



## Broadcasting Decision CRTC 2007-155

Ottawa, 28 May 2007

### Various applicants

Saskatoon, Saskatchewan

*Public Hearing at Regina, Saskatchewan*

*30 October 2006*

### Licensing of new radio stations to serve Saskatoon, Saskatchewan

*The Commission **approves** applications by Harvard Broadcasting Inc. and Aboriginal Voices Radio Inc. for broadcasting licences to operate new FM radio programming undertakings to serve Saskatoon.*

*The Commission **denies** the remaining applications for broadcasting licences to serve the Saskatoon radio market.*

### Introduction

1. At a public hearing commencing 30 October 2006 in Regina, the Commission considered nine applications proposing to establish new radio stations to serve Saskatoon, eight of which were for commercial services and one for a not-for-profit Native Type B FM station.
2. As part of this process, the Commission received and considered interventions with respect to each of the nine applications. The public record for this proceeding is available on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) under "Public Proceedings."
3. After reviewing the applications and the interventions, the Commission is of the view that there are two primary issues to be considered:
  - Can the Saskatoon radio market sustain, without an undue negative impact, the licensing of additional radio services?
  - If that market can sustain the licensing of additional stations, which of the applications should be approved in light of the factors identified in Broadcasting Public Notice 2006-36 (the Call)?

## **The Saskatoon radio market and its ability to sustain additional stations**

4. In 2006, according to Financial Post Markets, the population of the Saskatoon Central Metropolitan Area (CMA) was 236,797. The Conference Board of Canada forecasts that the population of the Saskatoon CMA will increase 0.7% annually from 2006 to 2010. Saskatoon is a relatively young market, with over two-thirds of the population under the age of 45 and a median age of 34.4 years, as compared to the national average of 37.6 years. By the 2001 Census, almost 20% of Saskatoon's population was under the age of 15, as compared to the national average of approximately 9%. In addition, 9% of the total population of Saskatoon is Aboriginal. Many interveners in this proceeding noted that Aboriginal residents are a rapidly increasing component of the Saskatchewan population, one that is set, by some counts, to represent 40% of the population of Saskatoon by 2050.
5. The Saskatoon commercial radio market is currently served by four FM stations and two AM stations operated by two licensees: Rawlco Radio Ltd. (Rawlco) and 629112 Saskatchewan Ltd., a company ultimately controlled by Mr. Hildebrand (Hildebrand). Rawlco's stations offer the following formats: Contemporary Hits (CFMC-FM), Rock (CJDG-FM), and News/Talk (CKOM). The stations owned by Hildebrand offer the following formats: Adult Contemporary (CJMK-FM), New Country (CFQC-FM), and News/Talk (CJWW). Saskatoon is also served by CBC Radio Two (CBKS-FM) and the Community Radio Society of Saskatoon Inc. (CFCR-FM), as well as by retransmitters of CJLR-FM La Ronge (Missinipi Broadcasting Corporation), CBK Regina (CBC Radio One), CBKF-FM Regina (SRC Première Chaîne) and CKSB-FM Winnipeg (SRC Espace Musique).
6. From 2002 to 2006, total Saskatoon radio revenues increased at a compound annual growth rate of 8.0%. By contrast, the profit before interest and taxes (PBIT) margin for the Saskatoon radio market has remained consistently below the aggregate PBIT margin for all commercial radio stations in Canada over this period. Saskatoon radio market stations, as a whole, reported operating expenditures for programs and sales and promotion as a percentage of total revenues in excess of Canadian averages in these categories. The higher overall operating expenses evident in the Saskatoon market are reflected in the lower than average PBIT margins reported.
7. In addition to the healthy radio revenues noted above, CIBC World Markets and the Conference Board of Canada both project strong economic growth for Saskatoon, with retail sales expected to increase at an average annual rate of 5.5% for the period leading up to 2010. The Commission also notes that on the basis of the number of commercial radio stations per capita, the Saskatoon market will not be over-licensed with one additional commercial station in comparison with several profitable radio markets in Canada.

8. Therefore, based on the evidence that Saskatoon radio revenues are healthy (despite lower than average PBITs in the market) and taking into account the fact that economic indicators for the Saskatoon market are positive, the Commission is satisfied that the market could support the licensing of one new commercial radio station without an undue negative impact on the Saskatoon radio market.
9. In Broadcasting Public Notice 2006-159, the Commission set out its concern with the relatively lower profitability of radio markets with populations under 250,000 and signalled its intent to avoid over-licensing in such markets. The Commission is of the view that the licensing of one new commercial radio station to serve the Saskatoon market at this time is consistent with the intent of Broadcasting Public Notice 2006-159. The Commission also considers that the size and stability of this radio market provides an opportunity for the introduction of a new voice and programming diversity to the area.
10. The Commission is also confident that the licensing of a second service to serve Saskatoon in addition to the new commercial service is possible, so long as it would not have a significant impact on the market.

