



## Broadcasting Notice of Consultation CRTC 2013-307

PDF version

Ottawa, 25 June 2013

### Notice of applications received

#### Various locations

#### Renewal of the broadcasting licences for certain religious radio stations – Licensees in apparent non-compliance

**Deadline for submission of interventions/comments/answers: 30 July 2013**

[\[Submit an intervention/comment/answer or view related documents\]](#)

The Commission announces that it has received applications to renew the broadcasting licences for certain religious radio stations, which expire on 31 August 2013.

The licensees proposed to operate their stations under the same terms and conditions in effect under the current licences, with the exception of Canadian talent development (CTD) requirements, which have been replaced by the Canadian content development (CCD) requirements set out in Section 15 of the *Radio Regulations, 1986* (the Regulations).

In addition, the licensees will be required to 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.

In each case, the Commission has examined the licensee's compliance with its regulatory requirements.

Based on this examination, the licensees listed below appear to be in non-compliance with their regulatory requirements or conditions of licence during the current licence term. The following codes identify the areas of apparent non compliance by the licensees:

**A:** failure to comply with the condition of licence relating to CTD contributions;

**B:** failure to comply with section 9(2) of the Regulations relating to the filing of annual returns – the returns were filed after the 30 November deadline;

**C:** failure to comply with section 9(2) of the Regulations relating to the filing of annual returns – the returns were incomplete when filed.

The codes as they apply to the various licensees are also set out below.

The Commission intends to consider the renewal of these broadcasting licences, subject to interventions, according to the approach set out in *Revised approach to non-compliance by radio stations*, Broadcasting Information Bulletin CRTC 2011-347, 26 May 2011.

Name and address of licensee Email address/website to request an electronic version of the application	Application, call sign and location	Apparent non-compliance code	Licensee's explanation for the apparent non-compliance
<p>Aboriginal Christian Voice Network P.O. Box 1 Prince Rupert, British Columbia V8J 3P4 Email: <a href="mailto:familyradiotoday@gmail.com">familyradiotoday@gmail.com</a> Email address to request an electronic version of the application: <a href="mailto:kimberley@citytel.net">kimberley@citytel.net</a></p>	<p>2013-0240-6 CIAJ-FM Prince Rupert</p>	<p>B: 2010-2011</p>	<p>The licensee explained that unexpected health issues occurred with the previous secretary/treasurer's spouse and with the previous president's spouse that delayed the filing process. The licensee stated that it took some time to complete the returns, have them verified and obtain a CRTC login approval. All of these factors contributed to the late filing of the station's returns.</p>
<p>Association d'Églises baptistes réformées du Québec 6225 9<sup>th</sup> Avenue East Charlesbourg, Quebec G1H 4A9 Email: <a href="mailto:raymondperron@sympatico.ca">raymondperron@sympatico.ca</a> Email address to request an electronic version of the application: <a href="mailto:achille.soucy@sympatico.ca">achille.soucy@sympatico.ca</a> Website to view the application: <a href="http://www.foifm.com">www.foifm.com</a></p>	<p>2013-0130-9 CFOI-FM Québec and its transmitter CFOI-FM-1 Saint-Jérôme</p>	<p>A: 2008-2009, 2009-2010, 2010-2011 and 2011-2012  C: 2011-2012</p>	<p>The licensee explained that the missing CCD contributions were due to the fact that it lost its unprotected frequency once the Commission granted a licence to a community station in Lévis. CFOI-FM therefore ceased broadcasting for almost one year, the time it took to find a new frequency and transmission site, and to apply to the Commission for a technical change before it could go back on the air. All of these steps</p>

			<p>required urgent and unanticipated expenses, which explains why the station did not make its required contributions. With respect to the missing financial statements, the licensee indicated that the annual returns for 2011-2012 were prepared by a member of the community who prepared the documents in good faith, but inadvertently sent the wrong ones.</p>
<p>King's Kids Promotions Outreach Ministries Inc. P.O. Box 5512 9803 King Street Fort McMurray, Alberta T9H 3G5 Fax: 780-743-1526 Email: <a href="mailto:rick@kaos911.com">rick@kaos911.com</a> Email address to request an electronic version of the application: <a href="mailto:jill@kaos911.com">jill@kaos911.com</a> Website to view the application: <a href="http://www.kaos911.com">www.kaos911.com</a></p>	<p>2013-0143-1 CKOS-FM Fort McMurray</p>	<p>A: 2007-2008, 2008-2009, 2009-2010, 2010-2011 and 2011-2012</p> <p>C : 2010-2011</p>	<p>The licensee did not specifically address the reasons behind the apparent non-compliance issues relating to its CCD contributions. However, it confirmed that there were CCD shortfalls in all of the noted broadcast years. With respect to the missing financial statements, the licensee suspects that this is due to the station's fiscal year not ending until 31 December. The licensee explained that the return was filed first, and that when the financial statements were received, he may have forgotten to file them.</p>

