



## Broadcasting Decision CRTC 2010-332

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Route reference: 2010-174

Ottawa, 31 May 2010

### **Astral Media Radio inc.**

Amqui, Quebec

*Application 2009-1500-4, received 4 November 2009*

### **CFVM-FM Amqui – Licence renewal and amendment**

*The Commission renews the broadcasting licence for the French-language commercial radio station CFVM-FM Amqui, Quebec from 1 June 2010 to 31 August 2016. The Commission also approves a request to amend the undertaking's licence by removing one of its conditions.*

### **Introduction**

1. The Commission received an application from Astral Media Radio inc. (Astral) to renew the broadcasting licence for the French-language commercial radio programming undertaking CFVM-FM Amqui, which expires 31 May 2010.<sup>1</sup>
2. Astral proposed to amend CFVM-FM's licence by removing its condition of licence regarding the provision of annual reports on the diversity of musical selections. The Commission imposed that condition in Broadcasting Decision 2002-90, in which it approved applications from Astral seeking authorization to acquire effective control of 3903206 Canada Inc., of Telemedia Radio Atlantic Inc. and of 50% of Radiomedia Inc. by acquiring all shares held directly or indirectly by Telemedia Radio Inc. in those corporations.
3. In connection with the above-mentioned applications and in response to concerns voiced by the Commission and interveners, Astral committed to strengthen the complementarity of formats among the three networks it would own and to develop programming that would further differentiate the stations of the Radio Énergie (now NRJ) network from those of the Radio Rock Détente network. Regarding monitoring mechanisms, Astral proposed to file an annual report on the diversity of musical selections and Canadian Francophone artists aired during the previous year on each of its predominantly music-based network services, Radio Énergie and Radio Rock Détente. The applicant stated that this would serve as an uncomplicated mechanism that would enable the Commission and the public to follow its progress in this regard. Consequently, the Commission imposed on Astral the following condition of licence:

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<sup>1</sup> The Commission administratively renewed CFVM-FM's licence from 1 September to 31 December 2009 and from 1 January to 31 May 2010 in Broadcasting Decisions 2009-506 and 2009-785 respectively.

For the FM stations, submission by the licensee, in each broadcast year starting in 2003 and until expiry of the implementation period for the benefits related to this transaction, of a report, in a form acceptable to the Commission, on the diversity of musical selections broadcast by the two predominantly music-based FM networks, Radio Énergie and Radio Rock Détente.

4. The Commission received two general comments regarding this application: one from the Canadian Society for the Recording Arts and one from the Association québécoise de l'industrie du disque, du spectacle et de la vidéo (ADISQ). Astral replied to ADISQ's comments. The interventions and the applicant's reply can be found on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) under "Public Proceedings."

### **Commission's analysis**

5. Astral stated that among FM station private ownership groups in Quebec, it alone is subject to the above-noted requirement. It added that the context in contemplation of which the condition was imposed never materialized and is completely different today. It also stated that the annual reports it has filed since 2003 show that any concerns there might have been regarding the risk of common ownership of networks proved to be unfounded.
6. The Commission notes that the condition of licence in question was imposed for a specified period that has come to an end. The condition is no longer considered necessary and therefore will not be reimposed.

### **Conclusion**

7. The Commission **renews** the broadcasting licence for the French-language commercial radio programming undertaking CFVM-FM Amqui, Quebec from 1 June 2010 to 31 August 2016, i.e. seven years from the original expiry date of 31 August 2009. The Commission also **approves** the request to amend CFVM-FM's licence by removing the condition of licence regarding the provision of annual reports on the diversity of musical selections.

### **Employment equity**

8. Because this applicant is subject to the *Employment Equity Act* and files reports with the Department of Human Resources and Skills Development, its employment equity practices are not examined by the Commission.

Secretary General

### **Related documents**

- *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006

- *Transfer of control of 3903206 Canada Inc., of Telemedia Radio Atlantic Inc. and of 50% of Radiomedia Inc. to Astral Radio Inc., Broadcasting Decision CRTC 2002-90, 19 April 2002*

*\*This decision is to be appended to the licence.*

## **Appendix to Broadcasting Decision CRTC 2010-332**

### **Terms and conditions of licence for the French-language commercial FM radio programming undertaking CFVM-FM Amqui, Quebec**

#### **Term**

The licence will expire 31 August 2016.

#### **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.