



Broadcasting Decision CRTC 2015-365

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References: 2015-17 and 2015-17-3

Ottawa, 10 August 2015

Vista Radio Ltd.
Stratford, Ontario

Application 2014-0382-3, received 2 May 2014
Public hearing in the National Capital Region
8 April 2015

CJCS Stratford – Conversion to the FM band

1. The Commission **approves** the application by Vista Radio Ltd. (Vista) for a broadcasting licence to operate an English-language FM radio programming undertaking in Stratford, Ontario, to replace its AM radio programming undertaking CJCS. The terms and **conditions of licence** are set out in the appendix to this decision.
2. The Commission received interventions in support of this application, as well as a comment by an individual. The public record for this application can be found on the Commission's website at www.crtc.gc.ca or by using the application number provided above.
3. Vista is a corporation controlled by Westerkirk Capital Inc., which is controlled by Thompson Investments Limited.
4. The station's format will change from an Oldies to a Rock music format for male listeners aged 25 years and older. The new station will broadcast 126 hours of programming each broadcast week, including at least 100 hours of local programming. At least 5 hours and 30 minutes each broadcast week will be devoted to newscasts, including 55 minutes each weekday and 28 minutes on Saturday and Sunday of news, weather, sports and traffic information. The station will also provide information on local community events and activities and daily agricultural reports, as well as support emerging rock artists by means of interviews, live in-studio performances, on-air promotions and the station's website.

Canadian content development

5. Vista must adhere to the requirements relating to contributions to Canadian content development (CCD) set out in section 15 of the *Radio Regulations, 1986* (the Regulations), as amended from time to time. According to Vista's financial projections, the station will generate annual revenues below the \$1.25 million

threshold set out in the Regulations throughout its licence term. Therefore, the licensee may not be required to make any basic CCD contributions for the new station.

6. However, as part of its application, Vista made commitments to CCD over and above the basic amount. Specifically, it indicated that in addition to any required basic annual contributions, it would contribute, by condition of licence, \$3,000 per year to CCD (\$21,000 over seven consecutive broadcast years from the beginning of operations). Vista stated that 85% of its over-and-above CCD contributions would be directed to FACTOR, while the remaining 15% would be contributed to the Community Radio Fund of Canada.

Simulcast period and revocation of AM licence

7. As set out in the appendix to this decision, Vista is authorized to simulcast the programming of the new FM station on CJCS Stratford for a transition period of three months following the commencement of operations of the FM station. Pursuant to sections 9(1)(e) and 24(1) of the *Broadcasting Act* and consistent with the licensee's request, the Commission **revokes** the licence for CJCS Stratford effective at the end of the simulcast period.

Employment equity

8. 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

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

Appendix to Broadcasting Decision CRTC 2015-365

Terms, conditions of licence and expectation for the English-language commercial FM radio programming undertaking in Stratford, Ontario

Terms

The licence will expire 31 August 2021.

The station will operate at 107.1 MHz (channel 296A) with an average effective radiated power (ERP) of 900 watts (maximum ERP of 4,000 watts with an effective height of antenna above average terrain of 32.6 metres).

Pursuant to section 22(1) of the *Broadcasting Act*, no licence may be issued until the Department of Industry notifies the Commission that its technical requirements have been met and that a broadcasting certificate will be issued.

Further, the Commission will only issue a licence for this undertaking 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 **10 August 2017**. 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 licensee shall adhere 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.
2. In addition to the required basic annual contribution to Canadian content development (CCD) set out in section 15 of the *Radio Regulations, 1986*, as amended from time to time, the licensee shall make an annual contribution of \$3,000 (\$21,000 over seven consecutive broadcast years from the beginning of operations) to the promotion and development of Canadian content. Of this amount, the licensee shall allocate no less than 20% per broadcast year to FACTOR or MUSICACTION. The remainder shall be allocated to parties and initiatives fulfilling the definition of eligible initiatives set out in paragraph 108 of *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006.
3. The licensee is authorized to simulcast the programming of the new FM station on CJCS Stratford for a transition period of three months following the commencement of operations of the FM station.

Expectation

The Commission expects the licensee to reflect the cultural diversity of Canada in its programming and employment practices.