



Broadcasting Decision CRTC 2008-98

Ottawa, 8 May 2008

Various applicants

Peterborough and City of Kawartha Lakes, Ontario

*Public Hearing in London, Ontario
10 December 2007*

Licensing of new radio stations to serve Peterborough and the City of Kawartha Lakes

*The Commission **approves** the application by Pineridge Broadcasting Inc. for a broadcasting licence to operate a new English-language commercial FM radio programming undertaking in Peterborough.*

*The Commission also **approves in part** the application by 591989 B.C. Ltd., a wholly owned subsidiary of Corus Entertainment Inc., for a broadcasting licence to operate a new English-language commercial FM radio programming undertaking in Peterborough to replace its AM station CKRU Peterborough. Specifically, the Commission **approves** the conversion to the FM band but **denies** the proposed technical parameters. The licensee must submit for the Commission's approval, within 90 days of the date of this decision, an amendment to its application proposing the use of an FM frequency other than 96.7 MHz (channel 244C1) and technical parameters that are acceptable both to the Commission and to the Department of Industry.*

*The Commission **denies** the remaining applications for broadcasting licences for radio programming undertakings to serve Peterborough and the City of Kawartha Lakes.*

Introduction

1. At a public hearing commencing 10 December 2007 in London, Ontario, the Commission considered eight applications for new FM radio stations in Peterborough and two applications for new FM radio stations in the City of Kawartha Lakes, all of which were mutually exclusive on a technical basis. The applicants proposing stations in Peterborough were as follows:

- Acadia Broadcasting Ltd.
- 591989 B.C. Ltd., a wholly owned subsidiary of Corus Entertainment Inc. (Corus)
- Evanov Communications Inc.
- Frank Torres, on behalf of a corporation to be incorporated
- K-Rock 1057 Inc.
- Larche Communications Inc.
- Newcap Inc.
- Pineridge Broadcasting Inc. (Pineridge)

2. The applicants proposing stations in the City of Kawartha Lakes were as follows:
 - Anderson Parish Media Inc. (Anderson)
 - Andy McNabb, on behalf of a corporation to be incorporated (McNabb)
3. In Broadcasting Notice of Public Hearing 2007-14, the Commission noted that while the applications by Anderson and McNabb were not submitted in response to Broadcasting Public Notice 2007-67 (the Call), which called for applications for a broadcasting licence to carry on a radio programming undertaking to serve Peterborough, the proximity of the City of Kawartha Lakes to Peterborough and the applicants' proposed use of the frequency 96.7 MHz rendered these applications technically mutually exclusive with the applications for Peterborough. Accordingly, these items were scheduled as part of the competitive phase at the hearing where the Commission considered the applications for new radio stations in Peterborough.
4. As part of this process, the Commission received and considered interventions with respect to each of the ten applications. The public record for this proceeding is available on the Commission's website at www.crtc.gc.ca under "Public Proceedings."
5. After reviewing the applications and interventions, the Commission is of the view that there are two primary issues to be considered:
 - Can the Peterborough and Kawartha Lakes markets sustain any additional radio services without an undue negative impact on their respective radio markets?
 - If those markets can sustain one or more additional stations, which of the applications should be approved in light of the factors identified in the Call?

The Peterborough and Kawartha Lakes markets and their ability to sustain new radio stations

Peterborough market

6. The Peterborough commercial radio market consists of four commercial radio stations, as well as one Christian music station and one campus radio station. Corus owns one AM and one FM station and offers the formats News/Oldies/Talk (CKRU) and Album-Oriented Rock (CKWF-FM). CTV Limited (CTV) owns two FM stations and offers the formats Hot Adult Contemporary (CKPT-FM) and Country (CKQM-FM). The Commission notes that it approved the conversion to the FM band of the AM station CKPT in Broadcasting Decision 2007-99. The conversion to the FM band was made on 21 August 2007 under the new Hot Adult Contemporary format. CKKK-FM, the Christian music station, obtained approval to change its authorized contours from those of a low-power to those of a Class A1 protected station in Broadcasting Decision 2007-224.

