



## Broadcasting Notice of Consultation CRTC 2013-318

PDF version

Ottawa, 2 July 2013

### Notice of applications received

#### Various locations

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

**Deadline for submission of interventions/comments/answers:  
6 August 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 campus and community radio stations, which expire 31 August 2013.

The licensees propose to operate their undertakings under the same terms and conditions as those in effect under the current licences. In addition, the licensees will be required to adhere to the conditions set out in *Standard conditions of licence for campus and community radio stations*, Broadcasting Regulatory Policy CRTC 2012-304, 22 May 2012.

In each case, the Commission has examined the licensee's compliance with the requirements relating to the filing of annual returns set out in section 9(2) of the *Radio Regulations, 1986* (the Regulations). Based on this examination, the licensees listed below appear to be in non-compliance with section 9(2) of the Regulations during the current licence term, for the broadcast years listed 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.

### Campus radio stations

Licensee and address Email to request electronic version of application	Application, call sign/location	Broadcast years of apparent non-compliance	Licensee's explanation for the apparent non-compliance
Education Alternative Radio Society 3333 University Way Prince George, British Columbia V2N 4Z9 Email: <a href="mailto:fhayes@cfur.ca">fhayes@cfur.ca</a>	2013-0092-0 CFUR-FM Prince George, British Columbia	2010-2011	The station manager stated that he was not a staff member at the time the non-compliance occurred and therefore cannot explain what happened. He believed, however, that the lack of financial and human resources was a contributing factor.
Radio CFXU Club 11 West Street Antigonish, Nova Scotia B2G 2W5 Email: <a href="mailto:cfxu@stfx.ca">cfxu@stfx.ca</a> Website: <a href="http://www.radiocfxu.ca">www.radiocfxu.ca</a>	2013-0172-0 CFXU-FM Antigonish, Nova Scotia	2010-2011	The licensee explained that 2010-2011 was the last of a series of troubled years for CFXU-FM. As a campus station, it experiences high levels of turnover. It stated that 2009-2010 and 2010-2011 saw two entire staffs come and go with no link between them. Therefore, an incredible amount of unwritten knowledge was lost and the station has only recently been able to recover from this tumultuous time.

## Community radio stations

Licensee and address Email to request electronic version of application	Application, call sign/location	Broadcast years of apparent non- compliance	Licensee's explanation for the apparent non-compliance
<p>O.K. Creek Radio Station Inc. P.O. Box 759 Balcarres, Saskatchewan S0G 0C0 Fax: 306-334-2545 Email: <a href="mailto:r.stonechild@gmail.com">r.stonechild@gmail.com</a></p>	<p>2013-0110-1 CHXL-FM Okanese First Nation, Saskatchewan</p>	<p>2010-2011</p>	<p>The station manager explained that he had just been appointed acting manager and had no experience with the CRTC annual return reporting process. He had difficulties navigating around the website as well as with the submission process. He had completed the return on time and believed that he had submitted it only to find out later that it had not been processed.</p>
<p>Radio communautaire de Windsor et région inc. 49 6<sup>th</sup> Avenue Windsor, Quebec J1S 1T2 Fax: 819-845-2692 Email: <a href="mailto:unitewindsor@qc.aira.com">unitewindsor@qc.aira.com</a> Website: <a href="http://www.ciaxfm.net">www.ciaxfm.net</a></p>	<p>2013-0230-7 CIAX-FM Windsor, Quebec</p>	<p>2010-2011 and 2011-2012</p>	<p>According to the licensee, the circumstances of the apparent non-compliances are related to the complexity of coordinating the data from the financial reports which are produced annually by CIAX-FM with the financial elements that are required for the annual returns to be submitted to the CRTC. Since the undertaking's fiscal year does not match that of the CRTC, the licensee must manually compile the data. Further, the licensee emphasized that the budgetary positions included in the actual financial statements do not correspond with those included in the annual returns required by the CRTC.</p>

<p>Radio Matagami 195 Matagami Boulevard Matagami, Quebec Fax: 819-739-6003 JOY 2A0 Email: <a href="mailto:chef99fm@lino.com">chef99fm@lino.com</a> Website: <a href="http://www.chef99.ca">www.chef99.ca</a></p>	<p>2013-0197-8 CHEF-FM Matagami, Quebec</p>	<p>2010-2011 and 2011-2012</p>	<p>The licensee indicated that the undertaking suffered serious difficulties with its accounting services. On two occasions, it changed auditors and the person in charge of accounting for the station. As a result, it was necessary to completely re-do the station's accounting for the last two years.</p>
<p>Radio MirAcadie inc. 300 Beaverbrook Road Miramichi, New Brunswick E1V 1A1 Fax: 506-627-4592 Email: <a href="mailto:ckma@ckma.ca">ckma@ckma.ca</a> Website: <a href="http://www.ckma.ca">www.ckma.ca</a></p>	<p>2013-0194-4 CKMA-FM Miramichi City, New Brunswick and its transmitter CKMA-FM-1 Neguac</p>	<p>2011-2012</p>	<p>The licensee does not understand why the CRTC does not have a copy of its financial statements for 2011-2012 as it is certain that they were submitted in December 2012.</p>
<p>Société Radio Taïga P.O. Box 456 Yellowknife, Northwest Territories X1A 2N4 Email: <a href="mailto:societeradiotaiga@gmail.com">societeradiotaiga@gmail.com</a></p>	<p>2013-0215-8 CIVR-FM Yellowknife, Northwest Territories</p>	<p>2010-2011</p>	<p>According to the licensee, there are no financial statements for 2010-2011 since Société Radio Taïga was not active at that time. The licensee stated that it only started the management of the station as of 1 April 2011.</p>
<p>WhiStle Community Radio P.O. Box 59 6379 Main Street Stouffville, Ontario L4A 1K3 Email: <a href="mailto:Hmoorshead@rogers.com">Hmoorshead@rogers.com</a></p>	<p>2013-0027-7 CIWS-FM Whitchurch- Stouffville, Ontario</p>	<p>2007-2008, 2008-2009, 2009-2010 and 2010-2011</p>	<p>The licensee explained that the annual returns that were not filed were for a period before the current management. Until January 2010, the station was operated without a Financial Director and record keeping was limited.</p>

## Procedure

**Deadline for interventions/comments/answers**

**6 August 2013**

The new *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  
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### ***Regional offices***

#### **Nova Scotia**

Metropolitan Place  
 99 Wyse Road  
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 Fax: 902-426-2721

#### **Quebec**

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