



Broadcasting Public Notice CRTC 2006-33

Ottawa, 16 March 2006

The Commission has received the following applications. The deadline for submission of interventions/comments is 20 April 2006.

Item Applicant and Locality

1. **Discovery Health Channel Canada ULC**
Across Canada
2. **Rogers Cable Communications Inc. (RCCI)**
Across Canada
3. **Micmac Historical Cultural Art Society (CFIC-FM)**
Restigouche (Listuguj), Quebec
4. **TELUS Communications Inc.**
Rimouski, Baie-Comeau, Sept-Îles, Gaspé, Sainte-Marie, Saint-Georges and Montmagny and their surrounding areas, Quebec
5. **Starboard Communications Ltd. (CHCQ-FM)**
Belleville, Ontario
6. **Videotron Ltd. and CF Cable TV Inc.**
Montréal, Québec City, Chicoutimi, Sherbrooke, Lennoxville, Saint-Félicien, Ascot Corner, Cap-de-la-Madeleine, Coaticook, Cowansville, East Angus, Gatineau (Buckingham and Hull areas), Granby, Lachute, La Pocatière, Montebello, Rivière-du-Loup, Sorel, Saint-André-Avellin, Sainte-Pétronille, Saint-Joachim, Terrebonne, Thurso, Victoriaville and Waterloo, Quebec, and Rockland, Ontario.
7. **591989 B.C. Ltd. (CJDV-FM)**
Cambridge, Ontario
8. **Canadian Broadcasting Corporation (CJBC-FM)**
Windsor, Ontario

1. **Across Canada** **Application No. 2006-0005-8**

Application by **Discovery Health Channel Canada ULC** to amend the licence of the national Category 1 specialty programming undertaking known as Discovery Health Channel.

The licensee proposes to replace the condition of licence relating to the exhibition of Canadian programs, which reads:

In each broadcast year or portion thereof, the licensee shall devote to the exhibition of Canadian programs the following percentages of the broadcast day and the evening broadcast period:

Year one:	60%
Year two:	63%
Year three:	63%
Year four:	63%
Year five:	65%
Year six:	65%
Year seven:	70%

with the following condition:

The licensee shall devote no less than 35% of each broadcast year and not less than 35% of the evening broadcast period to the broadcast of Canadian programs.

The licensee also proposes to reduce its expenditures on Canadian programs from 51% of the previous year's gross revenues to 20%.

The licensee states that these amendments are required in light of the lack of Canadian program inventory in the health genre, the short shelf life of health-related programming, the significant level of investment required to meet the above Canadian exhibition levels, and the realities of the digital distribution environment – reflected in lower than expected subscriber and advertising revenue – which threaten the financial viability of Discovery Health.

Licensee's address:

121 Bloor Street East
Suite 1500
Toronto, Ontario
M4W 3M5
Fax: (416) 967-4082
E-Mail:
elizabeth.duffymaclean@allianceatlantis.com

Examination of application:

At the applicant's address.

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

2. **Across Canada**
Application No. 2005-1196-6

Application by **Rogers Cable Communications Inc.** (RCCI) to amend the licences of the national English-language direct-to-home (DTH) pay-per-view (PPV) programming undertaking and the national English-language terrestrial PPV undertaking.

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

In order to offer the high definition format, the applicant proposed the addition of the following condition of licence:

The licensee is authorized to make available for distribution, until three years from the date of the decision, an upgraded version of its standard definition service in high definition format, provided that not less than 95% of the video and audio components of the upgraded and standard definition version of the service are the same, exclusive of the commercial messages and of any part of the service carried on a subsidiary signal.

The licensee also proposes to change the method of calculating its annual contributions to support the development of Canadian programming.

The licensee's current condition of licence requires that:

a minimum of 5% of the gross annual revenues earned by its pay-per-view television programming undertaking to an existing, independently-administered, Canadian program production fund. Contributions to the fund shall take the form of monthly instalments paid within 45 days of month's end and representing a minimum of 5% of that month's gross revenues.

The licensee ultimately proposed to change the method of calculating its annual contributions to an existing, independently-administered, Canadian production fund in such a manner that the annual gross revenues of its terrestrial and DTH PPV services would be defined as two-thirds of the retail revenues received by the BDU.

In addition, the licensee proposes to add category 8 (Music and dance) to the program categories from which it may draw its programming, as set out in Item 6 of Schedule 1 of the *Pay Television Regulations, 1990*, and therefore replace its current condition of licence which reads:

The licensee shall provide a national English-language [terrestrial or direct-to-home (DTH)] pay-per-view television service. The licensee shall draw its programs exclusively from the categories set out in Item 6 of Schedule 1 of the *Pay Television*

Regulations, 1990, with the exception of categories 7 (Drama and Comedy), 8 (Music and dance) and 10 (Game shows).

with the following condition:

The licensee shall provide a national English-language [terrestrial or direct-to-home (DTH)] pay-per-view television service. The licensee shall draw its programs exclusively from the categories set out in Item 6 of Schedule 1 of the *Pay Television Regulations, 1990*, with the exception of categories 7 (Drama and Comedy) and 10 (Game shows).

