



# Broadcasting Notice of Consultation CRTC 2024-213

PDF Version

Ottawa, 19 September 2024

*Public record: 1011-NOC2024-0213*

## Notice of hearing

**11 February 2025**  
**Yellowknife, Northwest Territories**

**Deadline for submission of interventions/comments/answers: 21 October 2024**

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

The Commission will hold a hearing starting on **11 February 2025 at 10 a.m. MST (12 p.m. EST)** at the **Explorer Hotel, 4825 49<sup>th</sup> Avenue, Yellowknife, Northwest Territories**, with the hearing's agenda scheduled entirely in MST.

## Applicant/Licensee and Locality

1. **506992 N.W.T. Ltd.**  
Yellowknife, Northwest Territories  
Application 2023-0253-7
2. **Vista Radio Ltd.**  
Yellowknife, Northwest Territories  
Application 2024-0247-8

## Preamble for items 1 and 2

On 14 March 2024, the Commission published *Call for applications - Radio station to serve Yellowknife, Northwest Territories*, Broadcasting Notice of Consultation CRTC 2024-57, 14 March, 2024. In this call for applications, the Commission indicated that the market of Yellowknife was not as well served as it could be. Specifically, the COVID-19 pandemic and the wildfires in the Northwest Territories have highlighted the importance of having increased access to radio content in the North. Therefore, the Commission encouraged interested persons to submit applications for broadcasting licences to operate a new commercial, ethnic, community, campus or Indigenous radio station.

The Commission received two applications for a new commercial FM radio station to serve Yellowknife.

In evaluating these two applications, the Commission will consider the following factors in each proposal:

- plans and commitments regarding local programming, including how the applicant's commitments will reflect the interests and needs of the population; and
- the capacity of the proposed business plan, whether commercial or non-commercial, to sustain the programming plans set out in the application.

For applications for new commercial radio services in a market, these factors are in addition to the following factors normally considered by the Commission in assessing such applications, as first set out in *Decision*, Decision CRTC 99-480, 28 October 1999 (Decision 99-480):

- quality of the application;
- diversity of news voices in the market;
- market impact; and
- competitive state of the market.

The relative importance of each factor as described above will vary depending on the market's specific circumstances.

These applications will be treated as competitive radio applications for the Yellowknife radio market.

Please note that additional information may be placed on the public examination file for each application. The Commission encourages interested persons to monitor the public examination file and the Commission's website for additional information that they may find useful when preparing their comments.

### **Diversity and Inclusion**

The new *Broadcasting Act* places greater emphasis on serving the diverse needs of all Canadians, including equity-deserving communities. This is reinforced by the 2023 [\*Order Issuing Directions to the CRTC \(Sustainable and Equitable Broadcasting Regulatory Framework\)\*](#)<sup>1</sup>. The CRTC's *Revised Commercial Radio Policy*, Broadcasting Regulatory Policy CRTC 2022-332, 7 December 2022 also underscores the importance of ensuring that commercial radio reflects the diversity of Canadian society and supports underrepresented groups, including Indigenous peoples, racialized communities, and persons with disabilities. In this context, the Commission may consider how an applicant's programming, operations, and employment equity policies address the diversity of the communities in their proposed markets. While diversity and inclusion are not listed as formal evaluation criteria for licensing new radio stations under Decision 99-480, the Commission may use its discretion to consider these factors during the evaluation process. Applicants had or will have the opportunity to provide information relevant to diversity and inclusion during the licensing process.

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<sup>1</sup> SOR/2023-239

## The applications

These applications will be considered, subject to interventions, during the appearing phase of the public hearings.

1. **506992 N.W.T. Ltd.**  
Yellowknife, Northwest Territories  
Application 2023-0253-7

Application by 506992 N.W.T. Ltd., operating as Cabin Radio, for a broadcasting licence to operate an English-language commercial FM radio station in Yellowknife.

The station would operate at 93.9 MHz (channel 230A) with an effective radiated power (ERP) of 540 watts (non-directional antenna with an effective height of antenna above average terrain [EHAAT] of 54.2 metres).

The applicant proposed to broadcast 126 hours of local programming per broadcast week, of which 1 hour would be devoted to local and regional news, 15 minutes to national news and 15 minutes to international news.

The applicant also proposed to exceed the regulatory requirements relating to the broadcast of Canadian musical selections set out in the *Radio Regulations, 1986* (the Regulations). Specifically, it committed to devote, by condition of service:

- (a) in each broadcast week, a minimum of 40% of its musical selections from content category 2 (Popular Music) to Canadian selections broadcast in their entirety;
- (b) between 6 a.m. and 6 p.m., in any period beginning on Monday of a week and ending on Friday of the same week, a minimum of 40% of its musical selections from content category 2 (Popular Music) to Canadian selections broadcast in their entirety; and
- (c) a minimum of 35% of the Canadian musical selections required under a) and b) above to musical selections by emerging Canadian artists.

The applicant further proposed, as per subsection 15(2) of the Regulations, to commit by condition of service, to contribute \$147,000 over seven years to Canadian content development.

Should the Commission approve the application, it proposes to order the licensee to adhere to the conditions of service mentioned above and the standard conditions of service set out in *Revised Conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy 2022-334, 7 December 2022, as well as applicable requirements set out in the Regulations that were made under paragraph 10(1)(a) or under paragraph 10(1)(i) of the *Broadcasting Act* (the Act). Furthermore, the Commission proposes to order the licensee to adhere to standard conditions regarding the National Public Alerting System (NPAS) and advise the Commission of the implementation of the NPAS, within 14 days after installation of the alerting equipment.

