



Broadcasting Decision CRTC 2006-80

Ottawa, 15 March 2006

Radio Chalom

Montréal, Quebec

Application 2004-0039-1

Public Hearing in the National Capital Region

14 November 2005

Religious AM radio station in Montréal

*The Commission **approves** an application by Radio Chalom to operate a commercial religious AM radio station in French (60%), English (30%) and Hebrew (10%) in Montréal. The proposed station will primarily serve Montréal's Jewish community, replacing the service currently offered by Radio Chalom on the subsidiary communications multiplex operation (SCMO) facilities of CIRA-FM Montréal.*

The application

1. The Commission received an application by Radio Chalom, a not-for-profit corporation, for a broadcasting licence to operate a commercial religious AM radio programming undertaking in French (60%), English (30%) and Hebrew (10%) in Montréal at 1650 kHz with a transmitter power of 1,000 watts, day and night.
2. The applicant indicated that at least 90% of all the musical selections aired in each broadcast week would be drawn from content category 3 (Special interest music). At least 12% of the content category 3 musical selections aired in each broadcast week would be Canadian.
3. In each broadcast week, the station would broadcast at least 90 hours of local programming. Radio Chalom stated that 33% of its weekly programming, or almost 42 hours, would be devoted to spoken word programming and would include at least 11 hours of news and information programs. News programming would be broadcast 16 times each day and would include twelve 3-minute news bulletins and four 10- to 15-minute new bulletins. They would cover local, regional, national and international news, sports, traffic reports, weather forecasts and information on community services and entertainment.

Balance in religious programming

4. The applicant added that, in each broadcast week, the station would air 100 hours of religious programming, of which 18 hours would be devoted to programs intended to ensure balanced programming. Radio Chalom planned to broadcast 90% Canadian religious programs and 10% acquired programs.
5. Radio Chalom stated that it would comply with a condition of licence requiring that the station broadcast 18 hours of balanced programming each week.
6. Radio Chalom affirmed that balance in its programming would be a fundamental principle. The station would offer programming that provides differing views on issues and events presented during its primary programming, including the presentation of different religions. In addition, 15% of the weekly air time would be devoted to programs produced by other religious groups. The balanced programming would include programs originating with the Communauté Catholique Congolaise de Montréal and the Association socio-culturelle bulgare. Other spoken word programming would include *La religion au Québec*, a review of the various aspects of religion within Quebec geopolitics, and *Hindu tradition Sanatan Dharma*, a program about various aspects of Hinduism.
7. The applicant indicated that an ethics and balance monitoring committee, composed of representatives from the Jewish and other religious cultures, would oversee the balanced programming.
8. The applicant confirmed that it would comply with a condition of licence regarding the guidelines on balance and ethics set out in *Religious Broadcasting Policy*, Public Notice CRTC 1993-78, 3 June 1993 (the Religious Policy), whenever it broadcast any religious programming as defined in this policy.

Canadian talent development

9. The applicant did not propose to take part in the plan developed by the Canadian Association of Broadcasters (CAB). Instead, the applicant made a commitment to direct its Canadian talent development expenditures for third parties to one or more contests for emerging talent organized on the station's air time, or to paying the amounts to MusicAction. The applicant made a commitment to contribute a minimum of \$35,000 over the licence term, in direct cost expenditures, starting at \$2,000 in the first year, and increasing by increments of \$1,000 annually to a minimum of \$8,000 by the seventh year.

