



Broadcasting Notice of Consultation CRTC 2013-324

PDF version

Ottawa, 5 July 2013

Notice of applications received

Various locations

Renewal of and amendments to the broadcasting licences for certain commercial radio stations

Deadline for submission of interventions/comments/answers:

9 August 2013

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

The Commission announces that it has received the following applications:

Applicant/licensee and locality

1. **Canadian Hellenic Cable Radio Ltd.**

Montréal, Quebec

Application 2013-0228-1

2. **JAZZ.FM91 Inc.**

Toronto, Ontario

Application 2013-0142-3

3. **Rogers Broadcasting Limited**

Whistler, British Columbia

Application 2013-0154-8

4. **Rogers Broadcasting Limited**

Squamish, British Columbia

Application 2013-0151-4

1. **Canadian Hellenic Cable Radio Ltd.**

Montréal, Quebec

Application 2013-0228-1

Application by **Canadian Hellenic Cable Radio Ltd.** to renew the broadcasting licence for the ethnic specialty commercial radio station CKIN-FM Montréal, expiring 31 August 2013.

The licensee requested to delete the following conditions of licence:

4. The licensee shall devote no less than 70% of all programming aired during the broadcast week to ethnic programs, as defined in the *Radio Regulations, 1986*, as amended from time to time.
5. The licensee shall devote no less than 60% of all programming aired during the broadcast week to third-language programs, as defined in the *Radio Regulations, 1986*, as amended from time to time.
6. The licensee shall provide, in the course of the broadcast week, programming directed at no fewer than six different cultural groups in no fewer than eight third languages.

The licensee proposed to replace the above-noted conditions of licence with the following:

4. The licensee shall devote no less than 60% of all programming aired during the broadcast week to ethnic programs, as defined in the *Radio Regulations, 1986*, as amended from time to time.
5. The licensee shall devote no less than 50% of all programming aired during the broadcast week to third-language programs, as defined in the *Radio Regulations, 1986*, as amended from time to time.
6. The licensee shall provide, in the course of the broadcast week, programming directed at no fewer than eight different cultural groups in no fewer than six languages.

The licensee stated that the proposed amendments would bring CKIN-FM's conditions of licence in line with the standard requirements for ethnic radio stations and would allow the licensee to harmonize the station's conditions of licence with those of its station CKDG-FM Montréal.

It appears that the licensee may have failed to comply with section 15 of the *Radio Regulations, 1986* concerning Canadian content development contributions for the 2010-2011 and 2011-2012 broadcast years.

The Commission will examine these instances of apparent non-compliance and the proposed amendments in the context of the renewal of the licence in accordance with *Revised approach to non-compliance by radio stations*, Broadcasting Information Bulletin CRTC 2011-347, 26 May 2011.

Licensee's address:

5899 du Parc Avenue
Montréal, Quebec
H2V 4H4

Fax: 514-273-3707

Email: marie@mikefm.ca

Email to request electronic version of application: marie@mikefm.ca

2. JAZZ.FM91 Inc.

Toronto, Ontario
Application 2013-0142-3

Application by **JAZZ.FM91 Inc.** to renew the broadcasting licence for the English-language radio station CJRT-FM Toronto, expiring 31 August 2013.

CJRT-FM is owned and controlled by a not-for-profit organization and is operated within the Other Special FM category, as defined in *Educational and Institutional Radio – Adoption of the proposed Policy*, Public Notice CRTC 1988-78, 17 May 1988, offering category 3 music. By contrast, most commercial radio stations play little, if any, category 3 music.

The licensee proposed to replace its current condition of licence, which reads as follows:

The licensee may broadcast a maximum of 504 minutes of advertising per broadcast week with a maximum of 4 minutes of advertising in any hour. The 504 minutes of advertising is permitted to be drawn from all sub-categories of content category 5 (Advertising), as set out in the appendix to *Revised content categories and subcategories for radio*, Public Notice CRTC 2000-14, 28 January 2000.

with the following:

The licensee may broadcast a maximum of 504 minutes of advertising per broadcast week. The 504 minutes of advertising is permitted to be drawn from subcategory 51 (Commercial announcement) of content category 5 (Advertising), as set out in the appendix to *Revised content categories and sub-categories for radio*, Public Notice CRTC 2000-14, 28 January 2000. The licensee may also broadcast content drawn from subcategories 52 (Sponsor identification) and 53 (Promotion with sponsor mention) without limitation.

It appears that the licensee may have failed to comply with section 9(2) of the *Radio Regulations, 1986* concerning the provision of annual returns for the 2011-2012 broadcast year.

