



Broadcasting Decision CRTC 2009-481

Route reference: 2009-2

Additional references:

2009-2-1, 2009-2-2, 2009-2-3, Broadcasting Public Notice 2007-66, Broadcasting Notices of Public Hearing 2008-1 and 2007-13 and Broadcasting Decisions 2008-222 and 2008-222-1

Ottawa, 11 August 2009

Various applicants

Ottawa, Ontario and Gatineau, Quebec

Application numbers are set out in the decision.

Public Hearing in the National Capital Region

31 March and 12 June 2009

Reconsideration of Broadcasting Decision 2008-222 pursuant to Orders in Council P.C. 2008-1769 and P.C. 2008-1770

*The Commission **confirms** with changes Broadcasting Decision 2008-222 in which it approved applications by Astral Media Radio inc. and by Frank Torres, on behalf of a corporation to be incorporated (now known as Torres Media Ottawa Inc.) for broadcasting licences to operate new English-language commercial FM radio stations to serve Ottawa and Gatineau.*

*The Commission **approves in part** an application by Radio de la communauté francophone d'Ottawa for a broadcasting licence to operate a new French-language Type B community FM radio station. Within 60 days of the date of this decision, the applicant must submit an amendment to its initial application proposing the use of an FM frequency other than 101.7 MHz (channel 269A) that is acceptable both to the Commission and to the Department of Industry.*

*The Commission **confirms** its denial of the other applications for broadcasting licences to operate radio stations to serve Ottawa and Gatineau.*

*The Commission **confirms** its denial of the application by Instant Information Services Incorporated to modify the authorized contour of the English-language commercial tourist radio station CHIO-FM Ottawa by increasing the average effective radiated power from 25 watts to 427 watts.*

A dissenting opinion by Commissioner Michel Morin is attached.

Background

1. On 22 June 2007, the Commission issued Broadcasting Public Notice 2007-66 calling for applications for broadcasting licences to operate radio programming undertakings for Ottawa, Ontario and Gatineau, Quebec. In response to this call, the Commission received 11 applications for licences to serve this area. Those applications were first scheduled to be heard at a public hearing on 3 December 2007,¹ but the Commission rescheduled them for hearing at a later date.²
2. At a public hearing commencing 13 May 2008 in the National Capital Region,³ the Commission considered the 10 applications for new radio programming undertakings to serve Ottawa and Gatineau as well as one application for an amendment to a broadcasting licence. On 26 August 2008, in Broadcasting Decision 2008-222, the Commission approved the applications by Astral Media Radio inc. (Astral) and by Frank Torres, on behalf of a corporation to be incorporated, now known as Torres Media Ottawa Inc. (Torres).
3. On 20 November 2008, by Orders in Council P.C. 2008-1769 and P.C. 2008-1770 (the Orders in Council) issued pursuant to section 28 of the *Broadcasting Act* (the Act), the Governor in Council referred Broadcasting Decision 2008-222 back to the Commission for reconsideration and hearing.
4. The Orders in Council expressed the opinion of the Governor in Council that it is material to the reconsideration and hearing that the Commission fully consider and explain its approach to evaluating the needs of official-language minority communities and how it applies in this case with respect to the applications for broadcasting licences by Astral and Torres.
5. In light of the Orders in Council and after reviewing the public record for this proceeding, the Commission is of the view that the issues to be considered are as follows:
 - the Commission's approach to evaluating the needs of official-language minority communities; and
 - the reconsideration of Broadcasting Decision 2008-222.

The Commission's approach to evaluating the needs of official-language minority communities

6. In its *Report to the Governor in Council on English- and French-language broadcasting services in English and French linguistic minority communities in Canada* (the Report on OLMC) released 30 March 2009,⁴ the Commission acknowledged that "official-language minority communities, particularly francophone communities, have access to a limited number of radio services." In the report, the Commission also indicated that community radio stations play a very important role in official-language minority communities.

¹ See Broadcasting Notice of Public Hearing 2007-13.

² See Broadcasting Notice of Public Hearing 2007-13-2.

³ See Broadcasting Notice of Public Hearing 2008-1.

⁴ <http://www.crtc.gc.ca/eng/backgrnd/language/ol0903-lo0903.htm>

7. As an independent public organization that reports to the federal government, the Commission is subject to the *Official Languages Act*. Section 41(1) of this Act stipulates that the government and its institutions are committed to “enhancing the vitality of the English and French linguistic minority communities in Canada and supporting and assisting their development, and fostering the full recognition and use of both English and French in Canadian society.”
8. The Commission is also responsible for achieving the objectives of the Canadian broadcasting policy, which includes those objectives set out in paragraphs 3(1)(b), (c) and (k) of the Act, stipulating respectively that “the Canadian broadcasting system, operating primarily in the English and French languages and comprising public, private and community elements, makes use of radio frequencies that are public property and provides, through its programming, a public service essential to the maintenance and enhancement of national identity and cultural sovereignty;” that “English and French language broadcasting, while sharing common aspects, operate under different conditions and may have different requirements;” and that “a range of broadcasting services in English and in French shall be extended to all Canadians as resources become available.”
9. As dictated by its mandate, the Commission must ensure, among other things, that the broadcasting system serves the Canadian public. This requires that in its strategic decision-making, the Commission strike the best possible balance between the cultural, social and economic objectives set out in the Act.
10. In order to achieve the objectives set out in the Act, the Commission has established policies relating to the operation of commercial and community radio stations, to the elaboration of the separate roles and mandates of these two types of services and to the Commission’s programming expectations and requirements. Accordingly, applications for licences to operate commercial and community radio stations are examined in light of distinct policies, namely the *Commercial Radio Policy 2006* (Broadcasting Public Notice 2006-158) and the *Community Radio Policy* (Public Notice 2000-13). To achieve its mandate, the Commission assesses the applications before it against a set of factors. For competitive applications for licences to operate new radio programming undertakings, the factors considered are generally those set out in Decision 99-480:
 - the quality of the application;
 - the diversity of news voices in the market;
 - the market impact; and
 - the competitive state of the market.
11. Therefore, in a competitive process involving several applications, the Commission will grant a broadcasting licence to the application or applications that best serve the objectives of the Act and best reflect all of these factors, taking into account the characteristics and needs of the market to be served and the availability of frequencies.

12. When considering an application to serve an official-language minority community, the Commission evaluates the needs of the community to be served by assessing existing services in the market and their target audience. The Commission also seeks to determine whether the market already has one or more broadcasting services that meet the needs of the official-language minority community, and in the affirmative, the extent to which the proposed service is distinct from that provided by existing services.
13. The Commission also evaluates the needs of official-language minority communities from the information provided by applicants in their applications and in light of applicable policies. For example, in applications for a licence to operate a new radio station, applicants are required to provide details on the needs and interests of their audience. In applications for licences to operate a commercial radio station, all applicants are required, as set out in paragraph 206 of Broadcasting Public Notice 2006-158, to describe in their applications how the service they intend to provide would meet the particular needs and interests of the local communities they intend to serve. Community stations, for their part, as set out in paragraphs 12 and 16 of the Public Notice 2000-13, must offer programming that is relevant to the communities served, including official language minorities, and have a mandate to offer diverse programming that reflects the needs and interests of the members of their communities.

Reconsideration of Broadcasting Decision 2008-222

In the context of the new hearing, how is the Commission assessing the needs of official-language minority communities?

14. As part of the reconsideration process, the Commission analyzed the present Ottawa-Gatineau radio market to determine the needs of official-language minority communities.
15. The Commission notes that the Ottawa-Gatineau radio market is a bilingual market in which Anglophone and Francophone populations are served by various radio stations in their respective languages. The Ottawa-Gatineau English-language radio market consists of 10 commercial FM and three commercial AM radio stations offering a variety of programming formats, and two English-language Canadian Broadcasting Corporation (CBC) stations, CBO-FM and CBOQ-FM. The market is also served by the community-based campus radio stations CKCU-FM and CHUO-FM, as well as the instructional campus radio station CKDF-FM and the specialty radio station CHRI-FM. The Ottawa-Gatineau French-language radio market consists of five commercial FM radio stations offering a variety of programming formats and two French-language CBC stations, CBOF-FM and CBOX-FM.
16. The Commission notes that the Franco-Ontarian community is an official-language minority community within the bilingual Ottawa-Gatineau market, and that currently this market does not have any French-language community station that is devoted specifically to the Franco-Ontarian population as a whole.

17. As stated in the Report on OLMC, the Commission's role is to strike a balance between the various objectives set out in the Act. The regulatory framework within which the Commission operates does not enable it to give priority to factors related to official-language minority communities or to any other factor that it must consider.
18. In the context of the 31 March 2009 reconsideration hearing, the Commission assessed the needs of the official-language minority community in light of the supplementary information submitted by the applicants.

