



Broadcasting Public Notice CRTC 2006-43

Ottawa, 5 April 2006

The Commission has received the following applications. The deadline for submission of interventions/comments is 10 May 2006.

Item Applicant and Locality

1. **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
2. **World Fishing Network Ltd.**
Across Canada
3. **Stuart Media Group Inc.**
Across Canada
4. **Gol TV (Canada) Ltd.**
Across Canada
5. **Radio Matagami**
Matagami, Quebec
6. **Aboriginal Voices Radio Inc. (AVR)**
Montréal, Quebec
7. **Manitoulin Radio Communication Inc.**
Little Current, Ontario
8. **Canadian Broadcasting Corporation**
North Battleford, Saskatchewan

1. **Across Canada** **Application No. 2006-0175-9**

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 amend the licence of its national direct-to-home (DTH) Pay-Per-View (PPV) programming undertaking known as Vu!.

The licensee 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 licensee 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*, as amended from time to time, with the exception of section 3(2)(d) (commercial messages).

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

The licensee shall not include as part of its DTH PPV 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 DTH PPV 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 at no charge.

The licensee indicated that the intent of the application is to ensure competitive equity among Vu!, Canadian video-on-demand (VOD) services and newly-evolving PPV media.

Licensee'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

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2. **Across Canada**
Application No. 2006-0228-6

Application by **World Fishing Network Ltd.** to amend the licence of the national Category 2 specialty programming undertaking known as WFN TV, originally approved under the name of Global Fishing Network.

The licensee proposes to make the above-noted service available for distribution in high definition format. The programming would be the same as the standard definition version of the service.

In *The regulatory framework for the distribution of digital television signals*, Broadcasting Public Notice CRTC 2003-61, dated 11 November 2003, the Commission stated the following in paragraph 67:

The Commission will permit the licensee of a Canadian pay or specialty service to make available for distribution an upgraded version of the service, provided that not less than 95% of the video and audio components of the upgraded and analog versions of the service are the same, exclusive of the commercial messages and of any part of the service carried on a subsidiary signal. The Commission will authorize such an upgraded version by means of an amendment to the licence of the corresponding analog service.

Licensee's address:

184 Pearl Street
Suite 302
Toronto, Ontario
M5H 1L5
Fax: (416) 593-6991
E-Mail: spurdue@insightsports.com

Examination of application:

At the licensee's address

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

3. **Across Canada**
Application No. 2006-0229-4

Application by **Stuart Media Group Inc.** to amend the licence of the national Category 2 specialty programming undertaking known as CGTV, originally approved under the name of The Gaming Channel.

The licensee proposes to make the above-noted service available for distribution in high definition format. The programming would be the same as the standard definition version of the service.

In *The regulatory framework for the distribution of digital television signals*, Broadcasting Public Notice CRTC 2003-61, dated 11 November 2003, the Commission stated the following in paragraph 67:

The Commission will permit the licensee of a Canadian pay or specialty service to make available for distribution an upgraded version of the service, provided that not less than 95% of the video and audio components of the upgraded and analog versions of the service are the same, exclusive of the commercial messages and of any part of the service carried on a subsidiary signal. The Commission will authorize such an upgraded version by means of an amendment to the licence of the corresponding analog service.

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Examination of application:

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4. **Across Canada**
Application No. 2006-0230-2

Application by **Gol TV (Canada) Ltd.** to amend the licence of the national Category 2 specialty programming undertaking known as Gol TV, originally approved under the name of The Soccer Net.

The licensee proposes to make the above-noted service available for distribution in high definition format. The programming would be the same as the standard definition version of the service.

In *The regulatory framework for the distribution of digital television signals*, Broadcasting Public Notice CRTC 2003-61, dated 11 November 2003, the Commission stated the following in paragraph 67:

The Commission will permit the licensee of a Canadian pay or specialty service to make available for distribution an upgraded version of the service, provided that not less than 95% of the video and audio components of the upgraded and analog versions of the service are the same, exclusive of the commercial messages and of any part of the service carried on a subsidiary signal. The Commission will authorize such an upgraded version by means of an amendment to the licence of the corresponding analog service.

