



Broadcasting Decision CRTC 2006-9

Ottawa, 18 January 2006

Newcap Inc.

Lac La Biche, Alberta

Application 2005-0544-8

Public Hearing in the National Capital Region

24 October 2005

English-language FM radio station in Lac La Biche

*The Commission **approves** the application by Newcap Inc. for a broadcasting licence to operate an English-language commercial FM radio station in Lac La Biche, Alberta.*

The application

1. The Commission received an application by Newcap Inc. (Newcap) for a broadcasting licence to operate an English-language commercial FM radio programming undertaking in Lac La Biche, Alberta. The proposed station would operate at 103.5 MHz (channel 278A) with an effective radiated power (ERP) of 1,900 watts.
2. Newcap stated that the proposed station would operate in a country music format. It would feature a wide variety of country music hits, focusing primarily on country musical selections from the past 15 years. Newcap also proposed to offer several specialty programs, including a daily request hour, a weekly new music feature, and a weekly classic country program.
3. Newcap stated that it would not participate in the Canadian talent development (CTD) plan developed by the Canadian Association of Broadcasters (CAB). Instead, it made a commitment that in each broadcast year it would contribute \$5,000 to the Canadian StarMaker Fund, and \$5,000 to the Lac La Biche School District for the purchase of musical instruments, for the development of music curriculum, and for music festivals. Newcap agreed to accept a condition of licence requiring adherence to this commitment.

Interventions

4. The Commission received interventions in support of the application from the Town of Lac La Biche, Lakeland County and the Lac La Biche Lakeland County Economic Development Partnership. In addition, an opposing intervention was received from Ms Liz Phillips.

5. Ms Phillips suggested that there is no need for an additional country music radio station in northern Alberta. She indicated that she would support a new radio station that offered a different music format.
6. The applicant did not reply to this intervention.

Commission's analysis and determination

7. The Commission has carefully considered the application as well as the views expressed in the interventions. The Commission considers that a new commercial FM radio station offering a country music format with a focus on local news and community reflection will increase the diversity of programming available in Lac La Biche. Furthermore, the Commission notes that approval of this application will provide Lac La Biche with its first local commercial FM radio service.
8. In light of the above, the Commission **approves** the application by Newcap Inc. for a broadcasting licence to operate an English-language commercial FM radio programming undertaking in Lac La Biche at 103.5 MHz (channel 278A) with an ERP of 1,900 watts. It will operate in a single-station market as defined in *Local programming policy for FM radio – Definition of a single-station market*, Public Notice CRTC 1993-121, 17 August 1993.
9. The licence will expire 31 August 2012 and will be subject to the **conditions** set out in *New licence form for commercial radio stations*, Public Notice CRTC 1999-137, 24 August 1999, with the exception of condition of licence no. 9 relating to the solicitation of local advertising, which does not apply to stations operating in a single-station market, and of condition of licence no. 5 relating to contributions to CTD under the CAB's plan. The licence will be subject to the following **condition** with respect to contributions to CTD:

Upon commencement of operation, the licensee shall make direct expenditures of at least \$70,000 over seven consecutive years on the development of Canadian talent. This amount shall be distributed over seven consecutive broadcast years as follows:

- \$5,000 in each broadcast year to the Canadian StarMaker Fund; and
 - \$5,000 in each broadcast year to the Lac La Biche School District for the purchase of musical instruments, for the development of music curriculum, and for music festivals.
10. The Commission reminds the applicant that all CTD expenditures must be made in accordance with the Commission's policy on qualifying contributions to CTD, as set out in Appendix 1 to *An FM policy for the nineties*, Public Notice CRTC 1990-111, 17 December 1990.

Issuance of the licence

11. The Department of Industry (the Department) has advised the Commission that, while this application is conditionally technically acceptable, it will only issue a broadcasting certificate when it has determined that the proposed technical parameters will not create any unacceptable interference with aeronautical NAV/COM services.
12. The Commission reminds the applicant that, pursuant to section 22(1) of the *Broadcasting Act*, no licence may be issued until the Department notifies the Commission that its technical requirements have been met, and that a broadcasting certificate will be issued.
13. Furthermore, the licence for this undertaking will be issued once the applicant has informed the Commission in writing that it is prepared to commence operations. The undertaking must be operational at the earliest possible date and in any event no later than 24 months from the date of this decision, unless a request for an extension of time is approved by the Commission before 18 January 2008. In order to ensure that such a request is processed in a timely manner, it should be submitted at least 60 days before that date.

Employment equity

14. Because this applicant is subject to the *Employment Equity Act* and files reports concerning employment equity with the Department of Human Resources and Skills Development, its employment equity practices are not examined by the Commission.

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>