The licensee requests this amendment in the expectation of offering live performances consisting primarily of music and/or dance on its PPV services. The licensee explained this change would allow its services to compete on a more equal footing with other national PPV services that include category 8 in their nature of service definition.

Lastly, the licensee advises the Commission of its plans to offer up to 10% of the programming on each its PPV services in languages other than English and French.

Licensee's address:

333 Bloor Street, 9th Floor
 Toronto, Ontario
 M4W 1G9
 Fax: (416) 935-4875
 E-Mail: cable.regulatory@rci.rogers.com

Examination of application:

333 Bloor Street, 7th Floor
 Toronto, Ontario

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

3. **Restigouche (Listuguj), Quebec**
Application No. 2005-1334-2

Application by **Micmac Historical Cultural Art Society** relating to the licence of radio programming undertaking CFIC-FM Restigouche (Listuguj).

The licensee proposes to change the authorized contours by increasing the effective radiated power from 50 watts to an average effective radiated power of 425 watts (maximum effective radiated power of 757 watts/antenna height of -138 metres).

The licensee wishes to increase the quality of the signal of the station.

The authorized contours of the station will be increased significantly.

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

Licensee's address:

P.O. Box 304
44A Riverside East
Restigouche, Quebec
G0C 2R0
Fax : (418) 788-3524
E-Mail: Gerry@105hotcountry.com

Examination of application:

At the licensee's address

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4. **Rimouski, Baie-Comeau, Sept-Îles, Gaspé, Sainte-Marie, Saint-Georges and Montmagny, and their surrounding areas, Quebec
Application No. 2005-1353-2**

Application by **TELUS Communications Inc.** relating to the regional licence for the Class 1 cable broadcasting distribution undertakings (BDUs) serving the above-mentioned locations and surrounding areas.

The licensee proposes to change the authorized service area of the cable BDUs to include Mont Tremblant and its surrounding areas.

The licensee also proposes to distribute, on a discretionary basis, the signal of WWBI-TV (PAX) Burlington/Plattsburg at Mont-Tremblant and surrounding area undertaking.

Licensee's address:

45 O'Connor Street
12th floor
Ottawa, Ontario
K1P 1A4
Fax: (613) 597-8374
E-Mail: ann.mainville-neeson@telus.com

Examination of application:

1145 de Saint-Jovite Street
City of Mont-Tremblant, Quebec

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

5. **Belleville, Ontario**
Application No. 2005-1355-8

Application by **Starboard Communications Ltd.**, to renew the licence of the English-language FM radio programming undertaking CHCQ-FM Belleville, expiring 31 August 2006.

The licensee proposes to delete the condition of licence which requires it to continue to contribute \$2,000 per year to Canadian Talent Development (CTD).

The licensee proposes to continue, as a condition of licence, its contribution of \$400 annually in CTD to FACTOR over a period of seven years. This contribution is in accordance with the minimum required by the CTD plan created by the Canadian Association of Broadcasters.

Licensee's address:

Starboard Communications Ltd.
354 Pinnacle Street
Belleville, Ontario
K8N 2B4
Fax: (613) 967-2565
E-Mail: johns@classichits955.fm

Examination of application:

At the licensee's address

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

6. **Montréal, Québec City, Chicoutimi, Sherbrooke, Lennoxville, Saint-Félicien, Ascot Corner, Cap-de-la-Madeleine, Coaticook, Cowansville, East Angus, Gatineau (Buckingham and Hull areas), Granby, Lachute, La Pocatière, Montebello, Rivière-du-Loup, Sorel, Saint-André-Avellin, Sainte-Pétronille, Saint-Joachim, Terrebonne, Thurso, Victoriaville and Waterloo, Quebec, and Rockland, Ontario Application No. 2005-1472-0**

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

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

The licensee may 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 of licence:

The licensee may 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, information to cable subscribers, channel realignments, cable FM service and additional cable outlets, and for **the promotion of services other than programming, such as Internet access and local telephone service.** [emphasis added]

Licensee's address:

465 McGill Street
5th Floor
Montréal, Quebec
H2Y 4A6
Fax: (514) 380-4664
E-Mail: regaffairs@quebecor.com

Examination of application:

3330 King Street West
Suite 182
Sherbrooke, Quebec

TVA Buckingham, Masson-Angers
150 Maclaren East
Gatineau (Buckingham area), Quebec

Canal Vox - Cap-de-la-Madeleine
190 Fusey Street
Suite 101
Trois-Rivières, Quebec

Canal Vox – Saguenay
1 Mont Ste-Claire Street
P.O. Box 600
Chicoutimi, Québec

Le SuperClub Vidéotron # 165
18 du Manège Street
Place J. R. Lefebvre
Coaticook, Québec

