



## Broadcasting Decision CRTC 2004-568

Ottawa, 23 December 2004

### **Cogeco Diffusion inc.**

Sherbrooke, Magog and Trois-Rivières, Quebec

*Application 2004-0695-1*

*Public hearing in the National Capital Region*

*1 November 2004*

### **CFGE-FM Sherbrooke and its transmitter CFGE-FM-1 Magog and CJEB-FM Trois-Rivières – Acquisition of assets**

1. The Commission **approves** the application by Cogeco Diffusion inc. for authority to acquire the assets of two radio programming undertakings, namely CFGE-FM Sherbrooke and its transmitter CFGE-FM-1 Magog, and CJEB-FM Trois-Rivières from Cogeco Radio-Télévision inc., as part of a corporate restructuring. The applicant also applied for broadcasting licences to continue the operation of these undertakings under the same terms and conditions as those set out in the original licensing decisions<sup>1</sup> and in the decisions announcing technical changes to these undertakings.<sup>2</sup>
2. The transaction will not result in any change to the effective control of the undertakings, as Cogeco inc. will continue to exercise control.
3. The Commission did not receive any interventions concerning this application.
4. The new licences will expire on 31 August 2009, which is the expiry date set out in the original licensing decisions. The licence for CFGE-FM and CFGE-FM-1, as well as the licence for CJEB-FM, will be subject to the same terms and conditions as those set out in the original licensing decisions and in the decisions announcing technical changes to these undertakings.
5. As stipulated in the original licensing decisions, and in accordance with paragraph 22(1) of the *Broadcasting Act*, the licences will not be issued until the Department of Industry has confirmed that its technical requirements have been met and that a broadcasting certificate has been issued.

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<sup>1</sup> In *Commercial French-language FM radio station in Sherbrooke*, Broadcasting Decision CRTC 2003-197, 2 July 2003 and in *Commercial French-language FM radio station in Trois-Rivières*, Broadcasting Decision CRTC 2003-201, 2 July 2003, the Commission approved the applications by Cogeco Radio-Télévision inc. for broadcasting licences to operate commercial French-language FM radio programming undertakings, one in Sherbrooke with a transmitter in Magog, and the other in Trois-Rivières. The Commission did not issue licences for these services because the undertakings had not yet met the aeronautical NAV/COM service requirements.

<sup>2</sup> See *CFGE-FM Sherbrooke – Technical change*, Broadcasting Decision CRTC 2004-209, 15 June 2004, *CFGE-FM-1 Magog – Technical change*, Broadcasting Decision CRTC 2004-141, 8 April 2004, and *CJEB-FM Trois-Rivières – Technical change*, Broadcasting Decision CRTC 2004-139, 8 April 2004.

6. Furthermore, the licences for these undertakings will not be issued until the applicant has informed the Commission in writing that it is ready to start operation. The undertakings must be in operation at the earliest possible date and in any event no later than 2 July 2005, unless a request for an extension of time is approved by the Commission before this date. In order to ensure that such a request is processed in a timely manner, it should be submitted at least 60 days before this date.
7. Because this licensee is subject to the *Employment Equity Act* and files reports with the Department of Human Resources and Skills Development, the Commission does not examine its employment equity practices.

Secretary General

*This decision is to be appended to each licence. It is available in alternative format upon request, and may also be examined at the following Internet site: <http://www.crtc.gc.ca>.*