



Broadcasting Decision CRTC 2016-464

PDF version

References: 2016-64, 2016-64-1, 2016-64-2, 2016-64-3, 2016-64-4 and 2016-64-5

Ottawa, 28 November 2016

Various applicants

Surrey and Vancouver, British Columbia

The application numbers are set out in this decision.

*Public hearing in Vancouver, British Columbia
16 May 2016*

Licensing of new radio stations to serve Surrey and Vancouver, and addition of a transmitter in Surrey

*The Commission **approves** an application by South Asian Broadcasting Corporation Inc. to amend the broadcasting licence for the ethnic commercial specialty radio station CKYE-FM Vancouver by adding an FM rebroadcasting transmitter in Surrey.*

*The Commission also **approves** an application by Sher-E-Punjab Radio Broadcasting Inc. for a broadcasting licence to operate a new ethnic commercial AM radio station to serve Vancouver.*

*Further, the Commission **approves** an application by Akash Broadcasting Inc. for a broadcasting licence to operate a new ethnic commercial specialty FM radio station to serve Surrey.*

*The Commission **denies** the remaining applications for broadcasting licences for radio stations to serve Surrey and Vancouver.*

Introduction

1. At a public hearing commencing 16 May 2016 in Vancouver, British Columbia, the Commission considered seven applications for new radio stations to serve Surrey and Vancouver, as well as an application to add a new transmitter to an existing radio service in the Vancouver market. The applicants and the specific types of service they proposed are as follows:

Applicant, application number and date received	Type of service
Sher-E-Punjab Radio Broadcasting Inc. Application 2015-0048-9, received 14 January 2015	ethnic commercial AM radio station in Vancouver
Spice Media Group Inc. Application 2015-1123-8, received 17 September 2015	ethnic commercial AM radio station in Surrey
South Fraser Broadcasting Inc. Application 2015-1110-6, received 16 September 2015	ethnic commercial specialty FM radio station in Surrey
South Asian Broadcasting Corporation Inc. Application 2015-0173-4, received 20 February 2015	addition of an FM transmitter in Surrey to rebroadcast the programming of CKYE-FM Vancouver
Radio India Ltd. Applications 2015-1113-9 and 2015-1115-5, received 17 September 2015	ethnic commercial specialty FM radio station in Surrey
Akash Broadcasting Inc. Application 2015-1165-0, received 17 September 2015	ethnic commercial specialty FM radio station in Surrey
Ravinder Singh Pannu, on behalf of a corporation to be incorporated Application 2015-1111-3, received 16 September 2015	ethnic commercial specialty FM radio station in Surrey
Radio India Ltd. Application 2015-1118-9, received 17 September 2015	ethnic commercial specialty FM radio station in Vancouver

2. A number of proposals for the use of frequencies—including the alternatives—in the above-noted applications are mutually exclusive on a technical basis, as follows:
- South Fraser Broadcasting Inc., Radio India Ltd. (Radio India), Akash Broadcasting Inc. (Akash) and Ravinder Singh Pannu, on behalf of a corporation to be incorporated (Ravinder Singh Pannu, OBCI) all proposed the use of the frequency 91.5 MHz;
 - Radio India, Akash and South Asian Broadcasting Corporation Inc. (South Asian Broadcasting) all proposed the use of the frequency 89.1 MHz or 89.3 MHz; and
 - Radio India, Ravinder Singh Pannu, OBCI and Spice Media Group Inc. all proposed the use of the frequency 106.9 MHz.

3. As part of this process, the Commission received and considered interventions with respect to each application. The public record for each of these applications can be found on the Commission's website at www.crtc.gc.ca or by using the appropriate application number, provided above.
4. After reviewing the public record for this proceeding, the Commission is of the view that the primary issues to be considered are as follows:
 - whether the Vancouver radio market, in which Surrey is included, can sustain additional radio services or rebroadcasting transmitters without an undue negative impact on the existing stations;
 - if so, with respect to the application proposing to add a rebroadcasting transmitter, whether the licensee demonstrated a technical or economic need for the new transmitter; and
 - if so, which of the applications for new radio stations should be approved, in light of the factors identified in Broadcasting Notice of Consultation 2015-288 (the Call).

