



Broadcasting Decision CRTC 2012-621

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Route reference: 2012-370

Ottawa, 9 November 2012

7954689 Canada Inc.
Montréal, Quebec

Application 2012-0748-1, received 7 June 2012
Public hearing in Montréal, Quebec
10 September 2012

English-language AM radio station in Montréal

*The Commission **approves** an application by 7954689 Canada Inc. for a broadcasting licence to operate an English-language commercial AM radio station in Montréal.*

The application

1. The Commission received an application by 7954689 Canada Inc. (7954689 Canada) for a broadcasting licence to operate an English-language commercial AM radio programming undertaking in Montréal. The proposed station would operate at 600 kHz (class B) with a transmitter power of 10,000 watts daytime and 5,000 watts night-time.
2. 7954689 Canada is equally controlled by 6556027 Canada Inc. (Rajiv Pancholy), 4158695 Canada Inc. (Paul Tietolman) and 9225-8318 Québec Inc. (Nicolas Tétrault).
3. The proposed station would offer a spoken word format including news, public affairs, debates and open-line programs intended for English-language listeners in the Greater Montréal area. Programming would primarily target those between the ages of 25 and 54.
4. The applicant committed to devote, in each broadcast week, all of its programming to local programming (126 hours). Local programming would include 10 hours and 30 minutes of news (local, regional, national and international), 9 hours and 27 minutes of weather and sports reports, as well as surveillance programming.
5. This application was filed following the issuance of *AM radio stations in Montréal*, Broadcasting Decision CRTC 2011-721, 21 November 2011, in which the Commission approved an application by 7954689 Canada for a broadcasting licence to operate a French-language commercial AM radio programming undertaking in

Montréal. Although the applicant requested authority to operate at 690 kHz, the Commission instead granted it authority to operate at 940 kHz.¹ In that same decision, the Commission denied 7954689 Canada's application to operate an English-language commercial AM radio programming undertaking in Montréal at 940 kHz, but indicated that if it wished to pursue its proposal through the use of an alternative frequency, it could do so by submitting a new application, which would be examined by the Commission on its own merits.

Interventions

6. The Commission received interventions in support of this application, as well as a comment and an intervention in opposition, to which the applicant did not reply. The complete record for this proceeding is available on the Commission's website at www.crtc.gc.ca under "Public Proceedings."
7. The opposing intervention submitted by an individual stated that CJAD Montréal, an English-language commercial AM radio station operating at 800 kHz, is already struggling due to existing competition, and that frequency 600 kHz would be better utilized by a different applicant.

Commission's analysis and decision

8. The Commission acknowledges the concerns raised by the opposing intervener, but notes that it did not submit any evidence in support of its claims.
9. The Commission notes that CJAD is well established in the Montréal radio market, and that the licensee of CJAD did not submit an intervention in opposition to the present application. The Commission also notes that CJAD is the only English-language commercial radio station in Montréal offering news and news-oriented, talk programming. CBME-FM Montréal, which offers the Canadian Broadcasting Corporation's Radio One service, is a non-commercial station. CKGM Montréal offers sports. The Commission further notes that all English-language music stations in Montréal operate on the FM band.
10. The Commission is of the view that the proposed station would benefit listeners of spoken word programming by providing them with another option and that it would not have an undue negative financial impact on existing radio stations serving the Montréal market. Moreover, the Commission is of the view that by operating an English- and a French-language radio station in the same market, 7954689 Canada would be able to take advantage of certain synergies that would exist between the two stations.

¹ The Commission granted 690 kHz to the English-language commercial AM radio station CKGM Montréal, which was previously broadcasting at 990 kHz.

Conclusion

11. In light of all of the above, the Commission **approves** the application by 7954689 Canada Inc. for a broadcasting licence to operate an English-language commercial AM radio programming undertaking in Montréal. The terms and **conditions of licence** are set out in the appendix to this decision.
12. The Commission notes that the applicant has committed to ensuring that its programming complies with the Commission's policy regarding open-line programming. Consequently, the Commission expects the applicant to ensure that its open-line programs meet the Commission's policy at all times.

Canadian content development

13. The Commission reminds the applicant that it must adhere to the requirements relating to Canadian content development (CCD) contributions set out in section 15 of the *Radio Regulations, 1986*, as amended from time to time. The Commission notes that 7954689 Canada committed to devote, of its basic contributions to CCD, 15% to the Community Radio Fund of Canada, 45% to FACTOR and/or MUSICACTION and 40% in the form of scholarships to general and vocational colleges (CEGEPs) as well as universities in Montréal that offer a program in journalism.

Secretary General

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

Appendix to Broadcasting Decision CRTC 2012-621

Terms, conditions of licence, commitment, expectation and encouragement for the English-language commercial AM radio programming undertaking in Montréal, Quebec

Terms

The licence will expire 31 August 2019.

The new station will operate at 600 kHz (class B) with a transmitter power of 10,000 watts daytime and 5,000 watts night-time.

The Commission reminds the applicant that, pursuant to section 22(1) of the *Broadcasting Act*, no licence may be issued until the Department of Industry 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 November 2014**. In order to ensure that such a request is processed in a timely manner, it should be submitted in writing at least 60 days before this date.

Conditions of licence

1. The licensee shall adhere 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.

Commitment

The licensee commits to ensuring that all of its programming (100%) broadcast during each broadcast week is local programming.

Expectation

The Commission expects the licensee to ensure that its open-line programs meet the Commission's policy regarding open-line programming at all times.

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.