



Broadcasting Decision CRTC 2018-479

PDF version

References: Part 1 licence renewal applications posted on 27 November 2017

Ottawa, 18 December 2018

Crossroads Television System

Edmonton and Calgary, Alberta; and Hamilton, Ottawa and London, Ontario

Public record for these applications: 2017-0829-9, 2017-0832-2 and 2017-0834-8

Various conventional religious television stations – Licence renewals

*The Commission **renews** the broadcasting licences for the English-language conventional religious television stations CITS-DT Hamilton, Ontario and its transmitters CITS-DT-1 Ottawa and CITS-DT-2 London, and CKES-DT Edmonton and CKCS-DT Calgary, Alberta, from 1 January 2019 to 31 August 2023.*

Applications

1. On 1 June 2017, the Commission issued Broadcasting Notice of Consultation 2017-183 (the Call), which listed the television services and stations for which the licences needed to be renewed in order to continue their operations.
2. In response to the Call, Crossroads Television System (Crossroads) filed applications to renew the broadcasting licences for the following English-language conventional religious television stations, which expire 31 December 2018:¹
 - CITS-DT Hamilton, Ontario and its transmitters CITS-DT-1 Ottawa and CITS-DT-2 London (application 2017-0829-9)
 - CKES-DT Edmonton, Alberta (application 2017-0832-2)
 - CKCS-DT Calgary, Alberta (application 2017-0834-8)
3. The licensee stated that it would adhere to the standard requirements for television stations set out in Appendix 1 to Broadcasting Regulatory Policy 2016-436.

Interventions

4. The Commission received a joint intervention from Rogers Media Inc., Corus Entertainment Inc. and Bell Media Inc., who argued that the described video requirements imposed by the Commission on independently owned undertakings are

¹ The broadcasting licences for these stations were administratively renewed from 1 September 2018 to 31 December 2018 in Broadcasting Decision 2018-317.

onerous. It also received an intervention from the Shaw Rocket Fund, which stressed the continued need to support original Canadian children's programming, but did not request any specific action on the part of the Commission in this regard. The licensee did not reply to the interventions.

Commission's analysis and decisions

5. After examining the record for Crossroads' applications in light of applicable regulations and policies, the Commission considers that the issues it must address are the following:
 - the Canadian programming expenditure (CPE) levels proposed by the licensee;
 - the licensee's request not to be required to adhere to a condition of licence relating to the broadcast of locally reflective news;
 - the licensee's apparent non-compliance relating to the filing of annual returns;
 - the licensee's apparent non-compliance relating to the broadcast of Canadian programs;
 - the licensee's apparent non-compliance relating to closed captioning; and
 - the length of the licence renewal term.

Canadian programming expenditures

6. In Broadcasting Regulatory Policy 2015-86, the Commission announced that it would impose CPE requirements on all independent over-the-air television stations and that it would set the appropriate CPE levels at the time of licence renewal, based on historical expenditure levels. Although Crossroads currently makes expenditures on Canadian programming and has proposed to adhere to a condition of licence relating to CPE, its stations are currently not subject to a CPE requirement.
7. Crossroads proposed the following minimum CPE levels, as a percentage of the previous broadcast year's gross revenues, for each of its three stations: CITS-DT: 6%; CKES-DT: 5%; and CKCS-DT: 4%. It based these levels on each station's historical spending levels on Canadian programming from the 2011-2012 through 2015-2016 broadcast years. Crossroads added that since these stations are religious stations that broadcast niche programming, its proposed levels are realistic.²

²In regard to its proposal, Crossroads requested that the 10% CPE requirement set out in Broadcasting Regulatory Policy 2015-86, which is to be imposed on services that previously did not have such a requirement, not be imposed on its stations. However, the minimum 10% CPE requirement applies only to English- and third-language discretionary services.

