



Broadcasting Notice of Consultation CRTC 2019-358

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Ottawa, 29 October 2019

Public record: 1011-NOC2019-0358

Notice of hearing

12 February 2020
Montréal, Quebec

Deadline for submission of interventions/comments/answers: 28 November 2019

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

The Commission will hold a hearing beginning on **12 February 2020 at 9 a.m. at the Palais des congrès de Montréal, 1001, place Jean-Paul-Riopelle, Montréal, Quebec.**

The Commission will consider the following applications:

Applicant/Licensee and locality

1. **Bell Canada, on behalf of V Interactions inc.**
Québec, Montréal, Trois-Rivières, Sherbrooke and Saguenay, Quebec
Application 2019-0648-9
2. **Groupe V Média inc., on behalf of MusiquePlus inc.**
Across Canada
Applications 2019-0677-8 and 2019-0678-6
3. **Vista Radio Ltd.**
North Bay, Ontario
Application 2018-0329-7

Preamble for items 1 and 2

The Commission received an application by Bell Canada (Bell), on behalf of V Interactions inc. (V), for the Commission's approval to change the ownership and effective control of V. Bell also proposes to integrate the acquired services, which are part of Groupe V, into Bell Média Group. To this end, Bell also requests to amend certain conditions of licences, including those related to Programs of National Interest, for the services included in Bell Média Group and those it is seeking to acquire.

In addition, the Commission received applications from Groupe V Média inc. (Group V Média), on behalf of MusiquePlus Inc. (MusiquePlus), for the Commission's approval to change the ownership of MusiquePlus. This transaction is a corporate reorganization, the

purpose of which is to allow Bell's acquisition of Groupe V Média, the sole shareholder of V, with the exception of MusiquePlus, which is also owned by Groupe V Média. In addition, Groupe V Média requests to amend the conditions of licences of the discretionary services ELLE Fictions and MAX (owned by MusiquePlus) to reflect the new group to which they would belong if the Commission was to approve Bell's application.

The Commission intends to consider items 1 and 2 at the appearing phase of the public hearing.

Preamble for items 3

The Commission intends to consider, subject to interventions, item 3 during the non-appearing phase of the hearing.

1. Bell Canada, on behalf of V Interactions inc.

Québec, Montréal, Trois-Rivières, Sherbrooke and Saguenay, Quebec
Application 2019-0648-9

Application by **Bell Canada (Bell), on behalf of V Interactions inc. (V)**, for authority to change the ownership and effective control of V. V is the licensee of a French-language television network called V and of five French-language television stations, namely CFAP-DT Québec, CFJP-DT Montréal, CFRS-DT Saguenay, CFKS-DT Sherbrooke and CFKM-DT Trois-Rivières (the V Stations).

V is a corporation of which all of the issued and outstanding shares are currently held by Groupe V Média inc. (Groupe V Média), which is a corporation held by several shareholders according to the following breakdown: Remstar Group Inc. (45.14%), Fiducie Seismikmax (9.86%), Caisse de Dépôt et de Placement du Québec (15%), Fonds de Solidarité des travailleurs du Québec (F.T.Q.) (15%), and Investissement Québec (15%) (collectively, the Shareholders). Maxime Rémillard exercises effective control of V and Groupe V Média.

The applicant also filed applications (2019-0677-8 and 2019-0678-6, item 2 of this notice), which are non-severable from this application, to change the ownership and certain conditions of licence of MusiquePlus Inc. (MusiquePlus), the licensee of the discretionary French-language services ELLE Fictions and MAX. All of the issued and outstanding shares of MusiquePlus are currently held by Groupe V Média.

Following the approval of these applications, the issued and outstanding shares of MusiquePlus would be acquired by a corporation to be incorporated, which would be held by the Shareholders in the same proportion as the current breakdown of the Groupe V Média shareholding.

Following this transfer of shares, Groupe V Média would merge with V to form a corporation whose name remains to be determined (VFusion). All of the issued and outstanding shares of VFusion would then be acquired by Bell, which would transfer

them to Bell Media Inc. (Bell Media). Bell Media is a wholly owned subsidiary of Bell Canada, which is effectively controlled by BCE Inc., a widely held public corporation controlled by its board of directors.

Pursuant to the terms of the share purchase agreement, Bell would acquire all the issued and outstanding shares of VFusion. The base purchase price is \$20 million. Bell establishes the value of the transaction for tangible benefits calculation purposes at \$25,204,508, which includes a working capital adjustment and the value of the leases that will be assumed. Bell proposes a tangible benefit package of \$2,520,451, which is equal to 10% of the value of the transaction. It also proposes to allocate 60% of this amount to the Canada Media Fund and 40% to the Bell Fund. Since the transaction involves French-language assets, Bell proposes that all of these amounts be used for French-language programming initiatives.

