



Broadcasting Decision CRTC 2011-591

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Route reference: 2011-188

Ottawa, 16 September 2011

City Church Halifax
Spryfield, Nova Scotia

Application 2010-0662-7, received 20 April 2010
Public hearing in the National Capital Region
17 May 2011

Christian music FM radio station in Spryfield

1. The Commission **approves** the application by City Church Halifax (CCH) for a broadcasting licence to operate an English-language, low-power specialty FM radio programming undertaking to provide Christian music in Spryfield, Nova Scotia. The new station will operate at 94.7 MHz (channel 234LP) with an effective radiated power of 50 watts (non-directional antenna with an effective height of antenna above average terrain of 22 metres).¹ The terms and **conditions of licence** are set out in the appendix to this decision.
2. CCH is a not-for-profit organization controlled by its board of directors.
3. The Commission received an intervention in support of the present application. The public record for this proceeding can be found on the Commission's website at www.crtc.gc.ca under "Public Proceedings."
4. The new station will offer a specialty FM Christian Adult contemporary music format. In each broadcast week, the station will broadcast 126 hours of local programming and will offer 22 hours of spoken word programming consisting of 7 hours of news, as well as sports, weather and community-related programming.
5. CCH committed to devote each broadcast week, by condition of licence, no less than 95% of its musical selections to selections drawn from subcategory 35 (Non-classic religious) as defined in Public Notice 2000-14. CCH also committed to devote each broadcast week, by condition of licence, no less than 20% of its category 3 musical selections to Canadian selections. **Conditions of licence** to this effect are set out in the appendix to this decision.

¹These technical parameters reflect those set out in the certificate of technical acceptability issued by the Department of Industry.

6. CCH confirmed that it would adhere to the Commission's guidelines on balance and ethics as set out in Public Notice 1993-78, in which the Commission stated that stations that broadcast religious programming have an obligation to offer differing views on matters of public concern, including religious matters. A **condition of licence** to this effect is set out in the appendix to this decision.

Canadian content development

7. The Commission notes that the applicant is not required to make contributions to Canadian content development (CCD), as set out in section 15 of the *Radio Regulations, 1986*, since CCH is a not-for-profit corporation. CCH has nonetheless committed to allocate, by condition of licence, a minimum contribution of \$500 per year in each of the first seven years of operation to the promotion and development of Canadian content. A **condition of licence** to this effect is set out in the appendix to this decision.
8. The Commission reminds the applicant that any CCD funding that has 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.

Market diversity

9. The Commission notes that Spryfield is located within the Halifax radio market. The Commission also notes that CJLU-FM Halifax, a specialty FM Christian music radio station also serves the Halifax market. The Commission did not receive an intervention from International Harvesters for Christ Evangelistic Association Inc., licensee of CJLU-FM. CCH described its proposed service as including station-produced, ethnic and local community programming as well as a high level of music, which will differ from CJLU-FM's programming. The Commission notes that the proposed service will add diversity to the Halifax market and will increase the range of programming offered. Given the targeted nature of the programming proposed as well as the limited coverage area, the Commission considers that the proposed station will have only a negligible impact on incumbent stations in the market.

Secretary General

Related documents

- *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006
- *Revised content categories and subcategories for radio*, Public Notice CRTC 2000-14, 28 January 2000
- *Religious Broadcasting Policy*, Public Notice CRTC 1993-78, 3 June 1993

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

Appendix to Broadcasting Decision CRTC 2011-591

Terms, conditions of licence and encouragement

Issuance of the broadcasting licence to operate an English-language, low-power specialty FM radio programming undertaking in Spryfield, Nova Scotia

Terms

The licence will expire 31 August 2018.

The station will operate at 94.7 MHz (channel 234LP) with an effective radiated power of 50 watts (non-directional antenna with an effective height of antenna above average terrain of 22 metres).

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 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 16 September 2013. 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 *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 7.
2. The station shall be operated within the specialty format as defined in *Revised content categories and subcategories for radio*, Public Notice CRTC 2000-14, 28 January 2000 and *A Review of certain matters concerning radio*, Public Notice CRTC 1995-60, 21 April 1995, as amended from time to time.

3. No less than 95% of all musical selections broadcast each broadcast week shall be devoted to selections drawn from subcategory 35 (Non-classic religious).
4. The licensee shall devote a minimum level of 20% of category 3 musical selections each broadcast week to Canadian selections.
5. When the licensee broadcasts religious programming as defined in *Religious Broadcasting Policy*, Public Notice CRTC 1993-78, 3 June 1993, the licensee shall adhere to the guidelines set out in sections III.B.2.a) and IV of that public notice with respect to the provision of balance and ethics in religious programming, as amended from time to time.
6. The licensee shall, upon commencement of operations, make a minimum annual contribution of \$500 to the promotion and development of Canadian content, for a total of \$3,500 over seven consecutive broadcast years.

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.