## **Assessment of the applications**

### **Criteria for assessment**

11. Having determined that the economic indicators for the Saskatoon market would allow for additional radio services, the Commission considered the applications to serve Saskatoon in light of the factors relevant to the evaluation of applications outlined in the Call, which include the factors set out in Decision 99-480.
12. Although the Commission has weighed all of the factors outlined in the Call in assessing the proposed services, it considers that the market impact and the quality of the applications, especially with respect to the applicants' business plans (which includes their proposed formats) and their commitments to local programming, Canadian content, and Canadian talent development (CTD), were particularly important and relevant to its determinations given the specificity of the Saskatoon market. The availability of frequencies was not an issue for this market.

### **The applications**

#### *Radio CJVR Ltd.*

13. Radio CJVR Ltd. (Radio CJVR) filed two applications, each proposing to establish an English-language commercial FM radio station to serve Saskatoon. The applicant indicated that, if both applications were approved, approximately 9 hours of programming each week would be shared between the two stations.

14. Radio CJVR's first application (2006-0834-1) proposed to operate an English-language commercial FM station at 89.7 MHz (channel 209C1) with an effective radiated power (ERP) of 100,000 watts. The proposed station would offer a Classic Rock music format targeting listeners aged 35 to 54, with a core audience of males in the 35 to 44 age group. Radio CJVR indicated that over 10 hours of its programming each week would consist of spoken word programming, of which over 2 hours would be news. The applicant stated that it would devote between \$1,650,000 and \$1,825,000 to CTD over seven consecutive broadcast years upon commencement of operations, indicating that the higher amount would be contributed if both applications to serve Saskatoon were approved.
15. Radio CJVR's second application (2006-0835-9) proposed to operate a new station at 106.1 MHz (channel 291C1) with an ERP of 100,000 watts. The proposed station would offer an Oldies music format appealing to a core audience over the age of 45. The applicant stated that the proposed station would broadcast almost 11 hours of spoken word programming each week, of which over 2 hours would be news. Radio CJVR indicated that it would devote between \$1 million and \$1,175,000 to CTD over seven consecutive broadcast years upon commencement of operations. As noted above, Radio CJVR stated that the higher amount would be contributed if both of its applications to serve Saskatoon were approved.

*Newcap Inc.*

16. Newcap Inc. (Newcap) proposed to establish an English-language commercial FM radio station that would operate at 91.5 MHz (channel 218C1) with an ERP of 100,000 watts. Newcap stated that the proposed station would offer an Oldies-based Classic Hits music format (more pop-based than rock-based) targeting listeners aged 25-64, with a core audience of females in the 45-59 age group. Newcap indicated that the proposed station would offer 124 hours of local and over 21 hours of spoken word programming each week, 5 hours and 45 minutes of which would be news. Local news would represent 75% of all news stories per broadcast week. Finally, Newcap stated that it would devote \$1,505,000 to CTD over seven consecutive broadcast years upon commencement of operations.

*Saskatoon Radio Broadcasting Ltd.*

17. Saskatoon Radio Broadcasting Ltd. (Saskatoon Radio) proposed to establish an English-language commercial FM radio station that would operate at 106.7 MHz (channel 294C) with an ERP of 100,000 watts. This proposal involves two broadcasters (Rawlco and Hildebrand) who currently operate three stations each in Saskatoon. In addition, the same broadcasters are parties to the Deed of Trust as the Settlers and the Protectors, and Mr. Hilderbrand is the original Designated Trustee and has been appointed the sole officer of the Corporation to hold the offices of President and Secretary. The applicant indicated that the proposed station would offer a Contemporary Hit music format appealing to an audience 12 to 34 years of age. Saskatoon Radio stated that it would not commit to a specific condition of licence regarding spoken word programming but committed to broadcasting 2.5 hours per week of spoken word programming, including news and surveillance. Local news would make up 70% of all

news broadcast and 100% of the programming would be local. The applicant indicated that it would devote \$70,000 to CTD over seven consecutive broadcast years upon commencement of operations. Finally, Saskatoon Radio proposed to devote a minimum of 40% of all musical selections from content category 2 (Popular music) broadcast during the broadcast week to Canadian musical selections, which exceeds the minimum Canadian musical selections requirement for category 2 selections broadcast throughout the week set out in the *Radio Regulations, 1986* (the Regulations).

