



Broadcasting Decision CRTC 2003-358

Ottawa, 5 August 2003

BAF Audio Visual Inc.
Toronto, Ontario

Application 2002-0445-4
Broadcasting Public Notice CRTC 2002-68
5 November 2002

CHEV Toronto – Licence renewal

1. The Commission received an application by BAF Audio Visual Inc. (BAF) to renew the broadcasting licence for the low-power radio programming undertaking CHEV Toronto.
2. The Commission did not receive any interventions in connection with this application.
3. In *New low-power AM radio undertaking*, Decision CRTC 97-514, 27 August 1997 (Decision 97-514), the Commission approved an application by BAF for an English-language low-power AM radio programming undertaking at Toronto, operating on a frequency of 1610 kHz, with a transmitter power of 99 watts. The decision noted that the licensee intended to broadcast 30 to 40 hours per week of live play-by-play community amateur sports events, using a transportable studio system.
4. Decision 97-514 addressed the frequency that the new station would use as follows:

The technical parameters approved in this decision are for a low-power unprotected AM service. Accordingly, the licensee would have to select another frequency for the operation of this service should optimum utilization of the broadcasting spectrum so require.
5. In *Ethnic AM community radio station in Toronto*, Broadcasting Decision CRTC 2003-117, 17 April 2003 (Decision 2003-117), the Commission approved an application by Father Hernan Astudillo, on behalf of a corporation to be incorporated as San Lorenzo Latin American Community Centre (San Lorenzo), for a Type B community AM station to broadcast ethnic programming at 1610 kHz. Decision 2003 117 included the following notice to BAF:

Pursuant to the Department's¹ Broadcast Procedures and Rules, the operation of low-power undertakings, such as CHEV Toronto, which currently operates at 1610 kHz, are authorized on an unprotected basis. If necessary, the licensees of such undertakings must select another frequency to permit optimum utilization of the frequency spectrum.

The Commission reminds BAF Audio Visual Inc. that, if it wishes to continue operating CHEV, it must submit an application to the CRTC and obtain approval to amend the broadcasting licence for the station in order to change its frequency.

6. In light of the above, the Commission considers that a short term renewal is appropriate in order to allow BAF adequate time to find a new frequency for CHEV, and to obtain approval for its use. The Commission therefore **renews** the licence for CHEV Toronto from 1 September 2003 to 30 June 2004. The Commission, however, reminds the licensee that it must cease operations on 1610 kHz once San Lorenzo has advised that it is ready to launch the station approved in Decision 2003-117, even if this occurs prior to 30 June 2004.
7. In *Policy framework for community-based media*, Public Notice CRTC 2002-61, 10 October 2002, the Commission stated that licensees of low-power radio undertakings should be subject to a condition of licence that would define their programming in such a way as to ensure that licensees do not change programming and begin to offer the same service as conventional licensees, without Commission approval. Accordingly, it is a **condition of licence** that the undertaking be devoted solely to the broadcast of live community amateur sports events and community events. This condition is the same as the one under which CHEV has operated during the past licence term.
8. 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>

¹ The Department of Industry