



Broadcasting Decision CRTC 2018-478

PDF version

References: Part 1 licence renewal applications posted on 27 November 2017

Ottawa, 18 December 2018

Various licensees

Various locations in British Columbia, Alberta, Saskatchewan, Ontario, and Newfoundland and Labrador

Public record for these applications: 2017-0760-6, 2017-0818-2, 2017-0824-9, 2017-0825-7, 2017-0826-5, 2017-0828-1 and 2017-0831-4

Various independent conventional television programming undertakings – Licence renewals

*The Commission **renews** the broadcasting licences for the independent conventional television stations set out in this decision from 1 January 2019 to 31 August 2023.*

Applications

1. On 1 June 2017, the Commission issued Broadcasting Notice of Consultation 2017-183 (the Call), which listed the television services and stations for which the licences needed to be renewed in order to continue their operations.
2. In response to the Call, the Commission received applications to renew the broadcasting licences for the following independent conventional television stations, which expire 31 December 2018:¹

Licensee	Application number	Station
Thunder Bay Electronics Limited (Thunder Bay)	2017-0760-6	CHFD-DT Thunder Bay, Ontario
Newfoundland Broadcasting Company Limited (Newfoundland Broadcasting)	2017-0818-2	CJON-DT St. John's, Newfoundland and Labrador
2190015 Ontario Inc. (2190015 Ontario)	2017-0824-9	CHCH-DT Hamilton, Ontario and its transmitters CHCH-DT-1 Ottawa, CHCH-DT-2 London, CHCH-DT-3 Muskoka, CHCH-TV-4 Sudbury, CHCH-TV-5 Sault Ste. Marie, CHCH-TV-6 North Bay and CHCH-TV-7 Timmins

¹ The broadcasting licences for these stations were administratively renewed from 1 September 2018 to 31 December 2018 in Broadcasting Decision 2018-317.

0859291 B.C. Ltd. (0859291 B.C.)	2017-0825-7	CHEK-DT Victoria, British Columbia
Jim Pattison Broadcast Group Industries Ltd. (the general partner) and Jim Pattison Industries Ltd. (the limited partner), carrying on business as Jim Pattison Broadcast Group Limited Partnership (Pattison)	2017-0826-5	CFJC-TV Kamloops, British Columbia and its transmitters CFJC-TV-3 Merritt, CFJC-TV-4 Clinton, CFJC-TV-5 Williams Lake, CFJC-TV-6 100 Mile House, CFJC-TV-8 Chase, CFJC-TV-11 Quesnel, CFJC-TV-12 Nicola and CFJC-TV-19 Pritchard
	2017-0828-1	CKPG-TV Prince George, British Columbia and its transmitters CKPG-TV-1 Hixon, CKPG-TV-4 Mackenzie and CKPG-TV-5 Quesnel
	2017-0831-4	CHAT-TV Medicine Hat, Alberta and its transmitters CHAT-TV-1 Pivot, Alberta and CHAT-TV-2 Maple Creek, Saskatchewan

- The licensees stated that they would adhere to the standard requirements for television stations set out in Appendix 1 to Broadcasting Regulatory Policy 2016-436, with certain exceptions, which are addressed below.

Regulatory framework

Canadian programming expenditures

- In Broadcasting Regulatory Policy 2015-86, the Commission announced that it would impose Canadian programming expenditure (CPE) requirements on all independent over-the-air television stations and that it would set the appropriate CPE levels at the time of licence renewal, based on historical expenditure levels. Although all of the licensees in this decision currently make expenditures on Canadian programming and/or have proposed to adhere to a condition of licence relating to CPE, none are currently subject to a CPE requirement.

Broadcast of local programming and locally reflective news

- Commercial English-language television stations are required, by condition of licence, to broadcast not less than 14 hours of local programming each broadcast week if they operate in metropolitan markets and not less than seven hours of local programming each broadcast week if they operate in non-metropolitan markets.²
- In regard to locally reflective news, in Broadcasting Regulatory Policy 2016-224, the Commission stated that all television station licensees would be required to broadcast a minimum level of local news and to allocate a percentage of their

² These requirements are set out in conditions of licence 5 and 6, respectively, in Appendix 1 to Broadcasting Regulatory Policy 2016-436, which also contains the definition of “metropolitan market.”

previous broadcast year's gross revenues to such programming, with the exhibition and expenditure levels to be determined at licence renewal based on historical levels.

Provision of described video

7. In Broadcasting Regulatory Policy 2016-436, the Commission set out standard conditions of licence that were intended to be introduced for all television stations at their next licence renewal. These standard conditions of licence establish initial levels of described video amounting to four hours per broadcast week. However, the Commission also noted its determination set out in Broadcasting Regulatory Policy 2015-104 that broadcasters who were already subject to described video requirements would, by 1 September 2019, be required to provide described video for all programming that is drawn from targeted program categories³ and that is broadcast between 7:00 p.m. and 11:00 p.m. (prime time), seven days a week. Although interveners in the proceeding initiated by Broadcasting Notice of Consultation 2014-190 noted the significant costs associated with producing described video programming, there was a general consensus among those interveners that it would be possible for broadcasters to reach the required quantity of described video programming, as long as an appropriate amount of time is provided to ramp up to the new level.
8. Consequently, in Broadcasting Regulatory Policy 2015-104, the Commission implemented a tiered approach to ramp up the amount of described video being provided by television broadcasters, with the tiered requirements reflecting the size and resources of broadcasters. Specifically:
 - By September 2019, broadcasters currently subject to described video requirements, as well as those that belong to vertically integrated entities, will be required to provide described video for all programming that is drawn from targeted program categories and that is broadcast between 7:00 p.m. and 11:00 p.m. (prime time), seven days a week.
 - By the fourth year of their respective next licence terms, all other non-exempt broadcasters will be required to provide four hours of programming with described video per week, consistent with existing requirements.
9. Each of the licensees in this decision is currently subject to a requirement to broadcast described video, either through standard condition of licence 8 set out in the appendix to Broadcasting Regulatory Policy 2011-442 or through a condition of licence that was imposed on its station(s).

³ This requirement will apply to programming drawn from all program categories that have been identified for described video (for television stations, program categories 2(b) Long form documentary; 7 Drama and comedy; 9 Variety; 11(a) General entertainment and human interest; and 11(b) Reality television, set out in Item 6 of Schedule I to the *Television Broadcasting Regulations, 1987*, as amended from time to time) and programming targeting children.

Closed captioning

10. As set out in condition of licence 5 in the appendix to Broadcasting Regulatory Policy 2011-442, television licensees are currently required to close caption 100% of the English- and French-language programs broadcast over the broadcast day, consistent with the approach set out in Broadcasting Public Notice 2007-54. The Commission maintained this requirement when it issued revised standard conditions of licence for television stations set out in Appendix 1 to Broadcasting Regulatory Policy 2016-436.

Interventions

11. For all of the above applications, the Commission received a joint intervention from Rogers Media Inc., Corus Entertainment Inc. and Bell Media Inc., who argued that the described video requirements imposed by the Commission on independently owned undertakings are onerous. The Commission also received interventions in support of certain elements of the applications by Newfoundland Broadcasting for CJON-DT and by 0859291 B.C. for CHEK-DT, as well as a comment from the Writers Guild of Canada (WGC) regarding the application by 2190015 Ontario for CHCH-DT. None of the licensees replied to the interventions.

Commission's analysis and decisions

12. In the sections that follow, the Commission addresses issues relating to the above, and certain other issues, for the television stations operated by each licensee.

Thunder Bay – CHFD-DT Thunder Bay

13. After examining the record for Thunder Bay's application in light of applicable regulations and policies, the Commission considers that the issues it must address in regard to CHFD-DT relate to the following:
 - the licensee's proposed CPE requirement;
 - the broadcast of local programming; and
 - the broadcast of locally reflective news.

Canadian programming expenditures

14. Thunder Bay proposed a minimum required CPE level of 30% of CHFD-DT's previous broadcast year's gross revenues, which is slightly below the station's historical spending levels over the 2012-2013 through 2016-2017 broadcast years. The licensee argued that the present financial state of the station does not allow it to commit to continue making expenditures on Canadian programming in line with the station's average historical spending levels. It added that CHFD-DT's expenditures are affected by its program supply agreement with Global Television Network and by the cost of its local programming.

15. The Commission considers that the CPE level proposed by the licensee is appropriate in light of its situation. As CHFD-DT's revenues have declined since 2013, the percentage of the station's gross annual revenues that has been directed to Canadian programming has increased significantly. Accordingly, the Commission **approves** Thunder Bay's proposed CPE level for CHFD-DT. A **condition of licence** to that effect is set out in Appendix 1 to this decision.

Broadcast of local programming

16. Thunder Bay is also the licensee of the English-language conventional television station CKPR-DT Thunder Bay. CKPR-DT and CHFD-DT together constitute a twin-stick operation, that is, they are conventional television stations that are owned by a single licensee and operate in the same market. In Broadcasting Decision 2013-467, when it last renewed the broadcasting licence for each station, the Commission approved a request by Thunder Bay for an exception to the standard condition of licence relating to the broadcast of local programming such that the stations were permitted to broadcast a combined total of 14 hours of local programming per broadcast week rather than the required seven hours per broadcast week for each station. The licensee had argued that this approach would give it flexibility when its affiliated television networks and program suppliers change scheduling, which could cause local news programming on either station to be pre-empted. In regard to the present application, Thunder Bay requested that this authorization be maintained.
17. The Commission considered that the impact that such an exception for CHFD-DT and CKPR-DT would have on the local programming offered to the residents of the city of Thunder Bay would be relatively minor, given that it would not reduce the overall number of hours of original, local programming provided in that city's market. However, the Commission expected Thunder Bay to ensure that some local programming was broadcast on each station. After reviewing the program logs submitted by the licensee for the current licence term, the Commission notes that the amount of local programming broadcast on each station was more than seven hours per broadcast week, and therefore finds that the licensee has fulfilled the above-noted expectation.
18. In light of the above, the Commission **approves** the licensee's request. A **condition of licence** in this regard is set out in Appendix 1 to this decision. The Commission will continue to expect Thunder Bay to ensure that some local programming is broadcast on CHFD-DT, as well as on CKPR-DT.

