



Broadcasting Decision CRTC 2025-214

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Reference: 2025-18

Gatineau, 22 August 2025

Truth Broadcasting Network Inc.

Yorkton, Saskatchewan

Public record: 2024-0433-3

Public hearing in the National Capital Region

27 March 2025

CJJC-FM Yorkton – Change in ownership and effective control

Summary

The Commission denies an application by Truth Broadcasting Network Inc. (Truth), on behalf of 101056012 Saskatchewan Ltd. (Saskatchewan Ltd.), for authority to change the ownership and effective control of the English-language commercial specialty (Religious music) radio programming undertaking operating the radio station CJJC-FM Yorkton, Saskatchewan. In its application, Truth requested to acquire the assets related to the operation of CJJC-FM from Saskatchewan Ltd. and requested a new broadcasting licence to continue the operation of the station.

Truth communicated to the Commission on several occasions that it does not intend to adhere to the standard conditions of service applicable to commercial radio stations. Truth did not explain why it would not do so and did not propose an alternative. In these circumstances, the Commission is not satisfied that approving this transaction would advance the policy objectives of the *Broadcasting Act*, and as a result, serve the public interest. Therefore, the Commission also denies Truth's request for a new broadcasting licence.

Application

1. On 14 August 2024, the Commission received an application from Truth Broadcasting Network Inc. (Truth), on behalf of 101056012 Saskatchewan Ltd. (Saskatchewan Ltd.), for authority to change the ownership and effective control of the English-language commercial specialty (Religious music) radio programming undertaking operating the radio station CJJC-FM Yorkton, Saskatchewan. In its application, Truth requested to acquire from Saskatchewan Ltd. the assets related to the operation of CJJC-FM.
2. Truth also requested a new broadcasting licence to continue the operation of the station.

3. Truth is a Canadian corporation incorporated in Alberta. It is wholly owned and effectively controlled by Allan Hunsperger, a Canadian as defined in the *Direction to the CRTC (Ineligibility of non-Canadians)*.¹
4. Saskatchewan Ltd. is owned by Dennis Dyck, Scott Fitzsimmons, Dave Giesbrecht, and Dwayne Kruger, who own 40%, 10%, 25%, and 25% shares, respectively. The effective control of Saskatchewan Ltd. is exercised by its board of directors.
5. Truth proposed a value of the transaction for the assets of \$150,000, which includes only the purchase price. It stated that there would be no liabilities assumed or working capital transferred at closing. The applicant requested an exemption from the requirement to pay a tangible benefits package representing a minimum of 6% of the transaction value.

Interventions

6. The Commission received an intervention regarding this application from the Forum for Research and Policy in Communications (FRPC), to which Truth replied. The intervention and reply are addressed below.

Regulatory and Legal framework

7. The review of ownership transactions is an essential element of the Commission's regulatory and supervisory mandate under the *Broadcasting Act* (the Act). Obtaining a licence to operate a broadcasting undertaking (in this case, a radio station) is a regulatory privilege granted by the Commission. A licensee does not have the authority to transfer a licence to a new operator as they see fit.
8. For this reason, licensees must obtain the Commission's approval before concluding any action, agreement, or transaction that changes, directly or indirectly, the effective control of the radio station. This requirement is set out in subsection 11(4) of the *Radio Regulations, 1986* (the Regulations).
9. When seeking the Commission's approval, the applicant is responsible for demonstrating that the change in ownership and effective control is in the public interest. To do this, the Commission will consider the case put forward by the applicant and evaluate it in light of the Canadian broadcasting and regulatory policy set out in subsections 3(1) and 5(2) of the Act.
10. The Commission is a quasi-judicial tribunal that exercises statutory powers. The *Canadian Charter of Rights and Freedoms* (the Charter) therefore applies to the Commission and restrains those powers. The Commission must respect the Charter rights of the parties before it and the values underpinning those rights. When making decisions that could affect Charter protections, the Commission must weigh those protections carefully against the relevant statutory objectives.

¹ SOR/97-192, 8 April 1997.

11. Among the rights protected by the Charter is freedom of expression, at paragraph 2(b). For further certainty, paragraph 2(3)(a) of the Act directs the Commission to regulate in a way that is consistent with freedom of expression.
12. Under subsection 18(1) of the Act, the Commission must conduct a public hearing for the issuance of a broadcasting licence. Broadcasting Information Bulletins 2011-222 and 2008-8-2 outline that the Commission generally reviews applications related to the acquisition of assets through public hearings, either appearing or non-appearing. Applications are non-appearing where the Commission is satisfied that the applicant and interested parties had an opportunity to present their views and that the written record is sufficient and further discussion is not necessary.