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Examination of application:

At the licensee's address

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

5. **Matagami, Quebec**
Application No. 2005-1400-4

Application by **Radio Matagami** to renew the licence of the Type A community radio programming undertaking CHEF-FM Matagami expiring 31 August 2006 under the same terms and conditions.

Licensee's address:

110 Matagami boulevard
P.O. Box 39
Matagami, Quebec
J0Y 2A0
Fax: (819) 739-6003
E-Mail: chef99fm@lino.com

Examination of application:

At the licensee's address

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6. **Montréal, Quebec**
Application No. 2006-0066-0

Application by **Aboriginal Voices Radio Inc. (AVR)** for the use of frequency 106.7 MHz (channel 294A) with an average effective radiated power of 320 watts (maximum effective radiated power of 1,200 watts / antenna height of 209 metres) for the operation of the native Type B radio undertaking at Montréal approved in Broadcasting Decision CRTC 2003-195, 2 July 2003.

The present application is filed in response to Broadcasting Decision CRTC 2003-195 in which the Commission stated that it would only issue a licence to AVR if it submitted an application proposing the use of another FM frequency that is acceptable to both the Commission and the Department of Industry.

Applicant's address:

Aboriginal Voices Radio
 Licensing & Development Office
 Studio City Building
 366 Adelaide St. E.
 Suite 323
 Toronto, Ontario
 M5A 3X9
 Fax: (416) 703-4328
 E-Mail: info@aboriginalradio.com

Examination of application:

McCarthy Tétrault, LLP
 1000 de la Gauchetière Street West
 Suite 2500
 Montréal, Quebec

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7. **Little Current, Ontario**
Application No. 2006-0105-6

Application by **Manitoulin Radio Communication Inc.** to amend the licence of the community Type B radio programming undertaking CFRM-FM Little Current, Ontario.

The licensee proposes to amend the licence by changing the frequency from 101.1 MHz (channel 266LP) to 100.7 MHz (channel 264A).

The licensee also proposes to change the authorized contours by increasing the effective radiated power from 5 watts to 1,830 watts, by increasing the antenna height and by relocating the transmitter (non-directional antenna/antenna height 164.5 metres).

The Commission notes that the authorized contours of the station will be increased significantly resulting from the proposed technical changes.

The Commission also notes that the increase in power would result in a change of the CFRM-FM status from a low power unprotected service to a regular Class A service.

The licensee stated that the proposed changes will result in a better coverage to several surrounding communities of Manitoulin Island.

Licensee's address:

10 Campbell Street East
 Little Current, Ontario
 P0P 1K0
 Fax: (705) 368-1080
 E-Mail: radio@manitoulin.net

Examination of application:

At licensee's address

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

**8. North Battleford, Saskatchewan
 Application No. 2006-0047-0**

Application by the **Canadian Broadcasting Corporation (CBC)** to amend the licence of radio programming undertaking CBK-FM Regina.

The CBC proposes to add an FM transmitter at North Battleford to broadcast the programming of its Radio Two service originating from CBK-FM in order to serve the population of North Battleford and its surrounding areas.

The transmitter would operate on frequency 99.9 MHz (channel 260B) with an effective radiated power of 46,800 watts (non-directional antenna/antenna height of 117.9 metres).

Licensee's address:

CBC / Radio-Canada
 181 Queen Street
 Ottawa, Ontario
 K1P 1K9
 Fax: (613) 288-6257
 E-Mail: regulatoryaffairs@cbc.ca

Examination of application:

North Battleford City Hall
1291-101 Street
North Battleford, Saskatchewan

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Public Participation

Deadline for Interventions/Comments

10 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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Les Terrasses de la Chaudière
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Gatineau, Quebec K1A 0N2
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FAX: (819) 994-0218

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Dartmouth, Nova Scotia B3A 4S5
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205 Viger Avenue West
Suite 504
Montréal, Quebec H2Z 1G2
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275 Portage Avenue, Suite 1810
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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>