Proposed amendments to the initial applications

19. In the context of the reconsideration process, in a letter dated 8 December 2008, the Commission sought comments from the applicants in regard to the following issues:
 - In its evaluation of the competitive FM applications heard during the 13 May 2008 public hearing, did the Commission give adequate consideration to the needs of official-language minority communities? Please elaborate.
 - Should the Commission decide to hold a public process to reconsider the applications for new FM stations to serve Ottawa-Gatineau, do you wish to see your application included in the public process? If yes, why?
 - Are you planning on amending your application to take into consideration the specific needs of official-language minority communities? If so, how?
 - Are there other alternatives to the existing two frequencies identified in Broadcasting Decision 2008-222 that would be material to the reconsideration of the decision?
20. In another letter dated 23 December 2008, applicants were also invited to amend their applications, if so desired, in light of the Orders in Council. The Commission allowed applicants to file revised financial projections, but specified that the total contribution amount they had committed to Canadian content development (CCD) had to remain the same as the amount indicated in the original application.
21. In response to this letter, Radio de la communauté francophone d'Ottawa (RCFO), Torres, Corus Radio Company (Corus) and Ottawa Media Inc. (OMI) filed amendments to their applications. Astral did not file any amendments to its application.

Radio de la communauté francophone d'Ottawa

22. RCFO indicated that it may want to amend its application but only to provide the Commission with more information on the needs of official-language minority communities, not to change its proposal. In this regard, RCFO stated in a letter dated 12 December 2008 that many francophone stations already serve the region but that, for the most part, the programming targets the Quebec population. RCFO argued that while Franco-Ontarians have a lot in common with Quebecers, they also have their own culture and that it would therefore be wrong to assume that the French-language radio stations serving the Ottawa-Gatineau region meet the needs of the Franco-Ontarian community.

23. RCFO did not amend its initial application, but submitted revised financial projections as well as additional information, including a list of over 150 volunteers ready to be involved in the radio station. Several of these volunteers already have experience in radio. RCFO also proposed to bring in a new Board of Directors, composed of experienced directors who, according to RCFO, would bring their expertise to the management of the station.
24. RCFO also submitted information regarding its various partnerships and agreements. Of note, the applicant indicated that La Nouvelle Scène, one of the most important French-language theatre centres outside of Quebec, confirmed that it would contribute to the production of interviews, vignettes, etc. RCFO also confirmed that the Conseil des écoles publiques de l'Est de l'Ontario would lease RCFO the necessary space for its offices and studios.
25. Further, in a letter dated 6 April 2009, RCFO provided information regarding the financing it would receive from non-governmental sources. RCFO stated that by taking into account the financing received from non-governmental sources, it would only need a further \$31,250 to meet its financial needs adequately. It also stated that it will be able to raise this amount easily through fundraising, lotteries and benefit concerts.

Torres Media Ottawa Inc.

26. Torres made some amendments to its initial application, and submitted revised financial projections. In addition, in a letter dated 15 January 2009, Torres stated that it wanted to amend its CCD commitments. Specifically, although the total over-and-above CCD contribution⁵ of \$750,000 over seven years remains the same, Torres now intends to devote \$50,000 per year (\$350,000 over seven consecutive broadcast years) to support a non-commercial French-language radio station in the Ottawa-Gatineau market. Torres noted that cross-subsidization could support a radio station serving an official-language minority community. Torres has amended its over-and-above contributions as follows to reflect this new commitment:

⁵ As discussed in Broadcasting Information Bulletin 2009-251, over-and-above contributions are generally imposed by conditions of licence. These are additional contributions that exceed the basic annual CCD contribution required of all stations in Part III of the *Radio Regulations, 1986* (the Regulations). Applicants that commit to an over-and-above contribution are not exempt from the basic annual contribution requirements set out in the Regulations.

Initiative	Initial contribution (\$/year)	Amended contribution (\$/year)	TOTAL (\$/7 years)
FACTOR	64,286	25,000	175,000
Canadian Music Week	34,000	11,000	77,000
Blues in the Schools	4,500	9,142.86	64,000
Ottawa Blues Society	2,000	12,000	84,000
Starboard Communications	2,358	0	0
Minority language radio	(non-existent)	50,000	350,000
TOTAL (7 years)			750,000

Corus Radio Company

27. Corus amended its initial application to update its financial projections and to detail how it would meet the needs of official-language minority communities. Specifically, in a letter dated 15 January 2009, Corus indicated that if the Commission approved its application for a new broadcasting licence to serve Ottawa and Gatineau, it would support an application by RCFO to operate a new French-language community AM station on frequency 1150 kHz. In this regard, Corus stated that it would cease to operate its station on the above frequency in May 2009.⁶ Corus also specified that it would provide RCFO with the technical equipment for its AM transmitter so that RCFO could operate on this frequency at a lower cost. Additionally, Corus said it was prepared to pay the operating costs of RCFO's transmission equipment on frequency 1150 kHz for three years, and to help RCFO convert its station to the FM band in 2011.
28. In all, Corus estimates the value of its commitments to support RCFO at \$525,000 over three years. The Commission notes that Corus's promised \$2,800,000 over-and-above contribution to CCD over seven years remains unchanged. However, the applicant amended the amounts to be paid to each of the projects to include \$525,000 over three years to support RCFO.
29. In addition, Corus stated that it intends to provide financial support to RCFO even if RCFO opted to operate its community station on the FM band.

Ottawa Media Inc.

30. OMI indicated that it wanted to amend its application. Specifically, OMI stated that it intends to devote 41 hours in each broadcast week to programming for the minority Francophone community in the Ottawa-Gatineau market. OMI also stated that it would give

⁶ On 3 June 2009, Corus confirmed that its station CJRC had ceased operating on the AM band in May 2009.

access to its facilities to community groups in order to offer six hours of community programming every week on Saturday and Sunday.

31. With respect to CCD, OMI stated that its contribution to the University of Ottawa would be equally divided between French- and English-language students.
32. OMI's proposed French-language programming would be broadcast mostly on Saturdays and Sundays. OMI also made a commitment to devote 65% of the musical selections broadcast over the weekend to French-language vocal musical selections.

Public hearings held 31 March and 12 June 2009

33. At a public hearing commencing 31 March 2009,⁷ in light of the Orders in Council, the Commission reconsidered eight⁸ of the 10 original competing applications to operate new radio stations to serve the Ottawa-Gatineau market.
34. At the hearing, the applicants proposed the use of the same three separate frequencies that had been proposed at the 13 May 2008 hearing: 99.7 MHz, 101.7 MHz and 101.9 MHz. In Broadcasting Decision 2008-222, the decision being reconsidered, the Commission had determined that these were the last frequencies available to serve the Ottawa-Gatineau market.⁹ However, at the 31 March 2009 hearing, some applicants and interveners mentioned the possibility of using frequency 94.5 MHz in this market. This frequency is second adjacent to 94.9 MHz (channel 235C1) used by the Astral station CIMF-FM, which is operated from the Camp Fortune site in Chelsea, Quebec. At the end of the 31 March 2009 hearing, the Commission announced that it would hold an additional day of hearing on 12 June 2009 to examine the use of frequency 94.5 MHz.
35. Further, in a letter dated 5 June 2009, the Commission noted that Newcap Inc. (Newcap) has allowed for tests to be conducted for a potential station on frequency 94.5 MHz. The Commission then asked Newcap to confirm whether it would be willing to negotiate the use of its antenna on Camp Fortune with a third party if that party were to be authorized to use 94.5 MHz. In a letter responding to the Commission and dated 9 June 2009, Newcap stated that while it cannot consent at once to the use of its antenna, it would be ready to look into this option if it were to receive a formal request with technical details from an applicant and if the CBC is in agreement that such negotiations can take place.
36. With the co-operation of the CBC and at the Commission's request, Astral, RCFO and Torres conducted tests to assess, along with other aspects, the potential quality of the signal on frequency 94.5 MHz, the potential for interference as well as the coverage that this frequency could offer in the Ottawa-Gatineau market from the Camp Fortune site. Astral also sought to assess the impact that the use of frequency 94.5 MHz would have on its station CIMF-FM. The tests revealed that the use of frequency 94.5 MHz, assuming the

⁷ See Broadcasting Notice of Public Hearing 2009-2.

⁸ Christian Hit Radio Inc. and Mark Steven Maheu, on behalf of a corporation to be incorporated, decided not to participate in this reconsideration proceeding.

⁹ Frequencies 101.7 MHz and 101.9 MHz were deemed technically mutually exclusive. The Commission therefore did not intend to grant licences simultaneously to two applicants to operate on these two frequencies.

same technical parameters as the tests, would cause only minimal interference with CIMF-FM's signal and would provide an acceptable signal for the Ottawa-Gatineau market.

