



Broadcasting Decision CRTC 2004-535

Ottawa, 3 December 2004

Radio Nord Communications inc.

Gatineau, Val d'Or and Rouyn-Noranda, Quebec

Applications 2003-1543-3, 2003-1565-7

Public Hearing at Québec, Quebec

16 February 2004

CFGS-TV Gatineau and CFVS-TV Val d'Or and its transmitter CFVS-TV-1 Rouyn-Noranda – Licence renewals

The Commission renews the broadcasting licences of CFGS-TV Gatineau, CFVS-TV Val d'Or and its transmitter CFVS-TV-1 Rouyn-Noranda from 1 January 2005 to 31 August 2008. This term will enable the Commission to consider the next licence renewal applications for these undertakings at the same time as it considers the licence renewal applications for the originating station, CFJP-TV Montréal, and the Télévision Quatre Saisons French-language television network, with which the stations are affiliated.

The applications

1. The Commission received applications by Radio Nord Communications inc. (Radio Nord) to renew the broadcasting licences of its French-language television programming undertakings CFGS-TV Gatineau, CFVS-TV Val d'Or and its transmitter CFVS-TV-1 Rouyn-Noranda. These undertakings are affiliated with the Télévision Quatre Saisons (TQS) French-language television network.
2. The Commission's general approach with respect to its consideration of these and other applications for licence renewals for French-language television stations heard at the 16 February 2004 Public Hearing is set out in *Introduction to Broadcasting Decisions CRTC 2004-530 to 2004-540 renewing the licences of 21 French-language television stations*, Broadcasting Public Notice CRTC 2004-94, 3 December 2004 (Public Notice 2004-94).

Interventions

3. The Commission received 78 interventions, including 22 comments on the stations' licence renewals and one opposing intervention. The concerns expressed by the interveners who submitted comments dealing specifically with these applications are discussed below.

4. The general concerns raised by the interveners, and concerns relating specifically to independent production, program logs, the reflection of Canada's cultural diversity, violence in television programming, closed captioning and video description are discussed in Public Notice 2004-94.
5. The opposing intervention was submitted by the Lebel-sur-Quévillon town council. The intervention opposed the renewal of Radio Nord's licences and asked the Commission to consider granting licences to another broadcaster in order to create competition. According to the town council, Radio Nord has not fulfilled its mandate as a regional broadcaster.
6. The interveners who submitted comments supported the application to renew the licence of CFGS-TV Gatineau and CFVS-TV Val d'Or. However, they pointed out a number of gaps in news coverage in some parts of Abitibi-Témiscamingue. The Fédération professionnelle des journalistes du Québec voiced support for a Radio Nord initiative through which Radio Nord is planning to hire video journalists to correct the problem, and asked the Commission for a formal commitment from the licensee that it not reduce the number of journalists it employs.
7. The Conseil régional de développement de l'Abitibi-Témiscamingue stated that it wanted to see longer and more in-depth newscasts during the week, and more public affairs programs and newscasts on weekends. The Syndicat des employés en communication de l'Abitibi-Témiscamingue (the Syndicat) asked the Commission to make the licences of Radio Nord's stations conditional on the use of measures to ensure the complete separation between the newscasts of stations CKRN-TV Rouyn-Noranda, which is affiliated with the Canadian Broadcasting Corporation (CBC) and operated by Radio Nord, and CFEM-TV Rouyn-Noranda, which is affiliated with the TVA network and operated by Radio Nord, and Radio Nord's radio and television stations. It also asked the Commission to increase the minimum requirements for local programming in order to better reflect the local community.

The licensee's reply

8. Radio Nord confirmed its responsibility to provide quality service that reflects the regional community throughout its service area and reiterated its commitment to increase the number of local journalists. It pointed out that the quantity and quality of its local newscasts compared very favourably with those of other regional stations in Quebec. It added that it plans to assign a journalist to Abitibi-Ouest permanently as soon as the strike is over. The licensee went on to say that with 13 journalists dispersed throughout the region, it would be able to cover its entire service area and stay abreast of newsworthy events. Finally, the licensee acknowledged that its stations in Abitibi-Témiscamingue had been forced to scale back their local news production because of a labour dispute that was ongoing since October 2002.

9. In reply to the Syndicat's request regarding the separation of newsrooms, Radio Nord referred to a letter from the Commission dated 23 July 2003 that addressed concerns with respect to the issue of separation between Radio Nord radio and television station newsrooms.

Local programming and reflection

10. Under *Building on success - A policy framework for Canadian television*, Public Notice CRTC 1999-97, 11 June 1999 (the television policy), the Commission no longer requires quantitative commitments with respect to local news programs but expects the applicants to demonstrate, in their applications, how they will meet the demands and reflect the particular concerns of their local audiences, whether through local news or other local programming.
11. Radio Nord stated that its TQS-affiliated stations are historically distinct from those stations affiliated with the TVA and CBC networks that it also operates in this region and thus offer different programming. The licensee noted that it had respected and even exceeded its commitments to local news programming.
12. The licensee committed to broadcast a minimum of weekly local programming equivalent to its existing commitments, i.e., 1 hour and 15 minutes.
13. The licensee also committed to produce a five-minute regional newscast for broadcast on CFVS-TV at noon from Monday to Friday. The addition of this newscast will increase the local programming broadcast by CFVS-TV by 25 minutes a week. The licensee also committed to increase the number of times CFVS-TV broadcasts *TQS Abitibi-Témiscamingue en action* from 15 to 25 broadcasts a year. The Commission notes that the licensee also committed to conduct a qualitative survey of news coverage and local programming in general and to develop the use of video journalism as a way of improving news coverage in the area served by CFVS-TV. Finally, the licensee committed to improve news coverage in the areas of Abitibi-Est, Abitibi-Ouest and Témiscamingue.
14. Radio Nord stated that if it were to get openings from the network, it planned to produce local headline news segments and a program entitled *TQS Express* for broadcast on weekends on CFGS-TV.
15. The licensee also committed to close caption all of its newscasts and headline news segments and to provide voiceovers for graphics used in the presentation of news, weather, sports results, etc.

