



Broadcasting Decision CRTC 2008-288

Ottawa, 17 October 2008

Various applicants

Edmonton and various locations in Alberta

*Public Hearing in Edmonton, Alberta
27 May 2008*

Licensing of new radio stations to serve Edmonton, Alberta

*The Commission **approves** the application by Aboriginal Multi-Media Society of Alberta for a broadcasting licence to operate a new English- and Aboriginal-language Native Type B FM radio station to serve Edmonton, Alberta along with 36 transmitters to serve communities across Alberta.*

*The Commission also **approves** the applications by John Charles Yerxa, on behalf of a corporation to be incorporated, and Rawlco Radio Ltd. for broadcasting licences to operate new English-language commercial FM radio stations to serve Edmonton.*

*The Commission **approves in part** the applications by CTV Limited and Harvard Broadcasting Inc. for broadcasting licences to operate new English-language commercial FM radio stations to serve Edmonton. Within 90 days of the date of this decision, each of these applicants must submit an amendment to their respective applications proposing the use of an FM frequency other than 107.1 MHz (channel 296C1) that is acceptable to both the Commission and the Department of Industry.*

*The Commission **denies** the remaining applications for broadcasting licences to operate radio stations to serve Edmonton.*

Introduction

1. At a public hearing commencing 27 May 2008 in Edmonton, Alberta, the Commission considered 14 applications for new radio programming undertakings to serve Edmonton, some of which are mutually exclusive on a technical basis. The applicants were as follows:
 - Aboriginal Multi-Media Society of Alberta
 - Black Gold Broadcasting Inc., on behalf of a corporation to be incorporated
 - CIAM Media Broadcasting Association
 - CTV Limited
 - Don Kay, on behalf of a corporation to be incorporated
 - Evanov Communications Inc., on behalf of a corporation to be incorporated

- Harvard Broadcasting Inc.
 - Frank Torres, on behalf of a corporation to be incorporated
 - Guldasta Broadcasting Inc.
 - Jim Pattison Broadcast Group Ltd. (the general partner) and Jim Pattison Industries Ltd. (the limited partner), carrying on business as Jim Pattison Broadcast Group Limited Partnership
 - John Charles Yerxa, on behalf of a corporation to be incorporated
 - Multicultural Broadcasting Corporation Inc.
 - Rawlco Radio Ltd.
 - Rogers Broadcasting Limited
2. Aboriginal Multi-Media Society of Alberta (AMMSA) proposed to operate an English- and Aboriginal-language Native Type B FM radio station with 36 FM transmitters serving communities across Alberta. Of the remaining applicants, twelve proposed to operate commercial FM radio stations, of which two would be ethnic, and one proposed a Type B community ethnic FM radio station.
 3. As part of this process, the Commission received and considered interventions with respect to each application. The public record for this proceeding is available on the Commission’s website at www.crtc.gc.ca under “Public Proceedings.”
 4. After reviewing the applications and interventions, the Commission is of the view that the primary issues to be considered are as follows:
 - Can the Edmonton radio market sustain additional radio services without an undue negative impact on existing stations?
 - If so, which of the applications should be approved, in light of the factors identified in Broadcasting Public Notice 2007-127 (the Call)?

The Edmonton radio market and its ability to sustain new stations

5. The geographic outline of the BBM Canada Edmonton Central radio market mirrors that of the Edmonton Census Metropolitan Area (CMA) and encompasses the Edmonton, St-Albert, Sherwood Park, Spruce Grove, Fort Saskatchewan and Leduc communities.
6. The Edmonton radio market is currently served by 16 commercial stations, including one ethnic station. Of these, 11 are FM stations and four are AM stations based in Edmonton while one is an AM station based in Camrose, Alberta. The three largest commercial ownership groups operating in the Edmonton market are Corus Radio Company, Astral Media Group and Newcap Inc. Combined, these broadcasters capture more than two-thirds of total radio tuning.
7. The Edmonton radio market is also currently served by one English- and Aboriginal-language Native Type B station operated by Aboriginal Voices Radio.

8. From 2003 to 2007, total revenues grew at a compound annual rate of 9.8% in the Edmonton radio market, compared to 9.9% for the province of Alberta and 6% for all of Canada over the same period.
9. In 2007, the Edmonton radio market recorded a profit before interest and tax (PBIT) of 26.7%, slightly above Alberta's PBIT of 26.4% in 2007 and well above Canada's 2007 PBIT of 20%. Furthermore, the Edmonton market recorded an average annual PBIT of 26.4% between 2003 and 2007.
10. An economic outlook for 2008 released by the Edmonton Economic Development Corporation (EEDC) in November 2007 predicts continued strong economic growth in the region. According to the EEDC, this growth will be driven primarily by rising energy prices, continued investment in the oil sands, strong construction activity, growth in personal income and healthy consumer spending.
11. The Conference Board of Canada (CBOC) estimates that retail sales in Edmonton will grow at a compound annual rate of 6.1% between 2007 and 2012, compared to 5.4% for all of Canada.
12. According to Statistics Canada's 2006 Census, the population of the Edmonton CMA was 1,034,945. The population had increased by 10.4% from the 2001 Census, as compared to 10.6% for Alberta and 5.4% for Canada during the same period. Moreover, according to the CBOC, the population of Edmonton is expected to increase a further 12.9% by 2012.
13. Edmonton's Aboriginal population grew by over 11,000 people from the 2001 Census to reach 52,100 in 2006.
14. According to the 2006 Census, 76.7% of individuals residing in the Edmonton CMA reported their mother tongue as being English. After English, the breakdown of Edmonton's population by mother tongue is fragmented with only Chinese (3.7%) accounting for more than 2% of the total population. For the 2006 Census, a total of 38,000 Edmonton residents listed Chinese as their mother tongue, another 14,000 listed Punjabi and 11,500 indicated Tagalog.
15. Based on the evidence that the Edmonton radio market is healthy and given the current and projected strong economic and population growth in this market, the Commission is satisfied that the Edmonton radio market could support the licensing of the Native Type B radio station proposed by AMMSA as well as four new commercial radio stations without experiencing an undue economic impact.
16. Although the Commission acknowledges that several of Edmonton's largest ethnic communities, namely Chinese, South Asian and Filipino, experienced considerable growth between 2001 and 2006, their size relative to Edmonton's total population remains modest. Based on this, as well as the modest revenue growth and weak overall financial performance of Edmonton's existing ethnic radio station (CKER-FM), the Commission is not convinced that there is sufficient demand to support the addition of another ethnic radio station in Edmonton at this time.

