



Broadcasting Decision CRTC 2005-538

Ottawa, 31 October 2005

Prescott Sandhu, on behalf of a not for profit corporation to be incorporated

Vanderhoof, British Columbia

Application 2005-0202-2

Public Hearing in the National Capital Region

15 August 2005

Religious community radio station in Vanderhoof

*The Commission **denies** an application for a broadcasting licence to operate an English-language religious Type B community FM radio programming undertaking in Vanderhoof.*

The application

1. The Commission received an application by Prescott Sandhu, on behalf of a not for profit corporation to be incorporated, for a broadcasting licence to operate an English-language religious Type B community FM radio programming undertaking in Vanderhoof, British Columbia. The proposed station would operate at 100.7 MHz (channel 264LP) with an effective radiated power of 50 watts.
2. The applicant indicated that the proposed station would broadcast 126 hours of programming in each broadcast week and that it would primarily serve the needs of the local religious community. In each broadcast week, a minimum of 90% of all musical selections broadcast by the proposed station would be drawn from subcategory 35 (Non-classic religious), as set out in *Revised content categories and subcategories for radio*, Public Notice CRTC 2000-14, 28 January 2000. The proposed station would also broadcast a minimum of 21 hours of religious spoken word programming in each broadcast week, as defined in *Religious Broadcasting Policy*, Public Notice CRTC 1993-78, 3 June 1993 (the Religious Policy). The applicant indicated that this religious spoken word programming would include two hours of balance programming; that is, programming that offers differing views on religion and matters of public concern.
3. The proposed station would offer a minimum of 42 hours of local programming in each broadcast week, including local and regional news, sports, weather and current events. Approximately 5% of the weekly programming would consist of ethnic programming, some of which would be religious, directed to the Hindi- and Punjabi-speaking cultural groups in Vanderhoof. An additional 5% of the weekly programming would be in the French language.

4. The applicant stated that it would provide ongoing training and supervision to those volunteers from the community who wish to participate in the station's programming.
5. The applicant stated that there would be two types of memberships in the corporation to be formed: voting members and non-voting members. Voting members would be representatives of churches within the community that share a common faith and agree to the station's constitution and by-laws. Each of these churches would have one vote on the station's business matters. Non-voting members would be members of the community that attend church regularly, or members of the community that the board deems suitable for membership in the station.
6. The Commission received several interventions in support of this application.

Commission's analysis and determination

7. Because the applicant proposed to operate a religious community radio station, the Commission considered the application in light of the policy provisions set out in the Religious Policy and in the *Community Radio Policy*, Public Notice CRTC 2000-13, 28 January (the Community Policy).
8. Section 3.1(i) of the *Broadcasting Act* states that programming provided by the Canadian broadcasting system should be varied, balanced and, where possible, provide a reasonable opportunity for the public to be exposed to the expression of differing views on matters of public concern. Within that context, the Commission stipulated in the Religious Policy that it remains a principal tenet of the Canadian broadcasting system that licensees should provide balance on matters of public concern. The Commission added that, since it will continue to view religious matters as being of public concern, those who broadcast religious programming have an obligation to offer differing views on matters of general public concern and, at the same time, must expose the audience to different points of view on religion itself. Accordingly, the Commission expects applicants to provide details on how they intend to ensure balance in their programming, and how they would respond to complaints from the public about balance in programming.
9. The Community Policy states that the programming broadcast by community radio stations should be varied and provide a wide diversity of music and spoken word. The Community Policy also states that the licence for a community radio station should be held by a not-for-profit organization without share capital, whose structure provides for membership, management, operation and programming by members of the community at large.
10. In the present case, the Commission notes that the proposed program schedule reflects a preponderance of Christian music and religious spoken word programs. While the applicant did indicate that, in each broadcast week, the proposed station would broadcast two hours of spoken word programming that offers differing views on religion and matters of public concern, it did not provide any specific details regarding the nature or

origin of this balance programming. In addition, the applicant did not indicate how it would respond to complaints from listeners about balance in the proposed station's programming. Furthermore, in the Commission's view, the applicant's plans to limit membership in the corporation to be formed to those individuals who are members of a particular church, or to those whom the board deems suitable for membership might limit the station's ability to offer different views on matters of general public concern, including religious matters. Accordingly, the Commission is concerned that the proposed station would not offer a wide diversity of music and spoken word programming, or provide programming that expresses differing views on religion and matters of public concern.

11. The Commission also finds that the criteria that individuals from the community would have to meet to become voting members in the corporation to be formed would unreasonably restrict accessibility to the proposed station by members of the community at large. In the Commission's view, individuals from the community who do not belong to any particular church would be excluded from participating in the proposed community radio station. Accordingly, the Commission is concerned that the structure of the corporation that would hold the licence for the proposed religious community radio station would not provide for membership, management, operation and programming by members of the community at large.
12. In light of the foregoing, the Commission is not convinced that the proposed station would comply with the provisions of the Community Policy and of the Religious Policy. The Commission therefore **denies** the application by Prescott Sandhu, on behalf of a not for profit corporation to be incorporated, for a broadcasting licence to operate an English-language religious Type B community FM radio programming undertaking in Vanderhoof.

Secretary General

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