



## Broadcasting Decision CRTC 2012-703

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Route reference: 2012-461

Ottawa, 21 December 2012

### Various radio programming undertakings

Across Canada

*The application numbers are set out in Appendix 1 to this decision.*

### Various commercial radio programming undertakings – Licence renewals

1. The Commission **renews** the broadcasting licences for the radio programming undertakings set out in Appendix 1 to this decision. The expiry dates for these licences are set out in that appendix. These short-term licence renewals<sup>1</sup> will allow for an earlier review of the licensees' compliance with their conditions of licence and the *Radio Regulations, 1986* (the Regulations). The licences will be subject to the **conditions of licence** set out in the appropriate appendices to this decision. The Commission did not receive any interventions in connection with these applications.

#### Non-compliance

2. In Broadcasting Notice of Consultation 2012-461, the Commission highlighted the various areas with which the licensees set out in Appendix 1 to this decision appeared to be in non-compliance.
3. Upon review of the record, the Commission finds that Pineridge Broadcasting Inc., licensee of CHUC-FM Cobourg, and Quinte Broadcasting Company, licensee of CIGL-FM Belleville, did not fail to comply with section 9(2) of the Regulations relating to the provision of annual returns for the broadcast years specified in Broadcasting Notice of Consultation 2012-461. However, the Commission notes that the aforementioned licensees remain in non-compliance with section 15(2) of the Regulations relating to Canadian content development (CCD) contributions, for the broadcast years listed in that notice.
4. Further, having considered the full record for each application, the Commission finds that, with the exception noted above, the licensees set out in Appendix 1 to this decision are in non-compliance with their regulatory requirements as highlighted in Broadcasting Notice of Consultation 2012-461.

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<sup>1</sup> The original expiry date for these undertakings was 31 August 2011. The licences were administratively renewed until 31 December 2012 as a result of Broadcasting Decisions 2011-556, 2012-164 and 2012-456.

5. Finally, the Commission finds that in addition to the non-compliances set out in Broadcasting Notice of Consultation 2012-461, the following licensees failed to comply with section 15(2) of the Regulations relating to CCD contributions for the broadcast years set out below:

Licensee	Call sign/location	Broadcast years
9116-1299 Québec inc.	CFOR-FM Maniwaki	2008-2009 and 2009-2010
Blackburn Radio Inc.	CIBU-FM Wingham and its transmitter CIBU-FM-1 Bluewater	2009-2010
Connelly Communications Corporation	CJTT-FM New Liskeard	2008-2009 and 2009-2010

### Regulatory measures

6. In Broadcasting Information Bulletin 2011-347, the Commission announced a revised approach to dealing with radio stations found in non-compliance. The Commission noted in particular that each instance of non-compliance will be evaluated in light of factors such as the quantity, recurrence and seriousness of the non-compliance. The Commission also noted that it will consider the circumstances leading to the non-compliance in question, the licensee's arguments and the measures taken to rectify the situation.
7. In addition to the public record for each application, the Commission has taken into account the factors elaborated in the above-noted information bulletin in determining that the most appropriate measures to deal with these instances of non-compliance are short-term renewals, as set out in Appendix 1 to this decision.
8. In addition, upon review of the record, the Commission finds that a number of licensees have outstanding shortfalls relating to required contributions to Canadian talent development (CTD) or CCD, or have provided insufficient information to support their claims of compliance. Consequently, the Commission has imposed **conditions of licence** to remedy these shortfalls on a number of licensees.
9. The Commission emphasizes the importance it places on a licensee's fulfillment of its regulatory obligations. The short-term renewals set out in Appendix 1 will allow for an earlier review of each licensee's compliance with their conditions of licence and the Regulations.
10. The Commission reminds licensees that they must fulfill all of their remaining contributions to CTD, CCD and any outstanding tangible benefits as set out in a prior Commission decision.

## **Employment equity**

11. Unless otherwise specified, these licensees are subject to the *Employment Equity Act* and file reports concerning employment equity with the Department of Human Resources and Skills Development. Accordingly, their employment equity practices are not examined by the Commission.

