



Broadcasting Decision CRTC 2011-630

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Route reference: 2011-427

Additional reference: 2011-427-1

Ottawa, 29 September 2011

General Manager of Kahnawake Keeps It Country Station Kahnawake, Quebec

Application 2010-1802-8, received 30 November 2010
Public hearing in the National Capital Region
19 September 2011

Type B Native FM radio station in Kahnawake

*The Commission **approves** an application for a broadcasting licence to operate an English- and Mohawk-language Type B Native FM radio station in Kahnawake, Quebec.*

The application

1. The Commission received an application by Brian Moon, in his capacity as General Manager of Kahnawake Keeps It Country Station, for a broadcasting licence to operate an English- and Mohawk-language Type B Native FM radio programming undertaking in Kahnawake. The Commission did not receive any interventions concerning this application.
2. The station would operate on frequency 89.9 MHz (channel 210A) with an average effective radiated power (ERP) of 360 watts (maximum ERP of 610 watts with an effective height of antenna above average terrain of 26.1 metres).
3. The applicant indicated that it would produce and broadcast approximately 6 hours of spoken word programming and 120 hours of music programming for a total of 126 hours of local programming per broadcast week. It also indicated that to address the specific needs and interests of the community to be served, the station would generally devote 100% of its music programming to country music. The applicant also stated that approximately 5% of the spoken word programming would be in the Mohawk language and approximately 95% in the English language.
4. With respect to local talent development, the applicant indicated that it would support local Mohawk and Native artists by broadcasting their music and presenting concerts.

Commission's decision

5. 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 Brian Moon, in his capacity as General Manager of Kahnawake Keeps It Country Station, for a broadcasting licence to operate an English- and Mohawk-language Type B Native FM radio programming undertaking in Kahnawake. 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 2011-630

Terms and conditions of licence

Terms

Issuance of the broadcasting licence to operate an English- and Mohawk-language Type B Native FM radio programming undertaking in Kahnawake, Quebec

The licence will be issued to the General Manager of Kahnawake Keeps It Country Station, authorizing Brian Moon in his capacity as the General Manager and any subsequent person¹ occupying that position to operate the aforementioned undertaking.

The licence will expire 31 August 2018.

The station will operate on frequency 89.9 MHz (channel 210A) with an average effective radiated power (ERP) of 360 watts (maximum ERP of 610 watts with an effective height of antenna above average terrain of 26.1 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.

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 29 September 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. In each broadcast week, the licensee shall devote 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.

¹ The person occupying that position must be eligible to hold a broadcasting licence in accordance with *Direction to the CRTC (Ineligibility of Non-Canadians)*. The Commission must be advised in writing when the person occupying this position changes.