Assessment of the applications

Application for a new Native Type B station

17. The Commission considered AMMSA's application in light of the factors identified in the Call as well as against the background of Public Notice 1990-89 (the Native Broadcasting Policy).
18. AMMSA currently operates CFWE-FM, a radio station with studio facilities in Edmonton, which distributes its signal via satellite to a network of 35 FM transmitters serving isolated or underserved Aboriginal communities in Alberta. Currently, none of its transmitters serve Edmonton. CFWE-FM's programming is specifically oriented to the Native communities it serves and reflects their culture and interests. In the present configuration, CFWE-FM and its transmitters meet the exemption criteria set out in Public Notice 1998-62 and are exempted from licensing and most sections of the *Radio Regulations, 1986* (the Regulations).
19. In its application, AMMSA indicated that it wishes to implement an originating station in Edmonton, add a new transmitter in Fort McMurray and continue operating the existing 35 transmitters. The Commission notes that, under AMMSA's proposal, CFWE-FM and its FM transmitters would no longer meet the exemption criteria. Further, given the incumbent commercial radio stations in Edmonton and Fort McMurray, AMMSA would need to obtain a broadcasting licence to operate a Type B Native radio station to carry out its proposal.
20. AMMSA affirmed that it has no plans to change the focus of its programming. It committed to continue serving the needs of Aboriginal peoples in small communities throughout Alberta and indicated that it is seeking to attract Aboriginal people who have moved to the urban centres of Edmonton and Fort McMurray.
21. Under the Native Broadcasting Policy, Native undertakings are defined by their ownership which, through their not-for-profit status, allows for membership on the board by the Aboriginal population of the region served. The Commission is satisfied that AMMSA is a not-for-profit corporation, which provides for board membership by the Aboriginal population of the region served by the proposed undertaking.
22. The Native Broadcasting Policy specifies that the orientation of Native undertakings should be toward an Aboriginal culture reflecting their needs and interests. AMMSA's proposed Native Type B FM station will operate in a country music format that will appeal to Aboriginal people both in urban areas and in smaller communities. In each broadcast week, the proposed station will offer 116 hours of local programming and 23 hours of spoken word programming. The applicant committed that, in each broadcast week, at least 7 hours of spoken word programming will be in an Aboriginal language, 20% of all musical selections will be performed by Aboriginal talent and 5% of musical selections will be in an Aboriginal language. **Conditions of licence** requiring AMMSA to abide by those commitments are set out in the appendix to this decision.

23. Given the significant Aboriginal population in Edmonton, which is projected to continue to grow, the Commission is of the view that an additional Native radio station in that market will provide a social benefit through the increased exposure of Aboriginal cultures and perspectives. Further, the Commission considers that approval of AMMSA's application would contribute to the fulfilment of the objectives of the *Broadcasting Act* that the Commission ensure a place for Aboriginal persons and programming that reflects the Aboriginal cultures of Canada within the Canadian broadcasting system as resources become available for that purpose.

Applications for new commercial stations

24. Having determined that there is room in the Edmonton radio market for four additional mainstream commercial services, the Commission has considered the applications to serve Edmonton in light of the factors relevant to the evaluation of the applications outlined in the Call, which include the factors set out in Decision 99-480:
- the diversity of news voices;
 - the quality of the application;
 - addressing the Edmonton radio market in terms of underserved listeners; and
 - the competitive state of the radio market and the level of market impact.
25. Details from the applications are set out in Appendix 1 to this decision.
26. Having considered all of the applications in light of the criteria set out above, the Commission finds that the proposals by John Charles Yerxa, on behalf of a corporation to be incorporated (Yerxa), Rawlco Radio Ltd. (Rawlco), CTV Limited (CTV) and Harvard Broadcasting Inc. (Harvard) best meet the needs of the Edmonton radio market. The Commission is satisfied that each of these applicants presented viable business plans and clearly demonstrated the capacity to fulfil their respective plans.
27. The Commission notes that each of these applicants committed, by condition of licence, to devote at least 40% of all category 2 (Popular music) selections aired in each broadcast week and between 6:00 a.m. and 6:00 p.m., Monday to Friday, to Canadian selections. These levels exceed the minimum regulatory requirement set out in the Regulations and will therefore provide enhanced exposure for Canadian popular music and ensure that each station will be obligated to maintain a high level of musical diversity throughout the licence term. **Conditions of licence** requiring each of these applicants to abide by those commitments are set out in the appendices to this decision.

28. As of 1 September 2008, all commercial radio licensees must adhere to the requirements relating to contributions to Canadian content development (CCD) set out in section 15 of the Regulations, as amended by *Regulations Amending the Radio Regulations, 1986*, SOR/2008-177, 28 May 2008, announced in Broadcasting Public Notice 2008-67. The Commission notes that Yerxa, Rawlco, CTV and Harvard all made commitments to exceed the minimum contributions to CCD. **Conditions of licence** requiring each of these applicants to abide by those commitments are set out in the appendices to this decision.

Yerxa

29. The Commission notes that Yerxa will be a new player both in the Edmonton market and in the Canadian radio industry. As such, approval of its application will enhance the diversity of voices in the Edmonton market by introducing a new news voice as well as enhance the overall diversity of the Canadian broadcasting system.
30. Yerxa proposed to offer a Young Variety music format targeted to listeners between the ages of 12 and 34 years. At the hearing, Yerxa described Young Variety as a musically diverse format that features a wider selection of new music with a mix of new rock, hip-hop, dance and alternative pop. At least 80% of the musical selections will be those released in the previous six months. In the Commission's view, this innovative music format will appeal to listeners in Edmonton that are currently underserved.
31. Yerxa indicated that it will repatriate its chosen demographic to radio by offering varied musical selections and by interacting extensively with its listeners, including on-line over social platforms such as Facebook.
32. Yerxa's proposed station will provide significant local reflection. All of the programming will be local and live-to-air. In each broadcast week, 10 hours 32 minutes will be devoted to spoken word programming, including 2 hours of pure news. At least 90% of the news will be local. In addition, the station will, in each broadcast week, air 1 hour 18 minutes of weather, 1 hour of traffic reports, 24 minutes of sports, 28 minutes of entertainment and cultural reports, 1 hour 10 minutes of programming that spotlights emerging artists and 4 hours 12 minutes of announcer talk.
33. In addition, Yerxa committed to devote, over and above the basic annual contribution to CCD, a total of \$2,041,505 to CCD over seven consecutive broadcast years upon commencement of operations. Of this amount, at least 20% will be allocated to FACTOR. The remainder will be directed to eligible initiatives as follows: the Alberta Recording Industries Association and New Star.

Rawlco

34. At the hearing, Rawlco clarified that it proposed to offer an Adult Contemporary Hit Radio music format featuring new music and emerging artist music targeted to listeners aged 18 to 49 years.

