



Broadcasting Decision CRTC 2011-121

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Route reference: 2010-487

Ottawa, 23 February 2011

Astral Media Radio Inc.

Québec and Sherbrooke, Quebec

Applications 2010-0238-6 and 2010-0239-4, received 12 February 2010

CITF-FM Québec, CITÉ-FM-1 Sherbrooke and its transmitter CITÉ-FM-2 Sherbrooke – Licence amendments and renewals

*The Commission **approves** the applications to amend the broadcasting licences for the French-language commercial radio stations CITF-FM Québec, and CITÉ-FM-1 Sherbrooke and its transmitter CITÉ-FM-2 Sherbrooke. In addition, the Commission **renews** the broadcasting licences for these stations from 1 April 2011 to 31 August 2017. The terms and **conditions of licence** are set out in the appendix to this decision.*

Introduction

1. The Commission received an application by Astral Media Radio Inc. (Astral) to renew the broadcasting licences for the French-language commercial radio programming undertakings CITF-FM Québec, and CITÉ-FM-1 Sherbrooke and its transmitter CITÉ-FM-2 Sherbrooke. These licences expire on 31 March 2011.¹
2. Astral also filed an application to amend the broadcasting licence for CITF-FM to delete the following conditions of licence:
 - The licensee shall broadcast, in each broadcast week, a minimum of 63 hours of local programming and shall maintain the current level of 2 hours and 6 minutes of news.
 - The licensee shall file, no later than 30 November of each broadcast year and until the expiry of the implementation period for the benefits related to *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, in a format approved by the Commission, a report on the diversity of musical selections aired on each of its three predominantly music-based FM network services (i.e., Énergie, RockDétente and Boom FM) for the previous year ending 31 August.

¹ The Commission administratively renewed the licences for CITF-FM, and CITÉ-FM-1 and its transmitter CITÉ-FM-2, from 1 September 2010 to 30 November 2010 in Broadcasting Decision 2010-547, and from 1 December 2010 to 31 March 2011 in Broadcasting Decision 2010-880.

3. In its application for a licence amendment, Astral also asked the Commission to amend the licence for CITÉ-FM-1 to delete the following conditions of licence:
 - The licensee shall broadcast not less than 63 hours of local programming each week and not less than 2 hours and 44 minutes of local news each week.
 - The licensee shall file, no later than 30 November of each broadcast year and until the expiry of the implementation period for the benefits related to *Transfer of control of 3903206 Canada Inc., of Telemédia Radio Atlantic Inc. and of 50% of Radiomédia Inc. to Astral Radio Inc.*, Broadcasting Decision CRTC 2002-90, 19 April 2002, in a format approved by the Commission, a report on the diversity of musical selections aired on each of its three predominantly music-based FM network services (i.e., Énergie, RockDétente and Boom FM) for the previous year ending 31 August.
4. In that application, Astral noted that in Broadcasting Decision 2010-332, the Commission approved an application to delete the condition of licence relating to the provision of annual reports on the diversity of musical selections. According to Astral, this condition of licence should be removed from the licences for all stations on the Énergie (now known as NRJ), Rock Détente and Boom FM networks.
5. The Commission received a general comment in connection with these applications from the Association québécoise de l'industrie du disque, du spectacle et de la vidéo (ADISQ). Astral replied to ADISQ's comment. The complete record of this proceeding is available on the Commission's website at www.crtc.gc.ca under "Public Proceedings."

Commission's analysis and determinations regarding the application for licence amendments

Provision of annual reports on the diversity of musical selections

6. The Commission notes that Astral is the only licensee among large FM station ownership groups in Quebec to be subject to the requirement to provide annual reports on the diversity of musical selections.
7. The Commission also notes that a condition of licence relating to the provision of annual reports on the diversity of musical selections was imposed in Broadcasting Decision 2002-90 for a specified period that has come to an end. The Commission considers that this condition of licence is no longer necessary and will not be reimposed.

Weekly broadcast of local programming and of news

8. The Commission notes that the licensee's obligation to broadcast not fewer than 63 hours of local programming during each broadcast week exceeds the obligation that is generally imposed by condition of licence on commercial FM radio station licensees. Specifically, as set out in Broadcasting Regulatory Policy 2009-62, these

licensees are required to broadcast 42 hours of local programming. In addition, as a general rule, the Commission does not impose conditions of licence relating to a minimum number of hours of news to be broadcast by a music-based station. Accordingly, the Commission will not reimpose this condition of licence.

Commission's determination

9. In light of all the above, the Commission **approves** the applications by Astral Media Radio Inc. to amend the broadcasting licences for the French-language commercial radio programming undertakings CITF-FM Québec, and CITÉ-FM-1 Sherbrooke and its transmitter CITÉ-FM-2 Sherbrooke, to delete the conditions of licence relating to the provision of annual reports on the diversity of musical selections and to certain obligations with regard to the weekly broadcast of local programming and of news per station.

Licence renewal

10. The Commission **renews** the broadcasting licences for the French-language commercial radio programming undertakings CITF-FM Québec, and CITÉ-FM-1 Sherbrooke and its transmitter CITÉ-FM-2 Sherbrooke, from 1 April 2011 to 31 August 2018. The terms and **conditions of licence** are set out in the appendix to this decision.

Employment equity

11. Because the 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

Related documents

- *Administrative renewals*, Broadcasting Decision CRTC 2010-880, 26 November 2010
- *Administrative renewals*, Broadcasting Decision CRTC 2010-547, 3 August 2010
- *CFVM-FM Amqui – Licence renewal and amendment*, Broadcasting Decision CRTC 2010-332, 31 May 2010
- *Conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009
- *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 each licence.*

Appendix to Broadcasting Decision CRTC 2011-121

Terms and conditions of licence for the French-language commercial FM radio programming undertakings CITF-FM Québec, and CITÉ-FM-1 Sherbrooke and its transmitter CITÉ-FM-2 Sherbrooke, Quebec

Terms

The licence will expire on 31 August 2017.

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.