



Broadcasting Decision CRTC 2019-355

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Reference: 2019-72

Ottawa, 25 October 2019

Michel Lambert, on behalf of a corporation to be incorporated
Saint-Raymond-de-Portneuf, Quebec

Public record for this application: 2016-1149-2
Public hearing in the National Capital Region
16 May 2019

French-language commercial FM radio station in Saint-Raymond-de-Portneuf

*The Commission **approves** an application by Michel Lambert, on behalf of a corporation to be incorporated, for a broadcasting licence to operate a French-language commercial FM radio station in Saint-Raymond-de-Portneuf, Quebec.*

Background

1. In Broadcasting Notice of Consultation 2018-260, the Commission called for comments on market capacity and the appropriateness of issuing a call for radio applications to serve the Regional County Municipality of Portneuf (Portneuf RCM).
2. No parties other than Michel Lambert, on behalf of a corporation to be incorporated (Michel Lambert, OBCI), expressed an interest in serving this market. Consequently, in Broadcasting Decision 2018-455, the Commission found that it was not necessary to publish a call for applications. The Commission also determined that the Portneuf RCM could sustain one new station and that the application filed by Michel Lambert, OBCI, would be considered as part of a non-appearing phase of an upcoming public hearing.

Application

3. Michel Lambert, OBCI, filed an application for a broadcasting licence to operate a French-language commercial FM radio station in Saint-Raymond-de-Portneuf, Quebec.
4. The corporation to be incorporated will be controlled by Michel Lambert.
5. The station would operate at 88.7 MHz (channel 204B1) with an average effective radiated power (ERP) of 7,164 watts (maximum ERP of 12,000 watts with an effective height of the antenna above average terrain of 138.4 metres).

6. The station would broadcast 126 hours of local programming per broadcast week. It would offer an adult contemporary music format with pop-rock hits from 1965 to today as well as retro and country programs on the weekend.
7. With regard to spoken-word programming, the applicant stated that it intends to broadcast programs focussed on the residents of the Portneuf RCM. The applicant also committed to devoting three five-minute segments per day to the activities of local community organizations. The applicant added that the station would broadcast six hours of news per broadcast week, including four and a half hours of local news.
8. The applicant proposed to make an over-and-above Canadian content development contribution of \$3,500, which would be distributed at \$500 per year over seven consecutive broadcast years and allocated entirely to MUSICACTION.
9. The Commission received numerous interventions in support of this application.

Commission's analysis and decision

10. At present, the market is partially served by the station CHXX-FM Donnacona, which offers residents of the Portneuf RCM a minimum of 14 hours of local programming per broadcast week by condition of licence.
11. In Broadcasting Public Notice 2008-4, the Commission indicated that the Canadian broadcasting system should ensure that audiences have access to a diversity of programming – especially national, regional and local content. The Commission considers that the proposed station would contribute to local representation and programming diversity in the Portneuf RCM market, as it would be the only station offering local programming exclusively intended for the listeners in that region.

Conclusion

12. In light of all of the above, the Commission **approves** the application by Michel Lambert, on behalf of a corporation to be incorporated, for a broadcasting licence to operate a French-language commercial FM radio programming undertaking in Saint-Raymond-de-Portneuf, Quebec. The terms and **conditions of licence** are set out in the appendix to this decision.
13. The Commission **directs** Michel Lambert, OBCI to file executed copies of all corporate documents within 30 days of this decision.

Reminder

14. The Commission reminds the applicant that the station must serve the Portneuf RCM radio market, the market that it is licensed to serve.

Secretary General

Related documents

- *Findings regarding market capacity and the appropriateness of issuing a call for radio applications to serve the Regional County Municipality of Portneuf*, Broadcasting Decision CRTC 2018-455, 6 December 2018
- *Call for comments on market capacity and the appropriateness of issuing a call for radio applications to serve the Regional County Municipality of Portneuf, Quebec*, Broadcasting Notice of Consultation CRTC 2018-260, 1 August 2018
- *Diversity of voices – Regulatory policy*, Broadcasting Public Notice CRTC 2008-4, 15 January 2008

This decision is to be appended to the licence.

Appendix to Broadcasting Decision CRTC 2019-355

Terms, conditions of licence, expectation and encouragement for the French-language FM commercial radio programming undertaking in Saint-Raymond-de-Portneuf, Quebec

Terms

The licence will expire 31 August 2026.

The station will operate at 88.7 MHz (channel 204B1) with an average effective radiated power (ERP) of 7,164 watts (maximum ERP of 12,000 watts with an effective height of the antenna above average terrain of 138.4 metres).

Pursuant to section 22(1) of the *Broadcasting Act*, no licence may be issued until the Department of Industry notifies the Commission that its technical requirements have been met and that a broadcasting certificate will be issued.

Furthermore, the Commission will only issue a licence for this undertaking once the applicant has informed the Commission in writing that it is prepared to commence operations. The undertaking must be in operation as soon as possible and, in any event, by no later than **25 October 2021**. To request an extension, the applicant must submit a written request to the Commission at least 60 days before that date, using the form available on the Commission's website.

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 licence for the undertaking.
2. In addition to the basic annual contribution to Canadian content development set out in section 15 of the *Radio Regulations, 1986*, the licensee shall make an annual contribution of \$500 (\$3,500 over seven consecutive broadcast years) toward the promotion and development of Canadian content upon commencement of operations.

Of this amount, at least 20% per broadcast year shall be devoted to MUSICACTION or FACTOR. The remainder 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. The licensee must adhere to the Canadian Association of Broadcasters' *Equitable Portrayal Code*, as amended from time to time and approved by the Commission.
4. The licensee must adhere to the *Broadcast Code for Advertising to Children*, as amended from time to time and approved by the Commission.

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.