



## Broadcasting Decision CRTC 2023-148

PDF version

References: Part 1 licence renewal applications posted on 29 September 2022

Ottawa, 19 May 2023

### **Blackburn Media Inc.**

Various locations in Ontario

*Public record: The application numbers are set out in the decision.*

### **Various commercial radio stations in Ontario – Licence renewals**

1. The Commission has the authority, pursuant to subsection 9(1) of the *Broadcasting Act*, to issue and renew 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 *Broadcasting Act*.
2. Consistent with that authority, the Commission **renews** the broadcasting licences for the English-language commercial radio programming undertakings listed below from 1 September 2023 to 31 August 2030.<sup>1</sup> The Commission did not receive any interventions in regard to these applications. The terms and **conditions of licence** for these stations are set out in the appendix to this decision.

#### **Commercial radio stations operating in Ontario**

<b>Call sign and locality</b>	<b>Application</b>
CFCO Chatham and its transmitter CFCO-1-FM Chatham	2022-0488-2
CFGX-FM Sarnia	2022-0498-1
CHKS-FM Sarnia	2022-0499-9
CHOK Sarnia and its transmitter CHOK-FM-1 Sarnia	2022-0500-7
CHYR-FM Leamington	2022-0485-8
CJWF-FM Windsor	2022-0486-6
CKLO-FM London	2022-0493-1
CKNX Wingham	2022-0489-0

<sup>1</sup> With the exception of CKLO-FM London, for which the original licence expiry date was 31 August 2022, the original licence expiry date for all of the stations addressed in this decision was 31 August 2021. With the exception of CKLO-FM, the licences for these stations were administratively renewed until 31 August 2022 in Broadcasting Decision 2020-381. The licences for all stations, including CKLO-FM, were administratively renewed until 31 August 2023 as a result of Broadcasting Decision 2021-297.

CKNX-FM Wingham	2022-0490-8
CKUE-FM Chatham and its transmitter CKUE-FM-1 Windsor	2022-0487-4

## Reminders

### Local news

3. Radio stations are an important daily source of local news and information for communities. Holding a broadcasting licence comes with conditions, regulatory obligations and responsibilities, which include contributing to the Canadian broadcasting system by ensuring that Canadians have access to local programming that reflects their needs and interests and informs them of important current issues.
4. Although Broadcasting Regulatory Policy 2022-332 does not specify a minimum level of weekly news to be broadcast, it does specify the type of spoken word material that must be included as part of a station's local programming. In accordance with that regulatory policy, the Commission reminds the licensee that its stations, in their local programming, must incorporate spoken word material of direct and particular relevance to the communities served, and that this programming must include local news, weather, sports coverage, and the promotion of local events and activities. In addition, the Commission encourages the licensee to ensure that a reasonable amount of daily local news and information is made available to those communities.

### Force and effect of broadcasting licences

5. Pursuant to section 22 of the *Broadcasting Act*, the broadcasting licences renewed in this decision will cease to have any force or effect if the broadcasting certificates issued by the Department of Industry (also known as Innovation, Science and Economic Development Canada) lapse.

### Employment equity

6. Because this licensee is subject to the *Employment Equity Act* and files reports concerning employment equity with the Department of Employment and Social Development (also known as Employment and Social Development Canada), its employment equity practices are not examined by the Commission.

### Practical guide for radio licence renewals

7. To learn more about the Commission's review of compliance with requirements relating to radio licences, and about the radio renewal process, please consult the Commission's [Practical guide to radio licence renewals](#).

Secretary General

## **Related documents**

- *Revised Commercial Radio Policy*, Broadcasting Regulatory Policy CRTC 2022-332, 7 December 2022
- *Various commercial radio programming undertakings – Administrative renewals*, Broadcasting Decision CRTC 2021-297, 30 August 2021
- *Various radio programming undertakings – Administrative renewals*, Broadcasting Decision CRTC 2020-381, 27 November 2020

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

## **Appendix to Broadcasting Decision CRTC 2023-148**

### **Terms, conditions of licence and expectations for the commercial radio programming undertakings for which the broadcasting licences have been renewed in this decision**

#### **Terms**

The licence will expire 31 August 2030.

#### **Conditions of licence applicable to all stations**

1. The licensee shall adhere to the conditions of licence set out in *Revised conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2022-334, 7 December 2022, as well as to the conditions set out in the broadcasting licence for the undertaking.