Locally reflective news

19. Thunder Bay proposed to broadcast 14 hours of locally reflective news each broadcast week on CHFD-DT, counted in aggregate with the locally reflective news to be broadcast by CKPR-DT. Given that such programming is meant to be a subset of local programming, the Commission considers the licensee's request to be appropriate. Accordingly, the Commission **approves** that request. A **condition of licence** to that effect is set out in Appendix 1 to this decision.

20. Further, Thunder Bay proposed to devote 20% of CHFD-DT's previous broadcast year's gross revenues to locally reflective news. In the Commission's view, the proposed expenditure level is consistent with the station's historical expenditure levels as reported in the current proceeding. Accordingly, the Commission **approves** the licensee's request. A **condition of licence** to that effect is set out in Appendix 1 to this decision.

Newfoundland Broadcasting – CJON-DT St. John's

21. After examining the record for Newfoundland Broadcasting's application in light of applicable regulations and policies, the Commission considers that the issues it must address in regard to CJON-DT relate to the following:
- the licensee's proposed CPE requirement;
 - the broadcast of locally reflective news;
 - the provision of described video;
 - the licensee's apparent non-compliance relating to closed captioning; and
 - the licensee's apparent non-compliance relating to the filing of annual returns.

Canadian programming expenditures

22. Newfoundland Broadcasting proposed a minimum required CPE level of 30% of CJON-DT's previous broadcast year's gross revenues. It based this level on the station's average historical level of spending on Canadian programming, which, according to information filed by the licensee in the current proceeding, was slightly above 30% of CJON-DT's previous broadcast year's gross revenues for the 2012-2013 through 2016-2017 broadcast years. However, based on the annual returns that Newfoundland Broadcasting also filed, the Commission is of the view that the station's average spending on Canadian programming for the above-noted broadcast years was instead equal to 27% of its previous broadcast year's gross revenues, a level that the Commission considers would be more attainable by the station.
23. Accordingly, the Commission **approves** the licensee's proposal that CJON-DT be subject to a CPE requirement, but with a revised minimum expenditure level of 27% of the station's previous broadcast year's gross revenues. A **condition of licence** to that effect is set out in Appendix 2 to this decision.

Locally reflective news

24. Newfoundland Broadcasting indicated that it would adhere to the standard requirements relating to the provision of local programming set out in Appendix 1 to Broadcasting Regulatory Policy 2016-436. Further, it proposed to broadcast at least 28 hours of locally reflective news each broadcast week on CJON-DT, with spending on such programming to be equal to 20% of the station's previous broadcast year's gross revenues. It stated that these levels are consistent with the

average historical exhibition and expenditure levels for CJON-DT during the current licence term.

25. Locally reflective news is meant to be a subset of local programming (the requirement for which is set at seven hours per broadcast week for this station). While the Commission is pleased with the licensee's proposal, it does not consider that it would be appropriate to require a level of locally reflective news that is any higher than the overall local programming requirement. Accordingly, CJON-DT will be required to broadcast not less than seven hours of locally reflective news each broadcast week. A **condition of licence** to that effect is set out in Appendix 2 to this decision.
26. Further, the licensee's proposed level of expenditures on locally reflective news of 20% of the previous broadcast year's gross revenues represents a substantial commitment. Accordingly, the Commission **approves** the licensee's request in this regard. A **condition of licence** to that effect is set out in Appendix 2 to this decision.

Provision of described video

27. Pursuant to the standard requirements set out in the appendix to Broadcasting Regulatory Policy 2011-442, CJON-DT is currently required to provide described video for a minimum of four hours of programming each broadcast week. Pursuant to Broadcasting Regulatory Policy 2015-104, the station will, by 1 September 2019, be required to provide described video for all programming that is drawn from the above-noted targeted program categories and that is broadcast between 7:00 p.m. and 11:00 p.m. (prime time) seven days a week.
28. As an alternative to this new requirement, Newfoundland Broadcasting stated that it would adhere to a condition of licence requiring it to provide described video for six hours of programming per week, an increase of 50% over its current level of four hours per week. In its view, it would be unfair and unacceptable to expect CJON-DT, a small independent broadcaster that lacks the resources of the large groups, to increase its weekly described video requirement from four to 28 hours.
29. In the Commission's view, the licensee did not provide sufficient evidence to support its request for an exception to the increased described video requirement (for example, financial information that would demonstrate that the increased requirement would pose a financial burden on the station). Given that CJON-DT is currently required to produce at least two hours of described video programming that is original to the service, Newfoundland Broadcasting has already developed the means to produce some of the required described programming itself. Further, the licensee should be able to acquire described programming when it is negotiating with its content providers. Finally, the requirement only applies to certain program categories (Long form documentary, Drama and comedy, Variety, General entertainment and human interest, and Reality television), which means that it will only apply to some of CJON-DT's prime time programming. Consequently, the

Commission finds that requiring CJON-DT to broadcast the increased amount of described video programming is not unreasonable.

30. In light of the above, the Commission **denies** the licensee's request. Beginning 1 September 2019, the licensee will be required to provide described video for all programming that is drawn from the targeted program categories and that is broadcast between 7:00 p.m. and 11:00 p.m. (prime time), seven days a week. A **condition of licence** to that effect is set out in Appendix 2 to this decision.

Non-compliance relating to closed captioning

31. Based on the logs submitted by the licensee, it appeared that the amount of closed captioning provided for all of the programs broadcast on CJON-DT during the 2013-2014 broadcast year was less than the 100% requirement set out in Appendix 1 to Broadcasting Regulatory Policy 2016-436.
32. The licensee indicated that all programs were closed captioned but that certain episodes of particular programs had not been coded as closed captioned in the station's logging software. It further indicated that the error was subsequently corrected, and that the logs for the broadcast year in question were refiled.
33. Based on its analysis of the refiled program logs, the Commission finds the licensee in compliance with CJON-DT's closed captioning requirements for the current licence term. While no remedial measures are necessary, the Commission reminds the licensee of the importance of filing accurate program logs in a timely manner.

Non-compliance relating to the filing of annual returns

34. As set out in section 12(1) of the *Television Broadcasting Regulations, 1987* (the Regulations), on or before 30 November of each year, a licensee shall submit to the Commission a statement of accounts, on the annual return of broadcasting licensee form, for the 12-month period ending on the previous 31 August (i.e., the end of the broadcast year). Financial statements must also be filed, covering the same period as the annual return.
35. In regard to CJON-DT, the annual return filed for the 2012-2013 broadcast year was incomplete, as it was missing the required financial statements.
36. Newfoundland Broadcasting stated that according to its records, the station's annual return for that broadcast year was filed on-time and was complete. However, upon further verification, the Commission confirmed that the financial statements were not included.
37. In light of the above, the Commission finds the licensee in non-compliance with section 12(1) of the Regulations for the 2012-2013 broadcast year. However, given that this is the first instance of non-compliance by Newfoundland Broadcasting in regard to this requirement, and given that all other annual returns for the station were filed on time and were complete, the Commission is satisfied that no further action is

necessary. Nevertheless, the Commission reminds the licensee of the importance of filing complete annual returns.

2190015 Ontario – CHCH-DT Hamilton

38. After examining the record for 2190015 Ontario's application in light of applicable regulations and policies, the Commission considers that the issues it must address in regard to CHCH-DT relate to the following:
- the licensee's proposed CPE requirement;
 - the broadcast of locally reflective news;
 - the provision of described video; and
 - simultaneous substitution.

Canadian programming expenditures

39. 2190015 Ontario proposed a minimum required CPE level of 15% of CHCH-DT's previous broadcast year's gross revenues. It argued that this level of expenditure would continue to provide the station with the flexibility necessary to make programming changes to address the unique challenges facing a small, independent broadcaster. It noted that such flexibility allowed CHCH-DT to remain viable when the station almost went dark in 2009 and when it underwent significant financial restructuring in 2015.
40. 2190015 Ontario submitted that a requirement for a greater level of spending would limit the station's programming strategies in the face of changing advertising trends. It further submitted that a CPE requirement higher than what it has proposed would impose a great financial burden on the station, given that it is a small independent local broadcaster. In this regard, the licensee noted that it cannot benefit from the flexibility afforded to vertically integrated groups given that it is a standalone television station. It added, however, that given the station's programming focus and the interests of its audience, and given that local news is a staple of CHCH-DT's programming schedule, it expected to exceed the proposed CPE level.
41. In its intervention, the WGC opposed the proposed CPE level of 15% of CHCH-DT's previous broadcast year's gross revenues and requested that the level imposed be based on the station's historical spending on Canadian programming.
42. The annual returns filed by the licensee show that since 2014, CHCH-DT's revenues have declined and the station has posted negative profit before interest and taxes (PBIT) levels. In addition, the licensee's expenditures on Canadian programming have declined significantly since 2015, the year in which the station underwent a financial restructuring. In the Commission's view, a minimum CPE level of 30% of CHCH-DT's previous broadcast year's gross revenues, which is equal to the average spending on Canadian programming by the station in the 2015-2016 and 2016-2017 broadcast years, would be an appropriate level going forward.

43. Accordingly, the Commission **approves** the licensee's proposal that CHCH-DT be subject to a CPE requirement, but with a revised minimum expenditure level of 30% of the station's previous broadcast year's gross revenues. A **condition of licence** to that effect is set out in Appendix 3 to this decision.