Secretary General

### **Related documents**

- *Notice of applications received*, Broadcasting Notice of Consultation CRTC 2012-461, 28 August 2012
- *Various radio programming undertakings – Administrative renewals*, Broadcasting Decision CRTC 2012-456, 28 August 2012
- *Administrative renewals*, Broadcasting Decision CRTC 2012-164, 20 March 2012
- *Administrative renewals*, Broadcasting Decision CRTC 2011-556, 31 August 2011, as corrected by Broadcasting Decisions 2011-556-1, 23 September 2011, 2011-556-2, 16 December 2011, and 2011-556-3, 5 April 2012
- *Revised approach to non-compliance by radio stations*, Broadcasting Information Bulletin CRTC 2011-347, 26 May 2011

*\*This decision and the appropriate appendix are to be appended to each licence.*

## Appendix 1 to Broadcasting Decision CRTC 2012-703

### Commercial radio programming undertakings renewed in this decision

Licensee	Application number	Call sign and location	Expiry date
9116-1299 Québec inc.	2011-0866-3 received on 24 May 2011	CFOR-FM Maniwaki, QC	31 August 2015
Acadia Broadcasting Limited	2011-0387-9 received on 25 February 2011	CKDR-FM Dryden, ON	31 August 2015
Acadia Broadcasting Limited	2011-0390-3 received on 25 February 2011	CKTG-FM Thunder Bay, ON	31 August 2016
Arctic Radio (1982) Limited	2011-0717-8 received on 25 April 2011	CJAR The Pas, MB	31 August 2019
Bayshore Broadcasting Corporation	2011-0544-5 received on 23 March 2011	CFPS-FM Port Elgin, ON	31 August 2017
Blackburn Radio Inc.	2011-0567-7 received on 28 March 2011	CIBU-FM Wingham, ON and its transmitter CIBU-FM-1 Bluewater	31 August 2017
Connelly Communications Corporation	2011-0166-7 received on 30 January 2011	CJTT-FM New Liskeard, ON	31 August 2017
Groupe Radio Antenne 6 inc.	2011-0100-8 received on 19 January 2011	CKXO-FM Chibougamau, QC	31 August 2017
MacEachern Broadcasting Limited	2011-0327-5 received on 11 February 2011	CIGO-FM Port Hawkesbury, NS	31 August 2017
My Broadcasting Corporation	2011-0406-7 received on 1 March 2011	CIYN-FM Kincardine, ON, its transmitter CIYN-FM-1 Goderich and its new transmitter in Port Elgin	31 August 2017
Pineridge Broadcasting Inc.	2011-0552-8 received on 25 March 2011	CHUC-FM Cobourg, ON	31 August 2016
Quinte Broadcasting Company Limited	2011-0119-6 received on 27 January 2011	CIGL-FM Belleville, ON	31 August 2017

Radio CJLS Limited	2011-0131-0 received on 27 January 2011	CJLS-FM Yarmouth, NS and its transmitters CJLS-FM-1 New Tusket, CJLS-FM-2 Barrington and CJLS-FM-3 Yarmouth	31 August 2017
Radio Edmundston Inc.	2011-0334-0 received on 16 February 2011	CJEM-FM Edmundston, NB and its transmitter CKMV-FM Grand Falls	31 August 2017
Vista Radio Ltd.	2011-0309-3 received on 15 February 2011	CFFM-FM-2 Quesnel, BC and its transmitter CFFM-FM-1 100 Mile House	31 August 2018
Vista Radio Ltd.	2011-0312-6 received on 15 February 2011	CHNV-FM Nelson, BC and its transmitter CHNV-FM-1 Crawford Bay	31 August 2018
Vista Radio Ltd.	2011-0314-2 received on 15 February 2011	CIRX-FM-1 Vanderhoof, BC and its transmitter CIRX-FM-2 Fort St. James, BC	31 August 2018
Vista Radio Ltd.	2011-0315-0 received on 15 February 2011	CIVH Vanderhoof, BC and its transmitters CIFL Fraser Lake and CIFJ Fort St. James	31 August 2018
Vista Radio Ltd.	2011-0311-8 received on 15 February 2011	CKWL Williams Lake, BC	31 August 2018
Western Singh Sabha Association	2010-1768-2 received on 6 December 2010	CISK-FM Williams Lake, BC	31 August 2014

## **Appendix 2 to Broadcasting Decision CRTC 2012-703**

### **Terms, conditions of licence and encouragement for the commercial radio programming undertaking CJAR The Pas, Manitoba**

#### **Terms**

The licence will expire 31 August 2019.

