



## Broadcasting Decision CRTC 2021-344

PDF version

Reference: Part 1 application posted on 6 August 2021

Ottawa, 22 October 2021

### **TELUS Communications Inc.**

Various locations in British Columbia, Alberta and Quebec

*Public record for this application: 2021-0402-4*

### **Terrestrial broadcasting distribution undertakings serving various locations in British Columbia, Alberta and Quebec – Licence amendments relating to the establishment of an independent programming committee**

1. The Commission has the authority, pursuant to subsection 9(1) of the *Broadcasting Act* (the Act), to issue licences for such terms not exceeding seven years and subject to such conditions related to the circumstances of the licensee as the Commission deems appropriate for the implementation of the broadcasting policy set out in subsection 3(1) of the Act, as well as to amend those conditions on application of the licensee.
2. Consistent with this authority, the Commission **approves** the application by TELUS Communications Inc. (TELUS) to amend the three regional broadcasting licences for the terrestrial broadcasting distribution undertakings (BDU) serving various locations in British Columbia,<sup>1</sup> Alberta<sup>2</sup> and Quebec,<sup>3</sup> respectively. The licensee requested the addition to each of those licences of a condition of licence relating to the establishment of an independent programming committee (IPC). The Commission did not receive any interventions in regard to this application.
3. The condition of licence in question relates to compliance with the *Direction to the CRTC (Ineligibility of Non-Canadians)* (the Direction).<sup>4</sup> To comply with the Direction, the licensee must have an IPC if Canadian ownership and control of TELUS Corporation, parent corporation of the licensee, falls below the 80% threshold indicated in the Direction. The IPC must be responsible for all

---

<sup>1</sup> Kelowna, Nanaimo, Penticton, Prince George, Terrace, Vancouver (including Lower Mainland, Fraser Valley and Whistler), Vernon and Victoria.

<sup>2</sup> Calgary, Edmonton (including St. Albert, Sherwood Park, Spruce Grove and Stony Plain), Fort McMurray, Grande Prairie and Red Deer.

<sup>3</sup> Baie-Comeau, Montmagny, Mont-Tremblant, Rimouski, Sainte-Marie, Saint-Georges and Sept-Îles, and their surrounding areas.

<sup>4</sup> SOR/97-192

programming decisions of the licensee, and officers, directors and employees of the parent corporation are not eligible to be members of the IPC.

4. This condition of licence ensures that the IPC will be put in place, if and when it is required. Further, the licensee must keep the IPC in place for a period of at least one year, even if, during that year, Canadian ownership of the parent corporation once again meets the 80% threshold. The condition of licence also serves to ensure that the licensee files all relevant documents and information regarding the composition of the IPC for the Commission's review.
5. TELUS stated that this condition of licence was erroneously omitted from those set out in the most recent licence renewal decisions for its terrestrial BDUs serving various locations in British Columbia, Alberta and Quebec.<sup>5</sup> In this regard, the Commission notes that the same condition of licence had been included in the previous licence renewal decision for TELUS's BDUs serving various locations in British Columbia and Alberta,<sup>6</sup> and considers that approval of the present application would ensure consistency across all three regional licences by setting out the same requirement for the licensee's BDUs serving locations in Quebec.
6. In light of the above, the Commission adds the following **condition of licence** to the regional broadcasting licences for TELUS's terrestrial BDUs serving various locations in British Columbia, Alberta and Quebec:

At any given time, in the case that Canadians beneficially own and control, directly or indirectly, less than 80 per cent of all the issued and outstanding voting shares of TELUS Corporation and less than 80 per cent of the votes, the licensee shall establish an independent programming committee for a one-year period, to be implemented within 30 days of the date that the licensee becomes aware of the non-compliance situation. Furthermore, the licensee shall file within 30 days of the implementation of the said committee, and to the satisfaction of the Commission, the composition of the new independent programming committee and all the documents demonstrating its implementation.

Secretary General

## **Related documents**

- *Terrestrial broadcasting distribution undertakings serving various locations in Quebec – Licence renewal and amendments*, Broadcasting Decision CRTC 2019-230, 28 June 2019

---

<sup>5</sup> For British Columbia and Alberta, Broadcasting Decision 2018-267; for Quebec, Broadcasting Decision 2019-230.

<sup>6</sup> See condition of licence 15 set out in Appendix 1 to Broadcasting Decision 2009-679. The Commission notes that the wording of the condition of licence proposed by TELUS in the present application is identical to the wording of the condition of licence set out in Broadcasting Decision 2009-679.

- *TELUS – Licence renewal for various terrestrial broadcasting distribution undertakings*, Broadcasting Decision CRTC 2018-267, 2 August 2018
- *Class 1 regional broadcasting licences for terrestrial broadcasting distribution undertakings serving communities in British Columbia and Alberta – Licence renewals and licence amendments*, Broadcasting Decision CRTC 2009-679, 30 October 2009

*This decision is to be appended to each licence.*