



Broadcasting Notice of Consultation CRTC 2013-221

PDF version

Ottawa, 8 May 2013

Notice of applications received

Various locations

Renewal of the broadcasting licences for certain campus and community radio stations – Licensees in apparent non-compliance

Deadline for submission of interventions/comments/answers: 12 June 2013

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

The Commission announces that it has received applications to renew the broadcasting licences for certain campus and community radio programming undertakings, which expire 31 August 2013.

The licensees propose to operate their undertakings under the same terms and conditions as those set out in the current licences. In addition, the licensees will be required to adhere to the conditions set out in *Standard conditions of licence for campus and community radio stations*, Broadcasting Regulatory Policy CRTC 2012-304, 22 May 2012.

In each case, the Commission has examined the licensee's compliance with the requirements relating to the filing of annual returns set out in section 9(2) of the *Radio Regulations, 1986* (the Regulations). Based on this examination, the licensees listed below appear to be in non-compliance with section 9(2) of the Regulations during the current licence term, for the broadcast years listed below.

The Commission intends to consider the renewal of these broadcasting licences according to the approach set out in *Revised approach to non-compliance by radio stations*, Broadcasting Information Bulletin CRTC 2011-347, 26 May 2011.

Campus radio stations

Licensee name and address Email address to request an electronic version of the application	Application number, call sign and location	Broadcast years of apparent non-compliance	Licensee's explanation for the apparent non-compliance
B.C.I.T. Radio Society 3700 Willingdon Avenue Burnaby, British Columbia V5G 3H2 Fax: 604-432-8510 Email: judy_mills@bcit.ca	2011-1455-3 CFML-FM Burnaby	2005-2006, 2006-2007, 2007-2008, 2008-2009 and 2009-2010	The lateness in filing annual returns was due to inefficient internal communications. In regard to the 2008-2009 and 2009-2010 annual returns specifically, a previous Station Manager failed to properly file them on time.
CKDU-FM Society 6136 University Avenue Halifax, Nova Scotia B3H 4J2 Email: info@ckdu.ca	2012-0357-0 CKDU-FM Halifax	2005-2006, 2006-2007, and 2007-2008	Missing annual returns were not filed due to a lack of understanding and communication on behalf of the Station Coordinator, who failed to fulfill the duties of the position and the CKDU Board, which failed to properly train and supervise the Station Coordinator.
Concordia Student Broadcasting Corporation 7141 Sherbrooke Street West Suite CC-430 Montréal, Quebec H4B 1R6 Fax: 450-963-7229 Email: lours2003@videotron.ca	2012-0319-0 CJLO Montréal	2008-2009 and 2009-2010	The licensee explained that it was not aware that there was a problem with its financial year ending on 31 May. The licensee did not explain, however, why the annual returns were filed late.

Community radio stations

Licensee name and address Email address / website to request an electronic version of the application	Application number, call sign and location	Broadcast years of apparent non-compliance	Licensee's explanation for the apparent non-compliance
Community Radio Society of Saskatoon Inc. 267-3 rd Avenue South Saskatoon, Saskatchewan S7K 1M4 Email: cfcf@cfcf.ca Website: www.cfcf.ca	2012-0280-4 CFCR-FM Saskatoon	2009-2010	The General Manager was unaware that the financial statements were missing as the licensee had always filed in a timely manner. The missing financial statements were filed with the Commission as soon as the General Manager became aware of the situation.
Coopérative Radio-Halifax-Métro limitée 5527 Cogswell Street Halifax, Nova Scotia B3J 1R2 Fax: 902-429-2574 Email: dg@ckrhfm.ca	2012-0218-4 CKRH-FM Halifax	2008-2009 and 2009-2010	Despite the best efforts of volunteers, the 2008-2009 annual return was submitted late. The missing 2009-2010 financial statements were due to the replacement of one Director General by another that did not have enough time to complete the station's financial statements on time.
Homegrown Community Radio 14 Lake Street P.O. Box 195 Killaloe, Ontario K0J 2A0 Fax: 613-757-0818 Email: radio@chcr.org	2012-0780-4 CHCR-FM Killaloe and its transmitter CHCR-FM-1 Wilno	2008-2009, 2009-2010 and 2010-2011	The station moved on multiple occasions and temporarily misplaced some financial records as a result. As well, there was no board continuity or proper training for new members or volunteers. The missing returns were subsequently filed.

