



Broadcasting Decision CRTC 2023-194

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Reference: Part 1 licence renewal application posted on 22 November 2022

Ottawa, 7 July 2023

My Radio 580 Ltd.
Edmonton, Alberta

Public record: 2022-0764-6

CHAH Edmonton – Licence renewal

1. The Commission has the authority, pursuant to subsections 9(1), 9.1(1) and 11.1(2) of the *Broadcasting Act*, to issue and renew licences and to make orders imposing conditions on the carrying on of a broadcasting undertaking that it considers appropriate for the implementation of the broadcasting policy set out in subsection 3(1) of the *Broadcasting Act*, and to make orders respecting expenditures.
2. Consistent with that authority, the Commission **renews** the broadcasting licence for the ethnic commercial AM radio station CHAH Edmonton, Alberta, from 1 September 2023 to 31 August 2030. The Commission did not receive any interventions in regard to this application.
3. Pursuant to subsections 49(1) and 50(2) of the *Online Streaming Act*, which made a certain number of amendments to the *Broadcasting Act* when it came into force on 27 April 2023, the conditions of licence that existed prior to the date of royal assent of that Act are deemed to be conditions imposed under an order pursuant to section 9.1 of the new *Broadcasting Act* or subsection 11.1(2) in the case of expenditure requirements. As such, the conditions of licence for this licensee became conditions of service and continue to apply to the licensee. For ease of reference, the **conditions of service** for this licensee are set out in the appendix to this decision. Further, the formal broadcasting licence document issued may set out additional requirements for the undertaking, relating to, for example, technical parameters or prohibitions on transfer. The licensee shall also adhere to any such requirements set out in the broadcasting licence for the undertaking.

Over-and-above Canadian content development contributions

4. Paragraphs 3(1)(e) and (s) of the old *Broadcasting Act* declared that each element of the Canadian broadcasting system shall contribute in an appropriate manner to the creation and presentation of Canadian programming and that private networks and programming undertakings should, to an extent consistent with the financial and other resources available to them, contribute significantly to the creation and presentation of Canadian programming.

5. Pursuant to the authority granted by subsection 9(1) of the old *Broadcasting Act*, and consistent with paragraph 3(1)(e) and subparagraph 3(1)(s)(i) of that act, the Commission imposed conditions of licence requiring programming undertakings to contribute in various ways to the creation of Canadian programming, including imposing Canadian content development (CCD) contribution requirements.
6. In Broadcasting Decision 2017-3, the Commission approved an application by My Radio 580 Ltd.¹ (My Radio 580) for a broadcasting licence to operate an ethnic commercial AM radio station in Edmonton. Consistent with a proposal by My Radio 580 to make over-and-above CCD contributions totalling \$350,000, the Commission imposed the following condition of licence, set out in Appendix 1 to Broadcasting Decision 2017-3:
 6. In addition to the required basic annual contribution to Canadian content development (CCD) set out in section 15 of the *Radio Regulations, 1986*, as amended from time to time, the licensee shall, upon commencement of operations, make an annual contribution of \$50,000 (\$350,000 over seven consecutive broadcast years) to the promotion and development of Canadian content.

This additional CCD contribution 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.
7. In response to an inquiry by Commission staff, My Radio 580 indicated that there had been miscommunications and confusion about the date of commencement of operations of CHAH. The licensee stated that while the station was licensed as of 7 June 2021 (i.e., during the 2020-2021 broadcast year), it did not receive confirmation of its licence being issued until 27 October 2021 (i.e., during the 2021-2022 broadcast year).
8. Although paragraph 3(1)(s) was removed from the *Broadcasting Act* effective 27 April 2023 as a result of the amendments, paragraph 3(1)(e) continues to exist. Furthermore, as noted above, the condition of licence imposed pursuant to subsection 9(1) of the old *Broadcasting Act* is now deemed to be a condition of service imposed under an order made pursuant to subsection 9.1(1) of the new *Broadcasting Act*.
9. Accordingly, to ensure that the licensee is aware of its obligations relating to the over-and-above CCD contributions for the 2021-2022 and 2022-2023 broadcast years, pursuant to subsection 9.1(1) of the *Broadcasting Act*, the Commission **orders** My Radio 580 Ltd., as a **condition of service**, to provide proof, by 30 November 2023, that it has paid its over-and-above CCD contributions for those two broadcast years.