8. Based on financial summaries reported to the Commission for the 2012-2013 through 2016-2017 broadcast years, the CPE levels proposed by Crossroads for CITS-DT and CKES-DT are appropriate. In regard to CKCS-DT, the Commission finds that an appropriate CPE level would be 5%, which is more in line with the station's average historical spending on Canadian programming from the 2012-2013 through 2016-2017 broadcast years.
9. Accordingly, the Commission **approves** the licensee's proposed minimum CPE levels, as a percentage of the previous broadcast year's gross revenues, of 6% for CITS-DT and 5% for CKES-DT, as well as its proposal that CKCS-DT be subject to a CPE requirement, but with a revised minimum expenditure level of 5%.
Conditions of licence to that effect are set out in the appendices to this decision.
10. The Commission considers it appropriate to adopt an incentive to encourage the reflection of Indigenous peoples within the broadcasting system. Specifically, for each station, Crossroads will receive a 50% credit towards its CPE requirements for expenditures on Canadian programming produced by Indigenous producers, up to a maximum (expenses plus credit) of 10% of the licensee's overall CPE requirement when combined with the credit discussed below regarding official language minority community (OLMC) reflection. Only programming costs counting towards CPE as defined in Public Notice 1993-93 will be considered eligible for the credit.
11. The Commission is also of the view that a similar credit could encourage greater onscreen reflection of OLMCs in the broadcasting system. Consequently, for each station, Crossroads will receive a 25% credit against its CPE requirements for expenditures on Canadian programming produced by OLMC producers, up to a maximum (expenses plus credit) of 10% of the licensee's overall CPE requirement when combined with the credit on Indigenous reflection. Once again, only programming costs counting towards CPE as defined in Public Notice 1993-93 will be considered eligible for the credit. Further, the OLMC producer must be an independent producer as defined by the Commission and (i) if in the province of Quebec, the original language of the production must be English or (ii) if outside of the province of Quebec, the original language of the production must be French.
12. **Conditions of licence** reflecting these determinations are set out in the appendices to this decision.

Locally reflective news

13. English-language commercial television stations are required, by condition of licence, to broadcast not less than 14 hours of local programming each broadcast week if they operate in metropolitan markets and not less than seven hours of local programming each broadcast week if they operate in non-metropolitan markets.³

³ These requirements are set out in conditions of licence 5 and 6, respectively, in Appendix 1 to Broadcasting Regulatory Policy 2016-436, which also contains the definition of "metropolitan market."

14. In regard to locally reflective news, in Broadcasting Regulatory Policy 2016-224, the Commission stated that all television station licensees would be required to broadcast a minimum level of local news and to allocate a percentage of their previous broadcast year's revenues to such programming, with the exhibition and expenditure levels to be determined at licence renewal based on historical levels.
15. Crossroads stated that for all three stations, it would adhere to the requirements relating to the provision of local programming set out in Broadcasting Regulatory Policy 2016-436. It requested, however, that for the next licence term, it not be required to adhere to a condition of licence relating to the broadcast of locally reflective news. It argued that, as a religious broadcaster, it has historically not produced local news, and has neither made expenditures on such programming nor exhibited such programming.
16. Although the Commission expects religious broadcasters to broadcast local programming, it has not historically required that they broadcast news programming given their religious mandate. Accordingly, the Commission **approves** Crossroads' request.
17. Given that CITS-DT, CKES-DT and CKCS-DT do not make expenditures on locally reflective news programming and do not exhibit such programming, and based on the eligibility criteria relating to the Independent Local News Fund (ILNF) set out in Appendix 1 to Broadcasting Regulatory Policy 2016-224, Crossroads' stations are not eligible for funding support through that fund.

