



Broadcasting Notice of Consultation CRTC 2017-94

PDF version

Ottawa, 10 April 2017

Notice of hearing

15 June 2017

Gatineau, Quebec

Deadline for submission of interventions/comments/answers: 10 May 2017

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

The Commission will hold a hearing on **15 June 2017 at 11 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. **Potlotek Communication Society**
St. Peter's, Nova Scotia
Application 2016-1264-8
2. **Radio Vallacquoise inc.**
Val-des-Lacs, Quebec
Application 2016-1153-3
3. **Radio Communautaire Francophone et Francophile de l'Outaouais**
Gatineau, Quebec
Application 2016-1312-5
4. **Dufferin Communications Inc.**
Brantford, Ontario
Application 2017-0033-6
5. **Dufferin Communications Inc.**
Winnipeg, Manitoba
Application 2017-0030-3
6. **Blackgold Radio Inc.**
Stony Plain/Spruce Grove and Ponoka, Alberta
Application 2016-1143-4

1. Potlotek Communication Society

St. Peter's, Nova Scotia
Application 2016-1264-8

Application by **Potlotek Communication Society** for a broadcasting licence to operate a low-power Type B Native FM radio station to serve the Potlotek First Nation in St. Peter's.

The station would operate at 93.7 MHz (channel 229LP) with an effective radiated power of 45 watts (non-directional antenna with an effective height of the antenna above average terrain of 23 metres).

The applicant proposes to broadcast 126 hours of local programming each broadcast week, including 20 hours of programming in the Mi'kmaq language.

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:

342 Sitmuk Road
Potlotek First Nation
R.R. #1
St. Peter's, Nova Scotia
B0E 3B0
Fax: 902-535-3164
Email: ndoucette@potlotek.ca
Email to request electronic version of application: ndoucette@potlotek.ca

2. Radio Vallacquoise inc.

Val-des-Lacs, Quebec
Application 2016-1153-3

Application by **Radio Vallacquoise inc.** for a broadcasting licence to operate a low-power French-language community FM radio station in Val-des-Lacs.

The station would operate at 106.5 MHz (channel 293LP) with an effective radiated power of 5 watts (non-directional antenna with an effective height of the antenna above average terrain of -3.8 metres).

The applicant proposes to broadcast at least 80 hours of local programming each broadcast week.

The applicant currently operates a developmental community radio station in Val-des-Lacs. The applicant filed the present application to continue the operation of the station pursuant to *Developmental community radio station in Val-des-Lacs*, Broadcasting Decision CRTC 2013-113, 11 March 2013.

Applicant's address:

348 Val-des-Lacs Road
Val-des-Lacs, Quebec
J0T 2P0

Email: real.train@hotmail.com

Website to view application: www.radiovallacquoise.net

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

- 3. Radio Communautaire Francophone et Francophile de l'Outaouais**
Gatineau, Quebec
Application 2016-1312-5

Application by **Radio Communautaire Francophone et Francophile de l'Outaouais** for a broadcasting licence to operate a French-language Type B community AM radio station in Gatineau.

The station would operate at 1350 kHz (class C) with a day-time transmitter power of 1,000 watts and a nighttime transmitter power of 180 watts.

The applicant proposes to broadcast 126 hours of local programming each 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:

310-576 de la Cité-des-Jeunes Boulevard
Gatineau, Quebec
J8Z 1L2

Email: brunellejeanjacques@gmail.com

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

- 4. Dufferin Communications Inc.**
Brantford, Ontario
Application 2017-0033-6

Application by **Dufferin Communications Inc.** (Dufferin) for authority to acquire from 1486781 Ontario Limited (the vendor) the assets of the English-language specialty (Christian music) radio station CFWC-FM Brantford. The vendor is solely owned by Sound of Faith Broadcasting, which is controlled by its board of directors.

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

Dufferin is solely owned by Evanov Communications Inc., which is controlled by Mr. William V. Evanov.

Pursuant to the Purchase and Sale Agreement, the applicant would purchase the assets of the undertaking for \$440,000.

The applicant has requested to be exempted from the requirement to pay tangible benefits.

Following the closing of the transaction, Dufferin would become the licensee of CFWC-FM.