*Harvard Broadcasting Inc.*

18. Harvard Broadcasting Inc. (Harvard) proposed to establish an English-language commercial FM radio station that would operate at 92.3 MHz (channel 222C1) with an ERP of 100,000 watts. The proposed station would offer a Youth Contemporary music format blending Pop, Urban and Alternative Rock music. The format would be of primary appeal to an audience 12 to 34 years of age. Harvard indicated that 9.5 hours of each week would be devoted to spoken word programming, of which 2.5 hours would be news. In addition, 80% of all news and 126 hours, or 100%, of the station's programming every week would be local. Harvard stated that it would devote \$1,050,000 to CTD over seven consecutive broadcast years upon commencement of operations. It would ensure that a minimum of 40% of all musical selections from content category 2 broadcast by the proposed station throughout the broadcast week and between 6 a.m. and 6 p.m. Monday to Friday would be Canadian musical selections. These commitments exceed the minimum Canadian musical selections requirements for category 2 selections set out in the Regulations. Finally, Harvard indicated that it had an agreement with the Aboriginal Peoples Television Network to offer a news-mentoring program to train Aboriginal journalists.

*Standard Radio Inc.*

19. Standard Radio Inc. (Standard) proposed to establish an English-language commercial FM radio station that would operate at 96.3 MHz (channel 242C1) with an ERP of 100,000 watts. The proposed station would offer a Soft Adult Contemporary music format that would appeal to adults 25 to 54 years of age. Standard stated that it would broadcast approximately 12.5 hours of spoken word programming each week, including 6 hours and 43 minutes of structured news and information content, of which 3 hours would be news. Local news would represent 70% of all news broadcast. The applicant indicated that it would devote \$700,000 to CTD over seven consecutive broadcast years upon commencement of operations and that a minimum of 40% of all musical selections from content category 2 broadcast by the proposed station throughout the broadcast week and between 6 a.m. and 6 p.m. Monday to Friday would be Canadian musical selections. These commitments exceed the minimum Canadian musical selections requirements for category 2 selections set out in the Regulations.

*Jim Pattison Broadcast Group Limited Partnership*

20. 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), proposed to establish an English-language commercial FM radio station that would operate at 106.7 MHz (channel 294C) with an ERP of 100,000 watts. The applicant indicated that the proposed station would offer a gold-based Soft Adult Contemporary music format targeting listeners aged 25 to 64, with a core audience of females aged 45 to 64. Pattison proposed to offer 24 hours each week of spoken word programming, including over 8 hours of news, 75% of which would be local. The applicant further indicated that it would devote \$1,021,000 to CTD over seven consecutive broadcast years upon commencement of operations and that a minimum of 40% of all musical selections from content category 2 broadcast by the proposed station throughout the broadcast week and between 6 a.m. and 6 p.m. Monday to Friday would be Canadian selections. These commitments exceed the minimum Canadian musical selections requirements for category 2 selections set out in the Regulations.

*Touch Canada Broadcasting Inc.*

21. Touch Canada Broadcasting Inc. (Touch Canada) proposed to establish an English-language commercial Specialty FM radio station that would operate at 100.9 MHz (channel 265C1) with an ERP of 100,000 watts. Touch Canada stated that the proposed station would offer a Christian music format designed to appeal to a core audience of females in their thirties. Touch Canada indicated that 28 hours of each week would be devoted to syndicated and brokered religious programming originating in the United States and that over 31 hours of spoken word programming would be broadcast each week, including 15 hours of brokered programming and 6.6 hours of news, 40% of which would be local. Finally, Touch Canada stated that it would devote \$112,000 to CTD over seven consecutive broadcast years upon commencement of operations.

