



Broadcasting Decision CRTC 2023-353

PDF version

References: Part 1 licence renewal applications posted on 19 January 2023

Ottawa, 31 October 2023

Télé Inter-Rives Itée

Rivière-du-Loup, Trois-Pistoles, Baie-Saint-Paul, Les Escoumins and Cabano, Quebec; and Edmundston, New Brunswick

CHAU-TV Communications Itée

Carleton-sur-Mer, Sainte-Marguerite-Marie, Port-Daniel, Chandler, Percé, Gaspé, Rivière-au-Renard, Cloridorme, L'Anse-à-Valleau and Îles-de-la-Madeleine, Quebec; and Saint-Quentin, Tracadie and Kedgwick, New Brunswick

Télévision MBS inc.

Rivière-du-Loup, Trois-Pistoles, Cabano, Forestville, Baie-Comeau, Sept-Îles, Les Escoumins, Gaspé, Baie-Saint-Paul, Carleton-sur-Mer and Rimouski, Quebec; and Edmundston, New Brunswick

Public record: 2022-0780-3, 2022-0781-0 and 2022-0785-2

Various conventional television stations – Licence renewals

Summary

The Commission **renews** the broadcasting licences for the French-language conventional television stations CFTF-DT Rivière-du-Loup, CHAU-DT Carleton-sur-Mer and CIMT-DT Rivière-du-Loup, Quebec, and their respective transmitters, from 1 January 2024 to 31 August 2028.

Applications

1. The Commission has the authority, pursuant to subsections 9(1), 9.1(1) and 11.1(2) of the *Broadcasting Act*, to issue and renew licences and to make orders imposing conditions on the carrying on of a broadcasting undertaking that it considers appropriate for the implementation of the broadcasting policy set out in subsection 3(1) of the *Broadcasting Act*, and to make orders respecting expenditures.
2. Télé Inter-Rives Itée, CHAU-TV Communications Itée and Télévision MBS inc. (collectively, Télé Inter-Rives or licensees) filed applications to renew the broadcasting licences for the French-language conventional television stations set out

in the table below, which expire 31 December 2023.¹ These stations are all affiliated with the TVA (Quebecor Media Inc.) or Noovo (Bell Media Inc.) networks.

Licensee	Call sign and location	Application	Affiliation
CHAU-TV Communications ltée	CHAU-DT Carleton-sur-Mer, Quebec, and its transmitters CHAU-DT-1 Ste-Marguerite-Marie, CHAU-DT-3 Port-Daniel, CHAU-DT-4 Chandler, CHAU-DT-5 Percé, CHAU-DT-6 Gaspé, CHAU-DT-7 Rivière-au-Renard, CHAU-DT-8 Cloridorme, CHAU-DT-9 L'Anse-à-Valleau and CHAU-DT-12 Îles-de-la-Madeleine, Quebec; and CHAU-DT-2 Saint-Quentin, CHAU-DT-10 Tracadie and CHAU-DT-11 Kedgwick, New Brunswick	2022-0781-0	TVA
Télé Inter-Rives ltée	CIMT-DT Rivière-du-Loup, Quebec, and its transmitters CIMT-DT-2 Trois-Pistoles, CIMT-DT-4 Baie-Saint-Paul, CIMT-DT-6 Rivière-du-Loup, CIMT-DT-7 Les Escoumins and CIMT-DT-8 Cabano, Quebec; and CIMT-DT-1 Edmundston, New Brunswick	2022-0780-3	TVA
Télévision MBS inc.	CFTF-DT Rivière-du-Loup, Quebec, and its transmitters CFTF-DT-2 Trois-Pistoles, CFTF-DT-3 Cabano, CFTF-DT-4 Forestville, CFTF-DT-5 Baie-Comeau, CFTF-DT-6 Rivière-du-Loup, CFTF-DT-7 Sept-Îles, CFTF-DT-8 Les Escoumins, CFTF-DT-9 Gaspé, CFTF-DT-10 Baie-Saint-Paul, CFTF-DT-11 Carleton-sur-Mer and CFTF-DT-12 Rimouski, Quebec; and CFTF-DT-1 Edmundston, New Brunswick	2022-0785-2	Noovo

¹ The original licence expiry date for these stations was 31 August 2023. The licences were administratively renewed until 31 December 2023 as a result of *Various conventional and educational television programming undertakings, community programming services, discretionary services, on-demand services and terrestrial broadcasting distribution undertakings – Administrative renewals*, Broadcasting Decision CRTC 2023-299, 29 August 2023.

