



## Broadcasting Notice of Consultation CRTC 2016-64-4

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References: 2016-64, 2016-64-1, 2016-64-2 and 2016-64-3

Ottawa, 6 July 2016

### Notice of hearing

**20 July 2016**

**Gatineau, Quebec**

**Resumption of hearing for item 14**

**The Commission will consider the interventions and replies for this item that have already been accepted and placed on the public file for the 16 May 2016 hearing.**

Further to Broadcasting Notices of Consultation 2016-64, 2016-64-1, 2016-64-2 and 2016-64-3 relating to the public hearing that began on 16 May 2016 in Vancouver, British Columbia, the Commission announces that it will resume the hearing on **20 July 2016 at 1 p.m. at the Commission Headquarters, 1 Promenade du Portage, Gatineau, Quebec**, to consider the following item:

#### Item 14

**89.3 Surrey City FM Ltd.**

**Surrey, British Columbia**

**Reference 2016-0122-9**

89.3 Surrey City FM Ltd. (City FM) operates the station VF2686 at Surrey, British Columbia, at 89.3 MHz. The station produces programming for broadcast on the radio, but does not hold a broadcasting licence to carry on a radio programming undertaking as it claims to operate as an exempt low-power tourist information radio station pursuant to Broadcasting Order 2014-447. The station is owned and controlled by Gurpal Singh Garcha.

City FM's operations came to the attention of the Commission as part of a review of the Vancouver and Surrey radio markets prior to the issuance of Broadcasting Notice of Consultation 2016-64. In letters dated 24 December 2015, 27 January 2016 and 10 February 2016, the Commission sought information from City FM regarding its operations and activities to determine compliance with Broadcasting Order 2014-447. The Commission also sought information regarding the ownership of City FM and the authorization from the Department of Industry (the Department) to operate VF2686 as the Department's records show Amrit Baani Radio Ltd. as the licensee for this station.

Based on the information received, it appears that City FM is operating its tourist information station in non-compliance with Broadcasting Order 2014-447. In particular, it appears that City FM is:

- broadcasting programming that is inconsistent with paragraphs 4, 6 and 7 of the order;
- broadcasting without proper authorizations or certificates from the Department, contrary to paragraph 1 of the order; and
- has not implemented emergency alerting, as required under paragraph 10 of the order.

In light of the record, it therefore appears that City FM is carrying on a broadcasting undertaking in whole or in part in Canada without a licence or pursuant to an exemption, contrary to the *Broadcasting Act* (the Act).

If City FM is found to be carrying on a broadcasting undertaking in whole or in part in Canada without a licence or pursuant to an exemption, Mr. Garcha may also be in non-compliance with Broadcasting Order 2014-590, pursuant to which Mr. Garcha may not carry on a broadcasting undertaking in Surrey or anywhere else in Canada except in compliance with the Act.

Therefore, pursuant to section 12 of the Act, the Commission calls 89.3 Surrey City FM Ltd. and Gurpal Singh Garcha to a public hearing to inquire into, hear and determine whether the entity is carrying on an undertaking in whole or in part in Canada without a licence. City FM and Mr. Garcha will also be required to show cause why a mandatory order should not be issued requiring them to cease and desist from operating a broadcasting undertaking in Surrey or elsewhere in Canada, except in compliance with the Act.

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Secretary General