



via EPASS

May 27th, 2009

Robert A. Morin
Secretary General
Canadian Radio-television and
Telecommunications Commission
Ottawa, Ontario
K1A 0N2

Dear Mr. Morin:

Re: Clarification of CCD policy re support for community radio

1. Rogers Broadcasting Limited (RBL) is writing to the Commission to obtain confirmation that expenditures to support the establishment of a community radio station would qualify as eligible Canadian content development (CCD) expenditures, consistent with the CCD policy set out in *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158 (PN 2006-158).
2. In Broadcasting Notice of Consultation CRTC 2009-36-4, the Commission returned an application by the Gabriola Radio Society (GRS) to establish an English-language FM Type B community radio station on Gabriola Island, British Columbia because the proposed operation was technically not acceptable to Industry Canada. More specifically, the proposed use of the 98.7 MHz frequency on Gabriola Island was incompatible with the use of the 98.5 MHz frequency by RBL's existing station CIOC-FM Victoria.
3. While RBL had intervened against the use of 98.7 MHz by GRS, we have made it clear that our objection was based solely on technical grounds. We have no issue with the proposed service and mandate of a community station operated by GRS.
4. To that end, we have had subsequent discussions as to how RBL might best assist GRS in submitting a new application for a community FM

station on Gabriola Island, making use of a different frequency than that originally proposed.

5. Further to discussions with representatives of GRS, RBL is willing to pay for the expenses associated with a technical study to identify a suitable FM frequency for the proposed GRS station plus the cost of preparing a new technical brief for Industry Canada, provided that such expenses qualify as eligible CCD expenditures.
6. RBL believes that such a direct financial contribution to the establishment of a community radio station on Gabriola Island would indeed qualify as an eligible CCD expenditure. However, before committing to the measures outlined above we are seeking the Commission's confirmation that such contributions are indeed eligible.
7. The financial assistance we propose to provide to GRS will contribute to the Commission's underlying objective for CCD contributions. As stated at paragraph 98 of PN 2006-158:

...[CCD] contributions should be used to fund initiatives that lead to the creation and promotion of audio content for broadcasting using Canadian resources. [paragraph 98]

8. The list of parties and initiatives eligible to receive CCD funding, as set out in PN 2006-158, does not explicitly include community radio stations. The list of eligible initiatives does, however, include:

...audio content initiatives that would further advance the fulfillment of specific objectives of the Canadian broadcasting system as outlined in the [Broadcasting] Act such as a community radio fund, Native radio and other specialized audio broadcasting services dedicated to serving the particular needs and interests of children, Aboriginal peoples, and persons with disabilities.

9. RBL submits that a direct financial contribution towards the identification of a new frequency and the preparation of a technical brief to establish a new community radio station is consistent with the type of audio content initiative contemplated by the CCD policy. Given that a community radio fund would clearly be an eligible recipient; we believe that a direct contribution to an applicant for a community radio station should be equally eligible.
10. Without the type of funding proposed by RBL, GRS would find it difficult to get a community station licensed and launched on Gabriola Island. Moreover, our assistance will allow for increased resources to be dedicated to the creation of community-based radio content on Gabriola

Island. As such, RBL submits that the proposed expenditures will support objectives of the CCD policy as set out in the Commercial Radio Policy.

11. In addition, the proposed expenditures by RBL will further Commission objectives respecting diversity by leading to the availability on Gabriola Island of new and varied content through the introduction of a community-based service.
12. In *Diversity of voices*, Broadcasting Public Notice CRTC 2008-4, the Commission emphasized that "...ensuring the availability of all three elements [i.e. public, private and community elements] provides the foundation for viewpoint diversity within the Canadian broadcasting system." It therefore concluded that a key objective is to provide access, within the Canadian broadcasting system, to a diversity of voices through broadcasting services from the public, private and community elements.
13. Accordingly, our financial support, which would make it possible for GRS to establish a community radio station on Gabriola Island, would further this important objective respecting diversity of voices.
14. For all of these reasons, RBL submits that contributions by RBL towards a frequency study and the preparation of a technical brief on behalf of GRS should be considered as an eligible CCD initiative.
15. We would appreciate the Commission's confirmation of this understanding at the earliest possible date so that we may make such contributions in the current broadcast year.

Sincerely,

Susan Wheeler
Vice-President, Regulatory Affairs

cc: Scott Hutton, Executive Director, Broadcasting, CRTC
Michael Amodeo, Manager, Radio Policy, CRTC
Joe Aguiar, Manager, English Radio Operations, CRTC
Ken Zakreski, Gabriola Radio Society

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