



Broadcasting Notice of Consultation CRTC 2022-248

PDF version

Ottawa, 20 September 2022

Public record: 1011-NOC2022-0248

Notice of hearing

18 November 2022
Gatineau, Quebec

Deadline for submission of interventions/comments/answers: 20 October 2022

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

The Commission will hold a hearing on **18 November 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. **Douglas Martin, on behalf of a corporation to be incorporated**
Gesgapegiag, Quebec
Application 2022-0023-6
2. **Stingray Group Inc.**
Montréal, Quebec
Application 2022-0321-4

1. **Douglas Martin, on behalf of a corporation to be incorporated**
Gesgapegiag, Quebec
Application 2022-0023-6

Application by Douglas Martin, on behalf of a corporation to be incorporated, for a broadcasting licence to operate a low-power Indigenous (Type B Native) FM radio station in Gesgapegiag.

The station would operate at 101.7 MHz (channel 269LP) with an effective radiated power of 50 watts (omnidirectional antenna with an effective height of the antenna above average terrain [EHAAT] of -14.2 metres).

The applicant proposes to broadcast 126 hours of programming per broadcast week, of which 45 hours would be devoted to local programming.

The applicant also proposes to broadcast, per broadcast week, approximately 50 hours of English-language programming, 5 hours of French-language programming and 5 hours of Indigenous-language programming in the Mi'kmaq language.

The applicant indicates that, per broadcast week, approximately 60 hours would be devoted to spoken-word programming and 66 hours would be devoted to musical content, of which 6% of musical selections would be performed or composed by Indigenous creators.

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:

60 School Street

Gesgapegiag, Quebec

G0C 1Y0

Fax: 418-759-8196

Email: chrg101@yahoo.ca

Email to request electronic version of application: chrg101@yahoo.ca

2. Stingray Group Inc.

Montréal, Quebec

Application 2022-0321-4

Application by Stingray Group Inc. for a broadcasting licence to operate its national English-language discretionary service known as Stingray HITS (Stingray HITS - English).

The service is devoted to English-language music television programming focusing on popular music videos from the last 20 years.

The service commenced operations in July 2021 without providing the Commission with the information required to operate its service pursuant to the *Exemption order respecting discretionary television programming undertakings serving fewer than 200,000 subscribers*, Broadcasting Order CRTC 2015-88, 12 March 2015 (Broadcasting Order 2015-88).

The service has exceeded 210,000 subscribers for more than three consecutive months, making it ineligible to operate under the terms of Broadcasting Order 2015-88.

The applicant stated that it is seeking a five year licence term and that it would adhere 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.

The applicant proposed to devote at least 12% of the previous year's gross annual revenues for the first three years of the licence term to the acquisition of and investment in Canadian programming (CPE) and 10% for the remaining two years of the licence term.

The applicant indicated that it proposed the increased contribution to CPE in the first three years of the licence term to compensate the broadcasting system, since the applicant initially failed to register the service and failed to file a licence application for Stingray HITS - English when the service went beyond the threshold of 210,000 subscribers that rendered it ineligible to operate under Broadcasting Order 2015-88.

Applicant's address:

730 Wellington Street

Montréal, Quebec

H3C 1T4

Telephone: 514-664-1244 ext. 2025

Email: vheroux@stingray.com

Email to request electronic version of application: vheroux@stingray.com

Procedure

Deadline for interventions, comments or answers

20 October 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, 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 the application to be considered during the non-appearing phase of the hearing is brought to the 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.

Although the public hearing will be held in ~~Montreal, Quebec~~ **Montreal, 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 twenty (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.

Links to interventions, replies and answers filed for this proceeding, as well as other documents referred to in this notice, are available on the Commission's "[Consultations and hearings: have your say](#)" page.

Documents are available upon request during normal business hours by contacting:

Documentation Centre
examinationroom@crtc.gc.ca
Tel.: 819-997-4389
Fax: 819-994-0218

Client Services
Toll-free telephone: 1-877-249-2782
Toll-free TTY: 1-877-909-2782

Secretary General