



Broadcasting Decision CRTC 2004-331

Ottawa, 9 August 2004

Standard Radio Inc.
Brandon, Manitoba

Application 2003-1190-3
Broadcasting Public Notice CRTC 2004-37
2 June 2004

CKXA-FM Brandon – Licence renewal

1. The Commission received an application by Standard Radio Inc. (Standard) to renew the broadcasting licence for the radio programming undertaking CKXA-FM Brandon.
2. The Commission did not receive any interventions in connection with this application.
3. The Commission analyzed the programming broadcast by CKXA-FM during the week of 11-17 August 2002. The analysis revealed that 34.4% of all category 2 selections broadcast by the licensee between 6:00 a.m. and 6:00 p.m., Monday to Friday, were Canadian musical selections. This finding constitutes an infraction of section 2.2(9) of the *Radio Regulations, 1986* (the Radio Regulations), which stipulates that:

2.2(9) Except as otherwise provided under a licensee's condition of licence, and subject to subsection (6)¹, an A.M. or F.M. licensee licensed to operate a commercial station shall, between 6:00 a.m. and 6:00 p.m., in any period beginning on Monday of a week and ending on Friday of the same week, devote 35% or more of its musical selections from content category 2 to Canadian selections broadcast in their entirety.
4. In *Practices regarding radio non-compliance*, Circular No. 444, 7 May 2001, the Commission clarified its approach relating to radio stations operating in non-compliance.
5. Given that this is the first such infraction by the licensee and consistent with Circular No. 444, the Commission **renews** the broadcasting licence for CKXA-FM Brandon from 1 September 2004 to 31 August 2008, instead of the maximum term of seven years. This period will allow the Commission to assess in the short term the licensee's compliance with the Radio Regulations regarding the distribution of category 2 Canadian popular music.

¹ Subsection 6 of the *Radio Regulations, 1986* permits a licensee to reduce the percentage of its Canadian musical selections from content category 2 if it devotes specific percentages of its musical selections in a broadcast week to instrumental selections.

6. The licence will be subject to the **conditions** set out in *New licence form for commercial radio stations*, Public Notice CRTC 1999-137, 24 August 1999.
7. The Commission reminds the licensee that it must fulfil all of the benefits commitments set out in Broadcasting Decision CRTC 2002-16, 1 February 2002, in which the Commission approved the application by Standard Radio Inc. to acquire the assets of CKXA-FM Brandon from Craig Wireless International Inc., following a corporate reorganization of Craig Music and Entertainment Inc.
8. Because this licensee is subject to the *Employment Equity Act* and files reports concerning employment equity with the Department of Human Resources and Skills Development, its employment equity practices are not examined by the Commission.

Secretary General

This decision is to be appended to the licence. It is available in alternative format upon request, and may also be examined at the following Internet site: <http://www.crtc.gc.ca>