



Broadcasting Decision CRTC 2010-404

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Route reference: 2010-72

Ottawa, 23 June 2010

My Broadcasting Corporation

Gananoque, Ontario

Application 2009-1252-8, received 11 September 2009

Public Hearing in the National Capital Region

14 April 2010

English-language FM radio station in Gananoque

1. The Commission **approves** the application by My Broadcasting Corporation (My Broadcasting) for a broadcasting licence to operate an English-language commercial FM radio programming undertaking in Gananoque, Ontario. The terms and **conditions of licence** are set out in the appendix to this decision. The Commission received interventions in support of this application.
2. My Broadcasting is a corporation controlled by Jon Pole and Andrew Dickson.
3. The new station will operate at 99.9 MHz (channel 260B1) with an average effective radiated power of 1,490 watts. It will be the first commercial station to serve Gananoque and will offer a blend of Country, Gold/Oldies and Adult Contemporary music selections. The local programming will include approximately 14 hours of spoken word programming, of which approximately 5 hours will be devoted to news. Newscasts will primarily feature local news. The new station will also feature weather, sports and community events. My Broadcasting further committed to devote, by condition of licence, at least 38% of all category 2 (Popular Music) musical selections broadcast during each broadcast week and between 6 a.m. and 6 p.m. from Monday to Friday to Canadian selections broadcast in their entirety.
4. The Commission reminds the applicant 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 in addition to the required basic annual contribution, My Broadcasting has committed to allocate a contribution of \$500 per year in each of the first seven years of operation by condition of licence. My Broadcasting also proposed to direct a total of \$500 per year to FACTOR. The Commission notes that this total includes the required 60% of the basic contribution as well as 20% of the over-and-above contribution. The remainder will be directed to eligible initiatives such as providing support to showcase local artists during the 1000 Islands Music Festival.

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

Secretary General

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

Appendix to Broadcasting Decision CRTC 2010-404

Terms, conditions of licence, expectation and encouragement

Terms

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

The licence will expire 31 August 2016.

The station will operate at 99.9 MHz (channel 260B1) with an average effective radiated power of 1,490 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 23 June 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 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 38% of its musical selections from content category 2 (Popular Music) to Canadian selections broadcast in their entirety; and

- b) devote, between 6 a.m. and 6 p.m., in the period from Monday to Friday of the same broadcast week, a minimum of 38% 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*.

3. In addition to the 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, contribute \$500 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, \$100 per broadcast year shall be devoted to FACTOR. The remainder shall be allocated to the parties and initiatives fulfilling the definition of eligible initiatives identified in paragraph 108 of *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006.

Expectation

Cultural diversity

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

Encouragement

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.