



## Broadcasting Decision CRTC 2009-580

Route reference: 2009-158

Additional reference: 2009-158-2

Ottawa, 15 September 2009

### **Alex J. Walling, on behalf of a corporation to be incorporated**

Liverpool, Nova Scotia

*Application 2008-1680-4, received 8 December 2008*

*Public Hearing in Halifax, Nova Scotia*

*28 May 2009*

### **Community radio station in Liverpool**

*The Commission **approves** an application for a broadcasting licence to operate an English-language, low-power Type B community FM radio station in Liverpool, Nova Scotia.*

#### **Introduction**

1. The Commission received an application by Alex J. Walling, on behalf of a corporation to be incorporated (Walling), for a broadcasting licence to operate an English-language, low-power Type B community FM radio programming undertaking in Liverpool, Nova Scotia. There were no interventions to this application.
2. Walling will be a not-for-profit organization controlled by its board of directors and will be Canadian within the meaning of the *Direction to the CRTC (Ineligibility of Non-Canadians)*, P.C. 1997-486, 8 April 1997, as amended by P.C. 1998-1286, 15 July 1998.

#### **Proposed service**

3. Walling stated that the station would broadcast 126 hours of programming in each broadcast week. All of the programming would be local. Most of the music programming would consist of selections drawn from content category 2 (Popular Music) but would also include musical selections from content category 3 (Special Interest Music).
4. Spoken word programming would consist of local and regional news, weather, sports coverage as well as the promotion of local events and activities. At least 20% of the spoken word programming would be devoted to local news and 50% to regional news. Included in the spoken word programming would be an in-depth news program and a 15-minute sports program as well as speeches from local service clubs.

5. With respect to local talent development, the applicant proposed to provide opportunities for exposure of talent in the Liverpool community, whether local and area musicians or local theatre groups. The applicant also proposed to promote emerging artists seldom heard on other radio stations.
6. The applicant indicated that volunteers would consist of community members and of students from the local high school. Two experienced volunteer broadcasters would train new volunteers to contribute to the radio station's activities. Written training material would also be developed to assist in training.

### **Commission's determination**

7. The Commission is satisfied that the application is consistent with the provisions for Type B community radio stations set out in *Community radio policy*, Public Notice CRTC 2000-13, 28 January 2000 (Public Notice 2000-13). Accordingly, the Commission **approves** the application by Alex J. Walling, on behalf of a corporation to be incorporated, for a broadcasting licence to operate an English-language, low-power Type B community FM radio programming undertaking in Liverpool, Nova Scotia. The terms and **conditions of licence** are set out in the appendix to this decision.
8. The Commission reminds the applicant that a Type B community radio station may not increase or decrease its total weekly broadcast time by more than 20% without prior approval.
9. The Commission also reminds the applicant that, consistent with Public Notice 2000-13, a Type B community radio station must devote 25% of its weekly programming to spoken word programming with a focus on community-oriented spoken word.

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 2009-580

## Terms, conditions of licence and encouragement

### Terms

#### **Issuance of the broadcasting licence to operate an English-language, low-power Type B community FM radio programming undertaking in Liverpool, Nova Scotia**

The licence will expire 31 August 2016.

The station will operate at 99.3 MHz (channel 257LP) with an effective radiated power of 50 watts.

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.

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.

Given that the technical parameters approved in this decision are for a low-power unprotected FM service, the Commission also reminds the applicant that it will have to select another frequency if the Department so requires.

Furthermore, the licence for this undertaking will be issued once the applicant:

- has satisfied the Commission, with supporting documentation, that an eligible Canadian corporation has been incorporated in accordance with the application in all material respects; and
- 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 15 September 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.

In accordance with *Community radio policy*, Public Notice CRTC 2000-13, 28 January 2000, the licence for this community radio station will be held by a not-for-profit organization without share capital whose structure provides for membership, management, operation and programming by members of the community at

large. The board of directors will ultimately control the undertaking and be responsible for adherence to the *Radio Regulations, 1986* and the station's conditions of licence.

### **Conditions of licence**

1. The licence will be subject to the conditions set out in *New licence form for community radio stations*, Public Notice CRTC 2000-157, 16 November 2000.
2. The licensee shall devote, in each broadcast week, 12% or more of its musical selections from content category 3 (Special Interest Music) to Canadian selections broadcast in their entirety.

### **Encouragement**

The Commission considers that community radio stations should be particularly sensitive to employment equity issues in order to reflect fully 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.