35. Rawlco's proposed station will provide significant local reflection. All of the programming will be local and live-to-air. In each broadcast week, 16 hours 58 minutes will be devoted to spoken word programming including 3 hours 27 minutes of pure news. At least 75% of the news will be local. In addition, the station will, in each broadcast week, offer 1 hour 48 minutes of sports, 2 hours 21 minutes of weather, 1 hour of business reports, 40 minutes of traffic reports, 2 hours 6 minutes of community announcements, 1 hour 24 minutes of mosaic-style short form features such as reports on arts, music and, profiles as well as 4 hours 12 minutes of announcer background material on music and artists. The Commission notes that the proposed new station will benefit from operating and news gathering synergies with its incumbent station CHMC-FM.
36. Rawlco committed to devote, over and above the basic annual contribution to CCD, a total of \$4,911,250 to CCD over seven consecutive broadcast years upon commencement of operations. Of this amount, at least 20% will be allocated to FACTOR. The remainder will be directed to eligible initiatives as follows: Project 10K20, Showtime, Break-out Artist of the Year and promotion of emerging artists.
37. As part of its CCD contributions, Rawlco proposed to allocate a one-time contribution of \$60,000 as well as \$60,000 annually to meet the direct costs of a salary for a co-ordinator of Project 10K20. The Commission, however, finds that this proposal does not comply with the definition of eligible parties and initiatives set out in Broadcasting Public Notice 2006-158. As stated in that public notice:

contributions should be dedicated to initiatives that will provide high quality audio content for broadcast. All CCD initiatives must involve direct expenditures, and must be allocated to the support, promotion, training and development of Canadian musical and spoken word talent, including journalists.

38. Accordingly, the Commission requires Rawlco to direct the one-time contribution of \$60,000, as well as \$60,000 annually, as noted above to eligible parties and initiatives as defined in Broadcasting Public Notice 2006-158. The Commission notes that Rawlco agreed at the hearing that should this initiative be deemed ineligible, it would reallocate all of the associated funds to an eligible initiative.

CTV

39. CTV proposed to offer an Essential Alternative music format featuring alternative rock and alternative pop music targeted to adults between the ages of 25 and 44. CTV indicated that it will forge a relationship with its target audience, which it described as being early adopters of new media, through an extensive and interactive on-line presence.

40. CTV made a commitment to broadcast 126 hours of local programming during the broadcast week. In each broadcast week, at least 10 hours 12 minutes will be devoted to spoken word programming, including 2 hours 46 minutes of pure news. At least 70% of the news will be local. In addition, the station will, in each broadcast week, air 49 minutes of sports and business reports, 35 minutes of community information and 4 hours 20 minutes of announcer talk. The proposed new station will share physical facilities and will benefit from synergies with CTV's incumbent station, CHBN-FM.
41. In addition, CTV committed to devote, over and above the basic annual contribution to CCD, a total of \$10 million to CCD over seven consecutive broadcast years upon commencement of operations. Of this amount, at least 20% will be allocated to FACTOR. The remainder will be directed to eligible initiatives as follows: Essential "Start to Star", Alberta Showcase @ NXNE, Essential Day in the Park, Essential School of Rock, the National Campus/Community Radio Association and Grant MacEwan broadcast journalism scholarships.

Harvard

42. Harvard proposed to offer an Adult Album Alternative (Triple A) music format, a relatively new commercial format in Canada that draws on a broad range of musical genres. The proposed station will target primarily women in the 25 to 64 demographic which Harvard found to be an underserved audience in the Edmonton market. By condition of licence, a minimum of 15% of all music selections broadcast in each broadcast week will be devoted to music drawn from content category 3 (Special interest music). Accordingly, the Commission considers that Harvard's station will make a substantial contribution to the musical diversity in the Edmonton radio market.
43. Harvard's proposed station will introduce a new radio news voice to Edmonton and will thus further enhance the diversity of news voices in the market. In addition, the proposed station will benefit from synergies with Harvard's other operations in Alberta and Saskatchewan. These synergies will enable Harvard to offer a service that is locally and regionally reflective. All of the programming will be local and live-to-air. In each broadcast week, 22 hours 25 minutes will be devoted to spoken word programming, including 7 hours 29 minutes of pure news. At least 80% of the news will be local. In addition, the station will broadcast 2 hours 2 minutes of weather and traffic and 9 hours 27 minutes of announcer talk in each broadcast week.
44. In addition, Harvard committed to devote, over and above the basic annual contribution to CCD, a total of \$5,392,875 to CCD over seven consecutive broadcast years upon commencement of operations. Of this amount, at least 20% will be allocated to FACTOR. The remainder will be directed to eligible initiatives as follows: the University of Alberta, Grant MacEwan College, the Aboriginal Media Education Fund, the Alberta Music Industry Association, the Canadian Independent Recording Production Association (Canadian Blast), Edmonton Composers' Concert Society, the Edmonton Folk Festival, Canadian Music Week and New Music West.

Use of 107.1 MHz

45. The application by Yerxa proposing the use of the frequency 107.1 MHz was technically mutually exclusive with the applications by CTV and Harvard, which proposed the use of the same frequency. The Commission considers that the service proposed by Yerxa would make better use of that frequency than would the service proposed by CTV or Harvard. In light of the comments received at the public hearing, the Commission notes that alternative frequencies have been identified as being capable of serving the Edmonton radio market. Accordingly, CTV and Harvard will be required to consider using an alternative frequency to operate their respective proposed services.

Determinations

46. Based on all of the foregoing, the Commission **approves** the following application for a broadcasting licence to operate an English- and Aboriginal-language FM Type B Native radio programming undertaking in Edmonton with transmitters in 36 communities across Alberta, including Fort McMurray:

Aboriginal Multi-Media Society of Alberta
Application 2007-1238-2, received 28 August 2007

47. The terms and **conditions of licence** for this new service are set out in Appendix 2 to this decision.
48. The Commission also **approves** the following applications for broadcasting licences to operate English-language commercial FM radio programming undertakings in Edmonton:

John Charles Yerxa, on behalf of a corporation to be incorporated
Application 2008-0092-1, received 21 January 2008

Rawlco Radio Ltd.
Application 2008-0105-2, received 23 January 2008

49. The terms and **conditions of licence** for each of these new services are set out in Appendices 3 and 4 to this decision, respectively.
50. In addition, the Commission **approves in part** the following applications for broadcasting licences to operate English-language commercial FM radio programming undertakings in Edmonton:

CTV Limited
Application 2008-0111-9, received 23 January 2008

Harvard Broadcasting Inc.
Application 2008-0117-7, received 23 January 2008

51. The terms and **conditions of licence** for each of these new services are set out in Appendices 5 and 6 to this decision, respectively.
52. As set out in Appendices 5 and 6 to this decision, CTV and Harvard must each submit, within 90 days of the date of this decision, an amendment to their respective applications proposing the use of an FM frequency other than 107.1 MHz (channel 296C1) and related technical parameters that are acceptable to both the Commission and the Department of Industry.
53. In light of the above, the Commission **denies** the nine remaining applications for broadcasting licences to operate radio programming undertakings in Edmonton, as set out below:

