



Broadcasting Public Notice CRTC 2006-93

Ottawa, 26 July 2006

The Commission has received the following applications. The deadline for submission of interventions/comments is 30 August 2006.

Item Applicant and Locality

1. **Halifax Cablevision Ltd., Access Communications Inc., Bragg Communications Inc., Bay Communications Inc., K-Right Communications Ltd.**
Halifax; Dartmouth; Bridgewater; Kentville/New Minas; New Glasgow, Sydney, Truro, Bedford/Sackville, Nova Scotia and Charlottetown, Prince Edward Island
2. **Milestone Radio Inc.**
Toronto, Ontario
3. **Source Cable and Wireless Limited**
Hamilton, Ontario
4. **912038 Alberta Ltd.**
Lloydminster and Bonnyville, Alberta
5. **Touch Canada Broadcasting Inc.**
Calgary, Alberta
6. **CTV Television Inc.**
Invermere, British Columbia
7. **Aboriginal Christian Voice Network**
Prince Rupert, British Columbia

1. **Halifax; Dartmouth; Bridgewater; Kentville/New Minas; New Glasgow, Sydney, Truro, Bedford/Sackville, Nova Scotia and Charlottetown, Prince Edward Island**
Application No. 2006-0473-7; 2006-0474-5; 2006-0476-1; 2006-0477-9; 2006-0475-3;

Applications by **Halifax Cablevision Ltd., Access Communications Inc., Bragg Communications Inc., Bay Communications Inc., K-Right Communications Ltd.** (collectively known as EastLink), to amend the licences of its cable distribution undertakings serving the above-mentioned locations.

The licensee proposes to add a condition of licence for the systems noted above concerning their community channels to include the following provision:

1. For the purpose of section 27.1(1) of the *Broadcasting Distribution Regulations*, “local community television programming” means, in relation to a licensed area, programming that is reflective of the community served in the licensed area and that is produced:
 - a) by the licensee in the licensed area, by the members of the community served in the licensed area or by a community television corporation residing in the licensed area;
 - b) by the licensee in another licensed area or by the members of the community served in that other licensed area and that is relevant to the community referred to in paragraph a);
 - c) by another licensee in a licensed area or by the members of the community served in that licensed area and that is relevant to the community referred to in paragraph a); or
 - d) by an exempt cable broadcasting distribution undertaking or by members of the community served by that undertaking and that is relevant to the community referred to in paragraph a).

EastLink states this amendment would allow one EastLink system to count the programming of any other EastLink system as local community television programming for the purposes of section 27.1(1). This proposal would permit the 60% local programming requirement to be expanded to include additional relevant programming that is reflective of the community, to be distributed to community members. EastLink submits that this approach will permit it to better fulfill the objectives of both the *Broadcasting Act* and the community channel policy.

Licensee’s address:

6080 Young Street, 8th Floor
 P.O. Box 8660, Station “A”
 Halifax, Nova Scotia
 B3K 5M3
 Fax: 902- 431-9561
 E-Mail: Regulatory.matters@corp.eastlink.ca

Examination of application:

At the licensee’s address, and

EastLink Kiosk
 Mic Mac Mall
 21 Mic Mac Boulevard
 Dartmouth, Nova Scotia

1571 Mountain Road
New Glasgow, Nova Scotia

61 Melody Lane
Sydney, Nova Scotia

69 Walker Street
Truro, Nova Scotia

367 Sackville Drive.
Lower Sackville, Nova Scotia

140 Cornwall Road
Blockhouse, Nova Scotia

1001 Howe Avenue
Kentville, Nova Scotia

EastLink Kiosk
Charlottetown Mall
670 University Avenue
Charlottetown, Prince Edward Island

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2. **Toronto, Ontario**
Application No. 2005-1372-2

Application by **Milestone Radio Inc.** to renew the licence of the commercial radio programming undertaking CFXJ-FM Toronto, expiring August 31, 2006.