Locally reflective news

44. 2190015 Ontario stated that it would adhere to the standard requirements relating to the provision of local programming set out in Appendix 1 to Broadcasting Regulatory Policy 2016-436. Further, the licensee proposed to broadcast at least three hours of locally reflective news on CHCH-DT each broadcast week, with spending on such programming to be equal to 8% of the station's previous broadcast year's gross revenues. In its view, the proposed exhibition and expenditure levels are consistent with the objectives in this regard set out in Broadcasting Regulatory Policy 2016-224.
45. The Commission is satisfied with 2190015 Ontario's proposal to broadcast three hours of locally reflective news each broadcast week, and **approves** the licensee's proposed amount. A **condition of licence** to that effect is set out in Appendix 3 to this decision.
46. In regard to expenditures on locally reflective news, according to data filed in the current proceeding, CHCH-DT's reported expenditures have followed a downward trend during the final years of the current licence term. Even so, the proposed spending level of 8% of the station's previous broadcast year's gross revenues is not consistent with CHCH-DT's historical expenditure levels reported as part of this proceeding. In the Commission's view, an appropriate spending level on locally reflective news would be 18% of the station's revenues, which would still provide the licensee with some flexibility in regard to spending on programming.
47. Accordingly, the Commission **approves** a condition of licence for CHCH-DT relating to spending on locally reflective news with a minimum expenditure level of 18% of the station's previous broadcast year's gross revenues. A **condition of licence** to that effect is set out in Appendix 3 to this decision.

Provision of described video

48. CHCH-DT is currently required, by condition of licence, to broadcast an average minimum of four hours of described video programming per broadcast week, of which 50% must be original to the service.⁴ As noted above, pursuant to Broadcasting Regulatory Policy 2015-104, the station will, by 1 September 2019, be required to provide described video for all programming that is drawn from the targeted program categories and that is broadcast between 7:00 p.m. and 11:00 p.m. (prime time) seven days a week. 2190015 Ontario requested that CHCH-DT instead be required to provide four hours of programming with described video per

⁴ Condition of licence 9 set out in Appendix 1 to Broadcasting Decision 2009-537

broadcast week, to be broadcast between 7:00 p.m. and 11:00 p.m., with the requirement applying only to program categories that have been identified for described video in Appendix 1 to Broadcasting Regulatory Policy 2016-436.

49. The licensee submitted that an increase in CHCH-DT's described video requirements to include nearly all programming broadcast during the prime time period would have a significant financial impact on the station. It argued that as a small independent broadcaster, it is unable to take advantage of the many efficiencies afforded to vertically integrated entities in regard to meeting higher described video requirements.
50. The licensee further indicated that since described video tracks, unlike closed captioning files, are not readily available for programming licensed from distributors, broadcasters such as CHCH-DT are required to produce their own proprietary described video tracks, which are inaccessible to other broadcasters who may acquire the same programming in the future. It added that to meet the proposed requirement, CHCH-DT would need to hire a dedicated team of described video producers or outsource the described video creation process, with each option costing the station approximately \$728,000 per broadcast year.
51. In the Commission's view, 2190015 Ontario has not provided sufficient evidence to support its request. Among other things, while it did provide financial information on the incremental cost of the new requirement, it did not demonstrate how that cost would pose a financial burden on the station, and did not indicate the amount of the programming broadcast on CHCH-DT that falls under the described video program categories. Given that the station is currently required to produce at least two hours of described video programming that is original to the service, the licensee has already developed the means to produce some of the described programming itself. Further, the licensee should be able to acquire described programming when it is negotiating with its content providers. Finally, as noted above, the requirement only applies to certain program categories (Long form documentary, Drama and comedy, Variety, General entertainment and human interest, and Reality television), which means that it will only apply to some of CHCH-DT's prime time programming. Consequently, the Commission finds that requiring CHCH-DT to broadcast the increased amount of described video programming is not unreasonable.
52. In light of the above, the Commission **denies** the licensee's request for a reduction in the amount of described video programming that must be provided by CHCH-DT. However, given the costs related to the provision of described video and in light of the station's current financial constraints, the Commission finds it appropriate to extend by one year the deadline to comply with the new described video requirements.
53. Accordingly, beginning 1 September 2020, the licensee will be required to provide described video for all programming that is broadcast between 7:00 p.m. and 11:00 p.m. (prime time) seven days a week and that falls under the above-noted types of programming that have been identified for described video. A **condition of**

licence to that effect is set out in Appendix 3 to this decision. Until that time, the licensee shall continue to provide the same amount of described video as set out in the above-noted condition of licence.

Simultaneous substitution

54. Simultaneous substitution is the temporary replacement of the signal of one television programming service with that of another service that is broadcasting the same program at the same time. Discussions about simultaneous substitution during the proceeding initiated by Broadcasting Notice of Consultation 2014-190 focused on the importance of simultaneous substitution to maintaining advertising revenue levels that provide support for Canadian programming production. Those discussions led to the formation of the Simultaneous Substitution Working Group, with the objective of improving upon the execution of simultaneous substitutions in order to minimize errors and interruptions that sometimes frustrate television viewers.
55. The Commission received approximately 50 complaints regarding simultaneous substitution errors related to programs broadcast on CHCH-DT. 2190015 Ontario replied to the complaints by indicating that it is now part of the Simultaneous Substitution Working Group and that it will work to eliminate signal substitution errors. As an example, the licensee noted that the station's Master Control Operators continuously monitor signal substitution and contact the appropriate broadcasting distribution undertaking when an error is detected or when a last-minute scheduling change happens.
56. The Commission is satisfied with 2190015 Ontario's reply and finds that the licensee took appropriate measures to correct the situation.

0859291 B.C. – CHEK-DT Victoria

57. After examining the record for 0859291 B.C.'s application in light of applicable regulations and policies, the Commission considers that the issues it must address in regard to CHEK-DT relate to the following:
 - the licensee's proposed CPE requirement;
 - the broadcast of locally reflective news;
 - the provision of described video;
 - closed captioning; and
 - the licensee's apparent non-compliance relating to the broadcast of Canadian content.

Canadian programming expenditures

58. 0859291 B.C. proposed a minimum CPE level of 30% of CHEK-DT's previous broadcast year's gross revenues. It argued that the level should not be higher than that for the large broadcast groups, which is 30% in the English-language market. In

this regard, 0859291 B.C. noted that it must compete directly with CIVI-DT Victoria, a CTV2 station owned and operated by Bell Media Inc.

59. In the Commission's view, a minimum required CPE level of 30% for CHEK-DT is appropriate, given that the station's expenditures on Canadian programming for the 2012-2013 through 2016-2017 broadcast years only slightly exceeded that level. Accordingly, the Commission **approves** the licensee's proposal. A **condition of licence** to that effect is set out in Appendix 4 to this decision.

Locally reflective news

60. 0859291 B.C. stated that it would adhere to the standard requirements relating to the provision of local programming set out in Appendix 1 to Broadcasting Regulatory Policy 2016-436. Further, the licensee proposed to broadcast at least seven hours of locally reflective news on CHEK-DT each broadcast week, with spending on such programming to be equal to at least 11% of the station's previous broadcast year's gross revenues. It stated that it plans to expand the broadcast of locally reflective news on the station, but that due to the uncertainty of national advertising revenues, it may require some flexibility in the future. The licensee noted that the proposed percentage is the same as that imposed on Bell, the local market competitor for CHEK-DT.
61. The Commission is satisfied with 0859291 B.C.'s proposal to broadcast at least seven hours of locally reflective news each broadcast week, and **approves** the licensee's proposed amount. A **condition of licence** to that effect is set out in Appendix 4 to this decision.
62. The proposed expenditure level of 11% is significantly lower than the station's historical expenditure levels on locally reflective news as reported in the current proceeding. Nevertheless, the Commission recognizes that 0859291 B.C., as an independent broadcaster, may require some flexibility in meeting its expenditure requirements. In the Commission's view, a spending level of 18% of the station's gross annual revenues on locally reflective news is appropriate as it strikes a balance between the station's historical spending levels and the station's need for programming flexibility. Accordingly, the Commission **approves** the licensee's proposal for a requirement relating to expenditures on locally reflective news for CHEK-DT, but with a revised minimum expenditure level of 18% of the station's previous broadcast year's gross revenues. A **condition of licence** to that effect is set out in Appendix 4 to this decision.

Provision of described video

63. CHEK-DT is currently required, by condition of licence, to broadcast an average minimum of four hours of described video programming per broadcast week, of which 50% must be original to the service.⁵ As noted above, pursuant to Broadcasting Regulatory Policy 2015-104, the station will, by 1 September 2019, be required to provide described video for all programming that is drawn from the targeted program categories and that is broadcast between 7:00 p.m. and 11:00 p.m. (prime time), seven days a week. The licensee requested authorization to maintain the station's current requirement.
64. In the Commission's view, CHEK-DT has not provided sufficient evidence to support its request. For example, it did not provide financial information that would demonstrate that providing the required amount of described video would pose a financial burden on the station. In addition, it did not indicate how much of the station's programming falls under the described video program categories. Given that the station is currently required to produce at least two hours of described video programming that is original to the service, the licensee has already developed the means to produce some of the described programming itself. Further, the Commission considers that CHEK-DT should be able to acquire described programming when it is negotiating with its content providers. Finally, as noted above, the requirement only applies to certain program categories (Long form documentary, Drama and comedy, Variety, General entertainment and human interest, and Reality television), which means that it will only apply to some of CHEK-DT's prime time programming. Consequently, the Commission finds that requiring CHEK-DT to broadcast the increased amount of described video programming is not unreasonable.
65. Accordingly, the Commission **denies** the licensee's request. Beginning 1 September 2019, the licensee will be required to provide described video for all programming that is broadcast between 7:00 p.m. and 11:00 p.m. (prime time) seven days a week and that falls under the above-noted types of programming that have been identified for described video. A **condition of licence** to that effect is set out in Appendix 4 to this decision.

