



Broadcasting Decision CRTC 2006-111

Ottawa, 29 March 2006

United Christian Broadcasters Canada
Chatham, Ontario

Application 2005-0669-4
Public Hearing in the National Capital Region
16 January 2006

Christian music, English-language FM radio station in Chatham

*In this decision the Commission **approves** an application by United Christian Broadcasters Canada for a broadcasting licence to operate an English-language specialty FM radio station at Chatham, Ontario that will broadcast Christian music.*

The application

1. The Commission received an application by United Christian Broadcasters Canada (UCB) for a broadcasting licence to operate an English-language commercial, specialty FM radio programming undertaking at Chatham, Ontario. The proposed station would operate at 89.3 MHz (channel 207B) with an effective radiated power of 16,700 watts.
2. The new station would provide a Christian music service. It would operate in the specialty format, with at least 90% of all music drawn from subcategory 35 (non-classic religious). The applicant indicated that 15% of all musical selections broadcast from category 3 (special interest music) would be devoted to Canadian selections. This level would exceed the 10% Canadian content for category 3 music required by the *Radio Regulations, 1986*.
3. The majority of the proposed station's programming would be produced locally, although some programs would be supplied by CKJJ-FM Belleville, also owned by UCB. News, weather, and sports would be broadcast hourly on weekdays until 10 p.m.
4. Other spoken word programming would include religious programming, as defined in *Religious Broadcasting Policy, Public Notice CRTC 1993-78, 3 June 1993* (the Religious Broadcasting Policy). The applicant indicated that a maximum of 25% of the broadcast week could be devoted to religious programs, some of which would be obtained from other sources. To provide balance in the presentation of issues of the day, the applicant stated that interviews would be pre-recorded so that, by the time of broadcast, an opportunity would be made available for the presentation of an alternate viewpoint. The applicant also indicated that it would adhere to the guidelines on ethics for religious programming set out in the Religious Broadcasting Policy.

5. The applicant indicated that it would participate in the plan developed by the Canadian Association of Broadcasters for contributions by radio licensees to Canadian talent development (CTD). Under this plan, a radio licensee serving a community the size of Chatham would normally be required to contribute a minimum of \$400 in each broadcast year to eligible third parties for the development of Canadian musical and other artistic talent. In addition to that contribution, the applicant indicated that it would make contributions to CTD of \$1,600 in each year of a seven-year licence term. The \$1,600 annual contribution would include studio recording time for the winner of an annual talent contest, out-of-pocket expenses made by the host of a program to be called *Canadian Made* and financial contributions to recording artists.
6. The Commission received numerous interventions in support of this application.

Commission's analysis and determination

7. Given the nature of this niche service, the Commission is satisfied with the local programming plans outlined in the application.
8. As stated in the Religious Broadcasting Policy, licensees who broadcast religious programming have an obligation to provide balance in their programming. The Commission also noted a number of mechanisms that would assist licensees in achieving balance, including scheduling of periods for listener reactions, providing access to complainants, searching out alternative points of view, producing or acquiring programming, and providing access to other local faith groups. The Commission encourages the applicant to seek Canadian sources for religious programming.
9. The Commission has reviewed the applicant's CTD commitments, and notes that the overall CTD commitment exceeds the level required of stations licensed to serve communities the size of Chatham. While the Commission is satisfied that the proposed expenses related to an annual talent contest (\$500) and annual contributions to recording artists (\$500) are eligible CTD expenditures, it considers that the proposed expenditures related to the program *Canadian Made* does not qualify as a direct expenditure as set out in Appendix 1 of *An FM Policy for the Nineties*, Public Notice CRTC 1990-111, 17 December 1990. Accordingly, the Commission expects the licensee to submit a report, within three months of the date of this decision, indicating how it will re-allocate to eligible CTD expenses the remaining portion of its \$1,600 annual commitment.
10. The Commission **approves** the application by United Christian Broadcasters Canada for a broadcasting licence to operate an English-language, commercial specialty FM radio programming undertaking in Chatham. The station will operate at 89.3 MHz (channel 207B) with an effective radiated power of 16,700 watts.
11. The licence will expire 31 August 2012 and will be subject to the **conditions** set out in *New licence form for commercial radio stations*, Public Notice CRTC 1999-137, 24 August 1999, with the exception of condition number 8. The licence will also be subject to the **conditions** set out in the appendix to this decision.

Issuance of the licence

12. The Department of Industry (the Department) has advised the Commission that, while this application is conditionally technically acceptable, it will only issue a broadcasting certificate when it has determined that the proposed technical parameters will not create any unacceptable interference with aeronautical NAV/COM services.
13. The Commission reminds the applicant that, pursuant to section 22(1) of the *Broadcasting Act*, no licence may be issued until the Department notifies the Commission that its technical requirements have been met, and that a broadcasting certificate will be issued.
14. Furthermore, the licence for this undertaking will be issued once the applicant 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 29 March 2008. 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 2006-111

1. The licence will be subject to the conditions set out in *New licence form for commercial radio stations*, Public Notice CRTC 1999-137, 24 August 1999 (Public Notice 1999-137), with the exception of condition number 8.
2. The station shall be operated within the Specialty format as defined in *A Review of Certain Matters concerning Radio*, Public Notice CRTC 1995-60, 21 April 1995, and *Revised Content Categories and Subcategories for Radio*, Public Notice CRTC 2000-14, 28 January 2000, as amended from time to time.
3. The licensee shall ensure that, during each broadcast week, not less than 90% of all musical selections broadcast are drawn from subcategory 35 (non-classic religious).
4. The licensee shall, as an exception to the percentage of Canadian musical selections set out in section 2.2(3) of the *Radio Regulations, 1986*, in any broadcast week devote in that week a minimum of 15% of its musical selections from category 3 (Special interest music) to Canadian selections.
5. In addition to the expenditures required under condition of licence number 5 set out in Public Notice 1999-137, the licensee shall make annual direct expenditures of at least \$1,600 on the development and promotion of Canadian talent. This additional annual contribution shall be distributed as follows:
 - \$500 for a talent contest,
 - \$500 for contributions to recording artists, and
 - \$600 for other eligible direct cost expenditures, in line with the guidelines set out in Appendix 1 of *An FM Policy for the Nineties*, Public Notice CRTC 1990-111, 17 December 1999.
6. Where the licensee broadcasts religious programming as defined in the *Religious Broadcasting Policy*, Public Notice CRTC 1993-78, 3 June 1993, the licensee shall adhere to the guidelines set out in sections III.B.2.a) and IV. of that public notice with respect to the provision of balance and ethics in religious programming, as amended from time to time.