



## Broadcasting Notice of Consultation CRTC 2014-59

Ottawa, 13 February 2014

### Notice of applications received

#### Various locations

#### Renewal of the broadcasting licences for certain commercial radio stations – Licensees in apparent repeated non-compliance

**Deadline for submission of interventions/comments/answers:  
20 March 2014**

[\[Submit an intervention/comment/answer or view related documents\]](#)

The Commission announces that it has received applications to renew the broadcasting licences for certain commercial radio stations, which expire 31 August 2014. Information regarding each application is set out in the table below.

The licensees propose to operate their stations under the same terms and conditions as those in effect under the current licences, with the exception of Canadian talent development (CTD) requirements, which have been replaced by the Canadian content development (CCD) requirements set out in section 15 of the *Radio Regulations, 1986* (the Regulations).

In addition, the licensees will be required to 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.

The Commission notes that the stations were found in non-compliance with one or more of their regulatory requirements during their previous licence term. These stations' licences were therefore renewed for a short-term period at the time of their last licence renewal in order to allow for an earlier review of their compliance with their regulatory obligations.

In each case, the Commission has examined the licensee's compliance with requirements regarding CTD, CCD and the filing of annual returns, as set out by condition of licence and in sections 9(2) and 15 of the Regulations. In certain cases, the Commission monitored logger tapes and music lists to determine the licensee's compliance with requirements regarding the broadcast of Canadian musical selections and French-language vocal music, where applicable. In the table below, stations identified with an asterisk (\*) have been monitored by the Commission. The monitoring report has been placed on each licensee's public examination file. A copy can be obtained by contacting one of the Commission's documentation centres.

Based on this examination, the Commission notes that the licensees listed below are in apparent non-compliance with their regulatory requirements for the current licence term

and have been so informed. The requirements that the licensees would have apparently contravened are specified below in the table.

In regard to CKYQ-FM Plessisville, Quebec, the Commission notes that for the period from 5 to 11 May 2013, the programming analysis reveals that the station complied with the regulatory requirements relating to the required levels of Canadian content and the broadcast of French-language vocal music. However, the Commission notes that the station devoted 11.87% of the broadcast week to montages. In accordance with paragraph 19 of *Requirements for the broadcast of radio montages*, Broadcasting Information Bulletin CRTC 2011-728, 24 November 2011, the Commission is of the view that the licensee of CKYQ-FM Plessisville does not appear to meet the regulatory objectives and the spirit of the policy on montages. Therefore, the Commission could impose a condition of licence limiting the use of montages for the station to 10% of all programming broadcast over the broadcast week.

The Commission intends to consider the renewal of these broadcasting licences according to the approach set out in *Revised approach to non-compliance by radio stations*, Broadcasting Information Bulletin CRTC 2011-347, 26 May 2011. As noted in that bulletin, the need to call a licensee to a public hearing will also be considered based on the circumstances, the quantity, recurrence and seriousness of the non-compliance. The Commission could also grant the licensees a short-term licence renewal.

### Commercial radio stations

Licensee name <sup>1</sup>	Application number, call sign and location	Type of apparent non-compliance	Email address/website to request an electronic version of the application
176100 Canada Inc.	2013-1547-4 * CKYQ-FM Plessisville, QC, and its transmitter CKYQ-FM-1 Victoriaville	Montages	<a href="mailto:serge.bellerose55@gmail.com">serge.bellerose55@gmail.com</a>
Corus Premium Television Ltd.	2013-1544-0 CKNW New Westminster, BC	Canadian content development contributions	<a href="http://www.corusent.com">www.corusent.com</a>

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<sup>1</sup> The licensees' addresses are available upon request at Commission offices.