The licensee has indicated that it will accept the same terms and conditions as the previous licensing period with the exception of the terms of their Canadian Talent Development (CTD) contributions. In addition to the minimum annual CTD contribution of \$27,000, the applicant proposes to commit by condition of licence to a yearly contribution of \$25,000 to support a number of local initiatives to develop and showcase Canadian Urban artists.

Licensee's address:

211 Yonge Street
Suite 400
Toronto, Ontario
M5B 1M4
Fax: 416-214-0660
E-Mail: nicole@flow935.com

Examination of application:

At the licensee's address

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3. **Hamilton, Ontario**
Application No. 2006-0918-3

Application by **Source Cable and Wireless Limited** to amend the licence of its cable distribution undertaking serving Hamilton, Ontario.

The licensee proposes to replace the condition of licence relating to the use of local availabilities which reads:

Consistent with Decision [CRTC 95-922](#) dated 21 December 1995, the licensee is authorized, by condition of licence, to insert, at its option, 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 local 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.

with the following condition :

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 local availabilities may be used to promote cable FM services, to provide customer service information, and to promote **non-programming services, such as Internet and digital telephone.** (amendment highlighted).

This proposal is consistent with the Commission's new policy for the use of local availabilities as set out in *Promotion of non-programming services using local availabilities*, Broadcasting Public Notice CRTC [2006-69](#), 2 June 2006.

Licensee's address:

1074 Upper Wellington Street
Hamilton, Ontario
L9A 3S6
Fax: 905-385-8029
E-Mail : gcorlett@sourcecable.ca

Examination of application:

At the licensee's address

[\[Broadcasting intervention/comments form\]](#)

4. **Lloydminster and Bonnyville, Alberta**
Application No. 2005-1369-9

Application by **912038 Alberta Ltd.** to renew the licence of the English-language commercial radio programming undertaking CKLM-FM Lloydminster and its transmitter CKLM-FM-1 Bonnyville, expiring August 31, 2006.

The licensee proposes to delete the following condition of licence:

as an exception to the percentage of Canadian musical selections required under section 2.2(8) of the *Radio Regulations, 1986*, in a broadcast week, devote 40% or more of its musical selections from content category 2 to Canadian selections broadcast in their entirety.

Instead, the licensee will broadcast the weekly regulatory minimum of 35% or more of its musical selections from content category 2 to Canadian selections broadcast in their entirety.

Licensee's address:

912038 Alberta Ltd.
Site Box 21, Atrium Centre, 5012 - 49th Street
Lloydminster, Alberta
T9V 0K2
Fax: 780-875-6676
E-Mail: stew@borderrock.com

Examination of application:

At the licensee's address, and

The Town of Bonnyville
4917-49 Avenue
Bonnyville, Alberta

[\[Broadcasting intervention/comments form\]](#)

5. **Calgary, Alberta**
Application No. 2006-0816-9

Application by **Touch Canada Broadcasting Inc.** relating to the licence of the English-language commercial radio programming undertaking CJSI-FM Calgary, Alberta.

The licensee proposes to change the authorized contours by increasing the effective radiated power from 47,000 watts to 100,000 watts.

The licensee wishes to increase the quality of the signal of the station outside of Calgary, particularly the rural areas and increase penetration of the signal within the downtown core.

Licensee's address:

5324 Calgary Trail
Suite 210
Edmonton, Alberta
T6H 4J8
Fax: 780-433-3581
E-mail: allan_h@telus.net

Examination of application:

4510 McCloud Trail
Calgary, Alberta

[\[Broadcasting intervention/comments form\]](#)

6. **Invermere, British Columbia**
Application No. 2006-0881-2

Application by **CTV Television Inc.** to amend the licences of television programming undertakings CFCN-TV-5 Lethbridge and CFCN-TV Calgary, Alberta.

The licensee wishes to change the program feed of the transmitters CFCN-TV-15 and CFWL-TV-1 Invermere, British Columbia from CFCN-TV-5 Lethbridge to CFCN-TV Calgary, Alberta.

