



Broadcasting Decision CRTC 2021-248

PDF version

Reference: 2021-114

Ottawa, 2 August 2021

Muskoday Community Radio Corporation Muskoday, Saskatchewan

Public record for this application: 2020-0583-4
Public hearing in the National Capital Region
27 May 2021

Low-power Indigenous FM radio station in Muskoday

The Commission **approves** an application by Muskoday Community Radio Corporation for a new broadcasting licence to operate a low-power English- and Cree-language Indigenous radio station in Muskoday, Saskatchewan.

Application

1. Muskoday Community Radio Corporation (Muskoday Radio) filed an application for a new broadcasting licence to operate a low-power English- and Cree-language Indigenous (Type B Native)¹ radio programming undertaking in Muskoday, Saskatchewan.
2. Muskoday Radio is a not-for-profit corporation controlled by its board of directors, which includes members from the Indigenous population of the region served.
3. The station would operate at 92.3 MHz (channel 222LP) with an effective radiated power (ERP) of 50 watts (non-directional antenna with an effective height of the antenna above average terrain of 13 metres).²
4. Each broadcast week, the station would broadcast 126 hours of programming, of which a minimum of 42 hours would be local programming. The remaining hours of programming would consist of wrap-around programming originating from Missinipi Broadcasting Corporation. The programming would consist of 113 hours of English-language programming and 13 hours of Indigenous (Cree) language programming. Approximately 60 hours per broadcast week would be spoken-word programming.

¹ Type B Native stations, as defined in Public Notice 1990-89, are referred to as Indigenous stations in this decision.

² The ERP and effective height of the antenna above average terrain differ from those set out in Broadcasting Notice of Consultation 2021-114 in accordance with calculations since provided by Innovation, Science and Economic Development Canada.

and the remaining 66 hours would be musical content, of which nearly 60% would be devoted to musical selections performed or composed by Indigenous creators.

5. Muskoday Radio's main objective for this station is to help strengthen and expand Muskoday First Nation's culture, language and identity. It hopes to improve community awareness, celebrate local achievements, foster community engagement, highlight opportunities and promote the Muskoday community.
6. The Commission did not receive any interventions in regard to this application.

Commission's analysis and decision

7. 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.
8. As set out in Public Notice 1990-89 (the Policy), the Commission expects the programming of Indigenous radio stations to be specifically oriented 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.
9. The applicant proposed to serve the Muskoday First Nation, the members of which have indicated a need for a radio station in their community for many years. The Commission notes that Muskoday Radio performed research and community outreach prior to submitting this application. The applicant proposed to promote Indigenous artists by airing music by Indigenous creators and special programs recorded in the studio, at the school and in the community. The applicant also proposed to promote Indigenous talent by broadcasting interviews with Indigenous musicians.
10. The Commission is satisfied that this application is consistent with the provisions for Indigenous radio stations set out in the Policy. Accordingly, the Commission **approves** the application by Muskoday Community Radio Corporation for a new broadcasting licence to operate a low-power English- and Cree-language Indigenous radio programming undertaking in Muskoday, Saskatchewan. The terms and **conditions of licence** are set out in the appendix to this decision.

Reminder

11. 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. 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 be installed and programmed to properly account for the

authorized contours of the radio station. A confirmation of the installation and test of the alert broadcast decoder is to be provided to the Commission within 90 days of installation.

Secretary General

Related documents

- *Notice of hearing*, Broadcasting Notice of Consultation CRTC 2021-114, 22 March 2021
- *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 2021-248

Terms, conditions of licence and encouragement for the low-power English- and Cree-language Indigenous (Type B Native) FM radio programming undertaking in Muskoday, Saskatchewan

Terms

The licence will expire 31 August 2027.

The station will operate at 92.3 MHz (channel 222LP) with an effective radiated power of 50 watts (non-directional antenna with an effective height of the antenna above average terrain of 13 metres).

Pursuant to subsection 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 **2 August 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.

The Department of Industry's BPR-3: *Application Procedures and Rules for FM Broadcasting Undertakings* specifies that a low-power FM radio station is considered a secondary assignment operating on an unprotected channel. Should an FM station or transmitter with protected status be granted a frequency incompatible with that used by the low-power station considered in this decision, the applicant may need to cease the operation of that low-power station or file an application to change its frequency and/or technical parameters.

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 music 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*, as amended from time to time and approved by the Commission, and to the *Broadcast Code for Advertising to Children*, as amended from time to time and approved by the Commission.

Encouragement

Where the licensee intends on carrying wrap-around programming, the Commission encourages it to use programming from another Indigenous station or network.