



Broadcasting Decision CRTC 2014-438

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Route reference: 2014-202

Ottawa, 22 August 2014

Bell Media Inc.

Montréal and Trois-Rivières, Quebec

Applications 2013-1550-8 and 2013-1555-7, received 8 November 2013

CITÉ-FM Montréal and CHEY-FM Trois-Rivières – Licence renewals and amendments

*The Commission **renews** the broadcasting licences for the French-language commercial radio stations CITÉ-FM Montréal and CHEY-FM Trois-Rivières from 1 September 2014 to 31 August 2021.*

*The Commission also **amends** these licences by deleting certain conditions of licence.*

Applications

1. Bell Media Inc. (Bell Media) filed applications to renew the broadcasting licences for the French-language commercial radio stations CITÉ-FM Montréal and CHEY-FM Trois-Rivières, which expire 31 August 2014.
2. Bell Media also requested the deletion of the following conditions of licence, set out in Appendices 3 (CHEY-FM) and 8 (CITÉ-FM), respectively, to Broadcasting Decision 2007-216:
 3. The licensee shall broadcast not less than 63 hours of local programming each week and not less than 1 hour and 41 minutes of local news each week (CHEY-FM).
 3. The licensee shall broadcast not less than 63 hours of local programming each week and not less than 2 hours and 44 minutes of local news each week (CITÉ-FM).
3. The Commission did not receive any interventions in connection with these applications.
4. According to Bell Media, in today's highly competitive French-language radio environment in Quebec, there is no valid objective reason to impose, on a single broadcaster, exceptional obligations from which the Commission deems it appropriate to exempt all other competing broadcasters.

Regulatory framework

5. Most commercial FM radio stations are subject to a standard condition of licence, set out in Broadcasting Regulatory Policy 2009-62, whereby a licensee must, in each broadcast week, devote at least one third (i.e., 42 hours) of its programming to local programming in order to be permitted to solicit or accept local advertising.
6. However, following acquisition by Astral Media Inc. (Astral) of Telemedia Radio Inc.'s radio stations, approved in Broadcasting Decision 2002-90, the Commission imposed, by condition of licence, the higher commitments made by Astral for local programming and local news on several other stations (Broadcasting Decision 2003-206).
7. At a public hearing held on 30 April 2007, the Commission considered the licence renewal applications of several French-language commercial radio stations owned by Astral Media Radio Inc. (Astral)¹, including CHEY-FM and CITÉ-FM. During the hearing, the Commission discussed local programming commitments with Astral, among other things. Astral requested to be relieved of its conditions of licence to that effect, arguing that competing stations were not subject to such stringent conditions, and that for the sake of consistency, its stations should not be subject to them either.
8. However, given that the applications, as published in Broadcasting Notice of Public Hearing 2007-3, did not mention the deletion of these conditions of licence, and given that the public did not have the opportunity to comment on their possible deletion, the Commission determined that it could not approve Astral's proposals. Nevertheless, the Commission reminded the licensee that it could file a new application to be relieved of these conditions.
9. In 2010, Astral requested that the Commission delete the conditions of licence imposed on its stations CITF-FM Québec and CITÉ-FM-1 Sherbrooke, pursuant to which they were required to broadcast at least 63 hours of local programming per broadcast week, as well as 2 hours and 41 minutes and 1 hour and 46 minutes of news, respectively. The Commission approved the application in Broadcasting Decision 2011-121, which noted the following:

The Commission notes that the licensee's obligation to broadcast not fewer than 63 hours of local programming during each broadcast week exceeds the obligation that is generally imposed by condition of licence on commercial FM radio station licensees. Specifically, as set out in Broadcasting Regulatory Policy 2009-62, these licensees are required to broadcast 42 hours of local programming. In addition, as a general rule, the Commission does not impose conditions of licence relating to a minimum number of hours of news to be broadcast by a music-based station. Accordingly, the Commission will not reimpose this condition of licence.

