



Broadcasting Decision CRTC 2007-385

Ottawa, 22 October 2007

CKUA Radio Foundation

Edmonton, Calgary, Lethbridge, Medicine Hat, Grande Prairie, Peace River, Red Deer, Hinton, Edson, Whitecourt, Athabasca, Fort McMurray, Spirit River, Drumheller, Banff and Lloydminster, Alberta

Application 2007-0333-1, received 26 February 2007

Broadcasting Public Notice CRTC 2007-71

29 June 2007

CKUA-FM Edmonton and its transmitters – Licence renewal and amendment

*The Commission **renews** to 31 August 2014 the broadcasting licence for the English-language commercial FM radio programming undertaking CKUA-FM Edmonton and its transmitters CKUA Edmonton, CKUA-FM-1 Calgary, CKUA-FM-2 Lethbridge, CKUA-FM-3 Medicine Hat, CKUA-FM-4 Grande Prairie, CKUA-FM-5 Peace River, CKUA-FM-6 Red Deer, CKUA-FM-7 Hinton, CKUA-FM-8 Edson, CKUA-FM-9 Whitecourt, CKUA-FM-10 Athabasca, CKUA-FM-11 Fort McMurray, CKUA-FM-12 Spirit River, CKUA-FM-13 Drumheller, CKUA-FM-14 Banff and CKUA-FM-15 Lloydminster.*

*The Commission also **approves** the licensee's request to exempt the licence for the undertaking from the requirement to devote a minimum of 60% of its basic annual Canadian content development (CCD) contributions to FACTOR or MUSICACTION. The licensee will instead be required to allocate its basic annual CCD contribution to eligible parties and activities as defined in paragraph 108 of the Commercial Radio Policy 2006.*

The application

1. The Commission received an application by CKUA Radio Foundation (CKUA Radio) to renew the broadcasting licence for the English-language commercial FM radio programming undertaking CKUA-FM Edmonton and its transmitters CKUA Edmonton, CKUA-FM-1 Calgary, CKUA-FM-2 Lethbridge, CKUA-FM-3 Medicine Hat, CKUA-FM-4 Grande Prairie, CKUA-FM-5 Peace River, CKUA-FM-6 Red Deer, CKUA-FM-7 Hinton, CKUA-FM-8 Edson, CKUA-FM-9 Whitecourt, CKUA-FM-10 Athabasca, CKUA-FM-11 Fort McMurray, CKUA-FM-12 Spirit River, CKUA-FM-13 Drumheller, CKUA-FM-14 Banff and CKUA-FM-15 Lloydminster.¹

¹ In Broadcasting Decision 2007-325, the Commission renewed the licence for CKUA-FM and its transmitters from 1 September 2007 to 30 November 2007.

2. CKUA Radio operates a non-conventional commercial Specialty-based programming service dedicated to broadcasting educational community-based content with a particular focus on non-commercial music and spoken word programming. It operates as a not-for-profit society relying on limited advertising and volunteer opportunities to sustain its operation.
3. As part of its application, CKUA Radio also requested an exemption from the requirement that obliges commercial radio broadcasters to devote a minimum of 60% of its basic annual Canadian content development (CCD) contributions to FACTOR or MUSICACTION as set out in Broadcasting Public Notice 2006-158 (Commercial Radio Policy 2006). CKUA Radio proposed instead to devote its funding to initiatives for the production and promotion of local music and local musical artists, and particularly emerging artists. In support of this request, CKUA Radio submitted that its “singular nature” within the broadcasting system, its educational mandate and its long-standing distribution of CCD funding to various provincial and community-based music initiatives should warrant such an exemption.
4. The Commission did not receive any interventions with respect to this application.

Commission’s analysis and determinations

Licence renewal

5. The Commission **renews** to 31 August 2014 the broadcasting licence for the English-language commercial FM radio programming undertaking CKUA-FM Edmonton and its transmitters CKUA Edmonton, CKUA-FM-1 Calgary, CKUA-FM-2 Lethbridge, CKUA-FM-3 Medicine Hat, CKUA-FM-4 Grande Prairie, CKUA-FM-5 Peace River, CKUA-FM-6 Red Deer, CKUA-FM-7 Hinton, CKUA-FM-8 Edson, CKUA-FM-9 Whitecourt, CKUA-FM-10 Athabasca, CKUA-FM-11 Fort McMurray, CKUA-FM-12 Spirit River, CKUA-FM-13 Drumheller, CKUA-FM-14 Banff and CKUA-FM-15 Lloydminster. The licence will be subject to the **conditions** set out in the appendix to this decision.

