



*Via Epass*

September 1<sup>st</sup>, 2010

Mr. Robert A. Morin  
Secretary General  
Canadian Radio-television and  
Telecommunications Commission  
Ottawa, Ontario  
K1A 0N2

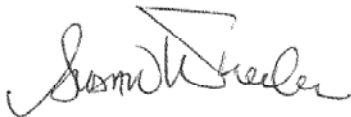
Dear Mr. Morin:

**Re: Broadcasting Notice of Consultation CRTC 2010-539, Items 6 and 8 – Applications by Newcap Inc. to amend the licences of CILV-FM Ottawa and CKMP-FM Calgary**

1. Corus Entertainment Inc. (Corus) and Rogers Broadcasting Limited (RBL) are pleased to submit this intervention concerning the above-noted applications by Newcap.
2. Corus and RBL support Newcap's proposal to amend its conditions of licence respecting contributions to eligible Canadian Content Development (CCD) initiatives. Specifically, to accommodate situations where the timing of expenditures for certain initiatives is dependent on external factors beyond the control of the licensee, Newcap proposes that annual CCD spending be allowed to vary by up to 20% from the commitment specified in the relevant condition of licence.
3. Corus and RBL believe that providing a degree of flexibility with respect to the timing of contributions to eligible initiatives is an innovative concept that should be approved. Moreover, we submit that similar flexibility should be granted, upon request, to other licensees who are face similar circumstances. It will help licensees manage some of the uncertainty inherent to the transition to the CCD regime. At the same time, it will not affect the cumulative CCD spending obligation over the full

- licence term. Newcap has committed that all required CCD contributions would still be made before the end of the current licence term.
4. In a broader context, Corus and RBL note that this particular issue is symptomatic of a more general concern related to the implementation of the CCD regime.
  5. Our experience is that this has been a very difficult and complex transition, with many questions respecting the acceptability of proposed initiatives, several compliance issues resulting from good-faith initiatives ultimately deemed ineligible by the Commission and, in general, uncertainty as to the criteria for assessing individual initiatives. The timing issue highlighted in the Newcap applications is a further example of the challenges associated with managing this transition. The result has been a tremendous administrative burden placed on licensees, as well as on Commission staff who are required to review and follow-up on the specific details, no matter how small, of each and every initiative.
  6. In this broader context, Corus urges the Commission to carefully examine its current procedures with a view to simplifying, clarifying and streamlining the CCD contribution regime. Approval of Newcap's proposal for flexibility respecting the timing of CCD payments is an excellent example of the type of forward-looking measure that would benefit licensees without compromising the integrity of the CCD policy and objectives.

Sincerely,



Susan Wheeler  
Vice-President, Regulatory Affairs  
Rogers Media Inc.



Sylvie Courtemanche  
Vice-President, Government Relations  
Corus Entertainment Inc.

c.c. Newcap Inc. ([dmurray@ncc.ca](mailto:dmurray@ncc.ca))

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