*Aboriginal Voices Radio Inc.*

22. Aboriginal Voices Radio Inc. (AVR) proposed to establish an English- and Aboriginal-language Native Type B FM radio station that would operate at 102.9 MHz (channel 275C) with an ERP of 100,000 watts. In its application, AVR stated that most of the proposed station's programming would originate from CKAV-FM Toronto and would offer programming of particular interest to the urban Aboriginal population of Saskatoon, with local programming being implemented over time. At the Regina hearing, AVR further offered to standardize its local programming commitments across its entire network, by agreeing to a condition of licence stipulating that, within 24 months from the commencement of operations of any new AVR undertaking, 25% of the broadcast week would be devoted to the broadcasting of local programming, including news and a local morning show. AVR also committed to rolling out local news services for its new

stations within 12 months of the commencement of operations and to broadcasting every week a minimum of 20 hours of structured spoken word programming, as defined currently by the Commission. Finally, AVR committed in its presentations to ensuring that a minimum of 2% of all vocal musical selections and of all spoken word programming broadcast by the proposed station during each broadcast week would be in a Canadian Aboriginal language.

## **Commission's analysis**

### **Harvard**

23. Harvard is a corporation ultimately controlled by Mr. Frederick W. Hill. It currently owns three stations in Regina, CFWF-FM, CHMX-FM and CKRM.
24. The Commission notes that Harvard was one of only two applicants to propose a format targeting, through music and spoken word programming, youth and young adults aged 12 to 34, a significant demographic generally less well served than any other age group in Saskatoon, in particular in the 12 to 24 age bracket. The Commission is of the view that the presence in Saskatoon of a station blending Alternative Rock with other contemporary youth-oriented music genres such as that proposed by Harvard would fill a void for youth and young adult males and would complement the incumbent Contemporary Hit Radio station CFMC-FM, thereby prompting an additional number of young people aged 12 to 25 to listen to radio and increasing the tuning of younger Saskatoon listeners to commercial radio stations. The licensing of Harvard would also provide a new and robust radio voice and therefore increase diversity and competition in the Saskatoon radio market.
25. Further, with respect to Canadian content, the Commission notes that Harvard was one of only three applicants to propose a commitment in excess of the minimum Canadian musical selections requirement for musical selections from content category 2 broadcast throughout the week and between 6 a.m. and 6 p.m. Monday to Friday set out in the Regulations.
26. Harvard also committed to devoting \$150,000 annually, or \$1,050,000 over seven consecutive years, to various CTD initiatives, as set out in its application.

### **AVR**

27. AVR is a not-for-profit corporation incorporated under federal law. It is the licensee of a Native FM radio station in Toronto as well as of Aboriginal Voices Radio Network, which distributes the programming of its Toronto station to other AVR radio stations. The Commission has approved applications by AVR for radio stations to be operated in Ottawa, Calgary, Vancouver, Kitchener-Waterloo, Edmonton, and Montréal. In Broadcasting Decision 2007-156, also issued today, the Commission has also approved an application by AVR to operate an FM radio station in Regina.

28. The Commission notes that it received an intervention in opposition to AVR's application by the Missinipi Broadcasting Corporation (MBC), a not-for-profit corporation related to Natotawin Broadcasting Inc. (Natotawin), licensee of the Native Type B FM station CJLR-FM in La Ronge and its transmitter CIRN-FM in Saskatoon, as well as interventions in support of MBC's intervention from the Western Association of Aboriginal Broadcasters (WAAB), the Lac La Ronge Indian Band, and the Prince Albert Grand Council.
29. The above-noted interveners submitted that AVR's application for a new English- and Aboriginal-language radio service was redundant and would prove divisive for Saskatchewan's growing urban Aboriginal community. The interveners also questioned the extent of AVR's commitment to providing significant community access and Aboriginal-language content.
30. In its reply, AVR noted that it is a not-for-profit undertaking that does not solicit local advertising and poses no economic threat to any Saskatchewan broadcaster, whether Aboriginal or not, and that its application to provide a national Aboriginal radio service to Saskatchewan listeners enjoyed the support of many members of the community.
31. In its evaluation of the present application, the Commission has considered the views expressed by the interveners both in the light of AVR's response and in the light of the commitments to local, spoken word and Aboriginal-language programming made by AVR during the Regina hearing. The Commission notes that there are no incumbent licensees in Saskatoon currently providing a full-time service similar to the network-oriented Native Type B FM service proposed by AVR and that the service to be provided would offer niche programming that would not directly compete with the conventional commercial services offered by the incumbent stations in the market and that would complement the existing programming provided to Saskatoon listeners by Natotawin. Given the presence of a significant Aboriginal population in Saskatoon which is projected to grow significantly over the next number of years, the Commission is of the view that the presence of another Aboriginal service in addition to that provided by Natotawin would serve a social benefit through the increased exposure of Aboriginal cultures and perspectives and thus would be consistent with the objectives set out in the *Broadcasting Act*, which specifically requires the Commission to ensure a place for Aboriginal persons and programming that reflects the Aboriginal cultures of Canada within the Canadian broadcasting system as resources become available for that purpose.
32. As it relates specifically to AVR's condition of licence regarding structured spoken word programming, the Commission notes that in the interest of fairness to AVR's stated capacities and the Commission's expectations, it has imposed a definition of structured spoken word which is specific to AVR's application. This definition has also been applied in the context of AVR's recent licence renewals for its radio broadcasting undertakings in Toronto, Vancouver, Calgary and Ottawa, as well as in the case of the Commission's decision for its application in Regina.

