



Broadcasting Decision CRTC 2006-163

Ottawa, 21 April 2006

Stillwater Broadcasting Ltd.
Swan River, Manitoba

Application 2005-0990-4
Public Hearing at Calgary, Alberta
21 February 2006

English-language FM radio station in Swan River

1. The Commission **approves** the application by Stillwater Broadcasting Ltd. for a broadcasting licence to operate an English-language commercial FM radio programming undertaking in Swan River, Manitoba.
2. The station will broadcast 126 hours of programming in each broadcast week, of which 120 hours will be locally produced. It will offer a music format featuring selections from the 1960s to the present, complemented by a minimum of 20 hours a week of spoken word programming consisting of call-in shows, newscasts, news, weather, sports and special events. A limited amount of religious programming consisting of a maximum of 90 minutes per week from various local religious leaders will also be offered.
3. The applicant confirmed that it will participate in the Canadian talent development plan developed by the Canadian Association of Broadcasters for contributions by commercial radio licensees. Under this plan, a radio licensee serving a market the size of Swan River is required to contribute a minimum of \$400 in each broadcast year to eligible third parties for the development of Canadian musical and other artistic talent.
4. The Commission received numerous interventions in support of this application.
5. The Commission notes that the new FM station will operate in “a single station market,” as defined in *Local programming policy for FM radio – Definition of a single-station market*, Public Notice CRTC 1993-121, 17 August 1993. As the only commercial FM radio station licensed to serve Swan River, the new FM station will be exempt from the requirement that, in order to solicit or accept local advertising, one-third of its programming must be local. The applicant indicated that it would broadcast a maximum of 504 minutes per week of commercial messages, but the Commission does not consider that it is necessary to impose this commitment as a condition of licence, given that the station will operate in a single-station market.
6. The station will operate at 104.5 MHz (channel 283A) with an effective radiated power of 210 watts.

7. The licence will expire 31 August 2012 and will be subject to the **conditions** set out in *New licence form for commercial radio stations*, Public Notice CRTC 1999-137, 24 August 1999, with the exception of condition of licence number 9. That condition does not apply to stations operating in single station markets.

Issuance of the licence

8. The Department of Industry (the Department) has advised the Commission that, while this application is conditionally technically acceptable, it will only issue a broadcasting certificate when it has determined that the proposed technical parameters will not create any unacceptable interference with aeronautical NAV/COM services.
9. The Commission reminds the applicant that, pursuant to section 22(1) of the *Broadcasting Act*, no licence may be issued until the Department notifies the Commission that its technical requirements have been met, and that a broadcasting certificate will be issued.
10. Furthermore, the licence for this undertaking will be issued once the applicant has informed the Commission in writing that it is prepared to commence operations. The undertaking must be operational at the earliest possible date and in any event no later than 24 months from the date of this decision, unless a request for an extension of time is approved by the Commission before 21 April 2008. In order to ensure that such a request is processed in a timely manner, it should be submitted at least 60 days before that date.

Employment equity

11. In accordance with *Implementation of an employment equity policy*, Public Notice CRTC 1992-59, 1 September 1992, the Commission encourages the applicant to consider employment equity issues in its hiring practices and in all other aspects of its management of human resources.

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>