



## Broadcasting Decision CRTC 2012-437

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Route reference: 2012-224

Additional reference: 2012-224-1

Ottawa, 9 August 2012

**Cowichan Valley Community Radio Society**  
Lake Cowichan, British Columbia

*Application 2012-0344-7, received 19 March 2012  
Public hearing the National Capital Region  
19 June 2012*

### Community radio station in Lake Cowichan

*The Commission approves an application for a broadcasting licence to operate an English-language low-power community FM radio station in Lake Cowichan, British Columbia.*

#### The application

1. The Commission received an application by Cowichan Valley Community Radio Society (Cowichan) for a broadcasting licence to operate an English-language low-power community FM radio programming undertaking in Lake Cowichan, British Columbia. The Commission received interventions in support of this application.
2. Cowichan is a not-for-profit corporation controlled by its board of directors.
3. In Broadcasting Decision 2009-191, the Commission approved an application by Cowichan for a developmental community radio station in Lake Cowichan. In Public Notice 2000-13, the Commission indicated that developmental community radio stations would generally be licensed for a three-year term and that at the end of this term licensees would be expected to have filed an application with the Commission for a regular community radio licence or to cease operations. Cowichan filed the present application in order to comply with this approach.
4. The new station would operate at 97.5 MHz (channel 248LP) with an effective radiated power of 50 watts (non-directional antenna with an effective height of antenna above average terrain of -82 metres<sup>1</sup>).
5. The applicant indicated that, during each broadcast week, the station would broadcast 126 hours of programming.

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<sup>1</sup> These technical parameters reflect those approved by the Department of Industry.

6. The station would offer 38 hours of spoken word programming per broadcast week, all of which would be local, station-produced programming. The programming would include a community calendar, public service announcements and interviews. The station would devote 90% of its news time to local news, with the remaining 10% being devoted to regional news.
7. The station's musical programming would be drawn from content categories 2 (Popular Music) and 3 (Special Interest Music), including specialty music programs focusing on blues, jazz and acoustic folk music. The station would offer 24 hours per broadcast week of category 3 musical selections.
8. With respect to the promotion of local talent, the applicant stated that it would encourage entertainers to visit the station and perform live. It also would also broadcast a program that features local artists.
9. With respect to volunteers, Cowichan is in the process of establishing a training syllabus and is working on training for volunteers relating to specific areas of broadcasting. At present, station-produced spoken word programming is produced and hosted by volunteers.

### **Commission's analysis and decision**

10. The Commission expects community 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. In light of all of the above, 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 Cowichan Valley Community Radio Society for a broadcasting licence to operate an English-language low-power community FM radio programming undertaking in Lake Cowichan, British Columbia. The terms and **conditions of licence** are set out in the appendix to this decision.

Secretary General

### **Related documents**

- *Campus and community radio policy*, Broadcasting Regulatory Policy CRTC 2010-499, 22 July 2010
- *Developmental community radio station in Lake Cowichan*, Broadcasting Decision CRTC 2009-191, 15 April 2009
- *Community radio policy*, Public Notice CRTC 2000-13, 28 January 2000

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

## **Appendix to Broadcasting Decision CRTC 2012-437**

### **Terms, conditions of licence, expectation and encouragement for the English-language low-power community FM radio programming undertaking in Lake Cowichan, British Columbia**

#### **Terms**

The licence will be effective 1 September 2012 and will expire 31 August 2019.

The new station will operate at 97.5 MHz (channel 248LP) with an effective radiated power of 50 watts (non-directional antenna with an effective height of antenna above average terrain of -82 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 **9 August 2014**. 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 *Campus and community radio policy*, Broadcasting Regulatory Policy CRTC 2010-499, 22 July 2010, 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.

The applicant is required to file, within 12 months of the date of this decision, a copy of its amended and executed by-laws demonstrating that it is in compliance with the Direction to the CRTC (*Ineligibility of non-Canadians*).

#### **Conditions of licence**

1. The licence shall be subject to the conditions set out in *Standard conditions of licence for campus and community stations*, Broadcasting Regulatory Policy CRTC 2012-304, 22 May 2012.

## **Expectation**

### **Filing of ownership information**

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 filing of annual returns, following annual board of directors' elections or at any other time. 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.