The Commission's analysis and determination

16. The Commission has considered Radio Nord's local programming commitments in the context of the television policy and accepts the licensee's commitments as satisfactory. In making its determination, the Commission also took into account the interveners' comments concerning the need for improvements to the local and regional content, as discussed in Public Notice 2004-94.
17. The Commission notes that CFGS-TV has exceeded the local programming requirements and expects the station to continue in this vein during the new licence term.

CFVS-TV's apparent non-compliance with local news and Canadian programming commitments

18. In Broadcasting Notice of Public Hearing CRTC 2003-11, 18 December 2003 (Notice of Public Hearing 2003-11), the Commission noted that, during the current licence term, the licensee apparently did not meet its commitments with respect to local news programming and its Canadian content requirements for CFVS-TV. Given that this evaluation had been based on the program logs submitted by the licensee and because the program logs contained a number of discrepancies, the Commission had authorized the licensee to correct them.
19. As indicated in Public Notice 2004-94, the Commission notes that the corrected program logs submitted by the licensee still contain errors and raise numerous interpretation difficulties. The apparent instances of non-compliance with regard to local news programming also remain. It seems that the program logs have not been sufficiently corrected in this respect.
20. The Commission notes Radio Nord's suggestion that regional stations should submit only the logs of locally produced programs.
21. Furthermore, following the release of Notice of Public Hearing 2003-11 and the verification of the licensee's corrected logs, the Commission is satisfied that, during the current licence term, the licensee has adhered to the requirements of the *Television Broadcasting Regulations, 1987* (the Regulations) with respect to Canadian programming on CFVS-TV.
22. The Commission reminds the licensee of the importance of keeping current program logs, as required under section 10 of the Regulations. The Commission notes in this regard that, in *Program log reporting requirements for conventional television stations – Call for comments*, Broadcasting Public Notice CRTC 2004-12, 9 March 2004, it launched a proceeding to streamline program log reporting and updating requirements. The Commission will re-examine the accuracy of the licensee's program logs and its compliance with its commitments and with the regulatory obligations at its next licence renewal.

Employment equity and on-air presence

23. 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.
24. With respect to on-air presence, the Commission expects the licensee to ensure that its programming is reflective of Canadian society and that members of the four designated groups (women, Aboriginal persons, persons with disabilities and members of visible minorities) are presented fairly and accurately.

Conclusion

25. The Commission has carefully reviewed the applications, taking into account the comments made by the licensee and the interveners. The Commission is generally satisfied that, during the current licence term, the licensee has adhered to the requirements of the Regulations and has complied with its conditions of licence and met the Commission's expectations, specifically those regarding local programming on CFGS-TV.
26. The Commission expects the newscasts broadcast by CFGS-TV to be different from those broadcast by CHOT-TV Gatineau and the newscasts broadcast by CFVS-TV to be different from those broadcast by CKRN-TV and CFEM-TV Rouyn-Noranda.
27. The Commission notes that, as discussed at the hearing, the expiry date for the licences of Radio Nord's regional stations will coincide with the expiry date of the licences for the originating station CFJP-TV Montréal and for the TQS French-language television network with which the stations are affiliated, i.e., 31 August 2008.¹
28. Accordingly, the Commission **renews** the broadcasting licences of CFGS-TV and CFVS-TV and its transmitter from 1 January 2005² to 31 August 2008. The licences will be subject to the conditions specified therein and to the **conditions of licence** set out in the appendix to this decision, as well as to the other applicable terms set out in Public Notice 2004-94.

Secretary General

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

¹ See *Renewal of the licences of the Quatre Saisons television network, of CFJP-TV Montréal and its transmitter CJPC-TV Rimouski, as well as of CFAP-TV Québec*, Decision CRTC 2000-418, 27 October 2000.

² In *Administrative renewals*, Broadcasting Decision CRTC 2004-189, 25 May 2004, the Commission renewed until 31 December 2004 the licences of the television programming undertakings whose applications for renewal were heard at the 16 February 2004 Public Hearing in Québec and whose licences expired on 31 August 2004.

Appendix to Broadcasting Decision CRTC 2004-535

Conditions of licence

1. The licensee shall adhere to the guidelines on gender portrayal set out in the Canadian Association of Broadcasters' (CAB) *Sex-role portrayal code for television and radio programming*, as amended from time to time and approved by the Commission. The application of the foregoing condition of licence will be suspended as long as the licensee remains a member in good standing of the Canadian Broadcast Standards Council (CBSC).
2. The licensee shall adhere to the provisions of the CAB's *Broadcast code for advertising to children*, as amended from time to time and approved by the Commission.
3. The licensee shall adhere to the guidelines on the depiction of violence in television programming set out in the CAB's *Voluntary code regarding violence in television programming*, as amended from time to time and approved by the Commission. The application of the foregoing condition of licence will be suspended as long as the licensee remains a member in good standing of the CBSC.
4. In addition to the 12 minutes of advertising material permitted by subsection 11(1) of the *Television Broadcasting Regulations, 1987*, the licensee may broadcast infomercials as defined in *Amendment to the Television Broadcasting Regulations, 1987 to permit, by condition of licence, the airing of "infomercials" during the broadcast day*, Public Notice CRTC 1994-139, 7 November 1994, and in accordance with the criteria contained in that notice, as amended.