



Broadcasting Decision CRTC 2010-442

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Route reference: 2009-786

Ottawa, 30 June 2010

Raedio Inc.
Stratford, Ontario

Application 2009-0142-2, received 15 January 2009

CHGK-FM Stratford – Licence renewal

*The Commission **renews** the broadcasting licence for the English-language commercial radio station CHGK-FM Stratford from 1 July 2010 to 31 August 2013. This short-term licence renewal will enable the Commission to review the licensee's compliance with the Radio Regulations, 1986 and its conditions of licence at an earlier date.*

Introduction

1. The Commission received an application by Raedio Inc. to renew the broadcasting licence for the English-language commercial radio programming undertaking CHGK-FM Stratford, which expires 30 June 2010.¹ The Commission did not receive any interventions in connection with this application.
2. In Broadcasting Notice of Consultation 2009-786, the Commission noted that the licensee may have failed to comply with section 9(2) of the *Radio Regulations, 1986* (the Regulations), which relates to the provision of annual returns, for the 2008 broadcast year. The Commission also noted that the licensee may have failed to comply with its condition of licence relating to contributions to Canadian talent development (CTD) for the same broadcast year.

Commission's analysis and determinations

3. After examining the application in light of applicable regulations and policies, the Commission considers that the issues to be addressed in its determinations relate to the following:
 - contributions to CTD and
 - the provision of annual returns.

¹ The current licence was administratively renewed until 31 December 2009 in Broadcasting Decision 2009-506, until 31 May 2010 in Broadcasting Decision 2009-785 and until 30 June 2010 in Broadcasting Decision 2010-324.

Contributions to Canadian talent development

4. As set out in the Regulations, licensees are required to complete payment of their required CTD contributions for a given broadcast year by the end of that broadcast year (i.e. 31 August). The Commission notes that the licensee completed its CTD payment for the 2008 broadcast year after this 31 August deadline.
5. The licensee indicated that it had been relying on invoicing from FACTOR to keep its Canadian content development (CCD)² payments up to date and that it did not notice until after the end of the fiscal year that the payment had not been made. The licensee stated that it had since instituted two measures to ensure the CCD payments were made properly.

Provision of annual returns

6. The Commission notes that the licensee submitted its annual return for the 2008 broadcast year by the required deadline, but that some of the items that were to be included in that annual return were missing. The Commission further notes that those items have since been submitted to the Commission.
7. The licensee stated that the required document was not included in the package when mailed and that it took full responsibility for this non-compliance. It further noted that a large reminder to include the financial statements had been added to the annual return and that, going forward, the general manager would cross-check the annual return to ensure all required documents were included.

Conclusion

8. In light of all of the above, in accordance with its practice regarding radio non-compliance set out in Circular No. 444, the Commission considers that a short-term renewal period for CHGK-FM would be appropriate. Accordingly, the Commission **renews** the broadcasting licence for the English-language commercial radio programming undertaking CHGK-FM Stratford from 1 July 2010 to 31 August 2013, four years from the original expiry date of 31 August 2009. This short-term renewal will enable the Commission to assess the licensee's compliance with the Regulations and its conditions of licence at an earlier date. The licence will be subject to the **conditions** set out in Broadcasting Regulatory Policy 2009-62.

Employment equity

9. In accordance with Public Notice 1992-59, 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.

Secretary General

² As set out in Broadcasting Public Notice 2006-158, the Commission replaced the expression "Canadian talent development" (CTD) with "Canadian content development" (CCD).

Related documents

- *Administrative renewals*, Broadcasting Decision CRTC 2010-324, 28 May 2010
- *Notice of applications received*, Broadcasting Notice of Consultation CRTC 2009-786, 17 December 2009
- *Administrative renewals*, Broadcasting Decision CRTC 2009-785, 17 December 2009
- *Administrative renewals*, Broadcasting Decision CRTC 2009-506, 20 August 2009
- *Conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009
- *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006
- *Practices regarding radio non-compliance*, Circular No. 444, 7 May 2001
- *Implementation of an employment equity policy*, Public Notice CRTC 1992-59, 1 September 1992

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