



Broadcasting Decision CRTC 2020-299

PDF version

References: Part 1 licence renewal applications posted on 5 June 2020

Ottawa, 25 August 2020

Stingray Radio Inc.

Various locations in Alberta, New Brunswick, Nova Scotia, Prince Edward Island, and Newfoundland and Labrador

Public record for these applications: 2019-0670-3, 2019-0672-8, 2019-0673-6, 2019-0674-4, 2019-0675-2, 2019-0676-0, 2019-0680-2, 2019-0683-5, 2019-0698-4, 2019-0701-5, 2019-0702-3, 2019-0708-1, 2019-0709-9, 2019-0710-7, 2019-0730-5, 2019-0711-4, 2019-0716-4, 2019-0721-3 and 2019-0728-9

Various commercial radio stations – Licence renewals; CFHI-FM Hinton and CHNI-FM Saint John – Licence amendments

*The Commission **renews** the broadcasting licences for the commercial radio stations listed in this decision from 1 September 2020 to 31 August 2027.*

*Further, the Commission **approves** the licensee's request to amend CFHI-FM Hinton's condition of licence relating to over-and-above Canadian content development (CCD) contributions. CFHI-FM will be required to make over-and-above CCD contributions until the end of the 2022-2023 broadcast year.*

*In addition, the Commission **approves** the licensee's request to delete CHNI-FM Saint John's condition of licence relating to over-and-above CCD contributions, given that the station has fulfilled its obligation in this regard.*

Applications

1. The Commission has the authority, pursuant to section 9(1) of the *Broadcasting Act* (the Act) to issue and renew licences for such terms not exceeding seven years and subject to such conditions related to the circumstances of the licensee as it deems appropriate for the implementation of the broadcasting policy set out in section 3(1) of the Act.
2. On 3 June 2019, the Commission issued Broadcasting Notice of Consultation 2019-194, which listed the radio stations for which the broadcasting licences would expire 31 August 2020 and therefore needed to be renewed to continue their operations. In that notice of consultation, the Commission requested that the licensees of those stations submit renewal applications for their broadcasting licences.

3. In response, Stingray Radio Inc. (Stingray) filed applications to renew the broadcasting licences for the English-language commercial radio programming undertakings listed below.

Call sign and location	Application
CFHI-FM Hinton, Alberta	2019-0728-9
CFXE-FM Edson, Alberta and its transmitters CFXG-FM Grande Cache and CFXP-FM Jasper	2019-0711-4
CHSL-FM Slave Lake, Alberta and its transmitter CHSL-FM-1 Wabasca	2019-0716-4
CILB-FM Lac La Biche, Alberta	2019-0721-3
CJEG-FM Bonnyville, Alberta	2019-0710-7
CKMP-FM Calgary, Alberta	2019-0698-4
CHNI-FM Saint John, New Brunswick	2019-0701-5
CJMO-FM Moncton, New Brunswick	2019-0702-3
CJXL-FM Moncton, New Brunswick	2019-0708-1
CIJK-FM Kentville, Nova Scotia	2019-0674-4
CHRK-FM Sydney, Nova Scotia	2019-0675-2
CKCH-FM Sydney, Nova Scotia	2019-0676-0
CHTN-FM Charlottetown, Prince Edward Island and its transmitters CHTN-FM-1 Elmira and CHTN-FM-2 St. Edward	2019-0680-2
CKQK-FM Charlottetown, Prince Edward Island and its transmitters CKQK-FM-1 Elmira and CKQK-FM-2 St. Edward	2019-0683-5
CHVO-FM Carbonear (Spaniard's Bay), Newfoundland and Labrador	2019-0673-6
CKXD-FM Gander, Newfoundland and Labrador	2019-0672-8
CKXG-FM Grand Falls, Newfoundland and Labrador and its transmitter CKXG-FM Lewisporte	2019-0670-3

4. Stingray also filed applications to amend the broadcasting licences for CFHI-FM Hinton (2019-0730-5) and CHNI-FM Saint John (2019-0709-9) in regard to their conditions of licence relating to over-and-above Canadian content development (CCD) contributions.
5. The Commission received an intervention from the Broadcast Advocacy Group in support of the licence renewal and licence amendment applications.

