



Broadcasting Decision CRTC 2006-623

Ottawa, 15 November 2006

Allan Hunsperger, on behalf of a corporation to be incorporated
Grande Prairie, Alberta

Application 2005-0816-1
Public Hearing at Edmonton, Alberta
19 June 2006

Christian music FM radio station in Grande Prairie

*In this decision, the Commission **approves** an application by Allan Hunsperger, on behalf of a corporation to be incorporated, for a broadcasting licence to operate a new English-language commercial Specialty FM radio station in Grande Prairie.*

Background

1. At the 19 June Public Hearing in Edmonton, the Commission considered ten applications for broadcasting licences to operate new radio stations to serve Grande Prairie. The applicants were as follows:
 - 1097282 Alberta Ltd. (1097282 Alberta)¹
 - Allan Hunsperger, on behalf of a corporation to be incorporated (Hunsperger)
 - Newcap Inc. (Newcap)
 - O.K. Radio Group Ltd. (O.K. Radio)²
 - Bear Creek Broadcasting Ltd. (Bear Creek)
 - Sun Country Cablevision Ltd., on behalf of a corporation to be incorporated (Sun Country)
 - Jim Pattison Broadcast Group Ltd. (the general partner) and Jim Pattison Industries Ltd. (the limited partner), carrying on business as Jim Pattison Broadcast Group Limited Partnership (Pattison)
 - Vista Radio Limited (Vista)³
 - Crude Communications Inc. (Crude)
 - Standard Radio Inc. (Standard)

¹ In *Applications granted approval pursuant to streamlined procedures*, Broadcasting Public Notice CRTC 2006-107, 21 August 2006, the Commission approved the transfer of ownership and effective control of 1097282 Alberta Ltd. to Radio CJVR Ltd.

² The Commission is considering an application (2006-0616-3) by Rogers Broadcasting Limited to acquire from O.K. Radio Group Ltd. the assets of the following radio programming undertakings in Alberta: CFGP-FM Grande Prairie and its transmitters CFGP-FM-1 Peace River and CFGP-FM-2 Tumbler Ridge; CJOK-FM and CKYX-FM and its transmitter CJOK-FM-1 Fort McMurray; and CHDI-FM and CKER-FM Edmonton. This application was scheduled on the agenda of the 11 September 2006 Québec Public Hearing.

2. The Commission's determination that the Grande Prairie market can support the introduction of three new commercial FM radio stations is set out in *Licensing of new radio stations to serve Grande Prairie, Alberta – Introduction to Broadcasting Decisions CRTC 2006-621 to 2006-624*, Broadcasting Public Notice CRTC 2006-144 (Public Notice 2006-144) of today's date. That public notice also summarizes the rationale underlying the Commission's approval of the applications by Bear Creek, Vista and Hunsperger to serve Grande Prairie.
3. In *Denial of applications proposing radio service for Grande Prairie, Alberta*, Broadcasting Decision CRTC 2006-624, also dated today, the Commission has denied the competing applications for broadcasting licences to operate new radio stations in Grande Prairie by 1097282 Alberta, Newcap, O.K. Radio, Sun Country, Pattison, Crude and Standard.

The application

4. Hunsperger proposed to establish an English-language, commercial specialty FM radio station that would operate at 96.3 MHz (channel 242C1) with an effective radiated power (ERP) of 100,000 watts. The proposed station would offer a Gospel music format designed to appeal to listeners 25 to 44 years of age. At least 95% of its music would be drawn from content subcategory 35 (Non-classic religious).
5. Hunsperger would offer approximately 92 hours per week of local programming, of which approximately 52 hours would be produced separately and exclusively for the Grande Prairie station, at the Edmonton facilities of Touch Canada Broadcasting.⁴
6. A minimum of 10% of all musical selections from content category 3 (Special Interest Music) broadcast during the broadcast week would be Canadian selections, which conforms to the minimum requirement set out in the *Radio Regulations, 1986*. The proposed station would broadcast 31 hours of spoken word programming weekly, of which 23 hours would be structured spoken word programming. In each broadcast week, 6 hours and 6 minutes would be devoted to news, weather and sports, and 15 hours would be devoted to religious spoken word programming, as defined in *Religious Broadcasting Policy*, Public Notice CRTC 1993-78, 3 June 1993 (the Religious Policy).

³ On 31 August 2006, Vista Radio Ltd., CFCP Radio Ltd., CCIR Holdings Ltd. and Coast Radio Ltd. amalgamated as Vista Radio Ltd.

⁴ The qualification of this programming as local on the Grande Prairie station is consistent with the definition of local programming as set out in *Policies for local programming on commercial radio stations and advertising on campus stations*, Public Notice CRTC 1993-38, 19 April 1993. In that policy, local programming is defined as including programming that originates with the station or is produced separately and exclusively for the station.

7. As stated in the Religious Policy, licensees who broadcast religious programming have an obligation to provide balance in their programming. Hunsperger indicated that it would provide a telephone access for listener feedback to brokered or acquired spoken word religious programming. Further, Hunsperger made a commitment that the station would produce and broadcast 60- to 90-second vignettes about other world religions on a daily basis.
8. The applicant stated that it would not participate in the Canadian talent development (CTD) plan developed by the Canadian Association of Broadcasters. Under this plan, a radio licensee serving a market the size of Grande Prairie is required to contribute a minimum of \$400 in each broadcast year to eligible third parties for the development of Canadian talent.
9. Instead, Hunsperger made a commitment that in each broadcast year upon commencement of operations, it would devote \$16,000 in direct expenditures to CTD, resulting in a total of \$112,000 over seven consecutive broadcast years. The annual expenditures would be directed entirely to the Shai Gospel Music Awards.