3. The Commission did not receive any interventions in regard to these applications.

Amendment to a condition of service

4. Paragraph 10(1)(i) of the old *Broadcasting Act*, which was in effect while the licensees' applications were being considered, granted the Commission the authority, in furtherance of its objects, to make regulations requiring licensees to submit to the Commission such information regarding their programs and financial affairs or otherwise relating to the conduct and management of their affairs as the regulations may specify.
5. Pursuant to this authority, the Commission made subsection 10(3) of the *Television Broadcasting Regulations, 1987* (the Regulations), which requires licensees to file program logs with the Commission on a monthly basis, subject to any condition of their licence providing otherwise.
6. Subsection 49(2) of the *Online Streaming Act*, which made a certain number of amendments to the *Broadcasting Act* when it came into force on 27 April 2023, stipulates that any regulation made pursuant to paragraph 10(1)(i) of the old *Broadcasting Act* is deemed to be an order made under section 9.1 of the new *Broadcasting Act*. Accordingly, subsection 10(3) of the Regulations is deemed to be a condition of service pursuant to paragraph 9.1(1)(o) of the new *Broadcasting Act*, and licensees continue to be subject to this requirement.
7. However, the licensees are currently exempt from the requirement relating to the monthly filing of program logs set out in subsection 10(3) of the Regulations where the programming of their station is the same as that broadcast by the network of which it is an affiliate. The current condition of service to this effect states that these licensees are only required to file logs for programs that differ from network programming. However, it does not specify the frequency at which logs must be submitted.
8. Following a clarification letter sent by Commission staff, the licensees stated their intention to adhere to a condition of service that requires the filing of program logs on a quarterly not monthly basis. In the Commission's view, monthly filing of logs would facilitate monitoring and verification compared to quarterly filing, and would harmonize the reporting requirements of Télé Inter-Rives with those of RNC MEDIA Inc.'s stations, which are also affiliated stations.
9. In light of the above, the Commission amends this condition of service in order to add a monthly filing requirement.
10. Accordingly, pursuant to subsection 9.1(1) of the *Broadcasting Act*, the Commission **orders** Télé Inter-Rives ltée, CHAU-TV Communications ltée and Télévision MBS inc., by **condition of service**, to submit this report on a monthly basis. The specifics of this condition of service are set out in the appendix to this decision.

Other conditions of service

11. The other conditions to which the licensees were subject have been maintained at the request of the licensees and continue to apply.

Licence term

12. Télé Inter-Rives requested that the broadcasting licences be renewed for a period of seven years. The Commission's traditional approach for television services has generally been to grant a five-year licence term to licensees with no major non-compliance issues. This approach has been established in recognition of the fact that these services operate in a rapidly changing environment, requiring changes to obligations at shorter notice than a seven-year licence term would allow.

Conclusion

13. In light of all the above, the Commission **renews** the broadcasting licences for the French-language conventional television programming undertakings CFTF-DT Rivière-du-Loup, CHAU-DT Carleton-sur-Mer and CIMT-DT Rivière-du-Loup, and their respective transmitters, from 1 January 2024 to 31 August 2028.
14. Given that these renewal applications were filed and processed prior to the coming into force of the new *Broadcasting Act*, and that interested parties had an opportunity to comment on the issue of the monthly filing of program logs as part of that process, the Commission considers the Part 1 proceeding sufficient to achieve the purposes of the publication and consultation requirement set out in subsection 9.1(4) of the *Broadcasting Act* in this case. The specifics of this condition of service are set out in the appendix to this decision.
15. Pursuant to subsections 49(1) and 50(2) of the *Online Streaming Act*, the conditions of licence that existed prior to the date of royal assent of that Act are deemed to be conditions imposed under an order made pursuant to section 9.1 of the new *Broadcasting Act*, or subsection 11.1(2) in the case of expenditure requirements. As such, the conditions of licence for these licensees became conditions of service and continue to apply to the licensees.
16. In light of paragraphs 1 and 15 of this decision, the Commission has set out **conditions of service** for these licensees in the appendix to this decision. Further, the formal broadcasting licence document issued to a licensee may set out additional requirements for the undertaking, relating to, for example, technical parameters or prohibitions on transfer. Licensees shall also adhere to any such requirements set out in the broadcasting licence for their undertakings.

Reminder

Force and effect of broadcasting licences

17. Pursuant to section 22 of the *Broadcasting Act*, the broadcasting licences renewed in this decision will cease to have any force or effect should the broadcasting certificates issued by the Department of Industry (also known as Innovation, Science and Economic Development Canada) lapse.

Secretary General

This decision is to be appended to each licence.

Appendix to Broadcasting Decision CRTC 2023-353

Terms, conditions of service, expectations and encouragements for the French-language conventional television programming undertakings CFTF-DT Rivière-du-Loup, CHAU-DT Carleton-sur-Mer et CIMT-DT Rivière-du-Loup, Quebec, and their respective transmitters

Terms

The licence will expire 31 August 2028.

Conditions of service applicable to all stations

1. The licensee shall adhere to the conditions of service set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016. Further, the licensee shall adhere to the requirements set out in the broadcasting licence for the undertaking.
2. The licensee shall adhere to all applicable requirements set out in the *Television Broadcasting Regulations, 1987* (the Regulations) that were made under paragraph 10(1)(a) or under paragraph 10(1)(i) of the old *Broadcasting Act*.² However, the licensee is exempt from the requirement relating to program logs set out in subsection 10(3) of the Regulations where the programming of its station is the same as that broadcast by the network of which it is an affiliate. However, the licensee must submit its logs to the Commission on a monthly basis for any broadcast programming that differs from that of the network of which it is an affiliate.
3. In accordance with paragraph 90 of *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016, the television station is hereby declared a “designated local television station.” The station shall maintain this designation for the licence term so long as it remains in operation.

