



## Broadcasting Decision CRTC 2010-423

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Route reference: 2009-786

Ottawa, 30 June 2010

**JOCO Communications Inc.**  
Sturgeon Falls, Ontario

*Application 2008-1520-2, received 10 November 2008*

### **CFSF-FM Sturgeon Falls – Licence renewal**

*The Commission **renews** the broadcasting licence for the English-language commercial radio station CFSF-FM Sturgeon Falls from 1 July 2010 to 31 August 2013. This short-term licence renewal will enable the Commission to review the licensee's compliance with the Radio Regulations, 1986 and its conditions of licence at an earlier date.*

### **Introduction**

1. The Commission received an application by JOCO Communications Inc. (JOCO) to renew the broadcasting licence for the English-language commercial radio programming undertaking CFSF-FM Sturgeon Falls, which expires 30 June 2010.<sup>1</sup> The Commission received interventions in support of this application.
2. In Broadcasting Notice of Consultation 2009-786, the Commission noted that the licensee may have failed to comply with section 9(2) of the *Radio Regulations, 1986* (the Regulations), which relates to the provision of annual returns, for the broadcast years 2003 and 2004 and 2006 through 2008. The Commission also noted that the licensee may have failed to comply with its condition of licence relating to contributions to Canadian talent development (CTD) for broadcast years 2003 and 2007.

### **Commission's analysis and determinations**

3. After examining the application in light of applicable regulations and policies, the Commission considers that the issues to be addressed in its determinations relate to the following:
  - contributions to CTD and
  - the provision of annual returns.

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<sup>1</sup> The current licence was administratively renewed until 31 December 2009 in Broadcasting Decision 2009-506, until 31 May 2010 in Broadcasting Decision 2009-785 and until 30 June 2010 in Broadcasting Decision 2010-324.

### Contributions to Canadian talent development

4. The Commission notes that the licensee did not make its required CTD contribution for the 2003 broadcast year and that there was a shortfall in its CTD contribution for the 2007 broadcast year.
5. As set out in Broadcasting Decision 2003-52, JOCO is required to devote a minimum of \$500 annually to a third party eligible for CTD funding. The licensee stated that 2003 was the station's first year of operation and that it was new at this business. It noted that in conjunction with the local museum, it spent \$1,200 to hire a band for a local concert and paid \$1,600 for the sound system. The Commission notes, however, that it did not receive proof of payment in regard to these expenditures.
6. As for the 2007 broadcast year, JOCO stated that it donated two instruments to the local youth club. The Commission notes, however, that the cost of those instruments did not fulfil the required \$500 annual contribution. The licensee indicated that it would write a check to FACTOR or the above-mentioned youth club to cover the shortfall.
7. The Commission requires the licensee to file proof of its CTD payment by 31 August 2010.

### Provision of annual returns

8. As set out in section 9(2) of the Regulations, licensees are required to file their annual returns for a given broadcast year by 30 November of that same broadcast year. The Commission notes that for the 2003, 2004, 2006, 2007 and 2008 broadcast years, the licensee filed its annual returns after this 30 November deadline.
9. The licensee indicated that it took full responsibility for this non-compliance and that going forward it would ensure that all necessary documents are filed a month or two prior to the deadline to ensure compliance.

### Conclusion

10. In light of all of the above, in accordance with its practice regarding radio non-compliance set out in Circular No. 444, the Commission considers that a short-term renewal period for CFSF-FM would be appropriate. Accordingly, the Commission **renews** the broadcasting licence for the English-language commercial radio programming undertaking CFSF-FM Sturgeon Falls from 1 July 2010 to 31 August 2013, four years from the original expiry date of 31 August 2009. This short-term renewal will enable the Commission to assess the licensee's compliance with the Regulations and its conditions of licence at an earlier date. The licence will be subject to the **conditions** set out in Broadcasting Regulatory Policy 2009-62, with the exception of condition of licence 8 relating to the solicitation of local advertising, which does not apply to stations operating in a single-station market.

## Employment equity

11. In accordance with Public Notice 1992-59, 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.

Secretary General

## Related documents

- *Administrative renewals*, Broadcasting Decision CRTC 2010-324, 28 May 2010
- *Notice of applications received*, Broadcasting Notice of Consultation CRTC 2009-786, 17 December 2009
- *Administrative renewals*, Broadcasting Decision CRTC 2009-785, 17 December 2009
- *Administrative renewals*, Broadcasting Decision CRTC 2009-506, 20 August 2009
- *Conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009
- *Low-power FM station in Sturgeon Falls*, Broadcasting Decision CRTC 2003-52, 14 February 2003
- *Practices regarding radio non-compliance*, Circular No. 444, 7 May 2001
- *Implementation of an employment equity policy*, Public Notice CRTC 1992-59, 1 September 1992

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