



Broadcasting Decision CRTC 2010-427

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Route reference: 2009-786

Ottawa, 30 June 2010

Rogers Broadcasting Limited
Ottawa, Ontario

Application 2009-0829-6, received 29 May 2009

CISS-FM Ottawa – Licence renewal

*The Commission **renews** the broadcasting licence for the English-language commercial radio station CISS-FM Ottawa from 1 July 2010 to 31 August 2013. This short-term licence renewal will enable the Commission to review, at an earlier date, the licensee's compliance with its conditions of licence.*

Introduction

1. The Commission received an application by Rogers Broadcasting Limited (Rogers) to renew the broadcasting licence for the English-language commercial radio programming undertaking CISS-FM Ottawa, which expires 30 June 2010.¹ The Commission did not receive any interventions in connection with this application.
2. In Broadcasting Notice of Consultation 2009-786, the Commission stated that the licensee may have failed to comply with its conditions of licence relating to contribution to Canadian talent development (CTD) for the 2008 broadcast year.

Commission's analysis and determinations

3. After examining the application in light of applicable regulations and policies, the Commission considers that the issue to be addressed in its determination relates to contributions to CTD. Specifically, the licensee had a shortfall of \$1,000 in its required CTD contributions for the 2008 broadcast year.
4. The licensee stated that the non-compliance for the 2008 broadcast year was due to miscommunications between the finance departments at CISS-FM and Rogers' head office in Toronto, resulting in a cheque for \$1,000 not being issued for the Ottawa Jazz Festival. Rogers requested that the Commission, in reviewing this issue, take into consideration that the shortfall was paid in the 2009 broadcast year, that Rogers spent over \$600,000 on

¹ The current licence was administratively renewed until 31 December 2009 in Broadcasting Decision 2009-506, until 31 May 2010 in Broadcasting Decision 2009-785, and until 30 June 2010 in Broadcasting Decision 2010-324.

Canadian content development² initiatives on behalf of over 50 radio stations in the 2008 broadcast year, and that the underfunding represents less than 0.2% of Rogers' total contribution. The licensee also stated that it has modified its internal protocols so as to avoid any future miscommunications of this nature.

5. Notwithstanding Rogers' overall contributions to CCD, the 2008 shortfall for CISS-FM constitutes non-compliance with the stations condition of licence.

Conclusion

6. In light of all of the above, in accordance with its practice regarding radio non-compliance set out in Circular No. 444, the Commission considers that a short-term renewal period for CISS-FM would be appropriate. Accordingly, the Commission **renews** the broadcasting licence for the English-language commercial radio programming undertaking CISS-FM Ottawa from 1 July 2010 to 31 August 2013, four years from the original expiry date of 31 August 2009. This short-term renewal will enable the Commission to assess, at an earlier date, the licensee's compliance with its conditions of licence. The licence will be subject to the **conditions** set out in Broadcasting Regulatory Policy 2009-62.
7. Because this licensee is subject to the *Employment Equity Act* and files reports with Human Resources Development Canada, its employment equity practices are not examined by the Commission.

Secretary General

Related documents

- *Administrative renewals*, Broadcasting Decision CRTC 2010-324, 28 May 2010
- *Notice of applications received*, Broadcasting Notice of Consultation CRTC 2009-786, 17 December 2009
- *Administrative renewals*, Broadcasting Decision CRTC 2009-785, 17 December 2009
- *Administrative renewals*, Broadcasting Decision CRTC 2009-506, 20 August 2009
- *Conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009
- *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006
- *Practices regarding radio non-compliance*, Circular No. 444, 7 May 2001

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

² As set out in Broadcasting Public Notice 2006-158, the Commission has replaced the expression "Canadian talent development" (CTD) with "Canadian content development" (CCD).