7. According to the 2006 Census, the entire population for the Peterborough central market area (CMA), which mirrors the central area for Peterborough as defined by BBM Canada, was 116,570, representing an increase of 5.1% from the 2001 Census. Financial Post Markets is forecasting a continuation of the population growth trend, with a projected increase of 1.3% by 2012 for the Peterborough Census Agglomeration (CA), which is a slightly smaller area than the Peterborough CMA.
8. Advertising revenues for the Peterborough radio market grew at a compound annual rate of 1.9% from 2002 to 2007, with total revenues in the market growing by 9.8% between 2006 and 2007. Although the 2007 profit before interest and tax (PBIT) margin of the Peterborough radio market was down slightly from 2006, it remained slightly greater than the 2006 PBIT margin for all radio in Canada.
9. In addition to the healthy revenues noted above, several indicators point to low to moderate economic growth in the Peterborough CA. Retail sales have consistently been above the national average, although they have been fluctuating, increasing by 22% in 2006 and falling by 11% in 2007. Retail sales are expected to grow on average 3.9% annually to 2012.
10. In Broadcasting Public Notice 2006-159, the Commission set out its general concern with the relatively lower profitability of radio markets with populations under 250,000 and signalled its intent to avoid over-licensing in such markets. Based on the evidence that the Peterborough radio industry is generally healthy and based on the expected positive economic outlook, it is the Commission's view that the Peterborough market can sustain the addition of one commercial radio station. The Commission considers that the addition of two new commercial radio stations might cause undue pressure on the overall profitability of the market.
11. However, the Commission considers that the proposed conversion of the existing AM station CKRU to the FM band would have minimal impact on the market, given the longstanding presence of Corus in Peterborough. Approval of the Corus application would also be consistent with past AM to FM conversions considered as part of a competitive hearing.

Kawartha Lakes market

12. The Kawartha Lakes radio market consists of one station, CKLY-FM, which is owned by CTV.¹
13. According to the 2006 Census, the entire population of the Kawartha Lakes CA was 74,565, representing an increase of 7.8% since 2001. This increase exceeded that of Ontario as a whole, which saw an increase of 6.6% in the same period. The population is experiencing a natural aging and an in-migration of seniors.

¹ CKLY-FM became a wholly owned undertaking of CTV, a subsidiary of CTVglobemedia Inc. (CTVgm), when the Commission approved the transfer of effective control of CHUM Limited to CTVgm in Broadcasting Decision 2007-165. CHUM Limited changed its name to CTV Limited on 31 July 2007.

14. Lindsay, the largest town in the City of Kawartha Lakes, is located about 35 km west of Peterborough. The community of Lindsay is the hub of business and commerce, and the natural environment, tourism and seasonal dwellings are important components of the City of Kawartha Lakes. The Financial Post estimates that the unemployment rate in the City of Kawartha Lakes is 7.5%, notably higher than that for Ontario, which is 6.6%.
15. The retail sales in this area for 2007 are estimated to be \$782.7 million, a decrease from an estimate of \$895.4 million reported by the Financial Post in 2006. The sales are projected to grow to \$855 million by 2009 and \$981 million by 2012.
16. As noted above, in Broadcasting Public Notice 2006-159, the Commission set out its general concern with the relatively lower profitability of radio markets with populations under 250,000 and signalled its intent to avoid over-licensing in such markets. In Broadcasting Decision 2004-455, the Commission denied an application by McNabb for a broadcasting licence to operate a commercial English-language specialty FM station in the City of Kawartha Lakes. In Broadcasting Decision 2005-506, the Commission denied an application by Anderson for a broadcasting licence to operate an English-language commercial FM station in the same market. Both denials were based on CKLY-FM's below average profitability and the potential negative impact of a new entrant on that station.
17. The Commission notes that CKLY-FM's financial situation has not significantly changed since the release of Broadcasting Decisions 2004-455 and 2005-506. According to fall 2007 BBM Canada data, out-of-market tuning accounts for 87% of total 12+ tuning in the City of Kawartha Lakes. Given this data and the fact that CKLY-FM would most likely experience some economic impact from the licensing of new stations, the Commission considers that not licensing a new mainstream commercial FM station in the City of Kawartha Lakes at this time would be consistent with the intent of Broadcasting Public Notice 2006-159. Further, although the Commission is of the view that this market could support the entry of a new "niche"² station, such as a non-classical religious station, with negligible commercial impact, the Commission notes that viable FM frequencies in the Peterborough and Kawartha Lakes area are scarce. Given its determination that the Peterborough market can sustain the addition of a new commercial FM station and the proposed conversion of the existing Corus station CKRU to the FM band, the Commission considers that the addition and the conversion would constitute the best use of the available FM frequencies.