The Vancouver radio market

5. The Vancouver radio market consists of 13 commercial FM and 9 commercial AM radio stations. Of these stations, 5 are licensed as ethnic radio stations, namely, CHKG-FM Vancouver (Fairchild Radio (Vancouver FM) Ltd.), CJVB Richmond (Fairchild Radio Group Ltd.), CHMB Vancouver (Mainstream Broadcasting Corporation), CJRJ Vancouver (I.T. Productions Ltd.) and CKYE-FM Vancouver (South Asian Broadcasting). CHKG-FM, CJVB and CHMB target mainly Chinese audiences, while CJRJ and CKYE-FM target primarily South Asian communities.
6. According to Statistics Canada's 2011 Census, the population of the Vancouver Census Metropolitan Area (CMA) grew from 2,116,581 to 2,313,328 between 2006 and 2011, an increase of 9.3%. Surrey, the second largest city in British Columbia, is included in the Vancouver CMA. According to Statistics Canada, Surrey's population was 463,000 in 2011 and accounted for 20% of the total population of the Vancouver CMA. 15.8% of the Surrey population identified Punjabi as the language most often spoken at home, which represents over half of those who identified a non-official language. Of those who identified Punjabi as the language most often spoken at home in the Vancouver CMA (103,895), 71% reside in Surrey (73,620).
7. Total revenues for ethnic radio stations in the Vancouver radio market increased slightly between 2011 and 2015, while the profit before interest and taxes margin decreased slightly from 13.7% in 2011 to 12.8% in 2015.

8. The Surrey radio market benefits from positive economic and demographic indicators, including:
 - a rapidly growing ethnic population;
 - increasing real gross domestic product and retail sales along with a decreasing unemployment rate in the Greater Vancouver Area; and
 - strong income per capita forecasts in the Greater Vancouver Area.
9. Further, the entities identified in Broadcasting Notice of Consultation 2014-426 that were transmitting their programming from Washington State into Lower Mainland British Columbia and were found to have been broadcasting in Canada without a licence in contravention of the *Broadcasting Act* have ceased operations.¹ However, concerns were raised in this proceeding that cross-border broadcasting continues and that revenues that would go to licensed Canadian broadcasters continue to be lost to cross-border entities and U.S.-based stations. The Commission nevertheless considers that there is an opportunity to repatriate the revenues and advertisers of these stations.
10. Based on the above, the Commission is satisfied that this market could support the licensing of new ethnic commercial radio stations without an undue economic impact on existing services.

South Asian Broadcasting

11. When a licensee of a radio station files an application for a technical amendment, the Commission expects the licensee to present compelling technical or economic evidence justifying the technical changes.
12. In the present instance, South Asian Broadcasting indicated that CKYE-FM has been subject to a significant increase in interference in its primary contour since September 2012 due to the use of digital radio by KISM-FM Bellingham, Washington. KISM-FM operates at 92.9 MHz, the first adjacent frequency to CKYE-FM's frequency of 93.1 MHz. According to the licensee, CKYE-FM's signal was relatively free of interference in most parts of Vancouver and Surrey before KISM-FM began operating in digital. In support of its application, South Asian Broadcasting provided reports from field strength measurements and audio samples to demonstrate the interference to CKYE-FM's signal. The licensee indicated that the addition of a transmitter in Surrey would address these reception problems.

¹ These entities were Radio India (2003) Ltd., which was broadcasting on KVRI 1600 AM Blaine; Sher-E-Punjab, which was broadcasting on KRPI 1550 AM Ferndale; and Radio Punjab Ltd., which was broadcasting on KRPA 1110 AM Oak Harbour. In Broadcasting Orders 2014-588, 2014-590 and 2014-592, the Commission imposed mandatory orders on Radio India (2003) Ltd., Radio Punjab Ltd. And Sher-E-Punjab respectively that, among other things, prohibit them from producing radio programming in Canada and transmitting it to Canadian audiences using the facilities of radio stations located in the United States.

13. Having reviewed the application, the field strength measurement reports and the audio submissions, the Commission is satisfied that South Asian Broadcasting has provided sufficient technical evidence that KISM-FM digital radio causes additional interference to CKYE-FM's signal within its primary contour in the Surrey area.
14. The Commission therefore finds that South Asian Broadcasting has demonstrated a compelling technical need for the proposed transmitter.
15. The Commission also notes that the addition of a transmitter for South Asian Broadcasting would have little impact on the market. As a result, approval of the technical amendment would not impact the Commission's ability to licence new radio stations in the Vancouver and Surrey markets.