<p>New Song Communications Ministries Ltd. 37 Hanover Street P.O. BOX 96 Saint John, New Brunswick E4L 3X1 Fax: 506-657-7664 Email: <a href="mailto:don.mabee@newsongfm.com">don.mabee@newsongfm.com</a> Email address to request a electronic version of the application: <a href="mailto:clayton.misner@newsongfm.com">clayton.misner@newsongfm.com</a> Website to view the application: <a href="http://www.newsongfm.com">www.newsongfm.com</a></p>	<p>2013-0129-1 CINB-FM Saint John</p>	<p>A : 2007-2008, 2008-2009, 2009-2010, 2010-2011 and 2011-2012</p>	<p>The licensee explained that it had been contributing at least \$1,000 per year to CCD by providing artists with recording time at a local professional recording studio to record a professional demo CD. The licensee specified that it had been doing this for the past 13 years, and that it had never been advised by the Commission that it had to provide documentation in support and that it was in non-compliance with its CTD/CCD contributions.</p>
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## Procedure

### Deadline for interventions, comments or answers

**30 July 2013**

The *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure*, SOR/2010-277 (the Rules of Procedure), set out, among other things, the rules for content, format, filing and service of interventions, the procedure for filing confidential information and requesting its disclosure, and the conduct of public hearings. Accordingly, the procedure set out below must be read in conjunction with the Rules of Procedure and its accompanying documents, which can be found on the Commission's website under "CRTC Rules of Practice and Procedure."

An intervention or answer from a respondent must be received by the Commission and by the applicant on or before the above-mentioned date. An answer from a respondent must also be served on any other respondent.

In accordance with the Rules of Procedure, a document must be filed with, not merely sent to, the Commission by 5 p.m. Vancouver time (8 p.m. Ottawa time) on the date it is due. The Commission takes no responsibility for postal delays and will not notify a party whose submission is received after the deadline date. Late submissions will not be considered by the Commission and will not be made part of the public file.

Interventions and answers from respondents will be considered by the Commission and will form part of the public record of the proceeding without further notification to

parties, provided the procedures set out in the Rules of Procedure and this notice have been followed. Parties will be contacted only if their submissions raise procedural questions.

Submissions must be filed by sending them to the Secretary General of the Commission by **only one** of the following means:

**by using the**  
[\[Intervention/comment/answer form\]](#)

or

**by mail to**  
CRTC, Ottawa, Ontario K1A 0N2

or

**by fax at**  
819-994-0218

A true copy of each intervention or answer from a respondent must be sent to the applicant and, in the case of a respondent to an application, to any other respondent.

The Commission advises those who file and serve by electronic mode to exercise caution when using e-mail for service of documents, as it may be difficult to establish that service has occurred.

Parties must ensure that, before initiating service through electronic mode, they will be able to satisfy the Commission, upon request, that service was completed. The sender must keep proof of the sending and the receipt of the document for 180 days after the day on which it is filed.

Submissions longer than five pages should include a summary.

Each paragraph of the submission should be numbered. In addition, where the intervention is filed by electronic means, the line **\*\*\*End of document\*\*\*** should be entered following the last paragraph of the document, as an indication that the document has not been altered during electronic transmission.

Interventions and answers should clearly identify the application referred to and indicate whether parties support or oppose the application, or, if they propose changes to it, include the facts and grounds for their proposal.

### **Important notice**

All information that parties provide as part of this public process, except information designated confidential, whether sent by postal mail, facsimile, e-mail or through the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca), becomes part of a publicly accessible file and

will be posted on the Commission's website. This information includes personal information, such as full names, e-mail addresses, postal/street addresses, telephone and facsimile numbers, and any other personal information parties provide.

The personal information that parties provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.

Documents received electronically or otherwise will be put on the Commission's website in their entirety exactly as received, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.

The information that parties provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the web page of this particular public process. As a result, a general search of the Commission's website with the help of either its own search engine or a third-party search engine will not provide access to the information that was provided as part of this public process.

The Commission encourages parties and interested persons to monitor the record of the proceeding, available on the Commission's website, for additional information that they may find useful when preparing their submissions.

### **Examination of documents**

An electronic version of the applications is available on the Commission's website by selecting the application number within this notice. It is also available from the licensees, either on their websites or upon request by contacting the licensees at their email addresses, provided above.

A list of all interventions and answers will also be available on the Commission's website. The list is accessible by selecting "View all proceedings open for comment" from the "Public Proceedings" section of the Commission's website and by clicking on the "Interventions/Answers" link associated with this notice.

Documents are also available during normal office hours at the Commission offices and documentation centres directly involved with these applications, or, upon request, within two (2) working days, at any other Commission offices and documentation centres.

### **Location of Commission offices**

Toll-free telephone: 1-877-249-2782

Toll-free TDD: 1-877-909-2782

Les Terrasses de la Chaudière  
Central Building  
1 Promenade du Portage, Room 206

Gatineau, Quebec  
J8X 4B1  
Tel.: 819-997-2429  
Fax: 819-994-0218

***Regional offices***

**Nova Scotia**

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