Assessment of the applications

18. Having determined that there is room in the Peterborough radio market for an additional service, the Commission has considered the applications to serve Peterborough in light of the factors relevant to the evaluation of applications outlined in the Call, which include the following factors set out in Decision 99-480:

² A "niche" service is one that is focused on a specific programming genre or on a particular target group.

- the competitive state of the market and level of market impact;
 - the diversity of news voices; and
 - the quality of the applications.
19. The details relevant to the assessment of the applications are set out in Appendix 1 to this decision.
20. Having considered all of the criteria set out above, the Commission is of the view that of the eight applications received proposing stations in Peterborough, the application by Pineridge best meets the needs of the market.
21. In particular, the Commission considers that Pineridge's experience and presence as an operator in the nearby region of Northumberland County, where it owns two FM stations (CHUC-FM and CKSG-FM Cobourg) and competes with both Corus and CTV, would provide it with the best potential to compete with the established Peterborough incumbents Corus and CTV, thus enhancing the competitive state of the Peterborough market.
22. The proposal by Pineridge would also augment the diversity of radio and news voices in the market and provide significant local reflection. Specifically, the Pineridge station would broadcast 120 hours of local programming and 18 hours and 22 minutes of spoken word programming, including 6 hours and 10 minutes of news and related surveillance material, each broadcast week. In addition, Pineridge committed to devote, over and above the basic annual contribution to Canadian content development (CCD), a total of \$175,000 to CCD over seven consecutive broadcast years upon commencement of operations. Specifically, Pineridge committed to devote \$25,000 per year to CCD, of which \$5,000 would be directed to FACTOR. The remainder would be directed to eligible initiatives as follows:
- \$5,000 per year to the Peterborough Festival of Lights;
 - \$5,000 per year to journalism study bursaries;
 - \$5,000 per year to the Kiwanis Music Festival; and
 - \$5,000 per year to Showplace Performance.
23. With respect to the application by Corus, as noted above the Commission considers that the proposed conversion of the existing AM station CKRU to the FM band would have minimal impact on the market, given the longstanding presence of Corus in Peterborough.

24. Corus proposed to maintain CKRU's current Oldies music format on the proposed FM station. The applicant also proposed to continue to operate under its current condition of licence relating to Canadian musical selections aired under the Oldies format, as set out in Public Notice 1998-132. This condition allows the station to devote 30% or more of its musical selections from content category 2 (Popular Music) to Canadian selections in any broadcast week where at least 90% of category 2 musical selections are selections released before 1 January 1981. Corus further requested permission to simulcast the programming of the new FM station on CKRU for a period of three months from the date of implementation of the new station. Finally, Corus committed to devote, over and above the basic annual contribution to CCD, a total of \$140,000 to CCD over seven consecutive broadcast years upon commencement of operations. Specifically, Corus committed to devote \$20,000 per year to CCD, of which \$4,000 would be directed to FACTOR. The remainder would be directed to eligible initiatives as follows:
- \$8,000 per year to the Peterborough Festival of Lights and
 - \$8,000 per year to Audio vignettes.
25. The application by Corus was technically mutually exclusive with the application by Pineridge as both proposed the use of the 96.7 MHz frequency. Given that the 96.7 MHz 3mV/m FM contour is significantly greater than the existing 15mV/m AM contour of CKRU and would extend its principal marketing area further south into the Cobourg radio market, the Commission considers that this frequency should be awarded to Pineridge, which is currently the only local commercial operator in Cobourg.³ Accordingly, Corus will be required to consider using an alternative FM frequency to operate the proposed service.

Determinations

26. Based on all of the foregoing, the Commission **approves** the following application for a broadcasting licence to operate a new English-language commercial FM radio programming undertaking in Peterborough:

Pineridge Broadcasting Inc.

Application 2007-1183-9, received 21 August 2007

The terms and **conditions of licence** are set out in Appendix 2 to this decision.