37. During the 12 June 2009 hearing, the CBC confirmed that there is enough space on its transmitter site at Camp Fortune to install new transmitting equipment. The CBC also stated that it did not have any objections with respect to the addition of another station on the Camp Fortune site as long as the usual conditions regarding the use of the transmitter site are followed.
38. During the additional day of hearing on 12 June 2009 in Gatineau, the Commission examined with some of the applicants¹⁰ and the CBC, information regarding the use of frequency 94.5 MHz from the Camp Fortune site to serve the Ottawa-Gatineau market. The Department of Industry's (the Department's) rules and regulations require licensed broadcasters to agree beforehand on the use of second adjacent frequencies.
39. The Commission notes that, following the 12 June 2009 hearing, Astral submitted a letter dated 26 June 2009 confirming that it had never sought, was not seeking and could not accept frequency 94.5 MHz for its proposed station, Eve-FM. Additionally, Astral specified in its letter that it would agree to another broadcaster using frequency 94.5 MHz, which is second adjacent to the frequency used by its station CIMF-FM (94.9 MHz), on the condition that the Commission confirm its initial decision to grant a licence to Astral on frequency 99.7 MHz and subject to the following three conditions:
 - that the applicant accept the technical parameters (channel, power, elevation, antenna) that were used to conduct the tests and which are described in the technical report submitted to the Department of Industry; and that any subsequent application to amend these technical parameters be at the licensee's expense, in accordance with the Department of Industry and Commission rules, policies and procedures and demonstrate specifically that such amendments will not cause interference with station CIMF-FM (94.9 MHz);
 - that any interference with CIMF-FM's signal on the second adjacent frequency 94.9 MHz caused by the licensee must be remedied to the satisfaction of CIMF-FM; and
 - that the licensee agrees not to take any steps that limit CIMF-FM's current ability to adopt IBOC HD technology if and when it is introduced in Canada.
40. Although in a letter dated 12 December 2008 Astral initially indicated that it did not want to amend its initial application, in a letter dated 26 June 2009 Astral confirmed that it wanted to amend its over-and-above CCD contributions. Specifically, Astral indicated in the letter that, if RCFO agreed to use frequency 94.5 MHz, it intends to reallocate to RCFO the CCD commitment of \$504,460 over seven years that it had originally earmarked to support Aboriginal Voices Radio (AVR). Astral also indicated that it would be willing to assist RCFO in the preparation and filing of the technical documentation to the Department and to

¹⁰ Astral, RCFO, Torres, Corus and OMI.

assist RCFO in its negotiations with the CBC and Newcap with respect to agreements regarding the use of the antenna and tower at the Camp Fortune site.

41. In a letter dated 26 June 2009, Torres indicated that it preferred to use frequency 101.9 MHz for its proposed service, claiming that Astral's conditions for using 94.5 MHz were too restrictive. Torres added that it had already invested substantial time and money in rolling out a radio station operating at frequency 101.9 MHz.
42. RCFO indicated that it would agree to use frequency 94.5 MHz, provided that it received the promised financial assistance from Astral and Torres as well as Astral's technical support.

Commission's analysis

43. The interventions, the replies to the interventions, the amendments to the applications as well as all other documents relevant to the proceeding can be found on the public record and are available on the Commission's website at www.crtc.gc.ca under "Public Proceedings." Details of the applications are set out in Appendix 1 to this decision.
44. In light of the applicable regulations and policies, information submitted over the course of the proceeding, the Orders in Council and, and after having examined the proposed amendments to the applications, the Commission considers that, in the reconsideration process, the issues to be addressed in its determinations are the following:
 - Is the Ottawa-Gatineau market able to support a new French-language radio station? If so, which proposal best meets the needs of the market's francophone community?
 - Does the Commission need to change its original decision to grant broadcasting licences to Astral and Torres?
 - Is the use of frequency 94.5 MHz a viable option?

The Ottawa-Gatineau radio market and its ability to sustain a new French-language radio station

45. The Commission is of the view that its most recent assessment of the Ottawa-Gatineau radio market demonstrates that there is a need for a new French-language station to serve the Franco-Ontarian community.
46. In 2008, advertising revenues for French-language commercial radio stations in Ottawa-Gatineau were approximately \$16.2 million. This represents an increase of 5.2% from the 2007 advertising revenues of \$15.4 million. From 2004 to 2008, radio advertising revenues increased on average by 7.3% each year. In 2008, the combined profit before interest and tax (PBIT) for the French-language stations reached \$4.7 million for a PBIT margin of 29%. In comparison, the 2007 PBIT margin was 21%.

47. Despite the strong performance of the Ottawa-Gatineau French-language radio market and the positive economic outlook of the market, the Commission is of the view that the market does not have the same capacity to absorb another station as the English-language market. However, given that community stations are largely supported by volunteers and are owned and controlled by non-profit organizations, the Commission is not concerned with the impact a new community station would have on existing stations.
48. Consequently, the Commission is of the view that a station such as the one proposed by RCFO, with its community focus and its non-commercial nature, would not have an undue negative impact on the incumbent stations in the Ottawa-Gatineau radio market.
49. In Broadcasting Decision 2008-222, the Commission had denied RCFO's application. The Commission had noted in paragraph 28 of the decision that "RCFO did not present a compelling business case for the service." By "business case," the Commission was specifically referring to the applicant's business plan.
50. However, the Commission notes that during the reconsideration process, RCFO took the opportunity to clarify its initial application extensively, as previously mentioned. The Commission considers that the applicant successfully demonstrated the viability of its business plan by identifying the sources of the funding it requires to support the station and provide the proposed programming. It also revised its financial projections to take into account the current economic situation. The Commission specifically notes the pool of volunteers that RCFO stated it has and the expertise the applicant has acquired by recruiting volunteers with radio experience.¹¹
51. The programming proposed by RCFO would be produced primarily by Franco-Ontarian volunteers and would include a variety of spoken word programming aimed directly at the Franco-Ontarian community. Further, the station would place particular importance on promoting local and regional artists.
52. RCFO proposed to broadcast 126 hours of programming each broadcast week, including 94 hours of local programming. Some of the music programs would feature music from new artists and local artists as well as interviews and information about the artists. The station's spoken word programs would consist of local news, weather, and sports, artistic and cultural news. The programs would also include community-oriented public announcements targeting the Franco-Ontarian population, such as information blocks featuring the day's community events.
53. The Commission is satisfied that with the proposed local programming and the broadcast of programs by producers from the community, the radio station would contribute to meeting the needs of the Franco-Ontarian community and to maintaining and enhancing its cultural sovereignty.

¹¹ RCFO letter to the Commission, dated 12 December 2008.

54. In light of the foregoing, the Commission considers that the community radio station proposed by RCFO now meets both the needs of the Franco-Ontarian community in light of the Orders in Council and the assessment factors established by the Commission. The Commission considers that the application complies with the provisions for Type B community radio stations set out in Public Notice 2000-13.
55. The Commission notes that no other applicant proposed to serve the Franco-Ontarian community in the Ottawa-Gatineau market specifically. With respect to the changes proposed by OMI, the Commission notes that these changes would have altered the nature of the service originally proposed. OMI initially applied to operate an English-language commercial FM station. The Commission is concerned about the impact of the revised proposed bilingual service on OMI's business plan. Additionally, given the programming proposed by OMI, the Commission is of the view that bilingual programming concentrated on weekends would not meet the needs of Franco-Ontarians. In the Commission's view, RCFO's proposal would best meet the needs of the official-language minority community in the Ottawa-Gatineau market.

Does the Commission need to change its original decision to grant broadcasting licences to Astral and Torres?

56. In making its determinations, the Commission carefully reviewed each of the amendments proposed by all of the applicants in light of the factors identified in Broadcasting Public Notice 2007-66 (the Call): the quality of the application, the diversity of news voices, the competitive state of the radio market and level of market impact, and the best use of the frequency.
57. With respect to the competitive state of the Ottawa-Gatineau radio market, the Commission notes that despite the ongoing difficult economic circumstances, the economy of the Ottawa-Gatineau region is doing relatively well. According to the Conference Board of Canada (Conference Board), the region will continue to grow and the gross domestic product (GDP) is predicted to see a slight increase of 0.2% in 2009 and an average annual increase of 2.8% from 2010 to 2013. In addition, the Conference Board predicts a slight increase in retail sales of 0.5% for 2009, followed by an average annual increase of 4.5% yearly from 2010 to 2013.
58. Further, the English-language commercial radio stations in Ottawa-Gatineau had advertising revenues of approximately \$60 million in 2008, a 1% increase over the \$58 million reported in the preceding year. From 2004 to 2008, radio advertising revenues grew by 8.5% per year on average. In 2008, these stations earned a combined PBIT of \$17 million for a PBIT margin of 27%, which is slightly higher than the PBIT margin of 26% recorded for 2007. Based on the size and strength of the Ottawa-Gatineau English-language radio market, the current profitability of its commercial stations and the positive economic outlook for the region, the Commission remains of the view that the market could support the licensing of two additional English-language commercial radio stations.