Non-compliance relating to the filing of annual returns

18. As set out in section 12(1) of the *Television Broadcasting Regulations, 1987* (the Regulations), on or before 30 November of each year, a licensee shall submit to the Commission a statement of accounts, on the annual return of broadcasting licensee form, for the 12-month period ending on the previous 31 August (i.e., the end of the broadcast year). Financial statements must also be filed, covering the same period as the annual return.
19. The annual returns for CITS-DT, CKES-DT and CKCS-DT were not filed in full for the 2013-2014 and 2014-2015 broadcast years. According to Crossroads, the missing financial statements were due to human error. It added that going forward, only senior level staff familiar with the annual reporting requirements will be responsible for filing annual returns.
20. The Commission notes that audited financial statements for the 2013-2014 and 2014-2015 broadcast years were provided late. Accordingly, for CITS-DT, CKES-DT and CKCS-DT, the Commission finds Crossroads in non-compliance with section 12(1) of the Regulations relating to the filing of annual returns. However, the Commission is satisfied that the licensee has provided sufficient justification for the errors and has taken appropriate measures to ensure that they will not happen again in the future, and finds that no further action is necessary.

Non-compliance relating to the broadcast of Canadian programs

21. Pursuant to requirements set out in the Regulations prior to 31 August 2017, television station licensees were required to devote not less than 55% of the broadcast year (section 4(6)) and not less than 50% of the evening broadcast period (the period between 6 p.m. and midnight) (section 4(7)(b)) to the broadcast of Canadian programs. Based on its analysis of the program logs submitted by the licensee, the Commission noted that, for certain broadcast years, the percentage of Canadian programs broadcast on CITS-DT, CKES-DT and CKCS-DT appeared to be below the required levels for both the broadcast year and the evening broadcast period.
22. Crossroads informed the Commission that the program logs were incorrect as a result of an administrative error on its part, and resubmitted the program logs by 31 October 2017. With the missing information now provided, it stated that the stations were in full compliance with the Canadian program requirements. It added that it has since hired a full-time person for the programming and logging department who is responsible for ensuring the timely collection of Canadian program certification numbers and the accuracy of program logs filed.
23. Based on its analysis of the resubmitted program logs, the Commission finds that for the 2014-2015 through 2016-2017 broadcast years, the percentage of Canadian programs broadcast on CITS-DT over each broadcast year was still below the required 55%. Further, for the 2016-2017 broadcast year, the Commission finds that the percentage of Canadian programs broadcast on all three stations during the evening broadcast period was below the required 50%. In all cases, the discrepancies between the requirement and the stations' results were relatively small, often less than one percentage point.
24. In light of the above, the Commission finds Crossroads in non-compliance with sections 4(6) and 4(7)(b) of the Regulations in effect prior to 31 August 2017. However, given the relatively minor differences between the requirements and the stations' results, and given the measures put in place by the licensee to ensure future compliance, the Commission finds that no further action is necessary.

Non-compliance relating to closed captioning

25. As set out in standard condition of licence 5 in the appendix to Broadcasting Regulatory Policy 2011-442, which Crossroads' stations were required to adhere to under their current conditions of licence, television licensees are required to close caption 100% of English- and French-language programs broadcast over the broadcast day, consistent with the approach set out in Broadcasting Public Notice 2007-54.
26. Based on its analysis of the program logs submitted by Crossroads, the Commission noted that for certain broadcast years, the percentage of programming for which closed captioning was provided appeared to be below the above-noted 100% requirement.

27. As was the case for Canadian programs, Crossroads informed the Commission that the above-noted program logs were incorrect as a result of an administrative error on its part. It indicated that certain program logs needed to be resubmitted, and submitted those logs by 31 October 2017. It added that measures have been put in place to ensure that errors regarding the filing of information relating to the closed captioning of programming do not occur going forward.
28. Based on its analysis of the resubmitted program logs, the Commission finds all three stations in compliance with the above-noted closed captioning requirement for the current licence term.

