



Broadcasting Decision CRTC 2010-886

PDF version

Route reference: 2010-603

Ottawa, 29 November 2010

Miramichi Fellowship Centre, Inc.
Blackville and Miramichi, New Brunswick

Application 2010-0082-7, received 25 January 2010

CJFY-FM Blackville and its transmitter CJFY-FM-1 Miramichi – Licence renewal

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

Introduction

1. The Commission received an application by Miramichi Fellowship Centre, Inc. to renew the broadcasting licence for the English-language low-power specialty radio programming undertaking CJFY-FM Blackville and its transmitter CJFY-FM-1 Miramichi, which expires 30 November 2010.¹ The Commission did not receive any interventions in connection with this application.
2. In Broadcasting Notice of Consultation 2010-603, the Commission noted that the licensee may have failed to comply with its conditions of licence relating to contributions to Canadian talent development (CTD) for the 2007-2008 broadcast year, as well as with section 15 of the *Radio Regulations, 1986* (the Regulations) relating to contributions to Canadian content development (CCD) for the 2008-2009 broadcast year.

Non-compliance

3. In Broadcasting Decision 2003-613, the Commission imposed a condition of licence requiring the licensee to devote a minimum of \$1,000 per year to CTD.
4. The Commission notes that when the licensee submitted its annual returns for the 2007-2008 and 2008-2009 broadcast years, these did not include all the necessary proof of payments. Therefore, the Commission deemed the licensee to be in

¹ In Broadcasting Decision 2010-547, the Commission renewed the licence for the station from 1 September to 30 November 2010.

non-compliance with its condition of licence relating to CTD for the 2007-2008 broadcast year and with section 15 of the Regulations for the 2008-2009 broadcast year.

5. The Commission notes that the licensee provided the necessary proof of payment on 19 November 2010 attesting that CTD and CCD payments were in fact made within the respective broadcast years. However, the Commission reminds the licensee that as stated in Broadcasting Information Bulletin 2009-251, failure to submit complete annual returns by the required date of 30 November for the broadcast year ending on the previous 31 August will result in non-compliance.

Conclusion

6. In light of the above, given that the 2007-2008 and 2008-2009 annual returns did not include all the necessary proof of payments and in accordance with its practice regarding radio non-compliance set out in Circular No. 444, the Commission considers that a short-term renewal for CJFY-FM and its transmitter is appropriate. Accordingly, the Commission **renews** the broadcasting licence for the low-power, English-language specialty radio programming undertaking CJFY-FM Blackville and its transmitter CJFY-FM-1 Miramichi from 1 December 2010 to 31 August 2014, subject to the **conditions** set out in the appendix. This short-term renewal will enable the Commission to review at an earlier date the licensee's compliance with the Regulations.

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

- *Notice of applications received*, Broadcasting Notice of Consultation CRTC 2010-603, 20 August 2010
- *Administrative renewals*, Broadcasting Decision CRTC 2010-547, 3 August 2010
- *Clarifications regarding Canadian content development contributions made by commercial radio stations*, Broadcasting Information Bulletin CRTC 2009-251, 5 May 2009
- *Christian music FM radio station*, Broadcasting Decision CRTC 2003-613, 19 December 2003
- *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.*

Appendix to Broadcasting Decision CRTC 2010-886

Conditions of licence

1. The station shall be operated within the specialty format as defined in *A Review of certain matters concerning radio*, Public Notice CRTC 1995-60, 21 April 1995, and *Revised content categories and subcategories for radio*, Public Notice CRTC 2000-14, 28 January 2000, as amended from time to time.
2. The licensee shall devote a minimum of 70% of all musical selections broadcast during each broadcast week to selections drawn from subcategory 35 (non-classic religious).
3. The licensee shall broadcast, in any broadcast week, no more than 45% hit material as defined in *Revised policy on the use of hits by English-language FM radio stations*, Public Notice CRTC 1997-42, 23 April 1997.
4. The licensee shall ensure that a minimum of 12% of musical selections from category 3 (Special Interest Music) broadcast during each broadcast week are Canadian selections.