Broadcasting Notice of Consultation CRTC 2012-460

PDF version

Ottawa, 28 August 2012

Notice of applications received

Various locations

Renewal of the broadcasting licences for certain campus and community radio programming undertakings expiring 31 December 2012 – Licensees in apparent non-compliance

Deadline for submission of interventions/comments: 2 October 2012

[Submit an intervention/comment/answer or view related documents]

The Commission announces that it has received applications to renew the broadcasting licences for certain radio programming undertakings expiring 31 December 2012.

Apparent non-compliance

The licensees listed below have been found in apparent non-compliance with section 9(2) of the *Radio Regulations*, 1986 (the Regulations) relating to the provision of annual reports during the current licence term, for the broadcast years listed below.

In the list below, stations identified with an asterisk (*) have been monitored by Commission staff. 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.

The Commission intends to examine the renewal of these broadcasting licences in light of the approach set out in *Revised approach to non-compliance by radio stations*, Broadcasting Information Bulletin CRTC 2011-347, 26 May 2011.

The licensees propose to operate their undertakings under the same terms and conditions as specified in the current licences and in the last renewal decisions. The Commission notes that in addition to the conditions set out in the current licences, the renewed broadcasting licences will be subject to the conditions set out in *Standard conditions of licence for campus and community radio stations*, Broadcasting Regulatory Policy CRTC 2012-304, 22 May 2012.

In all cases, Commission staff examined the licensee's compliance with its obligations regarding the submission of annual returns, as set out in the Regulations. In certain cases, Commission staff monitored logger tapes and music lists in order to determine the licensee's compliance with its obligations regarding the broadcast of Canadian music selections and French-language vocal musical, where applicable.



The Commission notes that other such broadcasting licences expiring in 2012 will be dealt with in separate notices of consultation.

Community Radio Stations

New Brunswick

Licensee and address Email to request electronic version of application	Application number Call sign / location	Apparent non-compliance with section 9(2) of the Regulations	Licensee's explanation for the apparent non-compliance
Coopérative Radio Restigouche Itée 1991 des Pionniers Avenue P.O. Box 2561 Balmoral, New Brunswick E0B 1C0 Fax: 506-826-2400 Email: info@cimsfm.ca Website: www.cimsfm.ca	2011-0333-2 CIMS-FM Balmoral And its transmitter: CIMS-FM-1 Dalhousie	2003-2004 2004-2005 2007-2008 2008-2009	The station was having financial difficulties and frequent changes in management.
La Coopérative Radiophonique – La Brise de la Baie ltée 67 Ragged Point Road Saint John, New Brunswick E2K 5C3 Fax: 506-658-3984 Email: direction@chqc.ca	2011-0731-8 CHQC-FM Saint John	2005-2006 2006-2007 2007-2008 2008-2009 2009-2010	Each year's financial statements are presented within six months after the end of the fiscal year to August 31 and are adopted at a general meeting held in December, January or February. The licensee did not explain why reports of 2009 and 2010 were not submitted.
Radio Beauséjour inc. 96 Providence Street P.O. Box 607 Shediac, New Brunswick E4P 2M9 Fax: 506-532-0120 Email: serge@cjse.ca Website: www.cfbo.ca	2011-0291-2 CFBO-FM Moncton	2008-2009	The licensee has followed-up with its accountant.

Quebec

Licensee and address Email to request electronic version of application	Application number Call sign / location	Apparent non-compliance with section 9(2) of the Regulations	Licensee's explanation for the apparent non-compliance
Fondation Radio Enfant 855 de la Gappe Boulevard Suite 310 Gatineau, Quebec J8T 8H9 Email: <u>info@radioenfant.ca</u> Website: <u>www.radioenfant.ca</u>	2011-0180-8 CJEU Gatineau	2009-2010	The licensee did not submit an annual return for 2009-2010, as the station was undergoing a testing phase from 15 December 2009 to 10 December 2010.
Coopérative de solidarité Radio communautaire de la MRC de Maskinongé 50-a de la Fabrique Street Saint-Léon-le-Grand, Quebec J0K 2W0 Fax: 819-228-0330 Email: info@ch2ofm.ca Website: www.ch2ofm.com	2011-0110-5 CHHO-FM Louiseville and its transmitter: CHHO-FM-1 Saint-Alexis- des-Monts	2006-2007 2007-2008 2008-2009	Misunderstanding of the Regulations and personnel changes.
Coopérative de Solidarité Radio communautaire Nicolet- Yamaska/Bécancour 10275 Leblanc Street Suite 127 Bécancour/Wôlinak, Quebec G0X 1B0 Fax: 819-294-2527 Email: dg@ckbn.ca Website: www.ckbn.ca	2011-0697-2 CKBN-FM Bécancour	2005-2006 2006-2007 2007-2008 2009-2010	Misunderstanding of the Regulations and personnel changes.