Locally reflective news

4. In accordance with *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016, the licensee shall devote, in each broadcasting year, at least 15% of the previous year’s gross revenues of each station to the acquisition of or investment in locally reflective news.

² Pursuant to subsection 49(2) of the *Online Streaming Act*, which made a certain number of amendments to the *Broadcasting Act* when it came into force on 27 April 2023, any regulation made under paragraphs 10(1)(a) or 10(1)(i) of the old *Broadcasting Act* is deemed to be an order made under section 9.1 of the new *Broadcasting Act*.

5. In each broadcast year of the licence term, excluding the final year,
 - a) the licensee may expend an amount on locally reflective news that is up to 5% less than the minimum required expenditure for that year;
 - b) where the licensee expends an amount for that year on locally reflective news that is greater than the minimum required expenditure for the year, the licensee may deduct that amount from the minimum required in one or more of the remaining years of the licence term; and
 - c) during the licence term, the licensee shall ensure that each station devote to locally reflective news the total of the minimum required expenditures calculated in accordance with condition 4.

Condition of service specific to CHAU-DT Carleton-sur-Mer, Quebec, and its transmitters CHAU-DT-1 Ste-Marguerite-Marie, CHAU-DT-3 Port-Daniel, CHAU-DT-4 Chandler, CHAU-DT-5 Percé, CHAU-DT-6 Gaspé, CHAU-DT-7 Rivière-au-Renard, CHAU-DT-8 Cloridorme, CHAU-DT-9 L'Anse-à-Valleau and CHAU-DT-12 Îles-de-la-Madeleine, Quebec; and CHAU-DT-2 Saint-Quentin, CHAU-DT-10 Tracadie and CHAU-DT-11 Kedgwick, New Brunswick, and to CIMT-DT Rivière-du-Loup, Quebec, and its transmitters CIMT-DT-2 Trois-Pistoles, CIMT-DT-4 Baie-Saint-Paul, CIMT-DT-6 Rivière-du-Loup, CIMT-DT-7 Les Escoumins and CIMT-DT-8 Cabano, Quebec; and CIMT-DT-1 Edmundston, New Brunswick

6. In accordance with the definition of “locally reflective news” set out in paragraphs 56 to 58 of *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016:
 - a) the licensee shall broadcast at least five hours of local programming in each broadcast week; and
 - b) the licensee shall broadcast at least two hours and 30 minutes of locally reflective news in each broadcast week.

Condition of service specific to CFTF-DT Rivière-du-Loup, Quebec, and its transmitters CFTF-DT-2 Trois-Pistoles, CFTF-DT-3 Cabano, CFTF-DT-4 Forestville, CFTF-DT-5 Baie-Comeau, CFTF-DT-6 Rivière-du-Loup, CFTF-DT-7 Sept-Îles, CFTF-DT-8 Les Escoumins, CFTF-DT-9 Gaspé, CFTF-DT-10 Baie-Saint-Paul, CFTF-DT-11 Carleton-sur-Mer and CFTF-DT-12 Rimouski, Quebec; and CFTF-DT-1 Edmundston, New Brunswick

7. In accordance with the definition of “locally reflective news” set out in paragraphs 56 to 58 of *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016:
 - a) the licensee shall broadcast at least five hours of local programming in each broadcast week; and

- b) the licensee shall broadcast at least four hours and 30 minutes of locally reflective news in each broadcast week.

Definitions

For the purposes of these conditions of service:

“Locally reflective news” means programming that meets the criteria set out in paragraphs 56 to 58 of *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016.

“Local programming” shall have the same the meaning as that set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016.

Expectations applicable to all stations

Standard expectations

The standard expectations applicable to this licensee are set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016.

Cultural diversity

The Commission expects the licensee to reflect the cultural diversity of Canada in its programming and employment practices.

Encouragements applicable to all stations

Standard encouragements

The standard encouragements applicable to this licensee are set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016.

Encouragement specific to CFTF-DT Rivière-du-Loup, Quebec, and its transmitters CFTF-DT-2 Trois-Pistoles, CFTF-DT-3 Cabano, CFTF-DT-4 Forestville, CFTF-DT-5 Baie-Comeau, CFTF-DT-6 Rivière-du-Loup, CFTF-DT-7 Sept-Îles, CFTF-DT-8 Les Escoumins, CFTF-DT-9 Gaspé, CFTF-DT-10 Baie-Saint-Paul, CFTF-DT-11 Carleton-sur-Mer and CFTF-DT-12 Rimouski, Quebec; and CFTF-DT-1 Edmundston, New Brunswick

The Commission encourages CFTF-DT Rivière-du-Loup to continue to provide French-language locally reflective news for the Madawaska community.