



Broadcasting Decision CRTC 2024-113

PDF version

Reference: 2023-206

Ottawa, 27 May 2024

Radio Nord-Joli inc.
Joliette, Quebec

Public record: 2023-0178-7

*Public hearing in the National Capital Region
14 September 2023*

French-language community FM radio station in Joliette

Summary

Radio Nord-Joli inc. (Radio Nord-Joli) currently operates the French-language community radio station CFNJ-FM Saint-Gabriel-de-Brandon, Quebec, as well as a rebroadcasting transmitter in Saint-Zénon, Quebec, CFNJ-FM-1. Radio Nord-Joli has filed an application to operate a French-language community FM radio station in Joliette, Quebec. It also requested to transfer its rebroadcasting transmitter to the new licence and to revoke CFNJ-FM's licence.

Radio Nord-Joli proposed to broadcast 126 hours of programming per broadcast week, including 117 hours and 15 minutes of local programming. It would initially maintain CFNJ-FM's current programming, to then expand it to meet the needs of the new communities served by the new licence. It also proposed to broadcast the station's signal in HD, which would be a novelty.

In Broadcasting Notice of Consultation 2021-413, the Commission announced that it had received an application from Arsenal Media Inc. (Arsenal) for a broadcasting licence to operate a French-language commercial FM radio station in Joliette.

As Radio Nord-Joli's and Arsenal's applications do not propose to use competing frequencies, the Commission decided to deal with them separately. Today, it is also publishing its decision on Arsenal's application.

The Commission approves the application by Radio Nord-Joli for a broadcasting licence to operate a French-language community FM radio station in Joliette to replace its French-language community radio station CFNJ-FM Saint-Gabriel-de-Brandon.

The Commission also approves the application by Radio Nord-Joli to transfer its rebroadcasting transmitter located in Saint-Zénon to the new licence, as well as its

application to revoke the broadcasting licence of the French-language community radio station CJNJ-FM Saint-Gabriel-de-Brandon.

The new station's market will be defined by the primary contour of its transmitter, which is defined by the 3 mV/m contour (or the central area as defined by BBM [Numeris], whichever is smaller).

The Commission proposes to make the orders set out in Appendix 2 to this decision imposing various conditions of service, including contribution requirements, on the licensee. Consistent with subsections 9.1(4) and 11.1(7) of the *Broadcasting Act*, interested persons may make representations only on the proposed orders by no later than **6 June 2024**. The licensee may submit a reply to any representations received by no later than **11 June 2024**.

Application

1. Radio Nord-Joli inc. (Radio Nord-Joli) filed an application for a broadcasting licence to operate a French-language community FM radio station in Joliette, Quebec.
2. Radio Nord-Joli also requested the transfer of its rebroadcasting transmitter in Saint-Zénon, Quebec, to the new licence, and the revocation of the broadcasting licence of the French-language community radio station CJNJ-FM Saint-Gabriel-de-Brandon, Quebec.
3. Radio Nord-Joli is a not-for-profit corporation incorporated in Quebec. It is controlled by its Board of Directors, all of whom are Canadian.
4. The proposed station would operate at 99.1 MHz (channel 256B1), currently used by CFNJ-FM, with an average effective radiated power (ERP) of 6,860 watts (directional antenna with a maximum ERP of 10,500 watts and an effective height the antenna above average terrain [EHAAT] of 143.5 metres).¹
5. The applicant proposed to broadcast 126 hours of programming per broadcast week, of which 117 hours and 15 minutes would be devoted to local programming. Radio Nord-Joli submitted that, at launch, the new programming would be modelled on CFNJ-FM's current programming, which currently serves Saint-Gabriel-de-Brandon and several other communities in Lanaudière-Nord. It added that future programming would be expanded to meet the needs of the new communities to be served with the new licence.
6. Radio Nord-Joli stated that it would make its programming available not only on hertz signal, but also on HD signal, which would be a novelty for the station.

¹ These technical parameters reflect those approved by the Department of Industry (also known as Innovation, Science and Economic Development Canada).

