



## Broadcasting Decision CRTC 2018-288

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Reference: Part 1 licence renewal application posted on 23 February 2018

Ottawa, 17 August 2018

**Coop de solidarité radio communautaire de la MRC de Maskinongé**  
Louiseville, Quebec

*Public record for this application: 2017-0928-9*

### **CHHO-FM Louiseville and its transmitter CHHO-FM-1 Saint-Alexis-des-Monts – Licence renewal**

*The Commission **renews** the broadcasting licence for the French-language community radio station CHHO-FM Louiseville from 1 September 2018 to 31 August 2023. This short-term renewal will allow for an earlier review of the licensee's compliance with regulatory requirements.*

#### **Application**

1. Coop de solidarité radio communautaire de la MRC de Maskinongé (Coop Maskinongé) filed an application to renew the broadcasting licence for the French-language community radio station CHHO-FM Louiseville, Quebec and its transmitter CHHO-FM-1 Saint-Alexis-des-Monts, which expires on 31 August 2018. The Commission did not receive any interventions regarding this application.

#### **Background**

2. In Broadcasting Decision 2012-704, the Commission renewed the broadcasting licence for CHHO-FM for a short-term period due to the licensee's non-compliance related to the filing of annual returns.

#### **Non-compliance**

3. Sections 8(5) and 8(6) of the *Radio Regulations, 1986* (the Regulations) require licensees to retain a clear and intelligible audio recording or other exact copy of all matter broadcast and to provide it without delay upon the Commission's request.
4. The licensee was required to provide the audio recordings for the broadcast week of 16-22 October 2016 to the Commission. However, the recordings were incomplete since 45 hours of programming had not been recorded.
5. Coop Maskinongé stated that the system was programmed to record time slots when a presenter was on-air but not continuous music. The licensee has since reviewed and corrected the system's programming to ensure hourly recordings. In addition, a

person will now check the recording every morning to ensure that it is working. All material has been recorded without error for over a year.

6. In light of the above, the Commission finds the licensee in non-compliance with sections 8(5) and 8(6) of the Regulations.

### **Regulatory measures**

7. 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.
8. The Commission notes the steps the licensee has taken to ensure compliance in the future. However, although the nature of the current non-compliance is not the same as that of the previous licence term, this is the second consecutive licence term in which the licensee has been found in non-compliance with regulatory requirements. Accordingly, the Commission finds it appropriate to renew the licence for CHHO-FM for a short-term period of five years.

### **Conclusion**

9. In light of the above, the Commission **renews** the broadcasting licence for the French-language community radio programming undertaking CHHO-FM Louiseville from 1 September 2018 to 31 August 2023. The **conditions of licence** are set out in the appendix to this decision.

### **Reminders**

10. The Commission is charged with the supervision and regulation of the Canadian broadcasting system. The submission of complete and accurate radio monitoring materials enables the Commission to conduct an analysis of a station's programming to verify compliance with the Regulations and their conditions of licence. The retention these materials also makes it possible for the Commission to investigate a station's programming in the case of complaints. As such, any licensee that does not file requested material in a timely manner or does not file such material at all affects the Commission's ability to adequately perform its duty to independently confirm the licensee's adherence to regulatory and licence requirements. These filings also become important indicators of whether the licensee has the willingness, ability and knowledge necessary to bring itself into compliance and maintain such compliance.
11. Should the licensee continue to be in non-compliance with regulatory requirements, the Commission may consider recourse to additional measures as part of the next licence renewal process, including the issuance of a mandatory order.

12. Pursuant to section 22 of the *Broadcasting Act*, the broadcasting licence renewed in this decision will cease to have any force or effect should the broadcasting certificate issued by the Department of Industry lapse.

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
- *Various campus and community radio programming undertakings – Licence renewals*, Broadcasting Decision CRTC 2012-704, 21 December 2012

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

## **Appendix to Broadcasting Decision CRTC 2018-288**

### **Terms, conditions of licence, expectations and encouragement for the French-language community radio programming undertaking CHHO-FM Louiseville and its transmitter CHHO-FM-1 Saint-Alexis-des-Monts, Quebec**

#### **Terms**

The licence will expire 31 August 2023.

#### **Conditions of licence**

1. The licensee shall adhere to the conditions set out in *Standard conditions of licence for campus and community radio stations*, Broadcasting Regulatory Policy CRTC 2012-304, 22 May 2012, as well as to the conditions set out in the broadcasting licence for the undertaking.

#### **Expectations**

##### **Cultural diversity**

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

##### **Ownership information**

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 board 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 information through the Commission's website.

##### **Encouragement**

The Commission considers that community 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.