#### **Additional conditions of licence applicable to CFCO Chatham, Ontario, and its transmitter CFCO-1-FM Chatham; and CHOK Sarnia, Ontario, and its transmitter CHOK-FM-1 Sarnia**

2. The licensee shall, as an exception to the percentage of Canadian musical selections set out in subsections 2.2(8) and 2.2(9) of the *Radio Regulations, 1986* (the Regulations), in any broadcast week where at least 90% of musical selections from content category 2 (Popular Music) that it broadcasts are selections released before 1 January 1981:
  - devote, in that broadcast week, a minimum of 30% of its musical selections from content category 2 to Canadian selections broadcast in their entirety; and
  - devote, between 6:00 a.m. and 6:00 p.m., in the period from Monday to Friday of the same broadcast week, a minimum of 30% of its musical selections from content category 2 to Canadian selections broadcast in their entirety.

The licensee shall specify, on the music lists it provides to the Commission, the year of release for all musical selections it broadcasts.

For the purposes of this condition, the terms “broadcast week,” “Canadian selection,” “content category” and “musical selection” shall have the same meanings as those set out in the Regulations.

#### **Additional condition of licence applicable to CKLO-FM London, Ontario**

3. The licensee shall, as an exception to the percentage of Canadian musical selections set out in subsections 2.2(8) and 2.2(9) of the *Radio Regulations, 1986*, in any broadcast week:
  - devote, in that broadcast week, a minimum of 40% of its musical selections

from content category 2 (Popular Music) to Canadian selections broadcast in their entirety; and

- devote, between 6:00 a.m. and 6:00 p.m., in the period from Monday to Friday of the same broadcast week, a minimum of 40% of its musical selections from content category 2 to Canadian selections broadcast in their entirety.

For the purposes of this condition, the terms “broadcast week,” “Canadian selection,” “content category” and “musical selection” shall have the same meanings as those set out in the Regulations.

**Additional conditions of licence applicable to CKUE-FM Chatham, Ontario, and its transmitter CKUE-FM-1 Windsor**

4. The licensee shall, during each broadcast week, devote a minimum of 1 hour and 30 minutes of programming to material from content subcategory 11 – News.
5. The licensee shall, during each broadcast week, devote a minimum of 5% of all programming to material from content category 1 – Spoken Word.
6. The licensee shall refrain from soliciting or accepting local advertising for broadcast during any broadcast week when less than 84 hours of the programming aired is local. The definition of “local programming” shall be the same as that set out in *Revised Commercial Radio Policy*, Broadcasting Regulatory Policy CRTC 2022-332, 7 December 2022.

**Expectations applicable to all stations**

**Cultural diversity**

The Commission expects the licensee to reflect the cultural diversity of Canada in its programming and employment practices.

**Canadian emerging artists**

Consistent with the Commission’s determination set out in *Revised Commercial Radio Policy*, Broadcasting Regulatory Policy CRTC 2022-332, 7 December 2022 (Broadcasting Regulatory Policy 2022-332), the Commission expects the licensee to devote, in each broadcast week, at least 5% of the station’s musical selections to selections from Canadian emerging artists broadcast in their entirety. The licensee should report annually on how it has met this expectation, including the percentage of selections from Canadian emerging artists out of the total number of musical selections that were aired, and the number of distinct artists whose music has been aired. The licensee should also be able to provide, upon request, information such as a list of all titles, artists, and International Standard Recording Code (ISRC) numbers.

For the purposes of the above paragraph, the definition of “Canadian emerging artist” is the same as that set out in paragraph 346 of Broadcasting Regulatory Policy 2022-332.

### **Indigenous musical selections**

Consistent with the Commission's determination set out in *Revised Commercial Radio Policy*, Broadcasting Regulatory Policy CRTC 2022-332, 7 December 2022 (Broadcasting Regulatory Policy 2022-332), the Commission expects the licensee to include Indigenous musical selections on the station's playlist. The licensee should report annually on the amount of Indigenous content aired on the station throughout the broadcast year (i.e., from 1 September to 31 August), including the percentage of Indigenous musical selections out of the total number of musical selections that were aired, and the number of distinct artists whose music has been aired. The licensee should also be able to provide, upon request, information such as a list of all titles, artists, and International Standard Recording Code (ISRC) numbers.

For the purposes of the above paragraph, the licensee may use the provisional definition of "Indigenous-Canadian musical selection" set out in paragraph 441 of Broadcasting Regulatory Policy 2022-332 to determine whether a musical selection can be considered an Indigenous musical selection.