



Broadcasting Decision CRTC 2013-697

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Route reference: 2013-315

Ottawa, 16 December 2013

Grande Prairie Radio Ltd.
Grande Prairie, Alberta

Application 2013-0242-1, received 31 January 2013

CJGY-FM Grande Prairie – Licence renewal

*The Commission **renews** the broadcasting licence for the English-language commercial specialty (Christian music) radio station CJGY-FM Grande Prairie, Alberta, from 1 January 2014 to 31 August 2020.*

Introduction

1. Grande Prairie Radio Ltd. (Grande Prairie Radio) filed an application to renew the broadcasting licence for the English-language commercial specialty (Christian music) radio station CJGY-FM Grande Prairie, Alberta, which expires 31 December 2013.¹ The Commission did not receive any interventions regarding this application.

Non-compliance

2. In Broadcasting Notice of Consultation 2013-315, the Commission noted that the licensee was in apparent non-compliance with section 9(2) of the *Radio Regulations, 1986* (the Regulations) relating to the filing of complete annual returns for the 2011-2012 broadcast year.
3. Section 9(2) of the Regulations requires licensees to file an annual return by 30 November of each year for the broadcast year ending the previous 31 August. The specific filing requirements, including the requirement to submit financial statements, are set out in Broadcasting Information Bulletin 2011-795. In the present case, the licensee did not file financial statements with the annual return.
4. The licensee explained that the non-compliance was due to the previous Chief Financial Officer's (CFO) unfamiliarity with the Commission's Digital Collection System and the language barrier, English being the CFO's second language. The licensee indicated that it has been employing an external accounting firm since December 2012 to ensure that future filings comply with the filing requirements.

¹ The original expiry date for the station's licence was 31 August 2013. This broadcasting licence was administratively renewed until 31 December 2013 in Broadcasting Decision 2013-418.

Grande Prairie Radio filed the outstanding financial statements on 22 January 2013, shortly after being informed that they were missing.

5. In light of the above, the Commission finds the licensee in non-compliance with section 9(2) of the Regulations relating to the filing of complete annual returns for the 2011-2012 broadcast year.

Regulatory measures

6. In Broadcasting Information Bulletin 2011-347, the Commission announced a revised approach to non-compliance by radio stations. Specifically, the Commission indicated that each instance of non-compliance would be evaluated in its context and in light of factors such as the quantity, recurrence and seriousness of the non-compliance. The Commission also indicated that it would consider the circumstances of the non-compliance, the arguments provided by the licensee and the measures taken to rectify the situation.
7. The Commission notes that timely compliance with reporting requirements is important because it allows the Commission to monitor licensee performance and compliance with its regulations and requirements, as well as to gather statistics for assessing the industry and preparing monitoring reports on which the industry relies. Accordingly, it considers annual returns that are incomplete and/or filed late to be a serious matter.
8. The Commission has reviewed the record for this application and is of the view that the missing financial statement was an isolated incident as there were no subsequent non-compliance issues in the last licence term. The Commission is therefore confident that the licensee has implemented the necessary measures to ensure future compliance. Given the circumstances surrounding Grande Prairie Radio's non-compliance for CJGY-FM, the Commission finds it appropriate to grant this station a full-term licence renewal.

Conclusion

9. In light of all of the above, the Commission **renews** the broadcasting licence for the English-language commercial specialty (Christian music) radio programming undertaking CJGY-FM Grande Prairie, Alberta, from 1 January 2014 to 31 August 2020. The terms and **conditions of licence** are set out in the appendix to this decision.

Reminder

10. Pursuant to section 22 of the *Broadcasting Act*, the Commission reminds the licensee that the broadcasting licence will cease to have any force or effect if the broadcasting certificate issued by the Department of Industry lapses.

Secretary General

Related documents

- *Various radio programming undertakings – Administrative renewals*, Broadcasting Decision CRTC 2013-418, 19 August 2013
- *Notice of applications received*, Broadcasting Notice of Consultation CRTC 2013-315, 2 July 2013
- *Filing annual returns for radio programming undertakings*, Broadcasting Information Bulletin CRTC 2011-795, 20 December 2011
- *Revised approach to non-compliance by radio stations*, Broadcasting Information Bulletin CRTC 2011-347, 26 May 2011

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

Appendix to Broadcasting Decision CRTC 2013-697

Terms, conditions of licence and encouragement for the English-language commercial specialty (Christian music) radio programming undertaking CJGY-FM Grande Prairie, Alberta

Terms

The licence will expire 31 August 2020.

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, as amended from time to time, with the exception of condition of licence 7.
2. The station shall be operated within the Specialty format as defined in *A Review of certain matters concerning radio*, Public Notice CRTC 1995-60, 21 April 1995, as amended from time to time, and *Revised content categories and subcategories for radio*, Broadcasting Regulatory Policy CRTC 2010-819, 5 November 2010, as amended from time to time.
3. The licensee shall devote at least 95% of all musical selections broadcast each broadcast week to selections from content subcategory 35 (Non-classic religious), as defined in *Revised content categories and subcategories for radio*, Broadcasting Regulatory Policy CRTC 2010-819, 5 November 2010, as amended from time to time.
4. Where the licensee broadcasts religious programming as defined in *Religious Broadcasting Policy*, Public Notice CRTC 1993-78, 3 June 1993, the licensee shall adhere to the guidelines set out in sections III.B.2.a) and IV. of that public notice with respect to the provision of balance and ethics in religious programming, as amended from time to time.

Encouragement

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.