Assessment of the applications

16. The Commission has considered the applications to serve Surrey and Vancouver in light of the factors relevant to the evaluation of the applications for new radio services outlined in the Call, which include the following factors set out in Decision 99-480:
 - the quality of the application;
 - the diversity of news voices; and
 - the competitive state of the radio market and the level of market impact.
17. The Commission also considered the applicants' plans with respect to meeting the objectives set out in Public Notice 1999-117 (the Ethnic broadcasting policy).
18. Having considered all of the applications in light of the criteria set out above, the Commission finds that the applications by Sher-E-Punjab and Akash best meet the needs of Vancouver and Surrey residents.

Sher-E-Punjab

19. Sher-E-Punjab is a recognizable name in the Vancouver radio market. The applicant has proposed a sound business plan that is based on its past experience in that market. Sher-E-Punjab already owns its studios and is ready to operate. Given its history in the market, it is in the best position to repatriate revenues from cross-border entities and U.S.-based radio stations.
20. According to Sher-E-Punjab, all of the station's programming will be ethnic programming targeting a minimum of 19 distinct ethnic groups in at least 17 languages, and at least 85% of the programming will be broadcast in third languages. The applicant indicated that the station will predominantly target the South Asian population, particularly the Punjabi and Hindi communities. **Conditions of licence** relating to the minimum number of ethnic groups to be served, the languages of broadcast and the broadcast of ethnic and third-language programming are set out in Appendix 1 to this decision.

21. The new station will serve a growing ethnic audience of Vancouver residents by offering a news/talk format to listeners between the ages of 40 and 65. The applicant committed to devote 115 hours of local programming each broadcast week, 65 hours of which will be spoken word programming. It will broadcast 8.5 hours of news, including 6.8 hours of pure news, of which 70% will be local.
22. All commercial radio licensees must adhere to the requirements relating to contributions to Canadian content development (CCD) set out in section 15 of the *Radio Regulations, 1986*, as amended from time to time. Sher-E-Punjab committed to devote, over and above the basic annual contribution to CCD, a total of \$1,750,000 to CCD over seven consecutive broadcast years upon commencement of operations. Although ethnic radio broadcasters are not required to direct a portion of the CCD contribution amount to FACTOR or MUSICACTION, the applicant stated that 20% of this amount will be devoted to FACTOR. The remainder will be directed to eligible initiatives, as follows:
 - the Community Radio Fund of Canada (\$10,000 annually);
 - scholarships and bursaries to students in broadcast journalism attending the University of British Columbia, the British Columbia Institute of Technology, Kwantlen Polytechnic University or Langara College (\$40,000 annually);
 - an annual multicultural concert featuring artists from the communities to be served by Sher-E-Punjab (\$100,000 annually); and
 - the Sher-E-Punjab Rising Star Awards initiative (\$50,000 annually).

A **condition of licence** to that effect is set out in Appendix 1 to this decision.

23. The Commission notes the concerns raised in this proceeding regarding cross-border broadcasters generally and, more specifically, Sher-E-Punjab's history as a cross-border broadcaster. Despite the allegations that Sher-E-Punjab is still involved in such activities, in the absence of evidence to the contrary, it appears that Sher-E-Punjab is in compliance with the Consent Agreement into which it entered with the Commission and with the terms of the mandatory order imposed on it in Broadcasting Mandatory Order 2014-592. The terms of this mandatory order remain in force. Nevertheless, in light of the concerns raised regarding the continued presence of cross-border broadcasters, the Commission finds it appropriate in the circumstances to impose compliance with the mandatory order as a condition of licence. In this way, should Sher-E-Punjab be found to have breached the terms of the mandatory order, it would be at risk of facing other consequences in respect of its licensed undertaking, including possibly having its licence revoked.

Akash

24. Akash proposed a sound business plan with reasonable projected revenues, a significant portion of which would be repatriated from cross-border entities and U.S.-based radio stations broadcasting into Canada. Moreover, the diversity of voices in Surrey will be enhanced with the arrival of this new player.