59. The Commission reaffirms its position set out in Broadcasting Decision 2008-222 that the proposal by Astral would enhance competition in the Ottawa-Gatineau English-language market, where it currently operates two French-language stations and one English-language station. The Commission notes that Astral filed a high-quality application that included commitments that would contribute to strengthening the region's radio market. For example, the Commission notes Astral's commitment to broadcast 24 hours and 30 minutes of spoken word programming per broadcast week and to devote 40% of its musical selections from category 2 (Popular music) weekly and between 6 a.m. and 6 p.m. Monday to Friday to Canadian selections, which exceeds the regulatory minimum. Finally, the Commission considers that Astral's proposal to support the RCFO radio project would help meet the needs of the Franco-Ontarian community.
60. The Commission also reaffirms its position set out in Broadcasting Decision 2008-222 that the proposal by Torres for a blues/blues rock-based format would increase competition and enhance diversity in the Ottawa-Gatineau market by introducing a new voice as well as a music format not commonly found in the market. The Commission reiterates that Torres also committed to devote 40% of its musical selections from category 2 each broadcast week between 6 a.m. and 6 p.m. Monday to Friday, as well as 20% of its selections from subcategory 34 (Jazz and blues), to Canadian selections, each broadcast week, which exceeds the current regulatory minimums. Further, in order to ensure musical diversity in its programming, Torres committed to broadcast, in each broadcast week, a minimum of 20% category 3 (Special Interest Music) musical selections broadcast in their entirety. Finally, the Commission considers that Torres' proposal to support the RCFO radio project will help meet the needs of the Franco-Ontarian community.
61. In light of the above and taking into account the number of available frequencies, the Commission is of the view that the services proposed by Astral and Torres remain those that best meet the needs of the Ottawa-Gatineau radio market.

Use of frequency 94.5 MHz

62. The Commission notes that the use of frequency 94.5 MHz, assuming the same technical parameters that Astral used to conduct the tests, would signify that only a portion of the Franco-Ontarian population located in the eastern part of Ottawa would be reached. Additionally, RCFO indicated in a letter dated 26 June 2009 that, should it be approved to use this frequency, it would have to invest in a retransmitter that can reach all Franco-Ontarians at some point in the future.
63. RCFO also indicated that the leasing costs involved to install its equipment on the Camp Fortune tower to use frequency 94.5 MHz would be much higher than the \$8,000 per year initially forecast for the use of frequency 101.7 MHz from a tower in downtown Ottawa. As was first mentioned by the CBC, RCFO repeated that the leasing costs for the Camp Fortune tower would vary between \$50,000 and \$80,000 annually.

64. The Commission notes RCFO's concerns about the high technical cost of broadcasting on frequency 94.5 MHz from the Camp Fortune transmitter site and the resulting potential impact on its business plan. However, the Commission notes that in a letter dated 26 June 2009, RCFO confirmed that the additional funds it would receive from Astral and Torres would ensure the viability of its business plan in the event that it files an amendment to its initial application proposing the use of 94.5 MHz. The Commission therefore considers that RCFO's concerns on this issue have been adequately addressed.

Conditions related to the use of frequency 94.5 MHz

65. The Commission finds that the conditions proposed by Astral regarding the use of frequency 94.5 MHz by another broadcaster are appropriate. However, for various reasons, the Commission considers that certain changes to these conditions are required.
66. The Commission is of the view that, for purposes of clarity, the first condition should be amended as follows (the changes are in **bold**).
- The applicant shall accept the technical parameters (**for example, the channel, the power, the elevation and the antenna**) that were used in conducting the tests as detailed in the technical report **dated 27 May 2009 and** submitted to the Department of Industry. All subsequent applications for an amendment to these technical parameters shall be at the licensee's cost, shall be in accordance with the Department of Industry's regulations, policies and procedures, and shall demonstrate that the amendment will not cause interference to CIMF-FM (94.9 MHz).
67. The Commission considers that the second condition grants Astral much discretion regarding the use of frequency 94.5 MHz by another broadcaster, particularly in view of the fact that 94.5 MHz is a second adjacent frequency to that used by CIMF-FM (94.9 MHz). Accordingly, the Commission considers that the following wording is more appropriate (the changes are in **bold**):
- Any interference with CIMF-FM's signal on the second adjacent frequency 94.9 MHz caused by the licensee shall be remedied to the **reasonable** satisfaction of CIMF-FM. **In case of a dispute on reasonableness, the matter may be referred to the Commission for resolution.**
68. The Commission also notes that Astral has already indicated that it does not anticipate any interference based on the parameters that it used to conduct the tests. The Commission further notes that in a letter dated 26 June 2009, RCFO referred to its agreement with Astral concerning the use of frequency 94.5 MHz.
69. The Commission is of the view that the three conditions set out above, taking into account the amendments to the first and second conditions, provide a certain flexibility for a licensee that eventually operates on frequency 94.5 MHz and afford protection for the existing radio station CIMF-FM. Accordingly, the Commission considers that these conditions are appropriate.

70. The Commission notes the exceptional circumstances regarding the use of the second adjacent frequency 94.5 MHz in the context of the reconsideration of Broadcasting Decision 2008-222. The Commission wishes to clarify that the present case in no way constitutes a precedent for applicants in future radio licensing proceedings.

Reallocation of Canadian content development contributions

71. Consistent with its practice for this type of application, the Commission assessed the proposals by Torres and Astral concerning the proposed CCD contributions to RCFO. The Commission acknowledges that these contributions would not directly support CCD because the funds would be devoted to supporting a specific community radio station. However, it considers that the contributions would nevertheless further the achievement of the previously-cited objectives set out in paragraph 3(1)(b), (c) and (k) of the Act.
72. In Broadcasting Decisions 2009-177 and 2009-178, the Commission, as requested by the licensee, revoked AVR's broadcasting licences for the stations respectively located in Kitchener, Ontario and Montréal, Quebec, thereby reducing AVR's financial needs. In addition, AVR has notified the Commission that it does not intend to implement stations to serve Saskatoon and Regina, Saskatchewan.¹² In view of costs involved in launching RCFO's radio station and the higher recurring costs to RCFO to operate a community station from the Camp Fortune site, the Commission considers that Astral's proposed reallocation to RCFO over seven years of \$504,460, which was initially earmarked to support AVR, is appropriate.
73. In addition, given RCFO's proposed contribution to reflecting the Franco-Ontarian community, the Commission is of the view that Torres' proposal to contribute \$50,000 annually to an official-language minority community radio station is appropriate and should be specifically allocated to RCFO.
74. The Commission notes that Astral and Torres' conditions of licence relating to their respective contributions to CCD have been adjusted to reflect the changes that the applicants made in this area.

Conclusion

75. In light of the foregoing, the Commission **confirms** with changes the approval of the following applications for broadcasting licences to operate new English-language commercial FM radio stations to serve Ottawa and Gatineau:

Astral Media Radio inc.

Application 2007-1204-3, received 21 August 2007

Torres Media Ottawa Inc.

Application 2007-1203-5, received 21 August 2007

¹² See Broadcasting Decisions 2007-155 and 2007-156 respectively.

The terms and **conditions of licence** for these new services, including the modified conditions of licence relating to their contributions to CCD, are set out in Appendices 2 and 3 to this decision respectively.

76. Further, the Commission considers that Astral's and Torres' financial support for RCFO will contribute to the development of the Franco-Ontarian linguistic minority community and will be beneficial to the Canadian broadcasting system as a whole. **Conditions of licence** to this effect are set out in Appendices 2 and 3 to this decision, for Astral and Torres respectively.
77. It should be noted that Astral and Torres will only be able to commence the operation of their respective stations when RCFO has met the certain of the licence issuance terms¹³ set out in Appendix 4 to this decision. The applications by Astral and Torres are subject to conditions prior to the issuance of the licence relating to their commitments to provide financial support to RCFO. Astral also committed to provide technical support. These conditions will ensure that Astral and Torres provide the necessary support so that the RCFO station will commence operations in a timely manner and as soon as possible.
78. The Commission **approves in part** the following application for a broadcasting licence to operate a new French-language Type B community FM radio station in Ottawa:

Radio de la communauté francophone d'Ottawa
Application 2007-1217-6, received 21 August 2007

Within 60 days of the date of this decision, the applicant must submit an amendment to its initial application proposing the use of an FM frequency other than 101.7 MHz (channel 269A) that is acceptable both to the Commission and to the Department. The terms and **conditions of licence** are set out in Appendix 4 to this decision.

79. The Commission **confirms** its denial of the following five applications for broadcasting licences to operate radio stations to serve Ottawa and Gatineau:

Corus Radio Company
Application 2007-1181-3, received 21 August 2007

Fiston Kalambay Mutombo, on behalf of a corporation to be incorporated
Application 2007-0069-2, received 17 January 2007

Instant Information Services Incorporated
Application 2007-1202-7, received 21 August 2007

Ottawa Media Inc.
Application 2007-1178-0, received 21 August 2007

Réel-Radio
Application 2007-0001-0, received 3 January 2007

¹³ The licence issuance terms are set out in Appendix 2 for Astal and Appendix 3 for Torres.

