



Broadcasting Decision CRTC 2011-278

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Route reference: 2010-935

Ottawa, 29 April 2011

Centre Wellington Community Radio Inc.
Elora and Fergus, Ontario

Application 2010-0116-4, received 29 January 2010
Public Hearing in the National Capital Region
11 February 2011

English-language community FM radio station in Elora and Fergus

*The Commission **approves** an application for a broadcasting licence to operate an English-language community FM radio station in Elora and Fergus, Ontario.*

The application

1. The Commission received an application by Centre Wellington Community Radio Inc. (CWCR) for a broadcasting licence to operate an English-language community FM radio programming undertaking in Elora and Fergus, Ontario. The Commission received numerous interventions in support of this application.
2. CWCR is a not-for-profit corporation controlled by its board of directors.
3. The station would operate at 92.9 MHz (channel 225A1) with an average effective radiated power (ERP) of 85 watts (maximum ERP of 200 watts with an effective height of antenna above average terrain of 54.2 metres).¹
4. In Broadcasting Regulatory Policy 2010-499, the Commission announced a number of changes to the regulatory framework for campus and community radio stations. CWCR confirmed that it would adhere to the changes set out in that policy.
5. The applicant indicated that, during each broadcast week, the station would broadcast 126 hours of programming, of which a minimum of 121 hours would be locally produced. The programming would include spoken word and musical selections.
6. CWCR indicated that the spoken word programming would consist of weather, news and sports. Additionally, CWCR would develop programs to serve the

¹ These technical parameters reflect those approved by the Department of Industry.

interests of the community. *Centre on Wellington*, an example of such a program, would discuss a variety of issues on economic development, as well as proceedings at municipal council meetings, elections and other special events.

7. The station's musical programming would be drawn from a range of content category 2 and 3 musical selections,² including specialty music programs. The applicant indicated that it would be prepared to accept a requirement, as a condition of licence, that it devote during each broadcast week not less than 40% of its musical selections from content category 2 to Canadian selections broadcast in their entirety.
8. With respect to the promotion of local Canadian talent, the applicant stated that it would work with local organizations to develop broadcast features that could be scheduled and promoted to listeners. Additionally, CWCR would promote emerging Canadian talent through its local programming initiatives by showcasing the music and biographical information of emerging artists and, wherever possible, by featuring locally and regionally based artists.
9. CWCR stated that it is committed to the development of volunteers and that volunteers would play an important role in the operation of the station. Station duties would include hosting music shows and spoken word programs, delivering news, creating features, engaging in radio production and other related duties. Further, the applicant would have a volunteer committee, under the guidance of a volunteer coordinator, to encourage community participation in the operation of the station.

Commission's determination

10. The Commission expects community-based radio stations to provide programming differing in style and substance from that provided by other elements of the broadcasting system, particularly commercial radio stations and the Canadian Broadcasting Corporation. Such programming should consist of music, especially Canadian music, not generally heard on commercial stations (including special interest music, as well as styles of popular music seldom broadcast), in-depth spoken word programming, and programming targeted to specific groups within the community.
11. The Commission is satisfied that the application is consistent with the provisions for community radio stations set out in Broadcasting Regulatory Policy 2010-499. Accordingly, the Commission **approves** the application by Centre Wellington Community Radio Inc. for a broadcasting licence to operate an English-language

² In Broadcasting Regulatory Policy 2010-499, the Commission presented its preliminary view that the Canadian content level for category 3 music should increase from 12% to 15%. The Commission has since issued a call for comments on whether a 15% or higher level would be an appropriate level of Canadian content for category 3 music (see Broadcasting Notice of Consultation 2011-173).

community FM radio programming undertaking in Elora and Fergus, Ontario. The terms and **conditions of licence** are set out in the appendix to this decision.

Secretary General

Related documents

- *Call for comments on amendments to the Radio Regulations, 1986, Broadcasting Notice of Consultation CRTC 2011-173, 11 March 2011*
- *Campus and community radio policy, Broadcasting Regulatory Policy CRTC 2010-499, 22 July 2010*

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

Appendix to Broadcasting Decision CRTC 2011-278

Terms, conditions of licence, expectation and encouragement

Terms

Issuance of the broadcasting licence to operate an English-language FM community radio programming undertaking in Elora and Fergus, Ontario

The licence will expire 31 August 2017.

The station will operate at 92.9 MHz (channel 225A1) with an average effective radiated power (ERP) of 85 watts (maximum ERP of 200 watts with an effective height of antenna above average terrain of 54.2 metres).

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.

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 29 April 2013. 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.

The Commission requires the applicant to file within 30 days of the date of this decision a copy of its amended and executed by-laws in order to comply at all times with the Direction to the CRTC (Ineligibility of non-Canadians).

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, with the exception of conditions of licence 1 and 9.
2. The licensee shall, during each broadcast week, devote a minimum of 15% of all programming to material from content category 1 (Spoken Word), as amended from time to time. All of this spoken word programming shall be locally produced (that is, produced by or exclusively for the licensee).
3. As an exception to section 2.2(8) of the *Radio Regulations, 1986*, the licensee shall, during each broadcast week, devote a minimum of 40% of all musical selections from content category 2 (Popular Music) to Canadian selections broadcast in their entirety.

4. The licensee shall, during each broadcast week, devote a minimum of 12% of all musical selections from content category 3 (Special Interest Music) to Canadian selections broadcast in their entirety. This condition of licence will expire upon the coming into force of amendments to the *Radio Regulations, 1986*, introducing requirements pertaining to the minimum level/percentage of content category 3 musical selections that must be devoted to Canadian selections broadcast in their entirety by campus and community radio undertakings.
5. The licensee shall adhere to the *Equitable Portrayal Code*, as amended from time to time and approved by the Commission.

Expectation

Filing of ownership information

As set out in *Campus and community radio policy*, Broadcasting Regulatory Policy CRTC 2010-499, 22 July 2010, the Commission expects all community and campus licensees to file yearly updates on the composition of their boards of directors. These annual updates can be submitted at the time of submission of annual returns, following annual board of directors' elections, or at any other time. As noted in Appendix 3 to that regulatory policy, licensees may submit such documentation via the Commission's website.

Encouragement

Employment equity

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.