



Broadcasting Decision CRTC 2010-879

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Route reference: 2010-334

Additional reference: 2010-334-1

Ottawa, 26 November 2010

Radio Haute Mauricie inc.
La Tuque, Quebec

Application 2010-0208-9, received 11 February 2010

CFLM La Tuque – Licence renewal

*The Commission **renews** the broadcasting licence for the French-language commercial radio station CFLM La Tuque from 1 December 2010 to 31 August 2014. This short-term licence renewal will enable the Commission to review the licensee’s compliance with the Radio Regulations, 1986 at an earlier date.*

Introduction

1. The Commission received an application by Radio Haute Mauricie inc. to renew the broadcasting licence for the French-language commercial radio programming undertaking CFLM La Tuque, which expires 30 November 2010.¹
2. In Broadcasting Notice of Consultation 2010-334, the Commission stated that in the 2008-2009 broadcast year the licensee may have failed to comply with section 15(4) of the *Radio Regulations, 1986* (the Regulations) relating to Canadian content development (CCD) contributions.
3. As part of this process, the Commission received and considered a comment from the Association québécoise de l’industrie du disque, du spectacle et de la vidéo (ADISQ). The comment is available on the Commission’s website at www.crtc.gc.ca under “Public Proceedings.”

Non-compliance

4. As set out in section 15(4) of the Regulations, licensees are required to pay at least 60% of their basic annual CCD contribution to FACTOR or MUSICACTION. The Commission notes that in the 2008-2009 broadcast year, the licensee contributed more than the amount required under the Regulations but did not allocate 60% of that contribution to MUSICACTION.

¹The broadcasting licence was administratively renewed from 1 September to 30 November 2010 in Broadcasting Decision 2010-635.

5. In its comment, ADISQ did not oppose a seven-year licence renewal for CFLM, but did express concerns over its compliance with the CCD contribution regime and presented information on access to CCD contribution records. ADISQ further indicated that the Commission must ensure that the licensee meets its CCD contribution commitments for each year of its licence term and that it allocates the correct portion of that contribution to MUSICACTION. ADISQ requested that the Commission require licensees found in non-compliance to pay their shortfall as soon as possible.
6. The licensee stated that it has always met its conditions of licence relating to CCD but did not realize that section 15(4) of the Regulations came into effect during the licence term.

Conclusion

7. In light of the above and in accordance with its practices regarding radio non-compliance set out in Circular No. 444, the Commission considers that a short-term renewal for CFLM is appropriate. Accordingly, the Commission **renews** the broadcasting licence for the French-language commercial radio programming undertaking CFLM La Tuque from 1 December 2010 to 31 August 2014. This short-term renewal will enable the Commission to assess the licensee's compliance with the Regulations at an earlier date. The licence will be subject to the **conditions** set out in Broadcasting Regulatory Policy 2009-62.

Employment equity

8. 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

- *Administrative Renewals*, Broadcasting Decision CRTC 2010-635, 30 August 2010
- *Notice of applications received*, Broadcasting Notice of Consultation CRTC 2010-334, 1 June 2010
- *Conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009
- *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.*