



Broadcasting Decision CRTC 2013-688

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Route reference: 2013-315

Ottawa, 13 December 2013

Riding Mountain Broadcasting Ltd.
Brandon, Manitoba

Application 2013-0145-7, received 24 January 2013

CKLF-FM Brandon – Licence renewal

*The Commission **renews** the broadcasting licence for the commercial radio station CKLF-FM Brandon, Manitoba, from 1 January 2014 to 31 August 2020.*

Introduction

1. The Commission received an application by Riding Mountain Broadcasting Ltd. to renew the broadcasting licence for the commercial radio station CKLF-FM Brandon, Manitoba, which expires 31 December 2013.¹
2. The Commission received an intervention sent on behalf of the province of Manitoba, relating to the participation of CKLF-FM in the National Public Alerting System (NPAS). The public record for this proceeding is available on the Commission's website at www.crtc.gc.ca under "Public Proceedings."
3. As specified in its three-year plan, the Commission will be looking at measures to ensure the participation of Canadian broadcasters and telecommunications service providers in the NPAS. Therefore, the Commission will not impose conditions of licence requiring the participation of broadcasters in the NPAS at this time. However, the Commission expects all licensees to voluntarily participate in the NPAS, so that Canadians receive timely warnings of imminent perils.

Non-compliance

4. In Broadcasting Notice of Consultation 2013-315, the Commission noted that the licensee was in apparent non-compliance with section 15 of the *Radio Regulations, 1986* (the Regulations) relating to Canadian content development (CCD) contributions for the 2008-2009 broadcast year.

¹ The original expiry date of CKLF-FM's broadcasting licence was 31 August 2013. This licence was administratively renewed until 31 December 2013 in Broadcasting Decision 2013-418.

5. The licensee explained that it had misinterpreted Broadcasting Public Notice 2008-67, which led to a shortfall in its contribution to FACTOR in the 2008-2009 broadcast year. The licensee indicated that it paid the shortfall in question on 4 April 2013.
6. In light of the above, the Commission finds the licensee in non-compliance with section 15 of the Regulations for the 2008-2009 broadcast year.

Regulatory measures

7. In Broadcasting Information Bulletin 2011-347, the Commission announced a revised approach to non-compliance by radio stations. Specifically, the Commission indicated that each instance of non-compliance would be evaluated in its context and in light of factors such as the quantity, recurrence and seriousness of the non-compliance. The Commission also indicated that it would consider the circumstances of the non-compliance, the arguments provided by the licensee and the measures taken to rectify the situation.
8. The Commission considers that initiatives relating to the development of Canadian content and talent not only help to develop and advance the careers of emerging Canadian artists but to increase the supply of high-quality Canadian music in a variety of genres and the demand for Canadian music by listeners. Accordingly, it is important that radio licensees make their required contributions to the development of Canadian content and talent.
9. The Commission has reviewed the record for this application and notes that the licensee has paid the shortfall in CCD contributions. The Commission is of the view that the licensee's contributions to CCD were made in good faith and that the licensee has taken the necessary measures to ensure future compliance with section 15 of the Regulations relating to CCD contributions as there were no other instances of non-compliance in subsequent years. Accordingly, the Commission considers it appropriate to grant a full licence term to this station.

Conclusion

10. In light of the above, the Commission **renews** the broadcasting licence for the commercial radio programming undertaking CKLF-FM Brandon, from 1 January 2014 to 31 August 2020. The licensee shall adhere to the **conditions** set out in Broadcasting Regulatory Policy 2009-62, as amended from time to time.

Reminder

11. Pursuant to section 22 of the *Broadcasting Act*, the Commission reminds the licensee that the broadcasting licence will cease to have any force or effect if the broadcasting certificate issued by the Department of Industry lapses.

Employment equity

12. 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.

Secretary General

Related documents

- *Various radio programming undertakings – Administrative renewals*, Broadcasting Decision CRTC 2013-418, 19 August 2013
- *Notice of applications received*, Broadcasting Notice of Consultation CRTC 2013-315, 2 July 2013
- *Revised approach to non-compliance by radio stations*, Broadcasting Information Bulletin CRTC 2011-347, 26 May 2011
- *Conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009
- *Amendments to the Radio Regulations, 1986 – Implementation of the Commercial Radio Policy 2006 and the Digital Radio Policy*, Broadcasting Public Notice 2008-67, 23 July 2008

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