



## Broadcasting Decision CRTC 2018-461

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References: 2018-106 and 2018-106-3

Ottawa, 12 December 2018

### **International Harvesters for Christ Evangelistic Association Inc.** Kelowna and Kamloops, British Columbia

*Public record for this application: 2017-0079-0*  
*Public hearing in the National Capital Region*  
*31 May 2018*

### **New Christian music FM radio station in Kelowna**

*The Commission **approves** an application by International Harvesters for Christ Evangelistic Association Inc. for a broadcasting licence to operate an English-language specialty (Christian music) FM radio station in Kelowna, British Columbia, with a rebroadcasting transmitter in Kamloops.*

#### **Application**

1. International Harvesters for Christ Evangelistic Association Inc. (Harvesters) filed an application for a broadcasting licence to operate an English-language specialty (Christian music) FM radio station in Kelowna, British Columbia, with a rebroadcasting transmitter in Kamloops.
2. The new station would operate at 88.1 MHz (channel 201C) with an effective radiated power (ERP) of 4,200 watts (non-directional antenna with an effective height of antenna above average terrain (EHAAT) of 500 metres). The rebroadcasting transmitter in Kamloops would operate at 99.1 MHz (channel 256B1) with an ERP of 3,000 watts (non-directional antenna with an EHAAT of 148.6 metres).
3. Harvesters is a not-for-profit corporation controlled by its board of directors.
4. The new station would offer a specialty Christian music format. It would broadcast 126 hours of programming each broadcast week, including 91 hours of local programming of which 40 minutes would be pure news (30 minutes of local and regional news, 5 minutes of national news and 5 minutes of international news). The remaining 35 hours would be devoted to wraparound programming.
5. In regard to spoken word content, Harvesters stated that it would devote 40 minutes each broadcast week to local weather and traffic reports. The applicant also stated that it would devote 112 minutes per broadcast week to local community announcements that it would provide free of charge, as well as 100 minutes per broadcast week of interviews

conducted over the phone and on site with local community leaders, heads of organizations and singers.

6. The applicant committed to devote, in each broadcast week, 95% of all musical selections broadcast to selections drawn from content subcategory 35 (Non-classic religious).
7. Harvesters proposed to broadcast 35 hours of non-local spoken word programming each broadcast week, which would be derived from its Bible programs, interviews and programs featuring world religions. In this regard, Harvesters proposed a program entitled “Canadian Mosaic” featuring a variety of world religions. Further, the applicant proposed a program entitled “Just Thinking” that would present a multiplicity of worldviews and entertain questions regarding faith, religion and spirituality. The proposed station would also present programs of different views on religion and matters of public concern.
8. Harvesters confirmed that it would adhere to the Commission’s guidelines on balance and ethics as set out in Public Notice 1993-78, in which the Commission stated that stations that broadcast religious programming have an obligation to offer differing views on matters of public concern, including religious matters.
9. In addition to the requirements set out in section 15 of the *Radio Regulations, 1986*, Harvesters committed to devote, by condition of licence, a total of \$13,000 over seven consecutive broadcast years to Canadian content development (CCD), commencing in the first year of operations, as follows:
  - Year 1 - \$1,000
  - Year 2 - \$1,000
  - Year 3 - \$1,000
  - Year 4 - \$2,000
  - Year 5 - \$2,000
  - Year 6 - \$3,000
  - Year 7 - \$3,000

Of this amount, at least 20% would be devoted to FACTOR or MUSICACTION, and the remainder would be allocated to parties and initiatives fulfilling the definition of eligible initiatives set out in paragraph 108 of Broadcasting Public Notice 2006-158.

10. The applicant indicated that it would direct these funds to FACTOR, the Gospel Music Association of Canada and Canadian musicians.

## **Interventions and reply**

11. The Commission received interventions in support of this application as well as an intervention in opposition from Avenue Radio Ltd. (Avenue), licensee of CKOO-FM Kelowna, to which the applicant replied.
12. Avenue considered that Harvesters' application should have triggered a call for applications as it did not meet the criteria for an exception. Avenue was of the view that Harvesters' proposed station would have an impact on the market because it would solicit advertising in Kelowna. It argued that the Kelowna radio market revenues and profitability have declined every year between 2012 and 2016. Avenue added that the frequency that Harvesters proposed to use may be the last viable Class C frequency for the market.
13. In reply, Harvesters submitted that most of its revenues would be derived from broadcasting Bible programs, and that its projected commercial advertising sales would not have any measurable effect on other stations in the market.

