



Broadcasting Decision CRTC 2013-117

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Route reference: 2012-475

Ottawa, 12 March 2013

Arctic Radio (1982) Limited

The Pas, Manitoba

Application 2012-0694-6, received 14 May 2012

Public hearing in the National Capital Region

7 November 2012

CJAR The Pas – Conversion to the FM band

1. The Commission **approves** the application by Arctic Radio (1982) Limited (Arctic Radio) for a broadcasting licence to operate a new English-language FM radio programming undertaking in The Pas, Manitoba, to replace its AM station CJAR. The terms and **conditions of licence** are set out in the appendix to this decision. The Commission did not receive any interventions in connection with this application.
2. Arctic Radio is a corporation controlled by Doug O'Brien.
3. Arctic Radio is also the licensee of CFAR Flin Flon and CHTM Thompson.
4. The new station will operate at 102.9 MHz (channel 275A1) with an effective radiated power of 250 watts (non-directional antenna with an effective height of antenna above average terrain of 37.7 metres).
5. The applicant requested permission to maintain its AM transmitter in order to rebroadcast the new FM station's programming. Arctic Radio indicated that while the conversion to the FM band will allow the station to better serve listeners within The Pas, there remains a vast area of northern Manitoba that relies on its AM frequency. The Commission notes that the AM transmitter will continue to operate according to its existing parameters of 1,240 kHz (class C) with a day- and night-time transmitter power of 1,000 watts.
6. The applicant proposed to maintain CJAR's current Adult Contemporary music format, which targets listeners between the ages of 25 and 54. In each broadcast week, the new station will broadcast 106 hours of local programming, with the remaining 20 hours being devoted to programming from Flin Flon, as well as syndicated programming, mainly on weekends. Moreover, it will broadcast, in each broadcast week, at least 4 hours of spoken word programming as well as 13 hours and 30 minutes of news and information programming. The spoken word programming

will include birthday, anniversary and funeral announcements; a twice-daily buy and sell program; as well as 1 hour and 15 minutes of native-language programming.

7. The station will operate in a single-station market as defined in Public Notice 1993-121.

Non-compliance

8. Section 9(2) of the *Radio Regulations, 1986* requires that on or before 30 November of each year, a licensee submit to the Commission a complete statement of accounts, on the annual return of the broadcasting licensee form, for the broadcast year ending on the previous 31 August. As indicated in Broadcasting Information Bulletin 2011-795, licensees are required to file, as part of their annual returns, proof of payment and eligibility of Canadian talent development initiatives, now known as Canadian content development (CCD) initiatives.
9. According to Commission records, Arctic Radio filed its annual returns for CJAR for the 2004-2005 and 2008-2009 broadcast years after the 30 November deadline.
10. In response to correspondence from the Commission, Arctic Radio explained that it has since changed accounting firms and advised its staff of Commission procedures for filing on time. The Commission is satisfied that the licensee has taken the necessary measures to ensure future compliance.

Canadian content development

11. Arctic Radio must adhere to the requirements relating to contributions to 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 contributions, Arctic Radio proposed to contribute a total of \$7,000 to CCD over seven broadcast years, upon commencement of operations, all of which would be devoted to FACTOR. The Commission, however, will not impose this commitment as a condition of licence.

Secretary General

Related Documents

- *Filing annual returns for radio programming undertakings*, Broadcasting Information Bulletin CRTC 2011-795, 20 December 2011
- *Programming Policy for FM Radio – Definition of a Single-station Market*, Public Notice CRTC 1993-121, 17 August 1993

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

Appendix to Broadcasting Decision CRTC 2013-117

Terms, conditions of licence, expectation and encouragement for the English-language FM radio programming undertaking in The Pas, Manitoba

Terms

The licence will expire 31 August 2019.

The station will operate at 102.9 MHz (channel 275A1) with an effective radiated power of 250 watts (non-directional antenna with an effective height of antenna above average terrain of 37.7 metres).

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 demonstrating that it is in compliance with the *Direction to the CRTC (Ineligibility of non-Canadians)* at all times.

The Commission reminds the applicant that, pursuant to section 22(1) of the *Broadcasting Act*, no licence may be issued until the Department of Industry 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 **12 March 2015**. 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 licensee must 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. Where the licensee broadcasts religious programming as defined in *Religious Broadcasting Policy*, Public Notice CRTC 1993-78, 3 June 1993, the licensee shall adhere to the guidelines set out in section III.B.2.a) and IV of that public notice with respect to the provision of balance and ethics in religious programming, as amended from time to time.

Expectation

Cultural diversity

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

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.