Licence renewals

6. Given that the stations listed above are in compliance with their regulatory requirements, the Commission finds it appropriate to renew the broadcasting licences for these stations for a full licence term of seven years.

Licence amendments

7. Sections 3(1)(e) and 3(1)(s)(i) of the Act declare that each element of the Canadian broadcasting system shall contribute in an appropriate manner to the creation and presentation of Canadian programming and that private networks and programming undertakings should, to an extent consistent with the financial and other resources available to them, contribute significantly to the creation and presentation of Canadian programming. In accordance with this aspect of the broadcasting policy and pursuant to its authority in section 9(1), the Commission has imposed conditions of licence requiring programming undertakings to contribute in various ways to the creation of Canadian programming, including imposing CCD contributions.

CFHI-FM

8. As specified in condition of licence 2 set out in the appendix to Broadcasting Decision 2014-75, the original licensing decision for CFHI-FM, Stingray is required to make, in addition to the basic annual contribution to CCD set out in section 15 of the *Radio Regulations, 1986* (the Regulations), an annual over-and-above CCD contribution of \$1,000 (\$7,000 over seven consecutive broadcast years) to the promotion and development of Canadian content. In the present application, the licensee noted that it will fulfill this obligation by the end of the 2022-2023 broadcast year, after which it will only be subject to the basic annual CCD contribution set out in the Regulations. It therefore requested that the station's condition of licence relating to CCD contributions be amended to indicate the remaining broadcast years during which it must make over-and-above CCD contributions.
9. It is the Commission's general practice to require that radio stations make over-and-above CCD contributions over seven consecutive broadcast years, upon commencement of operations. The Commission notes that the licensee's obligation relating to over-and-above CCD contributions will end in the 2022-2023 broadcast year, and therefore considers that it would be appropriate to amend the station's condition of licence in this regard to indicate the remaining broadcast years during which it must make over-and-above CCD contributions. Accordingly, the Commission **approves** the licensee's request. An amended **condition of licence** relating to CCD contributions is set out in the appendix to this decision.

CHNI-FM

10. As specified in condition of licence 2 set out in the appendix to Broadcasting Decision 2014-115, for CHNI-FM, Stingray is required to make, in addition to the basic annual contribution to CCD set out in section 15 of the Regulations, an annual over-and-above CCD contribution of \$6,429 (\$45,003 over seven consecutive broadcast years) to the promotion and development of Canadian content. Stingray requested the deletion of this condition of licence given that the station has now fulfilled its seven-year commitment.
11. The Commission notes that the licensee's seven-year commitment to make over-and-above CCD commitments for CHNI-FM has been fulfilled. Accordingly, the

Commission **approves** the licensee's request. Going forward, for CHNI-FM, the licensee will only be subject to the basic annual CCD contribution requirement set out in section 15 of the Regulations.

Conclusion

12. In light of all of the above, the Commission **renews** the broadcasting licences for the commercial radio stations listed in this decision from 1 September 2020 to 31 August 2027. The **conditions of licence** are set out in the appendix to this decision.

Reminders

Local programming – CJEG-FM Bonnyville; CKMP-FM Calgary; CFXE-FM Edson and its transmitters CFXG FM Grande Cache and CFXP-FM Jasper; CILB-FM Lac La Biche; CHSL-FM Slave Lake and its transmitter CHSL-FM-1 Wabasca; CFHI-FM Hinton; CHNI-FM Saint John; CJMO-FM Moncton; CJXL-FM Moncton; CKCH-FM Sydney; CHRK-FM Sydney; CKQK-FM Charlottetown and its transmitters CKQK-FM-1 Elmira and CKQK-FM-2 St. Edward; CHTN-FM Charlottetown and its transmitters CHTN-FM-1 Elmira and CHTN-FM-2 St. Edward; CHVO-FM Carbonear (Spaniard's Bay); CKXD-FM Gander; and CKXG-FM Grand Falls and its transmitter CKXG-FM-1 Lewisporte

13. Local radio stations are an important daily source of local news and information for communities. Holding a broadcasting licence comes with conditions, regulatory obligations and responsibilities, which include contributing to the Canadian broadcasting system by ensuring that Canadians have access to local programming that reflects their needs and interests and informs them of important current issues.

