



Broadcasting Decision CRTC 2005-551

Ottawa, 23 November 2005

St. Andrews Community Channel Inc.
St. Andrews, New Brunswick

*Application 2004-1579-6
Public Hearing at Charlottetown, Prince Edward Island
3 October 2005*

English-language community-based low power television station in St. Andrews

*The Commission **approves** an application for a broadcasting licence to operate a low-power English-language community television station in St. Andrews. The new station will operate on UHF channel 26 with a transmitter power of 100 watts.*

The application

1. The Commission received an application by St. Andrews Community Channel Inc. (SACC) for a broadcasting licence to operate a not-for-profit English-language community-based low power television programming undertaking in St. Andrews, New Brunswick.
2. SACC is a “qualified corporation” as defined in the *Direction to the CRTC (Ineligibility of Non-Canadians)*, P.C. 1997-486, as amended by P.C. 1998-1268. For the past twelve years, SACC has functioned as a volunteer-based organization that produces community-based programming distributed by the local cable broadcasting distribution undertaking (BDU). SACC indicated that it would continue to produce programming for the local cable BDU should the current application be approved.
3. SACC indicated that the proposed station would initially broadcast a minimum of 14 hours of original programming each week, which would be augmented by local archived programming. All programming would be locally produced and would include segments dealing with youth, education, sporting events, bingo, community news and Town Council meetings. SACC stated that it would provide training to those in the community who wish to participate in station-produced programming.
4. The Commission did not receive any interventions in connection with this application.

Commission analysis and determinations

5. The Commission is satisfied that this application is consistent with the objectives and requirements relating to community-based low power television undertakings as set out in *Policy framework for community-based media*, Broadcasting Public Notice CRTC 2002-61, 10 October 2002 (Public Notice 2002-61). Accordingly, the Commission **approves** the application by St. Andrews Community Channel Inc. for a broadcasting licence to operate an English-language community-based low-power television programming undertaking in St. Andrews.
6. The station will operate on UHF channel 26, with a transmitter power of 100 watts.
7. The Commission reminds the applicant that, as noted in Public Notice 2002-61, the channels occupied by low-power television stations are unprotected. A low-power station that causes interference to a regular class station could be required to change its channel assignment, or to cease operation if no alternative channel can be found.
8. The Commission restates the determination it reached in Public Notice 2002-61 that community television programming undertakings are subject to the *Television Broadcasting Regulations, 1987* (the Regulations), including the requirements contained in section 10 of the Regulations pertaining to logs and records.
9. The terms governing the distribution of the programming of community-based low power television stations by BDUs are set out in the *Broadcasting Distribution Regulations*.
10. The Commission encourages the licensee to provide captioning of its programming as well as program description, commensurate with its resources, in order to meet the needs of its viewers with hearing or visual impairment.

Issuance of the licence

11. The licence will expire 31 August 2012 and will be subject to the **conditions** specified therein as well as to the **conditions** set out in the appendix to this decision.
12. The Commission reminds the licensee that, 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.

13. Furthermore, the licence for this undertaking will be issued once the licensee has informed the Commission in writing that it is prepared to commence operations. The undertaking must be operational at the earliest possible date and in any event no later than 24 months from the date of this decision, unless a request for an extension of time is approved by the Commission before 23 November 2007. In order to ensure that such a request is processed in a timely manner, it should be submitted at least 60 days before that date.

Secretary General

This decision is to be appended to the licence. It 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>

Appendix to Broadcasting Decision CRTC 2005-551

Conditions of licence

1. The licensee shall devote not less than 80% of the broadcast year to the broadcast of Canadian programs.
2. The licensee shall devote not less than 60% of the broadcast year to the broadcast of local programming, as defined in *Policy framework for community-based media*, Broadcasting Public Notice CRTC 2002-61, 10 October 2002.
3. The licensee shall adhere to the guidelines on gender portrayal set out in the Canadian Association of Broadcasters' (CAB) *Sex-role portrayal code for television and radio programming*, as amended from time to time and approved by the Commission. The application of the foregoing condition of licence will be suspended as long as the licensee remains a member in good standing of the Canadian Broadcast Standards Council (CBSC).
4. The licensee shall adhere to the provisions of the CAB's *Broadcast code for advertising to children*, as amended from time to time and approved by the Commission.
5. The licensee shall adhere to the guidelines on the depiction of violence in television programming set out in the CAB's *Voluntary code regarding violence in television programming*, as amended from time to time and approved by the Commission. The application of the foregoing condition of licence will be suspended as long as the licensee remains a member in good standing of the CBSC.