Diffusion communautaire Baie-des-Chaleurs inc. 1645 Perron Boulevard East P.O. Box 3000 Carleton, Quebec GOC 1J0 Fax: 418-364-3150 Email: direction@cieufm.com Website: www.cieufm.com	2011-0077-6 CIEU-FM Carleton and its transmitter: CIEU-FM-1 Paspébiac	2007-2008	The general manager was ill, and their replacement arrived only in December.
Radio-Acton inc. 1185 St-André Street P.O. Box 130 Acton Vale, Quebec J0H 1A0 Fax: 450-546-7521 Email: direction@radio-acton.com Website: www.radio-acton.com	2011-0104-7 CFID-FM Acton Vale	2004-2005 2005-2006 2007-2008	The annual general assembly meeting was postponed to December. There was also an ongoing restructuring at the company.
Radio Bellechasse 201 Claude-Bilodeau Street Suite 11 Lac-Etchemin, Quebec G0R 1S0 Fax: 418-625-3730 Email: slamontagne@passion- fm.com Website: www.passion- fm.com	2011-0103-9 CFIN-FM Lac Etchemin and its transmitters: CFIN-FM-1 Armagh, CFIN-FM-2 Saint- Malachie, CFIN-FM-3 Saint- Anselme, CFIN-FM-4 Saint-Jean de l'Île d'Orléans	2007-2008 2009-2010	The annual general assembly meeting was held in December. Communication was difficult between the licensee and the Commission.

Radio communautaire francophone de Montréal inc. 2 Ste-Catherine Street East Montréal, Quebec H2X 1K4 Fax: 514-526-2581 Email: direction@cibl1015.com Website: www.cibl1015.com	2011-0171-6 CIBL-FM Montréal	2005-2006 2006-2007 2007-2008 2008-2009 2009-2010	There was staff turnover, the station resources and experience of staff was insufficient, and the general assembly meeting was held in late November or December.
Radio communautaire de Radisson 143 Joliet Street P.O. Box 285 Radisson, Quebec JOY 2X0 Fax: 819-638-7033 Email: ciaufm@lino.com	2011-0498-4 CIAU-FM Radisson	2003-2004 2004-2005 2005-2006 2006-2007 2007-2008 2008-2009 2009-2010	The accountant could not produce the documents within the requested deadlines.
Radio communautaire de la Rive-Sud inc. 91 St-Jean Street Longueuil, Quebec J4H 2W8 Fax: 450-646-7378 Email: programmation@fm1033.ca and admin@fm1033.ca	2011-0184-9 CHAA-FM Longueuil	2007-2008 2009-2010	The transition to "epass" has caused delays in data transfer and the licensee had trouble reaching the Commission to get help.
Radio communautaire Missisquoi 305-B Knowlton Road P.O. Box 473 Knowlton, Quebec J0E 1V0 Fax: 450-242-2981 Email: ddurrell@rcmmedia.org Website: www.rcmmedia.org	2011-0316-8 CIDI-FM Lac-Brome	2008-2009 2009-2010	The licensee did not provide a report in 2009 because it believed it did not have to as it was broadcasting at low power. Technical issues at the Commission and personnel illness caused delays in 2010.

Ontario

Licensee and address Email to request electronic version of application	Application number Call sign / location	Apparent non-compliance with section 9(2) of the Regulations	Licensee's explanation for the apparent non-compliance
Bluewater Community Radio 267 10 th Street Hanover, Ontario N4N 1P1 Fax: 519-364-5175 Email: bluewaterradio@on.aibn.com	2011-0191-4 CFBW-FM Hanover	2005-2006 2006-2007 2007-2008 2009-2010	The licensee had difficulty finding secretarial and administrative volunteer personnel.
Haliburton County Community Radio Association 739 Mountain Street P.O. Box 1125 Haliburton, Ontario K0M 1S0 Fax: 705-457-9522 Email: canoeadmin@bellnet.ca Website: www.canoefm.com	2011-0112-0 CKHA-FM Haliburton	2006-2007 2007-2008	The station is run by volunteers who had limited knowledge of procedures and regulations.
San Lorenzo Latin American Community Centre 22 Wenderly Drive Toronto, Ontario M6B 2N9 Fax: 416-782-1219 Email: hastudillo@sanlorenzo.ca	2011-0465-3 CHHA Toronto	2004-2005 2005-2006 2006-2007	The licensee was unaware the broadcast year ends in August. In 2006, it was sent a form for commercial stations. The late filing for 2007 was due to the accountant's error.
Valley Heritage Radio 3009 Burnstown Road P.O. Box 945 Renfrew, Ontario K7V 4H4 Fax: 613-432-9103 Email: vic@valleyheritageradio.ca Website: www.valleyheritageradio.ca	2011-0160-0 CJHR-FM Renfrew	2004-2005 2005-2006 2006-2007 2007-2008 2008-2009 2009-2010	The licensee was unaware of regulations.

