



## Broadcasting Public Notice CRTC 2008-107

Ottawa, 13 November 2008

### Notice of consultation

#### Applications received

#### Various locations

**Deadline for submission of interventions/comments: 18 December 2008**

The Commission has received the following applications:

[Broadcasting intervention/comments form]

#### Item    Applicant and Locality

1.    **Newcap Inc.**  
Elmira, Prince Edward Island  
Application No. 2008-1346-1
2.    **Newcap Inc.**  
Elmira, Prince Edward Island  
Application No. 2008-1347-9
3.    **Newcap Inc.**  
St. Edward, Prince Edward Island  
Application No. 2008-1348-7
4.    **Newcap Inc.**  
St. Edward, Prince Edward Island  
Application No. 2008-1349-5
5.    **Bruce Telecom**  
Tiverton, Paisley, Port Elgin, Kincardine and Southampton, Ontario  
Application No. 2008-1436-0

#### 1.    **Elmira, Prince Edward Island** **Application No. 2008-1346-1**

Application by **Newcap Inc.** to amend the licence of the English-language commercial radio station CKQK-FM Charlottetown.

The licensee proposes to add a new FM rebroadcasting transmitter in Elmira to rebroadcast the programming of CKQK-FM in order to adequately serve the population of Prince Edward Island (PEI).

The licensee indicated that the rebroadcasting transmitter would exclusively rebroadcast CKQK-FM's programming, bringing a high quality FM radio service, a new editorial voice and entertainment programming to many residents of PEI that are currently not part of the radio station's contours.

The rebroadcasting transmitter would operate on frequency 103.7 MHz (channel 279A) with an average effective radiated power of 990 watts (maximum effective radiated power of 3,630 watts with an effective height of antenna above average terrain of 114.6 metres).

*Licensee's address:*

745 Windmill Road  
 Dartmouth, Nova Scotia  
 B3B 1C2  
 Fax: 902-468-5661  
 E-Mail: [dmurray@ncc.ca](mailto:dmurray@ncc.ca)

*Examination of application:*

Souris Town Hall  
 75 Main Street  
 Souris, Prince Edward Island

Suite 320  
 90 University Avenue  
 Charlottetown, Prince Edward Island

2. **Elmira, Prince Edward Island**  
**Application No. 2008-1347-9**

Application by **Newcap Inc.** to amend the licence of the English-language commercial radio station CHTN-FM Charlottetown.

The licensee proposes to add a new FM rebroadcasting transmitter in Elmira to rebroadcast the programming of CHTN-FM in order to adequately serve the population of Prince Edward Island (PEI).

The licensee indicated that the rebroadcasting transmitter would exclusively rebroadcast CHTN-FM's programming, bringing a high quality FM radio service, a new editorial voice and entertainment programming to many residents of PEI that are currently not part of the radio station's contours.

The rebroadcasting transmitter would operate on frequency 99.9 MHz (channel 260A) with an average effective radiated power of 990 watts (maximum effective radiated power of 3,630 watts with an average effective height of antenna above average terrain of 114.6 metres).

*Licensee's address:*

745 Windmill Road  
Dartmouth, Nova Scotia  
B3B 1C2  
Fax: 902-468-5661  
E-Mail: [dmurray@ncc.ca](mailto:dmurray@ncc.ca)

*Examination of application:*

Souris Town Hall  
75 Main Street  
Souris, Prince Edward Island

Suite 320  
90 University Avenue  
Charlottetown, Prince Edward Island

3. **St. Edward, Prince Edward Island**  
**Application No. 2008-1348-7**

Application by **Newcap Inc.** to amend the licence of the English-language commercial radio station CKQK-FM Charlottetown.

The licensee proposes to add a new FM rebroadcasting transmitter in St. Edward to rebroadcast the programming of CKQK-FM in order to adequately serve the population of Prince Edward Island (PEI).

The licensee indicated that the rebroadcasting transmitter would exclusively rebroadcast CKQK-FM's programming, bringing a high quality FM radio service, a new editorial voice and entertainment programming to many residents of PEI that are currently not part of the radio station's contours.

The rebroadcasting transmitter would operate on frequency 91.1 MHz (channel 216A) with an average effective radiated power of 1,600 watts (maximum effective radiated power of 5 000 watts with an effective height of antenna above average terrain of 105.5 metres).

*Licensee's address:*

745 Windmill Road  
Dartmouth, Nova Scotia  
B3B 1C2  
Fax: 902-468-5661  
E-Mail: [dmurray@ncc.ca](mailto:dmurray@ncc.ca)

*Examination of application:*

F.J. Shea & Son Limited  
 1677 Union Road  
 P.O. Box 9  
 St-Louis, Prince Edward Island

Suite 320  
 90 University Avenue  
 Charlottetown, Prince Edward Island

4. **St. Edward, Prince Edward Island  
 Application No. 2008-1349-5**

Application by **Newcap Inc.** to amend the licence of the English-language commercial radio station CHTN-FM Charlottetown.

The licensee proposes to add a new FM rebroadcasting transmitter in St. Edward to rebroadcast the programming of CHTN-FM in order to adequately serve the population of Prince Edward Island (PEI).

The licensee indicated that the rebroadcasting transmitter would exclusively rebroadcast CHTN-FM's programming, bringing a high quality FM radio service, a new editorial voice and entertainment programming to many residents of PEI that are currently not part of the radio station's contours.

The rebroadcasting transmitter would operate on frequency 89.9 MHz (channel 210A) with an average effective radiated power of 1,600 watts (maximum effective radiated power of 5,000 watts with an effective height of antenna above average terrain of 105.5 metres).

*Licensee's address:*

745 Windmill Road  
 Dartmouth, Nova Scotia  
 B3B 1C2  
 Fax: 902-468-5661  
 E-Mail: [dmurray@ncc.ca](mailto:dmurray@ncc.ca)

*Examination of application:*

F.J. Shea & Son Limited  
1677 Union Road  
P.O. Box 9  
St-Louis, Prince Edward Island

Suite 320  
90 University Avenue  
Charlottetown, Prince Edward Island

5. **Tiverton, Paisley, Port Elgin, Kincardine and Southampton, Ontario**  
**Application No. 2008-1436-0**

Application by **Bruce Telecom** to amend the licence of the regional video-on-demand programming undertaking to serve Tiverton, Paisley, Port Elgin, Kincardine and Southampton, Ontario.

The applicant is seeking a condition of licence that would permit it to distribute, on an on-demand basis, programming that contains commercial messages where those commercial messages were already included in a program previously aired by a Canadian programming undertaking. Such a program offered on an on-demand basis would be offered at no charge to the subscriber.

Specifically, the applicant is requesting the following conditions of licence:

1. The licensee shall adhere to the *Pay Television Regulations, 1990*, as amended from time to time, with the exception of section 3(2)(d) pertaining to commercial messages and section 4 pertaining to logs and records.
2. The licensee shall not include, as part of its video-on-demand 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 video-on-demand 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 on an on-demand basis at no charge.

*Licensee's address:*

3145 Highway 21 North  
P.O. Box 80  
R.R. 3  
Tiverton, Ontario  
N0G 2T0  
Fax: 519-368-1356  
E-Mail: [regulatory@brucetelecom.com](mailto:regulatory@brucetelecom.com)

*Examination of application:*

At the applicant's address

## **Public Participation**

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

**18 December 2008**

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>*