



Broadcasting Notice of Consultation CRTC 2014-122

PDF version

Ottawa, 18 March 2014

Notice of application received

Owen Sound, Ontario

**Renewal of the broadcasting licence for a commercial radio station in
apparent non-compliance**

Deadline for submission of interventions/comments/answers: 22 April 2014

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

The Commission announces that it has received the following application:

Applicant and locality

1. **Bayshore Broadcasting Corporation**
Owen Sound, Ontario
Application 2013-1633-1
1. **Bayshore Broadcasting Corporation**
Owen Sound, Ontario
Application 2013-1633-1

Application by **Bayshore Broadcasting Corporation** to renew the broadcasting licence for the English-language commercial radio station CFOS Owen Sound, expiring 31 August 2014.

The licensee proposed to operate the station under the same terms and conditions as those in effect under the current licence, with the exception of Canadian talent development (CTD) requirements, which have been replaced by the Canadian content development (CCD) requirements set out in section 15 of the *Radio Regulations, 1986* (the Regulations).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 licensee would 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, as amended from time to time.

The Commission has examined the licensee's compliance with its requirements regarding CTD, CCD and the filing of annual returns, as set out by condition of licence and in sections 9(2) and 15 of the Regulations.

The Commission has monitored logger tapes and music lists to determine the licensee's compliance with its requirements regarding the broadcast of Canadian musical selections. The monitoring report has been placed on the licensee's public file. A copy can be obtained by contacting one of the Commission's documentation centres.

Based on this examination, the Commission notes that the licensee is in apparent non-compliance with sections 2.2(8) and 2.2(9) of the Regulations regarding the broadcast of Canadian musical selections for the current licence term. The licensee has been so informed.

The Commission intends to consider the renewal of this broadcasting licence according to the approach set out in *Revised approach to non-compliance by radio stations*, Broadcasting Information Bulletin CRTC 2011-347, 26 May 2011. The Commission could therefore grant the licensee a short-term licence renewal.

The Commission notes that the station was found in non-compliance with one of its regulatory requirements during its previous licence term. The licence for this station was therefore renewed for a short-term licence period to allow for an earlier review of the station's compliance with its regulatory obligations.

Licensee's address:

270 Ninth Street East
Owen Sound, Ontario
N4K 5P5

Fax: 519-371-4242

Email: rkentner@bayshorebroadcasting.ca

Email to request an electronic version of the application:

rkentner@bayshorebroadcasting.ca

Procedure

Deadline for interventions, comments or answers

22 April 2014

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.

Availability of documents

An electronic version of the application is available on the Commission's website at www.crtc.gc.ca by selecting the application number within this notice. It is also available from the applicant, either on its website or upon request by contacting the applicant at its email address, provided above.

Electronic versions of the interventions and other documents referred to in this notice are available by visiting the "Public Proceedings" section of the Commission's website. The documents can be accessed by selecting "View all proceedings open for comment," then clicking on the links in the "Related Documents" column associated with this particular notice.

Documents are also available from Commission offices, upon request, during normal business hours.

Location of Commission offices

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