



## Broadcasting Public Notice CRTC 2007-59

Ottawa, 5 June 2007

*The Commission has received the following applications. The deadline for submission of interventions/comments is **10 July 2007**.*

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

### Item Applicant and Locality

1. **TEN Broadcasting Inc.**  
Across Canada  
Application Nos. 2007-0708-6,  
2007-0709-4
2. **Cogeco Cable Canada Inc.**  
Leamington, Ontario  
Application No. 2007-0642-6
3. **CKMW Radio Ltd.**  
Brampton, Ontario  
Application No. 2007-0718-5
4. **Jim Pattison Broadcast Group Ltd. (the general partner) and Jim Pattison Industries Ltd. (the limited partner), carrying on business as Jim Pattison Broadcast Group Limited Partnership**  
Rocky Mountain House and Nordegg, Alberta  
Application No. 2007-0275-5
5. **B.C.I.T. Radio Society**  
Burnaby, British Columbia  
Application No. 2007-0641-8
6. **Shaw Communications Inc. on behalf of Shaw Cablesystems Limited, Shaw Cablesystems (SBC) Ltd., Shaw Cablesystems (SMB) Limited, Shaw Cablesystems (SSK) Limited, Prairie Co-Ax T.V. Limited and Videon Cablesystems Inc.**  
Various locations in Alberta, British Columbia, Manitoba and Saskatchewan  
Application No. 2007-0664-0

1. **Across Canada**  
**Application Nos. 2007-0708-6, 2007-0709-4**

Applications by **TEN Broadcasting Inc.** to amend the licences of the national Category 2 specialty programming undertakings known as Hustler Channel and Red Light District TV (formerly known as X Channel).

The licensee proposes to amend condition of licence (b) to add category 7(a) Ongoing dramatic series to the list of categories from which it may draw programming.

The licensee advised that the programming from program category 7(a) will be adult programming and therefore will not compete directly with ongoing series from other services.

*Licensee's address:*

2211 Thurston Drive  
 Ottawa, Ontario  
 K1G 6C9  
 Fax: 613-737-0377  
 E-Mail: [stu@5d.com](mailto:stu@5d.com)

*Examination of applications:*

At the licensee's address

2. **Leamington, Ontario**  
**Application No. 2007-0642-6**

Application by **Cogeco Cable Canada Inc.** to amend the licence of its Class 1 cable broadcasting distribution undertaking serving Leamington, Ontario.

The licensee specifies that this amendment applies to both its current Class 1 licence as well as its proposed Class 1 regional licence (Leamington undertaking only) applied for in application 2006-0115-3, if approved by the Commission.

The licensee requests to be relieved, by condition of licence, of its requirement under section 17 of the *Broadcasting Distribution Regulations* with respect to the priority carriage of CFTV.

The licensee proposes to distribute Southshore Broadcasting Inc.'s (Southshore) community television station CFTV (known as CFTV34) on channel 79 as part of the digital basic offering.

The licensee states that due to the analog capacity constraints in the Leamington system, and in light of Southshore's consent to digital carriage, it would not be in the public interest to require carriage of CFTV on the analog basic band.

*Licensee's address:*

5 Ville-Marie Place  
 Suite 915  
 Montréal, Quebec  
 H3B 2G2  
 Fax: 514-874-0776  
 E-Mail: [licence@cogeco.com](mailto:licence@cogeco.com)

*Examination of application:*

Leamington Chamber of Commerce  
 21 Talbot Street East  
 Leamington, Ontario

3. **Brampton, Ontario**  
**Application No. 2007-0718-5**

Application by **CKMW Radio Ltd.** to renew the licence of the commercial ethnic radio programming undertaking CIAO Brampton, expiring 31 August 2007.

It appears to the Commission that the licensee may have failed to comply with its condition of licence relating to its Canadian talent development contribution for the year 2001.

