



Broadcasting Public Notice CRTC 2006-35

Ottawa, 29 March 2006

The Commission has received the following applications. The deadline for submission of interventions/comments is 3 May 2006.

Item	Applicant and Locality
1.	3773221 Canada Inc. (G4TechTV) Across Canada
2.	Bell ExpressVu Inc. (the general partner) and BCE Inc. and 4119649 Canada Inc. (partners in BCE Holdings G.P., a general partnership that is the limited partner), carrying on business as Bell ExpressVu Limited Partnership Across Canada
3.	Northern Lights Community Radio Corp. Forteau, Newfoundland and Labrador
4.	Carrefour jeunesse emploi-Comté Johnson (CIAX-FM) Windsor, Quebec
5.	Radio MF Charlevoix inc. Saint-Hilarion, La Malbaie, Baie-Saint-Paul, Petite-Rivière-Saint-François and Saint-Siméon, Quebec

1. **Across Canada**
Application No. 2006-0141-0

Application by **3773221 Canada Inc.** to amend the licence of the national Category 1 specialty programming undertaking known as G4techTV.

The licensee proposes to change the nature of its service in order to devote up to 15% of its weekly broadcast schedule to programming from category 7 (drama and comedy).

Licensee's address:

333 Bloor Street East
Toronto, Ontario
M4W 1G9
Fax: (416) 935-8203
E-Mail: alain.strati@rci.rogers.com

Examination of application:

At the licensee's address

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

2. **Across Canada
Application No. 2006-0169-2**

Application by **Bell ExpressVu Inc. (the general partner) and BCE Inc. and 4119649 Canada Inc. (partners in BCE Holdings G.P., a general partnership that is the limited partner), carrying on business as Bell ExpressVu Limited Partnership** to add a condition of licence for the video on demand (VOD) programming undertaking known as Vu! On Demand approved in *National video-on-demand service*, Broadcasting Decision CRTC 2004-479, November 8, 2004.

The applicant proposes to add a condition of licence that would prohibit it from distributing programming that contains any commercial message except if the message is already included in a program previously aired by a Canadian television programming undertaking and is subsequently offered on an on-demand basis at no charge to the subscriber.

To this end, the applicant proposes that the condition of licence pertaining to adherence to the *Pay Television Regulations, 1990*, be amended as follows:

The licensee shall adhere to the *Pay Television Regulations, 1990*, with the exception of section 3(2)(d) (commercial messages) and section 4 (logs and records).

The applicant also proposes to add the following condition of licence:

The licensee shall not include as part of its VOD offering any program containing a commercial message except where:

- a. the message was already included in a program previously broadcast by a Canadian programming service;
- b. the program's inclusion as part of the VOD offering is in accordance with the terms of a written agreement entered into with the operator of the Canadian programming service that broadcast the program; and
- c. the program is offered to subscribers on an on-demand basis at no charge.

The applicant anticipates that the addition of such free programming will motivate subscribers to access its VOD service on a more consistent basis and, in the process, increase the likelihood of their purchasing other on-demand content.

Applicant's address:

110 O'Connor Street
 6th Floor
 Ottawa, Ontario
 K1P 1H1
 Fax: (613) 560-0472
 E-Mail: bell.regulatory@bell.ca

Examination of application:

110 O'Connor Street
 7th Floor
 Ottawa, Ontario

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

3. **Forteau, Newfoundland and Labrador
 Application No. 2006-0090-0**

Application by **Northern Lights Community Radio Corp.** for an extension of the time limit to commence the operation of the radio programming undertaking at Forteau, authorized in *New Community radio station*, Broadcasting Decision CRTC [2002-53](#), 27 February 2002.

The applicant is requesting an extension until 27 February 2007.

The applicant states it has been involved in making financing arrangements in order to commence operations.

The current application represents the fourth request for an extension of the time limit.

The Commission approved the first request for an extension of the time limit from 27 February 2003 to 27 February 2004 in Broadcasting Decision CRTC [2003-71](#), dated 26 February 2003; the second request for an extension of the time limit to 27 February 2005 was approved in Broadcasting Decision CRTC [2004-90](#) dated 20 February 2004; the third request for an extension of the time limit to 27 February 2006 was approved in Broadcasting Decision CRTC 2005-290 dated 5 July 2005.

Licensee's address:

P.O. Box 160
 Forteau, Newfoundland and Labrador
 A0K 2P0
 Fax: (709) 931-2504
 E-Mail: slda1975@hotmail.com

Examination of application:

32 Main Street
 Forteau, Newfoundland and Labrador

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

4. **Windsor, Quebec**
Application No. 2005-1443-1

Application by **Carrefour jeunesse emploi-Comté Johnson** to renew the licence of the Type B community radio programming undertaking CIAX-FM Windsor expiring 31 August 2006.

Licensee's address:

207 St-Georges Street
 Windsor, Quebec
 J1S 1K3
 Fax: (819) 845-2692
 E-Mail: unitewindsor@qc.aira.com

Examination of application:

49, 6th Avenue
 Windsor, Quebec

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

5. **Saint-Hilarion, La Malbaie, Baie-Saint-Paul, Petite-Rivière-Saint-François and Saint-Siméon, Quebec**
Application No. 2005-0333-5

Application by **Radio MF Charlevoix inc.** to renew the licence of the commercial radio programming undertaking CIHO-FM Saint-Hilarion and its transmitters CIHO-FM-1 La Malbaie, CIHO-FM-2 Baie-Saint-Paul, CIHO-FM-3 Petite-Rivière-Saint-François and CIHO-FM-4 Saint-Siméon, expiring 31 August 2006.

This renewal application was announced on 5 July 2005 in Broadcasting Public Notice CRTC 2005-65. In that Public Notice the Commission noted the licensee's history of non-compliance spanning the period from 1989 to 1996 and its current state of non-compliance with its condition of licence relating to Category 3 (Traditional and Special Interest music).

The Commission notes that the licensee is currently subject to conditions of licence that were not examined in the light of the *Commercial Radio Policy 1998*, Public Notice CRTC 1998-41 – 30 April 1998, at its last licence renewal (Decision 1998-389). In view of the 1998 Policy, Radio MF Charlevoix inc. requests renewal under the terms and conditions set out in Decision 1998-389, amended as follows:

- delete the condition of licence limiting the broadcast of advertising to 9 minutes per hour;
- delete the condition of licence requiring that at least 35% English-language vocal music be broadcast;
- replace the condition of licence requiring that 3 hours of Category 3 (Traditional and Special Interest) musical programming be broadcast with a condition of licence requiring the broadcast of at least 5% Category 3 musical selections in each broadcast week;
- amend the condition of licence requiring the broadcast of at least 15% spoken word by inserting the words “community-oriented [...] in each broadcast week”.

Licensee's address:

315 Cartier Nord Street
 Saint-Hilarion, Quebec
 G0A 3V0
 Fax: (418) 457-3518
 E-Mail: ciho@charlevoix.net

Examination of application:

At the applicant's address, and

Municipal Office
 1067, Principale Street
 Petite-Rivière-Saint-François, Quebec

Municipal Office
 502 St-Laurent Street
 Saint-Siméon, Quebec

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

Public Participation

Deadline for Interventions/Comments

3 May 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.

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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>