



## Broadcasting Decision CRTC 2017-290

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

Ottawa, 17 August 2017

### **Newcap Inc.**

Wetaskiwin, Alberta

*Application 2016-0775-6*

### **CKJR Wetaskiwin – Licence renewal**

*The Commission **renews** the broadcasting licence for the commercial radio station CKJR Wetaskiwin, Alberta, from 1 September 2017 to 31 August 2023. This short-term licence renewal will allow for an earlier review of the licensee's compliance with regulatory requirements.*

### **Application**

1. Newcap Inc. (Newcap) filed an application to renew the broadcasting licence for the English-language commercial radio programming undertaking CKJR Wetaskiwin, Alberta, which expires 31 August 2017. The Commission did not receive any interventions in connection with this application.

### **Non-compliance**

2. Section 7(3) of the *Radio Regulations, 1986* (the Regulations) states that unless otherwise authorized by condition of licence, a licensee operating a station other than an ethnic station must devote not more than 15% of a broadcast week to third-language programming.
3. At a public hearing held in Edmonton in September 2016, 1811258 Alberta Ltd. stated that it provides third-language programming for CKJR Wetaskiwin. 1811258 Alberta Ltd. filed its contract agreement with Newcap on the public record of that proceeding. Based on the information provided, it would appear that CKJR devotes 20.5% (26 hours) of each broadcast week to the broadcast of third-language programming.
4. Newcap confirmed that the station was in non-compliance with section 7(3) of the Regulations due to an oversight. Newcap stated that it has made the necessary programming changes to reduce its third-language programming below the maximum allowable 15% threshold immediately.

5. In light of the above, the Commission finds the licensee in non-compliance with section 7(3) of the Regulations relating to the broadcast of third-language programming.

### **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 leading to the non-compliance, the arguments provided by the licensee and the actions taken to rectify the situation are also considered.
7. The Commission acknowledges the explanation provided by the licensee and the changes it made to the programming schedule to address the non-compliance and to ensure compliance going forward. Given that this is the licensee's first instance of non-compliance, the Commission finds it appropriate to grant the station a short-term licence renewal of six years.

### **Conclusion**

8. In light of all of the above, the Commission **renews** the broadcasting licence for the English-language commercial radio programming undertaking CKJR Wetaskiwin from 1 September 2017 to 31 August 2023. The licensee shall adhere to the **conditions** set out in Broadcasting Regulatory Policy 2009-62, as well as to the **conditions** set out in the broadcasting licence for the undertaking.

### **Reminder**

9. Pursuant to section 22 of the *Broadcasting Act*, 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.

### **Cultural diversity**

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

### **Employment equity**

11. Because this licensee is subject to the *Employment Equity Act* and files reports with the Department of Employment and Social Development, its employment equity practices are not examined by the Commission.

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
- *Conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009

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