## Determinations

33. Based on all of the above, the Commission **approves** the applications for broadcasting licences to operate new radio stations in Saskatoon by the two parties listed below. Terms and **conditions** for the two new services are set out in the appendices to this decision.

**Harvard Broadcasting Inc.**

*Application 2005-1536-4, received 19 December 2005*

**Aboriginal Voices Radio Inc.**

*Application 2006-0836-7, received 27 June 2006*

34. In approving the AVR proposal, the Commission has imposed **conditions of licence** requiring AVR to devote at least 25% of its weekly broadcast schedule to local programming within 24 months of the commencement of operations and requiring the new station to broadcast regular daily local newscasts within 12 months of the commencement of operations. AVR must file with the Commission a letter indicating that the above-noted conditions have been met.
35. The Commission finds that, for all of the reasons set out above, the applications by Harvard and AVR best fulfil the criteria for evaluating competing applications for new radio stations to serve Saskatoon stated at the outset. The Commission is of the view that, taken together, the two new services will increase programming diversity, augment the diversity of radio voices in the Saskatoon market, and provide significant new support for Canadian talent and cultural diversity. The addition of one new commercial radio service to be provided by Harvard will have a limited impact on the Saskatoon radio market. Further, the Commission is confident that the addition of the new Native Type B service proposed by AVR will not have any significant negative economic impact on the Saskatoon radio market.
36. Accordingly, the Commission **denies** the seven remaining applications for broadcasting licences to operate new radio stations in Saskatoon, as set out below.

**Radio CJVR Ltd.**

*Application 2006-0834-1, received 27 June 2006*

**Radio CJVR Ltd.**

*Application 2006-0835-9, received 27 June 2006*

**Newcap Inc.**

*Application 2005-0940-9, received 10 August 2005*

**Saskatoon Radio Broadcasting Inc.**

*Application 2006-0840-9, received 27 June 2006*

**Standard Radio Inc.**

*Application 2006-0822-6, received 26 June 2006*

**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**

*Application 2006-0859-9, received 30 June 2006*

**Touch Canada Broadcasting Inc.**

*Application 2006-0828-4, received 26 June 2006*

**Changes flowing from the new *Commercial Radio Policy 2006***

37. In Broadcasting Public Notice CRTC 2006-158, the Commission set out a new approach to the development and promotion of Canadian artists. In order to reflect a new emphasis on development initiatives that lead to the creation of audio content for broadcast using Canadian resources, the Commission will replace the expression “Canadian talent development” (CTD) with “Canadian content development” (CCD). Each radio station holding a commercial radio licence will be required to make a basic annual CCD contribution based on its revenues in the previous broadcast year.
38. The Commission notes that the applicants in this proceeding have made commitments for CTD that will be imposed as conditions of licence. Amounts required under these conditions of licence may be deducted from the amounts that will be required under the new basic CCD contribution.

**Related documents**

- *Licensing of new radio stations to serve Regina, Saskatchewan, and technical change for CJLR-FM La Ronge, Saskatchewan, Broadcasting Decision CRTC 2007-156, 28 May 2007*
- *Commercial Radio Policy 2006, Broadcasting Public Notice CRTC 2006-158, 15 December 2006*
- *Revised policy concerning the issuance of calls for radio applications and a new process for applications to serve small markets, Broadcasting Public Notice CRTC 2006-159, 15 December 2006*
- *Call for applications for a broadcasting licence to carry on a radio programming undertaking to serve Saskatoon, Saskatchewan, Broadcasting Public Notice CRTC 2006-36, 29 March 2006*

- *Introductory statement – Licensing new radio stations*, Decision CRTC 99-480, 28 October 1999

Secretary General

*This decision and the appropriate appendix should be attached to each licence. 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>*

## **Appendix 1 to Broadcasting Decision CRTC 2007-155**

### **Harvard Broadcasting Inc.**

*Application 2005-1536-4, received 19 December 2005*

### **Terms, conditions of licence, encouragement and expectation**

#### **Terms**

#### **Issuance of the broadcasting licence to operate an English-language, commercial FM radio programming undertaking in Saskatoon**

The licence will expire 31 August 2013.