Le SuperClub Vidéotron
203, 7e Avenue
Mistassini, Quebec

Municipalité East Angus
146 Angus Street North
East Angus, Quebec

Canal Vox - Outaouais
190 Edmonton Street
Gatineau (Hull area), Quebec

Le SuperClub Vidéotron
210 Aylmer Road
Aylmer, Quebec

Le SuperClub Vidéotron
355 Gréber Boulevard
Suite 10
Gatineau, Quebec

Municipalité La Doré
5000 des Peupliers Street
La Doré, Quebec

La télévision locale Vents et Marées
764, St-Raphaël
La Malbaie, Quebec

Canal Vox - La Pocatière
55 Hôtel de Ville Street
P.O Box 1390
Rivière-du-Loup, Quebec

TCA d'Argenteuil
335-A Grâce Street
Lachute, Quebec

Ville de Sherbrooke
Arrondissement de Lennoxville
150 Queen Street
Lennoxville, Quebec

Municipalité Montebello
550 Notre-Dame Street
Montebello, Quebec

Quebecor Média inc.
465 McGill Street
5th Floor
Montréal, Quebec

Le SuperClub Vidéotron
600 Jacques Bizard Boulevard
Ile Bizard, Quebec

Le SuperClub Vidéotron
3476 Des Sources Boulevard
Dollard-des-Ormeaux, Quebec

Le SuperClub Vidéotron
50 St-Charles Boulevard
Suite 25
Beaconsfield, Quebec

Municipalité Princeville
50 Saint-Jacques Street West
Princeville, Quebec

SuperClub Vidéotron
8500 Henri Bourassa Boulevard
Charlesbourg, Quebec

Canal Vox – Québec
150 René-Lévesque Boulevard East RC
Québec, Quebec

Canal Vox - Rivière-du-Loup
279-A Lafontaine Street
P.O.Box 1390
Rivière-du-Loup, Quebec

Télévision Communautaire de Rockland
1517 Laurier Street
Rockland, Ontario

Municipalité Saint-André-Avellin
119 Principale Street
Saint-André-Avellin, Quebec

La société d'information Lac St-Jean (TVLDM9)
122 De l'Église Street
Suite 112
Dolbeau-Mitassini, Quebec

La télévision d'ici Côte-de-Beaupré et Îles d'Orléans
9795 Ste-Anne Boulevard
Ste-Anne-de-Beaupré, Quebec

La télévision communautaire du Kamouraska TVCK
518, St-Elzéar
P.O Box. 687
Saint-Pascal, Quebec

Municipalité Sainte-Pétronille
3 De l'Église Road
Sainte-Pétronille, Quebec

Canal Vox – Sherbrooke
3330 King Street West
Suite 182
Sherbrooke, Quebec

Canal Vox – Sorel
254 Des Patriotes Road
Sorel, Quebec

TVRM - Télévision Régionale des Moulins
1284, St-Henri – D
Mascouche, Quebec

Municipalité Thurso
161 Galipeau Street
Thurso, Quebec

Télévision communautaire des Bois-Francs
302 Notre-Dame East
Victoriaville, Quebec

La Télévision communautaire Waterloo (TVCW)
417 De la Cour Street
P.O Box 996
Waterloo, Quebec

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

7. **Cambridge, Ontario**
Application No. 2006-0058-7

Application by **591989 B.C. Ltd.** relating to the licence of radio programming undertaking CJDV-FM Cambridge.

The licensee proposes to change the authorized contours by increasing the average effective radiated power from 2,500 watts to 6,800 watts (maximum effective radiated power of 20,000 watts/antenna height of 68.9 metres).

The authorized contours of the station will be increased significantly resulting from the proposed increase in power.

The licensee stated that the proposed change will result in a better quality signal to the listeners located in the Cambridge portion of its licensed area who are currently experiencing poor reception of CJDV-FM.

Licensee's address:

BCE Place
181 Bay Street
Suite 1630
Toronto, Ontario
M5J 2T3
Fax: (416) 642-3779
E-Mail: ruth.schreier@corusent.com

Examination of application:

Suite 100
1315 Bishop Street North
Cambridge, Ontario

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

8. **Windsor, Ontario**
Application No. 2006-0123-8

Application by the **Canadian Broadcasting Corporation (CBC)** to amend the licence of radio programming undertaking CJBC-FM Toronto, Ontario.

The licensee proposes to add an FM transmitter at Windsor to broadcast the programming service of Espace musique originating from CJBC-FM.

The transmitter would operate on frequency 103.9 MHz (channel 280A) with an average effective radiated power of 1,450 watts (maximum effective radiated power of 6,000 watts/antenna height of 74.2 metres).

The Commission notes that the CBC was previously approved for a similar transmitter in Windsor in Broadcasting Decision CRTC 2002-126, dated 30 April 2002. The proposed technical parameters were unacceptable to Industry Canada and the new transmitter was never implemented.

Licensee's address:

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

Examination of application:

The reception
CBC/Radio-Canada
825 Riverside Road West
Windsor, Ontario

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

Public Participation

Deadline for Interventions/Comments

20 April 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 – 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

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: 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: 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>