Length of licence renewal term

29. In its group-based approach to the licensing of private television services (see Broadcasting Regulatory Policy 2010-167), the Commission set out its intention, given the pace of change in the broadcasting environment and the desire to assess the impact of the new group-based approach, to impose five-year, rather than seven-year licence terms for television licensees controlled by designated groups. Over time, the Commission has adopted this practice for other television services, so as to allow it to more regularly reassess the performance of various licensees as well as the criteria used to assess such performance.
30. Despite the above findings regarding the licensee's compliance with requirements relating to the filing of annual returns, the broadcast of Canadian programs and the provision of closed captioning, the Commission is satisfied with the explanations provided and the steps taken by the licensee to ensure compliance going forward. Accordingly, the Commission considers it appropriate to renew the broadcasting licences for Crossroads' stations for full five-year licence terms.

Conclusion

31. In light of all of the above, the Commission **renews** the broadcasting licences for the English-language conventional religious television programming undertakings CITS-DT Hamilton, Ontario and its transmitters, CITS-DT-1 Ottawa and CITS-DT-2 London, and CKES-DT Edmonton and CKCS-DT Calgary, Alberta, from 1 January 2019 to 31 August 2023. The terms and **conditions of licence** for the stations are set out in the appendices to this decision.

Reminders

32. Section 10(3) of the Regulations requires that, except as otherwise provided under a condition of its licence, a licensee shall provide to the Commission, within 30 days after the end of each month, the log or record of its programming for the month. The Commission reminds the licensee that program logs must be accurate and must be kept in a form acceptable to the Commission.
33. Licensees are responsible for filing complete annual returns on time. It is the licensee's responsibility to ensure that all appropriate forms and documentation are

included with its annual returns, and to contact the Commission if further clarification is required.

34. The Commission reminds Crossroads of the importance of meeting Canadian program exhibition requirements at all times.

Secretary General

Related documents

- *Various television stations and services – Administrative renewals*, Broadcasting Decision CRTC 2018-317, 24 August 2018
- *Call for licence renewal applications*, Broadcasting Notice of Consultation CRTC 2017-183, 1 June 2017
- *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016
- *Policy framework for local and community television*, Broadcasting Regulatory Policy CRTC 2016-224, 15 June 2016
- *Let's Talk TV – The way forward – Creating compelling and diverse Canadian programming*, Broadcasting Regulatory Policy CRTC 2015-86, 12 March 2015
- *Standard conditions of licence, expectations and encouragements for conventional television stations*, Broadcasting Regulatory Policy CRTC 2011-442, 27 July 2011
- *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, 22 March 2010
- *A new policy with respect to closed captioning*, Broadcasting Public Notice CRTC 2007-54, 17 May 2007
- *The reporting of Canadian programming expenditures*, Public Notice CRTC 1993-93, 22 June 1993

This decision and the appropriate appendix are to be appended to each licence.

Appendix 1 to Broadcasting Decision CRTC 2018-479

Terms, conditions of licence, expectations and encouragements for the conventional religious television programming undertaking CITS-DT Hamilton, Ontario and its transmitters CITS-DT-1 Ottawa and CITS-DT-2 London

Terms

The licence will expire 31 August 2023.

Conditions of licence

1. The licensee shall adhere to the conditions of licence set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016, as well as to the conditions set out in the broadcasting licence for the undertaking.
2. All programming broadcast by the undertaking shall be religious programming as defined in *Religious Broadcasting Policy*, Public Notice CRTC 1993-78, 3 June 1993.
3. The licensee shall adhere to the guidelines set out in sections III.B.2.a) and IV of *Religious Broadcasting Policy*, Public Notice CRTC 1993-78, 3 June 1993 with respect to the provision of balance and ethics in religious programming.
4. The licensee shall broadcast a minimum of 20 hours of balance programming each broadcast week, of which 18 hours must be original balance programming. Additionally, of the 20 hours of balance programming, 12 hours must be broadcast between 6:00 p.m. and 11:00 p.m.

