



Broadcasting Decision CRTC 2013-644

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Route reference: 2013-322

Ottawa, 2 December 2013

Rogers Broadcasting Limited
Various locations 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 from 1 January 2014¹ to 31 August 2020. The terms and **conditions of licence** for each station are set out in the appropriate appendices.
2. The Commission received interventions in support of these applications, as well as an intervention commenting on several of these applications, submitted on behalf of the province of British Columbia, relating to the participation of the stations in its jurisdiction in the National Public Alerting System (NPAS). The public record for this proceeding is available on the Commission's website at www.crtc.gc.ca under "Public Proceedings."
3. As specified in its three-year plan, the Commission will be looking at measures to ensure the participation of Canadian broadcasters and telecommunications service providers in the NPAS. Therefore, the Commission will not impose conditions of licence requiring the participation of broadcasters in the NPAS at this time. However, the Commission expects all licensees to voluntarily participate in the NPAS so that Canadians receive timely warnings of imminent perils.

CISS-FM Ottawa's previous non-compliance

4. In Broadcasting Decision 2010-427, the Commission renewed CISS-FM Ottawa's licence for a short-term period of three years, given the station's non-compliance with its conditions of licence relating to Canadian talent development contributions. The Commission notes that the non-compliance issues have been resolved. In addition, the Commission notes that in the last licence term, the licensee was in compliance with its regulatory requirements.

¹ The original licence expiry date for these stations was 31 August 2013. The broadcasting licences were administratively renewed until 31 December 2013 in Broadcasting Decision 2013-418.

Continued exemption of CKKS-FM Sechelt from the requirement to broadcast local programming to be permitted to solicit or accept local advertising

5. As part of its renewal application, Rogers requested that CKKS-FM Sechelt continue to be exempt from the Commission's local programming policy (Public Notice 1993-121), which states that commercial FM stations in markets served by more than one private commercial station must devote at least one-third of the broadcast week to local programming to solicit local advertising. In this regard, Rogers noted that the commercial radio station CKAY-FM Sechelt now operates in the same market as CKKS-FM.
6. The Commission notes that in the local programming policy, CISE-FM (now CKKS-FM) was listed among the stations that were exempt from that policy. Until the licensing of CKAY-FM in 2005,² CKKS-FM operated in a single-station market and was therefore exempt from the aforementioned requirement.
7. The local programming policy also states that "changing circumstances, such as those resulting from future licensing action or possible station closures, may, by strict interpretation, render the definition of single-station market inapplicable to some of the above communities, or applicable to others." However, as a general rule, once a station is exempt under the local programming policy, it will remain exempt should the status of the market change. As no interventions were received in opposition to the licensee's request to maintain its current exemption, the Commission finds that CKKS-FM should maintain its exemption from this policy and therefore **approves** Rogers' request. A **condition of licence** to this effect is set out in Appendix 5 to this decision.

Reminders

8. The Commission reminds the applicant that it must fulfill all of its remaining tangible benefits commitments pursuant to the terms set out in Broadcasting Decision 2009-249 relating to the acquisition of CKXC-FM Kingston from K-Rock 1057 Inc.
9. Pursuant to section 22 of the *Broadcasting Act*, the Commission reminds the licensee that the broadcasting licences will cease to have any force or effect if the broadcasting certificates issued by the Department of Industry lapse.

Employment equity

10. Because the licensee is subject to the *Employment Equity Act* and files reports concerning employment equity with the Department of Human Resources and Skills Development, its employment equity practices are not examined by the Commission.

² In Broadcasting Decision 2005-167, the Commission approved an application by Westwave Broadcasting Inc. to operate a commercial radio station in Sechelt. This station began operating in 2006.

Secretary General

Related documents

- *Various radio programming undertakings – Administrative renewals*, Broadcasting Decision CRTC 2013-418, 19 August 2013
- *CISS-FM Ottawa – Licence renewal*, Broadcasting Decision CRTC 2010-427, 30 June 2010
- *CIKR-FM and CKXC-FM Kingston – Acquisition of assets*, Broadcasting Decision CRTC 2009-249, 4 May 2009
- *English-language FM commercial radio station in Sechelt*, Broadcasting Decision CRTC 2005-167, 20 April 2005
- *Local programming policy for FM radio – Definition of a single-station market*, Public Notice CRTC 1993-121, 17 August 1993

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

Appendix 1 to Broadcasting Decision CRTC 2013-644

Commercial radio programming undertakings for which the broadcasting licences have been renewed until 31 August 2020

