



Broadcasting Notice of Consultation CRTC 2019-72-1

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Reference: 2019-72

Ottawa, 28 March 2019

Public record: [1011-NOC2019-0072](#)

Notice of hearing

16 May 2019
Gatineau, Quebec

Amendment to item 4

Additional information added to the public record for item 4

New deadline for submission of interventions/comments/answers for item 4 only:
18 April 2019

New deadline for submission of replies from the licensee for item 4 only: 29 April 2019

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

Further to Broadcasting Notice of Consultation 2019-72, the Commission announces the following:

Broadcasting Notice of Consultation 2019-72 did not reflect Sirius XM Canada Inc.'s (Sirius XM) complete amendment request with respect to condition of licence 13. The Commission hereby amends Broadcasting Notice of Consultation 2019-72, item 4, as follows (**change is in bold**):

Item 4

Sirius XM Canada Inc.
Across Canada
Application 2017-0835-6

Application by Sirius XM Canada Inc. (Sirius XM) to renew the broadcasting licence for the national satellite subscription radio programming undertakings Sirius Canada and XM Canada, expiring 31 August 2019.

Sirius XM proposes to replace the aforementioned condition of licence with the following condition of licence:

13. (a) During each broadcast year, the licensee shall contribute the minimum percentage, as set out in the table below, of gross revenues from its satellite

subscription radio undertakings reported in its annual returns for the previous broadcast year to eligible initiatives for the development of Canadian content development (CCD).

Year 1:	2.5%
Year 2:	1.5%
Years 3-7:	0.5%

(b) During each broadcast year of the licence term, the licensee shall allocate its contribution under (a) above as follows:

Year 1:

- 20% to FACTOR
- 10% to MUSICACTION
- 5% to the Community Radio Fund of Canada
- 1% to the Canada Media Fund for allocation to the Aboriginal Program;
and
- The remainder to other eligible initiatives (discretionary contribution).

Year 2:

- 20% to FACTOR
- 10% to MUSICACTION
- 5% to the Community Radio Fund of Canada
- 3% to the Canada Media Fund for allocation to the Aboriginal Program;
and
- The remainder to other eligible initiatives (discretionary contribution).

Years 3 to 7:

- 50% to FACTOR
- 30% to MUSICACTION
- 15% to the Community Radio Fund of Canada
- 5% to the Canada Media Fund for allocation to the Aboriginal Program.

(c) No more than 5% of the discretionary contribution during any broadcast year shall be devoted to expenses and salaries for CCD coordination staff (i.e. the Ambassador/l'Ambassadeur pour la musique canadienne).

(d) At least 45% of the licensee’s discretionary contribution shall be allocated to initiatives for the development of Canadian French-language content, and no less than 45% shall be allocated to initiatives for the development of Canadian English-language content.

For purposes of this condition of licence, “eligible initiatives” shall have the meaning set out in section 15(1) of the *Radio Regulations, 1986*, as amended from time to time.

Additional information added to the public record

As part of Sirius XM’s licence renewal application, the licensee was requested to provide audio and/or video files to allow the Commission to assess compliance with its conditions of licence. These files are not available on the Commission’s website. However, interested persons may consult the audio and/or video files at CRTC headquarters during business hours upon request,¹ for the duration of this proceeding. Alternatively, these files are also available from the licensee upon request by contacting the licensee at the email address provided in Broadcasting Notice of Consultation 2019-72. The Commission directs Sirius XM to make these files available to interested persons, upon request, by providing an electronic version or an electronic link to the recordings within a reasonable time.

The Commission has also received additional documentation from the licensee dated 15 March 2019 that has been added to the public record. The information submitted by the licensee is available on the Commission’s website under its respective application.

Procedural request

Further, the Commission has received a joint procedural request from the Association québécoise de l’industrie du disque, du spectacle et de la vidéo (ADISQ) and the Canadian Independent Music Association (CIMA) to extend the deadline for submission of interventions regarding the application by Sirius XM. ADISQ and CIMA submitted that the nature of Sirius XM’s requested amendments to its conditions of licence and the impact that those amendments could have on the industry required additional time for review.

New deadline for submission of interventions/comments/answers and replies for item 4 only

Having considered the joint request, the extent of the record and the need to process the application in a timely fashion, the Commission considers it is appropriate to extend the deadline to submit interventions, comments and answers for item 4 only to **18 April 2019**, and to extend the deadline for submission of replies from the licensee for item 4 only to **29 April 2019**.

Secretary General

¹ Requests should be sent to the following email address: info2019-72@crtc.gc.ca.