



Broadcasting Notice of Consultation CRTC 2021-36

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Ottawa, 25 January 2021

Public record: 1011-NOC2021-0036

Notice of hearing

30 March 2021

Gatineau, Quebec

Deadline for submission of interventions/comments/answers: 24 February 2021

[\[Submit an intervention/comment/answer or view related documents\]](#)

The Commission will hold a hearing on **30 March 2021 at 11:00 a.m., at the Commission Headquarters, 1 Promenade du Portage, Gatineau, Quebec**. The Commission intends to consider the following applications, subject to interventions, without the appearance of the parties:

Applicant/Licensee and Locality

1. **Mohawk Multi Media**
Kanesatake/Oka, Quebec
Application 2020-0751-7
2. **Mohawk Multi Media**
Kanesatake/Oka, Quebec
Application 2020-0420-9

1. **Mohawk Multi Media**
Kanesatake/Oka, Quebec
Application 2020-0751-7

Application by **Mohawk Multi Media** (MMM) for authority to acquire, from CKHQ United Voices Radio (United Voices), the assets of the English- and Mohawk-language low-power Indigenous (Type B Native) radio station CKHQ-FM Kanesatake/Oka. MMM is also requesting a new broadcasting licence to continue the operation of the undertaking under the same terms and conditions as those in effect in the current licence.

MMM and United Voices are distinct not-for-profit corporations controlled by their respective boards of directors.

In *Low-power Type B Native FM radio station in Kanesatake*, Broadcasting Decision CRTC 2014-324, 17 June 2014, James Nelson, on behalf of a not-for-profit corporation to be incorporated (now United Voices) was granted a licence to operate CKHQ-FM.

According to MMM, the station went off-air in July 2017, as a result of a flood that destroyed the studio and most of the transmitting equipment.

In April 2020, the effective control of CKHQ-FM was transferred from United Voices to MMM without prior approval from the Commission. Should the Commission approve this application, MMM would become the new licensee for this undertaking.

As part of this application, MMM filed a letter from the current licensee in which United Voices indicates that it donated the remaining useful assets of CKHQ-FM to MMM and that it supports MMM in its application to operate CKHQ-FM for the purpose of offering a sustainable radio service to the Kanasatake Mohawk community.

MMM resumed broadcasting on CKHQ-FM on 2 April 2020 under amended low-power technical parameters as approved by Innovation, Science and Economic Development Canada (ISED). The related broadcasting certificate issued by ISED is part of the public record for this application.

MMM also filed another application (2020-0420-9) (see item 2) for a new broadcasting licence to change CKHQ-FM's status from a low-power unprotected service to a protected regular service.

Licensees of radio stations must comply at all times with the requirements set out in the *Broadcasting Act*, the *Radio Regulations, 1986* and their conditions of licence.

In *Various Indigenous radio programming undertakings – Administrative renewals of licences expiring 31 August 2019, 2020 and 2021*, Broadcasting Decision CRTC 2019-112, 24 April 2019, the Commission administratively renewed the broadcasting licence for CKHQ-FM along with those of 22 other Indigenous radio stations until 31 August 2022, given the possible impact of the ongoing proceeding *Co-development of a new Indigenous Broadcasting Policy*, Broadcasting Notice of Proceeding CRTC 2019-217, 20 June 2019, on the regulatory framework and licence renewal for this type of service.

The Commission will review the licensee's compliance with its conditions of licence and regulatory requirements at the time of licence renewal.

Applicant's address:

13 Ahsennenhson
 P.O. Box 4004
 Mohawk Territory
 Kanasata:ke (Kanasatake/Oka), Quebec
 J0N 1E0
 Fax: 450-963-7229
 Telephone: 514-233-3791
 Email: 1017rkr@gmail.com
 Email to request electronic version of application: lours2003@videotron.ca

2. Mohawk Multi Media
 Kanesatake/Oka, Quebec
 Application 2020-0420-9

Application by **Mohawk Multi Media** (MMM) for a broadcasting licence to operate an Indigenous (Type B Native) radio station in Kanesatake/Oka.

The station would operate at 101.7 MHz (channel 269A1) with an average effective radiated power of 51 watts (omni-directional antenna with an effective height of antenna above average terrain of 57 meters).

In *A targeted policy review of the commercial radio sector*, Broadcasting Regulatory Policy CRTC 2014-554, 28 October 2014, the Commission indicated that licensees of low-power radio stations who wish to operate their stations as regular-power stations must apply for new broadcasting licences.

Pursuant to that policy, MMM filed the current application for a new broadcasting licence to change CKHQ-FM's status from a low-power unprotected service to a regular power FM service. MMM indicated that increasing the power would protect the station's frequency and would preserve a radio service that promotes the Mohawk identity in this region by offering original content within the community and the surrounding area.

The applicant proposed to broadcast 126 hours of programming in each broadcast week, of which 119 hours would be devoted to local programming. The remaining 7 hours would consist of wrap-around programming originating from the Indigenous (Type B Native) radio station CKRK-FM Kahnawake. The applicant also indicated that, in each broadcast week, approximately 20 hours would be devoted to spoken-word programming, and 106 hours would be devoted to musical content, of which 15% would be performed or composed by Indigenous creators.

The applicant also proposed to broadcast 89.5 hours of programming in English, one hour in French and 28.5 hours in the Kanien'ké:ha (Mohawk) language each broadcast week.

MMM also filed another application (2020-0751-7) (see item 1) for authority to acquire, from CKHQ United Voices Radio, the assets of the English- and Mohawk-language low-power Indigenous (Type B Native) radio station CKHQ-FM Kanesatake/Oka.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry, at least twenty days prior to the hearing, that the application is technically acceptable.