14. The licensee proposed for the following stations to broadcast the following weekly levels of news:

- CJEG-FM Bonnyville: 52 minutes
- CKMP-FM Calgary: 52 minutes
- CFXE-FM Edson and its transmitters CFXG-FM Grande Cache and CFXP-FM Jasper: 52 minutes
- CILB-FM Lac La Biche: 52 minutes
- CHSL-FM Slave Lake and its transmitter CHSL-FM-1 Wabasca: 52 minutes
- CFHI-FM Hinton: 52 minutes
- CHNI-FM Saint John: 50 minutes
- CJMO-FM Moncton: 50 minutes
- CJXL-FM Moncton: 1 hour
- CKCH-FM Sydney: 1 hour, 30 minutes
- CHRK-FM Sydney: 1 hour, 30 minutes

- CKQK-FM Charlottetown and its transmitters CKQK-FM-1 Elmira and CKQK-FM-2 St. Edward: 1 hour, 30 minutes
- CHTN-FM Charlottetown and its transmitters CHTN-FM-1 Elmira and CHTN-FM-2 St. Edward: 1 hour, 30 minutes
- CHVO-FM Carbonear (Spaniard's Bay): 1 hour, 30 minutes
- CKXD-FM Gander: 1 hour, 30 minutes
- CKXG-FM Grand Falls and its transmitter CKXG-FM-1 Lewisporte; 1 hour, 30 minutes.

15. Although Broadcasting Public Notice 2006-158 does not specify a minimum level of weekly news to be broadcast, it does specify the type of spoken word material that must be included as part of a station's local programming. In accordance with that public notice, the Commission reminds the licensee that the above-noted stations, in their local programming, must incorporate spoken word material of direct and particular relevance to the communities served, and that this programming must include local news, weather, sports coverage, and the promotion of local events and activities. In addition, the Commission encourages the licensee to ensure that a reasonable amount of daily local news and information is made available to those communities.

Tangible benefits

16. Stingray must pay any remaining tangible benefits stemming from the ownership transaction approved in Broadcasting Decision 2018-404, as well as all outstanding tangible benefits and CCD contribution commitments listed in that decision. Further, the licensee must file, by 30 November following the end of the each broadcast year, in a form deemed acceptable by the Commission, proof of payment for the tangible benefits and CCD contributions paid each broadcast year.

Force and effect of broadcasting certificates

17. Pursuant to section 22 of the Act, the broadcasting licences renewed in this decision will cease to have any force or effect if the broadcasting certificates issued by the Department of Industry lapse.

Employment equity

18. 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

- *Various radio and television broadcasting undertakings – Change in ownership and effective control*, Broadcasting Decision CRTC 2018-404, 23 October 2018
- *CHNI-FM Saint John – Acquisition of assets, licence amendments and technical changes*, Broadcasting Decision CRTC 2014-115, 14 March 2014
- *English-language FM radio station in Hinton*, Broadcasting Decision CRTC 2014-75, 20 February 2014
- *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158 15 December 2006
- *The CRTC Streamlines Radio Renewals Process*, Broadcasting Circular CRTC 2002-448, 7 June 2002

This decision is to be appended to each licence.

Appendix to Broadcasting Decision CRTC 2020-299

Terms, conditions of licence, expectation and encouragement for the commercial radio programming undertakings for which the broadcasting licences are renewed in this decision

Terms

The licence will expire 31 August 2027.

