



Broadcasting Notice of Consultation CRTC 2013-218

PDF version

Ottawa, 7 May 2013

Notice of applications received

Various locations

Renewal of the broadcasting licences for certain radio stations expiring

31 August 2013

Deadline for submission of interventions/comments/answers: 11 June 2013

[\[Submit an intervention/comment/answer or view related documents\]](#)

The Commission has received the following applications:

Applicant/licensee and locality

1. **RNC MEDIA Inc.**
Donnacona, Quebec
Application 2012-0334-8
2. **Radio Chalom**
Montréal, Quebec
Application 2012-1465-0
3. **Acadia Broadcasting Limited**
Sioux Lookout, Ontario
Application 2012-1371-9
4. **Acadia Broadcasting Limited**
Red Lake, Ontario
Application 2012-1360-3

1. **RNC MEDIA Inc.**
Donnacona, Quebec
Application 2012-0334-8

Application by **RNC MEDIA Inc.** (RNC) to renew the broadcasting licence for the French-language commercial radio programming undertaking CHXX-FM Donnacona, Quebec and its transmitter CHXX-FM-1 Sainte-Croix-de-Lotbinière, expiring 31 August 2013.

The licensee requested to delete conditions of licence 3 and 4:

3. The licensee shall maintain a studio in Donnacona to ensure local coverage and a local presence.

4. During each broadcast week, the licensee shall broadcast no less than 14 hours of local programming produced at its Donnacona studio and targeting residents of the Portneuf area.

The licensee stated that CHXX-FM has been in a negative financial situation since it was acquired by RNC in 2006. In light of the fact that the station is an integral part of the Québec market, that the programming produced in the Donnacona studio has low listenership in that market and that there is no BBM tuning data for Portneuf to measure its local success, the licensee believes that it is important to replace the local programming hours produced in its Donnacona studio targeting the Portneuf region with programming better tailored to the greater Québec market.

It appears that the licensee may have failed to comply with its condition of licence relating to Canadian talent development contributions for the 2006-2007 broadcast year.

The Commission will examine this instance of apparent non-compliance and the proposed amendment in the context of the renewal of the licence and may consider the use of regulatory measures, such as a short-term renewal, in accordance with *Revised approach to non-compliance by radio stations*, Broadcasting Information Bulletin CRTC 2011-347, 26 May 2011.

Licensee's address:

1 Place Ville Marie
Montréal, Quebec
H3B 2B5
Fax: 514-866-8777
Email: rbriere@rncmedia.ca

2. Radio Chalom
Montréal, Quebec
Application 2012-1465-0

Application by **Radio Chalom** to renew the broadcasting licence for the religious radio programming undertaking CJRS Montréal, Quebec, expiring 31 August 2013.

It appears that the licensee may be in non-compliance with its condition of licence relating to Canadian talent development (CTD) contributions as well as with section 9(2) of the *Radio Regulations, 1986* (the Regulations), relating to the submission of annual returns for the 2006-2007, 2007-2008, 2008-2009, 2009-2010 and 2010-2011 broadcast years.

The licensee indicated that it experienced financial hardship following the commencement of the operation of the station, and was unable to fulfill its commitment to contribute a total of \$35,000 to CTD over its first seven years of operation, as set out in long form Broadcasting Decision CRTC 2006-80, resulting in a total shortfall of \$35,000.

The licensee requested that its existing condition of licence relating to CTD contributions be replaced with the requirements set out in section 15 of the Regulations, retro-active to its first year of operations. The licensee stated that pursuant to section 15 of the Regulations, its total required contributions over its first licence term would have been \$3,500, not \$35,000, as set out in its original licensing decision.

The licensee committed to make monthly payments of \$500 to MUSICACTION until the total sum of \$3,500 is paid.

The Commission will examine these instances of apparent non-compliance and the proposed amendment in the context of the renewal of the licence and may consider the use of regulatory measures, such as a short-term renewal, in accordance with *Revised approach to non-compliance by radio stations*, Broadcasting Information Bulletin CRTC 2011-347, 26 May 2011.