Issues

13. After examining the record for this application in light of applicable regulations and policies, the Commission considers that it must address whether the proposed transaction is in the public interest, and how to balance the applicant's freedom of expression with the policy objectives of the Act.

Public interest of the proposed transaction

14. When the Commission evaluates whether a transaction is in the public interest, it examines the extent to which the transaction improves the Canadian broadcasting system and contributes to meeting the policy objectives of the Act. Section 3 of that Act describes a broadcasting system that contributes to the creation and presentation of Canadian programming, and through its programming reflects Canadian society. Furthermore, the programming that the system provides should be drawn from local and regional sources and should ensure that a diversity of news voices is offered to the public.
15. Section 5 of the Act directs the Commission to regulate and supervise the broadcasting system in a flexible manner that, among other things, takes into account regional concerns, facilitates the provision of broadcasting to Canadians, and only imposes obligations that contribute to the policy objectives set out in section 3 of the Act.

Positions of parties

16. In its application, Truth stated that Saskatchewan Ltd. can no longer continue to operate the station. Truth submitted that, if it were to acquire the station, it would ensure the continuity of programming on CJC-FM, which has served the community of Yorkton for two decades.
17. Truth stated that it would maintain the service currently offered by ensuring that the station remains in operation and aims to bring listeners "balanced programming in matters of public concern." Further, the community of Yorkton would continue to have access to Christian music.
18. Truth submitted that, if approved, the proposed station would broadcast 108.5 hours of local programming per broadcast week. It would also broadcast 300 minutes of local and

regional news, 258 minutes of national news, and 33 minutes of international news per broadcast week.

19. The applicant indicated its intention to operate the station remotely, from Edmonton, Alberta. Truth explained that it would contract with community representatives in Yorkton whom it would regularly consult to ensure the station's engagement with the local community.
20. Finally, Truth stated that the Commission should not impose the standard conditions of service set out in *Revised conditions of licence for commercial AM and FM radio stations*.² When asked by Commission staff to provide rationale for this request not to impose the standard conditions, Truth declined to do so.
21. In its intervention, the FRPC expressed concern about Truth's proposal to operate CJJC-FM from Edmonton and to rely on an unspecified number of contracted personnel in Yorkton to ensure local relevance in its programming. The FRPC noted that, since the application does not specify how often Truth would meet with representatives from Yorkton, it is unclear how closely CJJC-FM would reflect Yorkton's interests and concerns.
22. The FRPC also expressed the view that the applicant demonstrates insufficient commitment to the objectives of the Act, particularly those at paragraphs 3(1)(d) and (g) of the Act.³ It also expressed concern about Truth's understanding of the Act and relevant regulatory obligations.
23. In its reply, Truth stated that current technology enables remote broadcasting, and expressed the view that most, if not all, broadcasting companies use remote broadcasting technologies. Further, Truth reiterated that it would meet with representatives of Yorkton.
24. Truth also argued that CJJC-FM has a demonstrated commitment to diversity and submitted that it would carry on the operation of the station on the same terms, and with the same programming.

Commission's decision

25. The spectrum on which radio waves transmit is a finite, public resource. As a result, Parliament has put in place a robust regulatory regime to ensure its responsible use. One important way in which spectrum can be used is for radio broadcasting. Parliament has made the Commission responsible for licensing radio broadcasting undertakings to ensure the operation of these undertakings furthers the public interest. This means that, before it grants an applicant the privilege of a radio broadcasting licence, the Commission must be

² Broadcasting Regulatory Policy 2022-334.

³ Among other things, these objectives relate to safeguarding, enriching, and strengthening the cultural, political, social, and economic fabric of Canada, and ensuring programming is of high standard when a broadcaster exercises programming control.

satisfied that the applicant will operate its broadcasting undertaking in a way that advances the policy objectives of the Act and, thereby, the public interest.