³ The Commission notes that although the signals of Pineridge's two Cobourg FM stations CHUC-FM and CKSG-FM would overlap with its proposed Peterborough FM station, Pineridge would not be in breach of its Common Ownership Policy, as set out in Public Notice 1998-41, as Pineridge would not own three stations in the same "market" as defined in the *Radio Regulations, 1986*, i.e. in the case of an FM station, the smaller of the FM 3mV/m contour or the central area as defined by BBM Canada (BBM). Given the size of the BBM-defined market for Cobourg as compared to the 3mV/m contour of the stations, the Commission has determined that the market for each station involved is defined as the BBM central area, which in this case is distinct for Peterborough and Cobourg-Northumberland County.

27. In addition, the Commission **approves in part** the following application for a broadcasting licence to operate a new English-language commercial FM radio programming undertaking in Peterborough to replace the AM station CKRU Peterborough:

591989 B.C. Ltd.

Application 2007-0006-4, received 3 January 2007

The terms and **conditions of licence** are set out in Appendix 3 to this decision.

28. While approving in part the application by Corus, the Commission notes that the applicant must submit for the Commission's approval, within 90 days of the date of this decision, an amendment to its application proposing the use of an FM frequency other than 96.7 MHz (channel 244C1) and technical parameters that are acceptable both to the Commission and to the Department of Industry.
29. In light of the above, the Commission **denies** the six remaining applications for broadcasting licences to operate new radio stations in Peterborough, as set out below:

Acadia Broadcasting Ltd.

Application 2007-1208-5, received 21 August 2007

Evanov Communications Inc.

Application 2007-1207-7, received 21 August 2007

Frank Torres, on behalf of a corporation to be incorporated

Application 2007-1205-1, received 21 August 2007

K-Rock 1057 Inc.

Application 2007-1187-1, received 21 August 2007

Larche Communications Inc.

Application 2007-1182-1, received 21 August 2007

Newcap Inc.

Application 2007-1152-4, received 20 August 2007

30. As noted above, the Commission considers that not licensing a new commercial FM station in the City of Kawartha Lakes at this time would be consistent with the intent of Broadcasting Public Notice 2006-159. Further, while the Commission considers that this market could support the entry of a new "niche" station, such as that proposed by McNabb, with negligible commercial impact, the Commission is of the view that the applications by Pineridge and Corus represent the best use of the available FM frequencies. Accordingly, the Commission also **denies** the two applications for broadcasting licences to operate new radio stations in the City of Kawartha Lakes, as set out below:

Anderson Parish Media Inc.

Application 2007-0619-5, received 19 April 2007

Andy McNabb, on behalf of a corporation to be incorporated

Application 2007-0379-5, received 5 March 2007

Employment equity

31. Because Corus is subject to the *Employment Equity Act* and files reports concerning employment equity with the Department of Human Resources and Skills Development, its employment equity practices are not examined by the Commission.

Secretary General

Related documents

- Broadcasting Notice of Public Hearing CRTC 2007-14, 11 October 2007
- *CKKK-FM Peterborough – Technical change*, Broadcasting Decision CRTC 2007-224, 9 July 2007
- *Transfer of effective control of CHUM Limited to CTVglobemedia Inc.*, Broadcasting Decision CRTC 2007-165, 8 June 2007
- *CKPT Peterborough – Conversion to FM band*, Broadcasting Decision CRTC 2007-99, 23 March 2007
- *Call for applications for a broadcasting licence to carry on a radio programming undertaking to serve Peterborough, Ontario*, Broadcasting Public Notice CRTC 2007-67, 22 June 2007
- *Revised policy concerning the issuance of calls for radio applications and a new process for applications to serve small markets*, Broadcasting Public Notice CRTC 2006-159, 15 December 2006
- *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006
- *English-language commercial FM radio station in the City of Kawartha Lakes*, Broadcasting Decision CRTC 2005-506, 20 October 2005
- *CKLY-FM City of Kawartha Lakes (Lindsay) – Technical change*, Broadcasting Decision CRTC 2005-204, 19 May 2005

- *Christian music FM radio station in the City of Kawartha Lakes*, Broadcasting Decision CRTC 2004-455, 12 October 2004
- *New licence form for commercial radio stations*, Public Notice CRTC 1999-137, 24 August 1999
- *Introductory statement – Licensing new radio stations*, Decision CRTC 99-480, 28 October 1999
- *Regulations Amending the Radio Regulations, 1986 – Commercial Radio Programming*, Public Notice CRTC 1998-132, 17 December 1998
- *Commercial Radio Policy 1998*, Public Notice CRTC 1998-41, 30 April 1998

