



Broadcasting Decision CRTC 2011-682

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Route reference: 2011-336

Ottawa, 4 November 2011

Director of Operations of Walpole Island First Nation Radio
Walpole Island, Ontario

Application 2010-1714-5, received 22 November 2010

Public hearing in the National Capital Region

18 July 2011

Type B Native FM radio station at Walpole Island

*The Commission **approves** an application for a broadcasting licence to operate an English- and Ojibway-language low-power Type B Native FM radio station at Walpole Island, Ontario.*

The application

1. The Commission received an application by Alan Jacobs, in his capacity as the Director of Operations of Walpole Island First Nation Radio, for a broadcasting licence to operate an English- and Ojibway-language low-power Type B Native FM radio programming undertaking at Walpole Island, Ontario. The Commission did not receive any interventions in connection with this application.
2. The station would operate at 98.3 MHz (channel 252LP) with an effective radiated power of 50 watts (non-directional antenna with an effective height of antenna above average terrain of 31 metres).¹
3. The applicant indicated that, during each broadcast week, it would offer 56 hours of station-produced programming. The programming would include music and spoken word content, and would benefit the community by helping to strengthen and preserve the Ojibway language through the airing of ancestral language recordings.
4. With respect to local talent development, the applicant indicated that it plans to promote aboriginal artists by providing on-air exposure for participating artists, and through its regular on-air programming. Additionally, the applicant indicated that it would provide training for youth in different aspects of the operation of the radio station. Finally, the applicant stated that it intends to seek partnerships with schools, production studios and community agencies to promote local talent.

¹ These technical parameters reflect those approved by the Department of Industry.

Commission's decision

5. The Commission is satisfied that the application complies with the provisions for Native radio stations set out in *Native Broadcasting Policy*, Public Notice CRTC 1990-89, 20 September 1990. Accordingly, the Commission **approves** the application by Alan Jacobs, in his capacity as Director of Operations of Walpole Island First Nation Radio, for a broadcasting licence to operate an English- and Ojibway-language low-power Type B Native FM radio programming undertaking at Walpole Island, Ontario. The terms and **conditions of licence** are set out in the appendix to this decision.

Secretary General

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

Appendix to Broadcasting Decision CRTC 2011-682

Terms, conditions of licence and encouragement

Terms

Issuance of the broadcasting licence to operate an English- and Ojibway-language low-power Type B Native FM radio programming undertaking at Walpole Island, Ontario

The licence will be issued to the Director of Operations of Walpole Island First Nation Radio, authorizing Alan Jacobs in his capacity as Director of Operations, and any subsequent person occupying that position, to operate the aforementioned undertaking.²

The licence will expire 31 August 2018.

The station will operate at 98.3 MHz (channel 252LP) with an effective radiated power of 50 watts (non-directional antenna with an effective height of antenna above average terrain of 31 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.

Given that the technical parameters approved in this decision are for a low-power unprotected FM service, the Commission also reminds the applicant that it will have to select another frequency if the Department so requires.

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 4 November 2013. 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.

The Commission requires the applicant to file within 12 months of the date of this decision a copy of its amended and executed by-laws in order to comply at all times with the *Direction to the CRTC (Ineligibility of non-Canadians)*.

² The person occupying that position must be eligible to hold a broadcasting licence in accordance with *Direction to the CRTC (Ineligibility of non-Canadians)*. The Commission must be advised in writing when the person occupying this position changes.

Conditions of licence

1. The licensee shall devote, in each broadcast week, no less than 35% of its musical selections from content category 2 (Popular Music) to Canadian musical selections broadcast in their entirety.
2. The licensee shall adhere to the *Equitable Portrayal Code*, as amended from time to time and approved by the Commission.
3. The licensee shall adhere to the *Broadcast Code for Advertising to Children*, as amended from time to time and approved by the Commission.

Encouragement

The Commission notes the challenges related to operating a local programming service in a community with a small population. Nonetheless, the Commission encourages Walpole Island First Nation Radio to pursue local community radio programming content and to increase the number of hours devoted to this local programming.