7. The Commission received numerous interventions in support of this application. It also received an intervention in opposition from Arsenal Media Inc. (Arsenal), the owner of the commercial radio station CJLM-FM Joliette, Quebec, to which Radio Nord-Joli replied.

Background

8. Radio Nord-Joli currently operates the French-language community radio station CFNJ-FM, serving the Saint-Gabriel-de-Brandon market, as well as a rebroadcasting transmitter in Saint-Zénon, CFNJ-FM-1. CFNJ-FM's broadcasting licence was renewed from 1 September 2019 to 31 August 2026 in Broadcasting Decision 2019-185.
9. In Broadcasting Decision 2022-143, the Commission denied a request from Radio Nord-Joli to modify CFNJ-FM's authorized contour to include the Joliette market in its service area. However, in its determination, the Commission stated that it was willing to consider a new application from the licensee. The Commission specified that if the primary objective of Radio Nord-Joli is to serve the Joliette market as a licensed market, it will have to apply for a new licence to operate a station in Joliette, since it is outside its current licensed market.
10. In Broadcasting Notice of Consultation 2021-413, the Commission announced that it had received an application from Arsenal for a broadcasting licence to operate a French-language commercial FM radio station in Joliette. In that notice, and in line with Broadcasting Regulatory Policy 2014-554, the Commission sought comments on the capacity of the Joliette market to accommodate a new station, and on the appropriateness of issuing a call for applications for new stations to serve this market.
11. In Broadcasting Decision 2023-16, the Commission determined that the Joliette radio market could accommodate at least one new radio station. Given the scarcity of FM frequencies and the additional interest in serving this market, the Commission issued a call for applications in Broadcasting Notice of Consultation 2023-17, inviting parties interested in obtaining a licence to serve this market to apply to operate a new station. This application was filed in response to that call for applications.
12. Given that Radio Nord-Joli's and Arsenal's applications do not propose the use of competing frequencies to serve the Joliette market, the Commission considers that they are not competing applications requiring a joint consideration at an appearance public hearing. Consequently, the applications were published and presented independently of each other at the non-appearance hearing on 14 September 2023.

Regulatory framework

13. The Commission has the authority, pursuant to subsections 9(1) and 9.1(1) 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*.

14. In line with Broadcasting Regulatory Policy 2010-499 (the Campus and Community Radio Policy), the Commission expects community radio stations to provide programming differing in style and substance from that provided by other elements of the broadcasting system, in particular, commercial radio stations and the Canadian Broadcasting Corporation (CBC). This programming should consist of music, especially Canadian music, not generally heard on commercial stations (including Special Interest Music and styles of popular music seldom broadcast), in-depth spoken word programs, and programs that target specific groups within the community.
15. Subparagraph 3(1)(d)(iii) of the *Broadcasting Act* states, in part, that the Canadian broadcasting system should reflect the equal rights, linguistic duality and multicultural and multiracial nature of Canadian society and the special place of Indigenous peoples and languages within that society. In light of the above, and as set out in the Campus and Community Radio Policy, the Commission expects campus and community stations to maintain and strengthen their efforts in these areas in their programming, in volunteer involvement and in their employment practices.

Issues

16. After examining the record for this application in light of applicable regulations and policies, the Commission considers that it must address the following issues:
 - whether the primary geographic serving area of a community station includes the 0.5 mV/m contour;
 - whether the use of the frequency 99.1 MHz by the applicant for its proposed station represents an appropriate use of spectrum;
 - whether the revocation of CFNJ-FM's licence and the transfer of its rebroadcasting transmitter to the proposed new station is consistent with the current regulatory framework;
 - whether approval of this application would have an undue economic impact on the incumbent station;
 - whether approval of this application would have an undue economic impact on the new station proposed by Arsenal;
 - whether the addition of two new stations would have an undue economic impact on the incumbent station;
 - whether the proposed programming will be consistent with the Campus and Community Radio Policy; and
 - whether volunteer participation at the station will be an acceptable representation of the interests and needs of the community served.

