



## Broadcasting Public Notice CRTC 2004-48

Ottawa, 9 July 2004

### **Vidéotron ltée, on behalf of itself and its subsidiaries CF Cable TV Inc. and Videotron (Regional) Ltd.**

Dolbeau, Mont-Laurier, Montréal, Princeville, Québec, Saguenay (Chicoutimi sector), Sherbrooke (and Lennoxville sector), Saint-Félicien, Thetford Mines (Black Lake and Robertsonville sectors), Victoriaville, Montréal/Laval, Ascot Corner, Cabano, Coaticook, Cowansville, East Angus, Gatineau (Buckingham and Hull sectors), Granby, Lachute, La Malbaie, La Pocatière, Montebello, Rivière-du-Loup, Sorel, Saint-André-Avellin, Saint-Édouard-de-Lotbinière, Sainte-Pétronille, Saint-Joachim-de-Montmorency, Terrebonne, Thurso and Waterloo, Quebec, and Rockland, Ontario

*Application No. 2003-1177-0*

*The Commission has received the following application. The deadline for interventions/comments is **7 October 2004**.*

Application by **Vidéotron ltée**, on behalf of itself and its subsidiaries CF Cable TV Inc. and Videotron (Regional) Ltd. (collectively Vidéotron), to amend the licences of the cable distribution undertakings serving the above-mentioned locations.

The licensee proposes an amendment to the condition of licence regarding the use of the local availabilities<sup>1</sup> of non-Canadian satellite services, which reads:

The licensee may, at its option, insert certain promotional material as a substitute for the “local availabilities” (i.e. non-Canadian advertising material) of non-Canadian satellite services. At least 75% of these local availabilities must be made available for use by licensed Canadian programming services for the promotion of their respective services, for the promotion of the community channel and for unpaid Canadian public service announcements. A maximum of 25% of the commercial availabilities may be made available for the promotion of discretionary programming services and packages, customer service information, channel realignments, cable FM service and additional cable outlets.

Vidéotron proposes to amend the condition of licence in order to be permitted to use 50% of the local availabilities for commercial advertising, including the promotion of broadcasting services provided by the broadcasting distribution undertaking, with the exception of Internet services. Vidéotron proposes to use the remaining 50% of the local availabilities to promote Canadian programming services and the community channel, and to broadcast unpaid public service announcements.

<sup>1</sup> U.S. satellite services generally air 12 to 14 minutes of advertising each hour and reserve an additional 2 minutes of air time (approximately) per hour for use by U.S. cable companies for their own advertising or promotional material. These additional 2 minutes are referred to as “local availabilities.”

The current policy regarding the use of local availabilities, set out in *Proposal to insert certain promotional material in the local availabilities of U.S. satellite services*, Decision CRTC 95-12, 18 January 1995, does not allow for the broadcast of any commercial messages in local availabilities.

In support of its application, Vidéotron stated that increased competition has prevented cable companies from raising their basic service fee, yet they have had to make [translation] “enormous investments to upgrade their system capacity” and have had to “subsidize each and every digital subscriber.”

The Commission received a proposal by the Canadian Cable Television Association (CCTA) that raises issues similar to those raised by the Vidéotron application. The Commission notes that it will also consider Vidéotron’s application in light of the comments received as a result of the call for comments on the CCTA’s proposal for changes to the policy, which is the subject of *Proposal by the Canadian Cable Television Association to amend the policy regarding the use of local availabilities – Call for comments*, Broadcasting Public Notice CRTC 2004-47, also issued today.

Furthermore, in *Channel placement of certain services whose national distribution has been required pursuant to section 9(1)(h) of the Broadcasting Act - Call for comments on tools to promote and improve the visibility of these services*, Broadcasting Public Notice CRTC 2004-46 (Public Notice 2004-46), also issued today, the Commission has called for comments on what specific tools could be used to promote and improve the visibility of services whose distribution is required pursuant to section 9(1)(h) of the *Broadcasting Act*. The Commission advises parties that, in considering Vidéotron’s application, it will also examine ways to improve the visibility of these services. Accordingly, the Commission requests that comments submitted in the proceeding announced in this public notice take into consideration the issues and questions raised in Public Notice 2004-46, where appropriate.

*Licensee’s address:*

Vidéotron ltée  
6<sup>th</sup> Floor, 300 Viger Avenue East  
Montréal, Quebec  
H2X 3W4  
Fax: (514) 380-4664

*Examination of application:*

See appendix

[\[Intervention/comments form\]](#)

PUBLIC PARTICIPATION

**DEADLINE FOR INTERVENTIONS/COMMENTS**

7 October 2004

The intervention must be received by the CRTC and by the applicant ON OR BEFORE the above-mentioned date. The Commission cannot be held responsible for postal delays.

Your intervention will be considered by the Commission, and will form part of the public record of the proceeding without further notification to you, provided the procedure set out below has been followed. You will be contacted only if your submission raises procedural questions.

Submit your written intervention to the Secretary General of the Commission in **ONLY ONE** of the following formats:

**by using the link to the *Intervention/comments form* located below**

OR

**by electronic mail to**  
[procedure@crtc.gc.ca](mailto:procedure@crtc.gc.ca)

OR

**by mail at**  
CRTC, Ottawa, Ontario, K1A 0N2

OR

**by fax to the**  
Secretary General - (819) 994-0218

A true copy **MUST** be sent to the applicant and proof that this has been done must accompany the intervention sent to the Commission.

Where the intervention is filed by electronic means, the line **\*\*\*End of document\*\*\*** should be entered following the last paragraph of the document, as an indication that the document has not been damaged during electronic transmission.

Each paragraph of the document should be numbered.

