



Broadcasting Decision CRTC 2009-595

Route reference: 2009-157

Additional reference: 2009-157-2

Ottawa, 24 September 2009

Télévision régionale de Laval inc.

Laval, Sainte-Thérèse, Oka, Deux-Montagnes, Boisbriand, Saint-Eustache, Blainville, Rosemère, Lorraine and Bois-des-Filion, Quebec

Application 2008-0844-6, received 13 June 2008

Public Hearing in Québec, Québec

26 May 2009

Télévision régionale de Laval – New low-power community television programming undertaking

*The Commission **denies** an application for a broadcasting licence to operate a low-power community television programming undertaking in Laval and neighbouring communities.*

The application

1. Télévision Régionale de Laval inc. (TVRL) filed an application for a broadcasting licence to operate a low-power community television programming undertaking in Laval to serve Laval, Sainte-Thérèse, Oka, Deux-Montagnes, Boisbriand, Saint-Eustache, Blainville, Rosemère, Lorraine and Bois-des-Filion.
2. TVRL is a not-for-profit corporation controlled by its board of directors. It is an independent community television (ICTV) group that produces community programming. The community programming is currently broadcast on the community channel of the cable distribution undertaking that serves the city of Laval.
3. The Commission received several interventions in connection with this application, some in support, others in opposition, and one comment. The interventions, as well as the applicant's reply, can be found on the Commission's website at www.crtc.gc.ca, under "Public Proceedings."

Commission's analysis and determinations

4. After reviewing the application, the interventions and the applicant's reply, the Commission considers that the primary issue to be determined is whether the programming proposed by the applicant qualifies as community programming.

5. The Commission received interventions from the Fédération des télévisions communautaires autonomes du Québec (FTCAQ), Télévision communautaire des Basses-Laurentides, Télévision régionale des Moulins and Télévision intergénérationnelle du Grand Laval regarding the type of programming proposed by the applicant.
6. Several of the interveners opposed to the application referred to problems related to the governance of TVRL and submitted that a private production company linked to one of the directors of TVRL has disproportionate control over the organization's operations, which is contrary to the mission of community-based media.
7. In *Policy framework for community-based media*, Broadcasting Public Notice CRTC 2002-61, 10 October 2002 (the policy framework), the Commission stated that community-based media should ensure the creation and exhibition of more locally-produced, locally reflective community programming. The policy framework adds that community-based television programming undertakings should facilitate citizen access to the production of programming.
8. The Commission notes that the applicant's level of citizen participation in the production of programming appears to be significantly lower than the level of neighbouring ICTVs. The applicant acknowledged at the hearing that it uses the services of an independent production company with links to one of the directors of the company to produce the programming that is currently broadcast by the community cable channel and would be broadcast by the proposed service. The production company provides the programming to the applicant free of charge.
9. The Commission also notes that the applicant is not recognized by the FTCAQ as a community-based media outlet and is not eligible for grants from the community-based media support program offered by the Quebec Department of Culture, Communications and the Status of Women.
10. In light of the above, the Commission is not satisfied that the proposed programming would qualify as community programming. Consequently, the Commission finds that the applicant does not meet the criteria set out in the policy framework and that an exception to those criteria is not warranted in the circumstances.
11. The Commission further notes that it received several interventions opposing the application from municipal, provincial and federal elected officials as well as institutions in the communities covered by the application. These interventions pointed out the negative impact the proposed service would have on existing community services in those communities. Despite the favourable intervention from the mayor of the City of Laval, the Commission is of the view that the applicant has at best only lukewarm support from the communities in which the service would be offered.

12. In light of all of the above, the Commission **denies** the application by Télévision Régionale de Laval inc. for a broadcasting licence to operate a low-power community television programming undertaking in Laval to serve Laval, Sainte-Thérèse, Oka, Deux-Montagnes, Boisbriand, Saint-Eustache, Blainville, Rosemère, Lorraine and Bois-des-Filion.
13. The Commission reminds the applicant that it plans to hold a hearing in the winter of 2010 during which it will consider, among other things, the revision of the policy framework for community-based media. A notice of consultation will be issued in the fall of 2009 to provide further details regarding the above-mentioned public hearing and to set out how the public may participate.

Secretary General

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