Closed captioning

66. 0859291 B.C. requested that the standard 100% closed captioning requirement not be imposed on its streaming service until year two of the next licence term. It argued that CHEK-DT does not currently possess the technical ability to close caption its programming that is distributed on non-linear online platforms, and that it will need time to research and acquire the technology for delivery.

⁵ Condition of licence 10 set out in the appendix to Broadcasting Decision 2009-699

67. In Broadcasting Regulatory Policy 2015-104, the Commission set out an expectation – and not a requirement – for television broadcasters to ensure, beginning at their next licence renewals, that when closed captioned programming provided on traditional platforms is made available on non-linear online platforms, the closed captioning is included. However, the Commission also required licensed broadcasters to adhere to an annual reporting requirement relating to the provision of closed captioning on non-linear online platforms.
68. Accordingly, pursuant to Broadcasting Regulatory Policy 2015-104, the Commission requires 0859291 B.C., consistent with all other licensed television broadcasters, to file a report relating to the provision of closed captioning when distributed on its streaming service, in a format deemed acceptable by the Commission, by no later than the 30 November of each year for the broadcast year ending the previous 31 August, consistent with other reporting requirements. Although 0859291 B.C. is not required to ensure that closed captioning is provided on its streaming service, the Commission expects the licensee to make closed captioning available on that service, as set out in Broadcasting Regulatory Policy 2015-104.

Non-compliance relating to the broadcast of Canadian content

69. Pursuant to requirements set out in the Regulations prior to 31 August 2017, television station licensees were required to devote not less than 55% of the broadcast year (section 4(6)) and not less than 50% of the evening broadcast period (the period between 6:00 p.m. and midnight) (section 4(7)(b)) to the broadcast of Canadian programs. Based on its analysis of the program logs submitted by the licensee, the Commission notes that for the 2012-2013 broadcast year, the amount of Canadian content broadcast on CHEK-DT over the broadcast year and during the evening broadcast period appears to be less than the above-noted levels.
70. 0859291 B.C. explained that during the broadcast year in question, the viability of the station was an issue and management did not adequately review the Canadian content requirements. The licensee noted that it has since hired an experienced broadcast executive to oversee the station, and that the station itself now produces much more Canadian content.
71. In light of the above, the Commission finds 0859291 B.C. in non-compliance with sections 4(6) and 4(7)(b) of the Regulations that were in effect prior to 31 August 2017. However, given that the non-compliance occurred during a period when the existence of the station was in jeopardy, that the non-compliance was not repeated over subsequent years of the licence term, and that the licensee has introduced measures to ensure future compliance, the Commission is satisfied that no further action is necessary.

Pattison – CFJC-TV Kamloops, CKPG-TV Prince George and CHAT-TV Medicine Hat

72. After examining the record for Pattison’s applications in light of applicable regulations and policies, the Commission considers that the issues it must address in regard to CFJC-TV, CKPG-TV and CHAT-TV relate to the following:
- the licensee’s proposed CPE requirement for each station; and
 - the broadcast of locally reflective news.

Canadian programming expenditures

73. For CFJC-TV, CKPG-TV and CHAT-TV, Pattison proposed a minimum required CPE level of 34% of each station’s previous broadcast year’s gross revenues. It stated that this level approximates the average minimum expenditure levels achieved by the three stations during the period covering the 2013-2014 through 2016-2017 broadcast years.
74. The level proposed by the licensee for each station is lower than its historical levels of spending on Canadian programming. However, the proposed level is also higher than the minimum 30% level imposed on the large broadcast groups in the English-language market.
75. Accordingly, the Commission **approves** the licensee’s proposed minimum CPE level of 34% of the previous broadcast year’s gross revenues for each station. **Conditions of licence** to that effect are set out in Appendices 5, 6 and 7 to this decision.

Locally reflective news

76. Pattison indicated that it would adhere to the standard requirements relating to the provision of local programming set out in Appendix 1 to Broadcasting Regulatory Policy 2016-436. Further, it proposed to broadcast at least 5.25 hours of locally reflective news per week on each of CFJC-TV, CKPG-TV and CHAT-TV, which represents 75% of the required amount of local programming to be broadcast under the standard requirement. Pattison also proposed a spending level for each station equal to 27.5% of the station’s previous broadcast year’s gross revenues. The licensee noted that this represents an average of the minimum expenditure levels achieved by the three stations during the current licence term.
77. The Commission is satisfied with Pattison’s proposal to broadcast at least 5.25 hours of locally reflective news each broadcast week on each station, and **approves** the licensee’s proposed amount. **Conditions of licence** to that effect are set out in in Appendices 5, 6 and 7 to this decision.

78. Based on its examination of data filed by the licensee in current proceeding, the Commission finds that the licensee's spending proposal of at least 27.5% of each station's previous broadcast year's gross revenues is consistent with its historical levels of spending. Accordingly, the Commission **approves** the licensee's proposed spending level. **Conditions of licence** to that effect are set out in Appendices 5, 6 and 7 to this decision.

Length of the licence terms

79. In its group-based approach to the licensing of private television services (see Broadcasting Regulatory Policy 2010-167), the Commission set out its intention, given the pace of change in the broadcasting environment and the desire to assess the impact of the new group-based approach, to impose five-year, rather than seven-year licence terms for television licensees controlled by designated groups. Over time, the Commission has adopted this practice for other television services, so as to allow it to more regularly reassess the performance of various licensees as well as the criteria used to assess such performance.
80. Given the above determinations relating to the various licensees, the Commission finds it appropriate to renew the broadcasting licences for all of these television stations for full five-year licence terms.

Improved access by certain under-represented groups to the broadcasting system

81. The Commission considers it appropriate to adopt an incentive to encourage the reflection of Indigenous peoples within the broadcasting system. Specifically, for each of their stations, the above licensees will receive a 50% credit towards their CPE requirements for expenditures on Canadian programming produced by Indigenous producers, up to a maximum (expenses plus credit) of 10% of each licensee's overall CPE requirement when combined with the credit discussed below regarding official language minority community (OLMC) reflection. Only programming costs counting towards CPE as defined in Public Notice 1993-93 will be considered eligible for the credit.
82. The Commission is also of the view that a similar credit could encourage greater onscreen reflection of OLMCs in the broadcasting system. Consequently, for each of their stations, the licensees will receive a 25% credit against their CPE requirements for expenditures on Canadian programming produced by OLMC producers, up to a maximum (expenses plus credit) of 10% of each licensee's overall CPE requirement when combined with the credit on Indigenous reflection. Once again, only programming costs counting towards CPE as defined in Public Notice 1993-93 will be considered eligible for the credit. Further, the OLMC producer must be an independent producer as defined by the Commission and (i) if in the province of Quebec, the original language of the production must be English or (ii) if outside of the province of Quebec, the original language of the production must be French.

83. **Conditions of licence** reflecting these determinations are set out in each appendix to this decision.

Conclusion

84. In light of all of the above, the Commission **renews** the broadcasting licences for the following conventional television programming undertakings from 1 January 2019 to 31 August 2023. The terms and **conditions of licence** for each station are set out in the noted appendices to this decision.

- CHFD-DT Thunder Bay, Ontario⁶ – Appendix 1
- CJON-DT St. John's, Newfoundland and Labrador – Appendix 2
- CHCH-DT Hamilton, Ontario and its transmitters CHCH-DT-1 Ottawa, CHCH-DT-2 London, CHCH-DT-3 Muskoka, CHCH-TV-4 Sudbury, CHCH-TV-5 Sault Ste. Marie, CHCH-TV-6 North Bay and CHCH-TV-7 Timmins – Appendix 3
- CHEK-DT Victoria, British Columbia – Appendix 4
- CFJC-TV Kamloops, British Columbia and its transmitters CFJC-TV-3 Merritt, CFJC-TV-4 Clinton, CFJC-TV-5 Williams Lake, CFJC-TV-6 100 Mile House, CFJC-TV-8 Chase, CFJC-TV-11 Quesnel, CFJC-TV-12 Nicola and CFJC-TV-19 Pritchard – Appendix 5
- CKPG-TV Prince George, British Columbia and its transmitters CKPG-TV-1 Hixon, CKPG-TV-4 Mackenzie and CKPG-TV-5 Quesnel – Appendix 6
- CHAT-TV Medicine Hat, Alberta and its transmitters CHAT-TV-1 Pivot, Alberta and CHAT-TV-2 Maple Creek, Saskatchewan – Appendix 7

Reminder

85. Section 10(3) of the Regulations requires that, except as otherwise provided under a condition of its licence, licensees shall provide to the Commission, within 30 days after the end of each month, the log or record of their programming for the month. The Commission reminds the licensees that program logs must be accurate and must be kept in a form acceptable to the Commission.

Secretary General

Related documents

- *Various television stations and services – Administrative renewals*, Broadcasting Decision CRTC 2018-317, 24 August 2018

⁶ As noted above, CHFD-DT and CKPR-DT constitute a twin-stick operation. As set out in Broadcasting Decision 2013-467, the broadcasting licence for CKPR-DT will expire 31 August 2020. The Commission intends to consider, as part of CKPR-DT's next licence renewal, the possibility of aligning the licence terms for the two stations.

