



Broadcasting Decision CRTC 2019-351

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Reference: Part 1 applications posted on 26 August 2019

Ottawa, 18 October 2019

Radio Humsafar Inc.
Brampton, Ontario

Public record for these applications: 2019-0706-5 and 2019-0742-9

Ethnic commercial AM radio station in Brampton – Technical changes and extension of implementation deadline

*The Commission **approves** an application by Radio Humsafar Inc. (Radio Humsafar) to change the authorized contours of its unlaunched ethnic commercial AM radio station in Brampton, Ontario.*

*The Commission also **approves** an application by Radio Humsafar to extend the deadline by which that unlaunched station must begin operations.*

Background

1. In Broadcasting Decision 2015-471, following a competitive process, the Commission approved an application by Radio Humsafar Inc. (Radio Humsafar) to operate an ethnic commercial AM radio station in Brampton, Ontario. In that decision, the Commission set a deadline of 21 October 2017 for the station to begin operations, unless the Commission approved an extension of time. Radio Humsafar later submitted such a request, and that deadline was extended to 21 October 2019.¹
2. Radio Humsafar also submitted three applications to relocate the unlaunched station's transmitter site. The Commission approved the first application, which proposed a site approximately 1 kilometre away; however, that site became unavailable and that approval was later rendered invalid.² Two subsequent applications were denied in Broadcasting Decisions 2018-385 and 2019-248. Those applications both proposed the same site, which was located approximately 7 kilometres away and in Mississauga, Ontario. Use of that site would have significantly decreased the station's coverage of Brampton, the market it was authorized to serve, and increased its

¹ That extension was approved in a letter decision dated 1 November 2018. All letters of approval issued by the Commission are available upon request for public examination at the Commission's central office.

² The Commission granted approval in a letter decision dated 7 December 2016; however, the Department of Industry never issued a certificate of technical acceptance of that technical amendment.

coverage of Mississauga, a market it was not authorized to serve, thereby undermining the integrity of the original licensing decision.

Applications

3. Most recently, Radio Humsafar filed an application (2019-0706-5) to change the authorized contours of its unlaunched radio station by relocating its transmitter site. All other technical parameters remain unchanged. The applicant noted that the proposed site is located within and would provide better coverage of its authorized market of Brampton.
4. Radio Humsafar also filed an application (2019-0742-9) to extend the deadline for the station to begin operations to 21 October 2020. It stated that the requested extension is necessary because it needs additional time to construct the transmission site and launch the radio station.
5. The Commission did not receive any interventions regarding these applications.

Commission's analysis and decisions

6. The newly proposed transmitter site is located approximately 1.5 kilometres from the original site, which the Commission approved in Broadcasting Decision 2015-471. Moreover, use of this site would result in greater coverage of Brampton, the market the station is authorized to serve, and decreased coverage of the neighbouring market of Mississauga. In light of this, the Commission finds that the present application addresses the concerns expressed in Broadcasting Decisions 2018-385 and 2019-248.
7. As for the request to extend the deadline to begin operations of this station, the Commission notes that its standard practice is to grant a maximum of two such extensions and a total of up to four years' time from the date of the licensing decision. The current deadline of 21 October 2019 is in accordance with that practice. The Commission has, exceptionally, granted further extensions in instances where applicants have demonstrated continued efforts to meet set deadlines.³ In regard to the present case, the Commission is of the view that Radio Humsafar has demonstrated such efforts over the past four years.
8. In light of the above, the Commission **approves** the application by Radio Humsafar Inc. to change the authorized contours of its unlaunched ethnic commercial AM radio programming undertaking in Brampton.
9. Further, the Commission **approves** the application by Radio Humsafar Inc. to extend the deadline by which the station must begin operations to **21 October 2020**.

³ For example, in a decision letter dated 27 November 2017, the Commission granted an extension of time exceeding those that it normally approves to 8159203 Canada Limited for the deadline by which it was to implement its unlaunched station. 8159203 Canada Limited originally received approval to operate this station, which is now known as CKNT Mississauga, Ontario, in Broadcasting Decision 2011-722.

Reminders

10. The undertaking must be operational at the earliest possible date and, in any event, by no later than **21 October 2020**. 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. Should the applicant fail to meet the implementation deadline set out above, the authority granted in Broadcasting Decision 2015-471 will become null and void. Radio Humsafar would then be required to submit a new application for a broadcasting licence should it wish to operate the radio station.
11. Pursuant to section 22(1) of the *Broadcasting Act*, this authority will only be effective when the Department of Industry notifies the Commission that its technical requirements have been met and that a broadcasting certificate will be issued.

Secretary General

Related documents

- *Ethnic commercial AM radio station in Brampton – Technical changes*, Broadcasting Decision CRTC 2019-248, 9 July 2019
- *Ethnic commercial AM radio station – Technical changes*, Broadcasting Decision CRTC 2018-385, 3 October 2018
- *Licensing of new radio stations to serve Brampton*, Broadcasting Decision CRTC 2015-471, 21 October 2015
- *English-language AM radio station in Mississauga*, Broadcasting Decision CRTC 2011-722, 22 November 2011

This decision is to be appended to the licence.