



## Broadcasting Decision CRTC 2016-148

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Reference: 2015-529

Ottawa, 25 April 2016

**Christopher Clarke**  
Ridgetown, Ontario

*Application 2015-0581-9, received 9 June 2015*

### English-language commercial FM radio station in Ridgetown

*The Commission **denies** an application for a broadcasting licence to operate a new low-power English-language commercial FM radio station in Ridgetown.*

#### Application

1. Christopher Clarke filed an application for a broadcasting licence to operate a new low-power English-language commercial FM radio station in Ridgetown, Ontario. The new station would operate at 101.5 MHz (channel 268LP) with an effective radiated power of 50 watts (non-directional antenna with an effective height of antenna above average terrain of 13.5 metres).<sup>1</sup> The Commission received an intervention in support of this application.
2. The proposed station would offer a mixed format of Top 40, rock and country music, including local and emerging Canadian talent. The station would target the community of Ridgetown and surrounding areas, and would broadcast 126 hours of local, station-produced programming each broadcast week, including approximately 4 hours of local and regional newscasts.
3. The applicant stated that it has been operating an online radio company (Ridge FM) over the past two years out of a broadcasting studio in Ridgetown and that it participates in several local events. According to Christopher Clarke, approval of the application would allow Ridge FM to reach a larger audience for the betterment of the community of Ridgetown and surrounding areas.

#### Commission's analysis

4. When evaluating an application for a new commercial radio station, the Commission generally examines, among other things, the quality of the business plan, including the proposed format, plans for local programming and other matters related to the

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<sup>1</sup> These technical parameters reflect those conditionally approved by the Department of Industry.

operation of the proposed station. With respect to the present application, the Commission considers that it must examine the following issues:

- the station's business plan;
- the local programming to be aired on the station; and
- the quality of the application.

### **Business plan**

5. In response to deficiency letters from Commission staff, the applicant confirmed that the station would be operated and controlled solely by Mr. Christopher Clarke, with the assistance of five individual volunteers to help with programming, production, advertising and on-air talent under the direction of Mr. Clarke.
6. The responses provided by the applicant confirm that Mr. Clarke does not intend to hire employees for the operation of the proposed station and that neither Mr. Clarke nor the volunteers under his direction have any extensive on-air radio broadcasting experience. The Commission therefore has concerns about how the applicant could fulfill its broadcasting commitments and regulatory obligations, and operate the proposed station in full compliance.
7. Further, given the lack of supporting financial details provided in the application and in the applicant's responses to the deficiency letters, such as the potential source of projected revenues, the Commission is unable to analyze the station's financial projections.
8. Finally, in support of its application, the applicant claimed that residents of Ridgetown have requested that Ridge FM broadcast over the air. However, it provided little evidence in this regard, and no supporting interventions demonstrating a need for an interest in the proposed station were submitted by local residents or businesses.
9. In light of the above, the Commission finds that Christopher Clarke has presented a deficient business plan for his proposed station.

### **Local programming**

10. As set out in paragraph 207 of *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006 (the Commercial Radio Policy), licensees of commercial radio stations must incorporate spoken-word material of direct and particular relevance to the community served, including local news, weather, sports coverage, and the promotion of local events and activities.

11. In the present application, Christopher Clarke indicated that the station would devote approximately four hours each broadcast week to newscasts consisting of local and regional news. It did not provide any other information that specifically detailed the range of local spoken-word programming that the station would broadcast.
12. Based on the quality of the materials submitted in the application, the Commission is unable to assess whether the proposed station would provide listeners with an appropriate amount of regularly scheduled, locally produced news and information. Moreover, the applicant has not provided sufficient information to indicate how the station's spoken-word material would be of direct and particular relevance to the community of Ridgetown.
13. Given the preceding, the Commission finds that Christopher Clarke has not demonstrated how the proposed station would offer local programming that is of direct and particular relevance to the community of Ridgetown, pursuant to the Commercial Radio Policy.

#### **Quality of the application**

14. Applicants must provide a quality application and demonstrate a clear understanding of the regulatory requirements associated with operating a licensed commercial radio station in Canada. Applicants are also expected to provide sufficient details in support of an application.
15. In the present case, Christopher Clarke neither provided sufficient programming information nor demonstrated a sound business plan for the proposed station. Moreover, the application lacks details necessary to enable the Commission to properly evaluate the proposed station. Consequently, the Commission finds that the quality of the application does not meet the standard set out above.

#### **Conclusion**

16. In light of all of the above, the Commission **denies** the application by Christopher Clarke for a broadcasting licence to operate a new low-power English-language commercial FM radio programming undertaking in Ridgetown.
17. The Commission reminds the applicant that should it submit an application for a new station in the future, the Commission's decision would be based on the merits of the application received.

Secretary General