



Broadcasting Decision CRTC 2021-200

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Reference: 2021-36

Ottawa, 14 June 2021

Mohawk Multi Media
Kanesatake/Oka, Quebec

Public record for this application: 2020-0420-9

Public hearing in the National Capital Region

30 March 2021

Indigenous FM radio station in Kanesatake

The Commission **approves** an application by Mohawk Multi Media for a new broadcasting licence to operate an English- and Kanien'ké:ha (Mohawk) language Indigenous radio station in Kanesatake/Oka, Quebec.

Application

1. Mohawk Multi Media (MMM) filed an application for a new broadcasting licence to operate an English- and Kanien'ké:ha (Mohawk) language Indigenous (Type B Native)¹ radio programming undertaking in Kanesatake/Oka, Quebec. The applicant currently operates the low-power Indigenous radio station CKHQ-FM Kanesatake. This application was filed pursuant to the Commission's process for converting low-power radio stations to regular-power radio stations set out in Broadcasting Regulatory Policy 2014-554.
2. The applicant wishes to change its station's status from an unprotected low-power station to a class A1 protected station to protect the station's frequency and to preserve a radio service that promotes Mohawk identity in the region by offering original content to the community.
3. The station would operate at 101.7 MHz (channel 269A1) with an effective radiated power of 51 watts (omni-directional antenna with an effective height of the antenna above average terrain of 55.9 metres).
4. MMM is a not-for-profit corporation controlled by its board of directors.

¹ Type B Native stations, as defined in Public Notice 1990-89, are referred to as Indigenous stations in this decision.

5. During each broadcast week, the station would broadcast 126 hours of programming, of which 119 hours would be local programming. The remaining seven hours would consist of wrap-around programming originating from Indigenous radio station CKRK-FM Kahnawake. The local programming would consist of 89.5 hours of English-language content, 28.5 hours of Kanien'ké:ha (Mohawk) language content and one hour of French-language content. The applicant also indicated that, in each broadcast week, approximately 20 hours would be devoted to spoken-word programming and 106 hours to musical content, 17 hours of which would be music performed or composed by Indigenous creators.
6. MMM's main objective is to protect and preserve the Mohawk identity by highlighting various aspects of the culture such as language, art, history, values and traditions. In addition, the applicant plans to share these aspects of Mohawk identity with surrounding communities by making original content available on this radio station.
7. The Commission did not receive any interventions in regard to this application.

Commission's analysis and decision

8. The Commission has the authority, pursuant to subsection 9(1) of the *Broadcasting Act* (the Act), to issue broadcasting licences for such terms not exceeding seven years and subject to such conditions related to the circumstances of the licensee as it deems appropriate for the implementation of the broadcasting policy set out in subsection 3(1) of the Act.
9. As set out in Public Notice 1990-89 (the Policy), the Commission expects the programming of Indigenous radio stations to be specifically oriented to the interests and needs of the Indigenous audiences that the stations are licensed to serve. These stations have a distinct role in addressing the specific cultural and linguistic needs of their audiences and creating an environment in which Indigenous artists and musicians, writers and producers can develop and flourish.
10. The initiatives that the station would undertake to promote Indigenous talent development consist of broadcasting and promoting Indigenous music and special programs. Each Indigenous musical selection would be introduced and identified as an Indigenous title when not presented as part of a program dedicated to Indigenous music. Programs dedicated to Indigenous music would provide information about the artists and music titles, as well as information on upcoming performances. Indigenous music programs originating from other Indigenous radio stations could also be broadcast if available.
11. Consequently, the Commission is satisfied that this application is consistent with the provisions for Indigenous radio stations set out in the Policy. Accordingly, the Commission **approves** the application by Mohawk Multi Media for a new broadcasting licence to operate an English- and Kanien'ké:ha (Mohawk) language Indigenous radio programming undertaking in Kanesatake/Oka, Quebec. The terms and **conditions of licence** are set out in the appendix to this decision.

Revocation of licence

12. Pursuant to paragraph 9(1)(e) and subsection 24(1) of the Act, the Commission will revoke the current licence for CKHQ-FM and issue a new broadcasting licence once the Department of Industry confirms that its technical requirements have been met and after the applicant informs the Commission that it is prepared to commence operations under the new technical parameters.

Secretary General

Related documents

- *A targeted policy review of the commercial radio sector*, Broadcasting Regulatory Policy CRTC 2014-554, 28 October 2014
- *Native Broadcasting Policy*, Public Notice CRTC 1990-89, 20 September 1990

This decision is to be appended to the licence.

Appendix to Broadcasting Decision CRTC 2021-200

Terms, conditions of licence and encouragement for the regular-power English- and Mohawk-language Indigenous (Type B Native) FM radio programming undertaking CKHQ-FM Kanesatake/Oka, Quebec

Terms

The licence will expire 31 August 2027.

The station will operate at 101.7 MHz (channel 269A1) with an effective radiated power of 51 watts (omni-directional antenna with an effective height of the antenna above average terrain of 55.9 metres).

Pursuant to subsection 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.

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 **14 June 2023**. To ensure that such a request is processed in a timely manner, it should be submitted in writing at least 60 days before this date.

Conditions of licence

1. The licensee shall devote, in each broadcast week, not less than 35% of its musical selections from content category 2 (Popular Music) to Canadian selections broadcast in their entirety.

For the purposes of this condition of licence, the terms “broadcast week,” “Canadian selection,” “content category” and “musical selection” shall have the same meanings as those set out in the *Radio Regulations, 1986*.

2. If the licensee originates 42 or more hours of programming in any broadcast week, the licensee shall adhere to the Canadian Association of Broadcasters’ *Equitable Portrayal Code*, as amended from time to time and approved by the Commission, and to the *Broadcast Code for Advertising to Children*, as amended from time to time and approved by the Commission.
3. Mohawk Multi Media shall be responsible for any non-compliance by CKHQ United Voices Radio in regard to its regulatory obligations relating to the filing of annual returns and implementation of the National Public Alerting System from 2 April 2020 until 11 May 2021, if any such non-compliance is identified during the next licence renewal.

4. The licensee shall file with the Commission its annual returns for the 2019-2020 (for the period of 2 April to 31 August 2020) broadcast year by no later than **9 August 2021**.
5. To comply with subsections 16(2) and 16(3) of the *Radio Regulations, 1986 and Amendments to various regulations, the standard conditions of licence for video-on-demand undertakings and certain exemption orders – Provisions requiring the mandatory distribution of emergency alert messages*, Broadcasting Regulatory Policy CRTC 2014-444 and Broadcasting Orders CRTC 2014-445, 2014-446, 2014-447 and 2014-448, 29 August 2014, the licensee shall implement the National Public Alerting System (NPAS) by no later than **9 August 2021**. As part of this requirement:
 - The licensee must file with the Commission a letter attesting to the implementation date of its NPAS within 14 days after the installation. In this letter, the licensee must confirm whether maintenance, testing and updating procedures have been adopted for its automated emergency alert message distribution equipment.
 - In addition, the licensee must file with the Commission the results of its first NPAS tests, as scheduled by the relevant alerting authorities, within two weeks after the occurrence of such system tests.

Encouragement

Where the licensee intends on carrying wrap-around programming, the Commission encourages it to use programming from another Indigenous station or network.