Consistent with subsections 9.1(4) and 11.1(7) of the Act, interested persons may, as part of this process, make representations to the Commission with respect to these proposed orders. The public may also comment on the applicant's commercial radio proposal.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry (also known as Innovation, Science and Economic Development Canada), at least 20 days prior to the hearing, that the application is technically acceptable.

Applicant's address:

5007 50<sup>th</sup> Avenue  
 Yellowknife, Northwest Territories  
 X1A 2P8  
 Telephone: 867-688-0105  
 E-mail: [aj@cabinradio.ca](mailto:aj@cabinradio.ca)  
 E-mail to request electronic version of application: [aj@cabinradio.ca](mailto:aj@cabinradio.ca)

2. **Vista Radio Ltd.**  
 Yellowknife, Northwest Territories  
 Application 2024-0247-8

Application by Vista Radio Ltd. for a broadcasting licence to operate an English-language commercial FM radio station in Yellowknife.

The station would operate at 96.5 MHz (channel 243A) with an effective radiated power (ERP) of 500 watts (non-directional antenna with an effective height of antenna above average terrain [EHAAT] of 61 metres).

The applicant proposed to broadcast 126 hours of local programming per broadcast week, of which 2 hours and 50 minutes would be devoted to local and regional news, 25 minutes to national news and 25 minutes to international news.

The applicant also proposed to exceed the regulatory requirements relating to the broadcast of Canadian musical selections set out in the *Radio Regulations, 1986* (the Regulations) Specifically, it committed to devote, by condition of service:

- (a) in each broadcast week, a minimum of 40% of its musical selections from content category 2 (Popular Music) to Canadian selections broadcast in their entirety; and
- (b) between 6 a.m. and 6 p.m., in any period beginning on Monday of a week and ending on Friday of the same week, a minimum of 40% of its musical selections from content category 2 (Popular Music) to Canadian selections broadcast in their entirety.

The applicant further proposed to devote, by condition of service, a minimum of 5% of its musical selections to musical selections by emerging Canadian artists.

Furthermore, the applicant proposed, as per subsection 15(2) of the Regulations, to commit by condition of service, to contribute \$140,000 over seven years to Canadian content development.

Should the Commission approve the application, it proposes to order the licensee to adhere to the conditions mentioned above and the standard conditions of service set out in *Revised Conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy 2022-334, 7 December 2022, as well as applicable requirements set out in the Regulations that were made under paragraph 10(1)(a) or under paragraph 10(1)(i) of the *Broadcasting Act* (the Act). The Commission further proposes to order the licensee to adhere to standard conditions regarding the National Public Alerting System (NPAS) and advise the Commission of the implementation of the NPAS, within 14 days after installation of the alerting equipment.

Consistent with subsections 9.1(4) and 11.1(7) of the Act, interested persons may, as part of this process, make representations to the Commission with respect to these proposed orders. The public may also comment on the applicant's commercial radio proposal.

The Commission may withdraw this application from the public hearing if it is not advised by the Department of Industry (also known as Innovation, Science and Economic Development Canada), at least 20 days prior to the hearing, that the application is technically acceptable.

Applicant's address:

101-910 Fitzgerald Avenue  
Courtenay, British Columbia  
V9N 2R5

Telephone: 250-338-1133

E-mail: [regulatory@vistaradio.ca](mailto:regulatory@vistaradio.ca)

E-mail to request electronic version of application: [regulatory@vistaradio.ca](mailto:regulatory@vistaradio.ca)

## **Procedure**

### **Deadline for interventions, comments or answers**

**21 October 2024**

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 as well as an answer from a respondent (that is, a person that is adverse in interest to the applicant) must be received by the Commission on or before the above-mentioned date. Further, a 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, by the same date.

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.

For applications to be considered during the appearing phase of the hearing, the intervention or answer must include one of the following statements in either the first or the last paragraph:

- I request to appear at the public hearing.
- I do not want to appear at the public hearing.

If you request to appear, let us know if you would prefer to participate:

- at the main location for the public hearing in Yellowknife (Northwest Territories);  
or
- virtually from your home or office.

Parties who wish to appear at the public hearing must provide reasons why their written intervention is not sufficient and why an appearance is necessary. In addition, parties requiring communications support must state their request for such support on the first page of their intervention. Only those parties whose requests to appear have been granted will be contacted by the Commission and invited to appear at the hearing.

Interested persons are permitted to coordinate, organize and file, in a single submission, interventions by other interested persons who share their position but do not wish to appear at the hearing. 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

The Commission encourages interested persons who wish to intervene in this proceeding but who do not have access to the Internet to file their interventions by either postal mail or fax.

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.

Parties who send documents electronically must ensure that they will be able to prove, upon Commission request, that service/filing 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. The Commission advises parties who file and 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.

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.

Persons requiring communications support such as assistance listening devices and sign language interpretation are requested to inform the Commission at least forty-five (45) 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, facsimile, email or through the Commission's website at [www.crtc.gc.ca](http://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 facsimile 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**

An electronic versions of the applications are available on the Commission's website at [www.crtc.gc.ca](http://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.

Links to interventions, replies and answers filed for this proceeding, as well as other documents referred to in this notice, are available on the Commission's "[Consultations and hearings: have your say](#)" page.

Documents are available upon request during normal business hours by contacting:



Documentation Centre  
[Examinationroom@crtc.gc.ca](mailto:Examinationroom@crtc.gc.ca)  
Tel.: 819-997-4389  
Fax: 819-994-0218

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

Secretary General