80. The Commission **confirms** its denial of the following application to modify the authorized contour of the English-language commercial tourist radio station CIIO-FM Ottawa by increasing the effective radiated power (ERP) from 25 watts to an average ERP of 427 watts:

Instant Information Services Incorporated

Application 2007-1177-2, received 21 August 2007

Conditions prior to the issuance of the broadcasting licences

81. The Commission considers that the proposals by Torres and Astral with respect to the financial support of RCFO as well as Astral's commitment to provide technical support to be reasonable. However, the Commission is of the view that it is appropriate to impose conditions that must be met prior to the issuance of the broadcasting licences for Astral, Torres and RCFO. These **conditions** are set out in the respective appendices to this decision and read as follows:
- RCFO has obtained the technical certification from the Department for the use of a frequency other than 101.7 MHz, that is acceptable to both the Commission and the Department.
 - RCFO has signed an agreement, within 90 days of the date of this decision, with the Canadian Broadcasting Corporation with respect to the use of the tower at the Camp Fortune site. A copy of this agreement must be submitted to the Commission within the above timeframe.
 - RCFO has signed an agreement, within 90 days of the date of this decision, with Newcap Inc. with respect to the use of the tower at the Camp Fortune site. A copy of this agreement must be submitted to the Commission within the above timeframe.
 - Astral and Torres have each signed an agreement with RCFO, within 90 days of the date of this decision, detailing the terms of financing with respect to their financial support of RCFO, according to the commitments made in their respective applications. Astral's agreement must include the terms of the technical support it committed to offer to RCFO. A copy of the agreements must be submitted to the Commission within the above timeframe.

Employment equity

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

Secretary General

Related documents

- *Clarifications regarding Canadian content development contributions made by commercial radio stations*, Broadcasting Information Bulletin CRTC 2009-251, 5 May 2009
- *Revocation of licence*, Broadcasting Decision CRTC 2009-178, 3 April 2009
- *Revocation of licence*, Broadcasting Decision CRTC 2009-177, 3 April 2009
- *Licensing of new radio stations to serve Regina, Saskatchewan, and technical change for CJLR-FM La Ronge, Saskatchewan*, Broadcasting Decision CRTC 2007-156, 28 May 2007
- *Licensing of new radio stations to serve Saskatoon, Saskatchewan*, Broadcasting Decision CRTC 2007-155, 28 May 2007
- *Call for applications for a broadcasting licence to carry on a radio programming undertaking to serve Ottawa, Ontario and Gatineau, Quebec*, Broadcasting Public Notice CRTC 2007-66, 22 June 2007
- *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006
- *Community radio policy*, Public Notice CRTC 2000-13, 28 January 2000
- *Introductory statement – Licensing new radio stations*, Decision CRTC 99-480, 28 October 1999

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: www.crtc.gc.ca.

Appendix 1 to Broadcasting Decision CRTC 2009-481

Details from the applications for new broadcasting licences for FM radio programming undertakings to serve Ottawa, Ontario and Gatineau, Quebec

Applicant	Details from the application
Astral Media Radio inc. Application 2007-1204-3	Type: English-language commercial FM radio programming undertaking Technical parameters: 99.7 MHz (channel 259C1), average effective radiated power of 45,000 watts Format: Comfort radio (Soft Adult Contemporary and ballad style) Target audience: 35-54 years (primary), 55-64 years (secondary), skewing 80% to female listeners Canadian content (music): 40% over the broadcast week and between 6 a.m. and 6 p.m., Monday to Friday Local programming per broadcast week***: 126 hours Spoken word programming per broadcast week***: 24 hours, 30 minutes News programming per broadcast week***: 91 minutes (news****) (60% local) Canadian content development contribution (over basic annual contribution): \$5,362,406 over seven consecutive broadcast years Emerging artists programming per broadcast week***: not specified Hit material***** (music): 49.9%
Corus Radio Company Application 2007-1181-3	Type: English-language commercial specialty FM radio programming undertaking Technical parameters: 101.9 MHz (channel 270B1), average effective radiated power of 4,100 watts Format: News/Talk Target audience: 18-64 years; core: 35-49 years Canadian content (music): N/A Local programming per broadcast week: 108 hours, 30 minutes Spoken word programming per broadcast week: N/A News programming per broadcast week: 9 hours, 34 minutes (news) (75% local) Canadian content development contribution (over basic annual contribution): \$2,800,000 over seven consecutive broadcast years Emerging artists programming per broadcast week: N/A Hit material (music): N/A
Fiston Kalambay Mutombo, on behalf of a corporation to be incorporated Application 2007-0069-2	Type: French-language specialty commercial FM radio programming undertaking Technical parameters: 101.9 MHz (channel 270A), average effective radiated power of 285 watts Format: Specialty Christian music Target audience: not specified Canadian content (music): 35% category 2; 90% category 3 Local programming per broadcast week: 126 hours Spoken word programming per broadcast week: 12 hours, 30 minutes News programming per broadcast week: 2 hours of news (80% local)

Canadian content development contribution (over basic annual contribution): \$31,500 over seven consecutive broadcast years
Emerging artists programming per broadcast week: 20%
French-language vocal music per broadcast week: 100%

Frank Torres, on behalf of a corporation to be incorporated (now known as Torres Media Ottawa Inc.)
 Application 2007-1203-5

Type: English-language commercial FM radio programming undertaking
Technical parameters: 101.9 MHz (channel 270A), average effective radiated power of 1,300 watts
Format: Blues/Blues-rock based – 20% category 3 weekly
Target audience: 25-54 years; core/median: 40 years
Canadian content (music): 40% category 2 weekly and between 6 a.m. and 6 p.m., Monday to Friday; 20% subcategory 34 (Jazz and Blues) weekly
Local programming per broadcast week: 120 hours per week on average; reserve remaining 6 hours per week to broadcast either local syndicated or other syndicated music programming when available and deemed appropriate to format
Spoken word programming per broadcast week: 13 hours, 47 minutes
News programming per broadcast week: 3 hours, 54 minutes (news) (60% local) and 1 hour, 51 minutes (weather, sports and traffic surveillance material)
Canadian content development contribution (over basic annual contribution): \$400,000 over seven consecutive broadcast years
Emerging artists programming per broadcast week: 20%
Hit material (music): 49.9%

Instant Information Services Incorporated
 Applications
 2007-1177-2 and
 2007-1202-7

Type: Increase in power and new FM (French-language commercial FM radio programming undertaking)
Technical parameters: 99.7 MHz (channel 259A), average effective radiated power of 427 watts
Technical parameters: 101.9 MHz (channel 270A1), effective radiated power of 200 watts
Format: Tourist radio
Target audience: All demographics
Canadian content (music): N/A
Local programming per broadcast week: 100 hours
Spoken word programming per broadcast week: N/A
News programming per broadcast week: 10-15 minute broadcast loops, repeated 24/7, 365 days a year; loops consist of weather forecasts and conditions, road condition reports, road traffic reports, etc. for the Ottawa region
Canadian content development contribution (over basic annual contribution): none
Emerging artists programming per broadcast week: 50-100%
Hit material (music): N/A

Ottawa Media Inc.
 Application 2007-1178-0

Type: English-language commercial FM radio programming undertaking
Technical parameters: 99.7 MHz (channel 259B1), average effective radiated power of 4,800 watts
Format: Adult Album Alternative (Triple A)
Target audience: 35-64 years, skewed to female listeners; core: women 35-54
Canadian content (music): 40% category 2 over broadcast week,

35% category 2 between 6 a.m. and 6 p.m., Monday to Friday

Local programming per broadcast week: 100 hours

Spoken word programming per broadcast week: 34 hours, 18 minutes

News programming per broadcast week: 13 hours (news) (80% local)

Canadian content development contribution (over basic annual contribution): \$2,100,301 over seven consecutive broadcast years

Emerging artists programming per broadcast week: 12%

Hit material (music): 49.9%

Note: In January 2009, the applicant proposed to broadcast 18 hours of spoken word programming in French per week, Saturdays and Sundays, and five hours of spoken word programming in French per week, Monday to Friday. The applicant also committed to devote 65% of its musical selections to French-language vocal music each weekend.