The Commission will examine this instance of apparent non-compliance and the proposed amendment in the context of the renewal of the licence in accordance with *Revised approach to non-compliance by radio stations*, Broadcasting Information Bulletin CRTC 2011-347, 26 May 2011.

Licensee's address:

4 Pardee Avenue
Unit 100
Toronto, Ontario
M6K 3H5
Fax: 416-595-9413

Email: rporter@jazz.fm

Email to request electronic version of application: rporter@jazz.fm

3. Rogers Broadcasting Limited

Whistler, British Columbia

Application 2013-0154-8

Application by **Rogers Broadcasting Limited** to renew the broadcasting licence for the English-language radio station CISW-FM Whistler and its transmitter CISP-FM Pemberton, expiring 31 August 2013.

In response to a Commission request for clarification, the licensee proposed to replace its current condition of licence, which reads as follows:

CISW-FM operates in a single-station market as set out in *Local programming policy for FM radio - Definition of a single-station market*, Public Notice CRTC 1993-121, 17 August 1993. Accordingly, it is exempt from the requirement that, in order to solicit or accept local advertising, one-third of its programming must be local. Nevertheless, the licensee is required to continue to broadcast, at a minimum, 3 hours each week of station-produced programming on CISW-FM.

with the following:

CISW-FM operates in a single-station market as set out in *Local programming policy for FM radio - Definition of a single-station market*, Public Notice CRTC 1993-121, 17 August 1993. Accordingly, it is exempt from the requirement that, in order to solicit or accept local advertising, one-third of its programming must be local. Nevertheless, the licensee is required to continue to broadcast, at a minimum, 30 hours each week of station-produced programming on CISW-FM.

In *Local programming policy for FM radio – Definition of a single-station market*, Public Notice CRTC 1993-121, 17 August 1993, CISW-FM Whistler was included in the list of stations that were exempt from the requirement that one-third of its programming be local in order to solicit or except local advertising. The licensee expressed that, despite the launch of the commercial radio station CKEE-FM Whistler in 2013, it wished to maintain its exemption from this policy as it relates to local programming.

The Commission has examined the licensee's compliance with its requirements regarding Canadian content development and the submission of annual returns, as set out by condition of licence and in the *Radio Regulations, 1986*. Based on this examination, the Commission considers that the licensee is in compliance with its regulatory requirements and intends to renew the broadcasting licence for CISW-FM for a full seven-year term, subject to interventions.

Licensee's address:

333 Bloor Street East
Toronto, Ontario
M4W 1G9

Fax: 416-935-8203

Email: susan.wheeler@rci.rogers.com

Website to view application: www.mountainfm.com

4. Rogers Broadcasting Limited

Squamish, British Columbia

Application 2013-0151-4

Application by **Rogers Broadcasting Limited** to renew the broadcasting licence for the English-language radio station CISQ-FM Squamish, expiring 31 August 2013.

In response to a Commission request for clarification, the licensee proposed to replace its current condition of licence, which reads as follows:

CISQ-FM operates in a single-station market as set out in *Local programming policy for FM radio - Definition of a single-station market*, Public Notice CRTC 1993-121, 17 August 1993. Accordingly, it is exempt from the requirement that, in order to solicit or accept local advertising, one-third of its programming must be local. Nevertheless, the licensee is required to continue to broadcast, at a minimum, 3 hours each week of station-produced programming on CISQ-FM.

with the following:

CISQ-FM operates in a single-station market as set out in *Local programming policy for FM radio - Definition of a single-station market*, Public Notice CRTC 1993-121, 17 August 1993. Accordingly, it is exempt from the requirement that, in order to solicit or accept local advertising, one-third of its programming must be local. Nevertheless, the licensee is required to continue to broadcast, at a minimum, 30 hours each week of station-produced programming on CISQ-FM.

The Commission has examined the licensee's compliance with its requirements regarding Canadian content development and the submission of annual returns, as set out by condition of licence and in the *Radio Regulations, 1986*. Based on this examination, the Commission considers that the licensee is in compliance with its regulatory requirements and intends to renew the broadcasting licence for CISQ-FM for a full seven-year term, subject to interventions.

Licensee's address:

333 Bloor Street East

Toronto, Ontario

M4W 1G9

Fax: 416-935-8203

Email: susan.wheeler@rci.rogers.com

Website to view application: www.mountainfm.com

Procedure

Deadline for interventions, comments or answers

9 August 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, 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
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