



Broadcasting Decision CRTC 2009-348

Route reference: 2009-36

Ottawa, 16 June 2009

Newcap Inc.

Goose Bay and Wabush, Newfoundland and Labrador

Applications 2008-1513-6 and 2008-1601-9, received 10 and 28 November 2008

Public Hearing in the National Capital Region

30 March 2009

CFLN Goose Bay and its transmitter CFLW Wabush – Conversion to the FM band

1. The Commission **approves** the applications by Newcap Inc. (Newcap) for a broadcasting licence to operate a new English-language, commercial FM radio programming undertaking in Goose Bay, Newfoundland and Labrador, to replace its AM station CFLN Goose Bay and for the conversion to the FM band of its transmitter CFLW Wabush. The terms and **conditions of licence** for the new station and its transmitter are set out in the appendix to this decision. The implementation of the station and its transmitter is subject to the notification by the Department of Industry set out in the appendix to this decision. The Commission did not receive any interventions in connection to these applications.
2. Newcap is owned and controlled by Newfoundland Capital Corporation Limited, which in turn is controlled by Mr. Harold R. Steele.
3. The new station will maintain its current Country music format with a strong emphasis on spoken word programming. Of the broadcast week, 62 hours will be devoted to spoken word programming, including 7 hours and 20 minutes of pure news content. Spoken word programming will also include local weather, surveillance, as well as long-form talk programming originating from and relevant to the community.
4. The station will operate in a single-station market as defined in Public Notice 1993-121. Accordingly, the station is not subject to the requirement that, in order to solicit or accept local advertising, one third of its programming must be local. The applicant has, however, made a commitment to offer 126 hours of local programming in each broadcast week.

Canadian content development

5. The Commission reminds Newcap that it must adhere to the requirements relating to contributions to Canadian content development (CCD) set out in section 15 of the *Radio Regulations, 1986*, as amended from time to time. The Commission notes Newcap's

commitments to CCD contributions that are over and above the basic amount. Specifically, Newcap indicated that in addition to the required basic annual contributions, it would, by condition of licence, contribute a total of \$35,000 to CCD over seven broadcast years, upon commencement of operations. Of this amount, 20% would be devoted to FACTOR, with the remainder to be directed to the Goose Bay Queen of Peace Middle School for the purchase of musical instruments and music curriculum materials.

6. The Commission reminds the applicant that any development initiatives that have not been allocated to specific parties by condition of licence must be allocated to the support, promotion, training and development of Canadian musical and spoken word talent, including journalists. Parties and initiatives eligible for CCD funding are identified in paragraph 108 of Broadcasting Public Notice 2006-158.

Simulcast period and revocation of AM licence

7. As set out in the appendix to this decision, Newcap is authorized to simulcast the programming of the new FM station on CFLN Goose Bay and CFLW Wabush for a transition period of three months following the commencement of operations of the FM station. Pursuant to sections 9(1)(e) and 24(1) of the *Broadcasting Act*, and consistent with the licensee's request, the Commission will **revoke** the licence for CFLN and its transmitter CFLW Wabush effective at the end of the simulcast period.

Employment equity

8. Because this licensee 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

Related documents

- *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006
- *Local programming policy for FM radio – Definition of a single-station market*, Public Notice CRTC 1993-121, 17 August 1993

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 2009-348

Terms and conditions of licence

Terms

Issuance of the broadcasting licence to operate an English-language, commercial FM radio programming undertaking in Goose Bay and a transmitter in Wabush, Newfoundland and Labrador

The licence will expire 31 August 2015.

The station will operate at 97.9 MHz (channel 250A) with an average effective radiated power (ERP) of 1,000 watts (non-directional antenna/effective height of antenna above average terrain of 25.4 metres).

The transmitter in Wabush will operate at 94.7 MHz (channel 234A) with an ERP of 1,000 watts (non-directional antenna/effective height of antenna above average terrain of -26.4 metres).

Condition prior to the implementation of the new undertaking

The Department of Industry (the Department) has advised the Commission that, while this application is conditionally technically acceptable, it will only issue broadcasting certificates when it has determined that the proposed technical parameters will not create any unacceptable interference with aeronautical NAV/COM services.

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 broadcasting certificates will be issued.

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 16 June 2011. In order to ensure that such a request is processed in a timely manner, it should be submitted at least 60 days before this date.

Conditions of licence

1. The licence will be subject to the conditions set out in *Conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009, with the exception of condition of licence number 8.
2. The licensee is authorized to simulcast the programming of the new FM station on CFLN Goose Bay and its transmitter CFLW Wabush for a transition period of three months following the commencement of operations of the FM station.

3. In addition to the required basic annual contribution to Canadian content development (CCD) set out in section 15 of the *Radio Regulations, 1986*, as amended from time to time, the licensee shall, upon commencement of operations, make an annual contribution of \$5,000 (\$35,000 over seven consecutive broadcast years) to the promotion and development of Canadian content.

Of this amount, the licensee shall allocate no less than 20% per broadcast year to FACTOR. The remaining amounts of this additional CCD contribution shall be allocated to parties and initiatives fulfilling the definition of eligible initiatives set out in paragraph 108 of *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006.