



Broadcasting Decision CRTC 2009-752

Route reference: 2009-461

Additional references: 2009-461-2, 2009-461-3 and 2009-461-4

Ottawa, 3 December 2009

TELUS Communications Inc., and 1219823 Alberta ULC and Emergis Inc. in partnership with TELUS Communications Inc. in TELE-MOBILE Company, partners in a general partnership carrying on business as TELUS Communications Company

Kamloops, Kelowna, Nanaimo, Penticton, Prince George, Terrace, Vancouver (including the Lower Mainland, Fraser Valley and Whistler and surrounding areas), Vernon and Victoria, British Columbia; Calgary, Edmonton (including St. Albert, Sherwood Park, Spruce Grove and Stony Plain), Fort McMurray, Grande Prairie, Lethbridge, Medicine Hat and Red Deer, Alberta; Baie-Comeau, Gaspé, Montmagny, Mont-Tremblant, Rimouski, Sainte-Marie, Saint-Georges, Sept-Îles and their surrounding areas, Quebec; and across Canada

Application 2009-0816-3, received 27 May 2009

Public hearing in the National Capital Region

29 October 2009

Various terrestrial broadcasting distribution undertakings in British Columbia, Alberta and Quebec and a national video-on-demand service – Acquisition of assets (Corporate reorganization)

1. The Commission **approves** the application by TELUS Communications Inc. (TCI), and 1219823 Alberta ULC and Emergis Inc. in partnership with TCI in TELE-MOBILE Company (TELE-MOBILE), partners in a general partnership carrying on business as TELUS Communications Company (TCC) (collectively, the applicant) for authority to acquire from the previous partners in TCC, as part of a corporate reorganization, the assets of the terrestrial broadcasting distribution undertakings (BDUs) serving various locations in British Columbia, Alberta and Quebec, and of the national video-on-demand (VOD) service and for new broadcasting licences to continue the operation of the undertakings under the same terms and conditions as those in effect under the current licences. The Commission did not receive any interventions in connection with this application.
2. The previous partners in TCC were TCI, and 1219823 Alberta ULC (1% of the voting interest) in partnership with TCI (99% of the voting interest) in TELE-MOBILE.

3. The Commission notes that this transaction is subsequent to a corporate reorganization resulting in Emergis Inc. acquiring 10% of the voting interest and becoming partner with TCI (89% of the voting interest) and 1219823 Alberta ULC (1% of the voting interest) in TELE-MOBILE.
4. TCI indicated that it acquired Emergis Inc. in order to pursue the provisioning of telecommunications services to the health sector.
5. This transaction does not affect the control of the above-mentioned undertakings, which will continue to be exercised by TCI, a wholly owned subsidiary of TELUS Corporation, a widely held public corporation controlled by its board of directors.
6. Upon surrender of the current licences issued to TELUS Communications Inc., and 1219823 Alberta ULC in partnership with TELUS Communications Inc. in TELE-MOBILE Company, partners in a general partnership carrying on business as TELUS Communications Company, the Commission will issue new licences to TELUS Communications Inc., and 1219823 Alberta ULC and Emergis Inc. in partnership with TELUS Communications Inc. in TELE-MOBILE Company, partners in a general partnership carrying on business as TELUS Communications Company. The licences for the terrestrial BDUs serving various locations in British Columbia and Alberta will expire 31 August 2016, the licence for the BDUs serving various locations in Quebec will expire 31 August 2011 and the licence for the VOD service will expire 31 August 2010. The new licences will be subject to the same terms and **conditions** as those in effect under the current licences.

Other matters

7. In Broadcasting Decision 2009-679, the Commission renewed the broadcasting licences for the terrestrial BDUs serving various locations in Alberta and British Columbia. In accordance with its determinations on issues related to the accessibility of telecommunications and broadcasting services to persons with disabilities as set out in Broadcasting and Telecom Regulatory Policy 2009-430, the Commission imposed a condition of licence relating to described programming and stated that it may impose further conditions of licence respecting accessibility five years into the licence term, if deemed appropriate. Similarly, the Commission will consider imposing conditions of licence relating to accessibility provisions on the applicant's other services at the time of their licence renewals. In the meantime, the Commission expects those other services to adhere, as soon as possible, to the applicable accessibility requirements specified in Broadcasting and Telecom Regulatory Policy 2009-430.

Secretary General

Related documents

- *Class 1 regional broadcasting licences for terrestrial broadcasting distribution undertakings serving communities in British Columbia and Alberta – Licence renewals and licence amendments, Broadcasting Decision CRTC 2009-679, 30 October 2009*

- *Accessibility of telecommunications and broadcasting services*, Broadcasting and Telecom Regulatory Policy CRTC 2009-430, 21 July 2009

This decision is to be appended to each licence. It 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>.