



Broadcasting Decision CRTC 2010-411

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Route reference: 2009-786

Ottawa, 29 June 2010

Sound of Faith Broadcasting

Woodstock, Ontario

Application 2009-0020-1, received 8 January 2009

CJFH-FM Woodstock – Licence renewal

The Commission renews the broadcasting licence for the English-language specialty radio station CJFH-FM Woodstock from 1 July 2010 to 31 August 2013. This short-term licence renewal will enable the Commission to review, at an earlier date, the licensee's compliance with the Radio Regulations, 1986 and its conditions of licence.

Introduction

1. The Commission received an application by Sound of Faith Broadcasting (Sound of Faith) to renew the broadcasting licence for the English-language specialty radio programming undertaking CJFH-FM Woodstock, which expires 30 June 2010.¹ The Commission did not receive any interventions in connection with this application.
2. In Broadcasting Notice of Consultation 2009-786, the Commission stated that the licensee may have failed to comply with section 9(2) of the *Radio Regulations, 1986* (the Regulations), which relates to the provision of annual returns, for the 2006, 2007 and 2008 broadcast years. The Commission also stated that the licensee may have failed to comply with its condition of licence relating to contributions to Canadian talent development (CTD), for the 2005 and 2006 broadcast years.

Commission's analysis and determinations

3. After examining the application in light of applicable regulations and policies, the Commission considers that the issues to be addressed in its determinations relate to the following:
 - contributions to CTD, and
 - the provision of annual returns.

¹ The current licence was administratively renewed until 31 December 2009 in Broadcasting Decision 2009-506, until 31 May 2010 in Broadcasting Decision 2009-785, and until 30 June 2010 in Broadcasting Decision 2010-324.

Contributions to Canadian talent development

4. The Commission notes that the licensee had a shortfall of \$2,500 in regard to its CTD contributions for the 2005 and 2006 broadcast years. The licensee acknowledged this shortfall and stated that it has not yet paid it. The Commission further notes that the licensee did not submit its annual return for the 2009 broadcast year and that, as a consequence, the Commission cannot confirm whether the CTD contribution for 2009 was in fact made. In this regard, the Commission considers that the licensee has a shortfall of \$3,000 for the 2009 broadcast year. Finally, the Commission notes that the licensee made an overpayment in its CTD contribution for the 2008 broadcast year.
5. In Broadcasting Decision 2003-146, the initial licensing decision for CJFH-FM, the Commission imposed the following condition of licence relating to contributions to CTD:

The licensee shall devote a minimum of \$2,000 per year, adding increments of \$200 in years two to seven, in direct cost expenditures toward the development of Canadian talent. This will entail hosting an annual talent contest and concert whose winners will receive \$1,500 toward the production of a CD in a local studio. The remaining Canadian talent development funding will be given to the Canadian Gospel Music Association.

The Commission **directs** the licensee to expend, by no later than 31 August 2010, the remaining \$5,169 of its initial CTD commitment set out above (this amount takes into account the licensee's 2008 CTD overpayment). Consistent with its condition of licence relating to CTD, the contributions must be directed towards an annual talent contest and concert whose winners will receive \$1,500 toward the production of a CD in a local studio. The remaining CTD funding will be directed to the Canadian Gospel Music Association. The Commission also directs the licensee to provide, by no later than 30 November 2010 in its annual return for the 2010 broadcast year, proof of payment for all contributions (including arrears) made during that broadcast year, as well as proof of payment of its required CTD contribution of \$3,200 for the 2010 broadcast year, as set out in Broadcasting Decision 2003-146.

Provision of annual returns

6. As set out in section 9(2) of the Regulations, licensees are required to file their annual returns for a given broadcast year by 30 November of that same broadcast year. The Commission notes that, for the 2006 through 2008 broadcast years, the licensee's annual returns were filed after this 30 November deadline.
7. The licensee indicated that this instance of non-compliance was caused by a combination of inexperienced staff and several changes to the local advisory board. It further stated, however, that a new management structure has been put in place for the station and that all bookkeeping functions have been centralized in Kitchener, which will ensure that future annual returns are filed in a timely fashion.

Conclusion

8. In light of all of the above, in accordance with its practice regarding radio non-compliance set out in Circular No. 444, the Commission considers that a short-term renewal period for CJFH-FM would be appropriate. Accordingly, the Commission **renews** the broadcasting licence for the English-language commercial radio programming undertaking CJFH-FM Woodstock from 1 July 2010 to 31 August 2013, four years from the original expiry date of 31 August 2009. This short-term renewal will enable the Commission to assess, at an earlier date, the licensee's compliance with the Regulations and its conditions of licence. The licence will be subject to the **conditions** set out in the appendix to this decision.

Secretary General

Related documents

- *Administrative renewals*, Broadcasting Decision CRTC 2010-324, 28 May 2010
- *Notice of applications received*, Broadcasting Notice of Consultation CRTC 2009-786, 17 December 2009
- *Administrative renewals*, Broadcasting Decision CRTC 2009-785, 17 December 2009
- *Administrative renewals*, Broadcasting Decision CRTC 2009-506, 20 August 2009
- *Low-power Christian music FM radio station in Woodstock*, Broadcasting Decision CRTC 2003-146, 7 May 2003
- *Practices regarding radio non-compliance*, Circular No. 444, 7 May 2001

**This decision is to be appended to the licence.*

Appendix to Broadcasting Decision CRTC 2010-411

Conditions of licence and encouragement

Conditions of licence

1. The licence will be subject to the conditions set out in *Conditions of licence for AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009, with the exception of condition of licence number 7.
2. The station shall be operated within the Specialty format as defined in *A review of certain matters concerning radio*, Public Notice CRTC 1995-60, 21 April 1995, and *Revised content categories and subcategories for radio*, Public Notice CRTC 2000-14, 28 January 2000, as amended from time to time.
3. A minimum of 90% of all musical selections broadcast during each broadcast week shall be devoted to selections drawn from subcategory 35 (Non-classic religious).
4. The licensee shall ensure that a minimum of 10% of musical selection from category 3 (Special interest music) broadcast during each broadcast week are Canadian selections.
5. The licensee shall adhere to the guidelines on ethics for religious programming as set out in section IV of *Religious Broadcasting Policy*, Public Notice CRTC 1993-78, 3 June 1993, as amended from time to time.

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.