Licensee's address:

4835 Côte-Sainte-Catherine
Suite 2
Montréal, Quebec
Fax: 450-963-7229
Email: lours2003@videotron.ca

3. Acadia Broadcasting Limited
Sioux Lookout, Ontario
Application 2012-1371-9

Application by **Acadia Broadcasting Limited** to renew the broadcasting licence for the commercial radio programming undertaking CKDR-2-FM Sioux Lookout, Ontario, and its transmitters CKDR-1 Ignace and CKDR-3 Hudson, expiring 31 August 2013.

The licensee requested to change the allocation of the tangible benefits package approved by administrative letter and announced in *Applications granted approval pursuant to streamlined procedures*, Broadcasting Public Notice CRTC 2007-60, 7 June 2007. The licensee noted that due to an oversight on its part, no contributions were made to the Starmaker Fund (Starmaker), and that its chosen local initiatives were actually overfunded by the same amount that should have been directed to Starmaker. The licensee therefore proposed to correct this oversight by directing the local initiative monies to Starmaker until such time as the total dollar commitment has been made to Starmaker, and by no later than 31 August 2014. The licensee specified that the contributions to FACTOR are on schedule and will be completed by 31 August 2014.

The Commission examined the licensee's compliance with its requirements regarding Canadian content development and the submission of annual returns, as set out by condition of licence and in the *Radio Regulations, 1986*. Based on this examination, the Commission considers that the licensee is in compliance with its regulatory requirements.

Licensee's address:

58 King Street
3rd Floor
Saint John, New Brunswick
E2L 1G2
Fax: 501-634-5153
Email: macmullin.jim@radioabl.ca

4. Acadia Broadcasting Limited
Red Lake, Ontario
Application 2012-1360-3

Application by **Acadia Broadcasting Limited** to renew the broadcasting licence for the commercial radio programming undertaking CKDR-5-FM Red Lake, Ontario and its transmitter CKDR-4 Ear Falls, expiring 31 August 2013.

The licensee has requested to change the allocation of the tangible benefits package approved by administrative letter and announced in *Applications granted approval pursuant to streamlined procedures*, Broadcasting Public Notice CRTC 2007-60, 7 June 2007. The licensee notes that due to an oversight on its part, no contributions were made to the Starmaker Fund (Starmaker), and that its chosen local initiatives were actually overfunded by the same amount that should have been directed to Starmaker. The licensee therefore proposed to correct this oversight by directing the local initiative monies to Starmaker until such time as the total dollar commitment has been made to Starmaker, and by no later than 31 August 2014. The licensee specifies that the contributions to FACTOR are on schedule and will be completed by 31 August 2014.

The Commission examined the licensee's compliance with its requirements regarding Canadian content development and the submission of annual returns, as set out by condition of licence and in the *Radio Regulations, 1986*. Based on this examination, the Commission considers that the licensee is in compliance with its regulatory requirements.

Licensee's address:

58 King Street
3rd Floor
Saint John, New Brunswick
E2L 1G2
Fax: 506-634-5153
Email: macmullin.jim@radioabl.ca

Procedure

Deadline for interventions or answers

11 June 2013

The *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure*, SOR/2010-277 (the Rules of Procedure), set out, among other things, the rules for content, format, filing and service of interventions, the procedure for filing confidential information and requesting its disclosure, and the conduct of public hearings. Accordingly, the procedure set out below must be read in conjunction with the Rules of Procedure and its accompanying documents, which can be found on the Commission's website under "CRTC Rules of Practice and Procedure."

An intervention or answer from a respondent must be received by the Commission and by the applicant on or before the above-mentioned date. An answer from a respondent must also be served on any other respondent.

In accordance with the Rules of Procedure, a document must be filed with, not merely sent to, the Commission by 5 p.m. Vancouver time (8 p.m. Ottawa time) on the date it is due. The Commission takes no responsibility for postal delays and will not notify a party whose submission is received after the deadline date. Late submissions will not be considered by the Commission and will not be made part of the public file.

