



NCRA-ANREC  
180 Metcalfe St,  
Suite 608  
Ottawa, Ontario,  
K2P 1P5

Aug 6, 2013

John Traversy  
Secretary General  
Canadian Radio-television and Telecommunications Commission  
Ottawa, Ontario, K1A 0N2

Secretary General,

**Re: Broadcasting Notice of Consultation CRTC 2013-318**

(Renewal of broadcasting licences for campus and community radio programming undertakings expiring August 31, 2013)

In support of the following applications:

1. Education Alternative Radio Society (CFUR-FM)
2. Radio CFXU Club (CFXU-FM)
3. WhiStle Community Radio (CIWS-FM)

1. We are writing on behalf of the National Campus and Community Radio Association/l'Association nationale des radios étudiantes et communautaires ("NCRA/ANREC") in support of three renewal applications for radio programming undertaking licences expiring August 31, 2013. These campus and community ("c/c") radio broadcasters have been found in apparent non-compliance with section 9(2) of the Radio Regulations, 1986. We request an opportunity to appear if there is a hearing.

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 for the sector 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 have more than 80 members, including the three stations mentioned in this letter.

3. CFUR-FM is a campus-community station broadcasting from the University of Northern British Columbia (“UNBC”) in Prince George, a city of approximately 70,000 people in central British Columbia. In 2001, CFUR-FM received a developmental licence and began broadcasting at four watts. Over the last 12 years, they have increased their output to 510 watts, and this has significantly extended the station’s ability to reach listeners in their community. In 2010, CFUR-FM was voted the best radio station in the city by the Prince George Free Press newspaper. They are enthusiastic promoters of local and Canadian music artists, and they contribute regularly to the !earshot campus and community radio report music charts, a weekly compilation of independent musicians popular in the c/c sector.

4. CIWS-FM is a community-licensed station, and the only locally-originating radio broadcaster serving Whitchurch-Stouffville, a small but fast-growing Ontario municipality in the Greater Toronto Area. CIWS-FM's programming includes more than 40 locally produced shows. These include a current affairs show (twice a week, weekly interviews with inspirational seniors, Auto Talk (cars), The Pub Show (beer), What's on at the Movies, Library matters, poetry, Local musicians, about 40 outside broadcasts a year covering charitable events, festivals, Remembrance Day etc.

5. CFXU-FM is a campus-community station broadcasting from St. Francis Xavier (“St. FX”) University, a small school in the town of Antigonish, Nova Scotia. CFXU-FM's programming includes a weekly discussion program created by both St. FX students and CFXU-FM's sister station in Ghana, that compares and contrasts the life of St. FX students and faculty with their counterparts in Ghana.

6. These stations have each worked hard to become viable and recognized voices for their communities. They provide public access to the airwaves, volunteer training, opportunities for participation in programming and the governance of the station, local news and information, and exposure for local and emerging artists.

7. They also operate with lean budgets and few staff, and all rely extensively on the work of volunteers. In the c/c sector, wages tend to be low, staff and volunteer turnover is high, and institutional memory is easily lost. Although these factors cannot excuse noncompliance, they may contribute to the ongoing challenges stations face in understanding and fulfilling the regulatory requirements.

8. We have been in contact with each of these stations about their apparent noncompliance. Based on our conversations, we believe they understand the requirements set out in s. 9(2) of the Regulations. We also believe they have taken steps to address any issues that may have contributed to the apparent non-compliance in the past, and appropriate steps to ensure that they remain in full compliance in future, regardless of financial and other challenges.

9. The NCRA/ANREC provides regulatory support to all of our member stations. Last year, our Regulatory Affairs Director and Executive Director provided intensive one-on-one support to at least 35 member stations in addition to several general compliance resources that are available to members. We conducted regulatory audits of 10 member stations this past year, and this summer we will add a regulatory self-audit to the list of resources we provide our members.

10. Due to previous challenges faced by NCRA/ANREC member stations in meeting the requirements under s. 9(2) of the Regulations, we began an initiative in 2011 to contact member stations through our listserve and confirm that they:

- (1) understand when to submit annual returns,
- (2) know how to obtain and submit renewal forms, and
- (3) understand that financial statements must cover the period of time specified by the Commission.