Contour of a community radio station

17. In its application, Radio Nord-Joli alleged that a community station's primary geographic serving area includes the 0.5 mV/m contour and that CFNJ-FM is operated as a "regional" community radio station.
18. According to Radio Nord-Joli, CFNJ-FM is currently the only source of local information in several Lanaudière municipalities, and the new station would reach more listeners, and better. Radio Nord-Joli also noted that the high-quality information it produces extends beyond the area it serves, as it acts as a field correspondent in the Lanaudière region for Cogeco Nouvelles, therefore increasing national awareness of the region.
19. In its supplementary brief, Radio Nord-Joli noted that, in the early days of FM band regulation, there was no distinction between a radio station's contours, regardless of its classification or the designated market it was intended to serve. The only existing primary contour was that of 0.5 mV/m.
20. According to Radio Nord-Joli, the market definition for these commercial radio stations was modified in the context of the revision of the Commission's commercial radio policy in 1990,² and at the request of commercial broadcasters who wanted to limit the effects of the Common Ownership Policy on the profits of their operations. Since then, the reduced 3 mV/m contour has defined the market for commercial stations. According to Radio Nord-Joli, this and all subsequent changes to the Commission's regulatory policy did not affect community radio.

Commission's analysis

21. In Public Notice 1990-111, the Commission adopted the following definition of "authorized market":

any area within either the 3 mV/m signal contour or the Central Area of the community served by the station as defined by BBM whichever is smaller.

22. The Commission subsequently amended the *Radio Regulations, 1986* (the Regulations) to reflect this new definition. The Commission reiterates that, unless otherwise indicated, the Regulations apply to all types of radio licences, not just commercial stations. As such, the definition of a market that applies to the present application, which is the one set out in the Regulations, is the following:

[i]n the case of an F.M. station, the F.M. 3 mV/m contour or the central area as defined by the Bureau of Broadcast Measurement (BBM),³ whichever is smaller.

² See Public Notice 1990-111.

³ Now Numeris.

23. Accordingly, the Commission has analyzed this application under the definition maintained and set out in Broadcasting Regulatory Policy 2022-332. This definition is the most recent and the one in effect at the time the application was filed.
24. Regarding Radio Nord-Joli's assertion that CFNJ-FM operates as a "regional" community radio station, the Commission notes that the current regulatory framework for community and campus radio stations does not provide for regional licensing.

Appropriate use of spectrum

25. The primary contour for the proposed new station would include the city of Joliette, but also the towns of St-Jean-de-Matha and St-Félix-de-Valois, while the secondary contour would include the towns of Rawdon and Sorel-Tracy, and the surrounding regions.
26. In its supplementary brief, Radio Nord-Joli stated that in the event that outlying areas of Lanaudière-Nord do not receive an acceptable radio signal level due to the rugged topography of part of the region, it will consider adding a rebroadcasting transmitter.
27. In a response to a request for information, Radio Nord-Joli acknowledged that Joliette is outside the 3 mV/m realistic contour. However, it was of the view that Joliette should still be able to receive a quality signal. In addition, the choice of its transmitter's current location is the best possible compromise so that it can also offer a quality service to as many listeners as possible in the Lanaudière-Nord region.

Commission's analysis

28. In regard to the use of the frequency 99.1 MHz for the new station, the Department of Industry (also known as Innovation, Science and Economic Development Canada, hereafter the Department) has granted conditional technical acceptability of the proposed station. As such, the applicant's proposal adheres to the rules governing FM spectrum coordination.
29. The Commission notes that the applicant is proposing to use 99.1 MHz (channel 256B1), which it already uses on its existing station. Consequently, the use of this frequency would not affect its availability in the surrounding areas.
30. In light of the above, the Commission finds that the use of the frequency 99.1 MHz by the applicant for its proposed FM radio station represents an appropriate use of spectrum.

Revocation of CFNJ-FM's licence and transfer of the transmitter

31. Since Radio Nord-Joli requested to retain the same frequency, as explained above, implementation of this approval requires that the Commission issue the licence for the Joliette market only upon the surrender of CFNJ-FM's licence, which currently serves Saint-Gabriel-de-Brandon.

32. Consequently, should the new station be approved, Radio Nord-Joli requested the revocation of the broadcasting licence of the French-language community radio station CFNJ-FM, and the transfer of the rebroadcasting transmitter located in Saint-Zénon to the new licence. This would allow the proposed station to continue the broadcast of programming to certain communities in northern Lanaudière.