*Licensee's address:*

5302 Dundas Street West  
 Toronto, Ontario  
 M9B 1B2  
 Fax: 416-213-1035  
 E-Mail: [carmela@z1035.com](mailto:carmela@z1035.com)

*Examination of application:*

At the licensee's address

4. **Rocky Mountain House and Nordegg, Alberta**  
**Application No. 2007-0275-5**

Application by **Jim Pattison Broadcast Group Ltd. (the general partner) and Jim Pattison Industries Ltd. (the limited partner), carrying on business as Jim Pattison Broadcast Group Limited Partnership** to renew the licence of the commercial radio programming undertaking CHBW-FM Rocky Mountain House and its transmitter CHBW-FM-1 Nordegg, expiring 31 August 2007.

It appears to the Commission that the licensee may have failed to comply with the requirements

regarding the contributions to Canadian content development for 2001 and 2002.

*Licensee's address:*

Jim Pattison Broadcast Group Limited Partnership  
460 Pemberton Terrace  
Kamloops, British Columbia  
V2C 1T5  
Fax: 250-374-0445  
E-Mail: [rarnish@cfjctv.com](mailto:rarnish@cfjctv.com)

*Examination of application:*

5164-52 Avenue  
Drayton Valley, Alberta

Nordegg Lodge Store  
#1 Stuart Street  
Nordegg, Alberta

5. **Burnaby, British Columbia**  
**Application No. 2007-0641-8**

Application by **B.C.I.T. Radio Society** to renew the licence of the campus carrier current radio programming undertaking CFML Burnaby, expiring 31 August 2007.

*Licensee's address:*

3700 Willingdon Avenue  
Burnaby, British Columbia  
V5G 3H2  
Fax: 604-454-0156  
E-Mail: [kevin\\_ribble@bcit.ca](mailto:kevin_ribble@bcit.ca)

*Examination of application:*

Broadcast Centre  
Building SE-10  
4700 Willingdon Avenue  
Burnaby, British Columbia

6. **Various locations in Alberta, British Columbia, Manitoba and Saskatchewan**

**Application No. 2007-0664-0**

Application by **Shaw Communications Inc. on behalf of Shaw Cablesystems Limited, Shaw Cablesystems (SBC) Ltd., Shaw Cablesystems (SMB) Limited, Shaw Cablesystems (SSK) Limited, Prairie Co-Ax T.V. Limited and Videon Cablesystems Inc.**, (collectively Shaw) to amend the broadcasting licences of its Class 1, Class 2 and Class 3 cable broadcasting distribution undertakings serving various locations in Alberta, British Columbia, Manitoba and Saskatchewan.

The licensee proposes to amend the above-mentioned licences in order to add the following condition of licence:

The licensee is authorized to distribute, at its option, the audio programming service of any licensed satellite subscription radio undertaking on a digital basis. The distribution of satellite subscription radio signals is subject to the following provisions:

- (i) Subject to the exception outlined in (ii), the licensee may not count the signals of conventional radio programming undertakings for the purpose of fulfilling the preponderance requirement set out in section 6(2) of the *Broadcasting Distribution Regulations* (the Regulations) unless a subscriber is already receiving 40 channels of one or more licensed pay audio programming undertakings;
- (ii) A licensee is entitled to count the signals of conventional radio programming undertakings that a licensee is required to distribute under section 22 of the Regulations for the purpose of fulfilling the preponderance requirement set out in section 6(2) of the Regulations; and
- (iii) The Canadian-produced channels offered by the satellite subscription radio undertaking are deemed to be "Canadian programming services" for the purposes of section 6(2) of the Regulations.

*Licensee's address:*

400 Laurier Ave. W  
 #330  
 Ottawa, Ontario  
 K1R 7X6  
 Fax: 613-234-2997  
 E-Mail: [michael.ferras@sjrb.ca](mailto:michael.ferras@sjrb.ca)

*Examination of application:*

At the licensee's address, and

900-1067 West Cordova Street  
Vancouver, British Columbia

630 - 3rd Avenue SW  
Calgary, Alberta

2326 Hanselman Avenue  
Saskatoon, Saskatchewan

22 Scurfield Blvd  
Winnipeg, Manitoba

## **Public Participation**

### **Deadline for Interventions/Comments**

**10 July 2007**

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

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](http://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.

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.

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.

Please note that the information you provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the webpage of this particular public process. As a result, a general search of our website with the help of either our own search engine or a third-party search engine will not provide access to the information which was provided as part of this public process.

### **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 – 11<sup>th</sup> 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>*