Your intervention should clearly identify the application and indicate whether you support or oppose the application, or if you propose changes to it, include the facts and grounds for your proposal.

## **Important**

All information submitted, including your email address, name and any other personal information as provided, will be posted on the Commission's web site. Documents received in electronic format will be posted on the Commission's web site exactly as you send them, and in the official language and format in which they are received. Documents not received electronically will be available in .pdf format.

## **Examination of documents**

An electronic version of applications is available from the Commission's web site by selecting the application number within this notice.

A list of all interventions/comments will also be available on the Commission's web site. An electronic version of all interventions/comments submitted will be accessible from this list. To access the list, select "Lists of interventions/comments" under "Public Proceedings" from the Commission's web site.

Documents are also available during normal office hours at the local address provided in this notice and at the Commission offices and documentation centres directly involved with this application or, upon request, within 2 working days, at any other CRTC offices and documentation centres.

Central Building  
Les Terrasses de la Chaudière  
1 Promenade du Portage, Room 206  
Gatineau, Quebec K1A 0N2  
Tel.: (819) 997-2429 – TDD: 994-0423  
Fax: (819) 994-0218

Metropolitan Place  
99 Wyse Road, Suite 1410  
Dartmouth, Nova Scotia B3A 4S5  
Tel.: (902) 426-7997 – TDD: 426-6997  
Fax: (902) 426-2721

405 de Maisonneuve Blvd East  
2<sup>nd</sup> Floor, Suite B2300  
Montréal, Quebec H2L 4J5  
Tel.: (514) 283-6607  
Fax: (514) 283-3689

55 St. Clair Avenue East, Suite 624  
Toronto, Ontario M4T 1M2  
Tel.: (416) 952-9096  
Fax: (416) 954-6343

Kensington Building  
275 Portage Avenue, Suite 1810  
Winnipeg, Manitoba R3B 2B3  
Tel.: (204) 983-6306 – TDD: 983-8274  
Fax: (204) 983-6317

Cornwall Professional Building  
2125 – 11<sup>th</sup> Avenue, Room 103  
Regina, Saskatchewan S4P 3X3  
Tel.: (306) 780-3422  
Fax: (306) 780-3319

10405 Jasper Avenue, Suite 520  
Edmonton, Alberta T5J 3N4  
Tel.: (780) 495-3224  
Fax: (780) 495-3214  
530-580 Hornby Street  
Vancouver, British Columbia V6C 3B6  
Tel.: (604) 666-2111 – TDD: 666-0778  
Fax: (604) 666-8322

Secretary General

*This document is available in alternative format upon request and may also be examined at the following Internet site: <http://www.crtc.gc.ca>*

## Appendix to Broadcasting Public Notice CRTC 2004-48

### Examination locations for the Vidéotron ltée application

Region	Undertaking	Address
Black Lake	Vidéotron ltée	SuperClub Vidéotron 379 Bois-Francis Boulevard South Victoriaville, Quebec G6P 4T2
Cap-de-la-Madeleine	Vidéotron ltée	TCV Cap-de-la-Madeleine 190 Fusey Street Suite 101 Cap-de-la-Madeleine, Quebec G8T 2V8
Chicoutimi	Vidéotron ltée	TCV Saguenay 1 Mont Sainte-Claire Chicoutimi, Quebec G8B 5Y3
Montréal	Vidéotron ltée	Vidéotron ltée 300 Viger Avenue East Montréal, Quebec H2X 3W4
Québec Lévis Donnacona	Vidéotron ltée	Vidéotron ltée 2200 Jean-Perrin Street Québec, Quebec G2C 1S4
Robertsonville	Vidéotron ltée	SuperClub Vidéotron 379 Bois-Francis Boulevard South Victoriaville, Quebec G6P 4T2
Rock Island (Beebe/ Stanstead)	Vidéotron ltée	TCV Sherbrooke 3330 King Street West Suite 182 Sherbrooke, Quebec J1L 1C9

Sherbrooke	Vidéotron ltée	TCV Sherbrooke 3330 King Street West Suite 182 Sherbrooke, Quebec J1L 1C9
Victoriaville	Vidéotron ltée	SuperClub Vidéotron 379 Bois-Francis Boulevard South Victoriaville, Quebec G6P 4T2
Montréal/ Laval	CF Cable TV Inc. / CF Câble TV inc.	Vidéotron ltée 300 Viger Avenue East Montréal, Quebec H2X 3W4
Terrebonne/ Mascouche/ Lachenaie	Videotron (Regional) Ltd. / Vidéotron (Régional) ltée	TCV des Moulins 1284 Saint-Henri Road Mascouche, Quebec J7K 2N4
Gatineau (Hull sector)	Videotron (Regional) Ltd. / Vidéotron (Régional) ltée	TCV Buckingham et Masson-Angers 150 MacLaren Street East Gatineau, Quebec J8L 1K1
Gatineau (Hull sector)	Videotron (Regional) Ltd. / Vidéotron (Régional) ltée	TCV Outaouais 190 Edmonton Street Gatineau, Quebec J8Y 3S6
Montebello/ Fassett	Videotron (Regional) Ltd. / Vidéotron (Régional) ltée	TCV Outaouais 190 Edmonton Street Gatineau, Quebec J8Y 3S6
Saint-André- Avellin	Videotron (Regional) Ltd. / Vidéotron (Régional) ltée	TCV Outaouais 190 Edmonton Street Gatineau, Quebec J8Y 3S6
Thurso/ Plaisance/ Papineauville	Videotron (Regional) Ltd. / Vidéotron (Régional) ltée	TCV Outaouais 190 Edmonton Street Gatineau, Quebec J8Y 3S6