Commission's analysis

33. Radio Nord-Joli will have to file an application with the Commission for the surrender of CFNJ-FM Saint-Gabriel-de-Brandon's licence when it is ready to operate the new community FM station. Upon the surrender of CFNJ-FM's licence, the Commission will issue a new broadcasting licence to Radio Nord-Joli to serve the Joliette market.

34. Moreover, since the licence will be revoked and since it also involves the rebroadcasting transmitter, Radio Nord-Joli requested the transfer of the transmitter currently associated with CFNJ-FM, located in Saint-Zénon, so that it can later be added as the rebroadcasting transmitter for the new FM station in Joliette. The Commission notes, however, that this authorization can only take effect once CFNJ-FM's licence has been revoked.

35. In light of the above, the Commission finds that revoking the licence of CFNJ-FM Saint-Gabriel-de-Brandon and transferring its broadcasting transmitter to the proposed new station is in compliance with the current regulatory framework.

Economic impact on the incumbent station

36. The Joliette market is currently served by a single commercial radio station, CJLM-FM Joliette, owned and operated by Arsenal.

37. In its intervention, Arsenal asserted that Radio Nord-Joli's application for a new station in Joliette is in direct competition with its own application for a broadcasting licence to operate a new commercial radio station in Joliette (application 2021-0457-9).⁴ Arsenal noted that in Broadcasting Decision 2022-143, the Commission refused an application by Radio Nord-Joli to extend its primary contour to the Joliette market. It added that the community station's revenues would be higher than those of Arsenal stations in the Joliette market, since CFNJ-FM is not subject to any advertising restrictions and since it benefits from alternative sources of revenue, such as operating subsidies, the community radio fund and even bingo games.

38. In its reply, Radio Nord-Joli alleged that the two applications are not in direct competition, since there is no technical incompatibility and the community station's mandate differs from that of a commercial station. It added that Arsenal failed to mention that in Broadcasting Decision 2022-143, the Commission also noted that it

⁴ The Commission is also publishing today Broadcasting Decision 2024-114 regarding Arsenal's application.

was prepared to consider a new application from Radio Nord-Joli to comply with the objectives of its mandate. Finally, Radio Nord-Joli noted that the diversity of its revenue sources is linked to its legal status, and that it also has obligations to which Arsenal is not bound.

Commission's analysis

39. The Commission notes that Radio Nord-Joli already operates a station in Saint-Gabriel-de-Brandon, CFNJ-FM, and as indicated in Broadcasting Decision 2022-143, already solicits advertising in the Joliette market.
40. While the current regulatory framework does not restrict community radio stations from soliciting advertising outside their licensed market, the Commission considers that community stations should focus their activities on communities within the market they are licenced to serve. Therefore, community stations should make an effort to ensure that all the content they broadcast, including programming and advertising, is of local relevance to their licensed market.
41. From 2018 to 2022, local advertising revenues and CJLM-FM's total advertising revenues were stable. Moreover, as a community station, Radio Nord-Joli's proposed station can benefit from other sources of revenue (for example, fundraising activities), making it much less dependent on advertising revenues.
42. Given that Radio Nord-Joli already solicits advertising in Joliette, that the proposed new station does not intend to increase its advertising revenues, and that Radio Nord-Joli and Arsenal have co-existed and prospered for several years now, the Commission finds that approval of Radio Nord-Joli's proposed station would not have a significant economic impact on CJLM-FM, operated by Arsenal.

Economic impact of Arsenal's proposed new station

43. As noted above, given that Radio Nord-Joli already solicits advertising in the Joliette market, that it does not intend to increase its advertising revenues and that, as a community station, its commercial potential is limited, the Commission finds that approval of Radio Nord-Joli's proposed station would not compromise the financial viability of Arsenal's proposed new station.

Economic impact of the two proposed new stations on the incumbent station

44. Today, the Commission is also publishing Broadcasting Decision 2024-114 in regard to an application by Arsenal (2021-0457-9) for a new community radio station to serve Joliette. In that decision, the Commission finds that approval of Arsenal's proposed station would not have a significant economic impact on CJLM-FM, also operated by Arsenal.
45. In light of the determinations set out in paragraphs 42 and 43 of this decision, the Commission finds that the addition of the new stations proposed by Radio Nord-Joli and Arsenal would not have an undue economic impact on CJLM-FM.