25. The applicant indicated that all of the station's programming will be ethnic programming targeting a minimum of 21 distinct ethnic groups in at least 14 languages, and that at least 77% of the programming will be broadcast in third languages. Further, the programming will be devoted primarily to the South Asian population, particularly the Punjabi, Hindi and Urdu communities. **Conditions of licence** relating to the minimum number of ethnic groups to be served, the languages of broadcast and the broadcast of ethnic and third-language programming are set out in Appendix 2 to this decision.
26. The new station will serve a growing ethnic audience of Surrey residents by offering a blend of spoken word and music programming targeting listeners between the ages of 18 and 55. The applicant committed to devote 121 hours of local programming each broadcast week, 50 hours and 8 minutes of which will be spoken word programming. The new station will broadcast 11 hours and 6 minutes of news. Akash also committed to devote, by condition of licence, at least 50% of its musical selections from content category 2 (Popular Music) broadcast over the broadcast week to Canadian selections. Further, Akash committed to devote, by condition of licence, at least 12% of its musical selections from content category 3 (Special Interest Music) to Canadian selections during ethnic programming periods. **Conditions of licence** regarding the broadcast of musical selections are set out in Appendix 2 to this decision.
27. Akash committed to devote, over and above the basic annual contribution to CCD, a total of \$700,000 to CCD over seven consecutive broadcast years, upon commencement of operations, to be directed to eligible initiatives, as follows:
- five scholarships and training opportunities benefitting students of music and journalism (\$20,000 annually);
 - four funding initiatives for the production and promotion of Canadian local music and spoken-word artists (\$47,000 annually); and
 - support for the audio-related portions of the NAAD Festival (\$33,000 annually).

A **condition of licence** to that effect is set out in Appendix 2 to this decision.

28. The application by Akash proposing the use of the frequency 89.3 MHz was technically mutually exclusive with the application by South Asian Broadcasting proposing the use of the frequency 89.1 MHz for its rebroadcasting transmitter. In light of the Commission's decision above to approve the application by South Asian Broadcasting, the Commission considered the application by Akash for its proposed alternative frequency of 91.5 MHz. The use of this alternative frequency will have minimal impact on Akash's business plan.

Conclusion

29. Based on all of the foregoing, the Commission **approves** the application by South Asian Broadcasting Corporation Inc. to amend the broadcasting licence for the ethnic commercial specialty radio programming undertaking CKYE-FM Vancouver to add an FM transmitter in Surrey to rebroadcast the programming of CKYE-FM.
30. The transmitter in Surrey will operate at 89.1 MHz (channel 206A) with an average effective radiated power (ERP) of 83 watts (maximum ERP of 250 watts with an effective height of antenna above average terrain of 123.3 metres).
31. Pursuant to section 22(1) of the *Broadcasting Act*, this authority will only be effective when the Department of Industry (the Department) notifies the Commission that its technical requirements have been met and that a broadcasting certificate will be issued.
32. The transmitter 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 **28 November 2018**. 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 that date.
33. The Commission also **approves** the application by Sher-E-Punjab Radio Broadcasting Inc. for a broadcasting licence to operate an ethnic commercial AM radio programming undertaking in Vancouver. The terms and **conditions of licence** for this new service are set out in Appendix 1 to this decision.
34. Further, the Commission **approves** the application by Akash Broadcasting Inc. for a broadcasting licence to operate an ethnic commercial specialty FM radio programming undertaking in Surrey. The terms and **conditions of licence** for this new service are set out in Appendix 2 to this decision.
35. In light of all of the above, the Commission **denies** the applications by the following applicants for broadcasting licences to operate radio programming undertakings in Surrey and Vancouver, as set out below:
 - Radio India Ltd. (for both Surrey and Vancouver)
 - Ravinder Singh Pannu, on behalf of a corporation to be incorporated
 - South Fraser Broadcasting Inc.
 - Spice Media Group Inc.

Requirement for VF2688 Surrey to vacate frequency 91.5 MHz

36. Given the approval for the use of 91.5 MHz by Akash, Sur Sagar Radio Ltd. (Sur Sagar) and Ravinder Singh Pannu must either vacate that frequency, pursuant to the rules and procedures established by the Department, and submit an application to use a frequency other than 91.5 MHz to continue the operation of their low-power

exempt house of worship service VF2688 Surrey, or find another solution that would enable them to continue using the same frequency and meet the Department's interference protection requirements towards Akash's radio station.

