



Broadcasting Decision CRTC 2012-692

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Route reference: 2012-458

Ottawa, 19 December 2012

Maritime Broadcasting System Limited

Various locations

Applications 2011-0139-4, 2011-0142-7, 2011-0143-5, 2011-0144-3, 2011-0146-9, 2011-0147-7, 2011-0148-5, 2011-0149-3, 2011-0150-1 and 2011-0151-8, received 28 January 2011

Various commercial radio programming undertakings – Licence renewals

1. The Commission **renews** the broadcasting licences for the commercial radio programming undertakings set out in the appendix to this decision from 1 January 2013 to 31 August 2019.¹ The licences will be subject to the terms and **conditions of licence** set out in the appendix to this decision.
2. The Commission received a comment from the Canadian Media Guild (CMG) regarding the applications by Maritime Broadcasting System Limited (MBS) to renew the broadcasting licences for CJYC-FM and CFBC Saint John. The public record for this proceeding is available on the Commission's website at www.crtc.gc.ca under "Public Proceedings."
3. In its intervention, the CMG stated that its members were concerned that MBS did not make a significant or adequate contribution to or investment in the local Saint John community. The CMG submitted that MBS had not had local newsgathering resources in Saint John for quite some time, but rather was producing its local programming in Halifax. Finally, the CMG urged the Commission to impose conditions of licence on MBS to improve the quality of local programming and establish local newsgathering resources in Saint John.
4. In its reply, MBS indicated that all of its staff in Saint John gather news. MBS added that although its programming was produced in a centralized facility, it was produced exclusively for each Saint John station. MBS also indicated that each day's newscast and weather report was different and was never recorded days in advance. Finally, MBS submitted that the CMG's intervention was an attempt to involve the Commission in its labour dispute with MBS.

¹ The original licence expiry date for these undertakings was 31 August 2011. The licences were administratively renewed until 31 December 2012 as a result of Broadcasting Decisions 2011-556, 2012-164 and 2012-456.

5. The Commission notes that MBS's description of its local programming offering is consistent with the definition of local programming set out in Broadcasting Public Notice 2006-158 in that local programming appears to be produced exclusively for each Saint John station. Accordingly, the Commission finds it unnecessary to impose a condition of licence such as that requested by the CMG at this time. The Commission further notes that the CMG did not oppose the licence renewal and that its intervention seemed to focus on a labour dispute between itself and MBS, which is outside the scope of this proceeding. The Commission considers that MBS's licence renewal applications raise no issues and therefore finds it appropriate to renew the broadcasting licences for CJYC-FM and CFBC for a full term.

Reminder

6. The Commission reminds the licensee that it must fulfil all of its remaining contributions to Canadian content development set out in prior Commission decisions. The licensee is also reminded that it must fulfill all remaining tangible benefits commitments set out in prior Commission decisions concerning transfers of control or assets between commercial licensees.

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 Skills Development, its employment equity practices are not examined by the Commission.

Secretary General

Related documents

- *Various radio programming undertakings – Administrative renewals*, Broadcasting Decision CRTC 2012-456, 28 August 2012
- *Administrative renewals*, Broadcasting Decision CRTC 2012-164, 20 March 2012
- *Administrative renewals*, Broadcasting Decision CRTC 2011-556, 31 August 2011, as corrected by Broadcasting Decisions CRTC 2011-556-1, 23 September 2011; 2011-556-2, 16 December 2011; and 2011-556-3, 5 April 2012
- *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006

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

Appendix to Broadcasting Decision CRTC 2012-692

Term and conditions of licence for the commercial radio programming undertakings CHLQ-FM Charlottetown and CJRW-FM Summerside, Prince Edward Island, CHFX-FM Halifax, CJCB Sydney, CKAD Middleton, CKEN-FM Kentville, CKPE-FM Sydney and CFAB Windsor, Nova Scotia and CFBC and CJYC-FM Saint John, New Brunswick

Term

The licences will expire 31 August 2019.

Conditions of licence

1. The licensee shall adhere 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.

Additional condition of licence for CFBC Saint John, New Brunswick

2. 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 where at least 90% of musical selections broadcast are selections released before 1 January 1981, the licensee shall devote 30% or more of its musical selections from content category 2 (Popular Music) in that broadcast week and between 6 a.m. and 6 p.m. from Monday to Friday of the same broadcast week to Canadian selections broadcast in their entirety.

The licensee is responsible for specifying the year of release for all musical selections it broadcasts on the music lists it provides to the Commission.

For purposes of this condition, the terms “broadcast week,” “content category” and “musical selection” shall have the meaning set out in section 2 of the *Radio Regulations, 1986*.