Proposed programming

46. As set out in the Campus and Community Radio Policy, community radio stations:

- must devote a minimum of 15% of each broadcast week to programs from content category 1 (Spoken Word) (for the purposes of this requirement, all spoken word shall be locally produced);
- are not authorized to broadcast more than 80% of music in content subcategory 21 (Pop, Rock and Dance), in order to provide a variety of music on air that is not generally heard on commercial stations.

47. Radio Nord-Joli proposed to broadcast 126 hours of programming each broadcast week, of which 117 hours and 15 minutes would be devoted to local programming. Of this, it proposed to broadcast 11 hours and 22 minutes of news per broadcast week, including 10 hours and 22 minutes of pure news. In addition, Radio Nord-Joli proposed to broadcast approximately 18.7% of programs from content category 1 (Spoken Word).

48. In regard to musical programming, Radio Nord-Joli indicated that 60% of the musical selections broadcast would be drawn from content subcategory 21 (Pop, Rock and Dance). It added that 18% of the musical programming would be dedicated to local talent, including some emerging artists.

Commission's analysis

49. In a request for information dated 1 June 2023, the Commission asked Radio Nord-Joli to confirm the number of hours of programming that would be devoted to the Saint-Gabriel-de-Brandon market should this application be approved.

50. In its response dated 19 June 2023, Radio Nord-Joli noted that its commitment to local programming is not limited to Joliette or Saint-Gabriel-de-Brandon, but applies to all communities within the station's primary contour (3mV/m). The new programming would therefore be based on the current programming of the station serving Saint-Gabriel-de Brandon, but would be expanded to meet the needs of the communities the licensee wishes to serve.⁵

51. Radio Nord-Joli also noted that programming produced in Joliette, apart from back-up programming, would be produced entirely by the station and exclusively for the station.

⁵ Those communities include Mandeville, Notre-Dame-de-Lourdes, Notre-Dame-des-Prairies, Saint-Alphonse-Rodriguez, Saint-Ambroise-de-Kildare, Saint-Béatrix, Saint-Charles-Borromée, Saint-Cléophas-de-Brandon, Saint-Cuthbert, Saint-Damien, Saint-Didace, Sainte-Élisabeth, Saint-Félix-de-Valois, Saint-Jean-de-Matha, Saint-Liguori, Sainte-Marcelline-de-Kildare, Sainte-Mélanie, Saint-Michel-des-Saints, Saint-Norbert, Saint-Thomas, Saint-Zénon, Saint-Pierre and Saint-Gabriel.

52. While the Campus and Community Radio Policy does not refer to the Commission's determination of its current definition of "local programming," this definition applies to all types of radio licences and is described in Broadcasting Regulatory Policy 2022-332 as follows:

Local programming includes programming that originates with the station or is produced separately and exclusively for the station. It does not include programming received from another station and rebroadcast simultaneously or at a later time, nor does it include network or syndicated programming that is five minutes or longer unless it is produced either by the station or in the local community by arrangement with the station. Licensees must incorporate spoken word material of direct and particular relevance to the community served in their local programming, which must include local news, weather, sports coverage, and the promotion of local events and activities.

53. The Saint-Gabriel-de-Brandon market would be covered within the proposed new contour (3mV/m), and Radio Nord-Joli noted its intention to continue offering local programming for its new station while covering a greater number of citizens. However, the Commission remains concerned about the possibility that the community of Saint-Gabriel-de-Brandon will be neglected and will no longer be able to receive local programming once the current licence for CFNJ-FM is revoked.
54. In order to preserve distinct programming for the Saint-Gabriel-de-Brandon market, the Commission expects the new station to maintain the same quality of service and quantity of local programming that was previously offered to the community of Saint-Gabriel-de-Brandon.
55. In light of the above, the Commission considers that the proposal to offer a total of 117 hours and 15 minutes of local programming per broadcasting week for the proposed new station in Joliette is consistent with what the Commission expects from a community station and considers the local programming offer satisfactory.