¹ In Broadcasting Decision 2013-310, the Commission approved the change of effective control of Astral Media Inc.'s broadcasting undertakings to BCE Inc. (Bell Media).

10. In 2011, Astral also requested the deletion of the conditions of licence imposed on its stations CFIX-FM Chicoutimi and CIMF-FM Gatineau. These conditions of licence required the stations to broadcast a minimum of 63 hours of local programming per broadcast week, and at least 1 hour and 46 minutes and 2 hours and 41 minutes of news, respectively. The Commission approved this request in Broadcasting Decision 2013-470.

Commission's analysis and decisions

11. The Commission notes that in Broadcasting Decisions 2011-121 (CITF-FM, and CITÉ-FM-1 and its transmitter CITÉ-FM-2 Sherbrooke) and 2013-470 (CFIX-FM and CIMF-FM), it approved applications similar to that of Bell Media. In those decisions, it noted that the licensee's obligation to broadcast not less than 63 hours of local programming during each broadcast week exceeded the 42-hour obligation that is generally imposed by condition of licence on licensees of commercial FM radio stations. The Commission also noted that, as a general rule, it does not impose conditions of licence relating to the number of hours of news that must be broadcast by music-based stations.
12. In light of the above, the Commission considers it appropriate to approve Bell Media's application to delete the conditions of licence relating to the amount of local programming and news to be broadcast on CHEY-FM and CITÉ-FM. These stations will be subject to the standard condition of licence, set out in Broadcasting Regulatory Policy 2009-62, requiring the stations to devote one third (i.e., 42 hours) of their programming to local programming to be permitted to solicit or accept local advertising.
13. In regard to the renewal of the broadcasting licences for CHEY-FM and CITÉ-FM, both stations are in compliance with their conditions of licence and the Commission's regulatory requirements, as noted in Broadcasting Notice of Consultation 2014-202. Accordingly, the Commission considers it appropriate to renew the broadcasting licences for both stations for full seven-year licence terms.

Conclusion

14. In light of all the above, the Commission **renews** the broadcasting licences for the French-language commercial radio programming undertakings CITÉ-FM Montréal and CHEY-FM Trois-Rivières from 1 September 2014 to 31 August 2021. The licensee shall adhere to the **conditions of licence** set out in Broadcasting Regulatory Policy 2009-62, as amended from time to time.
15. In addition, the Commission **approves** the application by Bell Media to delete the above-noted condition of licence 3 from each of the broadcasting licences for CITÉ-FM Montréal and CHEY-FM Trois-Rivières.

Secretary General

Related documents

- *Notice of applications received*, Broadcasting Notice of Consultation CRTC 2014-202, 30 April 2014
- *Various radio stations – Licence renewals and amendments*, Broadcasting Decision CRTC 2013-470, 30 August 2013
- *Astral broadcasting undertakings – Change of effective control*, Broadcasting Decision CRTC 2013-310, 27 June 2013
- *CITF-FM Québec, CITÉ-FM-1 Sherbrooke and its transmitter CITÉ-FM-2 Sherbrooke – Licence amendments and renewals*, Broadcasting Decision CRTC 2011-121, 23 February 2011
- *Conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009
- *Radio programming undertakings – Licence renewals*, Broadcasting Decision CRTC 2007-216, 6 July 2007, as corrected by Broadcasting Decision CRTC 2007-216-1, 24 July 2007
- Broadcasting Notice of Public Hearing CRTC 2007-3, 1 March 2007
- *Licence amendments pursuant to Broadcasting Decision CRTC 2002-90*, Broadcasting Decision CRTC 2003-206, 3 February 2003
- *Transfer of control of 3903206 Canada Inc., of Telemedia Radio Atlantic Inc. and of 50% of Radiomedia Inc. to Astral Radio Inc.*, Broadcasting Decision CRTC 2002-90, 19 April 2002

**This decision is to be appended to each licence.*