- *Call for licence renewal applications*, Broadcasting Notice of Consultation CRTC 2017-183, 1 June 2017
- *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016
- *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016
- *Let's Talk TV – Navigating the Road Ahead – Making informed choices about television providers and improving accessibility to television programming*, Broadcasting Regulatory Policy CRTC 2015-104, 26 March 2015
- *Let's Talk TV – The way forward – Creating compelling and diverse Canadian programming*, Broadcasting Regulatory Policy CRTC 2015-86, 12 March 2015
- *Notice of hearing*, Broadcasting Notice of Consultation CRTC 2014-190, 24 April 2014
- *Various independent conventional and community-based television programming undertakings – Licence renewals*, Broadcasting Decision CRTC 2013-467, 30 August 2013
- *Standard conditions of licence, expectations and encouragements for conventional television stations*, Broadcasting Regulatory Policy CRTC 2011-442, 27 July 2011
- *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010
- *CHEK-TV Victoria and its transmitters – Acquisition of assets*, Broadcasting Decision CRTC 2009-699, 9 November 2009
- *CHCH-TV Hamilton and its transmitters and CHCH-DT Hamilton – Acquisition of assets*, Broadcasting Decision CRTC 2009-537, 28 August 2009
- *A new policy with respect to closed captioning*, Broadcasting Public Notice CRTC 2007-54, 17 May 2007
- *The reporting of Canadian programming expenditures*, Public Notice CRTC 1993-93, 22 June 1993

This decision and the appropriate appendix are to be appended to each licence.

Appendix 1 to Broadcasting Decision CRTC 2018-478

Terms, conditions of licence, expectations and encouragements for the conventional television programming undertaking CHFD-DT Thunder Bay, Ontario

Terms

The licence will expire 31 August 2023.

Conditions of licence

1. The licensee shall adhere to the conditions set out in the broadcasting licence for the undertaking, as well as to the conditions of licence set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016, with the exceptions of conditions 5 and 14, which are replaced by the following:
 5. The licensee shall broadcast at least 14 hours of local programming per week counted in aggregate with the local programming broadcast by CKPR-DT Thunder Bay.
 14. The licensee shall, by 1 September 2019, provide described video for all English- and French-language programming that is broadcast during prime time (i.e., from 7 p.m. to 11 p.m.) and that is drawn from program categories 2(b) Long-form documentary, 7 Drama and comedy, 9 Variety, 11(a) General entertainment and human interest and 11(b) Reality television, and/or is programming targeting preschool children (0-5 years of age) and children (6-12 years of age).
2. In accordance with paragraph 90 of *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016, the television station is declared to be a “designated local television station.” The station will maintain this designation for the duration of the licence term as long as the television station remains in operation.

Locally reflective news

3. In accordance with *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016, the licensee shall devote, in each broadcast year, not less than 20% of the station’s previous broadcast year’s gross revenues to investments in locally reflective news or on acquisition thereof.
4. In each broadcast year of the licence term, excluding the final year,
 - a) the licensee may expend an amount on locally reflective news that is up to 5% less than the minimum required expenditure for that year.

- b) where the licensee expends an amount for that year on locally reflective news that is greater than the minimum required, the licensee may deduct that amount from the minimum required expenditure in one or more of the remaining years of the licence term.
 - c) the licensee shall ensure that the television station expends on locally reflective news the total of the minimum required expenditures calculated in accordance with condition 3.
5. The licensee shall broadcast at least 14 hours of locally reflective news each broadcast week, counted in aggregate with the locally reflective news broadcast by CKPR-DT Thunder Bay, Ontario.

Canadian programming expenditures

6. The licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming a minimum of 30% of the previous broadcast year's gross revenues of the undertaking.
7. Subject to condition 8, the licensee may claim, in addition to its expenditures on Canadian programming:
- a) a 50% credit against its Canadian programming expenditure requirements for expenditures made on Canadian programming produced by an Indigenous producer and claimed as Canadian programming expenditures during that broadcast year;
 - b) a 25% credit against its Canadian programming expenditure requirements for expenditures made on Canadian programming produced by an official language minority community producer and claimed as Canadian programming expenditures during that broadcast year. The licensee may claim the credit if:
 - i. the programming is produced in the province of Quebec and the original language of production is English; or
 - ii. the programming is produced outside the province of Quebec and the original language of production is French.
8. The licensee may claim the credits calculated in accordance with condition 7 until the expenditures made on Canadian programming produced by Indigenous producers and by official language minority community producers, including credits, reach a maximum of 10% of the Canadian programming expenditure requirement for the undertaking.

9. In regard to Canadian programming expenditures:

- a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming that is up to 5% less than the minimum required expenditure for that year calculated in accordance with condition of licence 6; in such case the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year's under-expenditure.
- b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming that is greater than the minimum required expenditure, the licensee may deduct that amount from the minimum required expenditure in one or more of the remaining years of the licence term.
- c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming, at a minimum, the total of the minimum required expenditures calculated in accordance with condition of licence 6.

For the purposes of these conditions of licence:

“Indigenous producer” means an individual who self-identifies as Indigenous, which includes First Nations, Métis or Inuit, and is a Canadian citizen or resides in Canada, or an independent production company in which at least 51% of the controlling interest is held by one or more individuals who self-identify as Indigenous and are Canadian citizens or reside in Canada. For the purposes of this definition, “Canadian” includes a person who self-identifies as Indigenous and resides in Canada, and “Canadian company” includes a production company in which at least 51% of the controlling interest is held by one or more individuals who self-identify as Indigenous and reside in Canada.

“Local programming” means programming produced by either local stations with local personnel or locally-based independent producers, that is of interest to the community or market served (i.e., locally relevant).

“Locally reflective news” means programming that meets the criteria set out in paragraphs 56 to 58 of *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016.

“Official language minority community producer” means a company that meets the definition of “independent production company” and that:

- if operating in the province of Quebec, produces original English-language programming, or
- if operating outside of the province of Quebec, produces original French-language programming.

Expectations

The standard expectations applicable to this licensee are set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016.

The Commission expects the licensee to ensure that a part but not all of the local programming and locally reflective news programming to be broadcast in aggregate on CHFD-DT Thunder Bay and CKPR-DT Thunder Bay is broadcast on CHFD-DT, so as to ensure that the station's viewers will continue to benefit from local programming.

Encouragements

The standard encouragements applicable to this licensee are set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016.

Appendix 2 to Broadcasting Decision CRTC 2018-478

Terms, conditions of licence, expectations and encouragements for the conventional television programming undertaking CJON-DT, St. John's, Newfoundland and Labrador

Terms

The licence will expire 31 August 2023.

Conditions of licence

1. The licensee shall adhere to the conditions set out in the broadcasting licence for the undertaking, as well as to the conditions of licence set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016, with the exception of condition 14, which is replaced by the following:
 14. The licensee shall, by 1 September 2019, provide described video for all English- and French-language programming that is broadcast during prime time (i.e., from 7 p.m. to 11 p.m.) and that is drawn from program categories 2(b) Long-form documentary, 7 Drama and comedy, 9 Variety, 11(a) General entertainment and human interest and 11(b) Reality television, and/or is programming targeting preschool children (0-5 years of age) and children (6-12 years of age).
2. In accordance with paragraph 90 of *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016, the television station is declared to be a “designated local television station.” The station will maintain this designation for the duration of the licence term as long as the television station remains in operation.

Locally reflective news

3. In accordance with *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016, the licensee shall devote, in each broadcast year, not less than 20% of the station's previous broadcast year's gross revenues to investments in locally reflective news or on acquisition thereof.
4. In each broadcast year of the licence term, excluding the final year,
 - a) the licensee may expend an amount on locally reflective news that is up to 5% less than the minimum required expenditure for that year.
 - b) where the licensee expends an amount for that year on locally reflective news that is greater than the minimum required, the licensee may deduct that amount from the minimum required expenditure in one or more of the remaining years of the licence term.

- c) the licensee shall ensure that the television station expends on locally reflective news the total of the minimum required expenditures calculated in accordance with condition 3.
5. The licensee shall broadcast at least 7 hours of locally reflective news in each broadcast week.

Canadian programming expenditures

6. The licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming a minimum of 27% of the previous broadcast year's gross revenues of the undertaking.
7. Subject to condition 8, the licensee may claim, in addition to its expenditures on Canadian programming:
- a) a 50% credit against its Canadian programming expenditure requirements for expenditures made on Canadian programming produced by an Indigenous producer and claimed as Canadian programming expenditures during that broadcast year;
 - b) a 25% credit against its Canadian programming expenditure requirements for expenditures made on Canadian programming produced by an official language minority community producer and claimed as Canadian programming expenditures during that broadcast year. The licensee may claim the credit if:
 - i. the programing is produced in the province of Quebec and the original language of production is English; or
 - ii. the programming is produced outside the province of Quebec and the original language of production is French.
8. The licensee may claim the credits calculated in accordance with condition 7 until the expenditures made on Canadian programming produced by Indigenous producers and by official language minority community producers, including credits, reach a maximum of 10% of the Canadian programming expenditure requirement for the undertaking.
9. In regard to Canadian programming expenditures:
- a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming that is up to 5% less than the minimum required expenditure for that year calculated in accordance with condition of licence 6; in such case the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year's under-expenditure.

- b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming that is greater than the minimum required expenditure, the licensee may deduct that amount from the minimum required expenditure in one or more of the remaining years of the licence term.
- c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming, at a minimum, the total of the minimum required expenditures calculated in accordance with condition of licence 6.

For the purposes of these conditions of licence:

“Indigenous producer” means an individual who self-identifies as Indigenous, which includes First Nations, Métis or Inuit, and is a Canadian citizen or resides in Canada, or an independent production company in which at least 51% of the controlling interest is held by one or more individuals who self-identify as Indigenous and are Canadian citizens or reside in Canada. For the purposes of this definition, “Canadian” includes a person who self-identifies as Indigenous and resides in Canada, and “Canadian company” includes a production company in which at least 51% of the controlling interest is held by one or more individuals who self-identify as Indigenous and reside in Canada.

“Local programming” means programming produced by either local stations with local personnel or locally-based independent producers, that is of interest to the community or market served (i.e., locally relevant).

