



## Broadcasting Decision CRTC 2007-38

Ottawa, 30 January 2007

**Four Senses Entertainment Inc.**  
Whistler, British Columbia

*Application 2006-0846-6  
Public Hearing in the National Capital Region  
14 November 2006*

### **CFTW-FM Whistler – Acquisition of assets**

*The Commission **approves** the application by Four Senses Entertainment Inc. for authority to acquire the assets of the low-power, English-language, tourist information radio programming undertaking CFTW-FM Whistler and for a broadcasting licence to continue the operation of this undertaking. The Commission **denies** the applicant's request to amend the current licence in order to expand the programming services to offer "entertaining spoken word" programming.*

### **The application**

1. The Commission received an application by Four Senses Entertainment Inc. (Four Senses) for authority to acquire the assets of the low-power, English-language, tourist information radio programming undertaking CFTW-FM Whistler, and for a broadcasting licence to continue the operation of this undertaking.
2. The applicant also requested an amendment to the terms and conditions in effect under the current licence. This undertaking currently offers a tourist information service providing general information relating to tourist sites and events in Whistler, with programming consisting of one hour of recorded messages repeated continually over a 24-hour period. The proposed amendment would see the applicant expand its spoken word programming to include "entertaining spoken word" programming, for example, current news and sports information, public service announcements, and segments providing information related to "snowboard care" or "hiking trail destinations." The applicant confirmed that the acquisition would not be subject to the Commission's approval of the proposed amendment.
3. The vendor is Cathe Wagg, licensee of CFTW-FM. The purchaser, Four Senses, is a British Columbia registered corporation. Mr. Barry Duggan, Mr. Donovan Tildesley and Mr. Hugh Tildesley, all Canadian citizens, own 50%, 25% and 25%, respectively, of the issued and outstanding shares of Four Senses. The licensee would be controlled by its Board of Directors pursuant to the terms of a shareholders' agreement.

## Interventions

4. The Commission did not receive any interventions in connection with this application.

## Commission's analysis and determinations

5. The Commission **approves** the application by Four Senses Entertainment Inc. for authority to acquire the assets of the low-power, English-language, tourist information radio programming undertaking CFTW-FM Whistler and for a broadcasting licence to continue the operation of this undertaking.
6. The Commission has also considered Four Senses' proposed amendment to the condition of licence regarding the nature of the station's programming. In *Policy framework for community-based media*, Broadcasting Public Notice CRTC 2002-61, 10 October 2002, the Commission stated that licensees of low-power radio programming undertakings should be subject to a condition of licence that would define their programming so as to ensure that these licensees do not change their programming and begin to offer the same service as conventional licensees, without prior Commission approval. It is of the Commission's view that the proposed program additions would serve to introduce programming elements that are typically offered by conventional radio services. The Commission therefore **denies** the applicant's request to amend the current licence to expand the programming services to offer "entertaining spoken word" programming.
7. The Commission will issue a broadcasting licence to Four Senses:
  - once the applicant has filed with the Commission a duly signed and executed copy of the shareholders' agreement, and a written confirmation of the closing of the transaction; and
  - upon surrender to the Commission of the licence currently issued to Cathe Wagg.
8. The new licence will expire 31 August 2013, and will be subject to the same **conditions** as those in effect under the current licence.

## Employment equity

9. In accordance with *Implementation of an employment equity policy*, Public Notice CRTC 1992-59, 1 September 1992, the Commission encourages the applicant to consider employment equity issues in its hiring practices and in all other aspects of its management of human resources.

Secretary General

*This decision is to be appended to the licence. It is available in alternative format upon request, and may also be examined in PDF format or in HTML at the following Internet site: <http://www.crtc.gc.ca>*