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 P.O. Box 4004
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Telephone: 514-233-3791

Email: 1017rkr@gmail.com

Email to request electronic version of application: lours2003@videotron.ca

Procedure

Deadline for interventions, comments or answers

24 February 2021

The *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* (the Rules of Procedure) apply to the present proceeding. The Rules of Procedure set out, among other things, the rules for content, format, filing and service of interventions, answer, replies and requests for information; the procedure for filing confidential information and requesting its disclosure; and the conduct of public hearings. Accordingly, the procedure set out below must be read in conjunction with the Rules of Procedure and related documents, which can be found on the Commission's website under "[Statutes and Regulations](#)." *Guidelines on the CRTC Rules of Practice and Procedure*, Broadcasting and Telecom Information Bulletin CRTC 2010-959, 23 December 2010, provides information to help interested persons and parties understand the Rules of Procedure so that they can more effectively participate in Commission proceedings.

An intervention or an answer from a respondent must be filed with the Commission and served on the applicant on or before the above-mentioned date. An answer from a respondent must also be served on any other respondent.

Interventions and answers must clearly identify the application referred to and indicate whether parties support or oppose the application, or, if they propose changes to it, include the facts and grounds for their proposal.

Parties are permitted to coordinate, organize, and file, in a single submission, interventions by other interested persons who share their position. Information on how to file this type of submission, known as a joint supporting intervention, as well as a template for the covering letter to be filed by the parties, can be found in *Changes to certain practices for filing interventions – Expansion of filing practices to include the filing of joint supporting comments for broadcasting policy proceedings*, Broadcasting Information Bulletin CRTC 2010-28-1, 10 December 2010.

The Commission encourages interested persons and parties to monitor the record of the proceeding, available on the Commission's website, for additional information that they may find useful when preparing their submissions.

Submissions longer than five pages should include a summary. Each paragraph of all submissions should be numbered, and the line *****End of document***** should follow the last paragraph. This will help the Commission verify that the document has not been damaged during electronic transmission.

Pursuant to *Filing submissions for Commission proceedings in accessible formats*, Broadcasting and Telecom Information Bulletin CRTC 2015-242, 8 June 2015, the Commission expects incorporated entities and associations, and encourages all Canadians, to file submissions for Commission proceedings in accessible formats (for example, text-based file formats that allow text to be enlarged or modified, or read by screen readers). To provide assistance in this regard, the Commission has posted on its website [guidelines](#) for preparing documents in accessible formats. Submissions must be filed by sending them to the Secretary General of the Commission using **only one** of the following means:

by completing the
[\[Intervention/comment/answer form\]](#)

or

by mail to
CRTC, Ottawa, Ontario K1A 0N2

or

by fax at
819-994-0218

A true copy of each intervention or answer from a respondent must be sent to the applicant and, in the case of a respondent to an application, to any other respondent.

Parties who send documents electronically must ensure that they will be able to prove, upon Commission request, that filing, or where required, service of a particular document was completed. Accordingly, parties must keep proof of the sending and receipt of each document for 180 days after the date on which the document is filed or served. The Commission advises parties who file or serve documents by electronic means to exercise caution when using email for the service of documents, as it may be difficult to establish that service has occurred.

In accordance with the Rules of Procedure, a document must be received by the Commission and all relevant parties by 5 p.m. Vancouver time (8 p.m. Ottawa time) on the date it is due. Parties are responsible for ensuring the timely delivery of their submissions and will not be notified if their submissions are received after the deadline. Late submissions, including those due to postal delays, will not be considered by the Commission and will not be made part of the public record.

The Commission will not formally acknowledge submissions. It will, however, fully consider all submissions, which will form part of the public record of the proceeding, provided that the procedure for filing set out above has been followed.

Although the public hearing will be held in **Gatineau, Quebec**, the Commission will consider providing videoconference links to enable remote participation (audio or video), should it receive requests to do so.

Persons requiring communications support such as assistance listening devices and sign language interpretation are requested to inform the Commission at least twenty (20) days before the commencement of the public hearing so that the necessary arrangements can be made.

Important notice

All information that parties provide as part of this public process, except information designated confidential, whether sent by postal mail, fax, email or through the Commission's website at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's website. This information includes personal information, such as full names, email addresses, postal/street addresses, telephone and fax numbers, etc.

The personal information that parties provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.

Documents received electronically or otherwise will be put on the Commission's website in their entirety exactly as received, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.

The information that parties provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the web page of this particular public process. As a result, a general search of the Commission's website with the help of either its own search engine or a third-party search engine will not provide access to the information that was provided as part of this public process.

Availability of documents

Electronic versions of the applications are available on the Commission's website at www.crtc.gc.ca by selecting the application number within this notice. They are also available from the applicants, either on their websites or upon request by contacting the applicants at their email addresses, provided above.

Electronic versions of the interventions and answers, as well as of other documents referred to in this notice, are available on the Commission's website at www.crtc.gc.ca by visiting the "Consultations and hearings – Have your say!" section, then selecting "our applications and processes that are open for comment". Documents can then be accessed by clicking on the links in the "Subject" and "Related Documents" columns associated with this particular notice.

Documents are also available at the following address, upon request, during normal business hours.

Les Terrasses de la Chaudière
Central Building
1 Promenade du Portage
Gatineau, Quebec
J8X 4B1
Tel.: 819-997-2429
Fax: 819-994-0218

Toll-free telephone: 1-877-249-2782
Toll-free TTY: 1-877-909-2782

Secretary General