**Radio de la
communauté
francophone d'Ottawa**
Application 2007-1217-6

Type: French-language community Type B FM radio programming undertaking

Technical parameters: 101.7 MHz (channel 269A), average effective radiated power of 718 watts

Format: Rock, Pop and Dance (80%), as well as country, concert, folk, world beat and international, jazz and blues

Target audience: French-language population

Canadian content (music): 35% category 2; 12% category 3

Local programming per broadcast week: 94 hours

Spoken word programming per broadcast week: 31 hours, 50 minutes

News programming per broadcast week: 4 hours (news) (20% local)

Canadian content development contribution (over basic annual contribution): N/A

Emerging artists programming per broadcast week: N/A

Hit material (music): N/A

French-language vocal music per broadcast week: 65% category 2

Réel-Radio
Application 2007-0001-0

Type: French-language community-based campus FM radio programming undertaking

Technical parameters: 101.9 MHz (channel 270A1), average effective radiated power of 158 watts

Format: Maximum 80% category 2; concert, folk, world beat and international as well as jazz and blues

Target audience: French-language population

Canadian content (music): 35% category 2; 12% category 3

Local programming per broadcast week: 121 hours, 5 hours of which will be devoted to programs originating from la Coalition des radios universitaires

Spoken word programming per broadcast week: 34 hours

News programming per broadcast week: 21 minutes news (80% local) and 8-10 hours of public affairs programming weekly

Canadian content development contribution (over basic annual contribution): N/A

Emerging artists programming per broadcast week: not specified

Hit material (music): N/A

French-language vocal music per broadcast week: 65% category 2

* Percentages shown for category 2 musical selections (Popular Music) are for the broadcast week and for 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 and to emerging artists, 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 2009-481

Astral Media Radio inc.

Application 2007-1204-3, received 21 August 2007

Terms, conditions of licence and expectation

Issuance of the broadcasting licence to operate an English-language commercial FM radio programming undertaking in Ottawa, Ontario and Gatineau, Quebec

Terms

The licence will be effective 1 September 2009 and will expire 31 August 2016.

The station will operate at 99.7 MHz (channel 259C1) with an average effective radiated power of 45,000 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.

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 11 August 2011. 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.
- the applicant has signed an agreement with Radio de la communauté francophone d'Ottawa (RCFO) detailing the terms of financing with respect to the financial support of RCFO. The agreement must also include the terms of the technical support it is offering to RCFO. This agreement must be signed within 90 days of the date of this decision. A copy of the agreement must be submitted to the Commission within the above timeframe (may be filed in confidence if necessary).
- RCFO has fulfilled the following terms for the issuance of its licence:
 - RCFO has submitted, within 60 days of the date of this decision, an amendment to its application proposing the use of an FM frequency other than 101.7 MHz (channel 269A) and related technical parameters that are acceptable to both the Commission and the Department .

- RCFO has signed an agreement, within 90 days of the date of this decision, with the Canadian Broadcasting Corporation with respect to the use of the tower at the Camp Fortune site. A copy of this agreement must be submitted to the Commission within the above timeframe (may be filed in confidence if necessary).
- RCFO has signed an agreement, within 90 days of the date of this decision, with Newcap Inc. with respect to the use of the tower at the Camp Fortune site. A copy of this agreement must be submitted to the Commission within the above timeframe (may be filed in confidence if necessary).

Conditions of licence

1. The licence will be subject to the conditions set out in *Conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009.
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), in each broadcast week:
 - a) devote a minimum of 40% of its musical selections drawn 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 the period from Monday to Friday of the same broadcast week, a minimum of 40% of its musical selections drawn from content category 2 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 from time to time, the licensee shall, upon commencement of operations, contribute annually to CCD the following amounts:

Year 1	\$784,577
Year 2	\$776,662
Year 3	\$771,142
Year 4	\$764,462
Year 5	\$759,202
Year 6	\$753,908
Year 7	\$752,453

Of these amounts, the licensee shall allocate the following to FACTOR annually:

Year 1	\$171,329
Year 2	\$169,746
Year 3	\$168,642
Year 4	\$167,306
Year 5	\$166,254
Year 6	\$165,195
Year 7	\$164,904

The remaining amounts of this additional 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. In addition to the amounts set out in condition of licence 3, the licensee shall contribute a minimum of \$504,460 over seven broadcast years to Radio de la communauté francophone d'Ottawa for the support and development of its French-language FM community radio station in Ottawa. This amount shall be distributed according to the agreement concluded between the licensee and Radio de la communauté francophone d'Ottawa and which is addressed in the "Terms" section of this appendix.

Expectation

Cultural diversity

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

Appendix 3 to Broadcasting Decision CRTC 2009-481

Torres Media Ottawa Inc.

Application 2007-1203-5, received 21 August 2007

Terms, conditions of licence, expectation and encouragement

Issuance of the broadcasting licence to operate an English-language commercial FM radio programming undertaking in Ottawa, Ontario and Gatineau, Quebec.

Terms

The licence with be effective 1 September 2009 will expire 31 August 2016.

The station will operate at 101.9 MHz (channel 270A) with an average effective radiated power of 1,300 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.

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 11 August 2011. 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.
- the applicant has signed an agreement with Radio de la communauté francophone d'Ottawa (RCFO) detailing the terms of financing with respect to the financial support of RCFO, according to the commitments made in its application. This agreement must be signed within 90 days of the date of this decision. A copy of the agreement must be submitted to the Commission within the above timeframe (may be filed in confidence if necessary).
- RCFO has fulfilled the following terms for the issuance of its licence:
 - RCFO has submitted, within 60 days of the date of this decision, an amendment to its application proposing the use of an FM frequency other than 101.7 MHz (channel 269A) and related technical parameters that are acceptable to both the Commission and the Department.

- RCFO has signed an agreement, within 90 days of the date of this decision, with the Canadian Broadcasting Corporation with respect to the use of the tower at the Camp Fortune site. A copy of this agreement must be submitted to the Commission within the above timeframe (may be filed in confidence if necessary).
- RCFO has signed an agreement, within 90 days of the date of this decision, with Newcap Inc. with respect to the use of the tower at the Camp Fortune site. A copy of this agreement must be submitted to the Commission within the above timeframe (may be filed in confidence if necessary).

Conditions of licence

1. The licence will be subject to the conditions set out in *Conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009.
2. The licensee shall devote, in each broadcast week, a minimum of 20% of musical selections to selections drawn from content category 3 (Special Interest Music).
3. 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), in each broadcast week:
 - a) devote a minimum of 20% of its musical selections drawn from content subcategory 34 (Jazz and Blues) to Canadian selections broadcast in their entirety;
 - b) devote a minimum of 40% of its musical selections drawn from content category 2 (Popular Music) to Canadian selections broadcast in their entirety; and
 - c) devote, between 6:00 a.m. and 6:00 p.m., in the period from Monday to Friday of the same broadcast week, a minimum of 40% of its musical selections drawn from content category 2 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.

4. In addition to the required basic annual contribution to Canadian content development set out in section 15 of the *Radio Regulations, 1986*, as amended from time to time, the licensee shall, upon commencement of operations, make an annual contribution of \$57,143 (\$400,000 over seven consecutive broadcast years) to the promotion and development of Canadian content.

Of this amount, the licensee shall remit to FACTOR the amount of \$25,000 per broadcast year.

The remaining amounts of this additional 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. In addition to the amounts set out in condition of licence 4, the licensee shall contribute a minimum of \$50,000 per broadcast year (\$350,000 over seven consecutive broadcast years) to Radio de la communauté francophone d'Ottawa for the support and development of its French-language community FM radio station in Ottawa.

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 2009-481

Radio de la communauté francophone d'Ottawa
Application 2007-1217-6, received 21 August 2007

Terms, condition of licence and encouragement

Issuance of the broadcasting licence to operate a French-language Type B community FM radio programming undertaking in Ottawa, Ontario and Gatineau, Quebec

Terms

The licence will be effective 1 September 2009 and will expire 31 August 2016.

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

- the applicant submits, within 60 days of the date of this decision, an amendment to its application proposing the use of an FM frequency other than 101.7 MHz (channel 269A) 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 has notified the Commission that its technical requirements have been met and that a broadcasting certificate will be issued.
- 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 11 August 2011. 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.
- the applicant has signed an agreement, within 90 days of the date of this decision, with the Canadian Broadcasting Corporation with respect to the use of the tower at the Camp Fortune site. A copy of this agreement must be submitted to the Commission within the above timeframe (may be filed in confidence if necessary).
- the applicant has signed an agreement, within 90 days of the date of this decision, with Newcap Inc. with respect to the use of the tower at the Camp Fortune site. A copy of this agreement must be submitted to the Commission within the above timeframe (may be filed in confidence if necessary).

In accordance with *Community radio policy*, Public Notice CRTC 2000-13, 28 January 2000, the licence for this community radio station will be issued to a not-for-profit organization with no share capital whose structure provides for membership, management, operation and programming by members of the community at large. The board of directors will ultimately control the undertaking and be responsible for adherence to the *Radio Regulations, 1986* and the station's conditions of licence.

Condition of licence

1. The licence will be subject to the conditions set out in *New licence form for community radio stations*, Public Notice CRTC 2000-157, Public Notice CRTC 2000-157, 16 November 2000.

Encouragement

Employment equity

The Commission considers that community radio stations should be particularly sensitive to employment equity issues in order to reflect fully the communities they serve. It encourages the applicant to consider these issues in its hiring practices and in all other aspects of its management of human resources.

