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November 25, 2016

Danielle May-Cuconato  
Secretary General  
Canadian Radio-television and Telecommunications Commission  
Ottawa, Ontario, K1A 0N2

Secretary General,

**Re: Broadcasting Notice of Consultation CRTC 2016-427: Call for comments on proposed amendments to exemption orders for various types of radio programming undertakings**

1. We are writing on behalf of the National Campus and Community Radio Association/l'Association nationale des radios étudiantes et communautaires ("NCRA/ANREC") to comment on the proposed amendments to exemption orders for various types of radio programming undertakings: specifically, as they pertain to tourist information related radio programming undertakings ("tourist stations"). We request an opportunity to appear at the hearing if there is one.
2. The NCRA/ANREC is a not-for-profit national association working to recognize, support, and encourage volunteer-based, non-profit, public-access campus and community-based broadcasters in Canada. We provide advice and advocacy for individual campus and community ("c/c") stations, and conduct lobbying and policy development initiatives with a view to advancing the role and increasing the effectiveness of our sector. Our goals are to ensure stability and support for individual stations, and to promote the long-term growth and effectiveness of the sector. We currently represent 98 not-for-profit member radio stations.
3. In CRTC 2013-278, we expressed concern about the exemption of low-power tourist information related radio programming undertakings from licensing requirements and associated regulations. In particular, we were concerned that allowing tourist information stations to sell advertising in small communities would:

- a. Allow those exempted stations to compete with existing low-power broadcasters in those communities for advertising revenue. In our experience, most broadcasters in small communities already operate with no or few staff and struggle to be financially viable and further competition could result in their failure.
- b. Limit opportunities for development of new c/c stations in markets where no c/c station exists yet.

4. We support the proposed amendment that requires tourist information stations to register with the Commission prior to the commencement of operations, as we believe it is important for the Commission to know the number of such undertakings and to be able to identify and contact them in order to ensure that they are not misusing exemption order and circumventing the licensing process.

5. We also agree that anyone found violating the terms of the exemption order and broadcasting without a licence should be prevented from operating an exempt radio programming undertaking in the future. We hope that knowing they would face serious repercussions if they exceed the terms of the exemption order would act as a strong deterrent.

6. One of our ongoing concerns about tourist information stations is that they may broadcast music and other content that exceeds the restrictions set out in the exemption order, as discussed in broadcasting decisions [2016-414](#) and [2016-409](#). Although those proceedings involved purported tourist information stations broadcasting ethnic content, we are concerned that other purported tourist information stations may similarly broadcast content that competes with existing c/c stations for listeners, advertisers, and support of community members, businesses, and organizations. The language used in some of the news coverage and marketing of new tourist information stations has led us to believe that this might occur.

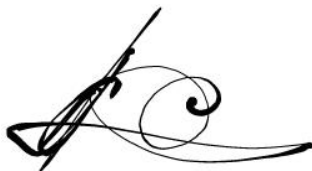
7. Also, in communities where no c/c station yet exists, tourist information stations broadcasting content that exceeds the terms of the exemption order might make it more difficult for new c/c stations to become established. This could occur either by creating confusion in communities about how the mandate and purpose of a c/c station differs from existing services and whether it would be beneficial for the community to develop one, or by occupying frequencies where spectrum is scarce (e.g. small communities within the Okanagan Valley of British Columbia, and close to urban centres across the country).

8. Our understanding is that Innovation, Science and Economic Development Canada grants permission for broadcasters to use low power frequencies on a first-come first-served basis. Since exempt tourist information stations can be set up much more easily and quickly than licensed c/c stations, in congested markets they could prevent new c/c stations from obtaining a frequency at all, or leave them with a choice of sub-par frequencies that would not reach the entire community. Therefore it is important to us to ensure that tourist information stations are not occupying valuable frequencies while attempting to position themselves as community broadcasters, thereby detracting from the work done by groups that are legitimately working to meet the requirements of a c/c licence.

9. The Commission stated in Broadcasting Order 2013-620 (“Exemption order for low-power radio stations that provide tourist information”) that c/c broadcasters can deal with the spectrum scarcity issue by launching stations with protected frequencies. We note that the difference in cost between obtain a low power vs. a protected frequency is prohibitive and significant for many stations in small communities and we do not agree that it is a reasonable solution.

10. In conclusion, we support the proposed amendments to the exemption orders and we encourage the Commission to ensure that tourist information stations are not misusing their exempt status.

Sincerely,



Ophira Horwitz  
NCRA/ANREC External Policy Committee



Freya Zaltz  
NCRA/ANREC Regulatory Affairs Director



Barry Rooke  
NCRA/ANREC Executive Director

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