Saskatchewan

Licensee and address Email to request electronic version of application	Application number Call sign / location	Apparent non-compliance with section 9(2) of the Regulations	Licensee's explanation for the apparent non-compliance
Association communautaire fransaskoise de Gravelbourg Inc. (ACFG) 133 5 th Avenue East P.O. Box 176 Gravelbourg, Saskatchewan S0H 1X0 Fax: 306-648-3258 Email: cfrg@sasktel.net Website: www.cfrg.ca	2011-1082-4 CFRG-FM Gravelbourg	2004-2005 2005-2006 2006-2007 2007-2008 2008-2009 2009- 2010	High turnover of staff. The stations's dependence on the ACFG for the financial statements and schedule.

British Columbia

Licensee and address Email to request electronic version of application	Application number Call sign / location	Apparent non-compliance with section 9(2) of the Regulations	Licensee's explanation for the apparent non-compliance
Creston Community Radio Society P.O. Box 8 Creston, British Columbia V0B 1G0 Fax: 250-428-8740 Email: info@crestonradio.ca Website: www.crestonradio.ca	2011-0174-0 CIDO-FM Creston	2007-2008 2008-2009 2009-2010	New board of directors, lack of experience and information.
Mackenzie and Area Community Radio Society (MARS) 86 Centennial Drive P.O. Box 547 Mackenzie, British Columbia V0J 2C0 Fax: 250-997-6222 Email: chmm1035@gmail.com	2011-0116-2 CHMM-FM Mackenzie	2004-2005 2006-2007 2007-2008 2008-2009	Communication breakdown within the society and with the Commission.

Campus Radio Station

Newfoundland and Labrador

Licensee and address Email to request electronic version of application	Application number Call sign / location	Apparent non-compliance with section 9(2) of the Regulations	Licensee's explanation for the apparent non-compliance
Troubadour Radio	2011-0564-3	2001-2002	The non-compliance is a
Society Inc.	CHUG	2002-2003	result of station staff
P.O. Box 5400	Stephenville	2003-2004	misunderstanding and
Stephenville,		2004-2005	miscommunication.
Newfoundland and		2005-2006	
Labrador		2006-2007	
A2N 2Z6		2007-2008	
Fax: 709-643-5407		2008-2009	
Email:		2009- 2010	
don.murphy@cna.nl.ca			

Quebec

Licensee and address Email to request electronic version of application	Application number Call sign / location	Apparent non-compliance with section 9(2) of the Regulations	Licensee's explanation for the apparent non-compliance
Comité de la radio étudiante universitaire de Sherbrooke 2500 l'Université Sherbrooke Boulevard Sherbrooke, Quebec J1K 2R1 Fax: 819-821-7390 Email: dg.cfak883@usherbrooke.ca Website: http://cfak883.usherbrooke.ca	2011-0297-0 CFAK-FM Sherbrooke	2005-2006 2006-2007 2007-2008 2009-2010	The licensee stated that, given that the fiscal year ends in April, it is difficult to hold a general meeting during the summer because there fewer students on campus.
Groupe des médias étudiants de l'Université du Québec à Trois-Rivières 3351 Des Forges Blvd Trois-Rivières, Quebec G9A 5H7 Fax: 819-376-5239 Email: dgcfou@uqtr.ca Website: www.cfou.ca	2011-0055-2 CFOU-FM Trois-Rivières	2004-2005 2005-2006 2006-2007 2008-2009	The licensee stated that the filing of annual returns was the responsibility of the previous director general, who was dismissed in January 2010.

