



## Broadcasting Decision CRTC 2017-275

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Reference: Part 1 licence renewal application posted on 6 March 2017

Ottawa, 1 August 2017

**Radio Dégelis inc.**  
Dégelis, Quebec

*Application 2016-1018-9*

### **CFVD-FM Dégelis and its transmitters CFVD-FM-2 Pohénégamook and CFVD-FM-3 Squatec – Licence renewal**

*The Commission **renews** the broadcasting licence for the commercial radio station CFVD-FM Dégelis and its transmitters CFVD-FM-2 Pohénégamook and CFVD-FM-3 Squatec, Quebec, from 1 September 2017 to 31 August 2024.*

#### **Application**

1. Radio Dégelis inc. (Radio Dégelis) filed an application to renew the broadcasting licence for the commercial radio station CFVD-FM Dégelis and its transmitters CFVD-FM-2 Pohénégamook and CFVD-FM-3 Squatec, Quebec. The Commission did not receive any interventions regarding this application.

#### **Non-compliance**

2. As set out in Appendix 5 to Broadcasting Decision 2010-890, in addition to meeting the requirements relating to Canadian content development (CCD) found in section 15 of the *Radio Regulations, 1986*, the licensee is required by condition of licence to devote at least \$500 in each broadcast year to the promotion and development of Canadian content. At least \$100 of this additional amount must be directed to MUSICACTION.
3. According to the Commission's records, the licensee directed \$500 in each of the 2013-2014, 2014-2015 and 2015-2016 broadcast years to the Le Tremplin festival, but made no contribution to MUSICACTION.
4. Radio Dégelis explained that this was due to a misunderstanding on its part. Specifically, following the publication of Broadcasting Regulatory Policy 2013-476, which announced that commercial radio licensees with revenues of \$1.25 million or less would be relieved of the requirement to make basic CCD contributions, the licensee believed that it was relieved of the obligation to make any CCD contributions, including the portion of the over-and-above CCD contribution to be directed to MUSICACTION pursuant to its condition of licence.

5. In light of the above, the Commission finds the licensee in non-compliance with its condition of licence regarding CCD contributions for the 2013-2014, 2014-2015 and 2015-2016 broadcast years.

### **Regulatory measures**

6. The Commission's approach to non-compliance by radio stations is set out in Broadcasting Information Bulletin 2014-608. Under that approach, each instance of non-compliance is evaluated in its context and in light of factors such as the quantity, recurrence and seriousness of the non-compliance. The circumstances, the arguments provided by the licensee and the actions taken to rectify the situation are also considered.
7. This is the licensee's first instance of non-compliance relating to its CCD obligations. Further, the shortfall was due to a misunderstanding of the Commission's new policy concerning the requirement to make basic CCD contributions rather than a lack in the licensee's procedures. Therefore, the Commission is satisfied with the licensee's explanation and does not consider that imposing a short-term licence renewal is necessary in this case.
8. However, in order to ensure that Radio Dégelis fulfills the CCD shortfall, the Commission has set out a **condition of licence** in the appendix to this decision requiring the licensee to contribute \$300 to MUSICACTION by **30 September 2017** and provide proof of payment to the Commission by **30 November 2017**.

### **Conclusion**

9. In light of all of the above, the Commission **renews** the broadcasting licence for the commercial radio programming undertaking CFVD-FM Dégelis and its transmitters CFVD-FM-2 Pohénégamook and CFVD-FM-3 Squatec, Quebec, from 1 September 2017 to 31 August 2024. The terms and **conditions of licence** are set out in the appendix to this decision.

### **Reminder**

10. Pursuant to section 22 of the *Broadcasting Act*, the Commission reminds the licensee that the broadcasting licence renewed in this decision will cease to have any force or effect if the broadcasting certificate issued by the Department of Industry lapses.

Secretary General

### **Related documents**

- *Update on the Commission's approach to non-compliance by radio stations*, Broadcasting Information Bulletin CRTC 2014-608, 21 November 2014
- *Amendments to the Radio Regulations, 1986 concerning basic Canadian content development contributions and the addition of a definition of the Community*

*Radio Fund of Canada*, Broadcasting Regulatory Policy CRTC 2013-476,  
6 September 2013

- *Licence renewals*, Broadcasting Decision CRTC 2010-890, 30 November 2010

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

## Appendix to Broadcasting Decision CRTC 2017-275

### Terms, conditions of licence, expectation and encouragement for the commercial radio programming undertaking CFVD-FM Dégelis and its transmitters CFVD-FM-2 Pohénégamook and CFVD-FM-3 Squatec, Quebec

#### Terms

The licence will expire 31 August 2024.

#### Conditions of licence

1. The licensee shall 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 well as to the conditions set out in the broadcasting licence for the undertaking.
2. In addition to the requirements set out in section 15 of the *Radio Regulations, 1986*, the licensee shall devote at least \$500 in each broadcast year to the promotion and development of Canadian content. The licensee shall contribute \$100 of this additional amount to MUSICACTION. The remaining amount (i.e. \$400) shall be allocated to parties and initiatives fulfilling the definition of eligible initiatives set out in paragraph 108 of *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006.
3. In order to fulfill the shortfall in Canadian content contributions identified in this decision, the licensee shall contribute \$300 to MUSICACTION by **30 September 2017** and provide proof of payment to the Commission by **30 November 2017**. This amount is in addition to the contribution set out in condition of licence 2.

#### Expectation

The Commission expects the licensee to reflect the cultural diversity of Canada in its programming and employment practices.

#### Encouragement

In accordance with *Implementation of an employment equity policy*, Public Notice CRTC 1992-59, 1 September 1992, the Commission encourages the licensee to consider employment equity issues in its hiring practices and in all other aspects of its management of human resources.