“Locally reflective news” means programming that meets the criteria set out in paragraphs 56 to 58 of *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016.

“Official language minority community producer” means a company that meets the definition of “independent production company” and that:

- if operating in the province of Quebec, produces original English-language programming, or
- if operating outside of the province of Quebec, produces original French-language programming.

Expectations

The standard expectations applicable to this licensee are set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016.

Encouragements

The standard encouragements applicable to this licensee are set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016.

Appendix 3 to Broadcasting Decision CRTC 2018-478

Terms, conditions of licence, expectations and encouragements for the conventional television programming undertaking CHCH-DT Hamilton, Ontario and its transmitters CHCH-DT-1 Ottawa, CHCH-DT-2 London, CHCH-DT-3 Muskoka, CHCH-TV-4 Sudbury, CHCH-TV-5 Sault Ste. Marie, CHCH-TV-6 North Bay and CHCH-TV-7 Timmins

Terms

The licence will expire 31 August 2023.

Conditions of licence

1. The licensee shall adhere to the conditions set out in the broadcasting licence for the undertaking, as well as to the conditions of licence set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016, with the exception of condition 14, which is replaced by the following:
 14. The licensee shall, by 1 September 2020, provide described video for all English- and French-language programming that is broadcast during prime time (i.e., from 7 p.m. to 11 p.m.) and that is drawn from program categories 2(b) Long-form documentary, 7 Drama and comedy, 9 Variety, 11(a) General entertainment and human interest and 11(b) Reality television, and/or is programming targeting preschool children (0-5 years of age) and children (6-12 years of age).
2. In accordance with paragraph 90 of *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016, the television station is declared to be a “designated local television station.” The station will maintain this designation for the duration of the licence term as long as the television station remains in operation.

Locally reflective news

3. In accordance with *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016, the licensee shall devote, in each broadcast year, not less than 18% of the station’s previous broadcast year’s gross revenues to investments in locally reflective news or on acquisition thereof.
4. In each broadcast year of the licence term, excluding the final year,
 - a) the licensee may expend an amount on locally reflective news that is up to 5% less than the minimum required expenditure for that year.

- b) where the licensee expends an amount for that year on locally reflective news that is greater than the minimum required, the licensee may deduct that amount from the minimum required expenditure in one or more of the remaining years of the licence term.
 - c) the licensee shall ensure that the television station expends on locally reflective news the total of the minimum required expenditures calculated in accordance with condition 3.
5. The licensee shall broadcast at least 3 hours of locally reflective news in each broadcast week.

Canadian programming expenditures

6. The licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming a minimum of 30% of the previous broadcast year's gross revenues of the undertaking.
7. Subject to condition 8, the licensee may claim, in addition to its expenditures on Canadian programming:
- a) a 50% credit against its Canadian programming expenditure requirements for expenditures made on Canadian programming produced by an Indigenous producer and claimed as Canadian programming expenditures during that broadcast year;
 - b) a 25% credit against its Canadian programming expenditure requirements for expenditures made on Canadian programming produced by an official language minority community producer and claimed as Canadian programming expenditures during that broadcast year. The licensee may claim the credit if:
 - i. the programming is produced in the province of Quebec and the original language of production is English; or
 - ii. the programming is produced outside the province of Quebec and the original language of production is French.
8. The licensee may claim the credits calculated in accordance with condition 7 until the expenditures made on Canadian programming produced by Indigenous producers and by official language minority community producers, including credits, reach a maximum of 10% of the Canadian programming expenditure requirement for the undertaking.
9. In regard to Canadian programming expenditures:
- a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming that is up to 5%

less than the minimum required expenditure for that year calculated in accordance with condition of licence 6; in such case the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year's under-expenditure.

- b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming that is greater than the minimum required expenditure, the licensee may deduct that amount from the minimum required expenditure in one or more of the remaining years of the licence term.
- c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming, at a minimum, the total of the minimum required expenditures calculated in accordance with condition of licence 6.

Repurposing of the 600 MHz frequency band

10. In regard to the repurposing of the 600 MHz frequency band in Canada:

- a) The licensee is authorized to operate the television station and transmitters according to contours and technical parameters that differ from those approved in its most recent application and/or listed on its licence, to the extent that these new contours and technical parameters have been approved by the Department of Industry (the Department) as a result of the Department's repurposing initiative of the 600 MHz frequency band as described in *Decision on Repurposing the 600 MHz Band*, SLPB-004-15, 14 August 2015 and its April 2017 *Digital Television (DTV) Allotment Plan*, *Digital Television (DTV) Transition Schedule* and the *Broadcasting Procedures and Rules* entitled *BPR-11 – Broadcasting Television Application Procedures During the 600 MHz Transition*.
- b) For the purpose of the *Broadcasting Distribution Regulations*, the licensee is deemed to be operating the television station and transmitters under the contours and technical parameters approved by the Commission and in effect on 15 May 2017.
- c) The above authorizations are valid only if the Commission receives confirmation from the Department that the revised contours and technical parameters resulting from the Department's repurposing initiative of the 600 MHz frequency band satisfy the requirements of the *Radiocommunication Act* and the regulations made thereunder, and that a broadcasting certificate has been or will be issued to the licensee in respect of the revised parameters.

For the purposes of these conditions of licence:

“Indigenous producer” means an individual who self-identifies as Indigenous, which includes First Nations, Métis or Inuit, and is a Canadian citizen or resides in Canada, or an independent production company in which at least 51% of the controlling interest is held by one or more individuals who self-identify as Indigenous and are Canadian citizens or reside in Canada. For the purposes of this definition, “Canadian” includes a person who self-identifies as Indigenous and resides in Canada, and “Canadian company” includes a production company in which at least 51% of the controlling interest is held by one or more individuals who self-identify as Indigenous and reside in Canada.

“Local programming” means programming produced by either local stations with local personnel or locally-based independent producers, that is of interest to the community or market served (i.e., locally relevant).

“Locally reflective news” means programming that meets the criteria set out in paragraphs 56 to 58 of *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016.

“Official language minority community producer” means a company that meets the definition of “independent production company” and that:

- if operating in the province of Quebec, produces original English-language programming, or
- if operating outside of the province of Quebec, produces original French-language programming.

Expectations

The standard expectations applicable to this licensee are set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016.

Encouragements

The standard encouragements applicable to this licensee are set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016.

Appendix 4 to Broadcasting Decision CRTC 2018-478

Terms, conditions of licence, expectations and encouragements for the conventional television programming undertaking CHEK-DT Victoria, British Columbia

Terms

The licence will expire 31 August 2023.

Conditions of licence

1. The licensee shall adhere to the conditions set out in the broadcasting licence for the undertaking, as well as to the conditions of licence set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016, with the exception of condition 14, which is replaced by the following:
 14. The licensee shall, by 1 September 2019, provide described video for all English- and French-language programming that is broadcast during prime time (i.e., from 7 p.m. to 11 p.m.) and that is drawn from program categories 2(b) Long-form documentary, 7 Drama and comedy, 9 Variety, 11(a) General entertainment and human interest and 11(b) Reality television, and/or is programming targeting preschool children (0-5 years of age) and children (6-12 years of age).
2. In accordance with paragraph 90 of *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016, the television station is declared to be a “designated local television station.” The station will maintain this designation for the duration of the licence term as long as the television station remains in operation.

Locally reflective news

3. In accordance with *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016, the licensee shall devote, in each broadcast year, not less than 18% of the station’s previous broadcast year’s gross revenues to investments in locally reflective news or on acquisition thereof.
4. In each broadcast year of the licence term, excluding the final year,
 - a) the licensee may expend an amount on locally reflective news that is up to 5% less than the minimum required expenditure for that year.
 - b) where the licensee expends an amount for that year on locally reflective news that is greater than the minimum required, the licensee may deduct that

amount from the minimum required expenditure in one or more of the remaining years of the licence term.

- c) the licensee shall ensure that the television station expends on locally reflective news the total of the minimum required expenditures calculated in accordance with condition 3.
5. The licensee shall broadcast at least 7 hours of locally reflective news each broadcast week.

Canadian programming expenditures

6. The licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming a minimum of 30% of the previous broadcast year's gross revenues of the undertaking.
7. Subject to condition 8, the licensee may claim, in addition to its expenditures on Canadian programming:
- a) a 50% credit against its Canadian programming expenditure requirements for expenditures made on Canadian programming produced by an Indigenous producer and claimed as Canadian programming expenditures during that broadcast year;
 - b) a 25% credit against its Canadian programming expenditure requirements for expenditures made on Canadian programming produced by an official language minority community producer and claimed as Canadian programming expenditures during that broadcast year. The licensee may claim the credit if:
 - i. the programming is produced in the province of Quebec and the original language of production is English; or
 - ii. the programming is produced outside the province of Quebec and the original language of production is French.
8. The licensee may claim the credits calculated in accordance with condition 7 until the expenditures made on Canadian programming produced by Indigenous producers and by official language minority community producers, including credits, reach a maximum of 10% of the Canadian programming expenditure requirement for the undertaking.
9. In regard to Canadian programming expenditures:
- a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming that is up to 5% less than the minimum required expenditure for that year calculated in accordance with condition of licence 6; in such case the licensee shall expend

in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year's under-expenditure.

- b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming that is greater than the minimum required expenditure, the licensee may deduct that amount from the minimum required expenditure in one or more of the remaining years of the licence term.
- c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming, at a minimum, the total of the minimum required expenditures calculated in accordance with condition of licence 6.

