



## Broadcasting Decision CRTC 2003-462

Ottawa, 17 September 2003

**Larche Communications Inc.**  
Midland, Ontario

*Application 2002-0848-0*  
*Broadcasting Public Notice CRTC 2003-32*  
*16 June 2003*

### **CICZ-FM Midland – Licence renewal**

1. The Commission received an application by Larche Communications Inc. to renew the broadcasting licence for the radio programming undertaking CICZ-FM Midland.
2. The Commission did not receive any interventions in connection with this application.
3. The Commission analyzed the programming broadcast by CICZ-FM during the week of 18 November to 24 November 2001. The analysis revealed that only 32.8% of all category 2 selections broadcast over the broadcast week, and only 29.7% of the category 2 musical selections broadcast by the licensee between 6:00 a.m. and 6:00 p.m., Monday to Friday, were Canadian musical selections. These findings constitute infractions of sections 2.2(8) and 2.2(9) of the *Radio Regulations, 1986* (the Radio Regulations), which stipulate 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)<sup>1</sup>, 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.

2.2(9) Except as otherwise provided under a licensee's condition of licence, and subject to subsection (6), an A.M. or F.M. licensee licensed to operate a commercial station shall, between 6:00 a.m. and 6:00 p.m., in any period beginning on Monday of a week and ending on Friday of the same week, devote 35% or more of its musical selections from content category 2 to Canadian selections broadcast in their entirety.

4. The licensee acknowledged its non-compliance with sections 2.2(8) and 2.2(9) of the Radio Regulations.

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<sup>1</sup> Section 2.2(6) of the Radio Regulations 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. 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.
6. Given that this is the first such infraction by the licensee and consistent with Circular No. 444, the Commission **renews** the licence for CICZ-FM, from 1 December 2003 to 31 August 2007, 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 Radio Regulations regarding the distribution of category 2 Canadian popular music.
7. 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.
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>*