26. In assessing the public interest, the onus is on the applicant to demonstrate that the application represents the best possible proposal under the circumstances. In the present case, the Commission considers that Truth has not done so. In particular, Truth's submission that it does not intend to respect the standard regulatory obligations for commercial radio stations, coupled with its refusal to explain its position or propose a workable alternative, leaves the Commission unable to conclude that the transaction, and the issuance of a new licence to the applicant, would serve the policy objectives of the Act or the public interest.
27. It is the Commission's general practice to require licensees of commercial radio stations, including specialty stations such as CJJC-FM, to adhere to a common set of regulatory obligations. Among other things, standard conditions of service reflect policy matters such as local reflection and membership in the Canadian Broadcast Standards Council, and technical matters such as service contours. They have been developed to reflect both the Canadian broadcasting policy, set out at section 3, and the regulatory policy of section 5 of the Act.
28. For instance, these standard conditions of service support policy objectives by ensuring broadcasters use public spectrum to provide programming that strengthens and enriches Canada's cultural, political, social, and economic fabric. They reflect the overall responsibility of broadcasters for their programming, which should inform, enlighten, entertain, and reflect communities throughout Canada.⁴ They are also intended to address the regulatory policy objectives that direct the Commission to take regional concerns into account, to be sensitive to administrative burden, and to ensure regulatory obligations contribute to the implementation of the section 3 policy objectives.⁵
29. Currently, as a condition of carrying on CJJC-FM, its operator, Saskatchewan Ltd., must adhere to the standard conditions as set out in the appendix to Broadcasting Regulatory Policy 2009-62.⁶ In its application, Truth indicated that, if it were to acquire CJJC-FM, it intended to continue the operation of the station on the same terms and conditions as those currently in effect. Further, in its reply to FRPC, Truth indicated an intent to "operate within the parameters of the existing licence."
30. However, in reply to questions from Commission staff, Truth responded that it would not accept the Commission potentially imposing the standard conditions of service on CJJC-FM should the transaction be approved. In a subsequent request for information requesting

⁴These broadcasting policy objectives are found at paragraphs 3(1)(b), (d), (g), (h), and (i) of the Act.

⁵These regulatory policy objectives are set out at paragraphs 5(2)(b), (g), and (h) of the Act.

⁶This was imposed as a condition of CJJC-FM's licence when its licence was renewed in Broadcasting Decision 2013-438. It was maintained when CJJC-FM's licence was administratively renewed in Broadcasting Decision 2020-267. In accordance with the *Online Streaming Act*, obligations previously imposed as conditions of licence are now deemed to be orders imposing conditions of service under section 9.1 of the *Broadcasting Act*. Accordingly, Saskatchewan Ltd. is now required to adhere to those standard conditions as a condition of carrying on CJJC-FM as its current operator.

that the applicant provide a specific rationale to support this position, the applicant simply reiterated that it would not accept the Commission's imposition of the standard conditions of service on CJJC-FM.

31. In the Commission's view, while the applicant initially appeared to be willing to respect the regulatory obligations currently imposed on CJJC-FM, which included a version⁷ of the standard conditions, as the record of the proceeding developed, Truth stated very clearly that it did not have the intention of operating the station in a manner consistent with the standard conditions. It is not clear how or whether the applicant's repeated refusal can be reconciled with their reply to FRPC indicating that it would operate the station within the "parameters of the existing licence." As such, it leaves the Commission in serious doubt as to the applicant's intentions.
32. It is the Commission's policy to impose the standard conditions on all commercial radio station licensees. There are strong reasons for doing so. For instance, standard conditions provide regulatory certainty and ensure similar entities are treated in a similar manner. This policy does not bind the Commission, and it must not restrain its discretion by imposing the standard conditions systematically in all cases. Any applicant can request an exception. However, they must make their request clear and be willing to explain the basis for such a request. Given that the standard conditions have been carefully developed to address important policy objectives, the rationale for an exception must be compelling, and the applicant should be able to address how it can otherwise play a role in advancing the policy objectives or explain why, in its specific circumstances, it is not necessary for it to play such a role. In other words, the applicant must clearly indicate whether it intends to respect the standard conditions and, if it does not, it must provide a workable alternative to the standard conditions, rather than a simple refusal to respect them.
33. In this case, the Commission is not satisfied that an exception to the standard conditions is justified. This leaves the Commission with two options: it can approve the application and impose the standard conditions, notwithstanding the applicant's position; or it can deny the application altogether. Under the first option, however, the Commission would be left with significant concerns about the applicant's willingness to respect the standard conditions of service. It would be in opposition to the statutory regime put in place by Parliament for the Commission to approve the transfer and issue a new licence in these circumstances.
34. In light of the above, the Commission finds that the proposed transaction would not be in the public interest.

⁷ The standard conditions have been amended since they were imposed on CJJC-FM. In particular, in 2022, the Commission reviewed its commercial radio policy and issued Broadcasting Regulatory Policy 2022-334. This modified the standard conditions by removing condition 9, related to the broadcast of hit material in certain bilingual markets. This condition never applied to CJJC-FM as it does not broadcast in such a market. Accordingly, as far as substantive obligations are concerned, the 2022 amendment did not affect CJJC-FM.

35. As a result of the Commission’s decision with respect to the issue of standard conditions, it is not necessary to examine the other issues raised on the record of the proceeding, such as whether an exemption to the tangible benefits policy is appropriate.

