



Broadcasting Decision CRTC 2007-238

Ottawa, 19 July 2007

JOCO Communications Inc.

Espanola, Ontario

Application 2007-0070-0, received 17 January 2007

Public Hearing in the National Capital Region

28 May 2007

English-language FM radio station in Espanola

1. The Commission **approves** the application by JOCO Communications Inc. (JOCO) for a broadcasting licence to operate an English-language commercial FM radio programming undertaking in Espanola, Ontario. The terms and **conditions of licence** are set out in the appendix to this decision.
2. As part of this process, the Commission received and considered interventions with respect to this application. The public record for this proceeding is available on the Commission's Web site at www.crtc.gc.ca under "Public Proceedings."
3. The new station will offer a Classic Hits music format with specialty music programming focused on jazz, blues and folklore. The applicant also indicated that the station will offer approximately 113 hours and 24 minutes of local programming in each broadcast week, as defined in Broadcasting Public Notice 2006-158. Of this local programming, 19 hours will be locally-produced spoken word programming, including 12 hours and 12 minutes of local news, sports and weather. The station will also broadcast various lifestyle, community event and public service announcements and, twice weekly, will broadcast a one-hour Aboriginal music and interview program.
4. JOCO also committed to ensure that at least 40% of its category 2 musical selections calculated across the entire broadcast week from Monday to Friday, from 6:00 a.m. to 6:00 p.m., will be Canadian selections, and that 10 hours in each broadcast week will be devoted to category 3 musical selections. The applicant agreed to accept these commitments as conditions of licence.

Canadian content development

5. In Broadcasting Public Notice 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 replaced the expression "Canadian talent development" (CTD) with "Canadian content development" (CCD). Under the new policy, each radio station holding a commercial radio licence is required to make a basic

annual CCD contribution based on its total broadcast revenues in the previous broadcast year. This requirement will be reflected in the *Radio Regulations, 1986* (the Regulations). Until such time, it will be implemented by a transitional condition of licence, as set out in the appendix to this decision. This condition of licence will expire upon the coming into force of the amendments to the Regulations.

6. In addition to the basic annual CCD amount, JOCO indicated that it will offer an over-and-above contribution of \$5,600 over the course of seven consecutive broadcast years, or \$800 per broadcast year. Of this \$800 annual contribution, JOCO will devote \$200 to the Foundation Assisting Canadian Talent on Recordings (FACTOR); the remainder will be allocated to local initiatives and to funding for local musicians.
7. The Commission reminds the applicant that any development initiatives that have not been allocated to specific parties by condition of licence must be allocated to the support, promotion, training and development of Canadian musical and spoken word talent, including journalists. Parties and initiatives eligible for CCD funding are identified in paragraph 108 of Broadcasting Public Notice 2006-158.

Secretary General

Related documents

- *Commercial Radio Policy*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006
- *New licence form for commercial radio stations*, Public Notice CRTC 1999-137, 24 August 1999

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 2007-238

Terms, conditions of licence and encouragement

Terms

Issuance of the broadcasting licence to operate an English-language FM radio programming undertaking in Espanola, Ontario

The licence will expire 31 August 2013.

The station will operate at 99.3 MHz (channel 257A) with an effective radiated power of 794 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 19 July 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. 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, devote, between 6:00 a.m. and 6:00 p.m., in the period from Monday to Friday of the same broadcast week, a minimum of 40% of its musical selections from content category 2 (Popular music) to Canadian selections broadcast in their entirety.

3. The licensee shall, in each broadcast week, broadcast 10 hours of category 3 (Special interest music) musical selections.
4. The licensee shall, upon commencement of operations, make a basic annual contribution to Canadian content development (CCD). The amount of the contribution shall be determined in accordance with the policy set out in *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006, as amended from time to time (Public Notice 2006-158).

The licensee shall allocate 60% of this basic annual CCD contribution to FACTOR or MUSICACTION.

The remainder of the basic annual contribution to CCD shall be allocated to parties and initiatives fulfilling the definition of eligible initiatives in Public Notice 2006-158.

This condition of licence shall expire upon the coming into force of the amendments to the *Radio Regulations, 1986* relating to CCD.

5. In addition to the basic annual contribution, the licensee shall, upon commencement of operations, contribute a minimum of \$800 annually to the promotion and development of Canadian content. This amount is over and above the licensee's required basic annual CCD contribution. Of this amount, \$200 shall be allocated to FACTOR. The remainder, \$600 per year, shall be allocated to local initiatives and to funding for local musicians.

For the purposes of the conditions of this licence, 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*.

Encouragement

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.