Ontario

Licensee and address Email to request electronic version of application	Application number Call sign / location	Apparent non-compliance with section 9(2) of the Regulations	Licensee's explanation for the apparent non-compliance
LU Campus Radio Inc 995 Oliver Road Thunder Bay, Ontario P7B 5E1 Fax: 807-343-8598 Email: manager@luradio.ca	2011-0140-2 CILU-FM Thunder Bay	2004-2005 2005-2006 2006-2007 2007-2008 2008-2009 2009-2010	The licensee explained that miscommunication with the Commission and constant turnover in accounting caused delays and difficulty obtaining documents.
Student Media, University of Windsor 401 Sunset Avenue Windsor, Ontario N9B 3P4 Fax: 519-971-3605 Email: statcjam@uwindsor.ca	2011-0121-1 CJAM-FM Windsor	2004-2005 2005-2006 2006-2007 2007-2008 2008-2009 2009-2010	The licensee stated that its non-compliance is due in part to staff turnover, but mostly to the administrative processes, which were built on faulty assumptions, accepted station practices, and lack of adequate training.
The Mohawk College Radio Corporation 135 Fennell Avenue West Room G108 Hamilton, Ontario L8N 3T2 Fax: 905-575-2385 Email: les.palango@mohawkcollege.ca Website: www.indifm.ca	2011-0422-3 CIOI-FM Hamilton	2003-2004 2004-2005 2005-2006 2006-2007 2007-2008 2008-2009 2009-2010	The licensee claims that a misunderstanding of the regulations and lack of direction from the Commission caused the non-compliance.
University of Guelph Radio – Radio Gryphon University Centre, Level 2 University of Guelph Guelph, Ontario N1G 2W1 Fax: 519-767-9603 Email: info@cfru.ca	2011-0505-7 CFRU-FM Guelph	2004-2005 2005-2006 2006-2007 2007-2008 2008-2009 2009-2010	The licensee used the fiscal year rather than the broadcast year and experienced high turnover in its administration.

University of Toronto Community Radio Inc. 89.5 Tower Road 3 rd Floor Toronto, Ontario M5S 0A2 Fax: 416-946-7004 Email: ken.stowar@ciut.fm or kenthepd@gmail.com Website: www.ciut.fm	2011-0307-7 CIUT-FM Toronto	2003-2004 2004-2005 2005-2006 2006-2007 2007-2008 2008-2009 2009-2010	The non-compliance is the result of a misunderstanding of the Regulations on behalf of station management.
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Alberta

Licensee and address Email to request electronic version of application	Application number Call sign / location	Apparent non-compliance with section 9(2) of the Regulations	Licensee's explanation for the apparent non-compliance
CKXU Radio Society SU 162 4401 University Drive West Lethbridge, Alberta T1K 3M4 Email: manager@ckxu.com Website: www.ckxu.com/about	2011-0323-3 CKXU-FM Lethbridge	2004-2005 2006-2007	The licensee was going through a major transition on a management level and having difficulty finding a volunteer auditor.

British Columbia

Licensee and address Email to request electronic version of application	Application number Call sign / location	Apparent non-compliance with section 9(2) of the Regulations	Licensee's explanation for the apparent non-compliance
The Kamloops Campus / Community Radio Society 900 McGill Road, House 8 Kamloops, British Columbia V2C 5N3 Email: radio@tru.ca Website: www.thex.ca	2011-0331-6 CFBX-FM Kamloops	2005-2006 2007-2008	The licensee held its general meeting later than usual and experienced accounting issues.

Procedure

Deadline for interventions or answers

2 October 2012

The new 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."

This notice may announce applications that would normally be subject to the written process described in Part 1 of the Rules of Procedure, but that were filed before 1 April 2011. An explanation in this regard is set out in *Implementation of new Rules of Practice and Procedure*, Broadcasting and Telecom Regulatory Policy CRTC 2010-958, 23 December 2010.

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, 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 applicants/licensees, either on their websites or upon request by contacting the applicants/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 Toll-free TDD: 1-877-909-2782

Les Terrasses de la Chaudière Central Building 1 Promenade du Portage, Room 206 Gatineau, Quebec J8X 4B1

Tel.: 819-997-2429 Fax: 819-994-0218

Regional offices

Metropolitan Place 99 Wyse Road Suite 1410 Dartmouth, Nova Scotia B3A 4S5

Tel.: 902-426-7997 Fax: 902-426-2721

205 Viger Avenue West Suite 504 Montréal, Quebec H2Z 1G2

Tel.: 514-283-6607

55 St. Clair Avenue East

Suite 624

Toronto, Ontario

M4T 1M2

Tel.: 416-952-9096

360 Main Street

Suite 970

Winnipeg, Manitoba

R3C 3Z3

Tel.: 204-983-6306 Fax: 204-983-6317

2220 – 12th Avenue

Suite 620

Regina, Saskatchewan

S4P 0M8

Tel.: 306-780-3422

100 – 4th Avenue South-West

Suite 403

Calgary, Alberta

T2P 3N2

Tel.: 403-292-6660 Fax: 403-292-6686

858 Beatty Street

Suite 290

Vancouver, British Columbia

V6B 1C1

Tel.: 604-666-2111 Fax: 604-666-8322

Secretary General