Volunteer involvement at the station

56. In paragraph 12 of the Campus and Community Radio Policy, the Commission described community radio as distinguished by its place in the communities served, the reflection of the communities' needs and values, and the requirement for volunteers in programming and other aspects of station operations. This ensures that the programming is different from that of commercial and public radio stations in the same market.
57. In its application, Radio Nord-Joli stated its intention to recruit volunteers via on-air announcements, social networks and word-of-mouth. In addition, the current team has a wealth of experience in broadcasting and plans to deliver training workshops to organizations dedicated to promoting employment and fostering self-sufficiency among youth. Permanent employees will act as mentors and trainers for newly

recruited volunteers. Finally, the programming department will ensure that programming requirements are met at all times.

58. In its intervention, Arsenal alleged a competitive imbalance that leads to outbidding for labour in a context where broadcasters are struggling to recruit staff in the region. It added that the proposed programming schedule for the new station in Joliette largely consists of professional radio hosts rather than volunteers.
59. In its reply, Radio Nord-Joli noted that, as with CFNJ-FM in Saint-Gabriel-de-Brandon, the new station in Joliette will have 12 employees and 12 volunteers, and nearly all volunteers will be involved in on-air programming.
60. In a request for information dated 1 June 2023, Commission staff questioned Radio Nord-Joli to verify how it planned to integrate volunteers who reside in regions farthest from the station's studios, should a member of the community further north express an interest in participating in the station's various activities.
61. In its response dated 19 June 2023, Radio Nord-Joli stated that, as a broadcaster operating a station in Saint-Gabriel-de-Brandon for over 38 years, it will be able to draw on its experience to integrate volunteers, regardless of their place of origin in the greater Lanaudière-Nord region. The integration program will be the same as the one currently in place for its Saint-Gabriel-de-Brandon station, and will count on experience in managing staff who live in a large rural area who do not always have the option of being present on site. They will be able to produce remotely, and meetings and training sessions for volunteers can also be held by videoconference. Finally, Radio Nord-Joli noted that programming will also be available online, enabling the programming director to access it at any time to provide feedback to new volunteers in training.
62. In light of the above, the Commission considers that the proposed plan for volunteer involvement in the production of programming and operation of the station meets the requirements and expectations of the Campus and Community Radio Policy.

Conclusion

63. In light of all of the above, the Commission approves the application by Radio Nord-Joli for a broadcasting licence to operate a French-language community FM radio programming undertaking in Joliette, Quebec. The licence will expire **31 August 2030**.
64. The Commission also approves the application by Radio Nord-Joli to transfer its rebroadcasting transmitter located in Saint-Zénon to the new licence, as well as its application to revoke the broadcasting licence of the French-language community radio station CJNJ-FM Saint-Gabriel-de-Brandon.
65. Since Radio Nord-Joli is requesting to retain the same frequency, implementation of this approval requires that the Commission issue the licence for the Joliette market only upon the surrender of CFNJ-FM's licence, which currently serves Saint-Gabriel-

de-Brandon. As such, Radio Nord-Joli must file with the Commission an application to surrender CFNJ-FM's licence when it is ready to operate the new community FM station in the Joliette market. Upon the surrender of CFNJ-FM's licence, the Commission will issue a new broadcasting licence to Radio Nord-Joli.

66. Moreover, the rebroadcasting transmitter in Saint-Zénon currently associated with CFNJ-FM Saint-Gabriel-de-Brandon will later be added as a rebroadcasting transmitter for the new FM station in Joliette. However, this authorization will not take effect until CFNJ-FM Saint-Gabriel-de-Brandon's licence has been revoked.
67. The terms of licence, expectations and encouragement applicable to this licensee are set out in Appendix 1 to this decision.
68. The Commission notes that the formal broadcasting licence document issued to a licensee 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.
69. The Commission also proposes to make certain orders pursuant to subsection 9.1(1) of the *Broadcasting Act*. The specifics of the conditions of service contained in these orders are described below and set out in Appendix 2. Consistent with subsection 9.1(4), interested persons may make representations only on the proposed orders by no later than **6 June 2024**, and the licensee may submit a reply to any representations received by no later than **11 June 2024**. The Commission will issue final orders following the close of the comment period and its review of the submissions of the parties, if any.
70. Interested persons who wish to make representations on the proposed orders may do so on the Commission's [public proceedings webpage](#).

