



Broadcasting Decision CRTC 2024-29-1

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Reference: 2024-29

Ottawa, 30 July 2024

U Multicultural Inc.
Winnipeg, Manitoba

Public record: 2021-0305-0

English-language community FM radio station in Winnipeg – Finalization of conditions of service

Introduction

1. In Broadcasting Decision 2024-29, the Commission approved an application by U Multicultural Inc. (UMI) for a broadcasting licence to operate an English-language community FM radio station in Winnipeg, Manitoba, subject to certain conditions of approval.
2. In that decision, the Commission proposed to make orders imposing on UMI the various conditions of service set out in Appendix 2 to the decision, including the following:
 - a condition of service requiring UMI to provide each broadcast week programming directed to a minimum of four distinct cultural groups in a minimum of nine different languages (proposed condition of service 4); and
 - a condition of service that would permit UMI to devote not more than 31% of the programming broadcast on the station each broadcast week to third-language ethnic programming (proposed condition of service 5).
3. After examining the public record for the proposed conditions of service for the new station, the Commission determines that all of those conditions should be adopted without changes.

Comment

4. The Commission received a comment in regard to the proposed conditions of service from Dufferin Communications Inc. (Dufferin), the licensee of the commercial ethnic radio station CKJS-FM Winnipeg, and of the English-language commercial radio stations CHWE-FM Winnipeg and CFJL-FM Winnipeg. UMI did not reply to the comment from Dufferin.

5. Consistent with comments made in relation to UMI's original application, Dufferin reiterated its concern that allowing UMI to broadcast more than 15% (specifically, 31%) of third-language programming each broadcast week as authorized in the *Radio Regulations, 1986* (the Regulations) would allow it to be part of a broader multi-platform ethnic network that would position the radio station to target the core languages on which CKJS-FM relies for its own financial viability. Dufferin asked that UMI not be granted such an exception to the Regulations.
6. If that condition remained, Dufferin proposed that UMI, in addition to being authorized to broadcast up to 31% of third-language programming each broadcast week, be required by condition of service to provide programming directed to a minimum of eight distinct cultural groups in a minimum of twelve different languages (rather than four distinct cultural groups in a minimum of nine different languages). Dufferin argued that this would reflect the minimum number of cultural groups and languages set out in UMI's proposed programming, and would include programming also in Inuktitut, Ojibwe and Cree, as well as in English and in French, for a total of twelve different languages.

Commission's analysis

7. The Commission finds that the concerns raised by Dufferin regarding the condition of service authorizing the broadcast of 31% of third-language programming each broadcast week were fully addressed in Broadcasting Decision 2024-29. Therefore, in this decision, the Commission is only addressing Dufferin's proposal regarding the number of distinct cultural groups to be served and languages of broadcast.
8. Under the Ethnic Broadcasting Policy¹ (Public Notice 1999-117), ethnic radio stations are required, in a given market, to serve a range of ethnic groups in a variety of languages. Given that UMI's proposed station is a community station and not an ethnic station, this requirement does not apply.
9. Nevertheless, UMI proposed to target four cultural groups in a minimum of nine different languages (including French and Indigenous languages). It also proposed to broadcast up to two hours of programming in French and/or Indigenous languages. Consistent with UMI's proposal, the Commission proposed the above-noted condition of service relating to cultural groups served and languages of programming. This condition provides the new FM community radio station with greater programming flexibility to reflect the communities it serves. Further, while the condition limits restrictive obligations on the licensee, it does not prevent the station from serving more cultural groups in more languages.

¹ As set out in the Regulations, "third-language" programming means an ethnic program in a language other than English, French, or a language of the Indigenous peoples of Canada. "Ethnic program" means "a program in any language that is specifically directed toward any culturally or racially distinct group, other than those whose heritage is [Indigenous] Canadian, from France or from the British Isles."

10. The Commission's intent behind proposing this condition of service was not to ensure that the station would serve a broad range of distinct cultural groups, consistent with the Ethnic Broadcasting Policy, but rather to ensure that UMI's programming reflects the cultural diversity of Winnipeg's market to be served by the station, as is expected for a community radio station.
11. Accordingly, the Commission finds that the condition of service as proposed is appropriate in the circumstances.

Conclusion

12. In light of the above, and pursuant to subsection 9.1(1) of the *Broadcasting Act*, the Commission hereby makes the **orders** imposing **conditions of service** on U Multicultural Inc. in respect of the new English-language community FM radio programming undertaking in Winnipeg, Manitoba, as set out in Appendix 2 to Broadcasting Decision 2024-29.

Secretary General

Related documents

- *English-language community FM radio station in Winnipeg*, Broadcasting Decision CRTC 2024-29, 9 February 2024
- *Ethnic broadcasting policy*, Public Notice CRTC 1999-117, 16 July 1999

This decision is to be appended to the licence.