Peace River Broadcasting Corporation Ltd.	2013-1531-7 * CKKX-FM Peace River, AB, and its transmitters CFFC-FM Fox Creek, CFKX-FM High Level, CKKF-FM Fairview, CJHP-FM High Prairie and CKKX-FM-1 Manning	Canadian content and Logger tapes	<a href="mailto:chrisblack@ylcountry.com">chrisblack@ylcountry.com</a> <a href="http://www.ylcountry.com">www.ylcountry.com</a>
Radio Diffusion Sorel-Tracy inc.	2013-1494-7 * CJSO-FM Sorel, QC	Canadian content	<a href="mailto:jmbelzile@sympatico.ca">jmbelzile@sympatico.ca</a>

## Procedure

### Deadline for interventions, comments or answers

**20 March 2014**

The *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure*, SOR/2010-277 (the Rules of Procedure), set out, among other things, the rules for content, format, filing and service of interventions, the procedure for filing confidential information and requesting its disclosure, and the conduct of public hearings. Accordingly, the procedure set out below must be read in conjunction with the Rules of Procedure and its accompanying documents, which can be found on the Commission's website under "CRTC Rules of Practice and Procedure."

An intervention or answer from a respondent must be received by the Commission and by the applicant on or before the above-mentioned date. An answer from a respondent must also be served on any other respondent.

In accordance with the Rules of Procedure, a document must be filed with, not merely sent to, the Commission by 5 p.m. Vancouver time (8 p.m. Ottawa time) on the date it is due. The Commission takes no responsibility for postal delays and will not notify a party whose submission is received after the deadline date. Late submissions will not be considered by the Commission and will not be made part of the public file.

Interventions and answers from respondents will be considered by the Commission and will form part of the public record of the proceeding without further notification to parties, provided the procedures set out in the Rules of Procedure and this notice have been followed. Parties will be contacted only if their submissions raise procedural questions.

Submissions must be filed by sending them to the Secretary General of the Commission by **only one** of the following means:

**by using the**  
[\[Intervention/comment/answer form\]](#)

or

**by mail to**  
CRTC, Ottawa, Ontario K1A 0N2

or

**by fax at**  
819-994-0218

A true copy of each intervention or answer from a respondent must be sent to the applicant and, in the case of a respondent to an application, to any other respondent.

The Commission advises those who file and serve by electronic mode to exercise caution when using e-mail for service of documents, as it may be difficult to establish that service has occurred.

Parties must ensure that, before initiating service through electronic mode, they will be able to satisfy the Commission, upon request, that service was completed. The sender must keep proof of the sending and the receipt of the document for 180 days after the day on which it is filed.

Submissions longer than five pages should include a summary.

Each paragraph of the submission should be numbered. In addition, where the intervention is filed by electronic means, the line **\*\*\*End of document\*\*\*** should be entered following the last paragraph of the document, as an indication that the document has not been altered during electronic transmission.

Interventions and answers should clearly identify the application referred to and indicate whether parties support or oppose the application, or, if they propose changes to it, include the facts and grounds for their proposal.

### **Important notice**

All information that parties provide as part of this public process, except information designated confidential, whether sent by postal mail, facsimile, e-mail or through the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca), becomes part of a publicly accessible file and will be posted on the Commission's website. This information includes personal information, such as full names, e-mail addresses, postal/street addresses, telephone and facsimile numbers, and any other personal information parties provide.

The personal information that parties provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.

Documents received electronically or otherwise will be put on the Commission's website in their entirety exactly as received, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.

The information that parties provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the web page of this particular public process. As a result, a general search of the Commission's website with the help of either its own search engine or a third-party search engine will not provide access to the information that was provided as part of this public process.

The Commission encourages parties and interested persons to monitor the record of the proceeding, available on the Commission's website, for additional information that they may find useful when preparing their submissions.

### **Examination of documents**

An electronic version of the applications is available on the Commission's website by selecting the application number within this notice. It is also available from the licensees, either on their websites or upon request by contacting the licensees at their email addresses, provided above.

A list of all interventions and answers will also be available on the Commission's website. The list is accessible by selecting "View all proceedings open for comment" from the "Public Proceedings" section of the Commission's website and by clicking on the "Interventions/Answers" link associated with this notice.

Documents are also available during normal office hours at the Commission offices and documentation centres directly involved with these applications, or, upon request, within two (2) working days, at any other Commission offices and documentation centres.

### **Location of Commission offices**

Toll-free telephone: 1-877-249-2782

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Secretary General