Black Gold Broadcasting Inc., on behalf of a corporation to be incorporated
Application 2007-0994-1, received 10 July 2007

CIAM Media Broadcasting Association
Application 2007-0738-3, received 14 May 2007

Don Kay, on behalf of a corporation to be incorporated
Application 2008-0120-1, received 23 January 2008

Evanov Communications Inc., on behalf of a corporation to be incorporated
Application 2008-0110-2, received 23 January 2008

Frank Torres, on behalf of a corporation to be incorporated
Application 2008-0101-0, received 22 January 2008

Guldasta Broadcasting Inc.
Application 2008-0122-6, received 23 January 2008

Jim Pattison Broadcast Group Ltd. (the general partner) and Jim Pattison Industries Ltd. (the limited partner), carrying on business as Jim Pattison Broadcast Group Limited Partnership
Application 2008-0108-6, received 23 January 2008

Multicultural Broadcasting Corporation Inc.
Application 2008-0123-4, received 23 January 2008

Rogers Broadcasting Limited
Application 2008-0124-2, received 23 January 2008

54. Because Rawlco, CTV, and Harvard are subject to the Employment Equity Act and file reports concerning employment equity with the department of Human Resources and Social Development Canada, their employment equity practices are not examined by the Commission.

Secretary General

Related documents

- *Amendments to the Radio Regulations, 1986 – Implementation of the Commercial Radio Policy 2006 and the Digital Radio Policy – Regulatory Policy*, Broadcasting Public Notice CRTC 2008-67, 23 July 2008
- *Call for applications for a broadcasting licence to carry on a radio programming undertaking to serve Edmonton, Alberta*, Broadcasting Public Notice CRTC 2007-127, 14 November 2007
- *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006
- *Revised content categories and subcategories for radio*, Public Notice CRTC 2000-14, 28 January 2000
- *Introductory statement – Licensing new radio stations*, Decision CRTC 99-480, 28 October 1999
- *New licence form for commercial radio stations*, Public Notice CRTC 1999-137, 24 August 1999
- *Exemption order respecting certain native radio undertakings*, Public Notice CRTC 1998-62, 9 July 1998
- *Implementation of an employment equity policy*, Public Notice CRTC 1992-59, 1 September 1992
- *Native Broadcasting Policy*, Public Notice CRTC 1990-89, 20 September 1990

This decision and the appropriate appendix are to be appended to each licence. This document 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 1 to Broadcasting Decision CRTC 2008-288

Details from the applications for new broadcasting licences for FM radio programming undertakings to serve Edmonton, Alberta

Applicant	Details from the application
Aboriginal Multi-Media Society of Alberta Application 2007-1238-2	<p>Type: Addition of transmitters at Edmonton and Fort McMurray and subsequent licensing of its current Native Type-A radio programming undertaking as a Native Type-B radio programming undertaking</p> <p>Technical parameters: Edmonton: 98.5 MHz (channel 253B1), average effective radiated power of 9,300 watts Fort McMurray: 94.5 MHz (channel 233B), average effective radiated power of 10,700 watts</p> <p>Format: Native Type-B service, country music, with some traditional music. Of all musical selections aired, 20% will be performed by Aboriginal talent and 5% will be in an Aboriginal language.</p> <p>Target audience: general target individuals of Aboriginal origins, without particular focus on age or gender</p> <p>Canadian content (music): 35% category 2*</p> <p>Local programming per broadcast week***: 116 hours</p> <p>Spoken word programming per broadcast week***: 23 hours of which at least 7 hours will be in an Aboriginal language (including Cree, Blackfoot, Sioux and Mischif)</p> <p>Canadian content development contribution (over basic annual contribution): does not apply to Native Type-B stations</p>
Guldasta Broadcasting Inc. Application 2008-0122-6	<p>Type: Ethnic commercial FM radio programming undertaking</p> <p>Technical parameters: 98.5 MHz (channel 253B), effective radiated power of 7,300 watts</p> <p>Format: Contemporary South Asian popular music, such as Banghra and Bollywood sounds, and traditional and cultural music from the various communities that will be served</p> <p>Groups and languages: Will direct ethnic programming to a minimum of eight groups in a minimum of seven languages</p> <p>Ethnic programming: 100% of its weekly programming would be ethnic programming</p> <p>Third language programming: 90% of its weekly programming would be third-language programming</p> <p>Target audience: general target 18 to 54 years, core target 35 to 54 years</p> <p>Canadian content (music): 35% category 2; 12% category 3** ; 12% during ethnic programming periods</p> <p>Local programming per broadcast week: 126 hours</p> <p>Spoken word programming per broadcast week: 38 hours 36 minutes</p> <p>News programming per broadcast week: 6 hours 32 minutes**** (50% local)</p> <p>Canadian content development contribution (over basic annual contribution): \$134,343 over seven consecutive broadcast years</p> <p>Emerging artists programming per broadcast week: 10%</p> <p>Hit material*****: N/A</p>

**Multicultural
Broadcasting
Corporation Inc.**

Application 2008-0123-4

Type: Ethnic commercial FM radio programming undertaking
Technical parameters: 95.7 MHz (channel 239B), average effective radiated power of 10,600 watts
Format: 62% music programming in 20 languages per week; 80% subcategory 33 – World Beat and International
Groups and languages: Will direct ethnic programming to a minimum of 23 groups in a minimum of 20 languages
Ethnic: 100% of its weekly programming would be ethnic programming
Third language: 96% of its weekly programming would be third-language programming
Target audience: general target 15 to 49 years, for the most recently migrated immigrant groups, such as Punjabi or Hindi speaking listeners; core target 35+ for more established ethnic communities such as Italian, Ukrainian or Polish speaking listeners.
Canadian content (music): 35% category 2; 10% category 3; 10% during ethnic programming periods
Local programming per broadcast week: 116 hours
Spoken word programming per broadcast week: 47 hours 30 minutes
News programming per broadcast week: 6 hours (70% local)
Canadian content development contribution (over basic annual contribution): \$351,494 over seven consecutive broadcast years
Emerging artists programming per broadcast week: 4% in category 3
Hit material: N/A