This decision is to be appended to each 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 1 to Broadcasting Decision CRTC 2008-98

Specific details relevant to the assessment of the applications for new broadcasting licences for FM radio programming undertakings in Peterborough, Ontario

Acadia Broadcasting Ltd.
Application 2007-1208-5

Type: English-language FM commercial radio programming undertaking
Technical parameters: 96.7 MHz (channel 244B), average effective radiated power of 17,000 watts
Format: Soft Rock / Pop
Target audience: 25-54 years; core: women 35-54 years; median age: 40
Canadian content (music): 40% category 2 throughout the broadcast week, 35% between 6 a.m. and 6 p.m. Monday to Friday
Local programming per broadcast week*:** 120 hours
Spoken word programming per broadcast week*:** 8 hours, 54 minutes
News programming per broadcast week*:** 6 hours, 58 minutes (75% local/regional) (news**** and related surveillance material)
Canadian content development contribution (over basic annual contribution): \$350,000 over seven consecutive broadcast years
Emerging artists programming per broadcast week*:** minimum of 10% of Canadian content
Hit material***:** 49.9% of music programming

591989 B.C. Ltd. (Corus)
Application 2007-0006-4

Type: English-language commercial FM radio programming undertaking (flip from AM programming undertaking)
Technical parameters: 96.7 MHz (channel 244C1), effective radiated power of 6,000 watts
Format: Oldies (60s, 70s and 80s)
Target audience: 25-54 years; core: 30-54 years
Canadian content (music): 35% category 2*; 30% category 2 in any broadcast week where at least 90% of musical selections from category 2 that it broadcasts are selections released before 1 January 1981
Local programming per broadcast week*:** 100 hours
Spoken word programming per broadcast week*:** 10 hours
News programming per broadcast week*:** 2 hours, 10 minutes (70% local) (news**** and related surveillance material)
Canadian content development contribution (over basic annual contribution): \$140,000 over seven consecutive broadcast years
Emerging artists programming per broadcast week*:** none (due to Oldies format)
Hit material***:** 49% of music programming

Evanov Communications Inc.
Application 2007-1207-7

Type: English-language commercial FM radio programming undertaking
Technical parameters: 96.7 MHz (channel 244B), average effective radiated power of 13,000 watts
Format: Adult Contemporary
Target audience: women 35-54 years; core: 35-44 years; median age: 40
Canadian content (music): 40% category 2*
Local programming per broadcast week*:** 100 hours
Spoken word programming per broadcast week*:** 11 hours, 50 minutes
News programming per broadcast week*:** 11 hours, 50 minutes (unspecified % local) (news**** and related surveillance material)
Canadian content development contribution (over basic annual contribution): \$493,107 over seven consecutive broadcast years
Emerging artists programming per broadcast week*:** 12%
Hit material***:** 49.9% of music programming

Frank Torres (OBCI)
Application 2007-1205-1

Type: English-language commercial FM radio programming undertaking
Technical parameters: 96.7 MHz (channel 244B), effective radiated power of 11,694 watts
Format: Blues, with a minimum of 25% all category 3, subcategory 34
 Jazz and Blues music weekly to Canadian selections
Target audience: 25-54 years; core: 35-54 years; median age: 40
Canadian content (music): 40% category 2*; 20% category 3**
Local programming per broadcast week*:** 126 hours
Spoken word programming per broadcast week*:** 14+ hours
News programming per broadcast week*:** 4 hours, 45 minutes (60% local) (news**** and related surveillance material)
Canadian content development contribution (over basic annual contribution): \$350,000 over seven consecutive broadcast years
Emerging artists programming per broadcast week*:** 20%
Hit material***:** 49.9% of music programming

K-Rock 1057 Inc.
Application 2007-1187-1

Type: English-language FM commercial radio programming undertaking
Technical parameters: 96.7 MHz (channel 244B), average effective radiated power of 12,400 watts
Format: Adult Contemporary
Target audience: women 25-44 years; core: women 35-44 years; median age: not specified
Canadian content (music): 40% category 2*
Local programming per broadcast week*:** 120 hours
Spoken word programming per broadcast week*:** 13 hours, 46 minutes
News programming per broadcast week*:** 4 hours, 47 minutes (75% local) (news****)
Canadian content development contribution (over basic annual contribution): \$140,000 over seven consecutive broadcast years
Emerging artists programming per broadcast week*:** 10% of Canadian music content (4% of overall content)
Hit material***:** 49.9% of music programming