Requirement for CFVT-FM North Vancouver to vacate frequency 89.3 MHz

37. In light of the approval for the use of 89.1 MHz by South Asian Broadcasting, Robson Square 4600 Services Ltd. must either vacate frequency 89.3 MHz, pursuant to the rules and procedures established by the Department, and submit an application to use a frequency other than 89.3 MHz to continue the operation of its low-power exempt tourist information service CFVT-FM North Vancouver, or find another solution that would enable it to continue using the same frequency and meet the Department's interference protection requirements towards South Asian Broadcasting's rebroadcasting transmitter.

Requirement for VF2686 Surrey to vacate frequency 89.3 MHz

38. In Broadcasting Decision 2016-419, the Commission found Mr. Gurpal Garcha and 89.3 Surrey City FM Ltd. (Surrey City) to have been broadcasting on 89.3 MHz without a licence, contrary to the *Broadcasting Act*. As part of the process leading to that decision, in a letter to the Commission dated 17 February 2016, Mr. Garcha indicated that he partially owns another corporation named Amrit Baani Radio Ltd.² (Amrit Baani), and that Surrey City and Amrit Baani were supposed to merge in the near future to continue under one entity. On 20 May 2016, Mr. Garcha informed the Commission that Surrey City had ceased broadcasting on 89.3 MHz as of that date. Nevertheless, given the approval for the use of 89.1 MHz by South Asian Broadcasting, if they have not already done so, Mr. Garcha, Surrey City or any corporation resulting from the merger or amalgamation of Surrey City and Amrit Baani or their subsidiaries, as the case may be, must vacate frequency 89.3 MHz, pursuant to the rules and procedures established by the Department.

Requirement for CHNW-FM New Westminster to vacate frequency 88.7 MHz

39. In light of the approval for the use of 89.1 MHz by South Asian Broadcasting, the City of New Westminster must either vacate frequency 88.7 MHz, pursuant to the rules and procedures established by the Department, and submit an application to use a frequency other than 88.7 MHz to continue the operation of its low-power exempt public emergency service CHNW-FM New Westminster, or find another solution that would enable it to continue using the same frequency and meet the Department's interference protection requirements towards South Asian Broadcasting's rebroadcasting transmitter.

² Amrit Baani is authorized by the Department to broadcast on 89.3 MHz. Surrey City appears to have been using Amrit Baani's authority to broadcast on that frequency.

Secretary General

Related documents

- *89.3 Surrey City FM Ltd. and Gurpal Singh Garcha – Issuance of mandatory order*, Broadcasting Decision CRTC 2016-419 and Broadcasting Order CRTC 2016-420, 20 October 2016
- *Call for applications - Radio stations to serve Vancouver, British Columbia*, Broadcasting Public Notice CRTC 2015-288, 29 June 2015
- *Sher-E-Punjab – Issuance of mandatory order*, Broadcasting Decision CRTC 2014-591 and Broadcasting Order CRTC 2014-592, 13 November 2014
- *Radio Punjab – Issuance of mandatory order*, Broadcasting Decision CRTC 2014-589 and Broadcasting Order CRTC 2014-590, 13 November 2014
- *Radio India – Issuance of mandatory order*, Broadcasting Decision CRTC 2014-587 and Broadcasting Order CRTC 2014-588, 13 November 2014
- *Notice of hearing*, Broadcasting Notice of Consultation CRTC 2014-426, 13 August 2014
- *Introductory statement – Licensing new radio stations*, Decision CRTC 99-480, 28 October 1999
- *Ethnic broadcasting policy*, Public Notice CRTC 1999-117, 16 July 1999

This decision and the appropriate appendix are to be appended to each licence.

Appendix 1 to Broadcasting Decision CRTC 2016-464

Sher-E-Punjab Radio Broadcasting Inc.

Terms, conditions of licence, expectation and encouragement for the ethnic commercial AM radio programming undertaking in Vancouver, British Columbia

Terms

The licence will expire 31 August 2023.

The station will operate at 600 kHz (class B) with a daytime and nighttime transmitter power of 10,000 watts.