Freedom of expression and the policy objectives

Positions of parties

36. The applicant did not specifically raise a Charter argument. However, it did cite the preamble to the Charter, specifically that Canada is founded upon principles that recognize the supremacy of God and the rule of law. It also referred, generally, to its opposition to censorship, its belief in freedom of speech, and the “right to express themselves.”

Commission’s decision

37. Pursuant to section 17 of the Act, the Commission has authority to determine questions of fact or law in relation to any matter within its jurisdiction, including matters which raise constitutional considerations. Freedom of expression is guaranteed by section 2(b) of the Charter. It protects any expressive activity from government restriction either in purpose or in effect.⁸ This protection is subject to the limits set out in section 1 of the Charter.
38. The Supreme Court of Canada has directed administrative tribunals to ensure their decisions are consistent with the Charter by considering relevant Charter protections (rights and the values that underpin them) and balancing them against the applicable statutory objectives. This means the Commission must ask how Charter values will be best upheld in the circumstances and in view of those objectives.⁹
39. The relevant statutory objectives in this case are the same that are addressed by the standard conditions, as discussed above at paragraph 28.
40. Denying Truth’s application would mean that it would not be authorized to assume control of CJJC-FM and would not be issued a broadcasting licence. However, no applicant has an inherent right to a broadcasting licence.¹⁰
41. Accordingly, the Commission considers any impact on the applicant’s rights or on associated values to be minimal, as the denial would maintain the status quo. Truth is currently not authorized to broadcast by means of a commercial, specialty radio station in this market and on the frequency occupied by CJJC-FM. The applicant continues to have the right to express itself as it chooses in other settings and through other media. Further, Truth may file future applications for a broadcasting licence should it choose to do so. Any such applications would be decided by the Commission, based on the facts of that record and the strength of that application.

⁸ See *Irwin Toy Ltd. v. Quebec (Attorney General)*, 1989 CanLII 87 (SCC), [1989] 1 SCR 927, at paragraphs 969 – 972

⁹ See *Law Society of British Columbia v. Trinity Western University*, 2018 SCC 32 at paragraphs 57 – 58.

¹⁰ See *Genex Communications v. Canada (Attorney General)*, 2005 FCA 283 at paragraph 43.

42. Conversely, denying the present application, given the Commission's concerns, would strongly reinforce the relevant statutory objectives. It ensures that the radio spectrum at issue would not be entrusted to an operator that cannot satisfy the Commission that it intends to respect the relevant regulatory framework.
43. In light of the above, the Commission considers that any limitation on Charter protections is proportionate and in furtherance of the statutory objectives.¹¹

Conclusion

44. In light of all of the above, the Commission denies the application from Truth Broadcasting Network Inc. (Truth), on behalf of 101056012 Saskatchewan Ltd., for authority to change the ownership and effective control of the English-language commercial specialty (Religious music) radio programming undertaking operating the radio station CJJC-FM Yorkton, Saskatchewan.
45. The Commission also denies Truth's request for a new broadcasting licence to continue the operation of the station.
46. The Commission acknowledges that denying the application may place the transaction in jeopardy. However, the Commission clarifies that its decision is based exclusively on the record of the current proceeding and the lack of justification provided by the applicant for the relief it has requested. This decision should not be read as expressing any view on any potential future application involving these or other parties.
47. The Commission recognizes the role and importance of CJJC-FM, a station which has provided the community of Yorkton access to Christian music for nearly two decades. The Commission is hopeful that an application can be presented that would allow this community to be served in a way that resolves the concerns the Commission has expressed in this decision.

Secretary General

Related documents

- *Revised conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2022-334, 7 December 2022
- *Various commercial specialty (Christian music) radio stations – Licence renewals*, Broadcasting Decision CRTC 2020-267, 14 August 2020
- *A guide to the CRTC application process for changes in effective control and certain transfers of shares of broadcasting undertakings as well as for the acquisition of assets of*

¹¹ See *Doré v. Barreau du Québec*, 2012 SCC 12, [2012] 1 SCR 395 at paragraph 6.

broadcasting undertakings – Change in the manner of issuing related information bulletins, Broadcasting Information Bulletin CRTC 2008-8-2, 6 December 2013

- *CJJC-FM Yorkton – Licence renewal*, Broadcasting Decision CRTC 2013-438, 26 August 2013
- *New service objectives for the processing of broadcasting and telecommunications applications as of 1 April 2011*, Broadcasting and Telecom Information Bulletin CRTC 2011-222, 1 April 2011
- *Conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009