



## Broadcasting Notice of Consultation CRTC 2014-143

PDF version

Ottawa, 26 March 2014

### Notice of applications received

#### Various locations

#### Renewal of and amendment to the broadcasting licences for certain commercial, community and ethnic radio stations

Deadline for submission of interventions/comments/answers: 30 April 2014

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

The Commission announces that it has received the following applications:

#### Applicant and locality

1. **La radio communautaire CKNA inc.**  
Natashquan, Quebec  
Application 2013-1463-2
  2. **CFMB Limited**  
Montréal, Quebec  
Application 2013-1403-8
  3. **CKUA Radio Foundation**  
Edmonton, Alberta  
Application 2013-1622-4
  4. **Fabmar Communications Ltd.**  
Chilliwack, British Columbia  
Application 2013-1441-8
  5. **8384860 Canada Inc.**  
Vancouver, British Columbia  
Application 2013-1528-4
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1. **La radio communautaire CKNA inc.**  
Natashquan, Quebec  
Application 2013-1463-2

Application by **La radio communautaire CKNA inc.** to renew the broadcasting licence for the community radio station CKNA-FM Natashquan, expiring 31 August 2014.

The licensee requested to be exempted from condition of licence 6 set out in *Standard conditions of licence for campus and community radio stations*, Broadcasting Regulatory Policy CRTC 2012-304, 22 May 2014. The licensee proposed rather to devote 10% of its programming to spoken word programming.

The licensee indicated that it is unable to comply with the policy's requirement that it devote at least 15% of its programming to spoken word programming in light of the town's demographics, the lack of human resources and volunteers, and the local economy.

The Commission considers that the licensee is in compliance with its regulatory requirements and intends to renew CKNA-FM's broadcasting licence for a seven-year term, subject to interventions.

*Licensee's address:*

29 chemin d'en Haut  
Natashquan, Quebec  
G0G 2E0

Fax: 418-726-3367

Email: [ckna@globetrotter.net](mailto:ckna@globetrotter.net)

Email to request electronic version of application: [ckna@globetrotter.net](mailto:ckna@globetrotter.net)

2. **CFMB Limited**  
Montréal, Quebec  
Application 2013-1403-8

Application by **CFMB Limited** to renew the broadcasting licence for the ethnic commercial radio station CFMB Montréal, expiring 31 August 2014.

The licensee proposed to delete the following condition of licence:

The licensee shall provide programming directed to a minimum of 19 cultural groups in a minimum of 18 different languages.

It also proposed to add the following condition of licence:

The licensee shall provide programming directed to a minimum of 16 cultural groups in a minimum of 16 different languages.

The licensee indicated that it intends to continue serving the same number of cultural groups and languages, but that the requested amendment would provide it with the flexibility needed to adjust its programming given its difficulty in obtaining ethnic programming.

It appears to the Commission that the licensee may have failed to comply with section 15(5)(a) of the *Radio Regulations, 1986* concerning the allocation of 15% of basic annual Canadian content development contributions to the Community Radio Fund of Canada

(CRFC) for the 2011-2012 and 2012-2013 broadcast years. However, the Commission notes that the licensee has since expended the shortfalls to the CRFC.

*Licensee's address:*

35 York Street

Montréal, Quebec

H3Z 2Z5

Fax: 514-483-1362

Email: [andrew@cfmbradio.com](mailto:andrew@cfmbradio.com)

Website to view application: [www.cfm.ca](http://www.cfm.ca)

Email to request electronic version of application: [andrew@cfmbradio.com](mailto:andrew@cfmbradio.com)

### 3. **CKUA Radio Foundation**

Edmonton, Alberta

Application 2013-1622-4

Application by **CKUA Radio Foundation** to renew the broadcasting licence for the English-language commercial specialty radio station CKUA-FM Edmonton and its transmitters CKUA-FM-1 Calgary, CKUA-FM-2 Lethbridge, CKUA-FM-3 Medicine Hat, CKUA-FM-4 Grande Prairie, CKUA-FM-5 Peace River, CKUA-FM-6 Red Deer, CKUA-FM-7 Hinton, CKUA-FM-8 Edson, CKUA-FM-9 Whitecourt, CKUA-FM-10 Athabasca, CKUA-FM-11 Fort McMurray, CKUA-FM-12 Spirit River, CKUA-FM-13 Drumheller, CKUA-FM-14 Banff and CKUA-FM-15 Lloydminster, expiring 31 August 2014.

The licensee proposed to delete condition of licence 2 set out as follows in *CKUA-FM Edmonton and its transmitters – Licence renewal and amendment*, Broadcasting Decision CRTC 2007-385, 22 October 2007:

2. The licensee shall broadcast a minimum of 6.5 hours per week of formal educational programming, defined as programming that is presented for accredited study at post secondary institutions and which is presented by accredited educators, such as hosts and presenters who are teachers or qualified professors.

The licensee stated that this change is necessary because producing formal educational programming is very expensive. It notes that the Internet and accessibility of digital media have replaced radio as a more useful source for educational institutions disseminating course-related materials.

After having examined the licensee's compliance with its requirements relating to Canadian content development and the filing of annual returns, as set out by condition of licence and in the *Radio Regulations, 1986*, the Commission considers that the licensee is in compliance with its regulatory requirements.