Repurposing of the 600 MHz frequency band

10. In regard to the repurposing of the 600 MHz frequency band in Canada:

- a) The licensee is authorized to operate the television station and transmitters according to contours and technical parameters that differ from those approved in its most recent application and/or listed on its licence, to the extent that these new contours and technical parameters have been approved by the Department of Industry (the Department) as a result of the Department's repurposing initiative of the 600 MHz frequency band as described in *Decision on Repurposing the 600 MHz Band*, SLPB-004-15, 14 August 2015 and its April 2017 *Digital Television (DTV) Allotment Plan*, *Digital Television (DTV) Transition Schedule* and the *Broadcasting Procedures and Rules* entitled *BPR-11 – Broadcasting Television Application Procedures During the 600 MHz Transition*.
- b) For the purpose of the *Broadcasting Distribution Regulations*, the licensee is deemed to be operating the television station and transmitters under the contours and technical parameters approved by the Commission and in effect on 15 May 2017.
- c) The above authorizations are valid only if the Commission receives confirmation from the Department that the revised contours and technical parameters resulting from the Department's repurposing initiative of the 600 MHz frequency band satisfy the requirements of the *Radiocommunication Act* and the regulations made thereunder, and that a broadcasting certificate has been or will be issued to the licensee in respect of the revised parameters.

For the purposes of these conditions of licence:

“Indigenous producer” means an individual who self-identifies as Indigenous, which includes First Nations, Métis or Inuit, and is a Canadian citizen or resides in Canada, or an independent production company in which at least 51% of the controlling interest is

held by one or more individuals who self-identify as Indigenous and are Canadian citizens or reside in Canada. For the purposes of this definition, “Canadian” includes a person who self-identifies as Indigenous and resides in Canada, and “Canadian company” includes a production company in which at least 51% of the controlling interest is held by one or more individuals who self-identify as Indigenous and reside in Canada.

“Local programming” means programming produced by either local stations with local personnel or locally-based independent producers, that is of interest to the community or market served (i.e., locally relevant).

“Locally reflective news” means programming that meets the criteria set out in paragraphs 56 to 58 of *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016.

“Official language minority community producer” means a company that meets the definition of “independent production company” and that:

- if operating in the province of Quebec, produces original English-language programming, or
- if operating outside of the province of Quebec, produces original French-language programming.

Expectations

The standard expectations applicable to this licensee are set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016.

Encouragements

The standard encouragements applicable to this licensee are set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016.

Appendix 5 to Broadcasting Decision CRTC 2018-478

Terms, conditions of licence, expectations and encouragements for the conventional television programming undertaking CFJC-TV Kamloops, British Columbia and its transmitters CFJC-TV-3 Merritt, CFJC-TV-4 Clinton, CFJC-TV-5 Williams Lake, CFJC-TV-6 100 Mile House, CFJC-TV-8 Chase, CFJC-TV-11 Quesnel, CFJC-TV-12 Nicola and CFJC-TV-19 Pritchard

Terms

The licence will expire 31 August 2023.

Conditions of licence

1. The licensee shall adhere to the conditions set out in the broadcasting licence for the undertaking, as well as to the conditions of licence set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016, with the exception of condition 14, which is replaced by the following:
 14. The licensee shall, by 1 September 2019, provide described video for all English- and French-language programming that is broadcast during prime time (i.e., from 7 p.m. to 11 p.m.) and that is drawn from program categories 2(b) Long-form documentary, 7 Drama and comedy, 9 Variety, 11(a) General entertainment and human interest and 11(b) Reality television, and/or is programming targeting preschool children (0-5 years of age) and children (6-12 years of age).
2. In accordance with paragraph 90 of *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016, the television station is declared to be a “designated local television station.” The station will maintain this designation for the duration of the licence term as long as the television station remains in operation.

Locally reflective news

3. In accordance with *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016, the licensee shall devote, in each broadcast year, not less than 27.5% of the station’s previous broadcast year’s gross revenues to investments in locally reflective news or on acquisition thereof.
4. In each broadcast year of the licence term, excluding the final year,
 - a) the licensee may expend an amount on locally reflective news that is up to 5% less than the minimum required expenditure for that year.

- b) where the licensee expends an amount for that year on locally reflective news that is greater than the minimum required, the licensee may deduct that amount from the minimum required expenditure in one or more of the remaining years of the licence term.
 - c) the licensee shall ensure that the television station expends on locally reflective news the total of the minimum required expenditures calculated in accordance with condition 3.
5. The licensee shall broadcast at least 5.25 hours of locally reflective news in each broadcast week.

Canadian programming expenditures

6. The licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming a minimum of 34% of the previous broadcast year's gross revenues of the undertaking.
7. Subject to condition 8, the licensee may claim, in addition to its expenditures on Canadian programming:
- a) a 50% credit against its Canadian programming expenditure requirements for expenditures made on Canadian programming produced by an Indigenous producer and claimed as Canadian programming expenditures during that broadcast year;
 - b) a 25% credit against its Canadian programming expenditure requirements for expenditures made on Canadian programming produced by an official language minority community producer and claimed as Canadian programming expenditures during that broadcast year. The licensee may claim the credit if:
 - i. the programming is produced in the province of Quebec and the original language of production is English; or
 - ii. the programming is produced outside the province of Quebec and the original language of production is French.
8. The licensee may claim the credits calculated in accordance with condition 7 until the expenditures made on Canadian programming produced by Indigenous producers and by official language minority community producers, including credits, reach a maximum of 10% of the Canadian programming expenditure requirement for the undertaking.
9. In regard to Canadian programming expenditures:
- a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming that is up to 5%

less than the minimum required expenditure for that year calculated in accordance with condition of licence 6; in such case the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year's under-expenditure.

- b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming that is greater than the minimum required expenditure, the licensee may deduct that amount from the minimum required expenditure in one or more of the remaining years of the licence term.
- c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming, at a minimum, the total of the minimum required expenditures calculated in accordance with condition of licence 6.

Repurposing of the 600 MHz frequency band

10. In regard to the repurposing of the 600 MHz frequency band in Canada:

- a) The licensee is authorized to operate the television station and transmitters according to contours and technical parameters that differ from those approved in its most recent application and/or listed on its licence, to the extent that these new contours and technical parameters have been approved by the Department of Industry (the Department) as a result of the Department's repurposing initiative of the 600 MHz frequency band as described in *Decision on Repurposing the 600 MHz Band, SLPB-004-15*, 14 August 2015 and its April 2017 *Digital Television (DTV) Allotment Plan, Digital Television (DTV) Transition Schedule* and the *Broadcasting Procedures and Rules* entitled *BPR-11 – Broadcasting Television Application Procedures During the 600 MHz Transition*.
- b) For the purpose of the *Broadcasting Distribution Regulations*, the licensee is deemed to be operating the television station and transmitters under the contours and technical parameters approved by the Commission and in effect on 15 May 2017.
- c) The above authorizations are valid only if the Commission receives confirmation from the Department that the revised contours and technical parameters resulting from the Department's repurposing initiative of the 600 MHz frequency band satisfy the requirements of the *Radiocommunication Act* and the regulations made thereunder, and that a broadcasting certificate has been or will be issued to the licensee in respect of the revised parameters.

For the purposes of these conditions of licence:

“Indigenous producer” means an individual who self-identifies as Indigenous, which includes First Nations, Métis or Inuit, and is a Canadian citizen or resides in Canada, or an independent production company in which at least 51% of the controlling interest is held by one or more individuals who self-identify as Indigenous and are Canadian citizens or reside in Canada. For the purposes of this definition, “Canadian” includes a person who self-identifies as Indigenous and resides in Canada, and “Canadian company” includes a production company in which at least 51% of the controlling interest is held by one or more individuals who self-identify as Indigenous and reside in Canada.

“Local programming” means programming produced by either local stations with local personnel or locally-based independent producers, that is of interest to the community or market served (i.e., locally relevant).

“Locally reflective news” means programming that meets the criteria set out in paragraphs 56 to 58 of *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016.

“Official language minority community producer” means a company that meets the definition of “independent production company” and that:

- if operating in the province of Quebec, produces original English-language programming, or
- if operating outside of the province of Quebec, produces original French-language programming.

Expectations

The standard expectations applicable to this licensee are set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016.

Encouragements

The standard encouragements applicable to this licensee are set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016.

Appendix 6 to Broadcasting Decision CRTC 2018-478

Terms, conditions of licence, expectations and encouragements for the conventional television programming undertaking CKPG-TV Prince George, British Columbia and its transmitters CKPG-TV-1 Hixon, CKPG-TV-4 Mackenzie and CKPG-TV-5 Quesnel

Terms

The licence will expire 31 August 2023.

Conditions of licence

1. The licensee shall adhere to the conditions set out in the broadcasting licence for the undertaking, as well as to the conditions of licence set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016, with the exception of condition 14, which is replaced by the following:
 14. The licensee shall, by 1 September 2019, provide described video for all English- and French-language programming that is broadcast during prime time (i.e., from 7 p.m. to 11 p.m.) and that is drawn from program categories 2(b) Long-form documentary, 7 Drama and comedy, 9 Variety, 11(a) General entertainment and human interest and 11(b) Reality television, and/or is programming targeting preschool children (0-5 years of age) and children (6-12 years of age).
2. In accordance with paragraph 90 of *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016, the television station is declared to be a “designated local television station.” The station will maintain this designation for the duration of the licence term as long as the television station remains in operation.

Locally reflective news

3. In accordance with *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016, the licensee shall devote, in each broadcast year, not less than 27.5% of the station’s previous broadcast year’s gross revenues to investments in locally reflective news or on acquisition thereof.
4. In each broadcast year of the licence term, excluding the final year,
 - a) the licensee may expend an amount on locally reflective news that is up to 5% less than the minimum required expenditure for that year.
 - b) where the licensee expends an amount for that year on locally reflective news that is greater than the minimum required, the licensee may deduct that

amount from the minimum required expenditure in one or more of the remaining years of the licence term.

