



Broadcasting Decision CRTC 2012-486

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Route reference: 2012-126

Ottawa, 11 September 2012

Sarabjeet S. Arora, on behalf of a not-for-profit corporation to be incorporated
Brampton, Ontario

Application 2011-1623-6, received 19 December 2011
Public hearing in Toronto, Ontario
7 May 2012

Community AM radio station in Brampton

*The Commission **denies** an application for a broadcasting licence to operate a community AM radio station in Brampton.*

The application

1. The Commission received an application by Sarabjeet S. Arora, on behalf of a not-for-profit corporation to be incorporated, for a broadcasting licence to operate a community AM radio programming undertaking in Brampton.
2. The station would operate on frequency 1,190 KHz (Class C) with a day-time transmitter power of 500 watts.
3. The station would broadcast an average of 84 hours of programming each broadcast week, including 80 hours of local programming. The station would also devote a minimum of 15% of its weekly programming to spoken word programming, including newscasts, ethno-cultural programming, youth and seniors programming, public service announcements and a community calendar.
4. The applicant further indicated that all of the programming broadcast during the broadcast week would be devoted to ethnic programming and that 94% of such programming would consist of third-language programming. The station's programming would primarily target the South Asian community, with approximately 90% of its programming directed to this community. However, the applicant indicated that it would accept a condition of licence requiring it to broadcast ethnic programming directed to a minimum of four cultural groups in a minimum of eight different languages each broadcast week.

Interventions

5. The Commission received interventions in support of this application. The Commission also received interventions in opposition by 1760791 Ontario Inc., CKMW Radio Ltd.,

Intercity Broadcasting Network Inc., Trafalgar Broadcasting Limited, 3885275 Canada Inc. operating as Canadian Multicultural Radio, and 8041393 Canada Inc., as well as comments by the Diversity Emerging Music Collective, Fairchild Radio Group Limited, Radio 1540 Ltd., and 1806628 Ontario Inc. operating as The Media Group Inc. The public record for this proceeding is available on the Commission's website at www.crtc.gc.ca under "Public Proceedings."

6. The opposing interveners, who operate ethnic stations in the Greater Toronto Area (GTA), noted that the radio market in the GTA was already well served by at least 10 different ethnic radio stations that offer a full range of programming, including 7 stations that offer programming in the most represented South Asian languages.

Commission's analysis

7. The Commission notes that the applicant applied for a community radio licence. As such, the Commission considered the application in light of Public Notice 2000-13 (the Community Radio Policy), as well as Broadcasting Regulatory Policy 2010-499 (the Campus and Community Radio Policy).
8. As set out in the Community Radio Policy, the Commission considers that the programming offered by community stations should reflect the diversity of the market that the station is licensed to serve. Further, as indicated in the Campus and Community Radio Policy, campus and community stations in markets served by an ethnic station, as is the case in Brampton, will have the flexibility to devote no more than 15% of the broadcast week to third-language programs and may apply for a condition of licence allowing them to increase their third-language programming to a maximum of 40%.
9. In this case, the Commission notes that the applicant proposed to devote all of its programming to ethnic programming and 94% of such programming to third-language programming, which would require an exception to the Campus and Community Radio Policy. Accordingly, although the applicant confirmed that it would adhere to all of the remaining conditions of licence generally applicable to community radio stations, the Commission considers that this application is in fact an application for an ethnic service.
10. With respect to the applicant's plans to devote all of its programming to ethnic programming, the Commission notes that the community of Brampton is included in the Toronto Census Metropolitan Area and is also part of the Toronto Central BBM market. The Commission notes the concerns expressed by a number of interveners regarding the impact that the addition of a new ethnic service in the GTA could have on existing ethnic services and in particular on the ethnic station CIAO Brampton licensed to CKMW Radio Ltd., whose programming also targets mainly the South Asian population. The Commission also considers that the ethnic element of the broadcasting system is well represented in the Toronto area market with the presence of several ethnic radio services, four of which (CIAO Brampton, CINA Mississauga, CJMR Mississauga and CJSA-FM Toronto) provide a significant amount of South Asian programming. It is therefore unclear to the Commission how the proposed service would offer a distinctive service or add to the diversity of the radio market.

11. Further, having considered all of the information on the public record, including that presented at the hearing, the Commission is of the view that the applicant has neither provided a quality application nor demonstrated a clear understanding of the Commission's key policies and regulations as they relate to radio undertakings.

Conclusion

12. In light of all of the above, the Commission **denies** the application by Sarabjeet S. Arora, on behalf of a not-for-profit corporation to be incorporated, for a broadcasting licence to operate a community AM radio programming undertaking in Brampton.

Secretary General

Related documents

- *Campus and community radio policy*, Broadcasting Regulatory Policy CRTC 2010-499, 22 July 2010
- *Community radio policy*, Public Notice CRTC 2000-13, 28 January 2000