



Broadcasting Decision CRTC 2019-100

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Reference: Part 1 application posted on 25 July 2018

Ottawa, 3 April 2019

Blackburn Radio Inc.
London, Ontario

Public record for this application: 2018-0478-2

CKLO-FM London – Licence amendment

*The Commission **approves** an application by Blackburn Radio Inc. (Blackburn) to amend the broadcasting licence for the English-language commercial radio station CKLO-FM London, Ontario.*

Blackburn will no longer be required to broadcast musical selections from content category 3 (Special Interest Music) by condition of licence.

Application

1. Blackburn Radio Inc. (Blackburn) filed an application to amend the broadcasting licence for the English-language commercial radio station CKLO-FM London, Ontario, by deleting conditions of licence relating to content category 3 (Special Interest Music). The Commission did not receive any interventions regarding this application.
2. Blackburn requested the deletion of conditions of licence 3 and 4 set out in the appendix to *CKLO-FM London – Licence renewal*, Broadcasting Decision CRTC 2015-274, 22 June 2015, which read as follows:
 3. The licensee shall ensure that at least 10% of musical selections broadcast during each broadcast week are from content category 3 (Special Interest Music).
 4. The licensee shall ensure that at least 30% of musical selections from content category 3 (Special Interest Music) broadcast in each broadcast week are Canadian selections broadcast in their entirety.
3. Blackburn indicated that the consumer environment is changing. It stated that CKLO-FM is a stand-alone station operating in a highly competitive market and that approval of this application would provide the station with greater programming flexibility to help it compete on an equal footing with the other commercial mainstream stations in the market.
4. Blackburn indicated that the musical selections from content category 3 would be replaced by selections from subcategory 21 (Pop, rock and dance). It further added that the station would continue to provide an independent news voice to the market.

Commission's analysis and decision

5. In general, the Commission expects licensees of radio stations that were granted licences through a competitive process to maintain their original conditions of licence for at least the first licence term and to be in compliance with the conditions of licence they are seeking to amend or delete. It also expects applicants to demonstrate a compelling need and to submit any other relevant factors that would support the proposal.
6. The first licence term for CKLO-FM ended in 2015. Given that the licensee is now in its second licence term and that the station was originally licensed as a commercial mainstream radio station that mostly offers musical selections drawn from content category 2 (Popular Music)—in other words, the station is not operating under a specialty format—the Commission considers that the proposed amendment would not compromise the integrity of the Commission's licensing process.
7. In regard to compliance, according to Commission analysis, the licensee is in compliance with its conditions of licence related to the broadcast of musical selections drawn from content category 3.
8. While Blackburn did not cite an economic need in its application, the Commission acknowledges that the deletion of the conditions of licence would ease the competitive imbalance that the station has faced in the London market. Further, the proposed amendment is unlikely to have an undue impact on other stations in the market.
9. Further, Blackburn will maintain its presence as a local player in the London radio market and continue to offer an independent news voice as well as programming that is unique to the market.
10. In light of all the above and given that none of the other licensees in the market filed interventions, the Commission considers it appropriate to remove the requirements related to content category 3 musical selections.
11. Accordingly, the Commission **approves** the application by Blackburn Radio Inc. to amend the broadcasting licence for the English-language commercial radio programming undertaking CKLO-FM London by deleting conditions of licence relating to content category 3 (Special Interest Music).

Secretary General

This decision is to be appended to the licence.