



Broadcasting Decision CRTC 2011-20

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Route reference: 2010-551

Ottawa, 12 January 2011

Haliburton Broadcasting Group Inc.
Barry's Bay, Ontario

Application 2010-0859-0, received 18 May 2010
Public Hearing in Saskatoon, Saskatchewan
6 October 2010

English-language FM radio station in Barry's Bay

1. The Commission **approves** the application by Haliburton Broadcasting Group Inc. (Haliburton) for a broadcasting licence to operate an English-language FM commercial radio programming undertaking in Barry's Bay, Ontario. There were interventions in support of this application. The interventions are available on the Commission's website at www.crtc.gc.ca, under "Public Proceedings." The terms and **conditions of licence** are set out in the appendix to this decision.
2. Haliburton is controlled by Beaumaris Group Inc., which in turn is controlled by Mr. Christopher Grossman.
3. The new station will operate at 106.5 MHz (channel 293B) with an effective radiated power of 12,000 watts (non-directional antenna with an effective height of antenna above average terrain of 127 metres). It will offer an Adult Contemporary music format.
4. The station will broadcast a minimum of 120 hours of local programming in each broadcast week, which will include approximately 19 hours of spoken word programming. Haliburton will devote 2 hours and 40 minutes of the spoken word programming to pure news, 50% of which will feature local news stories. The station will also feature weather, sports and community events. Haliburton further committed to devote, by condition of licence, at least 40% of all category 2 (Popular Music) musical selections broadcast during each broadcast week and between 6 a.m. and 6 p.m. from Monday to Friday to Canadian selections broadcast in their entirety. A **condition of licence** to this effect is set out in the appendix to this decision.
5. The station will operate in a single-station market as defined in Public Notice 1993-121. Accordingly, the station is not subject to the requirement that, in order to solicit or accept local advertising, one third of its programming must be local. The Commission notes however, that the applicant has made a commitment to offer a minimum of 120 hours of local programming in each broadcast week.

Canadian content development

6. The Commission reminds the applicant that it must adhere to the requirements relating to contributions to Canadian content development (CCD) set out in section 15 of the *Radio Regulations, 1986*, as amended from time to time. The Commission notes the applicant's commitment to exceed the minimum required contribution. Specifically, the applicant committed to devote, over and above the required basic annual contribution to CCD, an annual contribution of \$6,000 for a total of \$42,000 over seven consecutive broadcast years, upon commencement of operations. Of this amount, 20% will be devoted to FACTOR or MUSICACTION, with the remainder to the Radio Starmaker Fund and eligible initiatives. A **condition of licence** in this regard is set out in the appendix to this decision.
7. The Commission reminds the applicant that any development initiatives that have not been allocated to specific parties by condition of licence must be allocated to the support, promotion, training and development of Canadian musical and spoken word talent, including journalists. Parties and initiatives eligible for CCD funding are identified in paragraph 108 of Broadcasting Public Notice 2006-158.

Secretary General

Related documents

- *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006
- *Local programming policy for FM Radio – Definition of a single-station market*, Public Notice CRTC 1993-121, 17 August 1993

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

Appendix to Broadcasting Decision CRTC 2011-20

Terms, conditions of licence, expectation and encouragement

Terms

Issuance of the broadcasting licence to operate an English-language commercial FM radio programming undertaking in Barry's Bay, Ontario.

The licence will expire 31 August 2017.

The new station will operate on frequency 106.5 MHz (channel 293B) with an effective radiated power of 12,000 watts (non-directional antenna with an effective height of antenna above average terrain of 127 metres).

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.

Furthermore, 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 12 January 2013. 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.

Conditions of licence

1. The licensee 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*, in any broadcast week:
 - a) devote, in that broadcast week, a minimum of 40% of its musical selections 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 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 *Radio Regulations, 1986*.

3. In addition to the 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, make an annual contribution of \$6,000 (\$42,000 over seven consecutive broadcast years) to the promotion and development of Canadian content. Of this amount, the licensee shall allocate no less than 20% per broadcast year to FACTOR or MUSICACTION. The remainder of this additional CCD 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.

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.