



Broadcasting Decision CRTC 2013-233

PDF version

Route reference: 2012-616

Ottawa, 9 May 2013

Newcap Inc.

Clareville, Newfoundland and Labrador

Application 2012-0961-9, received 8 August 2012

Public hearing in the National Capital Region

18 January 2013

English-language FM radio station in Clareville

*The Commission **approves** an application for a broadcasting licence to operate an English-language commercial FM radio station in Clareville.*

Introduction

1. Newcap Inc. (Newcap) filed an application to operate an English-language commercial FM radio station in Clareville, Newfoundland and Labrador. The Commission did not receive any interventions in connection with this application.
2. Newcap is a corporation controlled by Mr. Harold R. Steele.
3. The proposed station would operate at 97.1 MHz (channel 246A) with an effective radiated power of 2,500 watts (non-directional antenna with an effective height of antenna above average terrain of 21.2 metres).
4. The station would offer a Hot Adult Contemporary music format targeting listeners between the ages of 25 and 54, slightly skewed towards women. The applicant indicated that it would broadcast at least 126 hours of local programming each broadcast week.
5. Spoken word programming would consist of community events, local sports, as well as charitable and cultural events, and would include 4 hours and 6 minutes of pure news.

Commission's analysis and decision

6. In the revised Radio Call Policy (Broadcasting Public Notice 2006-159), the Commission indicated that applications for new radio stations or for conversion of AM stations to the FM band would generally result in a call for applications with some exceptions, including proposals by the sole commercial operator in a market to improve service to the market, either through an AM to FM conversion or a new

station. The Commission notes that Newcap is currently the sole operator in Clarendville. It operates the AM station CKVO in a country music format.

7. Given that the applicant is the sole operator in Clarendville and that no opposing interventions were filed, the Commission is of the view that this application does not necessitate a call for applications and is consistent with the revised Radio Call Policy. Moreover, the Commission finds that the proposed station would introduce a valuable service and add diversity to the community of Clarendville through its Hot Adult Contemporary music format. It would also provide significant local reflection in light of its proposed spoken word programming.
8. In light of all of the above, the Commission **approves** the application by Newcap Inc. for a broadcasting licence to operate an English-language commercial FM radio programming undertaking in Clarendville. The terms and **conditions of licence** are set out in the appendix to this decision.

Canadian content development

9. The Commission reminds the licensee 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 that Newcap made commitments to exceed the minimum required contribution to CCD. Specifically, Newcap committed to devote, by condition of licence, over and above the basic annual contribution to CCD, a total of \$35,000 to CCD over seven consecutive broadcast years upon commencement of operations. Of this amount, at least 20% shall be devoted to FACTOR or MUSICACTION on an annual basis. The Commission notes that the remainder of this additional CCD contribution shall be allocated to the Clarendville School Music Programs or to parties and initiatives fulfilling the definition of eligible initiatives set out in paragraph 108 of Broadcasting Public Notice 2006-158.

Employment equity

10. 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

- *Revised policy concerning the issuance of calls for radio applications and a new process for applications to serve small markets*, Broadcasting Public Notice CRTC 2006-159, 15 December 2006
- *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006

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

Appendix to Broadcasting Decision CRTC 2013-233

Terms, conditions of licence and expectation for the English-language commercial FM radio programming undertaking in Clarenville, Newfoundland and Labrador

Terms

The licence will expire 31 August 2019.

The station will operate at 97.1 MHz (channel 246A) with an effective radiated power of 2,500 watts (non-directional antenna with an effective height of antenna above average terrain of 21.2 meters).

The Commission reminds the applicant that pursuant to section 22(1) of the *Broadcasting Act*, no licence may be issued until the Department of Industry 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 **9 May 2015**. 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 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.
2. In addition to the basic annual contribution to Canadian content development, set out in section 15 of the *Radio Regulations, 1986*, the licensee shall, upon commencement of operations, make an annual contribution of \$5,000 (\$35,000 over seven consecutive broadcast years) to the promotion and development of Canadian content. Of this amount, 20% per broadcast year shall be devoted to FACTOR or MUSICACTION. The remainder 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.