Proposed orders

Standard conditions of service

71. There are standard conditions of service that apply to all undertakings of a particular class. In this case, the Commission considers it appropriate that the licensee adhere to the standard conditions of service for community radio stations set out in Broadcasting Regulatory Policy 2012-304.
72. Further, 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 regulation 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*. The Commission considers it appropriate to require the licensee to adhere to these requirements as conditions of service.

73. Accordingly, pursuant to subsection 9.1(1) of the *Broadcasting Act*, the Commission **proposes to order** Radio Nord-Joli inc., by **condition of service**, to adhere to the standard conditions of service set out in Broadcasting Regulatory Policy 2012-304, as well as to all applicable requirements set out in the Regulations, that were made under paragraph 10(1)(a) or under paragraph 10(1)(i) of the old *Broadcasting Act*.

Broadcast of emergency alerts

74. The Commission has implemented obligations in respect of the broadcast of emergency alerts. For reference, see section 16 of the Regulations, as well as Broadcasting Regulatory Policy 2014-444. Compliance involves implementing the public alerting system for each of the licensee's transmitters, and ensuring 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 applicable contour (as set out in paragraph 16(2)(b) of the Regulations) of the station as well as that of any rebroadcasting transmitter that may appear on the licence for that station.

75. Further to these obligations, the Commission considers it appropriate that the licensee be required to implement the National Public Alerting System (NPAS) in the manner set out in the Regulations by the station's launch and to file a letter attesting to the implementation of the NPAS.

76. Accordingly, pursuant to subsection 9.1(1) of the *Broadcasting Act*, the Commission **proposes to order** Radio Nord-Joli inc., by **condition of service**, to implement the NPAS **by the station's launch** and to make the appropriate associated information filings.

Revocation of the licence

77. Pursuant to paragraph 9(1)(f) and subsection 24(1) of the *Broadcasting Act*, the Commission will revoke the current broadcasting licence for CFNJ-FM Saint-Gabriel-de-Brandon and issue a new licence once the Department of Industry has confirmed that its technical requirements have been met, and when the applicant has informed the Commission in writing that it is ready to commence operations with the new technical parameters.

Reminders

78. The licensee must comply at all times with the Regulations.

79. The Commission reminds the licensee to maintain and strengthen its support to a wide variety of musical genres in its music programming choices including new and emerging artists and those from underserved cultural groups, namely ethnocultural minorities, Indigenous peoples, and persons with disabilities.

80. Community radio stations should limit their local advertising solicitation activities to their authorized market, in accordance with the definition of an authorized market as set out in the Regulations.

Practical guide for radio licence renewals

81. 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

- *French-language commercial FM radio station in Joliette*, Broadcasting Decision CRTC 2024-114, 27 May 2024
- *Call for applications – Radio station to serve Joliette, Quebec*, Broadcasting Notice of Consultation CRTC 2023-17, 23 January 2023
- *Findings regarding market capacity and the appropriateness of issuing a call for radio applications to serve Joliette*, Broadcasting Decision CRTC 2023-16, 23 January 2023
- *Revised Commercial Radio Policy*, Broadcasting Regulatory Policy CRTC 2022-332, 7 December 2022
- *CFNJ-FM Saint-Gabriel-de-Brandon – Technical changes*, Broadcasting Decision CRTC 2022-143, 2 June 2022
- *Call for comments on market capacity and the appropriateness of issuing a call for radio applications to serve Joliette, Quebec*, Broadcasting Notice of Consultation CRTC 2021-413, 15 December 2021
- *CFNJ-FM Saint-Gabriel-de-Brandon and CFNJ-FM-1 Saint-Zénon – Licence renewal*, Broadcasting Decision CRTC 2019-185, 29 May 2019
- *A targeted policy review of the commercial radio sector*, Broadcasting Regulatory Policy CRTC 2014-554, 28 October 2014
- *Amendments to various regulations, the standard conditions of licence for video-on-demand undertakings and certain exemption orders - Provisions requiring the mandatory distribution of emergency alert messages*, Broadcasting Regulatory Policy CRTC 2014-444 and Broadcasting Orders CRTC 2014-445, 2014-446, 2014-447 and 2014-448, 29 August 2014
- *Standard conditions of licence for campus and community radio stations*, Broadcasting Regulatory Policy CRTC 2012-304, 22 May 2012

