



Broadcasting Decision CRTC 2010-625

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Route reference: 2010-334

Ottawa, 26 August 2010

Vista Radio Ltd.

Yellowknife and Hay River, Northwest Territories

Application 2010-0125-5, received 1 February 2010

CJCD-FM Yellowknife and its transmitter CJCD-FM-1 Hay River – Licence renewal

*The Commission **renews** the broadcasting licence for the English-language commercial radio station CJCD-FM Yellowknife and its transmitter CJCD-FM-1 Hay River, from 1 September 2010 to 31 August 2014. This short-term licence renewal will enable the Commission to review, at an earlier date, the licensee's compliance with the Radio Regulations, 1986.*

Introduction

1. The Commission received an application by Vista Radio Ltd. (Vista) to renew the broadcasting licence for the English-language commercial radio programming undertaking CJCD-FM Yellowknife and its transmitter CJCD-FM-1 Hay River, which expires 31 August 2010. The Commission did not receive any interventions in connection with this application.
2. In Broadcasting Notice of Consultation 2010-334, the Commission stated that the licensee may have failed to comply with section 15(2) of the *Radio Regulations, 1986* (the Regulations), which relates to contributions to Canadian content development (CCD).

Commission's analysis and determinations

3. After examining the application in light of applicable regulations and policies, the Commission considers that the issue to be addressed in its determinations relates to contributions to CCD.
4. The Commission notes that, for the 2009 broadcast year the licensee had a shortfall in its CCD contribution as prescribed in section 15 of the Regulations.
5. In a letter dated 22 March 2010, the licensee stated the non-compliance occurred as a result of undervaluing the services received in exchange for advertising. The licensee also indicated that it filed separate returns for both CJCD-FM and CJCD-FM-1,

which contributed to the undervaluation of station revenues for the 2009 broadcast year and to the subsequent CCD shortfall.

Conclusion

6. In light 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 CJCD-FM and its transmitter CJCD-FM-1 would be appropriate. Accordingly, the Commission **renews** the broadcasting licence for the English-language commercial radio programming undertaking CJCD-FM Yellowknife and its transmitter CJCD-FM-1 Hay River, from 1 September 2010 to 31 August 2014. This short-term renewal will enable the Commission to assess, at an earlier date, the licensee's compliance with the Regulations. The licence will be subject to the **conditions** set out in the appendix to this decision.

Employment equity

7. 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

Related documents

- *Notice of applications received*, Broadcasting Notice of Consultation CRTC 2010-334, 1 June 2010
- *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.*

Appendix to Broadcasting Decision CRTC 2010-625

Conditions of licence

1. The licence will be subject 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 9 set out in that regulatory policy.
2. The licensee shall broadcast, in any broadcast week, less than 85% hit material as defined in *Revised Policy on the Use of Hits by English-language FM Radio Stations*, Public Notice CRTC 1997-42, 23 April 1997, as amended from time to time.