## **Commission's analysis and decisions**

14. As set out in Broadcasting Regulatory Policy 2014-554, when the Commission receives an application for a new radio station, it generally issues a call for applications, subject to certain exceptions. These exceptions include situations where a proposal would have very little or no commercial potential or impact on the market. In the present instance, the Commission is satisfied that no call was required due to the applicant's limited projected advertising revenues.
15. After examining the application in light of applicable regulations and policies, the Commission considers that the issue to be addressed is whether approval of the application would have an undue financial impact on incumbent stations in the Kelowna radio market.
16. Given that the applicant projected limited local advertising revenues and that the station would operate in a specialty format, the Commission is of the view that the proposed station would not have an undue financial impact on incumbent stations in the market.
17. Harvesters would operate Kelowna's first Christian music radio station and be the first to offer Christian music programming in Kamloops. In this regard, the Commission is of the view that the proposed station would add to the local reflection and programming diversity in the Kelowna and Kamloops markets.
18. Lastly, a frequency analysis shows that the frequency proposed by Harvesters is not the last viable Class C frequency for Kelowna.

## **Conclusion**

19. In light of the above, the Commission **approves** the application by International Harvesters for Christ Evangelistic Association Inc. for a broadcasting licence to operate

an English-language specialty (Christian music) FM radio programming undertaking in Kelowna with a rebroadcasting transmitter in Kamloops. The terms and **conditions of licence** are set out in the appendix to this decision.

### **Employment equity**

20. Because this applicant is subject to the *Employment Equity Act* and files reports concerning employment equity with the Department of Employment and Social Development, its employment equity practices are not examined by the Commission.

Secretary General

### **Related documents**

- *A targeted policy review of the commercial radio sector*, Broadcasting Regulatory Policy CRTC 2014-554, 28 October 2014
- *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006
- *Religious Broadcasting Policy*, Public Notice CRTC 1993-78, 3 June 1993

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

## Appendix to Broadcasting Decision CRTC 2018-461

### Terms, conditions of licence and expectation for the English-language specialty (Christian music) FM radio programming undertaking in Kelowna, British Columbia, with a rebroadcasting transmitter in Kamloops

#### Terms

The licence will expire 31 August 2025.

The station will operate at 88.1 MHz (channel 201C) with an effective radiated power (ERP) of 4,200 watts (non-directional antenna with an effective height of antenna above average terrain (EHAAT) of 500 metres).

The rebroadcasting transmitter will operate at 99.1 MHz (channel 256B1) with an ERP of 3,000 watts (non-directional antenna with an EHAAT of 148.6 metres).

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 Commission will only issue a licence for this undertaking once the applicant has informed the Commission in writing that it is prepared to commence operations. The undertaking must be in operation by no later than **12 December 2020**. To request an extension, the applicant must submit a written request to the Commission at least 60 days before that date, using the form available on the Commission's website.

#### 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 7, as well as to the conditions set out in the broadcasting licence for the undertaking.
2. The licensee shall operate the station within the specialty format as defined in *A Review of Certain Matters Concerning Radio*, Public Notice CRTC 1995-60, 21 April 1995, and in *Revised content categories and subcategories for radio*, Broadcasting Regulatory Policy CRTC 2010-819, 5 November 2010.
3. The licensee shall devote at least 95% of all musical selections broadcast during each broadcast week to selections drawn from content subcategory 35 (Non-classic religious).

4. 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 sections III.B.2.a) and IV of that public notice with respect to the provision of balance and ethics in religious programming.
5. In addition to the basic annual contribution to Canadian content development set out in section 15 of the *Radio Regulations, 1986*, the licensee shall, upon commencement of operations, make a contribution of \$13,000 over seven consecutive broadcast years to the promotion and development of Canadian content as follows:
  - Year 1 - \$1,000
  - Year 2 - \$1,000
  - Year 3 - \$1,000
  - Year 4 - \$2,000
  - Year 5 - \$2,000
  - Year 6 - \$3,000
  - Year 7 - \$3,000

Of this amount, at least 20% per broadcast year shall be devoted to FACTOR or MUSICACTION. The remainder shall be allocated to parties and initiatives fulfilling the definition of eligible initiatives set out in paragraph 108 of *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006.

### **Expectation**

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