



Broadcasting Notice of Consultation CRTC 2021-337

PDF version

Ottawa, 5 October 2021

Public record: 1011-NOC2021-0337

Notice of hearing

6 December 2021
Gatineau, Quebec

Deadline for submission of interventions/comments/answers: 4 November 2021

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

The Commission will hold a hearing on **6 December 2021 at 11:00 a.m., at the Commission Headquarters, 1 Promenade du Portage, Gatineau, Quebec**. The Commission intends to consider the following application, subject to interventions, without the appearance of the parties:

Applicant/Licensee and Locality

1. **The News Forum Inc.**
Across Canada
Application 2021-0213-5
2. **Cogeco Media Inc.**
Saguenay (Chicoutimi), Quebec
Application 2021-0295-3
3. **10679313 Canada Inc.**
Val-d'Or, Rouyn-Noranda and La Sarre, Quebec
Application 2021-0297-9
4. **Burns Lake & District Rebroadcasting Society**
Burns Lake, British Columbia
Application 2021-0443-8

1. The News Forum Inc.

Across Canada
Application 2021-0213-5

Application by **The News Forum Inc.** for a broadcasting licence to operate its national English-language discretionary service known as The News Forum.

The applicant indicated that the service is devoted to daily national and international news, along with daily news analysis and commentary programming. The News Forum also stated that it intends to broaden the perspective of the viewer by providing greater context and more inclusive information from both sides of the given issue.

The service commenced operations on 27 August 2020 further to *Exemption order respecting discretionary television programming undertakings serving fewer than 200,000 subscribers*, Broadcasting Order CRTC 2015-88, 12 March 2015. The service now exceeds 210,000 subscribers for more than three consecutive months and the current application is to obtain a licence to continue its operations.

The applicant also stated that it would adhere to all conditions of licence for national news services set out in Appendix to *Standard conditions of licence, expectations and encouragement for Canadian discretionary services operating as national news services*, Broadcasting Regulatory Policy CRTC 2015-436, 23 September 2015.

The applicant also acknowledged that all licensed broadcast undertakings must comply with the *Direction to the CRTC (Ineligibility of Non-Canadians)*; specifically, that an applicant's proposed undertaking must be owned and/or effectively controlled by a Canadian in order to be issued a licence.

Applicant's address:

455 Geneva Street
St. Catharines, Ontario
L2N 2H2

Telephone: 905-346-1714

Fax: 905-788-9121

Email: info@thenewsforum.ca

Email to request electronic version of application: info@thenewsforum.ca

2. Cogeco Media Inc.

Saguenay (Chicoutimi), Quebec
Application 2021-0295-3

Application by **Cogeco Media Inc.** (Cogeco) for authority to acquire from 10679313 Canada Inc. (operating as Arsenal Media) (Arsenal) the assets of the French-language commercial radio station CILM-FM Saguenay (Chicoutimi).

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

Cogeco is controlled by Gestion Audem inc. which is controlled by its board of directors, pursuant to the terms of the shareholders agreement dated 28 July 2011.

Arsenal is owned by 10691313 Canada inc. (50.75%) and Fondation CSN (49.25%), and its effective control is exercised by Sylvain Chamberland.

Pursuant to the Asset Purchase Agreement, Cogeco would purchase the assets of the undertaking for \$600,000. The applicant proposed a value of the transaction of \$814,929, which includes assumed leases. As per the *Simplified approach to tangible benefits and determining the value of the transaction*, Broadcasting Regulatory Policy CRTC 2014-459, 5 September 2014, the applicant also proposed a tangible benefits package of \$48,896, which is equal to 6% of the value of transaction.

Arsenal confirmed that it would continue to be responsible for the payment of the remaining tangible benefits resulting from a Broadcasting Administrative Decision dated 31 July 2018, in which the Commission approved the modification to the effective control of the radio stations previously owned by Groupe Attraction Radio inc., including the CILM-FM Chicoutimi station involved in the current transaction.

As per the *Commercial Radio Policy, 1998*, Public Notice CRTC 1998-41, 30 April 1998, in a market with less than eight commercial radio stations operating in a given language, a person may not be permitted to own or control more than three stations operating in the same language and no more than two stations operating on the same frequency band, in this case the FM band. Although Cogeco is currently the licensee of CKYK-FM Saguenay and CFGT-FM Alma, it stated that the acquisition of CILM-FM Chicoutimi would not contravene the common ownership policy set out in the *Commercial Radio Policy, 1998*, because, according to the criteria indicated in *Revised guidelines for the application of the Common Ownership Policy for Radio*, Broadcasting Information Bulletin CRTC 2010-341, 4 June 2010, it would own two FM stations in each of the Alma and Saguenay markets if the application is approved.

