



Broadcasting Decision CRTC 2011-388

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Route reference: 2011-55

Ottawa, 22 June 2011

Muskeg Lake Cree Nation Radio Station Corporation Muskeg Lake Cree Nation, Saskatchewan

Application 2010-1608-0, received 28 October 2010

Public hearing in the National Capital Region

5 April 2011

Type B Native FM radio station at Muskeg Lake Cree Nation

*The Commission **approves** an application for a broadcasting licence to operate an English- and Cree-language low-power Type B Native FM radio station at Muskeg Lake Cree Nation, Saskatchewan.*

The application

1. The Commission received an application by Muskeg Lake Cree Nation Radio Station Corporation (MLCN), for a broadcasting licence to operate an English- and Cree-language low-power Type B Native FM radio programming undertaking at Muskeg Lake Cree Nation, Saskatchewan. The Commission did not receive any interventions in connection with this application.
2. MLCN is a not-for-profit corporation controlled by its board of directors.
3. The station would operate at 104.3 MHz (channel 282 LP) with an effective radiated power (ERP) of 30 watts (non-directional antenna with an effective height of antenna above average terrain of 12.1 metres).¹
4. The applicant indicated that, during each broadcast week, the station would offer 27.5 hours of station-produced programming. The programming would include music and spoken word content, and would benefit the community through the sharing of the Cree language, culture, history and traditions.
5. With respect to local talent development, MLCN indicated that it plans to conduct talent shows and to provide on-air exposure for participating artists. The applicant also indicated that the remaining hours of programming would be acquired from Missinipi Broadcasting Corporation.

¹ These technical parameters reflect those approved by the Department of Industry.

6. MLCN indicated that, although it proposed to broadcast less station-produced programming than acquired programming, it plans to increase the amount of station-produced programming as its broadcasting experience grows.

Commission's determination

7. The Commission is satisfied that the application is consistent with the provisions for Type B Native radio stations set out in *Native Broadcasting Policy*, Public Notice CRTC 1990-89, 20 September 1990. Accordingly, the Commission **approves** the application by Muskeg Lake Cree Nation Radio Station Corporation for a broadcasting licence to operate an English- and Cree-language low power Type B Native FM radio programming undertaking at Muskeg Lake Cree Nation, Saskatchewan. The terms and **conditions of licence** are set out in the appendix to this decision.

Secretary General

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

Appendix to Broadcasting Decision CRTC 2011-388

Terms, conditions of licence and encouragement

Terms

Issuance of the broadcasting licence to operate an English- and Cree-language low-power Type B Native FM radio programming undertaking at Muskeg Lake Cree Nation, Saskatchewan

The licence will expire 31 August 2017.

The station will operate at 104.3 MHz (channel 282 LP) with an effective radiated power of 30 watts (non-directional antenna with an effective height of antenna above average terrain of 12.1 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.

Given that the technical parameters approved in this decision are for a low-power unprotected FM service, the Commission also reminds the applicant that it will have to select another frequency if the Department so requires.

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 22 June 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.

The Commission requires the applicant to file within 12 months of the date of this decision a copy of its amended and executed by-laws in order to comply at all times with the *Direction to the CRTC (Ineligibility of non-Canadians)*.

Conditions of licence

1. The licensee shall devote, in each broadcast week, no less than 35% of its musical selections from content category 2 (Popular Music) to Canadian musical selections broadcast in their entirety.
2. The licensee shall adhere to the *Equitable Portrayal Code*, as amended from time to time and approved by the Commission.

3. The licensee shall adhere to the *Broadcast Code for Advertising to Children*, as amended from time to time and approved by the Commission.

Encouragement

The Commission notes the challenges related to operating a local programming service in a community with a small population. Nonetheless, the Commission encourages Muskeg Lake Cree Nation Radio Station Corporation to pursue local community radio programming content and to increase the amount of hours devoted to this local programming.