Interventions

10. The Commission received numerous interventions in support of this application.

Commission's analysis and determinations

11. In Public Notice 2006-144, the Commission set out its determination that, on the basis of the strength of the Grande Prairie market and the current profitability of Grande Prairie commercial radio stations, the Grande Prairie radio market could support the introduction of three new commercial radio stations to serve Grande Prairie, including the station proposed by Hunsperger, without an undue negative impact on existing stations.
12. The Commission is of the view that, because the applicant will offer niche programming based on a modest business plan, it will not directly compete with the conventional commercial services offered by either the incumbent licensee or the new stations also licensed today. The Commission further notes that approval of the Hunsperger application would provide a new radio voice in Grande Prairie, and increase competition in that market.
13. In light of the above, the Commission **approves** the application by Allan Hunsperger, on behalf of a corporation to be incorporated, for a broadcasting licence to operate an English-language commercial Specialty FM radio programming undertaking at Grande Prairie. The new station will operate at 96.3 MHz (channel 242C1) with an ERP of 100,000 watts.

14. The Commission notes the applicant's proposed contribution to CTD. A **condition of licence** is set out in the appendix to this decision requiring the applicant to adhere to its commitments to minimum annual financial contributions to CTD. The Commission expects the applicant to contribute a total of \$112,000 over a period of seven consecutive broadcast years, upon commencement of operations, as proposed.
15. The Commission also notes that Hunsperger indicated that, in each broadcast week, it would broadcast 15 hours of religious spoken word programming. The Commission considers that, when an applicant offers religious programming as defined in the Religious Policy, it must adhere to the guidelines set out in the policy with respect to the provision of balance (section III.B.2.a) and ethics (section IV). The Commission has therefore imposed a **condition of licence**, as set out in the appendix to this decision, requiring that, when the applicant does broadcast such religious programming, it must adhere to these guidelines.
16. In the Religious Policy, the Commission noted a number of mechanisms that would assist licensees in achieving balance, including scheduling of periods for listener reactions, providing access to complainants, searching out alternative points of view, producing or acquiring programming, and providing access to other local faith groups. While the Commission notes Hunsperger's plans for the provision of balance programming, the Commission has imposed a condition of licence requiring the applicant to adhere to the balance requirement, and encourages the licensee to form a regulatory review committee that would oversee the handling of complaints regarding the content of balance programming.
17. The licence to be issued to Hunsperger will expire 31 August 2013. It will be subject to the **conditions** set out in *New licence form for commercial radio stations*, Public Notice CRTC 1999-137, 24 August 1999, with the exception of conditions of licence numbers 5 and 8. The licence will also be subject to the **conditions** set out in the appendix to this decision.

Cultural diversity

18. In *Commercial Radio Policy, 1998*, Public Notice CRTC 1998-41, 30 April 1998, the Commission encouraged broadcasters to reflect the cultural diversity of Canada in their programming and employment practices.
19. The Commission expects Hunsperger to reflect the cultural diversity of Canada in its programming and employment practices.

Issuance of the licence

20. The Department of Industry (the Department) has advised the Commission that, while this application is conditionally technically acceptable, it will only issue a broadcasting certificate when it has determined that the proposed technical parameters will not create any unacceptable interference with aeronautical NAV/COM services.

21. The Commission reminds the applicant that, pursuant to section 22(1) of the *Broadcasting Act*, no licence may be issued until the Department notifies the Commission that its technical requirements have been met, and that a broadcasting certificate will be issued.
22. A licence will be issued once the applicant has satisfied the Commission, with supporting documentation, that the following requirement has been met:
 - An eligible Canadian corporation has been incorporated in accordance with the application in all material respects.
23. Furthermore, the licence for this undertaking will be issued once the applicant has informed the Commission in writing that it is prepared to commence operations. The undertaking must be operational at the earliest possible date and in any event no later than 24 months from the date of this decision, unless a request for an extension of time is approved by the Commission before 15 November 2008. In order to ensure that such a request is processed in a timely manner, it should be submitted at least 60 days before that date.

Employment equity

24. In accordance with *Implementation of an employment equity policy*, Public Notice CRTC 1992-59, 1 September 1992, the Commission encourages the applicant to consider employment equity issues in its hiring practices and in all other aspects of its management of human resources.

Secretary General

This decision is to be appended to the 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>

Appendix to Broadcasting Decision CRTC 2006-623

Conditions of licence

1. The licence will be subject to the conditions set out in *New licence form for commercial radio stations*, Public Notice CRTC 1999-137, 24 August 1999, with the exception of conditions number 5 and 8.
2. The station shall be operated within the Specialty format as defined in *A Review of Certain Matters concerning Radio*, Public Notice CRTC 1995-60, 21 April 1995, and *Revised Content Categories and Subcategories for Radio*, Public Notice CRTC 2000-14, 28 January 2000, as amended from time to time.
3. The licensee shall ensure that, during each broadcast week, not less than 95% of all musical selections broadcast are drawn from subcategory 35 (Non-classic religious).
4. Upon commencement of operations, the licensee shall contribute an annual minimum of \$16,000 to the development and promotion of Canadian talent, directed entirely to the "Shai Gospel Music Awards."

The Commission reminds the licensee that all Canadian talent development (CTD) expenditures must be made in accordance with the Commission's policy on qualifying contributions to CTD, as set out in Appendix 1 to *An FM policy for the nineties*, Public Notice CRTC 1990-111, 17 December 1990.

5. Where the licensee broadcasts religious programming as defined in the *Religious Broadcasting Policy*, Public Notice CRTC 1993-78, 3 June 1993, the licensee shall adhere to the guidelines set out in sections III.B.2.a) and IV of that public notice with respect to the provision of balance and ethics in religious programming, as amended from time to time.