



## Broadcasting Notice of Consultation CRTC 2013-506

PDF version

Ottawa, 20 September 2013

### Notice of applications received

**Fredericton, New Brunswick**

**Deadline for submission of interventions/comments/answers:  
25 October 2013**

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

The Commission has received the following applications:

#### **Applicant/Licensee and Locality**

1. **Faithway Communications Inc.**  
Fredericton, New Brunswick  
Applications 2012-0505-5 and 2013-0500-6

**Faithway Communications Inc.** (Faithway) filed an application to renew the broadcasting licence for the low-power, English-language commercial specialty Christian music radio programming undertaking CJRI-FM Fredericton and its transmitters CJRI-FM-1 Woodstock, CJRI-FM-2 St. Stephen and CJRI-FM-3 New Brandon, New Brunswick (application 2012-0505-5), which expires 31 December 2013.<sup>1</sup>

Faithway also filed an application to amend the broadcasting licence for CJRI-FM (application 2013-0500-6) in order to change its frequency from 104.5 MHz (channel 283LP) to 95.1 MHz (channel 236A) and increase the effective radiated power from 50 to 1,500 watts (non-directional antenna). The proposed technical parameters would change the operating class of CJRI-FM from that of an unprotected low-power service to that of a protected Class A service. The licensee indicates that the changes are necessary to compensate for geographical factors within the present contours that negatively affect its signal.

It appears that the licensee may have failed to comply with the *Radio Regulations, 1986* (the Regulations) and a condition of its licence as follows:

---

<sup>1</sup> The original licence expiry date for this station was 31 August 2011. The broadcasting licence was administratively renewed until 31 December 2013 as a result of *Administrative renewals*, Broadcasting Decision CRTC 2011-555, 31 August 2011, *Administrative renewals*, Broadcasting Decision CRTC 2012-434, 8 August 2012 and *Various radio programming undertakings – Administrative renewals*, Broadcasting Decision CRTC 2013-418, 19 August 2013.

- section 9(2) of the Regulations concerning the failure to file annual returns before the 30 November deadline for the 2008-2009, 2009-2010, 2010-2011 and 2011-2012 broadcast years;
- section 9(2) of the Regulations concerning the filing of duly completed annual returns for the 2004-2005, 2006-2007, 2007-2008, 2008-2009, 2009-2010 and 2010-2011 broadcast years;
- section 9(4) of the Regulations, concerning the failure to respond to a Commission inquiry;
- section 15(2) of the Regulations, concerning Canadian content development (CCD) contributions for the 2008-2009, 2009-2010, 2010-2011 and 2011-2012 broadcast years;
- its condition of licence as outlined in *Christian music FM radio station in Fredericton*, Broadcasting Decision CRTC 2004-523, 26 November 2004, which requires a minimum yearly contribution of \$400 to Canadian Talent Development (now referred to as CCD), for the 2004-2005, 2005-2006, 2006-2007, 2007-2008, 2008-2009, 2009-2010 and 2010-2011 broadcast years; and
- section 11(4) of the Regulations, concerning the unauthorized change of control of CJRI-FM.

With respect to the apparent non-compliance with section 11(4) of the Regulations, the Commission notes that Faithway has since submitted an application for a change in control. This application was administratively approved by the Commission.<sup>2</sup>

The Commission will examine these instances of apparent non-compliance as well as the proposed amendment in the context of the renewal of the licence in accordance with *Revised approach to non-compliance by radio stations*, Broadcasting Information Bulletin CRTC 2011-347, 26 May 2011.

*Licensee's address:*

151 Main Street  
 Fredericton, New Brunswick  
 E3A 1C6  
 Fax: 506-459-5757  
 Email: [cjrifm@gmail.com](mailto:cjrifm@gmail.com)  
 Email to request electronic version of application: [cjrifm@gmail.com](mailto:cjrifm@gmail.com)

---

<sup>2</sup> The Commission administratively approved an application by Faithway for authority to effect a change to the effective control of Faithway, pursuant to subsection 11(4)(a) of the Regulations. The letter of approval was signed by the Secretary General on 28 May 2013 and was announced in *Applications processed pursuant to streamlined procedures*, Broadcasting Information Bulletin CRTC 2013-482, 12 September 2013.

## Procedure

### Deadline for interventions or answers

**25 October 2013**

The new *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](http://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 licensee, either on its website or upon request by contacting the licensee at its email address, 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 – 12<sup>th</sup> Avenue  
 Suite 620  
 Regina, Saskatchewan  
 S4P 0M8  
 Tel.: 306-780-3422

**Alberta**

100 – 4<sup>th</sup> 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