



Broadcasting Notice of Public Hearing CRTC 2008-4-1

Ottawa, 7 April 2008

Notice of consultation and hearing

4 June 2008

Winnipeg, Manitoba

Harmony Broadcasting Corporation called to a Public Hearing Correction to the Broadcasting Notice of Public Hearing

Further to its Broadcasting Notice of Public Hearing CRTC 2008-4 dated 3 April 2008, the Commission announces the following:

The changes are in bold.

Issues

The Commission is gravely concerned that Harmony has again **apparently** failed to comply with very basic and fundamental requirements of the Regulations and the consequent uncertainty concerning its adherence to Broadcasting Mandatory Orders CRTC 2007-3 through 2007-6 and its conditions of licence.

The Commission is therefore concerned with the following issues, and will want to discuss these matters in order to determine the appropriate measures:

A. Regulatory Compliance

On two separate occasions, Harmony was asked to provide logger tapes and other pertinent documents for the week of 23 to 29 September 2007 as well as for the week of 7 to 13 October 2007. Although other documents were received for the week of 23 to 29 September 2007, the logger tapes provided were inaccurate as they concerned the week of 23 to 29 July 2006 rather than the week requested. Furthermore, all information and logger tapes requested for the week of 7 to 13 October 2007 have not yet been received despite Commission staff follow-up. These deficiencies represent **an apparent** breach of Broadcasting Mandatory Order CRTC 2007-1 given its failure to provide the logger tapes and other pertinent documents for the weeks of 23 to 29 September 2007 and 7 to 13 October 2007. Moreover, the Commission also notes **an apparent** breach of Broadcasting Mandatory Order CRTC 2007 - 2 given the lack of information filed for the week of 7 to 13 October 2007. In addition, the Commission notes the licensee's failure to submit annual returns since 2004 which also constitutes **an apparent** breach of Mandatory Order 2007-2 and the Regulations.

These **apparent** deficiencies prevent the Commission from verifying if Harmony has brought itself into compliance with the remainder of the Mandatory Orders outlined in Broadcasting

Decision CRTC 2007-37, the Regulations and all of its conditions of licence. This lack of information also does not permit the Commission to fully investigate whether the licensee's operations have been consistent with the *Campus Radio Policy*.

Secretary General

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>