Application number	Date received	Call sign and location
2013-0153-0	25 January 2013	CISS-FM Ottawa, Ontario
2013-0162-1	25 January 2013	CKXC-FM Kingston, Ontario
2013-0147-3	25 January 2013	CFTR Toronto, Ontario
2013-0148-1	25 January 2013	CHFI-FM Toronto, Ontario
2013-0157-2	25 January 2013	CKMH-FM Medicine Hat, Alberta
2013-0146-5	25 January 2013	CFGP-FM Grande Prairie, Alberta, and its transmitters: CFGP-FM-1 Peace River, Alberta, and CFGP-FM-2 Tumbler Ridge, British Columbia
2013-0158-0	25 January 2013	CKLG-FM Vancouver, British Columbia, and its transmitter CKLG-FM-1 Whistler
2013-0159-8	25 January 2013	CKSR-FM Chilliwack, British Columbia
2013-0161-3	25 January 2013	CKWX Vancouver, British Columbia
2013-0149-9	25 January 2013	CHTT-FM Victoria, British Columbia
2013-0155-6	25 January 2013	CKKS-FM Sechelt, British Columbia, and its transmitters: CIPN-FM Pender Harbour, CISC-FM Gibsons and CIEG-FM Egmont

Appendix 2 to Broadcasting Decision CRTC 2013-644

Terms and conditions of licence for the commercial radio programming undertakings CISS-FM Ottawa, CFTR Toronto and CHFI-FM Toronto, Ontario; CFGP-FM Grande Prairie, Alberta, and its transmitters CFGP-FM-1 Peace River, Alberta, and CFGP-FM-2 Tumbler Ridge, British Columbia; CKLG-FM Vancouver, British Columbia, and its transmitter CKLG-FM-1 Whistler; and CKSR-FM Chilliwack, CKWX Vancouver and CHTT-FM Victoria, British Columbia

Terms

The licences will expire 31 August 2020.

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, as amended from time to time.

Appendix 3 to Broadcasting Decision CRTC 2013-644

Terms and conditions of licence for the commercial radio programming undertaking CKXC-FM Kingston, Ontario

Terms

The licence will expire 31 August 2020.

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, as amended from time to time.
2. The licensee shall, as an exception to the percentage of Canadian musical selections set out in sections 2.2(8) and 2.2(9) of the *Radio Regulations, 1986*, devote:
 - a) in each broadcast week, at least 37% of its musical selections from content category 2 (Popular music) to Canadian selections broadcast in their entirety; and
 - b) between 6 a.m. and 6 p.m., in the period from Monday to Friday of each broadcast week, at least 37% of its musical selections from content category 2 to Canadian selections broadcast in their entirety.

For the purposes of this condition, “broadcast week,” “Canadian selection,” “content category” and “musical selection” shall have the same meanings as set out in the *Radio Regulations, 1986*.

Appendix 4 to Broadcasting Decision CRTC 2013-644

Terms, conditions of licence and expectation for the commercial radio programming undertaking CKMH-FM Medicine Hat, Alberta

Terms

The licence will expire 31 August 2020.

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, as amended from time to time.
2. To fulfill its original obligation to Canadian content development (CCD) set out in *Licensing of two new radio stations to serve Medicine Hat, Alberta and technical changes for CJLT-FM Medicine Hat*, Broadcasting Decision CRTC 2007-154, 28 May 2007, the licensee shall, in addition to the contributions to CCD required under section 15(2) of the *Radio Regulations, 1986*, as amended from time to time, make the following contributions to an eligible CCD initiative as described in paragraph 108 of *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006, as amended from time to time:
 - \$142,857 in the 2013-2014 broadcast year; and
 - \$71,428 in the 2014-2015 broadcast year.

Expectation

Cultural diversity

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

Appendix 5 to Broadcasting Decision CRTC 2013-644

Terms and conditions of licence for the commercial radio programming undertaking CKKS-FM Sechelt, British Columbia, and its transmitters CIPN-FM Pender Harbour, CISC-FM Gibsons and CIEG-FM Egmont

Terms

The licence will expire 31 August 2020.

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, as amended from time to time.
2. The station is exempt from the requirement set out in *Local programming policy for FM radio – Definition of a single-station market*, Public Notice CRTC 1993-121, 17 August 1993, according to which in order to solicit or accept local advertising, at least one-third of its programming must be local programming.
3. The licensee shall ensure that not less than 2.5 hours of station-produced programming is broadcast on the station each broadcast week.