*Licensee's address:*

9804 Jasper Avenue

Edmonton, Alberta

T5J 0C5

Fax: 780-428-7624

Email: [kregan@ckua.com](mailto:kregan@ckua.com)

Website to view application: [www.ckua.com](http://www.ckua.com)

Email to request electronic version of application: [kregan@ckua.com](mailto:kregan@ckua.com)

**4. Fabmar Communications Ltd.**

Chilliwack, British Columbia

Application 2013-1441-8

Application by **Fabmar Communications Ltd.** to renew the broadcasting licence for the English-language commercial radio station CHWK-FM Chilliwack, expiring 31 August 2014.

The licensee requested to delete condition of licence 2 set out as follows in Appendix 2 to *Licensing of a new radio station to serve Chilliwack, British Columbia*, Broadcasting Decision CRTC 2008-116, 30 May 2008:

2. The licensee shall, as an exception to the percentage of Canadian musical selections set out in sections 2.2(8) and 2.2(9) of the *Radio Regulations, 1986* (the Regulations), in any broadcast week:
  - a) devote, in that broadcast week, a minimum of 40% of its musical selections from content category 2 (Popular Music) to Canadian selections broadcast in their entirety; and
  - b) devote, between 6:00 a.m. and 6:00 p.m., in the period from Monday to Friday of the same broadcast week, a minimum of 40% of its musical selections from content category 2 (Popular Music) to Canadian selections broadcast in their entirety.

For the purposes of this condition, the terms “broadcast week,” “Canadian selection,” “content category” and “musical selection” shall have the same meaning as that set out in the Regulations.

In its place, the licensee proposed to adhere to sections 2.2(8) and 2.2(9) of the Regulations, relating to the percentage of Canadian musical selections to be broadcast in any broadcast week.

The licensee indicated that it has recently changed its original music format from a rock format to a classic hits format, and that the library of suitable Canadian selections in this format is much smaller.

In *CHWK-FM Chilliwack – Licence amendment*, Broadcasting Decision CRTC 2013-531, 2 October 2013, the Commission noted that CHWK-FM was in apparent non-compliance with its condition of licence relating to over-and-above Canadian content development contributions and stated that it would address this apparent non-compliance as well as its overall compliance with its regulatory obligations at the time of the renewal of its licence.

*Licensee's address:*

Box 750

Melfort, Saskatchewan

S0E 1A0

Fax: 306-752-5932

Email: [ksinger@sasktel.net](mailto:ksinger@sasktel.net)

Email to request electronic version of application: [ksinger@sasktel.net](mailto:ksinger@sasktel.net)

**5. 8384860 Canada Inc.**

Vancouver, British Columbia

Application 2013-1528-4

Application by **8384860 Canada Inc.** to renew the broadcasting licence for the English-language commercial radio station CHHR-FM Vancouver, expiring 31 August 2014.

The licensee requested to delete the following conditions of licence set out in Appendix 4 to *Licensing of new radio stations to serve the Vancouver radio market*, Broadcasting Decision CRTC 2008-117, 30 May 2008.

2. The licensee shall, as an exception to the percentage of Canadian musical selections set out in sections 2.2(3), 2.2(8) and 2.2(9) of the *Radio Regulations, 1986* (the Regulations), in any broadcast week:
  - b) devote, in that broadcast week and between 6:00 a.m. and 6:00 p.m., in the period from Monday to Friday of the same broadcast week, a minimum of 40% of its musical selections from content category 3 (Special Interest Music) to Canadian selections broadcast in their entirety;
  - c) devote, in that broadcast week, a minimum of 20% of its musical selections from content category 3, subcategory 34 (Jazz and blues) to Canadian selections broadcast in their entirety.
3. The licensee shall devote a minimum of 15% of all music selections broadcast each week to music drawn from content category 3 (Special Interest Music).

The licensee indicated that the proposed changes are necessary to create a financially viable station. It also stated that the fulfillment of the above-mentioned conditions of licence is challenging given the lack of available new Canadian blues products or listeners in Vancouver for this type of music.

It appears to the Commission that the licensee may have failed to comply with condition of licence 3 relating to the broadcast of category 3 music. Specifically, it appears that the level of category 3 music broadcast by the licensee during the broadcast week of 8 to 14 September 2013 was 14.1%.

It also appears to the Commission that the licensee may have failed to comply with its condition of licence relating to Canadian content development contributions for the 2008-2009 and 2009-2010 broadcast years. Newcap Inc. was informed of this situation of apparent non-compliance as part of its application to acquire the station's ownership and control (see *Notice of applications received*, Broadcasting Notice of Consultation CRTC 2013-714, 18 December 2013). However, the Commission notes that the licensee has since expended the shortfalls.

*Applicant's address:*

1170, Peel Street – Suite 800

Montréal, Quebec

H3B 4P2

Email: [pboivin@claridgeinc.com](mailto:pboivin@claridgeinc.com)

Email where an electronic copy of the application may be requested:

[spierce@radio-vancouver.ca](mailto:spierce@radio-vancouver.ca)

## **Procedure**

### **Deadline for interventions, comments or answers**

**30 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](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.

**Availability of documents**

Electronic versions of the applications are available on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) by selecting the application number within this notice. They are also available from the applicants, either on their websites or upon request by contacting the applicants at their email addresses, 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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Secretary General