



Broadcasting Decision CRTC 2004-337

Ottawa, 13 August 2004

Arctic Radio (1982) Limited Thompson, Manitoba

Application 2004-0029-2
Broadcasting Public Notice CRTC 2004-37
2 June 2004

CHTM Thompson – Licence renewal

1. The Commission received an application by Arctic Radio (1982) Limited to renew the broadcasting licence for the radio programming undertaking CHTM Thompson.
2. The Commission did not receive any interventions in connection with this application.
3. The Commission examined CHTM's logger tapes for the week of 11 August to 17 August 2002 and found the tapes to be incomplete. Section 8 of the *Radio Regulations, 1986* (the Regulations) requires licensees to keep a clear and intelligible tape recording or other exact copy of all matter broadcast for a period of at least four weeks from the date of broadcast, and to provide such recordings to the Commission upon request. These tapes are essential since the Commission uses them as its primary means to confirm that a station is operating in compliance with the Regulations and its programming commitments. The tapes are also used to assess complaints from listeners, if need be.
4. The Commission's analysis of the programming broadcast during that week also revealed that only 33% of all category 2 selections broadcast over the broadcast week were Canadian musical selections. This finding constitutes an infraction of section 2.2(8) of the Regulations, which stipulates that:

2.2(8) Except as otherwise provided under a licensee's condition of licence that refers expressly to this subsection and subject to subsection (6)¹, an A.M. or F.M. licensee licensed to operate a commercial station, community station or campus station shall, in a broadcast week, devote 35% or more of its musical selections from content category 2 to Canadian selections broadcast in their entirety.

¹ Section 2.2(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.

5. The licensee acknowledged its non-compliance with sections 8 and 2.2(8) of the Regulations.
6. 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.
7. Given that these are the first such infractions by the licensee and consistent with Circular No. 444, the Commission **renews** the licence for CHTM Thompson, from 1 September 2004 to 31 August 2008, instead of the maximum term of seven years. This period will allow the Commission to assess, at an earlier date, the licensee's compliance with the Regulations regarding logger tapes and the distribution of category 2 Canadian popular music.
8. 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.
9. In accordance with *Implementation of an employment equity policy*, Public Notice CRTC 1992-59, 1 September 1992, the Commission encourages the licensee 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 at the following Internet site: <http://www.crtc.gc.ca>