#### **Conditions of licence**

1. The licensee shall adhere 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 broadcast two hours per week of Cree-language programming.

#### **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.

## **Appendix 3 to Broadcasting Decision CRTC 2012-703**

**Terms and conditions of licence for the commercial radio programming undertakings CHNV-FM Nelson and its transmitter CHNV-FM-1 Crawford Bay, CIVH Vanderhoof and its transmitters CIFL Fraser Lake and CIFJ Fort St. James, and CKWL Williams Lake, British Columbia**

### **Terms**

The licence will expire 31 August 2018.

### **Conditions of licence**

1. The licensee shall adhere 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.

## **Appendix 4 to Broadcasting Decision CRTC 2012-703**

**Terms and conditions of licence for the commercial radio programming undertakings CFFM-FM-2 Quesnel and its transmitter CFFM-FM-1 100 Mile House, and CIRX-FM-1 Vanderhoof and its transmitter CIRX-FM-2 Fort St. James, British Columbia**

### **Terms**

The licence will expire 31 August 2018.

### **Conditions of licence**

1. The licensee shall adhere 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, with the exception of condition of licence 8.

## Appendix 5 to Broadcasting Decision CRTC 2012-703

### Terms and conditions of licence for the commercial radio programming undertaking CIBU-FM Wingham, Ontario and its transmitter CIBU-FM-1 Bluewater

#### Terms

The licence will expire 31 August 2017.

#### Conditions of licence

1. The licensee shall adhere 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 provide proof of payment demonstrating that the amount of \$4,965 was paid to FACTOR relating to the shortfall incurred during the 2009-2010 broadcast year. The licensee shall file the required proof of payment by no later than **8 May 2013**.

## **Appendix 6 to Broadcasting Decision CRTC 2012-703**

**Terms, conditions of licence and encouragement for the commercial radio programming undertakings CIGO-FM Port Hawkesbury, Nova Scotia, CJEM-FM Edmundston, New Brunswick and its transmitter CKMV-FM Grand Falls, CFPS-FM Port Elgin and CIYN-FM Kincardine, Ontario, its transmitter CIYN-FM-1 Goderich and its new transmitter in Port Elgin, and CKXO-FM Chibougamau, Quebec**

### **Terms**

The licence will expire 31 August 2017.

### **Conditions of licence**

1. The licensee shall adhere 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.

### **Encouragement**

#### **Employment equity**

In accordance with *Implementation of an employment equity policy*, Public Notice CRTC 1992-59, 1 September 1992, the Commission encourages the licensees to consider employment equity issues in their hiring practices and in all other aspects of their management of human resources.

## Appendix 7 to Broadcasting Decision CRTC 2012-703

### Terms, conditions of licence and encouragement for the commercial radio programming undertaking CJTT-FM New Liskeard, Ontario

#### Terms

The licence will expire 31 August 2017.

#### Conditions of licence

1. The licensee shall adhere 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 provide proof of payment demonstrating that the amount of \$1,200 was paid to FACTOR in order to demonstrate that all payments for the 2008-2009 and 2009-2010 broadcast years have been made. The licensee shall file the required proof of payment by no later than **8 May 2013**.

#### 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.

## Appendix 8 to Broadcasting Decision CRTC 2012-703

### Terms, conditions of licence and encouragement for the commercial radio programming undertaking CIGL-FM Belleville, Ontario

#### Terms

The licence will expire 31 August 2017.

#### Conditions of licence

1. The licensee shall adhere 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 provide proof of payment demonstrating that the amount of \$115 was paid to FACTOR in order to demonstrate that all payments for the 2008-2009 broadcast year have been made. The licensee shall file the required proof of payment by no later than **8 May 2013**.
3. In addition to the requirements as set out in Section 15 of the *Radio Regulations, 1986*, the licensee shall contribute \$400 per broadcast year to FACTOR.