Larche Communications Inc.
Application 2007-1182-1

Type: English-language FM commercial radio programming undertaking
Technical parameters: 96.7 MHz (channel 244B), average effective radiated power of 17,000 watts
Format: Classic Hits
Target audience: 25-54 years; core: 35-49 years; median age: 42
Canadian content (music): 35% category 2*
Local programming per broadcast week*:** 126 hours
Spoken word programming per broadcast week*:** 12 hours, 38 minutes
News programming per broadcast week*:** 3 hours, 48 minutes (60% local) (news**** and related surveillance material)
Canadian content development contribution (over basic annual contribution): \$343,000 over seven consecutive broadcast years
Emerging artists programming per broadcast week*:** 4%
Hit material***:** 49.9% of music programming

Newcap Inc.

Application 2007-1152-4

Type: English-language FM commercial radio programming undertaking**Technical parameters:** 96.7 MHz (channel 244B), average effective radiated power of 17,000 watts**Format:** Gold-based Adult Contemporary (AC) (soft AC/Classics Hits)**Target audience:** 25-54 years; core: 35-44 years, with 65% female skew; median age: 40**Canadian content (music):** 35% category 2***Local programming per broadcast week***:** 126 hours**Spoken word programming per broadcast week***:** 17 hours**News programming per broadcast week***:** 6 hours, 7 minutes, 30 seconds (75% local)**Canadian content development contribution (over basic annual contribution):** \$1,015,000 over seven consecutive broadcast years**Emerging artists programming per broadcast week***:** 4%**Hit material*****:** 49.9% of music programming**Pineridge Broadcasting Inc.**

Application 2007-1183-9

Type: English-language commercial FM radio programming undertaking**Technical parameters:** 96.7 MHz (channel 244B), effective radiated power 13,000 watts**Format:** Mainstream Adult Contemporary**Target audience:** 25-54 years, skewed to women; core: 35-54 years; median age: 45**Canadian content (music):** 35% category 2***Local programming per broadcast week***:** 120 hours**Spoken word programming per broadcast week***:** 18+ hours**News programming per broadcast week***:** 4 hours, 9 minutes of news**** (50% local) and 2 hours, 1 minute of related surveillance material**Canadian content development contribution (over basic annual contribution):** \$175,000 over seven consecutive broadcast years**Emerging artists programming per broadcast week***:** 1%**Hit material*****:** 49.9% of music programming

**Specific details relevant to the assessment of the applications for new
broadcasting licences for FM radio programming undertakings in the
City of Kawartha Lakes, Ontario**

Anderson Parish Media Inc.
Application 2007-0619-5

Type: English-language FM commercial radio programming undertaking
Technical parameters: 96.7 MHz (channel 244A), effective radiated power of 3,000 watts
Format: Easy listening, blended with Middle of the Road contemporary music; 80/20 vocal/instrumental ratio
Target audience: 45+ years; core: 55+ years; median age: unspecified
Canadian content (music): 35% category 2* (of which 5% would be French music)
Local programming per broadcast week*:** 126 hours
Spoken word programming per broadcast week*:** 19 hours
News programming per broadcast week*:** 17 hours, 30 minutes (60% local) (news**** and related surveillance material)
Canadian content development contribution (over basic annual contribution): \$18,500 over seven consecutive broadcast years
Emerging artists programming per broadcast week*:** 20% of the 35% Canadian content
Hit material***:** 49% of music programming

Andy McNabb (OBCI)
Application 2007-0379-5

Type: English-language FM commercial specialty radio programming undertaking
Technical parameters: 96.7 MHz (channel 244B1), average effective radiated power of 4,200 watts
Format: Specialty Christian talk, with 95% of all music drawn from subcategory 35
Target audience: mature 50+ years; core: 60+ years; median age: unspecified
Canadian content (music): 35% category 2*; 15% category 3**
Local programming per broadcast week*:** 69 hours, 30 minutes
Spoken word programming per broadcast week*:** 88 hours, 37 minutes, 12 seconds
News programming per broadcast week*:** 14 hours, 24 minutes (unspecified % local) (news**** and related surveillance material)
Canadian content development contribution (over basic annual contribution): \$8,000 years one through four
Emerging artists programming per broadcast week*:** 10%
Hit material***:** 49% of music programming

* 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 and news programming is the same as that set out in the *Radio Regulations, 1986*.