Consequently, the licensee proposes the following:

- a) amend the licence of CFCN-TV-5 Lethbridge, Alberta, by deleting the transmitters CFCN-TV-15 and CFWL-TV-1 Invermere, British Columbia, and;
- b) amend the licence of CFCN-TV Calgary, Alberta by adding the transmitters CFCN-TV-15 and CFWL-TV-1 Invermere, British Columbia.

The licensee advised that it is seeking the Commission's authority to deliver a satellite feed of CFCN-TV Calgary to the Invermere transmitters instead of the existing combination off-air/microwave feed of CFCN-TV-5 Lethbridge.

The licensee advised that programming would be for the most part unaffected, as the programming of CFCN-TV Calgary and CFCN-TV-5 Lethbridge is virtually identical with the exception of 2.5 hours per week of separate local Lethbridge news programming delivered on the CFCN-TV-5 Lethbridge signal. It further stated that Invermere is a recreational area, largely populated by Calgary residents and this change will be a positive development for viewers in the Invermere community, as the local programming provided on CFCN-TV Calgary will be of greater relevance to this community.

Licensee's address:

9 Channel Nine Court
 Scarborough, Ontario
 M1S 4B5
 Fax:416-332-4580
 E-Mail: dspodek@ctv.ca

Examination of application:

Best Western Invermere Inn
 1310-7th Avenue
 Invermere, British Columbia

[\[Broadcasting intervention/comments form\]](#)

7. **Prince Rupert, British Columbia**
Application No. 2005-1371-4

Application by **Aboriginal Christian Voice Network** to renew the licence of the low power commercial, Specialty FM Christian music radio programming undertaking

CIAJ-FM Prince Rupert, expiring August 31, 2006.

The licensee proposes to delete its current condition of licence that it draw at least 85% of the total weekly music from subcategory 34 (non-classic religious) and add the following condition of licence:

The licensee must draw at least 85% of the total weekly music broadcast from subcategory 35 (Non-classic religious).

The new condition of licence reflects the changes to the music content categories as announced in Public Notice CRTC 2000-14 *Revised Content Categories and Subcategories for Radio*.

Licensee's address:

531 – 6th Avenue West
Prince Rupert, British Columbia
V8J 1Z7
E-Mail: ciajpr@hotmail.com

Examination of application:

721 Fraser Street
Prince Rupert, British Columbia

[Broadcasting intervention/comments form]

Public Participation

Deadline for Interventions/Comments

30 August 2006

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
Broadcasting Intervention/Comments Form
located below the description of each application within this public notice

or

by mail to
CRTC, Ottawa, Ontario K1A 0N2

or

by fax at
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.

The Commission advises those who file and serve by electronic mode to exercise caution when using e-mail for service of documents or notification, as it may be difficult to establish that service has occurred.

Before initiating service through electronic mode, please ensure that you will be able to satisfy the Commission, upon request, that service of the notification was completed.

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 notice

Note that all information that you provide as part of this public process, except information granted confidentiality, whether sent by postal mail, facsimile, e-mail or through the Commission's web site at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's web site. This information includes your personal information, such as your full name, e-mail address, postal/street address, telephone and facsimile number(s), and any other personal information you provide.

Documents received electronically or otherwise will be put on the Commission's web site in their entirety exactly as you send them, 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 personal information you 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.

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 these applications 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
Toll free Telephone: 1-877-249-2782
Toll-free TDD: 1-877-909-2782
FAX: 819-994-0218

Metropolitan Place
99 Wyse Road, Suite 1410
Dartmouth, Nova Scotia B3A 4S5
Tel: 902-426-7997
FAX: 902-426-2721

205 Viger Avenue West
Suite 504
Montréal, Quebec H2Z 1G2
Tel: 514-283-6607

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

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

Cornwall Professional Building
2125 – 11th Avenue, Room 103
Regina, Saskatchewan S4P 3X3
Tel: 306-780-3422

10405 Jasper Avenue, Suite 520
Edmonton, Alberta T5J 3N4
Tel: (780) 495-3224

530-580 Hornby Street
Vancouver, British Columbia V6C 3B6
Tel: 604-666-2111 – TDD: 604-666-0778
FAX: 604-666-8322

Secretary General

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