



Broadcasting Decision CRTC 2010-858

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Route reference: 2010-334

Ottawa, 19 November 2010

Larche Communications Inc.
Orillia, Ontario

Application 2010-0470-5, received 16 March 2010

CICX-FM Orillia – Licence renewal

*The Commission **renews** the broadcasting licence for the English-language commercial radio station CICX-FM Orillia from 1 December 2010 to 31 August 2014. This short-term licence renewal will enable the Commission to review the licensee's compliance with the Radio Regulations, 1986 and its conditions of licence at an earlier date.*

Introduction

1. The Commission received an application by Larche Communications Inc. (Larche) to renew the broadcasting licence for the English-language commercial radio programming undertaking CICX-FM Orillia, which expires 30 November 2010.¹ The Commission did not receive any interventions in connection with this application.
2. In Broadcasting Notice of Consultation 2010-334, the Commission should have indicated that the licensee may have failed to comply with section 15(2) of the *Radio Regulations, 1986* (the Regulations) relating to Canadian content development (CCD) contributions for the 2007-2008 broadcast year. The Commission notes that the licensee was subject to a condition of licence requiring it to make a basic annual contribution to CCD beginning in the 2007-2008 broadcast year, in accordance with the policy set out in Broadcasting Public Notice 2006-158 (the Commercial Radio Policy).² The Commission has since amended the Regulations to implement the Commercial Radio Policy.

Non-compliance

3. The Commission notes that there was a shortfall in the licensee's CCD contribution for the 2007-2008 broadcast year.
4. In a letter dated 21 April 2010, the licensee indicated that its non-compliance occurred because its accountant assumed that CICX-FM would not be subject to the new

¹ The licence was administratively renewed from 1 September to 30 November 2010 in Broadcasting Decision 2010-635.

² See Broadcasting Decision 2007-434 and Appendix 2 to this decision.

requirements set out in the Commercial Radio Policy until its licence renewal. According to Larche, its accountant has since taken measures to ensure future compliance. Larche further stated that it would pay the shortfall immediately and that the entire amount would be allocated to FACTOR.

Conclusion

5. In light of the above and in accordance with its practice regarding radio non-compliance set out in Circular No. 444, the Commission considers that a short-term renewal period for CICX-FM is appropriate. Accordingly, the Commission **renews** the broadcasting licence for the English-language commercial radio programming undertaking CICX-FM Orillia from 1 December 2010 to 31 August 2014. This short-term renewal will enable the Commission to review the licensee's compliance with the Regulations and its conditions of licence at an earlier date. The licence will be subject to the **conditions** set out in Broadcasting Regulatory Policy 2009-62.

Reminder

6. The Commission reminds the licensee that it must fulfill all of the tangible benefit commitments set out in Broadcasting Decision 2007-434.

Employment equity

7. In accordance with Public Notice 1992-59, 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.

Secretary General

Related documents

- *Administrative renewals*, Broadcasting Decision CRTC 2010-635, 30 August 2010
- *Notice of applications received*, Broadcasting Notice of Consultation CRTC 2010-334, 1 June 2010
- *Conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009
- *Exchange of radio assets*, Broadcasting Decision CRTC 2007-434, 24 December 2007
- *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006.
- *Practices regarding radio non-compliance*, Circular No. 444, 7 May 2001
- *Implementation of an employment equity policy*, Public Notice CRTC 1992-59, 1 September 1992

**This decision is to be appended to the licence.*