**** As set out in *Revised content categories and subcategories for radio*, Public Notice CRTC 2000-14, 28 January 2000, "news" excludes related surveillance material, i.e., weather, traffic, sports and entertainment reports.

***** The definition of "hit material" is the same as that set out in *Revised Policy on the Use of Hits by English-Language FM Radio Stations*, Public Notice CRTC 1997-42, 23 April 1997.

Appendix 2 to Broadcasting Decision CRTC 2008-98

Pineridge Broadcasting Inc.

Application 2007-1183-9, received 21 August 2007

Terms, conditions of licence, and encouragement

Terms

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

The licence will expire 31 August 2014.

The station will operate at 96.7 MHz (channel 244B) with an average effective radiated power of 13,000 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 8 May 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 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 of licence number 5.
2. The licensee shall, upon commencement of operations, make a basic annual contribution to Canadian content development (CCD). The amount of the contribution shall be determined in accordance with the policy set out in *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006 (Broadcasting Public Notice 2006-158), as amended from time to time.

The licensee shall allocate 60% of this basic annual CCD contribution to FACTOR or MUSICACTION.

The remainder of the annual basic contribution to CCD shall be allocated to parties and initiatives fulfilling the definition of eligible initiatives in Broadcasting Public Notice 2006-158.

This condition of licence shall expire upon the coming into force of the amendments to the *Radio Regulations, 1986* relating to CCD.

3. In addition to the basic annual contribution, the licensee shall, upon commencement of operations, contribute \$25,000 annually to the promotion and development of Canadian content. This amount is over and above the licensee's required basic annual CCD contribution. Of this amount, \$5,000 per broadcast year shall be devoted to FACTOR. The remainder, \$20,000, shall be allocated to parties and initiatives fulfilling the definition of eligible initiatives set out in paragraph 108 of Broadcasting Public Notice 2006-158.

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 3 to Broadcasting Decision CRTC 2008-98

591989 B.C. Ltd.

Application 2007-0006-4, received 3 January 2007

Terms and conditions of licence

Terms

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

The licence will expire 31 August 2014.

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 96.7 MHz (channel 244C1) and related technical parameters that are acceptable to both the Commission and the Department of Industry (the Department);
- 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 an extension of time is approved by the Commission before 8 May 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 condition of licence number 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*, in any broadcast week where at least 90% of musical selections from content category 2 that it broadcasts are selections released before 1 January 1981:
 - a) in that broadcast week, devote 30% or more of its musical selections from content category 2 to Canadian selections broadcast in their entirety; and

- b) between 6:00 a.m. and 6:00 p.m., in the period beginning on Monday of that week and ending on Friday of the same broadcast week, devote 30% or more of its musical selections from content category 2 to Canadian selections broadcast in their entirety.

The licensee will also be responsible for specifying, on the music lists it provides to the Commission, the year of release for all musical selections it broadcasts.

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*.

3. The licensee shall, upon commencement of operations, make a basic annual contribution to Canadian content development (CCD). The amount of the contribution shall be determined in accordance with the policy set out in *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006 (Broadcasting Public Notice 2006-158), as amended from time to time.

The licensee shall allocate 60% of this basic annual CCD contribution to FACTOR or to MUSICACTION.

The remainder of the annual basic contribution to CCD shall be allocated to parties and initiatives fulfilling the definition of eligible initiatives set out in paragraph 108 of Broadcasting Public Notice 2006-158.

This condition of licence shall expire upon the coming into force of the amendments to the *Radio Regulations, 1986* relating to CCD.

4. In addition to the basic annual contribution, the licensee shall, upon commencement of operations, contribute \$20,000 annually to the promotion and development of Canadian content. This amount is over and above the licensee’s required basic annual CCD contribution. Of this amount, \$4,000 per year shall be devoted to FACTOR. The remainder, \$16,000, shall be allocated to parties and initiatives fulfilling the definition of eligible initiatives set out in paragraph 108 of Broadcasting Public Notice 2006-158.