



## Broadcasting Decision CRTC 2014-269

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Route reference: 2014-59

Ottawa, 23 May 2014

**Corus Premium Television Ltd.**  
New Westminster, British Columbia

*Application 2013-1544-0, received 8 November 2013*

### **CKNW New Westminster – Licence renewal**

*The Commission **renews** the broadcasting licence for the English-language commercial AM radio station CKNW New Westminster from 1 September 2014 to 31 August 2021.*

#### **Application**

1. Corus Premium Television Ltd. (Corus) filed an application to renew the broadcasting licence for the English-language commercial AM radio station CKNW New Westminster, British Columbia, which expires 31 August 2014. The Commission did not receive any interventions in connection with this application.

#### **Non-compliance**

2. In Broadcasting Notice of Consultation 2014-59, the Commission stated that the licensee was in apparent non-compliance with its required Canadian content development (CCD) contributions. Specifically, the licensee directed a portion of its CCD contribution for the 2010-2011 broadcast year, as required under section 15 of the *Radio Regulations, 1986* (the Regulations), to Live Nation, an initiative deemed to be ineligible under the Commercial Radio Policy (Broadcasting Public Notice 2006-158).
3. The Live Nation initiative was a “win to get in” event that was reserved for listeners to the station who qualified by calling in to the station. Corus stated that four of its stations contributed to the Live Nation initiative, and that the contributions were made in good faith and based on its understanding of the CCD criteria at that time. The licensee pointed out that, when it became aware of the ineligibility of the initiative, it took immediate action and paid the shortfall to FACTOR in December 2012.
4. In addition, the licensee stated that it has hired a senior manager responsible for ensuring that staff members at all of its radio stations are aware of the requirements and of the criteria relating to CCD contributions, and that this senior manager will coordinate the internal overview of all of the licensee’s contributions to CCD

initiatives at a corporate level. This includes a review by the company's legal and regulatory staff of all new and amended initiatives that have not been confirmed as eligible.

5. In light of the above, the Commission finds the licensee in non-compliance with section 15 of the Regulations relating to CCD contributions.
6. In Broadcasting Decision 2010-864, the Commission renewed CKNW's broadcasting licence for a short term in light of the licensee's non-compliance with section 15 of the Regulations. This is therefore the second consecutive licence term in which the licensee has been found in non-compliance.

### **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 notes that the licensee has paid its CCD contribution shortfall and has put measures in place to ensure compliance in the future, such as hiring a senior manager to oversee its stations' CCD contributions. In addition, this was the only instance of non-compliance in the current licence term. The Commission therefore considers it appropriate to grant a full-term licence renewal to this station.

### **Conclusion**

9. In light of the above, the Commission **renews** the broadcasting licence for the English-language commercial AM radio programming undertaking CKNW New Westminster from 1 September 2014 to 31 August 2021. The licensee shall continue to adhere to the **conditions of licence** set out in Broadcasting Decision 2010-864.

### **Reminder**

10. Pursuant to section 22 of the *Broadcasting Act*, the broadcasting licence renewed in this decision will cease to have any force or effect if the broadcasting certificate issued by the Department of Industry lapses.

### **Employment equity**

11. Because this licensee is subject to the *Employment Equity Act* and files reports concerning employment equity with the Department of Employment and Social Development, its employment equity practices are not examined by the Commission.

Secretary General

## Related documents

- *Notice of applications received*, Broadcasting Notice of Consultation CRTC 2014-59, 13 February 2014
- *Revised approach to non-compliance by radio stations*, Broadcasting Information Bulletin CRTC 2011-347, 26 May 2011
- *CKNW New Westminster – Licence renewal*, Broadcasting Decision CRTC 2010-864, 23 November 2010
- *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

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