



Broadcasting Notice of Consultation CRTC 2010-301

Ottawa, 21 May 2010

Notice of applications received

Various locations

Deadline for submission of interventions/comments: 25 June 2010

The Commission has received the following applications:

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

Applicant and Locality

1. **CTV Limited**
Across Canada
Application No. 2010-0503-3
2. **Byrnes Communications Inc.**
Woodstock, Ontario
Application No. 2010-0769-1
3. **San Lorenzo Latin American Community Centre**
Toronto, Ontario
Application No. 2009-1739-6

1. Across Canada

Application No. 2010-0503-3

Application by **CTV Limited** to amend the broadcasting licence of the English-language specialty programming undertaking known as MuchMusic.

The licensee is proposing a number of amendments to its conditions of licence, including a change to the condition relating to its nature of service.

The licensee proposes to amend conditions of licence no. 1(a) and no. 5 which currently read:

1.(a) The licensee shall provide a national, English-language specialty programming service consisting only of music or music-related programming, except as provided by condition of licence No. 5.

5. Notwithstanding condition of licence No. 1, the licensee shall devote no more than 5% of the broadcast week to programming from Category 2(a) and 2(b) combined, except as individually authorized in writing by the Commission for extended coverage of special events.

These conditions of licence would be replaced with the following:

The licensee shall provide a national, English-language specialty programming service with a focus on music, music-related and lifestyle programming for young adults. The target audience for the service shall be Canadians between the ages of 18 and 34, with a core demographic of Canadians between the ages of 18 and 24. A minimum of 75% of the programming broadcast by the service shall be music-related.

The licensee states that the inclusion of lifestyle programming in its nature of service will better position MuchMusic to adapt to the business realities of audience fragmentation and changing technologies.

The licensee proposes to amend condition of licence no. 1(b) by adding the following categories: 1, 3, 4, 5(a), 5(b), 6(a), 6(b), 7(b), 7(f), 7(g), 9, 10 and 15 as set out in Item 6 of Schedule I to the *Specialty Services Regulations, 1990*.

The licensee states that this amendment is consistent with *Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services – Regulatory policy – Broadcasting Public Notice CRTC 2008-100, 30 October 2008*.

The licensee proposes to amend condition of licence no. 2 which reads:

A minimum of 50% of MuchMusic's broadcast week shall be devoted to the exhibition of programming featuring music video clips – Category 8(b).

This condition of licence would be replaced with the following:

A minimum of 25% of MuchMusic's broadcast week shall be devoted to the exhibition of programming featuring music video clips – Category 8(b) and music video programs – Category 8(c).

The licensee states that music videos no longer distinguish the service as they are readily available through other sources. Furthermore, it notes that the supply of music videos that the service can access has been greatly reduced in recent years.

The licensee proposes to amend condition of licence no. 3 which reads:

The licensee shall devote not more than 15% of the broadcast week to music-related programming from Categories 7(a) - Ongoing dramatic series and 7(e) - Animated television programs and films.

The licensee proposes to replace this condition of licence with the following:

The licensee shall devote not more than 20% of the broadcast month to music-related and lifestyle programming from Categories 7(a) – Ongoing dramatic series and 7(e) – Animated television programs and films.

The licensee proposes to amend condition of licence no. 4 which reads:

The licensee shall not distribute more than six hours of music-related Theatrical feature films aired on TV - Category 7(d) in each broadcast week.

This condition would be replaced with the following:

The licensee shall devote not more than 10% of the broadcast month to music-related and lifestyle programming from Category 7(d) – Theatrical feature films aired on TV.

The licensee states that the changes to the conditions of licence related to programming categories 7(a), 7(e) and 7(d) will better reflect the preferences of its target audience.

The licensee proposes to amend condition of licence no. 6 which reads:

The licensee shall devote to the distribution of Canadian programs not less than

- (a) 60% of the broadcast week and
- (b) 50% of the time from 6:00 p.m. to midnight (Eastern time) during each broadcast week.

The licensee is proposing to replace this condition of licence with the following:

The licensee shall devote to the distribution of Canadian programs not less than 55% of the broadcast year.

The licensee proposes to delete conditions of licence no. 9(a) and 9(b) which require the exhibition of French-language music videos.

The licensee states that a requirement to broadcast French-language music videos on an English-language service is outdated. It notes that today's audiences are well-served by established music services such as MusiquePlus and MusiMax.

The licensee proposes to amend conditions of licence no. 10(a) and 10(b) which read as follows:

10(a) In each broadcast year of the licence term, the licensee shall allocate not less than 7% of the gross revenues derived from the operation of this service during the previous broadcast year to VideoFACT for the development and production of Canadian music videos.

10(b) In each broadcast year of the licence term, the licensee shall expend on the acquisition of and/or investment in Canadian programs a minimum of 33%, including 7% to VideoFACT, of the gross revenues derived from the operation of this service during the previous broadcast year.

The licensee proposes to replace these conditions of licence with the following:

10(a) In each broadcast year of the licence term, the licensee shall allocate not less than 3.5% of the gross revenues derived from the operation of this service during the previous broadcast year to MuchFACT for the development and production of Canadian music videos.