#### 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.

## Appendix 9 to Broadcasting Decision CRTC 2012-703

### Terms, conditions of licence and encouragement for the commercial radio programming undertakings CJLS-FM Yarmouth, Nova Scotia and its transmitters CJLS-FM-1 New Tusket, CJLS-FM-2 Barrington and CJLS-FM-3 Yarmouth

#### Terms

The licence will expire 31 August 2017.

#### Conditions of licence

1. The licensee shall adhere 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 pay \$452 relating to the shortfall incurred during the 2007-2008 broadcast year to an eligible Canadian content development initiative as specified in the eligibility criteria set out in paragraph 108 of *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006 and provide proof of payment of these contributions by no later than **8 May 2013**.
3. The licensee shall pay \$658 relating to the shortfall incurred during the 2008-2009 broadcast year to FACTOR and provide proof of payment of these contributions by no later than **8 May 2013**.

#### 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.

## **Appendix 10 to Broadcasting Decision CRTC 2012-703**

### **Terms and conditions of licence for the commercial radio programming undertaking CKTG-FM Thunder Bay, Ontario**

#### **Terms**

The licence will expire 31 August 2016.

#### **Conditions of licence**

1. The licensee shall adhere 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.

## **Appendix 11 to Broadcasting Decision CRTC 2012-703**

### **Terms, conditions of licence and encouragement for the commercial radio programming undertaking CHUC-FM Cobourg, Ontario**

#### **Terms**

The licence will expire 31 August 2016.

#### **Conditions of licence**

1. The licensee shall adhere 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.

#### **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.

## Appendix 12 to Broadcasting Decision CRTC 2012-703

### Terms, conditions of licence and encouragement for the commercial radio programming undertaking CFOR-FM Maniwaki, Quebec

#### Terms

The licence will expire 31 August 2015.

#### Conditions of licence

1. The licensee shall adhere 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 pay \$400 to reflect the shortfall incurred during the 2004-2005 broadcast year and provide proof of payment of these contributions by no later than **8 May 2013**.
3. The licensee shall pay a \$480 contribution to FACTOR relating to the shortfalls incurred during the 2008-2009 and 2009-2010 broadcast years and provide proof of payment of these contributions by no later than **8 May 2013**.

#### 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.

## **Appendix 13 to Broadcasting Decision CRTC 2012-703**

### **Terms, conditions of licence and encouragement for the commercial radio programming undertaking CKDR-FM Dryden, Ontario**

#### **Terms**

The licence will expire 31 August 2015.

#### **Conditions of licence**

1. The licensee shall adhere 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.

#### **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.

## Appendix 14 to Broadcasting Decision CRTC 2012-703

### Terms, conditions of licence and encouragement for the commercial radio programming undertaking CISK-FM Williams Lake, British Columbia

#### Terms

The licence will expire 31 August 2014.

#### Conditions of licence

1. The licensee shall adhere 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 station shall be operated within the Specialty format as defined in *A Review of Certain Matters Concerning Radio*, Public Notice CRTC 1995-60, 21 April 1995, as amended from time to time.
3. The licensee shall ensure that a minimum of 50% of all musical selections broadcast during each broadcast week shall be devoted to selections drawn from music subcategory 35 (non-classical religious).
4. The licensee shall not broadcast any hit material as defined in *Revised Policy on the Use of Hits by English-Language FM Radio Stations*, Public Notice CRTC 1997-42, 23 April 1997.
5. The licensee shall not broadcast or solicit commercial messages.
6. During each broadcast week, the licensee shall broadcast, at a minimum, 15 hours of balanced programs, which may include programs of non-classical religious music reflecting a variety of faiths.
7. The licensee shall adhere to the guidelines on ethics in religious programming as set out in section IV of *Religious Broadcasting Policy*, Public Notice CRTC 1993-78, 3 June 1993, as amended from time to time.
8. During each broadcast week, the licensee shall direct programming to a minimum of two cultural groups, in a minimum of two different languages.
9. The licensee shall pay \$1,600 relating to the shortfalls incurred during the 2004-2005, 2005-2006, 2006-2007 and 2007-2008 broadcast years to an eligible Canadian content development initiative as specified in the eligibility criteria set out in paragraph 108 of *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006 and provide proof of payment of these contributions by no later than **8 May 2013**.

## **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.