



## Broadcasting Decision CRTC 2021-243

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Reference: 2021-114

Ottawa, 30 July 2021

**Radio Ntetemuk inc.**  
Pessamit, Quebec

*Public record for this application: 2020-0738-5*  
*Public hearing in the National Capital Region*  
*27 May 2021*

### Indigenous FM radio station in Pessamit

The Commission **approves** an application by Radio Ntetemuk inc. for a new broadcasting licence to operate an Innu-, French- and English-language Indigenous (Type B Native) FM radio station in Pessamit (formerly, Betsiamites), Quebec.

#### Background

1. Radio Ntetemuk inc. (Radio Ntetemuk) began operating CIMB-FM, a low-power Indigenous (Type B Native)<sup>1</sup> station, in 1982 to serve the needs of the Innu community of the Pessamit area.
2. In Broadcasting Decision 2013-212, the Commission administratively renewed the broadcasting licence for CIMB-FM until 31 August 2014 and invited Radio Ntetemuk to submit a licence renewal application. According to Commission records, Radio Ntetemuk did not submit such an application. As a result, the licence lapsed.
3. In 2020, Radio Ntetemuk submitted the current application for a broadcasting licence to operate an Indigenous (Type B Native) FM radio station in Pessamit, Quebec that would operate at a higher power and thus have protected status. At that time, the Commission was made aware that CIMB-FM had been operating without a licence since 2014.
4. The applicant explained that Radio Ntetemuk was now operating under different leadership that was unaware of the need to submit a licence renewal application. With the application described below, Radio Ntetemuk is seeking to rectify the situation by obtaining a new FM broadcasting licence, pursuant to Public Notice 1990-89 (the Policy).

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<sup>1</sup> Type B Native stations, as defined in the Native Broadcasting Policy, are referred to as Indigenous stations in this decision.

## **Application**

5. Radio Ntetemuk filed an application for a new broadcasting licence to operate an Innu-, French - and English-language Indigenous (Type B Native) radio programming undertaking in Pessamit, Quebec.
6. The new transmitter would operate at 95.1 MHz (channel 236A) with an average effective radiated power (ERP) of 173 watts (directional antenna with a maximum ERP of 1,100 watts) with an effective height of the antenna above average terrain (EHAAT) of 8.8 metres.
7. Radio Ntetemuk is a not-for-profit corporation controlled by its board of directors, which includes members from the Indigenous population it serves.
8. Radio Ntetemuk stated that it would air 126 hours of programming during each broadcast week in the following languages: 70 hours in Innu, 28 hours in French, and 28 hours in English. Approximately 113.5 hours of programming would be local programming devoted to news, religion, education, children and youth, and music. The remaining 12.5 hours would consist of wrap-around programming originating from another Indigenous radio broadcaster, La Société de communication Atikamekw-Montagnais (SOCAM).
9. The applicant indicated that at least 33% of its musical selections would be performed or composed by Indigenous talent.
10. With respect to compliance issues, the applicant provided assurance that it would, under its new leadership, operate in full compliance in the future both with respect to its regulatory obligations and the timely filing of licence renewal applications.
11. The Commission did not receive any interventions in regard to this application.

## **Commission's analysis and decision**

12. The Commission has the authority, pursuant to subsection 9(1) of the *Broadcasting Act* (the Act), to issue broadcasting licences for such terms not exceeding seven years and subject to such conditions related to the circumstances of the licensee as it deems appropriate for the implementation of the broadcasting policy set out in subsection 3(1) of the Act.
13. As set out in the Policy, the Commission expects the programming of Indigenous radio stations to be oriented specifically to the interests and needs of the Indigenous audiences that the stations are licensed to serve. These stations have a distinct role in addressing the specific cultural and linguistic needs of their audiences and creating an environment in which Indigenous music and spoken word creators can develop and flourish.
14. CIMB-FM is the only station in the area that broadcasts programming in the Innu language. This service helps to preserve the traditional language and culture in the

community it serves. The applicant's commitment to ensure that at least 33% of musical selections would be performed or composed by Indigenous talent would promote Indigenous musicians and make their music available to listeners.