(b) In each broadcast year of the licence term, the licensee shall expend on the acquisition of and/or investment in Canadian programs a minimum of 33%, including 3.5% to MuchFACT, of the gross revenues derived from the operation of this service during the previous broadcast year.

The licensee states that its proposal for a 50% reduction in contributions to MuchFACT would be consistent with its request to reduce the exhibition level of music videos by half.

Finally, the licensee proposes to amend the definition of the term “broadcast day.”

MuchMusic’s broadcast day is currently defined as a 24-hour period beginning each day at 6:00 a.m., or any other period approved by the Commission. The licensee proposes to amend the definition of the term broadcast day to mean the period of up to 18 consecutive hours, beginning each day not earlier than six o’clock in the morning and ending not later than one o’clock in the morning of the following day, as selected by the licensee.

Licensee’s address:

299 Queen Street West
Toronto, Ontario
M5V 2Z5
Fax: 416-384-4582
E-Mail: david.spodek@ctv.ca

Examination of application:

At the licensee’s address

2. Woodstock, Ontario

Application No. 2010-0769-1

Application by **Byrnes Communications Inc.** to amend the technical parameters of English-language commercial radio programming undertaking CIHR-FM Woodstock.

The licensee proposes to change the authorized contours by increasing the average effective radiated power from 7,096 watts to 8,950 watts. All other technical parameters would remain unchanged.

The licensee wishes to increase the quality of the signal of the station to better serve the population of Woodstock, Ontario.

The Commission notes that the population would increase from 63,425 to 65,300 within the 3 mV/m authorized contour and from 499,814 to 556,000 within the 0.5 mV/m authorized contour.

Licensee's address:

2289 Fairview Street
Suite 315
Burlington, Ontario
L7R 2E3
Fax: 905-332-7779
Email: info@byrnesmedia.com

Examination of application:

CIHR-FM (104.7 Heart FM)
223 Norwich Avenue
Woodstock, Ontario

3. Toronto, Ontario
Application No. 2009-1739-6

Application by **San Lorenzo Latin American Community Centre** to amend the technical parameters of the Type B community radio programming undertaking CHHA Toronto.

The licensee proposes to change CHAA's authorized contours by decreasing the transmitter power from 10,000 watts to 6,250 watts day time, and increasing the transmitter power from 1,000 watts to 6,250 watts night time.

The population within the 15 mV/m contour would decrease from 1,315,982 to 1,067,284 in the day time, and increase from 194,073 to 1,067,284 in the night time. The population within the 5 mV/m contour would decrease from 2,828,585 to 2,409,869 in the day time, and increase from 500,010 to 2,409,869 in the night time.

The licensee states that the proposed changes will result in a better quality signal to listeners located in the northwest part of its licensed area who are currently experiencing poor reception of CHHA.

Licensee's address:

22 Wenderly Drive
Toronto, Ontario
M6B 2N9
Fax 416-782-1219
E-Mail: hastudillo@sanlorenzo.ca

Examination of application:

At licensee's address

Public participation

Deadline for interventions

25 June 2010

The intervention must be received by the Commission and by the applicant on or before the above-mentioned date. The Commission cannot be held responsible for postal delays and will not notify a party whose intervention is received after the deadline date. In such a case, the intervention will not be considered by the Commission and will not be part of the public file.

Interventions will be considered by the Commission and will form part of the public record of the proceeding without further notification to intervening parties, provided the procedure set out below has been followed. Parties will be contacted only if their submissions raise procedural questions.

Written interventions should be submitted to the Secretary General of the Commission in **only one** of the following formats:

by using the
[\[Broadcasting interventions/comments form\]](#)

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.

Parties must ensure that, before initiating service through electronic mode, they will be able to satisfy the Commission, upon request, that service of the notification was completed.

Submissions longer than five pages should include a summary.

Each paragraph of the submission should be numbered. In addition, 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.

Interventions should clearly identify the application referred to and indicate whether parties support or oppose the application, or, if they propose changes to it, include the facts and grounds for their proposal.

Important notice

All information that parties provide as part of this public process, except information granted confidentiality, whether sent by postal mail, facsimile, e-mail or through the Commission's website at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's website.

This information includes personal information, such as full names, e-mail addresses, postal/street addresses, telephone and facsimile numbers, and any other personal information parties provide.

The personal information that parties 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 website in their entirety exactly as received, 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.

The information that parties 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 web page of this particular public process. As a result, a general search of the Commission's website with the help of either its own search engine or a third-party search engine will not provide access to the information that was provided as part of this public process.

The Commission encourages interested parties to monitor the public examination file and the Commission's website for additional information that they may find useful when preparing their interventions.

Examination of documents

An electronic version of the applications is available from the Commission's website by selecting the application number within this notice.

A list of all interventions will also be available on the Commission's website. An electronic version of all interventions submitted will be accessible from this list.

To access the list, select “Lists of interventions/comments” under “Public Proceedings” from the Commission’s website.

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 two (2) working days, at any other Commission offices and documentation centres.

Location of Commission offices

Toll-free telephone: 1-877-249-2782

Toll-free TDD: 1-877-909-2782

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Central Building
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J8X 4B1
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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>.