



Broadcasting Decision CRTC 2005-430

Ottawa, 19 August 2005

Metromedia CMR Broadcasting Inc.
Montreal, Quebec

Application 2004-1386-5
Broadcasting Public Notice CRTC 2005-33
18 April 2005

CKOI-FM Montréal – Licence renewal

The Commission renews the licence for the radio programming undertaking CKOI-FM Montréal, from 1 September 2005 to 31 August 2012.

The application

1. The Commission received an application by Metromedia CMR Broadcasting Inc. to renew the broadcasting licence for the French-language commercial radio programming undertaking CKOI-FM Montréal, which expires 31 August 2005.

Interventions

2. The Commission received one intervention from the Association québécoise de l'industrie du disque, du spectacle et de la vidéo (ADISQ). ADISQ made general comments regarding the streamlined process set out by the Commission in *The CRTC Streamlines Radio Renewals Process*, Broadcasting Circular CRTC 2002-448, 7 June 2002 (Circular 2002-448). ADISQ noted that, in Circular 2002-448, the Commission stated that it would “assess the effectiveness of this streamlining measure after the 2003 radio renewal round has been completed.” In this respect, ADISQ noted that the assessment has not yet taken place, despite the fact that the CRTC has completed the processing of all licence renewal applications for 2003 and 2004. ADISQ questioned whether use of the streamlined procedure is justified in the present case, given that the question of whether the new approach achieves the intended objectives has not yet been resolved.
3. ADISQ stated that it was not opposed in principle to the streamlined process adopted by the Commission for renewal applications that do not raise any significant concern. However, it questioned the use of the streamlined process for the present application. ADISQ submitted that there was not enough information on the public file, including evaluations of the station's compliance, for it to determine whether or not to support the licence renewal for a seven-year term. ADISQ requested that the Commission hold a full public proceeding on the CKOI-FM renewal application. As a condition of eligibility for future streamlined renewal processes, it further requested that CKOI-FM be required to file the following with the Commission:

- annual compliance reports on Canadian content and French-language vocal music;
 - a report demonstrating that the station provides airplay to French-language Canadian artists and broadcasts a variety of their musical recordings; and
 - a separate compliance report on Canadian talent development (CTD) contributions, to be placed on the public file.
4. The Commission also received an intervention filed by Mr. Michel Mathieu, a broadcasting consultant hired by the Daraîche family. Mr. Mathieu noted in his intervention that there had still been no response to the complaint filed by the Daraîche family with the Commission on 17 February 2005.
 5. The licensee did not reply to these interventions.

Commission's analysis and determination

6. The Commission notes ADISQ's comments regarding the streamlined renewal process for radio licences. The Commission stated in Circular 2002-448 that the streamlining initiatives it has adopted in recent years in order to lighten the regulatory burden have assisted the licensees of broadcasting undertakings and have allowed the Commission to direct its limited resources to priority sectors. With respect to the assessment of the effectiveness of these measures, the Commission will soon issue a circular explaining its findings in this regard.
7. The Commission has addressed ADISQ's concerns in a number of earlier renewal decisions. In particular, the Commission stated that, while it has adopted streamlining initiatives to lighten the regulatory burden for licensees, it will continue to carry out its supervisory role through its ongoing compliance monitoring activities. Such monitoring activities include checking logger tapes, playlists, logs and a sampling of the programming broadcast by the stations. The Commission also considers all complaints filed, as well as any negative rulings issued by the Canadian Broadcast Standards Council (CBSC). The complaint filed by the Daraîche family is being reviewed by the CBSC.
8. Further, the Commission assesses the information contained in the annual reports filed by licensees concerning CTD initiatives, and examines the performance of licensees with respect to their individual commitments or conditions of licence, as specified in previous renewal and other decisions.
9. With respect to ADISQ's comment that there was insufficient information on the public file, including evaluations of the station's performance, the Commission notes that commitments relating to CTD are available on the Commission's Internet site, and further, that reports regarding compliance with programming requirements are placed on the licensee's public file and, in time, will also be available on the Internet site. As for

the limited amount of radio monitoring performed by the Commission, it is currently examining the possibility of doing more in this area, within the context of the resources available to it.

10. With respect to the inclusion in the reports of the names of third parties to whom CTD contributions are paid, the Commission does not consider this measure necessary. The Commission audits these contributions to ensure that each party is eligible, as set out in *An FM policy for the nineties*, Public Notice CRTC 1990-111, 17 December 1990 and in *Contributions by radio stations to Canadian talent development – A new approach*, Public Notice CRTC 1995-196, 17 November 1995. The results are used to prepare a summary report on contributions to CTD. Accordingly, the Commission is convinced that the additional steps proposed by ADISQ, namely, that CKOI-FM and other licensees be required to file additional reports, would only add to the administrative burden faced by broadcasters, and would not serve as a substitute for the independent monitoring conducted by the Commission.
11. Accordingly, the Commission **renews** the broadcasting licence for the French-language commercial radio programming undertaking CKOI-FM Montréal, from 1 September 2005 to 31 August 2012.
12. 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, and to the following **condition of licence**:

In Public Notice CRTC 1996-114 entitled *Implementation of the New Approach to Canadian Talent Development*, the Commission indicated that it would impose, as a condition of licence, any specific commitments made by licensees to direct money for Canadian talent development specifically to MusicAction. The licensee shall make an annual payment to MusicAction of \$27,000.

Employment equity

13. 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 in [PDF format](#) or in HTML at the following Internet site: <http://www.crtc.gc.ca>.