**CIAM Media
Broadcasting
Association**

Application 2007-0738-3

Type: Type B Community Ethnic FM radio programming undertaking
Technical parameters: 107.3 MHz (channel 297A1), effective radiated power of 250 watts
Format: Ethnic programs to a minimum of 10 ethnic groups in a minimum of 10 languages, in each broadcast week; 98.4% ethnic programming
Target audience: community at large
Canadian content (music): 35% category 2; 12% category 3; 7% during ethnic programming periods
Local programming per broadcast week: 126 hours
Spoken word programming per broadcast week: 32 hours 54 minutes
News programming per broadcast week: 7 hours 21 minutes (50% local)
Canadian content development contribution (over basic annual contribution): Does not apply to community radio stations
Live-to-air programming per broadcast week: 49 hours
Voice-tracked or automated programming per broadcast week: 77 hours

**Frank Torres, on behalf
of a corporation to be
incorporated**
Application 2008-0101-0

Type: English-language commercial FM radio programming undertaking
Technical parameters: 107.3 MHz (channel 297C1), average effective radiated power of 66,834 watts
Format: Blues music of which 70% of the musical selections will be mainstream blues rock music and rhythm and blues artists from category 2 and a minimum of 25% will be musical selections from sub-category 34 (Jazz and Blues)
Target audience: general target 25 to 54 years; core target 40 to 50 years
Canadian content (music): 40% category 2; 25% category 3
Local programming per broadcast week: 120 hours minimum
Spoken word programming per broadcast week: 15 hours 29 minutes 24 seconds
News programming per broadcast week: 8 hours 33 minutes 13 seconds (60% local, 20% regional and 20% international)
Canadian content development contribution (over basic annual contribution): \$1,455,954.29 over seven consecutive broadcast years
Live-to-air programming per broadcast week: 126 hours
Emerging artists programming per broadcast week: 20%
Hit material: 49%

**Black Gold
Broadcasting Inc., on
behalf of a corporation
to be incorporated**
Application 2007-0994-1

Type: English-language commercial FM radio programming undertaking
Technical parameters: 102.3 MHz (channel 272B), average effective radiated power of 17,000 watts
Format: Classic Hits
Target audience: general target 25 to 54 years
Canadian content (music): 35% category 2
Local programming per broadcast week: 126 hours
Spoken word programming per broadcast week: 12 hours 51 minutes
News programming per broadcast week: 6 hours and 31 minutes (75% local)
Canadian content development contribution (including basic annual contribution): \$5,000 over seven consecutive broadcast years
Live-to-air programming per broadcast week: 84 hours
Voice-tracked or automated programming per broadcast week: 42 hours
Emerging artists programming per broadcast week: 1.75%
Hit material: 49%

Rawlco Radio Ltd.
Application 2008-0105-2

Type: English-language commercial FM radio programming undertaking
Technical parameters: 102.3 MHz (channel 272C1), average effective radiated power of 51,000 watts
Format: Adult Contemporary Hit Radio
Target audience: general target 18 to 49 years; core target 30 to 40 years; would skew slightly to female listeners
Canadian content (music): 40% category 2
Local programming per broadcast week: 126 hours
Spoken word programming per broadcast week: 16 hours 58 minutes
News programming per broadcast week: 3 hours 27 minutes (75% local)
Canadian content development contribution (over basic annual contribution): \$4,911,250 over seven consecutive broadcast years including a one-time pre-operating contribution of \$387,500
Live-to-air programming per broadcast week: 126 hours
Emerging artists programming per broadcast week: 20%
Hit material: 49.9%

Don Kay, on behalf of a corporation to be incorporated
Application 2008-0120-1

Type: English-language commercial FM radio programming undertaking
Technical parameters: 107.1 MHz (channel 296C1), average effective radiated power of 40,000 watts
Format: Adult Alternative
Target audience: general target 30 to 64 years; core target 35 to 54 years
Canadian content (music): 40% category 2; 40% category 3
Local programming per broadcast week: 120 hours minimum
Spoken word programming per broadcast week: 22 hours 7 minutes
News programming per broadcast week: 4 hours 48 minutes (80% local)
Canadian content development contribution (over basic annual contribution): \$4,200,000 over seven consecutive broadcast years
Live-to-air programming per broadcast week: 126 hours
Emerging artists programming per broadcast week: 20%
Hit material: 49.9%

Rogers Broadcasting Ltd.
Application 2008-0124-2

Type: English-language commercial FM radio programming undertaking
Technical parameters: 102.3 MHz (channel 272C1), average effective radiated power of 51,000 watts (maximum ERP 100,000 watts)
Format: All News (Specialty format)
Target audience: general target 25 to 54 years; core target 35 to 49 years skewed slightly male
Local programming per broadcast week: 126 hours
Spoken word programming per broadcast week: 126 hours
News programming per broadcast week: approximately 69 hours 10 minutes (70% local)
Canadian content development contribution (over basic annual contribution): \$1,500,000 over seven consecutive broadcast years
Live-to-air programming per broadcast week: 126 hours

John Charles Yerxa, on behalf of a corporation to be incorporated
Application 2008-0092-1

Type: English-language commercial FM radio programming undertaking
Technical parameters: 107.1 MHz (channel 296C1), average effective radiated power of 40,000 watts
Format: Young Variety
Target audience: general target 12 to 34 years; core target 15 to 29 years; median age 22 and 52% female
Canadian content (music): 40% category 2
Local programming per broadcast week: 126 hours
Spoken word programming per broadcast week: 10 hours 32 minutes
News programming per broadcast week: 2 hours (90% local)
Canadian content development contribution (over basic annual contribution): \$2,041,505 over seven consecutive broadcast years
Live-to-air programming per broadcast week: 126 hours
Emerging artists programming per broadcast week: 20%
Hit material: 49.9%

Jim Pattison Broadcast Group Ltd. (the general partner) and Jim Pattison Industries Ltd. (the limited partner), carrying on business as Jim Pattison Broadcast Group Limited Partnership
Application 2008-0108-6

Type: English-language commercial FM radio programming undertaking
Technical parameters: 107.1 MHz (channel 296C1), average effective radiated power of 40,000 watts
Format: Adult Album Alternative (Triple A)
Target audience: general target 29 to 49 years, women; core target 35 to 44, women
Canadian content (music): 40% category 2; 20% subcategory 34 (Jazz and Blues)
Local programming per broadcast week: 126 hours
Spoken word programming per broadcast week: 23 hours 43 minutes
News programming per broadcast week: 6 hours (80% local)
Canadian content development contribution (over basic annual contribution): \$7,000,000 over seven consecutive broadcast years
Live-to-air programming per broadcast week: 122 hours 45 minutes
Voice-tracked or automated programming per broadcast week: 3 hours 15 minutes
Emerging artists programming per broadcast week: 15%
Hit material: 49.9%

