



Broadcasting Decision CRTC 2010-889

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Route reference: 2010-334

Ottawa, 30 November 2010

Newcap Inc.
Edmonton, Alberta

Application 2010-0295-6, received 16 February 2010

CIRK-FM Edmonton – Licence renewal

*The Commission **renews** the broadcasting licence for the English-language commercial radio station CIRK-FM Edmonton 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 the Radio Regulations, 1986.*

Introduction

1. The Commission received an application by Newcap Inc. (Newcap) to renew the broadcasting licence for the English-language commercial radio programming undertaking CIRK-FM Edmonton, 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 stated 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 2008-2009 broadcast year.

Non-compliance

3. As set out in the Regulations, licensees are required to complete payment of their required CCD contributions for a given broadcast year by the end of that broadcast year (i.e. 31 August). The Commission notes that for the 2008-2009 broadcast year, the licensee made its CCD contribution after this 31 August deadline, and that there was a shortfall in this contribution.
4. The licensee indicated that while it had inadvertently used its other station's (CKRA-FM Edmonton) revenues as the basis for CIRK-FM Edmonton's contribution for the 2008-2009 broadcast year, it contributed the shortfall amount to eligible CCD initiatives, including FACTOR, upon notification by the Commission.

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

5. The Commission confirms that the licensee has provided the necessary proof of payment but notes that payments were nonetheless made after the 31 August deadline for the 2008-2009 broadcast year.

Conclusion

6. 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 CIRK-FM is appropriate. Accordingly, the Commission **renews** the broadcasting licence for the English-language commercial radio programming undertaking CIRK-FM Edmonton 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 the Regulations. The licence will be subject to the **conditions** set out in Broadcasting Regulatory Policy 2009-62.

Employment equity

7. Because this licensee is subject to the *Employment Equity Act* and files reports concerning employment equity with the department of Human Resources and Social Development Canada, its employment equity practices are not examined by the Commission.

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
- *Practices regarding radio non-compliance*, Circular No. 444, 7 May 2001

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