Canadian programming expenditures

5. The licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming a minimum of 6% of the previous broadcast year's gross revenues of the undertaking.
6. Subject to condition 7, the licensee may claim, in addition to its expenditures on Canadian programming:
 - a) a 50% credit against its Canadian programming expenditure requirements for expenditures made on Canadian programming produced by an Indigenous producer and claimed as Canadian programming expenditures during that broadcast year;
 - b) a 25% credit against its Canadian programming expenditure requirements for expenditures made on Canadian programming produced by an official language minority community producer and claimed as Canadian

programming expenditures during that broadcast year. The licensee may claim the credit if:

- i. the programming is produced in the province of Quebec and the original language of production is English; or
 - ii. the programming is produced outside the province of Quebec and the original language of production is French.
7. The licensee may claim the credits calculated in accordance with condition 6 until the expenditures made on Canadian programming produced by Indigenous producers and by official language minority community producers, including credits, reach a maximum of 10% of the Canadian programming expenditure requirement for the undertaking.
8. In regard to Canadian programming expenditures:
- a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming that is up to 5% less than the minimum required expenditure for that year calculated in accordance with condition of licence 5; in such case the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year's under-expenditure.
 - b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming that is greater than the minimum required expenditure, the licensee may deduct that amount from the minimum required expenditure in one or more of the remaining years of the licence term.
 - c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming, at a minimum, the total of the minimum required expenditures calculated in accordance with condition of licence 5.

Repurposing of the 600 MHz frequency band

9. In regard to the repurposing of the 600 MHz frequency band in Canada:
- a) The licensee is authorized to operate the television station and transmitters according to contours and technical parameters that differ from those approved in its most recent application and/or listed on its licence, to the extent that these new contours and technical parameters have been approved by the Department of Industry (the Department) as a result of the Department's repurposing initiative of the 600 MHz frequency band as described in *Decision on Repurposing the 600 MHz Band*, SLPB-004-15, 14 August 2015 and its April 2017 *Digital Television (DTV) Allotment Plan*,

Digital Television (DTV) Transition Schedule and the Broadcasting Procedures and Rules entitled BPR-11 – Broadcasting Television Application Procedures During the 600 MHz Transition.

- b) For the purpose of the *Broadcasting Distribution Regulations*, the licensee is deemed to be operating the television station and transmitters under the contours and technical parameters approved by the Commission and in effect on 15 May 2017.
- c) The above authorizations are valid only if the Commission receives confirmation from the Department that the revised contours and technical parameters resulting from the Department's repurposing initiative of the 600 MHz frequency band satisfy the requirements of the *Radiocommunication Act* and the regulations made thereunder, and that a broadcasting certificate has been or will be issued to the licensee in respect of the revised parameters.

For the purposes of these conditions of licence:

“Balance programming” means programming devoted to providing differing views on issues and events presented during the station's primary programming, and includes the presentation of different religions.

“Broadcast week” and “broadcast year” shall have the same meanings as those set out in the *Television Broadcasting Regulations, 1987*.

“Indigenous producer” means an individual who self-identifies as Indigenous, which includes First Nations, Métis or Inuit, and is a Canadian citizen or resides in Canada, or an independent production company in which at least 51% of the controlling interest is held by one or more individuals who self-identify as Indigenous and are Canadian citizens or reside in Canada. For the purposes of this definition, “Canadian” includes a person who self-identifies as Indigenous and resides in Canada, and “Canadian company” includes a production company in which at least 51% of the controlling interest is held by one or more individuals who self-identify as Indigenous and reside in Canada.

“Local programming” means programming that is produced either by local stations with local personnel or by locally-based independent producers, and that is of interest to the community or market served.

“Official language minority community producer” means a company that meets the definition of “independent production company” and that:

- if operating in the province of Quebec, produces original English-language programming, or
- if operating outside of the province of Quebec, produces original French-language programming.

Expectations

The standard expectations applicable to this licensee are set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016.

Encouragements

The standard encouragements applicable to this licensee are set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016.

Appendix 2 to Broadcasting Decision CRTC 2018-479

Terms, conditions of licence, expectations and encouragements for the conventional religious television programming undertaking CKES-DT Edmonton, Alberta

Terms

The licence will expire 31 August 2023.

