



Broadcasting Notice of Consultation CRTC 2022-10

PDF version

Ottawa, 25 January 2022

Public record: 1011-NOC2022-0010

Notice of hearing

31 March 2022

Gatineau, Quebec

Deadline for submission of interventions/comments/answers: 24 February 2022

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

The Commission will hold a hearing on **31 March 2022 at 11:00 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. **Blue Ant Media Inc. on behalf of all proposed partners in the partnerships that would carry on business as SN Channel General Partnership (13334805 Canada Limited, 8946337 Canada Limited and SN Channel ULC) and Blue Ant Television General Partnership (13334805 Canada Limited and 8946337 Canada Limited)**
Across Canada
Application 2021-0698-9
2. **FAB Broadcasting Corp.**
Toronto, Ontario
Application 2021-0439-7
3. **Amherstburg Broadcasting Corporation**
Amherstburg, Ontario
Application 2021-0540-3
4. **CJRO Radio Inc.**
Carlsbad Springs, Ontario
Application 2021-0695-5

1. Blue Ant Media Inc. on behalf of all proposed partners in the partnerships that would carry on business as SN Channel General Partnership (13334805 Canada Limited, 8946337 Canada Limited and SN Channel ULC) and Blue Ant Television General Partnership (13334805 Canada Limited and 8946337 Canada Limited)

Across Canada

Application 2021-0698-9

Application by **Blue Ant Media Inc.**, (Blue Ant) **on behalf of all proposed partners in the partnerships that would carry on business as SN Channel General Partnership (13334805 Canada Limited (Newco), 8946337 Canada Limited (8946337) and SN Channel ULC) and Blue Ant Television General Partnership (Newco and 8946337)** for authority to effect a corporate reorganisation where all the partnership interest owned by Blue Ant in the partnerships would be transferred to Newco, a wholly owned subsidiary of Blue Ant. Consequently, Newco would replace Blue Ant as a partner in the partnerships.

Following the close of the transaction, the partners in Blue Ant Television General Partnership (Newco and 8946337), would be the licensees of the discretionary services A.Side, BBC Earth, Cottage Life, BBC First (formerly HiFi), Love Nature, Makeful TV and Travel + Escape. In addition, the partners in SN Channel General Partnership (Newco, 8946337 and SN Channel ULC) would become the licensees of the discretionary service Smithsonian Channel.

The applicant also requested new broadcasting licences for the partners involved in the partnerships to continue the operation of the undertakings under the same terms and conditions as those in effect under the current licences.

In its response to a request for information, Newco stated that it had no objection to being held responsible, by condition of licence, for any finding of non-compliance on the part of Blue Ant with its regulatory obligations, should such non-compliance be found as part of the services' next licence renewal.

The transaction would not affect the effective control of the undertakings, which would continue to be exercised by Michael I. M. MacMillan.

Applicant's address:

99 Atlantic Avenue

4th Floor

Toronto, Ontario

M6K 3J8

Fax: 416-646-4444

Email: astrid.zimmer@blueantmedia.com

Email to request electronic version of application: astrid.zimmer@blueantmedia.com

2. **FAB Broadcasting Corp.**

Toronto, Ontario

Application 2021-0439-7

Application by **FAB Broadcasting Corp.** (FAB) for authority to acquire from Five Amigos Broadcasting Inc. (Five Amigos) the assets of the English-language commercial radio station CHLP-FM Listowel.

FAB also requested 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.

FAB is a corporation jointly owned by Gregory Hetherington and Raymond Stanton, who through their respective corporations, GregRadio Corp. (50%) and London Publishing Corp. (50%), exercise effective control of FAB.

Five Amigos is a corporation of which all of the issued and outstanding shares are currently held by Gregory Hetherington (51%) and London Publishing Corp. (49%). Gregory Hetherington exercises effective control of Five Amigos.

According to the supporting documents accompanying the application, this corporate restructuring would result in a 1% change in ownership, increasing London Publishing Corp.'s ownership stake from 49% to 50% of the assets of CHLP-FM, while reducing Gregory Hetherington's ownership stake from 51% to 50% of the assets of CHLP-FM.

The applicant proposed a value of transaction of \$312,600, which includes \$180,000 for long-term debt and \$132,600 for the cost of leases assumed by FAB. The applicant stated that, since this is only a 1% change in ownership and effective control, the value of the transaction should be pro-rated to 1% (\$3,126) for the purposes of calculating the tangible benefits. Accordingly, the applicant proposed a tangible benefits package of \$187.56, representing 6% of the pro-rated value of the transaction. FAB requested that the Commission waive the tangible benefits for this transaction due to their minimal amount.

Following the close of the transaction, FAB would be the licensee of CHLP-FM Listowel.

Applicant's address:

5405 Eglinton Avenue West

Suite 214

Toronto, Ontario

M9C 5K6

Email: andrew@mbcmedia.ca

Email to request electronic version of application: andrew@mbcmedia.ca

3. Amherstburg Broadcasting Corporation

Amherstburg, Ontario
Application 2021-0540-3

Application by **Amherstburg Broadcasting Corporation** for a broadcasting licence to operate a low-power English-language commercial FM radio station in Amherstburg.

The station would operate at 107.9 MHz (channel 300LP) with an effective radiated power of 50 watts (non-directional antenna with an effective height of the antenna above average terrain of 51.6 metres).

The applicant proposed to broadcast 123 hours and 22 minutes of local programming per broadcast week.

The applicant proposed a mix of news, talk and soft adult contemporary music targeting the entire population of Amherstburg.

The Commission may withdraw this application from the public hearing if the Commission 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:

494 Front Road North
Amherstburg, Ontario
N9V 2V7

Email: martynadler@bell.net

Email to request electronic version of application: martynadler@bell.net

4. CJRO Radio Inc.

Carlsbad Springs, Ontario
Application 2021-0695-5

Application by **CJRO Radio Inc.** (CJRO Radio) for authority to acquire from Carlsbad Springs Community Association (CSCA) the assets of the English- and French-language community radio station CJRO-FM Carlsbad Springs and its transmitters CJRO-FM-1 Vars, CJRO-FM-2 Embrun and CJRO-FM-3 Sarsfield.

CJRO Radio also requested 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.

CJRO Radio is a not-for-profit corporation controlled by its board of directors.

CSCA is a not-for-profit corporation controlled by its board of directors.

According to the supporting documents accompanying the application, on 17 June 2021, CSCA agreed to transfer the assets of CJRO-FM and its transmitters to CJRO Radio. The transaction would result in a 100% change in ownership and control of the assets of CJRO-FM and its transmitters from CSCA to CJRO Radio.

Following the close of the transaction, CJRO Radio would be the licensee of CJRO-FM Carlsbad Springs and its transmitters CJRO-FM-1 Vars, CJRO-FM-2 Embrun and CJRO-FM-3 Sarsfield.

Applicant's address:

5556 Piperville Road
Carlsbad Springs, Ontario
K0A 1K0

Email: cjrofm@rogers.com

Email to request electronic version of application: cjrofm@rogers.com

Procedure

Deadline for interventions, comments or answers

24 February 2022

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, 23December 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 "Public proceedings (consultations)". 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