Interventions and answers from respondents will be considered by the Commission and will form part of the public record of the proceeding without further notification to parties, provided the procedures set out in the Rules of Procedure and this notice have been followed. Parties will be contacted only if their submissions raise procedural questions.

Submissions must be filed by sending them to the Secretary General of the Commission by **only one** of the following means:

by using the
[\[Intervention/comment/answer form\]](#)

or

by mail to
CRTC, Ottawa, Ontario K1A 0N2

or

by fax at
819-994-0218

A true copy of each intervention or answer from a respondent must be sent to the applicant and, in the case of a respondent to an application, to any other respondent.

The Commission advises those who file and serve by electronic mode to exercise caution when using e-mail for service of documents, as it may be difficult to establish that service has occurred.

Parties must ensure that, before initiating service through electronic mode, they will be able to satisfy the Commission, upon request, that service was completed. The sender must keep proof of the sending and the receipt of the document for 180 days after the day on which it is filed.

Submissions longer than five pages should include a summary.

Each paragraph of the submission should be numbered. In addition, where the intervention is filed by electronic means, the line *****End of document***** should be entered following the last paragraph of the document, as an indication that the document has not been altered during electronic transmission.

Interventions and answers should clearly identify the application referred to and indicate whether parties support or oppose the application, or, if they propose changes to it, include the facts and grounds for their proposal.

Important notice

All information that parties provide as part of this public process, except information designated confidential, whether sent by postal mail, facsimile, e-mail or through the Commission's website at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's website. This information includes personal information, such as full names, e-mail addresses, postal/street addresses, telephone and facsimile numbers, and any other personal information parties provide.

The personal information that parties provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.

Documents received electronically or otherwise will be put on the Commission's website in their entirety exactly as received, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.

The information that parties provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the web page of this particular public process. As a result, a general search of the Commission's website with the help of either its own search engine or a third-party search engine will not provide access to the information that was provided as part of this public process.

The Commission encourages parties and interested persons to monitor the record of the proceeding, available on the Commission's website, for additional information that they may find useful when preparing their submissions.

Examination of documents

An electronic version of the applications is available on the Commission's website by selecting the application number within this notice. It is also available from the licensees, either on their websites or upon request by contacting the licensees at their email addresses, provided above.

A list of all interventions and answers will also be available on the Commission's website. The list is accessible by selecting "View all proceedings open for comment" from the "Public Proceedings" section of the Commission's website and by clicking on the "Interventions/Answers" link associated with this notice.

Documents are also available during normal office hours at the Commission offices and documentation centres directly involved with these applications, or, upon request, within two (2) working days, at any other Commission offices and documentation centres.

Location of Commission offices

Toll-free telephone: 1-877-249-2782

Toll-free TDD: 1-877-909-2782

Les Terrasses de la Chaudière
Central Building
1 Promenade du Portage, Room 206
Gatineau, Quebec
J8X 4B1
Tel.: 819-997-2429
Fax: 819-994-0218

Regional offices

Nova Scotia

Metropolitan Place
99 Wyse Road
Suite 1410
Dartmouth, Nova Scotia
B3A 4S5
Tel.: 902-426-7997
Fax: 902-426-2721

Quebec

205 Viger Avenue West
Suite 504
Montréal, Quebec
H2Z 1G2
Tel.: 514-283-6607

Ontario

55 St. Clair Avenue East
Suite 624
Toronto, Ontario
M4T 1M2
Tel.: 416-952-9096

Manitoba

360 Main Street
Suite 970
Winnipeg, Manitoba
R3C 3Z3
Tel.: 204-983-6306
Fax: 204-983-6317

Saskatchewan

2220 – 12th Avenue
Suite 620
Regina, Saskatchewan
S4P 0M8
Tel.: 306-780-3422

Alberta

100 – 4th Avenue South-West
Suite 403
Calgary, Alberta
T2P 3N2
Tel.: 403-292-6660
Fax: 403-292-6686

British Columbia

858 Beatty Street
Suite 290
Vancouver, British Columbia
V6B 1C1
Tel.: 604-666-2111
Fax: 604-666-8322

Secretary General