CTV Limited

Application 2008-0111-9

Type: English-language commercial FM radio programming undertaking**Technical parameters:** 107.1 MHz (channel 296C1), effective radiated power of 40,000 watts**Format:** Essential Alternative (Alternative Rock and Alternative Pop)**Target audience:** general target 25 to 44 years, even balance male and female; core 30-40**Canadian content (music):** 40% Category 2**Local programming per broadcast week:** 126 hours**Spoken word programming per broadcast week:** 10 hours 12 minutes, 30 seconds**News programming per broadcast week:** 2 hours 46 minutes (70% local)**Canadian content development contribution:** \$10 million over seven consecutive broadcast years**Live-to-air programming per broadcast week:** 126 hours**Emerging artists programming per broadcast week:** 10%**Hit material:** 49.9%**Harvard Broadcasting Inc.**

Application 2008-0117-7

Type: English-language commercial FM radio programming undertaking**Technical parameters:** 107.1 MHz (channel 296C1), average effective radiated power of 40,000 watts**Format:** Adult Album Alternative (Triple A)**Target audience:** general target 25 to 64 years, women; core target 35 to 54 years, women**Canadian content (music):** 40% category 2; 20% subcategory 34 (Jazz and Blues)**Local programming per broadcast week:** 126 hours**Spoken word programming per broadcast week:** 22 hours 25 minutes**News programming per broadcast week:** 7 hours 29 minutes (80% local)**Canadian content development contribution:** \$5,392,875 over seven consecutive broadcast years (including basic amount contributions)**Live-to-air programming per broadcast week:** 126 hours**Emerging artists programming per broadcast week:** 20%**Hit material:** 49%

**Evanov
Communications Inc.,
on behalf of a
corporation to be
incorporated**
Application 2008-0110-2

Type: English-language commercial FM radio programming undertaking
Technical parameters: 102.3 MHz (channel 272C1), average effective radiated power of 51,000 watts
Format: Adult Album Alternative (Triple A)
Target audience: general target 25 to 64 adults; core target 35 to 54, women
Canadian content (music): 40% category 2; 20% subcategory 34 (Jazz and Blues)
Local programming per broadcast week: 120 hours, expecting 126 hours
Spoken word programming per broadcast week: 25 hours 38 minutes
News programming per broadcast week: 12 hours 10 minutes (80% local)
Canadian content development contribution (over basic annual contribution): \$3,377,774 over seven consecutive broadcast years
Live-to-air programming per broadcast week: 126 hours
Emerging artists programming per broadcast week: 16%
Hit material: 49.9%

*Percentages shown for category 2 musical selections (Popular Music) are for both the broadcast week and the period from 6:00 a.m. to 6:00 p.m., Monday to Friday. The definition of "broadcast week" is the same as that set out in the Radio Regulations, 1986.

** Percentages shown for category 3 musical selections (Special Interest Music) are for the broadcast week. The definition of "broadcast week" is the same as that set out in the Radio Regulations, 1986.

*** The definition of "broadcast week," as it relates to local, spoken word, news and emerging artists programming, is the same as that set out in the Radio Regulations, 1986.

**** As set out in Public Notice 2000-14, "news" excludes related surveillance material, that is, weather, traffic, sports and entertainment reports.

***** The definition of "hit material" is the same as that set out in Public Notice 1997-42.

Appendix 2 to Broadcasting Decision CRTC 2008-288

Aboriginal Multi-Media Society of Alberta

Application 2007-1238-2, received 28 August 2007

Terms, conditions of licence and encouragement

Issuance of the broadcasting licence to operate an English- and Aboriginal-language Type B Native FM radio programming undertaking in Edmonton, Alberta and transmitters in various locations in Alberta

Terms

The licence will expire 31 August 2015.

The station will operate at 98.5 MHz (channel 253B1) with an effective radiated power of 9,300 watts.

The transmitters will operate at the technical parameters set out below.

Location	Frequency	Effective radiated power (ERP)
Lac La Biche	89.9 MHz (channel 210VLP)	10 watts
Cadotte Lake	89.9 MHz (channel 210VLP)	10 watts
Conklin	89.9 MHz (channel 210VLP)	10 watts
Fort Chipewyan	89.9 MHz (channel 210VLP)	10 watts
Frog Lake	89.9 MHz (channel 210VLP)	10 watts
John D'or Prairie	89.9 MHz (channel 210VLP)	10 watts
Little Buffalo	90.5 MHz (channel 213VLP)	10 watts
Loon Lake	89.9 MHz (channel 210LP)	50 watts
Boyer River	89.9 MHz (channel 210VLP)	10 watts
Bushe River	89.9 MHz (channel 210VLP)	10 watts
Chard/Janvier Reserve	89.9 MHz (channel 210VLP)	10 watts
Child Lake	89.9 MHz (channel 210VLP)	10 watts
Desmarais/Wabasca	89.9 MHz (channel 210VLP)	10 watts
Fort McKay	89.9 MHz (channel 210VLP)	10 watts
Goodfish Lake	89.9 MHz (channel 210VLP)	10 watts
North Tallcree Reserve	89.9 MHz (channel 210VLP)	10 watts
Peavine (Big Prairie)	89.9 MHz (channel 210VLP)	10 watts
South Tallcree Reserve	89.9 MHz (channel 210VLP)	10 watts
Paddle Prairie	89.9 MHz (channel 210VLP)	10 watts
Slave Lake	88.7 MHz (channel 204VLP)	10 watts
Sturgeon Lake	89.9 MHz (channel 210VLP)	10 watts
Duncan's Band	89.9 MHz (channel 210VLP)	10 watts
Horse Lake	89.9 MHz (channel 210VLP)	10 watts
Peerless Lake	89.9 MHz (channel 210VLP)	10 watts
Sandy Lake	89.9 MHz (channel 210VLP)	10 watts

Trout Lake	89.9 MHz (channel 210VLP)	10 watts
Whitefish/Atikameg	89.9 MHz (channel 210VLP)	10 watts
Anzac	89.9 MHz (channel 210VLP)	10 watts
Beaver Lake	89.9 MHz (channel 210VLP)	10 watts
Buffalo Lake	89.9 MHz (channel 210VLP)	4 watts (average)
Settlement	89.9 MHz (channel 210VLP)	4 watts (average)
Heart Lake	89.9 MHz (channel 210VLP)	4 watts (average)
Kikino	91.7 MHz (channel 219A)	1,300 watts (average)
Joussard	89.3 MHz (channel 207B)	2,300 watts (average)
Peigan/Blood Reserve	96.7 MHz (channel 244C1)	5,000 watts (average)
Moose Hills	94.5 MHz (channel 233B)	107 watts
Fort McMurray		

The Department of Industry (the Department) has advised the Commission that, while this application is conditionally technically acceptable, it will only issue broadcasting certificates when it has determined that the proposed technical parameters will not create any unacceptable interference with aeronautical NAV/COM services.

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.

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 17 October 2010. 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.