15. The increase in power requested in the application would allow members of the community to listen to the station when they travel beyond the reach of the station's existing signal and participate in fundraising activities. Radio Ntetemuk also indicated that it would install a public alerting system without delay. The power increase would therefore make these alerts available over a wider area to better serve the population.
16. Consequently, the Commission is satisfied that this application is consistent with the provisions for Indigenous radio stations set out in the Policy.
17. The Commission is concerned that Radio Ntetemuk did not file an application for licence renewal and has operated without a licence since 2014. However, Radio Ntetemuk is the only specialized station that serves the Innu population in the area by broadcasting in the Innu language. As such, it is very important to the community. The Commission has considered the circumstances surrounding the missing licence renewal application and the assurances provided by the station about its compliance in the future and is convinced that the applicant has demonstrated a willingness to comply with its regulatory obligations. The Commission therefore considers that keeping CIMB-FM on the air is in the public interest.
18. Accordingly, the Commission **approves** the application by Radio Ntetemuk inc. for a new broadcasting licence to operate an Innu-, French - and English-language Indigenous (Type B Native) radio programming undertaking in Pessamit, Quebec.
19. The terms and **conditions of licence** are set out in the appendix to this decision.

### **Emergency alerts**

20. Radio Ntetemuk stated that it would put the emergency alerting system in place without delay.
21. As set out in section 16 of the *Radio Regulations, 1986* (the Regulations), licensees have obligations relating to the broadcast of emergency alert messages received from the National Alert Aggregation and Dissemination System. In regard to CIMB-FM's authorized contours, the Commission reminds the licensee that compliance with section 16 of the Regulations will require that any alert broadcast decoders (e.g., ENDEC) used for the purposes of broadcasting emergency alert messages on CIMB-FM, or on any rebroadcasting transmitters that may appear on the broadcasting licence for that station, be installed and reprogrammed to properly account for the authorized contours.

Secretary General

## **Related documents**

- *CICU-FM Eskasoni Indian Reserve and CIMB-FM Betsiamites – Administrative renewals*, Broadcasting Decision CRTC 2013-212, 3 May 2013
- *Native Broadcasting Policy*, Public Notice CRTC 1990-89, 20 September 1990

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

## Appendix to Broadcasting Decision CRTC 2021-243

### Terms, conditions of licence and reminder for the Innu-, French-, and English-language Indigenous (Type B Native) FM radio programming undertaking in Pessamit, Quebec

#### Terms

The licence will expire 31 August 2027.

The new transmitter will operate at 95.1 MHz (channel 236A) with an average effective radiated power (ERP) of 173 watts (directional antenna with a maximum ERP of 1,100 watts) and an effective height of the antenna above average terrain (EHAAT) of 8.8 metres.

The Commission reminds the applicant that, 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.

The undertaking must be operational at the earliest possible date and in any event no later than 24 months from the date of this decision, unless a request for an extension of time is approved by the Commission before **30 July 2023**. To ensure that such a request is processed in a timely manner, it should be submitted in writing at least 60 days before this date.

#### Conditions of licence

1. The licensee shall devote, in each broadcast week, not less than 35% of its musical selections from content category 2 (Popular Music) to Canadian selections broadcast in their entirety.

For the purposes of this condition of licence, the terms “broadcast week,” “Canadian selection,” “content category” and “musical selection” shall have the same meanings as those set out in the *Radio Regulations, 1986*. A musical selection by an Indigenous creator who resides in Canada is considered a Canadian selection.

2. If the licensee originates 42 or more hours of programming in any broadcast week, the licensee shall adhere to the Canadian Association of Broadcasters' Equitable Portrayal Code and to the Broadcast Code for Advertising to Children, as amended from time to time and approved by the Commission.

#### Reminder

The licensee must comply at all times with the *Radio Regulations, 1986*.