Conditions of licence

1. The licensee shall adhere to the conditions of licence set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016, as well as to the conditions set out in the broadcasting licence for the undertaking.
2. Not less than 75% of all programming broadcast during the broadcast day and not less than 50% of the programming broadcast during peak time hours (i.e., 7:00 p.m. to 11:00 p.m.) shall be devoted to programs drawn from program category 4 (Religion), set out in Item 6 of Schedule I to the *Television Broadcasting Regulations, 1987*.

The remainder of the programming broadcast by the licensee may be:

- a) programming that reflects broadly accepted religious, spiritual, ethical or moral values; and/or
 - b) other programming, provided it is contextualized, and each contextual segment is:
 - appropriately drawn from program category 4 (Religion);
 - clearly linked and integral to the subject matter of the content being contextualized; and
 - at least equal in duration to the content being contextualized.
3. When the licensee broadcasts religious programming as defined in *Religious Broadcasting Policy*, Public Notice CRTC 1993-78, 3 June 1993, the licensee shall adhere to the guidelines set out in sections III.B.2.a) and IV of that public notice with respect to the provision of balance and ethics in religious programming.
 4. The licensee shall broadcast a minimum of 18 hours of balance programming each broadcast week, of which 11 hours shall be original balance programming. Of the 18 hours of balance programming, 8 hours shall be broadcast between 6:00 p.m. and 11:00 p.m.

Canadian programming expenditures

5. The licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming a minimum of 5% of the previous broadcast year's gross revenues of the undertaking.
6. Subject to condition 7, the licensee may claim, in addition to its expenditures on Canadian programming:
 - a) a 50% credit against its Canadian programming expenditure requirements for expenditures made on Canadian programming produced by an Indigenous producer and claimed as Canadian programming expenditures during that broadcast year;
 - b) a 25% credit against its Canadian programming expenditure requirements for expenditures made on Canadian programming produced by an official language minority community producer and claimed as Canadian programming expenditures during that broadcast year. The licensee may claim the credit if:
 - i. the programming is produced in the province of Quebec and the original language of production is English; or
 - ii. the programming is produced outside the province of Quebec and the original language of production is French.
7. The licensee may claim the credits calculated in accordance with condition 6 until the expenditures made on Canadian programming produced by Indigenous producers and by official language minority community producers, including credits, reach a maximum of 10% of the Canadian programming expenditure requirement for the undertaking.
8. In regard to Canadian programming expenditures:
 - a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming that is up to 5% less than the minimum required expenditure for that year calculated in accordance with condition of licence 5; in such case the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year's under-expenditure.
 - b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming that is greater than the minimum required expenditure, the licensee may deduct that amount from the minimum required expenditure in one or more of the remaining years of the licence term.

- c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming, at a minimum, the total of the minimum required expenditures calculated in accordance with condition of licence 5.

Repurposing of the 600 MHz frequency band

9. In regard to the repurposing of the 600 MHz frequency band in Canada:

- a) The licensee is authorized to operate the television station and transmitters according to contours and technical parameters that differ from those approved in its most recent application and/or listed on its licence, to the extent that these new contours and technical parameters have been approved by the Department of Industry (the Department) as a result of the Department's repurposing initiative of the 600 MHz frequency band as described in *Decision on Repurposing the 600 MHz Band*, SLPB-004-15, 14 August 2015 and its April 2017 *Digital Television (DTV) Allotment Plan*, *Digital Television (DTV) Transition Schedule* and the *Broadcasting Procedures and Rules* entitled *BPR-11 – Broadcasting Television Application Procedures During the 600 MHz Transition*.
- b) For the purpose of the *Broadcasting Distribution Regulations*, the licensee is deemed to be operating the television station and transmitters under the contours and technical parameters approved by the Commission and in effect on 15 May 2017.
- c) The above authorizations are valid only if the Commission receives confirmation from the Department that the revised contours and technical parameters resulting from the Department's repurposing initiative of the 600 MHz frequency band satisfy the requirements of the *Radiocommunication Act* and the regulations made thereunder, and that a broadcasting certificate has been or will be issued to the licensee in respect of the revised parameters.