Conditions of licence

1. In each broadcast week, the licensee shall devote at least 35% of its musical selections from content category 2 (Popular music) to Canadian musical selections broadcast in their entirety.
2. In each broadcast week, a minimum of 7 hours of spoken word programming shall be in an Aboriginal language.
3. In each broadcast week, the licensee shall devote a minimum of 20% of all musical selections broadcast to musical selections performed by Aboriginal talent.
4. In each broadcast week, the licensee shall devote a minimum of 5% of all musical selections broadcast to musical selections in an Aboriginal language.

5. If the licensee originates 42 or more hours of programming in any broadcast week, the licensee shall adhere to the Canadian Association of Broadcasters' *Equitable Portrayal Code*, 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 is a member in good standing of the Canadian Broadcast Standards Council.
6. The licensee shall adhere to the Canadian Association of Broadcasters' *Broadcast code for advertising to children*, as amended from time to time and approved by the Commission.

Encouragement

The Commission encourages the licensee, should it wish to broadcast wrap-around programming after its daily sign-off, to use programming obtained from another Native radio station or network.

Appendix 3 to Broadcasting Decision CRTC 2008-288

John Charles Yerxa, on behalf of a corporation to be incorporated
Application 2008-0092-1, received 21 January 2008

Terms, conditions of licence, expectation and encouragement

Issuance of the broadcasting licence to operate an English-language commercial FM radio programming undertaking in Edmonton, Alberta

Terms

The licence will expire 31 August 2015.

The station will operate at 107.1 MHz (channel 296C1) with an effective radiated power of 40,000 watts.

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.

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.

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 17 October 2010. 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.

A licence will be issued once the applicant has satisfied the Commission, with supporting documentation, that an eligible Canadian corporation has been incorporated in accordance with the application in all material respects.

Conditions of licence

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, with the exception of conditions of licence 1 and 5.

2. The licensee shall, as an exception to the percentage of Canadian musical selections set out in sections 2.2(8) and 2.2(9) of the *Radio Regulations, 1986* (the Regulations):
- a) devote, in each broadcast week, a minimum of 40% of its musical selections from content category 2 (Popular Music) to Canadian selections broadcast in their entirety; and
 - b) devote, between 6:00 a.m. and 6:00 p.m., in any period beginning on Monday of a week and ending on Friday of the same week, a minimum of 40% of its musical selections from content category 2 (Popular Music) to Canadian selections broadcast in their entirety.

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 Regulations.

3. In addition to the required basic annual contribution to Canadian content development (CCD), set out in section 15 of the *Radio Regulations, 1986*, as amended by *Regulations Amending the Radio Regulations, 1986, SOR/2008-177*, 28 May 2008, announced in *Amendments to the Radio Regulations, 1986 – Implementation of the Commercial Radio Policy 2006 and the Digital Radio Policy – Regulatory policy, Broadcasting Public Notice CRTC 2008-67*, 23 July 2008, the licensee shall, upon commencement of operations, make annual contributions totalling \$2,041,505 over seven consecutive broadcast years to the promotion and development of Canadian content and allotted each year as follows:

Year 1	\$299,000
Year 2	\$298,220
Year 3	\$294,050
Year 4	\$290,175
Year 5	\$288,470
Year 6	\$286,710
Year 7	\$284,880

The licensee shall allocate no less than 20% of its additional annual CCD contribution to FACTOR as follows:

Year 1	\$59,800
Year 2	\$59,644
Year 3	\$58,810
Year 4	\$58,035
Year 5	\$57,694
Year 6	\$57,342
Year 7	\$56,976

The remaining amounts of this additional CCD contribution shall be allocated to parties and initiatives fulfilling the definition of eligible initiatives set out in paragraph 108 of *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006.

4. If the licensee originates 42 or more hours of programming in any broadcast week, the licensee shall adhere to the Canadian Association of Broadcasters' *Equitable Portrayal Code*, 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 is a member in good standing of the Canadian Broadcast Standards Council.

Expectation

Cultural diversity

The Commission expects the licensee to reflect the cultural diversity of Canada in its programming and employment practices.

Encouragement

Employment equity

In accordance with *Implementation of an employment equity policy*, Public Notice CRTC 1992-59, 1 September 1992, the Commission encourages the licensee to consider employment equity issues in its hiring practices and in all other aspects of its management of human resources.

Appendix 4 to Broadcasting Decision CRTC 2008-288

Rawlco Radio Ltd.

Application 2008-0105-2, received 23 January 2008

Terms, conditions of licence and expectation

Issuance of the broadcasting licence to operate an English-language commercial FM radio programming undertaking in Edmonton, Alberta

Terms

The licence will expire 31 August 2015.

The station will operate at 102.3 MHz (channel 272C1) with an average effective radiated power of 51,000 watts.

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.

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.

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 17 October 2010. 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.

Conditions of licence

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, with the exception of conditions of licence 1 and 5.

2. The licensee shall, as an exception to the percentage of Canadian musical selections set out in sections 2.2(8) and 2.2(9) of the *Radio Regulations, 1986* (the Regulations):
- a) devote, in each broadcast week, a minimum of 40% of its musical selections from content category 2 (Popular Music) to Canadian selections broadcast in their entirety; and
 - b) devote, between 6:00 a.m. and 6:00 p.m., in any period beginning on Monday of a week and ending on Friday of the same week, a minimum of 40% of its musical selections from content category 2 (Popular Music) to Canadian selections broadcast in their entirety.

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 Regulations.

3. In addition to the required basic annual contribution to Canadian content development (CCD), set out in section 15 of the *Radio Regulations, 1986*, as amended by *Regulations Amending the Radio Regulations, 1986*, SOR/2008-177, 28 May 2008, announced in *Amendments to the Radio Regulations, 1986 – Implementation of the Commercial Radio Policy 2006 and the Digital Radio Policy – Regulatory policy*, Broadcasting Public Notice CRTC 2008-67, 23 July 2008, the licensee shall, upon commencement of operations, make annual contributions totalling \$4,911,250 over seven consecutive broadcast years to the promotion and development of Canadian content.

Of this amount, the licensee shall make a one-time contribution to CCD of \$387,500 as well as the following contributions allotted each year as follows:

Year 1	\$658,500
Year 2	\$654,500
Year 3	\$648,250
Year 4	\$644,750
Year 5	\$641,750
Year 6	\$639,250
Year 7	\$636,750

The licensee shall allocate no less than 20% of its additional annual CCD contribution and one-time contribution to FACTOR as follows:

One-time contribution	\$77,500
Year 1	\$131,700
Year 2	\$130,900
Year 3	\$129,650
Year 4	\$128,950
Year 5	\$128,350
Year 6	\$127,850
Year 7	\$127,350

The remaining amounts of this additional CCD contribution shall be allocated to parties and initiatives fulfilling the definition of eligible initiatives set out in paragraph 108 of *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006.