Licence amendment

6. In Commercial Radio Policy 2006, the Commission established that, for commercial stations, no less than 60% of the basic annual CCD contribution must be forwarded to FACTOR or MUSICACTION. The remaining amount may be directed to any eligible CCD initiative, at the discretion of the licensee.
7. In the past, the Commission has exempted certain undertakings, including ethnic stations and stations airing predominantly spoken word programming, from this requirement.

8. With respect to CKUA Radio's request to be exempt from the above-noted requirement, the Commission notes that CKUA-FM does not broadcast a typical commercial radio format but integrates cultural and educational programming as well as a variety of music not broadcast on conventional stations into its weekly schedule. The station is required by condition of licence to broadcast a minimum of 6.5 hours per week of formal education programming, and 12% of its musical selections from content category 3 (Special Interest Music) must be Canadian selections.
9. Recognizing the range of category 3 music broadcast by CKUA Radio, the Commission reminds the licensee of the changes set out in Commercial Radio Policy 2006 related to the broadcast of such music. At least 25% of musical selections from subcategory 31 (Concert) and at least 20% of subcategory 34 (Jazz and blues) selections aired during each broadcast week must be Canadian.
10. Unlike most commercial radio stations, CKUA Radio is controlled by a not-for-profit society and registered charity. The station is also well integrated into the community through its programming and its volunteer opportunities.
11. CKUA-FM also has a unique funding structure, relying on revenues through sponsorships and donations, and restricted advertising.
12. The Commission is of the view that although CKUA Radio holds a commercial licence, the station's long-standing unique mandate as an educational and cultural broadcaster, its community-based roots and its funding structure are not typical of a commercial radio station. Accordingly, the Commission **approves** the applicant's request for an exemption from the requirement to devote a minimum of 60% of its basic annual CCD contributions to FACTOR or MUSICACTION. CKUA Radio will instead be required to allocate its basic annual CCD contribution to eligible parties and activities as defined in paragraph 108 of the Commercial Radio Policy 2006. A **condition of licence** to this effect is set out in the appendix to this decision.

Secretary General

Related documents

- *Administrative renewal*, Broadcasting Decision CRTC 2007-325, 23 August 2007
- *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006

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 2007-385

Conditions of licence and encouragement

Conditions of licence

1. The station shall be operated within the Specialty format as defined in *Revised content categories and subcategories for radio*, Public Notice CRTC 2000-14, 28 January 2000 and *A Review of Certain Matters Concerning Radio*, Public Notice CRTC 1995-60, 21 April 1995, as amended from time to time.
2. The licensee shall broadcast a minimum of 6.5 hours per week of formal educational programming, defined as programming that is presented for accredited study at post secondary institutions and which is presented by accredited educators, such as hosts and presenters who are teachers or qualified professors.
3. A minimum of 12% of all musical selections drawn from content category 3 shall be Canadian selections broadcast in their entirety.
4. The licensee is authorized to broadcast a weekly average of 4 minutes of restricted advertising for every hour of broadcast, with a maximum of 6 minutes of restricted advertising in any single hour, up to an overall total of 504 minutes of advertising per week. The restricted advertising broadcast must conform to the definition of restricted advertising set out in *Policies for local programming on commercial radio stations and advertising on campus stations*, Public Notice CRTC 1993-38, 19 April 1993, as amended from time to time.
5. The licensee shall adhere to the guidelines on gender portrayal set out in the Canadian Association of Broadcasters' *Sex-role portrayal code for television and radio programming*, as amended from time to time and approved by the Commission. However, the application of the foregoing condition of licence will be suspended if the licensee is a member in good standing of the Canadian Broadcast Standards Council.
6. The licensee shall adhere to the provisions of the Canadian Association of Broadcasters' *Broadcast code for advertising to children*, as amended from time to time and approved by the Commission.
7. a) The licensee shall make a basic annual contribution to Canadian content development (CCD). The amount of this contribution shall be determined in accordance with the *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006 (Broadcasting Public Notice 2006-158), as amended from time to time.

- b) The basic annual CCD contribution shall be allocated to eligible parties and activities as defined in Broadcasting Public Notice 2006-158.

This condition of licence shall expire upon the coming into force of the amendments to the *Radio Regulations, 1986* relating to CCD.

Encouragement

Employment equity

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