¹ At the time of filing, My Radio 580 operated under the name 1811258 Alberta Ltd.

10. Given that this renewal application was filed and processed prior to the coming into force of the new *Broadcasting Act*, and that interested parties had an opportunity to comment on the issue of compliance with CCD contributions as part of that process, the Commission considers the Part 1 proceeding to fulfill the publication and consultation requirement for purposes of subsection 11.1(7) of the new *Broadcasting Act* in this case.

Reminders

Local news

11. Radio stations are an important daily source of local news and information for communities. Carrying on a broadcasting undertaking 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.
12. 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 station, in its 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

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

Practical guide for radio licence renewals

14. 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

- *Licensing of new radio stations to serve Edmonton*, Broadcasting Decision CRTC 2017-3, 6 January 2017

This decision is to be appended to the licence.

Appendix to Broadcasting Decision CRTC 2023-194

Terms, conditions of service, expectations and encouragement for the ethnic commercial AM radio programming undertaking CHAH Edmonton, Alberta

Terms

The licence will expire 31 August 2030.

Conditions of service

1. The licensee shall adhere to the conditions of service set out in *Revised conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2022-334, 7 December 2022. Further, the licensee shall adhere to the requirements set out in the broadcasting licence for the undertaking.
2. The licensee shall adhere to all applicable requirements set out in the *Radio Regulations, 1986*, that were made under paragraph 10(1)(a) or under paragraph 10(1)(i) of the old *Broadcasting Act*.²
3. As an exception to the percentage of Canadian musical selections set out in section 2.2(4) of the *Radio Regulations, 1986*, the licensee shall devote at least 12% of all musical selections broadcast during ethnic programming periods in each broadcast week to Canadian selections.
4. The licensee shall devote 100% of the programming broadcast each broadcast week to ethnic programs, as defined in the *Radio Regulations, 1986*, as amended from time to time.
5. The licensee shall devote at least 91% of the programming broadcast each broadcast week to third-language programs, as defined in the *Radio Regulations, 1986*, as amended from time to time.
6. In each broadcast week, the licensee shall provide programming directed to at least nine distinct ethnic groups in at least 17 languages.
7. In addition to the required basic annual contribution to Canadian content development (CCD) set out in section 15 of the *Radio Regulations, 1986*, as amended from time to time, the licensee shall make an annual contribution to the promotion and development of Canadian content, to be allotted each year as follows:
 - broadcast year 2023-2024: \$50,000;

² Pursuant to subsection 49(2) of the *Online Streaming Act*, which made a certain number of amendments to the *Broadcasting Act* when it came into force on 27 April 2023, any regulations made under paragraphs 10(1)(a) or 10(1)(i) of the old *Broadcasting Act* is deemed to be an order made under section 9.1 of the new *Broadcasting Act*.

- broadcast year 2024-2025: \$50,000;
- broadcast year 2025-2026: \$50,000;
- broadcast year 2026-2027: \$50,000; and
- broadcast year 2027-2028: \$50,000.

This additional CCD contribution shall be allocated to parties and initiatives that fulfill the criteria for eligible initiatives set out in *Revised Commercial Radio Policy*, Broadcasting Regulatory Policy CRTC 2022-332, 7 December 2022. Examples of eligible and ineligible initiatives are provided on the Commission’s [Canadian Content Development Contributions and Eligible Initiatives](#) webpage.

The licensee shall file all proof of payment and eligibility regarding these CCD contributions by 30 November of each year and shall do so in a form deemed acceptable by the Commission.

8. To fulfill its commitment to Canadian content development (CCD) set out in Appendix 1 to *Licensing of new radio stations to serve Edmonton*, Broadcasting Decision CRTC 2017-3, 6 January 2017, the licensee shall provide proof that, in addition to the basic annual contribution to CCD set out in section 15 of the *Radio Regulations, 1986*, a CCD contribution of \$50,000 was made to eligible initiatives for each of the 2021-2022 and 2022-2023 broadcast years by no later than 30 November 2023.

For the purpose of these conditions, the terms “broadcast week,” “Canadian selection” and “musical selections” shall have the same meanings as those set out in the *Radio Regulations, 1986*.

Expectations

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.

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 in its hiring practices and in all other aspects of its management of human resources.