- c) the licensee shall ensure that the television station expends on locally reflective news the total of the minimum required expenditures calculated in accordance with condition 3.
5. The licensee shall broadcast at least 5.25 hours of locally reflective news in each broadcast week.

Canadian programming expenditures

6. The licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming a minimum of 34% of the previous broadcast year's gross revenues of the undertaking.
7. Subject to condition 8, the licensee may claim, in addition to its expenditures on Canadian programming:
- a) a 50% credit against its Canadian programming expenditure requirements for expenditures made on Canadian programming produced by an Indigenous producer and claimed as Canadian programming expenditures during that broadcast year;
 - b) a 25% credit against its Canadian programming expenditure requirements for expenditures made on Canadian programming produced by an official language minority community producer and claimed as Canadian programming expenditures during that broadcast year. The licensee may claim the credit if:
 - i. the programming is produced in the province of Quebec and the original language of production is English; or
 - ii. the programming is produced outside the province of Quebec and the original language of production is French.
8. The licensee may claim the credits calculated in accordance with condition 7 until the expenditures made on Canadian programming produced by Indigenous producers and by official language minority community producers, including credits, reach a maximum of 10% of the Canadian programming expenditure requirement for the undertaking.
9. In regard to Canadian programming expenditures:
- a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming that is up to 5% less than the minimum required expenditure for that year calculated in accordance with condition of licence 6; in such case the licensee shall expend

in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year's under-expenditure.

- b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming that is greater than the minimum required expenditure, the licensee may deduct that amount from the minimum required expenditure in one or more of the remaining years of the licence term.
- c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming, at a minimum, the total of the minimum required expenditures calculated in accordance with condition of licence 6.

Repurposing of the 600 MHz frequency band

10. In regard to the repurposing of the 600 MHz frequency band in Canada:

- a) The licensee is authorized to operate the television station and transmitters according to contours and technical parameters that differ from those approved in its most recent application and/or listed on its licence, to the extent that these new contours and technical parameters have been approved by the Department of Industry (the Department) as a result of the Department's repurposing initiative of the 600 MHz frequency band as described in *Decision on Repurposing the 600 MHz Band*, SLPB-004-15, 14 August 2015 and its April 2017 *Digital Television (DTV) Allotment Plan*, *Digital Television (DTV) Transition Schedule* and the *Broadcasting Procedures and Rules* entitled *BPR-11 – Broadcasting Television Application Procedures During the 600 MHz Transition*.
- b) For the purpose of the *Broadcasting Distribution Regulations*, the licensee is deemed to be operating the television station and transmitters under the contours and technical parameters approved by the Commission and in effect on 15 May 2017.
- c) The above authorizations are valid only if the Commission receives confirmation from the Department that the revised contours and technical parameters resulting from the Department's repurposing initiative of the 600 MHz frequency band satisfy the requirements of the *Radiocommunication Act* and the regulations made thereunder, and that a broadcasting certificate has been or will be issued to the licensee in respect of the revised parameters.

For the purposes of these conditions of licence:

“Indigenous producer” means an individual who self-identifies as Indigenous, which includes First Nations, Métis or Inuit, and is a Canadian citizen or resides in Canada, or

an independent production company in which at least 51% of the controlling interest is held by one or more individuals who self-identify as Indigenous and are Canadian citizens or reside in Canada. For the purposes of this definition, “Canadian” includes a person who self-identifies as Indigenous and resides in Canada, and “Canadian company” includes a production company in which at least 51% of the controlling interest is held by one or more individuals who self-identify as Indigenous and reside in Canada.

“Local programming” means programming produced by either local stations with local personnel or locally-based independent producers, that is of interest to the community or market served (i.e., locally relevant).

“Locally reflective news” means programming that meets the criteria set out in paragraphs 56 to 58 of *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016.

“Official language minority community producer” means a company that meets the definition of “independent production company” and that:

- if operating in the province of Quebec, produces original English-language programming, or
- if operating outside of the province of Quebec, produces original French-language programming.

Expectations

The standard expectations applicable to this licensee are set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016.

Encouragements

The standard encouragements applicable to this licensee are set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016.

Appendix 7 to Broadcasting Decision CRTC 2018-478

Terms, conditions of licence, expectations and encouragements for the conventional television programming undertaking CHAT-TV Medicine Hat, Alberta and its transmitters CHAT-TV-1 Pivot, Alberta and CHAT-TV-2 Maple Creek, Saskatchewan

Terms

The licence will expire 31 August 2023.

Conditions of licence

1. The licensee shall adhere to the conditions set out in the broadcasting licence for the undertaking, as well as to the conditions of licence set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016, with the exception of condition 14, which is replaced by the following:
 14. The licensee shall, by 1 September 2019, provide described video for all English- and French-language programming that is broadcast during prime time (i.e., from 7 p.m. to 11 p.m.) and that is drawn from program categories 2(b) Long-form documentary, 7 Drama and comedy, 9 Variety, 11(a) General entertainment and human interest and 11(b) Reality television, and/or is programming targeting preschool children (0-5 years of age) and children (6-12 years of age).
2. In accordance with paragraph 90 of *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016, the television station is declared to be a “designated local television station.” The station will maintain this designation for the duration of the licence term as long as the television station remains in operation.

Locally reflective news

3. In accordance with *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016, the licensee shall devote, in each broadcast year, not less than 27.5% of the station’s previous broadcast year’s gross revenues to investments in locally reflective news or on acquisition thereof.
4. In each broadcast year of the licence term, excluding the final year,
 - a) the licensee may expend an amount on locally reflective news that is up to 5% less than the minimum required expenditure for that year.
 - b) where the licensee expends an amount for that year on locally reflective news that is greater than the minimum required, the licensee may deduct that

amount from the minimum required expenditure in one or more of the remaining years of the licence term.

- c) the licensee shall ensure that the television station expends on locally reflective news the total of the minimum required expenditures calculated in accordance with condition 3.
5. The licensee shall broadcast at least 5.25 hours of locally reflective news in each broadcast week.

Canadian programming expenditures

6. The licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming a minimum of 34% of the previous broadcast year's gross revenues of the undertaking.
7. Subject to condition 8, the licensee may claim, in addition to its expenditures on Canadian programming:
- a) a 50% credit against its Canadian programming expenditure requirements for expenditures made on Canadian programming produced by an Indigenous producer and claimed as Canadian programming expenditures during that broadcast year;
 - b) a 25% credit against its Canadian programming expenditure requirements for expenditures made on Canadian programming produced by an official language minority community producer and claimed as Canadian programming expenditures during that broadcast year. The licensee may claim the credit if:
 - i. the programming is produced in the province of Quebec and the original language of production is English; or
 - ii. the programming is produced outside the province of Quebec and the original language of production is French.
8. The licensee may claim the credits calculated in accordance with condition 7 until the expenditures made on Canadian programming produced by Indigenous producers and by official language minority community producers, including credits, reach a maximum of 10% of the Canadian programming expenditure requirement for the undertaking.
9. In regard to Canadian programming expenditures:
- a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming that is up to 5% less than the minimum required expenditure for that year calculated in accordance with condition of licence 6; in such case the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum

required expenditure for that year, the full amount of the previous year's under-expenditure.

- b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming that is greater than the minimum required expenditure, the licensee may deduct that amount from the minimum required expenditure in one or more of the remaining years of the licence term.
- c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming, at a minimum, the total of the minimum required expenditures calculated in accordance with condition of licence 6.

Repurposing of the 600 MHz frequency band

10. In regard to the repurposing of the 600 MHz frequency band in Canada:

- a) The licensee is authorized to operate the television station and transmitters according to contours and technical parameters that differ from those approved in its most recent application and/or listed on its licence, to the extent that these new contours and technical parameters have been approved by the Department of Industry (the Department) as a result of the Department's repurposing initiative of the 600 MHz frequency band as described in *Decision on Repurposing the 600 MHz Band*, SLPB-004-15, 14 August 2015 and its April 2017 *Digital Television (DTV) Allotment Plan*, *Digital Television (DTV) Transition Schedule* and the *Broadcasting Procedures and Rules* entitled *BPR-11 – Broadcasting Television Application Procedures During the 600 MHz Transition*.
- b) For the purpose of the *Broadcasting Distribution Regulations*, the licensee is deemed to be operating the television station and transmitters under the contours and technical parameters approved by the Commission and in effect on 15 May 2017.
- c) The above authorizations are valid only if the Commission receives confirmation from the Department that the revised contours and technical parameters resulting from the Department's repurposing initiative of the 600 MHz frequency band satisfy the requirements of the *Radiocommunication Act* and the regulations made thereunder, and that a broadcasting certificate has been or will be issued to the licensee in respect of the revised parameters.

For the purposes of these conditions of licence:

“Indigenous producer” means an individual who self-identifies as Indigenous, which includes First Nations, Métis or Inuit, and is a Canadian citizen or resides in Canada, or an independent production company in which at least 51% of the controlling interest is held by one or more individuals who self-identify as Indigenous and are Canadian citizens or reside in Canada. For the purposes of this definition, “Canadian” includes a

person who self-identifies as Indigenous and resides in Canada, and “Canadian company” includes a production company in which at least 51% of the controlling interest is held by one or more individuals who self-identify as Indigenous and reside in Canada.

“Local programming” means programming produced by either local stations with local personnel or locally-based independent producers, that is of interest to the community or market served (i.e., locally relevant).

“Locally reflective news” means programming that meets the criteria set out in paragraphs 56 to 58 of *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016.

“Official language minority community producer” means a company that meets the definition of “independent production company” and that:

- if operating in the province of Quebec, produces original English-language programming, or
- if operating outside of the province of Quebec, produces original French-language programming.

Expectations

The standard expectations applicable to this licensee are set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016.

Encouragements

The standard encouragements applicable to this licensee are set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016.