<p>La Coopérative des montagnes limitée – Radio communautaire 165 Hébert Boulevard Edmundston, New Brunswick E3V 2S8 Fax: 506-737-5084 Email: radio@cfai.fm, direction@cfai.fm Website: www.cfai.fm</p>	<p>2012-0247-3 CFAI-FM Edmundston</p>	<p>2007-2008 and 2008-2009</p>	<p>The licensee indicated that the late filing of its annual returns were due to the inexperience of a former Director General.</p>
<p>La Co-opérative Radio Richmond limitée 3435 Route 206 P.O. Box 250 Petit-de-Grat, Nova Scotia B0E 2L0 Fax: 902-226-9643 Email : billyjoyce@citu.ca</p>	<p>2012-0283-7 CITU-FM Petit-de-Grat</p>	<p>2010-2011</p>	<p>The licensee indicated that the late filing of its 2010-2011 annual return was due to technical difficulties. In regard to the missing financial statements, the licensee explained that the annual general assembly had not yet taken place and, consequently, the financial statements could not be approved. The president at the time, who is no longer with the organization, was to provide the financial statements to the Commission as soon as they were ready.</p>
<p>La radio campus communautaire francophone de Shawinigan inc. 540 Broadway Avenue Shawinigan, Quebec G9N 1M3 Email: dg@radioshawinigan.com Website: www.radioshawinigan.com</p>	<p>2012-0242-3 CFUT-FM Shawinigan</p>	<p>2006-2007, 2007-2008 and 2009-2010</p>	<p>The licensee cited financial difficulties for the late submission of its annual returns.</p>

<p>La radio communautaire de LaSalle 55 Dupras Avenue LaSalle, Quebec H8R 4A8 Email: info@100-1fm.com</p>	<p>2012-0206-9 CKVL-FM Montréal (LaSalle)</p>	<p>2007-2008, 2008-2009, 2009-2010 and 2010-2011</p>	<p>The licensee cited numerous changes in management personnel for the late and incomplete filing of annual returns.</p>
<p>Radio communautaire du Saguenay inc. 3877 Harvey Boulevard Jonquière, Quebec G7X 0A6 Fax: 418-546-2528 Email: michel.bergeron@uqac.ca Website: www.ckaj.org</p>	<p>2012-0260-6 CKAJ-FM Jonquière and its transmitter CKAJ-FM-1 La Baie</p>	<p>2008-2009 and 2009-2010</p>	<p>The licensee stated it was unaware of the non-compliance regarding the filing of annual returns. The previous management believed that the annual returns were submitted on time and were complete.</p>
<p>Radio communautaire Intergénération Jardin du Québec, CHOC-FM 93 Lachappelle Street East Saint-Rémi, Quebec J0L 2L0 Fax: 450-454-9435 Email: direction@chocfm.com Website: www.chocfm.com</p>	<p>2012-0268-9 CHOC-FM Saint-Rémi and its new transmitters in Napierville and Saint-Jacques -le-Mineur</p>	<p>2006-2007, 2007-2008, 2008-2009, 2009-2010 and 2010-2011</p>	<p>The licensee cited the implementation of a new accounting system for the late filings in 2006-2007 and 2007-2008 and stated that an employee failed to fulfill responsibilities for the other late filings and missing financial statements.</p>
<p>Radio Nord-Joli inc. 245 Beauvillier Street Saint-Gabriel de Brandon, Quebec J0K 2N0 Fax: 450-835-3581 Email: rnjoli@bellnet.ca</p>	<p>2012-0270-5 CFNJ-FM Saint-Gabriel de Brandon and its transmitter CFNJ-FM-1 Saint Zénon</p>	<p>2005-2006, 2006-2007 and 2009-2010</p>	<p>The Director General stated that he was unaware of the regulatory obligation to file the annual returns by 30 November of each year.</p>
<p>Wired World Inc. 1446 King Street Kitchener, Ontario N2G 2N7 Fax: 519-886-0090 Email: lvillalon@ckwr.com Website: www.ckwr.com</p>	<p>2012-0281-1 CKWR-FM Kitchener</p>	<p>2008-2009 and 2009-2010</p>	<p>The current Board of Directors was unaware of the requirement to submit annual returns, but took immediate action to file them when it became aware of the requirement.</p>

Procedure

Deadline for interventions or answers

12 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

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