Dissenting opinion of Commissioner Michel Morin

In August 2008, with the last available frequencies in the Ottawa-Gatineau market at stake, the Commission put forward two radio music formats, one from which I dissented. One year later, the Commission, asked by the Heritage Minister to reconsider its first decision in order to permit Franco-Ontarians access to a spectrum for their community radio station, stuck with its first choices of Astral Media Radio Inc. (Astral) and Frank Torres (on behalf of a corporation to be incorporated) (Torres). Whereas I agree with the first, I disagree with the second.

For me, as it was one year ago, it is utter nonsense to allocate one of the last frequencies in this spectrum-congested market to Torres, a blues/blues rock-based format that will be a first in Canada, and which has been rejected at least twice by other Commissioners in other markets.

In my mind there's no doubt that the best proposal presented in the new hearing was the News/Talk format was proposed by Corus Radio Company (Corus) (best in terms of programming expenses, job creation, less impact on other players, etc.), and "the best use of the frequencies" should have implied a more balanced choice between the News/Talk format proposed by Corus, Astral's music format aimed at female markets, and the community radio proposal by Radio de la communauté francophone d'Ottawa (RCFO).

The context

First of all, it's not my intent to elaborate on the frequency that has been allocated to RCFO. The 94.5 MHz frequency is adjacent to that of Astral's CIMF-FM, which operates on the 94.9 MHz frequency (channel 235C1) from Camp Fortune, Québec.

When they appeared before us, the Franco-Ontarians fought not for the 94.5 MHz frequency, but for the 101.7 MHz frequency, which was less expensive to operate, and they showed little interest or desire in taking advantage of the 94.5 MHz frequency, the one adjacent to CIMF-FM.

RCFO changed its mind at the last minute, fourteen days after the hearing, and accepted the frequency that Torres had suggested, but contradictorily didn't want to use it itself.

What happened over these fourteen days? Frankly, I don't know. But these are the facts. Now with the conditions they accepted, will conflicts happen in the future? I hope not, but there is a risk that they will. And who will pay the price for the conditions set by Astral, the dominant player? In the end, who will have to make the compromises if Astral adopts IBOC HD digital radio technology when it is implemented in Canada, and if interference that was not anticipated appears because the tests that were done were minimal and would not have been acceptable in other circumstances? I mean, in a "normal" hearing, not an expedited one.

Some may be satisfied with the testimony of the engineers who said at the hearing that an effective service could be implemented with minimal interference. For me though, it sets a precedent in this French- and English-language Ottawa-Gatineau radio market, which counts more than 20 commercial and public frequencies including the new ones, and I am at ease with neither the precedent nor the way in which the decision was made after the proceedings had finished. Clearly, this is a Pandora's box and we know that the industry as a whole is quite concerned about the use of the second adjacent frequency and the integrity of the signals. May I remind you of the document written by the Canadian Association of Broadcasters (CAB) about the use of the second frequency, entitled [*CAB Information Paper: Increasing FM Frequency Availability Through the Use of Co-Sited Second-Adjacent FM Channels*](#), prepared by Wayne A. Stacey, P. Eng., CAB technical adviser.

Let me be clear and transparent: the Franco-Ontarians, RCFO, now fully deserve the 94.5 MHz frequency, which they are, after consideration, ready to accept.

Under the leadership of Mr. Lucien Bradet, they appeared before us with greater conviction than in 2008, with the following

- updated financial projections;
- a list of volunteers; and
- agreements with several educational institutions.

I also fully concur with the first panel's two Vice-chairs, and the Chair of the second panel about the choice of Astral, with a music format aimed mainly at a niche market, specifically, professional women in the civil service.

But I find myself at odds with the first and second panels' choice of Torres (now Torres Media Ottawa Inc.). As I wrote last year in my sixteen-page dissenting opinion, with the scarcity of available frequencies, their format is purely experimental, with no analog precedent in the Canadian broadcasting system. I don't intend to repeat the same arguments here. My first dissenting opinion about this subject can be consulted on the CRTC website at the following address:

<http://www.crtc.gc.ca/eng/archive/2008/db2008-222-1.htm>

The right format

About a year ago, we approved RNC Média inc.'s application to drop its specialized musical format in the French-language Ottawa-Gatineau market because it was unprofitable,¹⁴ and now in the same market we are turning around and granting a licence to an untested specialized format.

When you only have enough food for those who are already at the table, you don't invite more people to the party.

¹⁴ See *CHLX-FM Gatineau – Licence amendment and renewal*, Broadcasting Decision CRTC 2008-221, 26 August 2008.

The last “Ranking the Formats” by Bohn & Associates stated the following:

The News/Talk format has held the top spot in the format rankings dating back to Spring 2003. Appetite for the format continues to grow amid economic turmoil and political uncertainty. In S2-2009, the share of hours tuned increased to 27.2%, up 2% from S2-2008. The number of stations programming News/Talk is up to 45, an increase of nine stations in the past six years.

In my dissenting opinion last year I provided numerous statistics and tables to illustrate the natural evolution of the Canadian radio market towards the News/Talk radio format.

This time may I suggest that the same thing is happening in international markets.

In the U.S., from Fall 1998 to Fall 2006, talk format listenership increased by 6.6% and music formats’ share of the overall market decreased by 1.5%. If we exclude Hispanic stations (which grew by 325 stations between June 1997 and June 2009), the downward tendency for music formats is even more accentuated.

U.S. Radio Listening Trend – Share of tuning per format - Fall 1998 to Fall 2006 (Arbitron)			
Format	Fall 1998	Fall 2006	Variation 1998-2006
Talk	18.3	19.5	+6.6 %
Music	81.7	80.5	-1.5 %

In 1997, there were 2,491 commercial Country radio stations in the U.S.

As of June 2009, of the 10,557 commercial radio stations operating in the U.S., this number has fallen below 2000.

Over the same period, the number of News/Talk radio stations grew from 1,111 to more than 1,400, an increase of 26% in News/Talk radio stations over a twelve-year period. It’s a huge increase. It seems now to be just a matter of time before the number of News/Talk radio stations, even if they are more expensive to operate, surpasses the number of Country radio stations, the number one music format of our Southern neighbours.

Number of commercial radio stations per format (U.S.)				
Year	Format			
	Country	Spanish	News/Talk	Sports
1997	2,491	474	1,111	220
1998	2,368	493	1,131	251
1999	2,306	536	1,159	256
2001	2,190	574	1,139	338
2002	2,131	603	1,179	388
2003	2,088	628	1,224	429
2004	2,047	665	1,282	470
2008	2,028	799	1,363	587
2009	1,997	799	1,402	634

This past June in France, based on the results of Médiamétrie from April to June 2009, *Le Figaro* wrote that “France Inter,” a public station with a News/Talk format, is now in second place (10.3% of market share), and NRJ (10.0%), with a music format station, is now third behind France Inter and RTL (12.1%)...another News/Talk format station (“une radio à prépondérance verbale,” as we say at the CRTC!). As in the Ottawa English-language market, the two top-ranked radio stations in France now follow a News/Talk format, and the fifth-ranked (France Info, 8.5%) is also a News/Talk radio station. Of course these numbers in favour of “la radio parlée” (three out of five) speak for themselves. As the headline said, “Les musicales sont en perte de vitesse” (The music stations are losing ground).

What a surprise with so many things happening on the international, national and local scenes! What a surprise when students feed the networks with images of the killings at Virginia Tech, of RCMP officers tasing an agitated airline passenger in Vancouver, of demonstrations in Myanmar, China and Iran. With more than three billion cell phone owners, who will all soon be able to feed video, everyone has become a journalist. Even radio stations, at least those willing to take advantage of state of the art Internet technologies, can benefit from this sea change by directing listeners to their web portal(s). With expanded interactivity between listeners and anchors, one can expect an equal increase in loyalty to these stations’ reporting of local events and stories.

In this perspective, the second panel, with the addition of its two new members (the Chair and the Commissioner, Ontario Region), had every chance to choose differently than the first, which was composed of the two Vice-chairs and myself. It was not bound by the initial decision, because, as we saw, Astral and Torres were not the only players that offered different options in order to take into account the concerns of the Heritage Minister.

In the spirit of transparency, I read out this dissenting opinion at the 21 July 2009 Full-Time Commissioners Meeting in English (as written) and provided the information in the tables that appear herein. While two commissioners sided with me, the others sided neither in favour nor against the four-member panel’s earlier decision.

In my mind, the primary choice that the first and second panels had to make was the picking of the applicant best suited to serve the interests of audiences within the Ottawa-Gatineau region. In this instance, we all agreed that the main proposals came from the English-language side, mainly because their higher potential advertising revenues could lead to greater programming expenditures.

Breaking the dual-band monopoly

Presently, twelve of the fourteen English language radio stations in this market are geared towards music. Their total market share is approximately 77%.

The remaining two News/Talk stations control nearly 23% percent of the entire listenership, and every six months are ranked in first and second place overall. Clearly the Ottawa-Gatineau region, the most educated region in Canada, likes the News/Talk radio

format, but there is a dual-band monopoly: the Canadian Broadcasting Corporation (CBC) on the FM band and CFRA (owned by CTVglobemedia Inc.) on the AM band.