Applicant's address:

5312 Dundas Street West

Toronto, Ontario

M9B 1B3

Fax: 416-233-8617

Email: carmela@evanovradio.com

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

5. Dufferin Communications Inc.

Winnipeg, Manitoba

Application 2017-0030-3

Application by **Dufferin Communications Inc.** for a broadcasting licence to operate an ethnic commercial FM radio station in Winnipeg to replace the ethnic commercial AM radio station CKJS Winnipeg.

The station would operate at 92.7 MHz (channel 224B) with an average effective radiated power (ERP) of 19,700 watts (maximum ERP of 35,000 watts with an effective height of the antenna above average terrain of 154 metres).

The applicant proposes to broadcast, in each broadcast week, ethnic programming directed towards at least 19 cultural groups in no less than 16 different languages.

The applicant requests permission to simulcast the programming of the new FM station on CKJS for a period of three months from the date of implementation of the new station.

Further, pursuant to sections 9(1)(e) and 24(1) of the *Broadcasting Act*, the applicant requests the revocation of the licence of CKJS effective the end of the simulcast period.

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:

5312 Dundas Street West
Toronto, Ontario
M9B 1B3
Fax: 416-233-8617
Email: carmela@evanovradio.com
Email to request electronic version of application: carmela@evanovradio.com

6. Blackgold Radio Inc.
Stony Plain/Spruce Grove and Ponoka, Alberta
Application 2016-1143-4

Application by **Blackgold Radio Inc.** for authority to acquire from Blackgold Broadcasting Inc., as part of an intra-corporate reorganization, the assets of the English-language commercial radio stations CKSS-FM Stony Plain/Spruce Grove and CKPA-FM Ponoka.

The transaction took place on 1 September 2016.

Blackgold Radio Inc. is also requesting new broadcasting licences to continue the operation of the undertakings under the same terms and conditions as those in effect under the current licences.

Blackgold Broadcasting Inc. is a corporation jointly-owned by Mark S. Tamagi and Robin Curtis-Tamagi.

Blackgold Radio Inc. is a corporation owned by Mark S. Tamagi (57%) and Robin Curtis-Tamagi (43%).

The above transaction will not affect the effective control of the undertakings as the effective control of both Blackgold Broadcasting Inc. and Blackgold Radio Inc. is exercised by Mr. Mark S. Tamagi.

Following the proposed transaction, Blackgold Radio Inc. would become the licensee of CKSS-FM Stony Plain/Spruce Grove and CKPA-FM Ponoka.

The licensee is in apparent non-compliance with CKSS-FM's condition of licence 4, set out in *Licensing of a new radio station to serve Spruce Grove and Stony Plain*, Broadcasting Decision CRTC 2014-475, 15 September 2014, for the 2014-2015 and 2015-2016 broadcast years. This condition of licence requires a minimum annual contribution of \$7,500 to the development and promotion of Canadian content. It appears that the licensee made contributions past the 31 August deadline for both broadcast years.

In addition, the licensee is in apparent non-compliance with section 9(2) of the *Radio Regulations, 1986* relating to the filing of complete annual returns for the 2014-2015 and 2015-2016 broadcast years. It appears that the licensee may have failed to provide proof of payment and eligibility with its annual returns for certain Canadian content development expenditures for the 2014-2015 and the 2015-2016 broadcast years.

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

Additional information may be placed on the public examination file for each application. The Commission encourages interested persons to monitor the public examination file and the Commission's website for additional information that they may find useful when preparing their comments.

Applicant's address:

#4, 4504 – 50th Street
Stony Plain, Alberta
T7Z 1L5

Fax: 587-763-8814

Email: mark@onefm.ca

Email to request electronic version of application: mark@onefm.ca

Procedure

Deadline for interventions, comments or answers

10 May 2017

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, answer, 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 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.

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.

In the event that an application to be considered during the non-appearing phase of the hearing 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 at the following address, upon request, during normal business hours.

Les Terrasses de la Chaudière
Central Building
1 Promenade du Portage
Gatineau, Quebec
J8X 4B1
Tel.: 819-997-2429
Fax: 819-994-0218

Toll-free telephone: 1-877-249-2782
Toll-free TDD: 1-877-909-2782

Secretary General