



Broadcasting Decision CRTC 2008-15

Ottawa, 23 January 2008

1158556 Ontario Ltd.

Timmins and Cochrane, Ontario

Application 2007-1554-2, received 31 October 2007

Broadcasting Public Notice CRTC 2007-131

19 November 2007

CHIM-FM Timmins – New transmitter at Cochrane

*The Commission **denies** an application to amend the broadcasting licence for CHIM-FM Timmins in order to operate a transmitter at Cochrane.*

Introduction

1. The Commission received an application by 1158556 Ontario Ltd. to amend the broadcasting licence for the English-language commercial specialty radio programming undertaking CHIM-FM Timmins in order to operate a transmitter at Cochrane. The new transmitter would operate at 102.3 MHz (channel 272LP) with an effective radiated power of 37 watts.
2. The Commission did not receive any interventions in connection with this application.

Commission's analysis and determinations

3. In its recent evaluation of CHIM-FM's licence renewal application, the Commission found that, during the licence term under consideration, the licensee had been in non-compliance with section 9(2) of the *Radio Regulations, 1986* (the Regulations) pertaining to the filing of annual reports as well as with its condition of licence requiring contributions to the Canadian Association of Broadcasters' (CAB's) former Canadian talent development (CTD) plan. Accordingly, in Broadcasting Decision 2007-433, the Commission imposed a short-term licence renewal on CHIM-FM (from 1 January 2008 to 31 August 2011). The Commission indicated that the short-term renewal period would allow it to assess at an earlier date the licensee's compliance with the Regulations as they pertain to the filing of annual reports, and with the requirement, set out in Broadcasting Public Notice 2006-158, that the licensee make financial contributions to the development of Canadian content.
4. The Commission's longstanding practice is to deny licence amendments requested by licensees that are in non-compliance with their regulatory obligations or conditions of licence. Given CHIM-FM's admitted non-compliance with section 9(2) of the Regulations and with its condition of licence stipulating minimum contributions to CTD, the Commission does not consider that a departure from this practice is warranted in this case.

5. In light of all of the above, the Commission **denies** the application by 1158556 Ontario Ltd. to amend the broadcasting licence for the English-language commercial specialty radio programming undertaking CHIM-FM Timmins in order to operate a transmitter at Cochrane.

Secretary General

Related documents

- *CHIM-FM Timmins – Licence renewal*, Broadcasting Decision CRTC 2007-433, 24 December 2007
- *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006

This decision is available in alternative format upon request, and may also be examined in PDF format or in HTML at the following Internet site: <http://www.crtc.gc.ca>