- *Campus and community radio policy*, Broadcasting Regulatory Policy CRTC 2010-499, 22 July 2010
- *An FM policy for the Nineties*, Public Notice CRTC 1990-111, 17 December 1990

This decision is to be appended to the licence.

Appendix 1 to Broadcasting Decision CRTC 2024-113

Terms, expectations and encouragement for the French-language community FM radio programming undertaking in Joliette, Quebec

Terms

The licence will expire 31 August 2030.

The station will operate at 99.1 MHz (channel 256B1) with an average effective radiated power (ERP) of 6,860 watts (maximum ERP of 10,500 watts and an effective height of the antenna above average terrain [EHAAT] of 143.5 metres).

Pursuant to subsection 22(1) of the *Broadcasting Act*, no licence may be issued until the Department of Industry (also known as Innovation, Science and Economic Development Canada) notifies the Commission that its technical requirements have been met and that a broadcasting certificate will be issued.

Furthermore, the Commission will only issue a licence for this undertaking once the applicant has informed the Commission in writing that it is prepared to commence operations. The undertaking must be in operation by no later than **27 May 2026**. To request an extension, the applicant must submit a written request to the Commission at least 60 days before that date, using the form available on the Commission's website.

Expectations

The Commission expects the station to maintain the same quality of service and quantity of local programming previously offered to the community of Saint-Gabriel-de-Brandon, Quebec.

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

As set out in *Campus and Community Radio Policy*, Broadcasting Regulatory Policy CRTC 2010-499, 22 July 2010, the Commission expects all community and campus licensees to file yearly updates on the composition of their boards of directors. These annual updates can be submitted at the time of filing of annual returns, following annual board of directors' elections, or at any other time. As noted in Appendix 3 to that regulatory policy, licensees may submit such documentation via the Commission's website.

Encouragement

The Commission considers that campus radio and community radio stations should be particularly sensitive to employment equity in order to reflect fully the communities they serve. It encourages the licensee to consider employment equity in its hiring practices and in all other aspects of its human resources management.

Appendix 2 to Broadcasting Decision CRTC 2024-113

Proposed conditions of service for the French-language community FM radio programming undertaking in Joliette, Quebec

The Commission proposes to make orders imposing the following conditions of service, including contribution requirements, on Radio Nord-Joli inc. in respect of the new French-language community FM radio programming undertaking in Joliette, Quebec, pursuant to subsection 9.1(1) of the *Broadcasting Act*.

Conditions of service

1. The licensee shall adhere to the conditions of service set out in the appendix to *Standard conditions of licence for campus and community stations*, Broadcasting Regulatory Policy CRTC 2012-304, 22 May 2012. Further, the licensee shall adhere to the requirements as 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*.
3. The licensee shall implement the National Public Alerting System (NPAS) **by the station's launch** in the manner set out in section 16 of the *Radio Regulations, 1986*, and in *Amendments to various regulations, the standard conditions of licence for video-on-demand undertakings and certain exemption orders – Provisions requiring the mandatory distribution of emergency alert messages*, Broadcasting Regulatory Policy CRTC 2014-444 and Broadcasting Orders CRTC 2014-445, 2014-446, 2014-447 and 2014-448, 29 August 2014, as amended from time to time.

The licensee shall file a letter with the Commission to attest to the implementation date of its NPAS **within 14 days after the installation**. This letter must contain evidence that the system is properly configured to receive and distribute alerts from the National Alert Aggregation and Dissemination (NAAD) System (e.g., an attestation by a Chief Executive Officer (CEO), president or person exercising a similar supervisory role in the licensee's operations, as to the installation of functioning alerting equipment).