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 Commission will only issue a licence for this undertaking 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 **28 November 2018**. In order to ensure that such a request is processed in a timely manner, it should be submitted 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, as well as to the conditions set out in the broadcasting licence for the undertaking.
2. The licensee shall devote 100% of the programming broadcast each broadcast week to ethnic programs, as defined in the *Radio Regulations, 1986*, as amended from time to time.
3. The licensee shall devote at least 85% of the programming broadcast each broadcast week to third-language programs, as defined in the *Radio Regulations, 1986*, as amended from time to time.
4. In each broadcast week, the licensee shall provide programming directed to a minimum of 19 distinct ethnic groups in at least 17 different languages.
5. In each broadcast week, at least 67% of the programming shall be broadcast in the Punjabi and Hindi languages.
6. The licensee shall not broadcast Chinese-language programming.

7. In addition to the required basic annual contribution to Canadian content development (CCD), set out in section 15 of the *Radio Regulations, 1986*, as amended from time to time, the licensee shall, upon commencement of operations, make an annual contribution of \$250,000 (\$1,750,000 over seven consecutive broadcast years) to the promotion and development of Canadian content.

This additional CCD contribution shall be allocated to parties and initiatives fulfilling the definition of eligible initiatives set out in paragraph 108 of *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006.

8. The licensee shall comply with Broadcasting Mandatory Order 2014-592 and shall adhere to the terms specified within the Consent Agreement entered into by the licensee with the Commission on 9 October 2014.

Expectation

The Commission expects the licensee to reflect the cultural diversity of Canada in its programming and employment practices.

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.

Appendix 2 to Broadcasting Decision CRTC 2016-464

Akash Broadcasting Inc.

Terms, conditions of licence, expectation and encouragement for the ethnic commercial specialty FM radio programming undertaking in Surrey, British Columbia

Terms

The licence will expire 31 August 2023.

The station will operate at 91.5 MHz (channel 218A) with an average effective radiated power (ERP) of 290 watts (maximum ERP of 1,000 watts with an effective height of antenna above average terrain of 121.9 metres).

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 Commission will only issue a licence for this undertaking 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 **28 November 2018**. In order to ensure that such a request is processed in a timely manner, it should be submitted 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, with the exception of condition of licence 7, as well as to the conditions set out in the broadcasting licence for the undertaking.
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, and *Revised content categories and subcategories for radio*, Broadcasting Regulatory Policy CRTC 2010-819, 5 November 2010.
3. As an exception to the percentage of Canadian musical selections set out in sections 2.2(8) and 2.2(9) of the *Radio Regulations, 1986* (the Regulations), the licensee shall devote, in each broadcast week, at least 50% of its musical selections from content category 2 (Popular Music) to Canadian selections broadcast in their entirety.

4. As an exception to the percentage of Canadian musical selections set out in section 2.2(4) of the *Radio Regulations, 1986* (the Regulations), the licensee shall ensure that at least 12% of its musical selections from content category 3 (Special Interest Music) broadcast during ethnic programming periods each broadcast week are Canadian selections.
5. The licensee shall devote 100% of the programming broadcast each broadcast week to ethnic programs, as defined in the *Radio Regulations, 1986*, as amended from time to time.
6. The licensee shall devote at least 77% of the programming broadcast each broadcast week to third-language programs, as defined in the *Radio Regulations, 1986*, as amended from time to time.
7. In each broadcast week, the licensee shall provide programming directed to a minimum of 21 distinct ethnic groups in at least 14 different languages.
8. In each broadcast week, at least 67% of the programming shall be broadcast in the Punjabi, Hindi and Urdu languages.
9. The licensee shall not broadcast Chinese-language programming.
10. In addition to the required basic annual contribution to Canadian content development (CCD), set out in section 15 of the *Radio Regulations, 1986*, as amended from time to time, the licensee shall, upon commencement of operations, make an annual contribution of \$100,000 (\$700,000 over seven consecutive broadcast years) to the promotion and development of Canadian content.

This additional CCD contribution shall be allocated to parties and initiatives fulfilling the definition of eligible initiatives set out in paragraph 108 of *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006.

Expectation

The Commission expects the licensee to reflect the cultural diversity of Canada in its programming and employment practices.

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.