BCE Subco and form MTS Public Amalco.

Fourth, Bell would acquire the shares of MTS held by MTS Public Amalco. As a result of this acquisition, MTS Public Amalco would no longer form part of the ownership structure of MTS.

Finally, Bell would amalgamate with MTS and continue under Bell.

Immediately before the close of the transaction, MTS would surrender to the Commission its licence for a regional video-on-demand undertaking.

Following the transaction, the licensed terrestrial BDU of MTS would be wholly owned and effectively controlled by Bell.

Bell would continue to operate the undertaking under the same terms and conditions as those in effect under the current licence.

Pursuant to *Simplified approach to tangible benefits and determining the value of the transaction*, Broadcasting Regulatory Policy CRTC 2014-459, 5 September 2014, no tangible benefits were proposed.

Applicant's address:

P.O. Box 6666

Room 19C

333 Main Street

Winnipeg, Manitoba

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Fax: 204-947-6884

Email: regulatory@mts.ca

Email to request electronic version of application: regulatory@mts.ca

Procedure

Deadline for interventions, comments or answers

4 October 2016

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, answers, replies 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 related 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.

Pursuant to *Filing submissions for Commission proceedings in accessible formats*, Broadcasting and Telecom Information Bulletin CRTC 2015-242, 8 June 2015, the Commission expects incorporated entities and associations, and encourages all Canadians, to file submissions for Commission proceedings in accessible formats (for example, text-based file formats that allow text to be enlarged or modified, or read by screen readers). To provide assistance in this regard, the Commission has posted on its website [guidelines](#) for preparing documents in accessible formats.

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

An electronic version of the application is available on the Commission's website at www.crtc.gc.ca by selecting the application number within this notice. It is also available from the applicant, either on its website or upon request by contacting the applicant at its email address, 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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