Following the closing of the transaction, Cogeco would become the licensee of CILM-FM Chicoutimi.

Applicant's address:

800 de la Gauchetière Street West

Suite 1100

Montréal, Quebec

H5A 1M1

Fax: 514-874-2625

Email: mtl.telecomregulatory@cogeco.com

Email to request electronic version of application: paul.beaudry@cogeco.com

3. 10679313 Canada Inc.

Val-d'Or, Rouyn-Noranda and La Sarre, Quebec

Application 2021-0297-9

Application by **10679313 Canada Inc.** (operating as Arsenal Media) (Arsenal) for authority to acquire from Cogeco Media Inc. (Cogeco) the assets of the French-language commercial radio stations CHGO-FM Val-d'Or, CHOA-FM Rouyn-Noranda and its transmitters CHOA-FM-1 Val-d'Or and CHOA-FM-2 La Sarre, and CJGO-FM La Sarre and its transmitter CJGO-FM-1 Rouyn-Noranda.

The applicant is also requesting new broadcasting licences to continue the operation of these undertakings under the same terms and conditions as those in effect under the current licences.

Arsenal is owned by 10691313 Canada inc. (50.75%) and Fondation CSN (49.25%), and its effective control is exercised by Sylvain Chamberland.

Cogeco is controlled by Gestion Audem inc., which is controlled by its board of directors, pursuant to the terms of the shareholders agreement dated 28 July 2011.

Pursuant to the Asset Purchase Agreement, Arsenal would purchase the assets of the undertakings for \$1,500,000. The applicant proposed a value of the transaction of \$2,195,489, which includes assumed leases and ancillary agreements. As per the *Simplified approach to tangible benefits and determining the value of the transaction*, Broadcasting Regulatory Policy CRTC 2014-459, 5 September 2014, the applicant also proposed a tangible benefits package of \$131,729, which is equal to 6% of the value of transaction.

Cogeco confirmed that it would continue to be responsible for the payment of the remaining tangible benefits resulting from *Various radio programming undertakings – Acquisition of assets*, Broadcasting Decision CRTC 2018-396, 11 October 2018, in which the Commission approved the acquisition of the assets of the above-noted radio stations from RNC Media Inc.

Following the closing of the transaction, Arsenal would become the licensee of CHGO-FM Val-d'Or, CHOA-FM Rouyn-Noranda and its transmitters CHOA-FM-1 Val-d'Or and CHOA-FM-2 La Sarre, and CJGO-FM La Sarre and its transmitter CJGO-FM-1 Rouyn-Noranda.

Applicant's address:

3000-662 Victoria Avenue
Saint-Lambert, Quebec
J4P 2J6

Telephone: 514-846-1228 extension 2146

Email: schamberland@arsenalmedia.com ; serge.bellerose55@gmail.com

Email to request electronic version of application: serge.bellerose55@gmail.com

4. Burns Lake & District Rebroadcasting Society

Burns Lake, British Columbia
Application 2021-0443-8

Application by **Burns Lake & District Rebroadcasting Society** for a broadcasting licence to operate a radiocommunication distribution undertaking to serve Burns Lake.

The applicant proposed to distribute:

- the programming service of CBC Vancouver at 177 MHz (channel 7) with an average effective radiated power (ERP) of 42 watts (maximum ERP of 102 watts with an effective height of antenna above average terrain (EHAAT) of 296 metres);
- the programming service of Knowledge at 195 MHz (channel 10) with an average ERP of 41 watts (maximum ERP of 106 watts with an EHAAT of 296 metres); and
- the programming service of Aboriginal Peoples Television Network at 213 MHz (channel 13) with an average ERP of 44 watts (maximum ERP of 130 watts with an EHAAT of 296 metres).

Applicant's address:

P.O. Box 784
441-445 Government Street
Burns Lake, British Columbia
VOJ 1E0

Email: bldrsoc@gmail.com

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

Procedure

Deadline for interventions, comments or answers

4 November 2021

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, answers, 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 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.

Although the public hearing will be held in **Gatineau, Quebec**, the Commission will consider providing videoconference links to enable remote participation (audio or video), 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 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