



## Broadcasting Decision CRTC 2015-196

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References: 2014-621 and 2014-621-1

Ottawa, 15 May 2015

**Caper Radio Incorporated**  
Sydney, Nova Scotia

*Application 2014-0845-1, received 27 August 2014*  
*Public hearing in the National Capital Region*  
*19 February 2015*

### English-language developmental campus radio station in Sydney

*The Commission **approves** an application for a broadcasting licence to operate a low-power, English-language developmental campus FM radio station in Sydney, Nova Scotia.*

#### Application

1. Caper Radio Incorporated (Caper Radio) filed an application for a broadcasting licence to operate a low-power, English-language developmental campus FM radio station in Sydney, Nova Scotia.
2. Caper Radio is a not-for-profit corporation controlled by its board of directors.
3. The station would operate at 107.3 MHz (channel 297LP) with an effective radiated power of 5 watts (non-directional antenna with an effective height of antenna above average terrain of 9.7 metres).<sup>1</sup>
4. Of the 120 hours of programming to be broadcast each broadcast week, 60 hours would be devoted to local programming featuring local and independent music, current affairs and sports. The remaining programming would consist of syndicated programming obtained from the National Campus and Community Radio Association's (NCRA) Program Exchange.
5. The station's musical programming would be drawn from a range of content category 2 (Popular Music) and content category 3 (Special Interest Music) musical selections. Caper Radio stated that it would also promote alternative music, with a focus on local artists. It further indicated that the station would broadcast, on average, three hours of third-language programming per broadcast week, and would encourage international students to broadcast in their own languages.

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<sup>1</sup> These technical parameters reflect those approved by the Department of Industry.

6. The applicant noted that it has been broadcasting programming to Cape Breton University students, on campus, via carrier current technology since 1992. It submitted that by transitioning to a developmental station, it would be able to better meet its objectives and develop its institutional capacities.
7. The Commission notes that developmental campus radio stations operate primarily for training purposes and with programming produced primarily by volunteers who are either students or members of the community at large. In this regard, Caper Radio indicated that the proposed station would facilitate student access to the airwaves and the effective communication of student-oriented events and students' perspectives on matters of public interest. The applicant further stated that the station would encourage community participation by providing access to the airwaves to promote community events and organizations.
8. In *Campus and community radio policy*, Broadcasting Regulatory Policy CRTC 2010-499, 22 July 2010 (the Campus and community radio policy), the Commission announced a number of changes to the regulatory framework for campus and community stations. Caper Radio confirmed that it will adhere to the revised framework set out in that policy.
9. The Commission received numerous interventions in support of this application. It also received an intervention from an individual noting the lack of programming variety in Cape Breton, Nova Scotia, to which the applicant did not reply. The public record for this application can be found on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) or by using the application number provided above.

### **Commission's decision**

10. As set out in the Campus and community radio policy, the Commission expects campus-based radio stations to provide programming differing in style and substance from that provided by other elements of the broadcasting system, particularly commercial radio stations and the Canadian Broadcasting Corporation. Such programming should consist of music, especially Canadian music, not generally heard on commercial stations (including special interest music, as well as styles of popular music seldom broadcast), in-depth spoken word programming, and programming targeting specific groups within the community.
11. The Commission is satisfied that the application is consistent with the provisions for campus radio stations set out in the Campus and community radio policy. Accordingly, the Commission **approves** the application by Caper Radio Incorporated for a broadcasting licence to operate a low-power, English-language developmental campus FM radio programming undertaking in Sydney, Nova Scotia. The terms and **conditions of licence** are set out in the appendix to this decision.
12. In its revised licensing policy for new developmental radio stations (see the Campus and community radio policy), the Commission determined that it would be appropriate to grant such stations licence terms of up to five rather than three years as set out in its previous policy. It stated that the longer licence term would permit the establishment of more stable

and viable campus and community radio organizations while also taking into consideration the fact that licensees may take up to two years to implement their services.

Secretary General

## Appendix to Broadcasting Decision CRTC 2015-196

### Terms, conditions of licence, expectation and encouragement for the low-power, English-language developmental campus FM radio programming undertaking in Sydney, Nova Scotia

#### Terms

The licence will expire 31 August 2019. If the applicant wishes to continue the operation of the station beyond this period, it should file an application for a regular community radio licence with the Commission, nine months before the expiry of its licence.

The station will operate at 107.3 MHz (channel 297LP) with an effective radiated power of 5 watts (non-directional antenna with an effective height of antenna above average terrain of 9.7 metres).

The Commission reminds the applicant that, pursuant to section 22(1) of the *Broadcasting Act*, no licence may be issued until the Department of Industry (the Department) notifies the Commission that its technical requirements have been met and that a broadcasting certificate will be issued.

Given that the technical parameters approved in this decision are for a low-power unprotected FM undertaking, the Commission also reminds the applicant that it will have to select another frequency if the Department so requires.

Furthermore, the Commission will only issue a licence for this undertaking once the applicant has informed the Commission in writing that it is prepared to commence operations. The undertaking must be operational at the earliest possible date and in any event no later than 24 months from the date of this decision, unless a request for an extension of time is approved by the Commission before **15 May 2017**. In order to ensure that such a request is processed in a timely manner, it should be submitted at least 60 days before this date.

Finally, the applicant must file an executed copy of its amended articles of association within 12 months of the date of this decision.

#### Conditions of licence

1. The licensee shall adhere to the conditions set out in the broadcasting licence for the undertaking, as well as to the conditions of licence set out in *Standard conditions of licence for campus and community stations*, Broadcasting Regulatory Policy CRTC 2012-304, 22 May 2012.
2. The licensee shall adhere to the *Equitable Portrayal Code*, as amended from time to time and approved by the Commission.

## **Expectation**

As set out in *Campus and community radio policy*, Broadcasting Regulatory Policy CRTC 2010-499, 22 July 2010, the Commission expects all community and campus radio station licensees to file yearly updates on the composition of their boards of directors. These annual updates can be submitted at the time of submission of annual returns, following annual board of directors' elections, or at any other time. As noted in Appendix 3 to that regulatory policy, licensees may submit such documentation via the Commission's website.

## **Encouragement**

The Commission considers that campus radio stations should be particularly sensitive to employment equity issues in order to reflect fully the communities they serve. It encourages the licensee to consider these issues in its hiring practices and in all other aspects of its management of human resources.