



## Broadcasting Decision CRTC 2008-160

Ottawa, 1 August 2008

### **Frank Rogers, on behalf of a corporation to be incorporated**

Beeton-Tottenham, Ontario

*Application 2008-0163-0, received 30 January 2008*

*Public Hearing in the National Capital Region*

*13 May 2008*

### **English-language FM radio station in Beeton-Tottenham**

1. The Commission **approves** the application by Frank Rogers, on behalf of a corporation to be incorporated, for a broadcasting licence to operate an English-language, low-power FM commercial radio programming undertaking in Beeton-Tottenham, Ontario. The terms and **conditions of licence** are set out in the appendix to this decision.
2. The Commission received several interventions in support of this application, as well as an intervention in opposition to the application from Evanov Communications Inc. The interventions and the applicant's reply to the intervention in opposition can be found on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) under "Public Proceedings."
3. The new station will offer a New Country music format, and programming would consist of local news, sports, weather and traffic information, as well as various other musical and spoken word programs. The applicant indicated that the station will broadcast 100 hours of local programming per broadcast week.
4. The applicant proposed to broadcast locally-produced morning, midday and "drive home" shows and to feature programming focusing on issues such as single parenting and community events, a program oriented towards Country music, an emerging artist program entitled "Up and Coming," and a weekly church service program.

### **Canadian content development**

5. As of 1 September 2008, the commercial radio licencees will be required to adhere to the requirements relating to contributions to Canadian content development (CCD) set out in section 15 of the *Radio Regulations, 1986*, as amended by *Regulations Amending the Radio Regulations, 1986*, SOR/2008-177, 28 May 2008, announced in Broadcasting Public Notice 2008-67.
6. In the present case, the Commission notes that the applicant committed to devote, over and above the basic annual CCD contribution, a total of \$12,700 to CCD over seven consecutive broadcast years, upon commencement of operations. Of this amount, no less than 20% will be directed to FACTOR or MUSICACTION, with the remainder to be directed to eligible parties and initiatives as defined in Broadcasting Public Notice 2006-158.

7. The Commission reminds the applicant that any development initiatives that have not been allocated to specific parties by condition of licence must be allocated to the support, promotion, training and development of Canadian musical and spoken word talent, including journalists. Parties and initiatives eligible for CCD funding are identified in paragraph 108 of Broadcasting Public Notice 2006-158.

Secretary General

**Related documents**

- *Amendments to the Radio Regulations, 1986 – Implementation of the Commercial Radio Policy 2006 and the Digital Radio Policy – Regulatory policy*, Broadcasting Public Notice CRTC 2008-67, 23 July 2008
- *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006
- *New licence form for commercial radio stations*, Public Notice CRTC 1999-137, 24 August 1999
- *Implementation of an employment equity policy*, Public Notice CRTC 1992-59, 1 September 1992

*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>.*

## Appendix to Broadcasting Decision CRTC 2008-160

### Terms, conditions of licence and encouragement

#### Terms

##### **Issuance of the broadcasting licence to operate an English-language, low-power commercial FM radio programming undertaking in Beeton-Tottenham, Ontario**

The licence will take effect 1 September 2008 and will expire 31 August 2015.

The new station will operate on frequency 105.1 MHz (channel 286LP) with an effective radiated power of 50 watts.

The Department of Industry (the Department) has advised the Commission that, while this application is conditionally technically acceptable, it will only issue a broadcasting certificate when it has determined that the proposed technical parameters will not create any unacceptable interference with aeronautical NAV/COM services.

The Commission reminds the applicant that, pursuant to section 22(1) of the *Broadcasting Act*, no licence may be issued until the Department notifies the Commission that its technical requirements have been met, and that a broadcasting certificate will be issued.

Given that the technical parameters approved in this decision are for a low-power unprotected FM service, the Commission also reminds the applicant that it will have to select another frequency if the Department so requires.

Furthermore, the licence for this undertaking will be issued once the applicant:

- has satisfied the Commission, with supporting documentation, that an eligible Canadian corporation has been incorporated in accordance with the application in all material respects; and
- 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 1 August 2010. 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 licence will be subject to the conditions set out in *New licence form for commercial radio stations*, Public Notice CRTC 1999-137, 24 August 1999, with the exceptions of conditions of licence numbers 1 and 5.
2. 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 by *Regulations Amending the Radio Regulations, 1986*, SOR/2008-117, 28 May 2008, announced in *Amendments to the Radio Regulations, 1986 – Implementation of the Commercial Radio Policy 2006 and the Digital Radio Policy – Regulatory policy*, Broadcasting Public Notice CRTC 2008-67, 23 July 2008, the licensee shall, commencing in the first year of operation, contribute a minimum of \$1,000 per broadcast year to the promotion and development of Canadian content. This amount shall vary in subsequent years of the licence term based on the following annual contributions: Year 1: \$1,000; Year 2: \$1,700; Year 3: 1,500; Year 4: \$1,500; Year 5: \$2,000; Year 6: \$2,500; and Year 7: \$2,500.

Of the additional contributions set out above, the licensee shall direct a minimum of 20% to FACTOR per broadcast year. The remainder of this additional amount in each broadcast year shall be allocated to parties and initiatives fulfilling the definition of eligible initiatives in *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006.

3. The licensee shall adhere to the provisions of the Canadian Association of Broadcasters' (CAB) *Broadcast code for advertising to children* and to the guidelines set out in the CAB's *Equitable Portrayal Code*, as amended from time to time and approved by the Commission.

## Encouragement

### Employment equity

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.