For the purpose of these conditions of license:

“Balance programming” means programming devoted to providing differing views on issues and events presented during the station's primary programming, and includes the presentation of different religions.

“Broadcast day” means the period of 18 consecutive hours beginning each day at six o'clock in the morning.

“Broadcast week” and “broadcast year” shall have the same meanings as those set out in the *Television Broadcasting Regulations, 1987*.

“Indigenous producer” means an individual who self-identifies as Indigenous, which includes First Nations, Métis or Inuit, and is a Canadian citizen or resides in Canada, or

an independent production company in which at least 51% of the controlling interest is held by one or more individuals who self-identify as Indigenous and are Canadian citizens or reside in Canada. For the purposes of this definition, “Canadian” includes a person who self-identifies as Indigenous and resides in Canada, and “Canadian company” includes a production company in which at least 51% of the controlling interest is held by one or more individuals who self-identify as Indigenous and reside in Canada.

“Local programming” means programming that is produced either by local stations with local personnel or by locally-based independent producers, and that is of interest to the community or market served.

“Official language minority community producer” means a company that meets the definition of “independent production company” and that:

- if operating in the province of Quebec, produces original English-language programming, or
- if operating outside of the province of Quebec, produces original French-language programming.

Expectations

The standard expectations applicable to this licensee are set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016.

Encouragements

The standard encouragements applicable to this licensee are set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016.

Appendix 3 to Broadcasting Decision CRTC 2018-479

Terms, conditions of licence, expectations and encouragements for the conventional religious television programming undertaking CKCS-DT Calgary, Alberta

Terms

The licence will expire 31 August 2023.

Conditions of licence

1. The licensee shall adhere to the conditions of licence set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016, as well as to the conditions set out in the broadcasting licence for the undertaking.
2. Not less than 75% of all programming broadcast during the broadcast day and not less than 50% of the programming broadcast during peak time hours (i.e., 7:00 p.m. to 11:00 p.m.) shall be devoted to programs drawn from program category 4 (Religion), set out in Item 6 of Schedule I to the *Television Broadcasting Regulations, 1987*.

The remainder of the programming broadcast by the licensee may be:

- a) programming that reflects broadly accepted religious, spiritual, ethical or moral values; and/or
 - b) other programming, provided it is contextualized, and each contextual segment is:
 - appropriately drawn from program category 4 (Religion);
 - clearly linked and integral to the subject matter of the content being contextualized; and
 - at least equal in duration to the content being contextualized.
3. When the licensee broadcasts religious programming as defined in *Religious Broadcasting Policy*, Public Notice CRTC 1993-78, 3 June 1993, the licensee shall adhere to the guidelines set out in sections III.B.2.a) and IV of that public notice with respect to the provision of balance and ethics in religious programming.
 4. The licensee shall broadcast a minimum of 18 hours of balance programming each broadcast week, of which 11 hours shall be original balance programming. Of the 18 hours of balance programming, 8 hours must be broadcast between 6:00 p.m. and 11:00 p.m.