The station will operate at 92.3 MHz (channel 222C1) with an effective radiated power of 100,000 watts.

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.

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.

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 28 May 2009. 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.

#### **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 condition of licence number 5.
2. Upon commencement of operations, the licensee shall contribute a minimum of \$150,000 in each broadcast year for the development of Canadian content to eligible initiatives, as defined in *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006.

3. The licensee shall, as an exception to the percentage of Canadian musical selections set out in sections 2.2(8) and 2.2(9) of the *Radio Regulations, 1986*, in any broadcast week:
  - a) devote, in that broadcast week, a minimum of 40% of its musical selections from content category 2 (Popular music) to Canadian selections broadcast in their entirety; and
  - b) devote, between 6:00 a.m. and 6:00 p.m., in the period from Monday to Friday of the same broadcast week, 40% or more of its musical selections from content category 2 to Canadian selections broadcast in their entirety.

For the purposes of this condition, the terms “broadcast week,” “Canadian selection,” “content category” and “musical selection” shall have the same meaning as that set out in the *Radio Regulations, 1986*.

### **Expectation and encouragement**

#### **Cultural diversity**

The Commission expects the licensee to reflect the cultural diversity of Canada in its programming and employment practices.

#### **Employment equity**

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

## **Appendix 2 to Broadcasting Decision CRTC 2007-155**

### **Aboriginal Voices Radio Inc.**

*Application 2006-0836-7, received 27 June 2006*

### **Terms and conditions of licence**

#### **Terms**

#### **Issuance of the broadcasting licence to operate an English- and Aboriginal-language Native Type B FM radio programming undertaking in Saskatoon**

The licence will expire 31 August 2013.

The station will operate at 102.9 MHz (channel 275C) with an effective radiated power of 100,000 watts.

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.

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.

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 28 May 2009. 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.

#### **Conditions of licence**

1. The licensee shall devote a minimum of 25% of its weekly broadcast schedule to the broadcasting of local programming within twenty-four (24) months of the commencement of operations.

For the purposes of this condition, “local programming” shall have the meaning set out in *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006, as amended from time to time.

2. The licensee shall broadcast regular daily local newscasts within twelve (12) months of the commencement of operations.

The licensee shall file with the Commission a letter indicating that it has met the deadlines with respect to local programming referred to in conditions of licence 1 and 2.

3. The licensee shall devote a minimum of twenty (20) hours per broadcast week to structured enriched spoken word programming. For the purposes of this condition of licence, “structured enriched programming” shall be defined as:

- spoken word programming of any length and in any language involving some research pertaining to the documentation of current and past events, instruction and information, human interest information, leisure interests, public affairs, cultural programming, storytelling, academic instruction, interviews and the like.
- programming that does not include song intros/extros, surveillance information (such as news reports, weather and public service announcements), impromptu, casual or spontaneous talk by announcers during music-flow programming, contests, or any programming defined by content categories 2, 3, 4 or 5 of the *Radio Regulations, 1986*.
- programming as described above and of which the duration shall not include the time devoted to musical selections interspersed with or interrupting such programming.

The licensee shall provide, upon the Commission’s request, the schedule for a broadcast week of all the programming defined above.

4. The licensee shall ensure that a minimum of 35% of all musical selections from category 2 (Popular music) aired during each broadcast week are Canadian selections played in their entirety.

For the purposes of this condition, the terms “broadcast week,” “Canadian selection,” “content category,” and “musical selection” shall have the same meaning as that set out in the *Radio Regulations, 1986*.

5. The licensee shall ensure that a minimum of 2% of all spoken word programming broadcast during each broadcast week is in a Canadian Aboriginal language.
6. The licensee shall ensure that a minimum of 2% of all vocal musical selections aired during each broadcast week is in a Canadian Aboriginal language.

7. The licensee shall adhere to the provisions of the Canadian Association of Broadcasters' *Broadcast Code for Advertising to Children*, as amended from time to time and approved by the Commission.
  
8. The licensee shall adhere to the guidelines on gender portrayal set out in the Canadian Association of Broadcasters' *Sex-Role Portrayal Code for Television and Radio Programming*, as amended from time to time and approved by the Commission. However, the application of the foregoing condition of licence will be suspended if the licensee is a member in good standing of the Canadian Broadcast Standards Council.