



Broadcasting Decision CRTC 2009-776

Route reference: 2009-461

Additional references: 2009-461-2, 2009-461-3, 2009-461-4

Ottawa, 15 December 2009

Kispiox First Nations Community Radio Hazelton, British Columbia

Application 2009-0721-4, received 5 May 2009
Public Hearing in the National Capital Region
29 October 2009

Type B Native radio station in Hazelton

1. The Commission **approves** the application by Kispiox First Nations Community Radio (Kispiox Radio) for a broadcasting licence to operate an English- and Aboriginal-language low-power Type B Native FM radio programming undertaking in Hazelton, British Columbia. The station will operate at 96.1 MHz (channel 241LP) with an average effective radiated power of 11 watts (effective height of the antenna above average terrain of 14.2 metres). The terms and **conditions of licence** are set out in the appendix to this decision. The Commission did not receive any interventions in connection with this application.
2. Kispiox Radio is a not-for-profit corporation controlled by its board of directors.
3. The new radio station will serve the population of the Kispiox First Nation. It will offer 30 hours of locally-produced programming, including five hours of programming produced in the Gitksanimx language. The remaining programming will be sourced from CFNR-FM Terrace, a Type B Native radio programming undertaking operated by Northern Native Broadcasting (Terrace, B.C.) (Northern Native).
4. The applicant stated that it will broadcast approximately 18 hours of music programming in a given broadcast week, from a variety of genres including pop, rock, dance, country, gospel, folk, blues and jazz. In regard to station-produced programming, Kispiox Radio proposed to devote 30% of its musical selections to music performed or composed by Aboriginal talent. Further, in addition to providing local news and events information, it will promote youth sports activities and local church events and broadcast public affairs and educational programs.

5. The Commission notes that Kispiox Radio is currently making use of CFNR-FM's rebroadcasting facilities at Hazelton, under the call sign VF2065, to provide programming to the Kispiox First Nation. The Commission further notes that, in a letter decision issued 14 December 2009, it revoked the authority granted to Northern Native for the use of the transmitter VF2065. The present decision will therefore properly licence the undertaking to be operated by Kispiox Radio.

6. Pursuant to section 22(1) of the *Broadcasting Act*, no licence may be issued, amended or renewed unless the Department of Industry (the Department) notifies the Commission that the applicant has satisfied the requirements of the *Radiocommunications Act* and the regulations made thereunder and that a broadcasting certificate has or will be issued. The Commission notes that, on 8 September 2009, it received notification to this effect from the Department. Therefore, the licence for this undertaking will be issued upon reception of a revised broadcasting certificate from the Department.

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 2009-776

Terms and conditions of licence

Terms

The licence will expire 31 August 2016.

The station will operate at 96.1 MHz (channel 241LP) with an average effective radiated power of 11 watts (effective height of the antenna above average terrain of 14.2 metres).

Pursuant to section 22(1) of the *Broadcasting Act*, having been notified by the Department of Industry (the Department) that the applicant's technical requirements have been met and that a broadcasting certificate will be issued, the Commission will issue a licence for this undertaking once it has received the broadcasting certificate in the licensee's name.

Given that the technical parameters approved in this decision are for a low-power unprotected FM service, the Commission also reminds the applicant that it will have to select another frequency if the Department so requires.

Conditions of licence

1. The licensee shall devote, in each broadcast week, no less than 35% of its musical selections from content category 2 (Popular music) to Canadian musical selections broadcast in their entirety.
2. The licensee shall adhere to the Canadian Association of Broadcasters' *Equitable Portrayal Code*, as amended from time to time and approved by the Commission.
3. 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.