



## Broadcasting Decision CRTC 2010-230

Route reference: 2009-803

Ottawa, 23 April 2010

**Newcap Inc.**  
Brooks, Alberta

*Application 2009-1220-6, received 3 September 2009*

*Public Hearing in the National Capital Region*

*22 February 2010*

### **CIBQ Brooks – Conversion to FM band**

1. The Commission **approves** the application by Newcap Inc. (Newcap) for a broadcasting licence to operate a new English-language commercial FM radio programming undertaking in Brooks, Alberta, to replace its AM station CIBQ Brooks. The Commission did not receive any interventions in connection with this application. The terms and **conditions of licence** for the new station are set out in the appendix to this decision.
2. The station will operate at 105.7 MHz (channel 289B1) with an average effective radiated power (ERP) of 6,600 watts (maximum ERP of 14,000 watts and effective height of antenna above average terrain of 45.6 metres).
3. The new station will maintain CIBQ's Country music format. A minimum of 19 hours and 20 minutes of the broadcast week will be devoted to spoken word programming, including four hours and forty-one minutes of news and related surveillance material (weather, traffic and sports reports), as well as community event information, business community coverage and religious programming.

### **Canadian content development**

4. The Commission reminds Newcap that it must adhere to the requirements relating to contributions to Canadian content development (CCD) set out in section 15 of the *Radio Regulations, 1986*, as amended from time to time. The Commission notes that Newcap indicated that, in addition to the required basic annual contributions, it would, by condition of licence, contribute a total of \$35,000 to CCD over seven broadcast years, upon commencement of operations. Of this amount, 20% would be devoted to FACTOR, with the remainder to be directed to the Brooks School Division for the purchase of musical instruments and music curriculum materials.
5. The Commission reminds the licensee 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 *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006.

### **Simulcast period and revocation of AM licence**

6. As set out in the appendix to this decision, Newcap is authorized to simulcast the programming of the new FM station on CIBQ for a transition period of three months following the commencement of operations of the FM station. Pursuant to sections 9(1)(e) and 24(1) of the *Broadcasting Act*, and consistent with the licensee's request, the Commission **revokes** the licence for CIBQ effective at the end of the simulcast period.

### **Employment equity**

7. Because this licensee is subject to the *Employment Equity Act* and files reports concerning employment equity with the department of Human Resources and Social Development Canada, its employment equity practices are not examined by the Commission.

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 2010-230

## Terms and conditions of licence

### Terms

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

The licence will expire 31 August 2016.

The station will operate at 105.7 MHz (channel 289B1) with an average effective radiated power (ERP) of 6,600 watts (maximum ERP of 14,000 watts and effective height of antenna above average terrain of 45.6 metres).

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 23 April 2012. 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.

### Conditions of licence

1. The licence will be subject to the conditions set out in *Conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009.
2. The licensee is authorized to simulcast the programming of the new FM station on CIBQ Brooks for a transition period of three months following commencement of operations of the FM station.
3. In addition to the required basic annual contribution to Canadian content development (CCD) set out in section 15 of the *Radio Regulations, 1986*, as amended from time to time, the licensee shall, upon commencement of operations, make an annual contribution of \$5,000 (\$35,000 over seven consecutive broadcast years) to the promotion and development of Canadian content.

Of this amount, the licensee shall allocate no less than 20% per broadcast year to FACTOR. The remaining amounts of this additional CCD contribution shall be allocated to parties and initiatives fulfilling the definition of eligible initiatives set out in paragraph 108 of *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006.

4. Where the licensee broadcasts religious programming as defined in *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.