



## Broadcasting Decision CRTC 2013-416

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Route reference: 2013-220

Ottawa, 16 August 2013

**Newcap Inc.**  
Bonnyville, Alberta

*Application 2012-0074-0, received 24 January 2012*

### **CJEG-FM Bonnyville – Licence renewal**

*The Commission **renews** the broadcasting licence for the English language commercial radio station CJEG-FM Bonnyville from 1 September 2013 to 31 August 2020.*

#### **Introduction**

1. Newcap Inc. filed an application to renew the broadcasting licence for its English-language commercial radio station CJEG-FM Bonnyville, Alberta, which expires 31 August 2013.<sup>1</sup> The Commission did not receive any interventions regarding this application.

#### **Non-compliance**

2. In Broadcasting Notice of Consultation 2013-220, the Commission noted that the licensee was in apparent non-compliance with its condition of licence relating to Canadian talent development (CTD) contributions for the 2006-2007 broadcast year. In particular, the licensee did not make the required \$10,000 payment to CTD.
3. The licensee explained that its shortfall (totaling \$3,045) resulted from an oversight and the fact that CJEG-FM had been processing CTD contributions on its own. It stated that since 2007, CTD contributions have been processed centrally to ensure timeliness and consistency.
4. In light of the above, the Commission finds the licensee in non-compliance with its condition of licence relating to CTD for the 2006-2007 broadcast year.

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<sup>1</sup> The original expiry date for CJEG-FM's broadcasting licence was 31 August 2012. The licence was administratively renewed until 31 August 2013 as a result of Broadcasting Decision 2012-434.

## Regulatory measures

5. In Broadcasting Information Bulletin 2011-347, the Commission announced a revised approach to non-compliance by radio stations. Specifically, the Commission indicated that each instance of non-compliance would be evaluated in its context and in light of factors such as the quantity, recurrence and seriousness of the non-compliance. The Commission also indicated that it would consider the circumstances of the non-compliance, the arguments provided by the licensee and the measures taken to rectify the situation.
6. The Commission considers that initiatives relating to the development of Canadian content and talent will not only help to develop and advance the careers of emerging Canadian artists but will increase the supply of high-quality Canadian music in a variety of genres and the demand for Canadian music by listeners. Accordingly, it is important that radio licensees make their required contributions to the development of Canadian content and talent.
7. The Commission notes that the licensee realized on its own that there was a CTD shortfall of \$3,045 and subsequently made it up through an over-expenditure of \$1,674 during the 2007-2008 broadcast year and one of \$1,371 during the 2008-2009 broadcast year. The Commission also notes that this was the only instance of non-compliance during the licence term and that the licensee has established measures to ensure future compliance.
8. Given the circumstances surrounding the licensee's non-compliance for CJEG-FM, the Commission considers it appropriate to grant a full-term renewal to the station.

## Conclusion

9. In light of all of the above, the Commission **renews** the broadcasting licence for the English-language commercial radio programming undertaking CJEG-FM Bonnyville, Alberta, from 1 September 2013 to 31 August 2020. The licensee shall adhere to the **conditions of licence** set out in Broadcasting Regulatory Policy 2009-62.

## Reminder

10. Pursuant to section 22 of the *Broadcasting Act*, the Commission reminds the licensee that the broadcasting licence will cease to have any force or effect if the broadcasting certificate issued by the Department of Industry lapses.

## Employment equity

11. Because this applicant 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

- *Notice of applications received*, Broadcasting Notice of Consultation CRTC 2013-220, 7 May 2013
- *Administrative renewals*, Broadcasting Decision CRTC 2012-434, 8 August 2012
- *Revised approach to non-compliance by radio stations*, Broadcasting Information Bulletin CRTC 2011-347, 26 May 2011
- *Conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009
- *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006

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