4. If the licensee originates 42 or more hours of programming in any broadcast week, the licensee shall adhere to the Canadian Association of Broadcasters' *Equitable Portrayal Code*, 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 is a member in good standing of the Canadian Broadcast Standards Council.

Expectation

Cultural diversity

The Commission expects the licensee to reflect the cultural diversity of Canada in its programming and employment practices.

Appendix 5 to Broadcasting Decision CRTC 2008-288

CTV Limited

Application 2008-0111-9, received 23 January 2008

Terms, conditions of licence and expectation

Issuance of the broadcasting licence to operate an English-language commercial FM radio programming undertaking in Edmonton, Alberta

Terms

The licence will expire 31 August 2015.

The Commission will only issue the licence, and the licence will only be effective at such time as:

- the applicant submits, within 90 days of the date of this decision, an amendment to its application proposing the use of an FM frequency other than 107.1 MHz (channel 296C1) and related technical parameters that are acceptable to both the Commission and the Department of Industry (the Department). This amended application will form part of a public process;
- pursuant to section 22(1) of the *Broadcasting Act*, the Department notifies the Commission that its technical requirements have been met, and that a broadcasting certificate will be issued; and
- 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 17 October 2010. 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.

Conditions of licence

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, with the exception of conditions of licence 1 and 5.

2. The licensee shall, as an exception to the percentage of Canadian musical selections set out in sections 2.2(8) and 2.2(9) of the *Radio Regulations, 1986* (the Regulations):
 - a) devote, in each broadcast week, a minimum of 40% of its musical selections from content category 2 (Popular Music) to Canadian selections broadcast in their entirety; and
 - b) devote, between 6:00 a.m. and 6:00 p.m., in any period beginning on Monday of a week and ending on Friday of the same week, a minimum of 40% of its musical selections from content category 2 (Popular Music) to Canadian selections broadcast in their entirety.

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 Regulations.

3. In addition to the required basic annual contribution to Canadian content development (CCD), set out in section 15 of the *Radio Regulations, 1986*, as amended by *Regulations Amending the Radio Regulations, 1986*, SOR/2008-177, 28 May 2008, announced in *Amendments to the Radio Regulations, 1986 – Implementation of the Commercial Radio Policy 2006 and the Digital Radio Policy – Regulatory policy*, Broadcasting Public Notice CRTC 2008-67, 23 July 2008, the licensee shall, upon commencement of operations, make an annual contribution of \$1,428,571 (\$10,000,000 over seven consecutive broadcast years) to the promotion and development of Canadian content.

Of this amount, the licensee shall allocate no less than \$285,714 (20%) per broadcast year to FACTOR and \$100,000 per broadcast year to the Community Radio Fund of Canada.

The remaining amounts of this additional CCD contribution shall be allocated to parties and initiatives fulfilling the definition of eligible initiatives set out in paragraph 108 of *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006.

4. If the licensee originates 42 or more hours of programming in any broadcast week, the licensee shall adhere to the Canadian Association of Broadcasters’ *Equitable Portrayal Code*, 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 is a member in good standing of the Canadian Broadcast Standards Council.

Expectation

Cultural diversity

The Commission expects the licensee to reflect the cultural diversity of Canada in its programming and employment practices.

Appendix 6 to Broadcasting Decision CRTC 2008-288

Harvard Broadcasting Inc.

Application 2008-0117-7, received 23 January 2008

Terms, conditions of licence and expectation

Issuance of the broadcasting licence to operate an English-language commercial FM radio programming undertaking in Edmonton, Alberta

Terms

The licence will expire 31 August 2015.

The Commission will only issue the licence, and the licence will only be effective at such time as:

- the applicant submits, within 90 days of the date of this decision, an amendment to its application proposing the use of an FM frequency other than 107.1 MHz (channel 296C1) and related technical parameters that are acceptable to both the Commission and the Department of Industry (the Department). This amended application will form part of a public process;
- pursuant to section 22(1) of the *Broadcasting Act*, the Department notifies the Commission that its technical requirements have been met, and that a broadcasting certificate will be issued; and
- 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 17 October 2010. 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.

Conditions of licence

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, with the exception of conditions of licence 1 and 5.

2. The licensee shall, as an exception to the percentage of Canadian musical selections set out in sections 2.2(3), 2.2(8) and 2.2(9) of the *Radio Regulations, 1986* (the Regulations):
- a) devote, in each broadcast week, a minimum of 40% of its musical selections from content category 2 (Popular Music) to Canadian selections broadcast in their entirety; and
 - b) devote, between 6:00 a.m. and 6:00 p.m., in any period beginning on Monday of a week and ending on Friday of the same week, a minimum of 40% of its musical selections from content category 2 (Popular Music) to Canadian selections broadcast in their entirety.
 - c) devote, in each broadcast week, a minimum of 20% of its musical selections from content category 3, subcategory 34 (Jazz and blues) to Canadian selections broadcast in their entirety.

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 Regulations.

3. The licensee shall devote a minimum of 15% of all music selections broadcast each week to music drawn from content category 3 (Special Interest Music).
4. In addition to the required basic annual contribution to Canadian content development (CCD), set out in section 15 of the *Radio Regulations, 1986*, as amended by *Regulations Amending the Radio Regulations, 1986, SOR/2008-177*, 28 May 2008, announced in *Amendments to the Radio Regulations, 1986 – Implementation of the Commercial Radio Policy 2006 and the Digital Radio Policy – Regulatory policy, Broadcasting Public Notice CRTC 2008-67*, 23 July 2008, the licensee shall, upon commencement of operations, make annual contributions totalling \$5,392,875 over seven consecutive broadcast years to the promotion and development of Canadian content and allotted each year as follows:

Year 1	\$500,000
Year 2	\$591,459
Year 3	\$686,494
Year 4	\$781,336
Year 5	\$779,638
Year 6	\$977,882
Year 7	\$1,076,066

The licensee shall allocate no less than 20% of its additional annual CCD contribution to FACTOR as follows:

Year 1	\$100,000
Year 2	\$118,292
Year 3	\$137,299
Year 4	\$156,267
Year 5	\$155,928
Year 6	\$195,576
Year 7	\$215,213

The remaining amounts of this additional CCD contribution shall be allocated to parties and initiatives fulfilling the definition of eligible initiatives set out in paragraph 108 of *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006.

5. If the licensee originates 42 or more hours of programming in any broadcast week, the licensee shall adhere to the Canadian Association of Broadcasters' *Equitable Portrayal Code*, 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 is a member in good standing of the Canadian Broadcast Standards Council.

Expectation

Cultural diversity

The Commission expects the licensee to reflect the cultural diversity of Canada in its programming and employment practices.