Canadian programming expenditures

5. The licensee shall in each broadcast year devote to the acquisition of or investment in Canadian programming a minimum of 5% of the previous broadcast year's gross revenues of the undertaking.
6. Subject to condition 7, the licensee may claim, in addition to its expenditures on Canadian programming:
 - a) a 50% credit against its Canadian programming expenditure requirements for expenditures made on Canadian programming produced by an Indigenous producer and claimed as Canadian programming expenditures during that broadcast year;
 - b) a 25% credit against its Canadian programming expenditure requirements for expenditures made on Canadian programming produced by an official language minority community producer and claimed as Canadian programming expenditures during that broadcast year. The licensee may claim the credit if:
 - i. the programming is produced in the province of Quebec and the original language of production is English; or
 - ii. the programming is produced outside the province of Quebec and the original language of production is French.
7. The licensee may claim the credits calculated in accordance with condition 6 until the expenditures made on Canadian programming produced by Indigenous producers and by official language minority community producers, including credits, reach a maximum of 10% of the Canadian programming expenditure requirement for the undertaking.
8. In regard to Canadian programming expenditures:
 - a) In each broadcast year of the licence term, excluding the final year, the licensee may expend an amount on Canadian programming that is up to 5% less than the minimum required expenditure for that year calculated in accordance with condition of licence 5; in such case the licensee shall expend in the next broadcast year of the licence term, in addition to the minimum required expenditure for that year, the full amount of the previous year's under-expenditure.
 - b) In each broadcast year of the licence term, excluding the final year, where the licensee expends an amount for that year on Canadian programming that is greater than the minimum required expenditure, the licensee may deduct that amount from the minimum required expenditure in one or more of the remaining years of the licence term.

- c) Notwithstanding paragraphs (a) and (b) above, during the licence term, the licensee shall expend on Canadian programming, at a minimum, the total of the minimum required expenditures calculated in accordance with condition of licence 5.

Repurposing of the 600 MHz frequency band

9. In regard to the repurposing of the 600 MHz frequency band in Canada:

- a) The licensee is authorized to operate the television station and transmitters according to contours and technical parameters that differ from those approved in its most recent application and/or listed on its licence, to the extent that these new contours and technical parameters have been approved by the Department of Industry (the Department) as a result of the Department's repurposing initiative of the 600 MHz frequency band as described in *Decision on Repurposing the 600 MHz Band*, SLPB-004-15, 14 August 2015 and its April 2017 *Digital Television (DTV) Allotment Plan*, *Digital Television (DTV) Transition Schedule* and the *Broadcasting Procedures and Rules* entitled *BPR-11 – Broadcasting Television Application Procedures During the 600 MHz Transition*.
- b) For the purpose of the *Broadcasting Distribution Regulations*, the licensee is deemed to be operating the television station and transmitters under the contours and technical parameters approved by the Commission and in effect on 15 May 2017.
- c) The above authorizations are valid only if the Commission receives confirmation from the Department that the revised contours and technical parameters resulting from the Department's repurposing initiative of the 600 MHz frequency band satisfy the requirements of the *Radiocommunication Act* and the regulations made thereunder, and that a broadcasting certificate has been or will be issued to the licensee in respect of the revised parameters.

For the purpose of these condition of license:

“Balance programming” means programming devoted to providing differing views on issues and events presented during the station's primary programming, and includes the presentation of different religions.

“Broadcast day” means the period of 18 consecutive hours beginning each day at six o'clock in the morning.

“Broadcast week” and “broadcast year” shall have the same meanings as those set out in the *Television Broadcasting Regulations, 1987*.

“Indigenous producer” means an individual who self-identifies as Indigenous, which includes First Nations, Métis or Inuit, and is a Canadian citizen or resides in Canada, or

an independent production company in which at least 51% of the controlling interest is held by one or more individuals who self-identify as Indigenous and are Canadian citizens or reside in Canada. For the purposes of this definition, “Canadian” includes a person who self-identifies as Indigenous and resides in Canada, and “Canadian company” includes a production company in which at least 51% of the controlling interest is held by one or more individuals who self-identify as Indigenous and reside in Canada.

“Local programming” means programming that is produced either by local stations with local personnel or by locally-based independent producers, and that is of interest to the community or market served.

“Official language minority community producer” means a company that meets the definition of “independent production company” and that:

- if operating in the province of Quebec, produces original English-language programming, or
- if operating outside of the province of Quebec, produces original French-language programming.

Expectations

The standard expectations applicable to this licensee are set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016.

Encouragements

The standard encouragements applicable to this licensee are set out in Appendix 1 to *Standard requirements for television stations, discretionary services, and on-demand services*, Broadcasting Regulatory Policy CRTC 2016-436, 2 November 2016.