Canadian Programming Expenditure requirements and Programs of National Interest requirements

Bell is requesting to amend the V Stations' conditions of licence as set out in *Groupe V Média inc. – Licence renewals for French-language network, television stations and services*, Broadcasting Decision CRTC 2017-146, 15 May 2017 (Broadcasting Decision 2017-146) and those for services included in the Bell Media Group, listed in Appendix 1 to *Bell Media Inc. – Licence renewals for English-language television stations and services*, Broadcasting Decision CRTC 2017-149, 15 May 2017, to integrate the V Stations into the Bell Media Group (New Bell Group), effective 1 September 2020.

Bell is requesting that the composition of each group be maintained until 31 August 2020 to facilitate the required changes and minimize disruptions for the various groups involved in the transaction. As a result, the conditions of licence set out in the licences of the current Bell Media Group and Groupe V Média's group of services (consisting of the V Stations and the discretionary services ELLE Fictions and MAX and hereafter called Groupe V) would remain unchanged until that date.

Effective 1 September 2020, and for the remainder of the licence term, the New Bell Group's conditions of licence would be amended.

To this end, Bell proposes that the Programs of National Interest (PNI) expenditure requirements of the New Bell Group be calculated on the basis of existing PNI expenditure thresholds (in dollars) and the combined revenues of Bell Media Group and V Stations. For this reason, Bell proposes that the New Bell Group's combined PNI spending threshold be 16.5% (rather than the 18% threshold currently imposed on the Bell Media Group and the 10% threshold imposed on Group V).

With respect to the Canadian Programming Expenditures (CPE) threshold, Bell proposes that the threshold imposed on the New Bell Group be 35%, which is the same as the one currently imposed on the Bell Media Group and Group V.

Local programming and local news proposed for the V Stations

Bell is requesting that the following conditions of licence for the V Stations listed in Broadcasting Decision 2017-146 relating to the broadcast of local programming and local news be maintained:

- each station shall, in each broadcast week, broadcast at least 5 hours of local programming, including at least 2 hours and 30 minutes of locally reflective news; and
- the licensee shall, in each broadcast year, devote to the acquisitions of, or investment in, locally reflective news, at least 5% of their previous year's gross revenues.

Bell is also committed to:

- producing news internally;
- redesigning its news broadcasts for the Montréal and Québec City markets by devoting 90 minutes per day to local news and 30 minutes on Saturdays and Sundays;
- redesigning its news broadcasts for the Trois-Rivières, Sherbrooke and Saguenay markets by devoting 60 minutes per day to news from Monday to Friday and 30 minutes on Saturdays and Sundays; and
- investing in information platforms so that viewers can access online news content.

The Commission notes that any instances of non-compliance by each of the programming undertakings will be addressed as part of the licence renewal.

Applicant's address:

1717 René-Lévesque Boulevard East
Montréal, Quebec
H2L 4T9

Fax: 416-384-4042

Email: bell.regulatory@bell.ca

Website to view application:

https://www.bell.ca/Regulatory_CRTC_hearings_Bell_applications

2. Groupe V Média inc., on behalf of MusiquePlus inc.

Across Canada

Applications 2019-0677-8 and 2019-0678-6

Application (2019-0677-8) by **Groupe V Média inc.** (Groupe V Média), **on behalf of MusiquePlus Inc.** (MusiquePlus), for authority to change the ownership of MusiquePlus, which is the licensee of the discretionary French-language services ELLE Fictions and MAX.

The applicant also filed an application (2019-0678-6) to amend the conditions of licence for these services to reflect the new group to which ELLE Fictions and MAX would belong if the Commission approves application 2019-0648-9 (item 1 of this notice). Applications 2019-0677-8 and 2019-0678-6 are non-severable from application 2019-0648-9.

MusiquePlus is a corporation of which all of the issued and outstanding shares are currently held by Groupe V Média, which is a corporation held by several shareholders according to the following breakdown: Remstar Group Inc. (45.14%), Fiducie Seismikmax (9.86%), Caisse de Dépôt et de Placement du Québec (15%), Fonds de Solidarité des travailleurs du Québec (F.T.Q.) (15%) and Investissement Québec (15%) (collectively, the Shareholders). Maxime Rémillard exercises effective control of MusiquePlus and Groupe V Média.

The transaction would be effected by the acquisition of all the issued and outstanding shares of MusiquePlus by a corporation to be incorporated, which would be held by the Shareholders according to the current breakdown of Groupe V Média.

A service management agreement has been entered into by Bell Media Inc. and MusiquePlus regarding sales and technical assistance services for ELLE Fictions and MAX.

The Commission notes that any instances of non-compliance by each of the programming undertakings will be addressed as part of the licence renewal process.