Interventions

10. The Commission received interventions opposing this application and a comment by the Association québécoise de l'industrie du disque, du spectacle et de la vidéo (ADISQ).
11. ADISQ raised concerns about the level of contributions for Canadian talent development. It submitted that Radio Chalom's commitment to devote 20% annually of its earnings before interest and taxes (EBIT) to support Canadian talent was unacceptable. ADISQ claimed that the applicant would only pay a total amount of \$7,700 over the licence term. In addition, ADISQ pointed out that these contributions would not meet the minimum amounts required for the Montréal market, which is \$27,000 per year.
12. Canadian Hellenic Cable Radio Ltd. (CHCR), the licensee of CKDG-FM Montréal, expressed concern regarding the process by which the Commission announced this application without first issuing a call for applications. CHCR noted that the Commission had recently approved four radio stations in Montréal and stated that it was simply too early to consider others. According to CHCR, the Montréal market needs time to adjust and find a fair balance. CHCR was also concerned about the impact that Radio Chalom would have on the intervener's own station since Radio Chalom would offer ethnic or [TRANSLATION] "cultural" programming.
13. Association des radiodiffuseurs communautaires du Québec (ARCQ) submitted that Radio Chalom has already had an impact on the operations of community radio station CINQ-FM Montréal since many of its volunteers had been recruited by Radio Chalom. According to the intervener, the applicant also proposed certain content that is already offered in CINQ-FM's programming. ARCQ contended that CINQ-FM's programs could lose listeners due to the introduction of the new station.

Applicant's replies

14. In response to ADISQ's intervention, Radio Chalom stated that it is a not-for-profit corporation and that it is not required to make direct expenditures on Canadian talent development. Radio Chalom reiterated that it planned to contribute \$2,000 for this purpose in the first year and to increase that amount every year thereafter to a total of \$8,000 in the seventh year of the licence term.
15. In response to the concerns raised by CHCR and ARCQ, Radio Chalom stated that it would operate a not-for-profit religious Jewish radio station that would target a religious Jewish audience. It added that it currently broadcasts on the subsidiary communications multiplex operation (SCMO) facilities of CIRA-FM Montréal and that it relies on volunteers. According to the applicant, the fact that Radio Chalom would be broadcasting on the AM band would not significantly increase its impact on the operations of CKDG-FM and CINQ-FM.

Commission's analysis and determination

16. The Commission considers that the proposed service will have had a rather limited commercial impact on the Montréal market. The station will target a limited, specialty audience and the forecasted advertising revenues are generally modest. Accordingly, in the circumstances, the Commission determined that a call for applications was not necessary. In *The issuance of calls for radio applications*, Public Notice CRTC 1999-111, 8 July 1999, the Commission stated that it would not issue a call for applications in certain specific cases, including applications for low-power stations and other proposals with very little or no commercial potential.
17. The Commission has considered the concerns expressed by the opposing interveners regarding the potential negative impact that the applicant's new AM station could have on CKDG-FM and CINQ-FM. The Commission is satisfied that the addition of this new station will increase the diversity of radio services available in the Montréal market without having an undue negative impact on incumbent radio stations in the market since the service is already offered on an SCMO channel in the market and it will have minimal commercial impact, as discussed above.
18. With respect to the applicant's commitment to Canadian talent development, the Commission finds that the proposed amount is acceptable considering the limited revenues that the new station will be able to generate.
19. In light of the above, the Commission **approves** the application by Radio Chalom for a broadcasting licence to operate a commercial religious AM radio programming undertaking in Montréal at 1650 kHz with a transmitter power of 1,000 watts, day and night.
20. 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 of licence number 5. The licence will also be subject to the **conditions** set out in the appendix to this decision.

Issuance of the licence

21. The Commission reminds the applicant that, pursuant to subsection 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.

22. 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 15 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 this 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 2006-80

Conditions of licence

1. The licence shall 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 5.
2. A minimum of 90% of all musical selections broadcast during each broadcast week shall be devoted to selections drawn from content category 3 (Special interest music), as set out in *Revised Content Categories and Subcategories for Radio*, Public Notice CRTC 2000-14, 28 January 2000.
3. 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*, devote, in each broadcast week, at least 12% of its content category 3 (Special interest music) musical selections to Canadian selections.

For the purposes of this condition, the terms “broadcast week,” “Canadian selection,” “content category” and “musical selection” shall have the same meaning as that set out in the *Radio Regulations, 1986*.

4. 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.
5. During each broadcast week, the licensee shall broadcast no less than 18 hours of balanced programming.
6. The licensee shall devote a total of \$35,000 over seven years in direct expenditures to support the development of Canadian talent development based on the following annual budgets:

Year 1	\$2,000
Year 2	\$3,000
Year 3	\$4,000
Year 4	\$5,000
Year 5	\$6,000
Year 6	\$7,000
Year 7	\$8,000