



Broadcasting Decision CRTC 2005-184

Ottawa, 2 May 2005

Radio Centre-Ville Saint-Louis
Montréal, Quebec

Application 2003-1032-6
Broadcasting Public Notice CRTC 2003-55
1 October 2003

CINQ-FM Montréal – Licence renewal

*The Commission **renews** the broadcasting licence for CINQ-FM Montréal, from 1 July 2005 to 31 August 2011.*

The application

1. The Commission received an application by Radio Centre-Ville Saint-Louis to renew the broadcasting licence for the French-language Type B community radio programming undertaking CINQ-FM Montréal. The licence expires 30 June 2005.¹

Intervention

2. The Association québécoise de l'industrie du disque, du spectacle et de la vidéo (ADISQ) filed an intervention in connection with this application. ADISQ made general comments regarding the streamlined process set out by the Commission in *The CRTC Streamlines Radio Renewals Process*, Broadcasting Circular CRTC 2002-448, 7 June 2002 (Circular 2002-448). ADISQ noted that, in Circular 2002-448, the Commission stated that it would “assess the effectiveness of this streamlining measure after the 2003 radio renewal round has been completed.” The intervener also commented on the renewal of CINQ-FM’s licence.
3. ADISQ stated that it was not opposed in principle to the streamlined process adopted by the Commission for renewal applications that do not raise any significant concerns, but it was concerned about the use of the streamlined process for this application. ADISQ submitted that there was not enough evaluation of the station’s compliance, nor was there enough information on the public file for it to determine whether or not to support the

¹ The term of this licence was extended for administrative reasons. In *Administrative Renewals*, Broadcasting Decision CRTC 2004-366, 23 August 2004, the Commission extended the term of this licence until 30 November 2004 and in *Administrative Renewals*, Broadcasting Decision CRTC 2004-529, 30 November 2004, the Commission extended the licence term to 30 June 2005.

licence renewal for a seven-year term. ADISQ asked that the Commission hold a full public process on CINQ-FM's licence renewal application, and, as a condition of eligibility for future streamlined renewal processes, that the Commission require that CINQ-FM file with the Commission:

- annual compliance reports on Canadian content and French-language vocal music;
- a report demonstrating that the station provides access to the airwaves to French-language Canadian artists and offers a variety of their musical selections; and
- a separate compliance report on Canadian talent development (CTD) contributions, to be placed on the public file.

4. The licensee did not reply to ADISQ's intervention.

The Commission's analysis and determination

5. The Commission notes ADISQ's comments regarding the streamlined renewal process for radio licences. The Commission stated in Circular 2002-448 that the streamlining initiatives it has adopted in recent years in order to lighten the regulatory burden have assisted the licensees of broadcasting undertakings and have allowed the Commission to direct its limited resources to priority sectors. With respect to the assessment of the effectiveness of the streamlining measures, the Commission will soon issue a circular explaining its conclusions in this regard.
6. The Commission addressed ADISQ's concerns in a number of licence renewal decisions issued previously. In particular, the Commission stated that, while it had adopted a streamlined process, it will continue to carry out its supervisory role, particularly through monitoring of radio stations' compliance. Such monitoring activities include checking logger tapes, playlists, logs and a sampling of the programming broadcast by the stations. The Commission also considers all the complaints that it receives, as well as any negative rulings issued by the Canadian Broadcast Standards Council.
7. In addition, the Commission assesses the information contained in the annual reports filed by the licensees concerning CTD initiatives and examines the performance of the licensees with respect to their individual commitments or conditions of licence, as specified in previous licence renewal and other decisions.
8. While the Commission recognizes that its monitoring reports as well as the reports filed by the applicants may not always have been readily available on the public record, the Commission has now taken steps to ensure that these reports can be accessed on its web site. Moreover, the Commission is convinced that the additional steps proposed by ADISQ, namely, that licensees be required to file additional reports, would only add to the administrative burden faced by broadcasters.

9. The Commission notes the licensee's commitment to devote at least 15% of musical selections in each broadcast week to selections drawn from category 3 (Special Interest music). The Commission points out that the *Radio Regulations, 1986* requires that at least 12% of category 3, and 35% of category 2 musical selections broadcast in each broadcast week be Canadian.
10. Further, the Commission notes that, in the *Community Radio Policy*, Public Notice CRTC 2000-13, 28 January 2000, it eliminated all of the restrictions on the amount of advertising that may be broadcast by Type B stations. Accordingly, Type B stations now benefit from the same flexibility as is applicable to Type A stations.
11. The Commission notes that the licensee did not propose any changes in the number of hours that it intends to broadcast in each broadcast week. Community stations can decrease or increase their weekly broadcast time by up to 20% without application to the Commission. A change of more than 20%, however, requires prior Commission approval. The Commission reminds the licensee that, at the time of CINQ-FM's last licence renewal application, it made a commitment to broadcast 126 hours of programming in each broadcast week, of which at least 124 hours will be produced by the station.
12. Based on its review of this licence renewal application and of the licensee's past performance, the Commission **renews** the broadcasting licence for the French-language Type B community radio programming undertaking CINQ-FM Montréal, from 1 July 2005 to 31 August 2011. The licence will be subject to the **conditions of licence** set out in *New licence form for community radio stations*, Public Notice CRTC 2000-157, 16 November 2000, as well as to the **conditions of licence** set out in the Appendix to this Decision.

Employment equity

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

Secretary General

This decision is to be appended to the licence. It is available in alternative format upon request, and may also be examined in PDF format or in HTML at the following Internet site: <http://www.crtc.gc.ca>

Appendix to Broadcasting Decision CRTC 2005-184

Conditions of licence

1. The licence shall be subject to the conditions set out in *New licence form for community radio stations*, Public Notice CRTC 2000-157, 16 November 2000, as well as to the following conditions:
2. The licensee shall devote a minimum of 65% of the category 2 vocal musical selections broadcast in each broadcast week to French-language musical selections, except for musical selections broadcast during the periods devoted to ethnic programming.
3. The licensee shall devote no more than 40% of its weekly broadcast time between 6 a.m. and midnight to any combination of Type A, B, C or D ethnic programming, as defined in the Schedule to the *Radio Regulations, 1986*.
4. The licensee shall ensure that a minimum of 50% of ethnic programming broadcast be Type A and B ethnic programming.
5. The licensee shall ensure that at least 7% of musical content aired during Type A, B, C and D ethnic broadcast periods is Canadian.
6. The licensee shall provide ethnic programming aimed at a minimum of five cultural groups in at least five languages