We need to loosen the control of the CBC and CFRA. Corus, in my mind, was the perfect player to do so with the 101.9 MHz frequency (Channel 270B1) with an average effective radiated power of 4,100 watts.

It has the size, the resources and the experience needed to create credible competition. It was ready to make the sizeable initial investment (i.e., \$9.7 million) in programming expenses and face seven years in the red (i.e., a profit before interest and tax (PBIT) of minus \$5.2 million) to ensure their success in the relatively costly News/Talk format (see the table below – characters in bold). Which other player could have offered the same?

Which format had room for other players? The twelve deregulated music radio stations that could all change formats on a whim if an all blues format made business sense (roughly 40% of new stations within two years are not delivering the formats that were proposed in their applications), or the two News/Talk stations that sit on nearly a quarter of the listenership? To ask the question is to answer it.

Let me be clear: 77% of the market in the hands of twelve music radio stations equates on average to a 6.4% market share each. With the addition of two more music stations to the mix, the average falls to 5.5%, and this at a time when music formats are losing listeners. On the other side, the two News/Talk radio stations with an average share of 11.5% (more than double that of the music stations) are virtually assured of maintaining their respective ranks.

Is this the kind of stimulation our broadcasting system needs? Given the scarcity of available frequencies, shouldn't they be allocated as efficiently as possible in order to create more competition for the only two News/Talk formats? Is this what this decision does? I doubt it.

More than that, Corus came with an interactive multimedia strategy: a completely new format for News/Talk radio stations in the Ottawa-Gatineau market aimed at young people who are tuning out the Canadian broadcasting system. It would have been the best interactive undertaking in this area, all formats considered. In other words, it offered the quintessential format for our times in the market which ranks first among 20 Canadian cities for Internet use in the home.

As James Curran summarizes:

...the advent of the Internet, Web and digital revolution was hailed emancipatory. New media are expanding the diversity of the media. They are promoting a user-driven, "pull culture" in which people will no longer accept what is pushed at them by media conglomerates. The Web is transferring power to the people, and facilitating the construction of emancipated subjectivities. It is fostering global activism and a new form of progressive politics. The Internet has facilitated

exciting new experiments in “electronic democracy”. It has brought into being a “gay global village”, a haven of emotional and practical support for sexual minorities who are persecuted or shunned around the world. It is facilitating the emergence of a networked world and a dynamic new “new economy.”

Media and Cultural Theory (London: Routledge, 2006), p. 138

Interactivity between professional journalists and listeners is what our broadcasting system needs, as much in radio as in television broadcasting. As far as the News/Talk format is concerned, citizen journalism such as that proposed by Corus also makes sense in this market, which in my opinion is the one that offers perhaps the greatest potential in Canada. As the table demonstrates, of all of the proposals, the Corus proposal provided, by far, the greatest stimulus to employment numbers, with nearly forty employees. Astral and Torres didn’t even give us their numbers.

Comparison between the different projects’ programming expenses and number of employees			
	Programming expenses over a seven-year period	Number of projected employees	
Corus	\$9,711,000	News	10
		Sports	2
		Weather/traffic	2
		Web editors	3
		Community Reporters	20
Astral	\$8,700,000	not specified	
Torres	\$4,967,000	not specified	
RCFO	\$1,199,000	many volunteers	

The commercial impact of this News/Talk format on the other twelve music radio stations would have been minimal. Isn’t this an important thing to consider during a recession? On the one hand, it is obvious that Corus was not a music station, and on the other hand the CBC, which also has a News/Talk format, isn’t commercial, so its revenues wouldn’t have been affected. All both stations would have had to do was to keep their listenership and they would have been stimulated to do so by the arrival of a new competitor.

Moreover, Corus would have expanded the revenues of the broadcasting system overall by targeting untapped hyper-local markets, because they were focusing on hyper-local news that until now has been the stomping ground of small, local weekly newspapers.

RCFO would have gotten \$1 million

Now, looking at the proposed financial assistance for RCFO, the Corus proposal appeared to be significantly better than anything offered by Torres, both in terms of total monies and

timeframe. For instance, Corus offered more than a half million dollars whereas Torres offered less than \$400,000. The Torres offer extended over the course of the seven-year licence, whereas that of Corus extended only over three years, which means that RCFO would have had access to more money when it would have been needed the most. All in all, RCFO would have received more than \$1 million from Corus and Astral, in comparison to \$854,000 from Astral and Torres.

Assistance to RCFO	
Corus	525,000\$ over three years
Astral	504,000\$ over seven years
Torres	350,000\$ over seven years

Conclusion

Corus would have been the sixth big player, after Rogers, CTV, CBC, Newcap Radio and Astral (with the new one), to serve the Ottawa-Gatineau English-language market. With big players come big resources and the staying power for long-term competition. In my mind, one of the most important functions of our broadcasting system is to open gateways for issues important to our democratic values. The platform for radio is a News/Talk format, which must be as diverse as possible. It's a matter of democracy. What does the Ottawa-Gatineau market, now with 14 music radio stations (+RCFO) versus two News/Talk radio stations, need most when it is possible to record 10,000 songs onto a Zune or iPod and create any playlists you desire? And when everyone agrees that music radio stations are challenged by music streaming on the Internet and "peer-to-peer" file sharing?

At a time when the Commission is setting up a brand new fund of \$100 million dedicated to the production of news, it seems contradictory to deny such a well-thought-out proposal. It is as if the Commission's right hand has no idea what its left hand is up to. Everything is linked. With its format, Corus Radio would have improved competition in this market for the production of news, not only for the radio market but for the television market as well. In refusing to grant a licence to Corus Radio we have thwarted the very market forces that could improve the production of news in this region as a whole.

From my point of view, as previously demonstrated in the preceding paragraphs, the Commission, which sided with Torres instead of Corus, is wrong about every factor it initially put forward to meet the needs of the Ottawa-Gatineau radio market. Factors such as the quality of the application, the diversity of news voices, the competitive state of the radio market, the level of market impact and the best use of the frequency would have been better addressed with the Corus proposal.

With the intervention of the Heritage Minister, the Commission had the full opportunity to change its initial decision favouring Torres. Unfortunately, this hasn't been the case. The Commission has chosen to stick to its first decision in favour of the blues format proposed

by Torres, an untested format in North America. In my opinion, the popular, tested News/Talk format proposed by Corus deserved the last available frequency in the Ottawa-Gatineau market. The soundness of the Commission was at stake. For all the reasons that I have given, I wrote this second dissenting opinion on the Ottawa-Gatineau market to concur with the first published in August 2008. Since December 2007, it's my eighth dissenting opinion with the Commission (the other seven can be found in the documents listed below).

Video-on-demand service, Broadcasting Decision CRTC 2008-366, 23 December 2008
(<http://www.crtc.gc.ca/eng/archive/2008/db2008-366.htm>)

Regulatory frameworks for broadcasting distribution undertakings and discretionary programming services – Regulatory policy, Broadcasting Public Notice CRTC 2008-100, 30 October 2008
(<http://www.crtc.gc.ca/eng/archive/2008/pb2008-100.htm>)

Licensing of new radio stations to serve Ottawa and Gatineau, Broadcasting Decision CRTC 2008-222, 26 August 2008, as corrected by *Licensing of new radio stations to serve Ottawa and Gatineau – Correction*, Broadcasting Decision CRTC 2008-222-1, 28 August 2008
(<http://www.crtc.gc.ca/eng/archive/2008/db2008-222.htm>)
(<http://www.crtc.gc.ca/eng/archive/2008/db2008-222-1.htm>)

Change in the effective control of TQS inc. and licence renewals of the television programming undertakings CFJP-TV Montréal, CFJPDJ Montréal, CFAP-TV Québec, CFKM-TV Trois-Rivières, CFKS-TV Sherbrooke, CFRS-TV Saguenay and of the TQS network, Broadcasting Decision CRTC 2008-129, 26 June 2008
(<http://www.crtc.gc.ca/eng/archive/2008/db2008-129.htm>)

CRTC Report to the Minister of Canadian Heritage on the Canadian Television Fund (Appendix 2), as announced in *CRTC submits report on the Canadian Television Fund*, News release, 5 June 2008
(<http://www.crtc.gc.ca/eng/publications/reports/ctf080605.htm>)
(<http://www.crtc.gc.ca/eng/NEWS/RELEASES/2008/r080605.htm>)

Licensing of new radio stations to serve Kelowna, British Columbia, Broadcasting Decision CRTC 2008-62, 14 March 2008
(<http://www.crtc.gc.ca/eng/archive/2008/db2008-62.htm>)

CIGR-FM Sherbrooke – Acquisition of assets, Broadcasting Decision CRTC 2007-435, 24 December 2007
(<http://www.crtc.gc.ca/eng/archive/2007/db2007-435.htm>)