Condition of licence for CFHI-FM Hinton; CHSL-FM Slave Lake and its transmitter CHSL-FM-1 Wabasca; CILB-FM Lac La Biche; CJEG-FM Bonnyville; CKMP-FM Calgary; CHNI-FM Saint John; CIJK-FM Kentville; CJMO-FM Moncton; CJXL-FM Moncton; CHRK-FM Sydney; CKCH-FM Sydney; CHTN-FM Charlottetown and its transmitters CHTN-FM-1 Elmira and CHTN-FM-2 St. Edward; CKQK-FM Charlottetown and its transmitters CKQK-FM-1 Elmira and CKQK-FM-2 St. Edward; CHVO-FM Carbonear (Spaniard's Bay); CKXD-FM Gander; and CKXG-FM Grand Falls and its transmitter CKXG-FM-1 Lewisporte

1. The licensee shall adhere to the conditions of licence set out in *Conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009, as well as to the conditions set out in the broadcasting licence for the undertaking.

Condition of licence applicable to CFXE-FM, Edson and its transmitters CFXG-FM Grande Cache and CFXP-FM Jasper

2. The licensee shall adhere to the conditions of licence set out in *Conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009, with the exception of condition of licence 8 relating to single station markets, as well as to the conditions set out in the broadcasting licence for the undertaking.

Additional condition of licence applicable to CFHI-FM Hinton

3. To fulfill its outstanding comments to Canadian content development (CCD) set out in the appendix to *English-language FM radio station in Hinton*, Broadcasting Decision CRTC 2014-75, 20 February 2014, the licensee shall, in addition to the basic annual contribution to CCD set out in section 15 of the *Radio Regulations, 1986* make an annual contribution of \$1,000 during the 2020-2021, 2021-2022 and 2022-2023 broadcast years to the promotion and development of Canadian content. Of this amount, no less than 20% per broadcast year shall be devoted 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.

Additional condition of licence applicable to CKCH-FM Sydney

4. The licensee shall devote at least 35% of its musical selections from content subcategory 34 (Jazz and Blues) in each broadcast week to Canadian selections broadcast in their entirety.

For the purposes of this condition, the terms “broadcast week,” “Canadian selection,” “content category” and “musical selection” shall have the same meanings as those set out in the *Radio Regulations, 1986*.

Additional condition of licence applicable to CKMP-FM Calgary

5. As an exception to the percentage of Canadian musical selections set out in sections 2.2(8) and 2.2(9) of the *Radio Regulations, 1986* (the Regulations), the licensee shall devote at least 40% of its musical selections from content category 2 (Popular Music) in each broadcast week and between 6 a.m. and 6 p.m. from Monday to Friday to Canadian selections broadcast in their entirety.

For the purposes of this condition, the terms “broadcast week,” “Canadian selection,” “content category” and “musical selection” shall have the same meanings as those set out in the Regulations.

Additional condition of licence applicable to CHVO-FM Carbonear (Spaniard’s Bay)

6. The licensee shall not solicit advertising in St. John’s, Newfoundland and Labrador.

Additional condition of licence applicable to CKXD-FM Gander

7. During each broadcast week, the licensee shall broadcast a minimum of 25 hours of local programming.

Additional condition of licence applicable to CKXG-FM Grand Falls and its transmitter CKXG-FM Lewisporte

8. During each broadcast week, the licensee shall broadcast a minimum of 56 hours of local programming.

Expectation applicable to all stations

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

Encouragement applicable to CJEG-FM Bonnyville; CKMP-FM Calgary; CFXE-FM Edson and its transmitters CFXG-FM Grande Cache and CFXP-FM Jasper; CILB-FM Lac La Biche; CHSL-FM Slave Lake and its transmitter CHSL-FM-1 Wabasca; CFHI-FM Hinton; CHNI-FM Saint John; CJMO-FM Moncton; CJXL-FM Moncton; CKCH-FM Sydney; CHRK-FM Sydney; CKQK-FM Charlottetown and its transmitters CKQK-FM-1 Elmira and CKQK-FM-2 St. Edward; CHTN-FM

**Charlottetown and its transmitters CHTN-FM-1 Elmira and CHTN-FM-2 St. Edward;
CHVO-FM Carbonear (Spaniard's Bay); CKXD-FM Gander; and CKXG-FM Grand
Falls and its transmitter CKXG-FM-1 Lewisporte**

The Commission encourages the licensee to ensure that a reasonable amount of daily local news and information is made available to the communities served by the station.