Applicant's address:

355 Sainte-Catherine Street West
Suite 300
Montréal, Quebec
H3B 1A5
Fax: 514-284-1889

Email: reglementaire@groupevmedia.ca

Email to request electronic version of the application: reglementaire@groupevmedia.ca

3. Vista Radio Ltd.

North Bay, Ontario
Application 2018-0329-7

Application by **Vista Radio Ltd.** for a broadcasting licence to operate an English-language commercial FM radio station in North Bay.

The station would operate at 90.5 MHz (channel 213C1) with an effective radiated power of 45,800 watts (non-directional antenna with an effective height of antenna above average terrain of 145.5 metres).

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

The applicant also proposes to offer an oldies music format.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

Applicant's address:

#201-910 Fitzgerald Avenue
Courtenay, British Columbia
V9N 2R5

Telephone: 778-990-4460

Email: bedwards@vistaradio.ca

Website to view application: <http://www.vistaradio.ca>

Email to request electronic version of application: feedback@vistaradio.ca

Procedure

Deadline for interventions, comments or answers

28 November 2019

The *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* (the Rules of Procedure) apply to the present proceeding. The Rules of Procedure set out, among other things, the rules for content, format, filing and service of interventions, answer, replies and requests for information; the procedure for filing confidential information and requesting its disclosure; and the conduct of public hearings. Accordingly, the procedure set out below must be read in conjunction with the Rules of Procedure and related documents, which can be found on the Commission's website under "[Statutes and Regulations](#)." *Guidelines on the CRTC Rules of Practice and Procedure*, Broadcasting and Telecom Information Bulletin CRTC 2010-959, 23 December 2010, provides information to help interested persons and parties understand the Rules of Procedure so that they can more effectively participate in Commission proceedings.

An intervention or an answer from a respondent must be filed with the Commission and served on the applicant on or before the above-mentioned date. An answer from a respondent must also be served on any other respondent.

Interventions and answers must clearly identify the application referred to and indicate whether parties support or oppose the application, or, if they propose changes to it, include the facts and grounds for their proposal.

For applications to be considered during the appearing phase of the hearing, the intervention or answer must include one of the following statements in either the first or the last paragraph:

1. I request to appear at the public hearing.
2. I do not want to appear at the public hearing.

Parties are permitted to coordinate, organize, and file, in a single submission, interventions by other interested persons who share their position but do not wish to appear at the hearing. Information on how to file this type of submission, known as a joint supporting intervention, as well as a template for the covering letter to be filed by the parties, can be found in *Changes to certain practices for filing interventions – Expansion of filing practices to include the filing of joint supporting comments for broadcasting policy proceedings*, Broadcasting Information Bulletin CRTC 2010-28-1, 10 December 2010.

The Commission encourages interested persons and parties to monitor the record of the proceeding, available on the Commission's website, for additional information that they may find useful when preparing their submissions.

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

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

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

by completing the
[\[Intervention/comment/answer form\]](#)

or

by mail to
CRTC, Ottawa, Ontario K1A 0N2

or

by fax at
819-994-0218

A true copy of each intervention or answer from a respondent must be sent to the applicant and, in the case of a respondent to an application, to any other respondent.

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

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

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

In the event that an application to be considered during the non-appearing phase of the hearing is brought to the oral phase of the hearing, and if parties wish to appear, they must provide reasons why their written interventions or answers are not sufficient and why an appearance is necessary. Parties requiring communication support must state their request on the first page of their intervention. Only those parties whose requests to appear have been granted will be contacted by the Commission and invited to appear at the public hearing.

Although the public hearing will be held in **Montreal, Quebec**, the Commission will consider providing videoconference or teleconference links should it receive requests to do so.

Persons requiring communications support such as assistance listening devices and sign language interpretation are requested to inform the Commission at least twenty (20) days before the commencement of the public hearing so that the necessary arrangements can be made.

Important notice

All information that parties provide as part of this public process, except information designated confidential, whether sent by postal mail, fax, email or through the Commission's website at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's website. This information includes personal information, such as full names, email addresses, postal/street addresses, telephone and fax numbers, etc.

The personal information that parties provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.

Documents received electronically or otherwise will be put on the Commission's website in their entirety exactly as received, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.

The information that parties provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the web page of this particular public process. As a result, a general search of the Commission's website with the help of either its own search engine or a third-party search engine will not provide access to the information that was provided as part of this public process.

Availability of documents

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

Electronic versions of the interventions and answers, as well as of other documents referred to in this notice, are available on the Commission's website at www.crtc.gc.ca by visiting the "Consultations and hearings – Have your say!" section, then selecting "our applications and processes that are open for comment". Documents can then be accessed by clicking on the links in the "Subject" and "Related Documents" columns associated with this particular notice.

Documents are also available at the following address, upon request, during normal business hours.

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

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

Toll-free TTY: 1-877-909-2782

Secretary General