



Broadcasting Notice of Consultation CRTC 2020-54

PDF version

Ottawa, 10 February 2020

Public record: 1011-NOC2020-0054

Notice of hearing

14 April 2020

Gatineau, Quebec

Deadline for submission of interventions/comments/answers: 11 March 2020

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

The Commission will hold a hearing on **14 April 2020 at 11 a.m., at the Commission Headquarters, 1 Promenade du Portage, Gatineau, Quebec**. The Commission intends to consider the following applications, subject to interventions, without the appearance of the parties:

Applicant/Licensee and locality

- 1. Atlantic Digital Networks Ltd.**
Across Canada
Application 2019-0551-4
- 2. Aujourd'hui l'Espoir**
Brownsburg-Chatham, Quebec
Application 2019-0963-1
- 3. Utilities Consumers' Group Society**
Whitehorse, Yukon
Application 2019-0961-5
- 4. Vernon Community Radio Society**
Vernon, British Columbia
Application 2018-0946-9

- 1. Atlantic Digital Networks Ltd.**
Across Canada
Application 2019-0551-4

Application by **Atlantic Digital Networks Ltd.** for a broadcasting licence to operate its currently exempt national, English-language discretionary service known as ToonAvision as a licensed service.

The service is devoted to animated programs for children and their families. It currently operates pursuant to *Exemption order respecting discretionary television programming undertakings serving fewer than 200,000 subscribers*, Broadcasting Order CRTC 2015-88, 12 March 2015.

The applicant requests an exception to the requirement relating to the exhibition of Canadian programs set out in section 2(1) of the *Discretionary Services Regulations*. Specifically, the licensee proposes that it be required, until 30 June 2020, to devote not less than 25% of the total programming broadcast during the broadcast year and the evening broadcast period to Canadian programs.

The applicant stated that it would adhere to a condition of licence requiring it to devote at least 10% of the previous broadcast year's gross annual revenues to the acquisition of and investment in Canadian programming, in addition to the standard conditions of licence for discretionary services set out in Appendix 2 to *Standard requirements for television stations, discretionary services and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016.

Applicant's address:

38 Pleasant Street
 Dartmouth, Nova Scotia
 B2Y 3P2
 Telephone: 902-482-0752
 Email: adam@atlanticdigitalnetworks.ca
 Email to request electronic version of application: adam@atlanticdigitalnetworks.ca

2. Aujourd'hui l'Espoir
 Brownsburg-Chatham, Quebec
 Application 2019-0963-1

Application by **Aujourd'hui l'Espoir** for a broadcasting licence to operate a French-language commercial specialty (Christian music) FM radio station in Brownsburg-Chatham.

The station would operate at 102.7 MHz (channel 274A1) with an effective radiated power of 250 watts (non-directional antenna with an effective height of antenna above average terrain of -17.6 metres).

The applicant proposes to broadcast a minimum of 98.5 hours of local programming per broadcast week.

The applicant also proposes to devote during each broadcast week at least 90% of all musical selections broadcast to content subcategory 35 (Non-classic religious) musical selections, and at least 20% of all content category 3 (Special Interest Music) musical selections broadcast to Canadian musical selections.

The applicant further proposes to broadcast English- and third-language spoken word programming while maintaining a minimum of 80% French-language spoken word programming per broadcast week.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least 20 days prior to the hearing, that the application is technically acceptable.

Applicant's address:

6640 Third Avenue West
 Québec, Quebec
 G1H 6H4

Email: francois@octavecom.ca

Website to view the application: www.espoir.ca

Email to request electronic version of application: eperron@espoir.ca

3. Utilities Consumers' Group Society

Whitehorse, Yukon

Application 2019-0961-5

Application by **Utilities Consumers' Group Society** for a broadcasting licence to operate an English-language community FM radio station in Whitehorse.

The station would operate at 92.5 MHz (channel 223B) with an average effective radiated power (ERP) of 590 watts (maximum ERP of 1,300 watts with an effective height of antenna above average terrain of 438.5 metres).

The applicant proposes to broadcast 126 hours of programming per broadcast week, of which 108 hours would be devoted to local programming.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least 20 days prior to the hearing, that the application is technically acceptable.

Applicant's address:

29 Wann Road
 P.O. Box 9300
 Whitehorse, Yukon
 Y1A 4A2

Fax: 867-633-5210

Email: bill@cjucfm.com

Email to request electronic version of application: info@cjucfm.com

4. Vernon Community Radio Society

Vernon, British Columbia
Application 2018-0946-9

Application by **Vernon Community Radio Society** for a broadcasting licence to operate an English-language community FM radio station in Vernon.

The station would operate at 97.9 MHz (channel 250A) with an average effective radiated power (ERP) of 602 watts (maximum ERP of 1,000 watts with an effective height of antenna above average terrain of -148 metres).

The applicant proposes to broadcast 126 hours of programming per broadcast week, of which 121 hours would be devoted to local programming.

This application is published as part of this non-appearing hearing pursuant to the Commission's determination set out in *Findings regarding market capacity and the appropriateness of issuing a call for radio applications to serve the Vernon radio market*, Broadcasting Decision CRTC 2019-418, 13 December 2019.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least 20 days prior to the hearing, that the application is technically acceptable.

Applicant's address:

#4 – 7760 Okanagan Landing Road
Vernon, British Columbia
V1H 1Z4

Email: gleighton@telus.net

Website to view application: www.vernoncommunityradio.ca

Email to request electronic version of application: gleighton@telus.net

Procedure

Deadline for interventions, comments or answers

11 March 2020

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

understand the Rules of Procedure so that they can more effectively participate in Commission proceedings.

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

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

Parties are permitted to coordinate, organize, and file, in a single submission, interventions by other interested persons who share their position. Information on how to file this type of submission, known as a joint supporting intervention, as well as a template for the covering letter to be filed by the parties, can be found in *Changes to certain practices for filing interventions – Expansion of filing practices to include the filing of joint supporting comments for broadcasting policy proceedings*, Broadcasting Information Bulletin CRTC 2010-28-1, 10 December 2010.

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

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

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

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

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

or

by mail to
CRTC, Ottawa, Ontario K1A 0N2

or

by fax at
819-994-0218

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

Parties who send documents electronically must ensure that they will be able to prove, upon Commission request, that 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 an oral phase of the hearing, and if parties wish to appear, they must provide reasons why their written interventions or answers are not sufficient and why an appearance is necessary. Parties requiring communication support must state their request on the first page of their intervention. Only those parties whose requests to appear have been granted will be contacted by the Commission and invited to appear at the public hearing.

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