Our goal is to help ensure that our members have accurate information and submit their annual returns correctly and on time.

11. In November 2012, we widened this initiative, directly contacting all of our members individually about their renewal and suggesting changes they could make at staff and board levels to help ensure that annual returns are filed on time and correctly, now and in the future. Based on feedback from stations, we believe our 2012 campaign was 98 percent successful, with 68 out of 69 licensed NCRA/ANREC member stations filing on time. We also emphasized to all members that, regardless of their administrative fiscal year, they must submit data for the broadcast year. We wish to note that Commission staff, especially Michael Bergeron and Lyne Labelle, were extremely helpful to us and our members in this campaign.

12. The NCRA/ANREC intends to run a similar campaign in 2013. We believe that our focused efforts in this area have assisted our members in understanding their regulatory responsibilities, and we anticipate that possible non-compliance with s. 9(2) of the Regulations may decrease markedly in our sector over the next few years.

13. Of the three NCRA/ANREC member stations described in this letter, we note that none were found in non-compliance with s. 9(2) for the 2011/2012 year, and that some submitted completed returns in 2012 that were in arrears from previous years.

14. We have recommended to our members in general, and to these stations in particular, that they take the following steps to ensure ongoing compliance in future years:

- develop systems, procedures, policies and other safeguards to prevent all instances of non-compliance with the Regulations;
- develop policies and procedures regarding ongoing regulatory training, supervision, and oversight for staff and volunteers;
- create systems for confirming that regulatory deadlines are met, including adding regulatory compliance tasks into staff and volunteer job descriptions, improving board training and director resources; and
- make station policies and procedures clearer and more accessible.

15. We are told that these three member stations have already made or committed to making concrete changes that we believe will make non-compliance less likely to occur in the future. For example:

16. When CIWS-FM's current board was elected in 2010, they began to proactively address some of the station's financial and structural difficulties in order to improve their regulatory compliance. They applied for and received three Community Radio Fund of Canada ("CRFC") grants, all of which funded station staff and helped develop the station's capacity to recruit and train new volunteers. They have informed us that their Board Chair is now the established contact with the Commission, and they intend to make compliance a standing agenda item at all Board meetings. Their financial situation, which was problematic in recent years, has stabilized, and they continue to seek grants that will assist them in fulfilling their mandate. CIWS-FM recently hired an advertising manager in order to further diversify their revenue sources. They intend to hire a permanent station manager when they are able to do so.

17. CFUR-FM has recently received a CRFC grant as well. They anticipate that it will allow them to

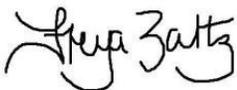
better recruit, manage and retain volunteers, and this will contribute to the stability of the station. We are told they recently signed a two-year contract with their current Station Manager and increased the position to full-time. They also intend to hire a second staff person, a Program Director. In 2012, the Education Alternative Radio Society successfully doubled CFUR-FM's fee levy through a student referendum. On our advice, CFUR-FM is implementing a Board calendar of relevant dates for compliance, and making compliance a standing agenda item at every Board meeting. In order to increase the station's understanding of regulatory compliance, CFUR-FM sent a delegate to the NCRA/ANREC BC regional conference, and to a specialized weekend conference for station managers that included a compliance workshop with the NCRA/ANREC's Regulatory Affairs Director.

18. CFXU-FM has put regulatory compliance on the agenda of all board meetings, and scheduled a discussion of annual returns for their September board meeting. Compliance is also discussed monthly at their staff meetings, as well as drafting a calendar of important station dates to be circulated to board and staff and checked at board and staff meetings. They are also committed to regularly reviewing the NCRA/ANREC Regulatory Support Guide (downloadable here: <http://www.ncra.ca/compliance-resources>).

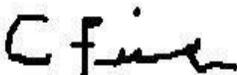
19. The NCRA/ANREC strongly encourages the Commission to renew the licenses of these three NCRA/ANREC member stations for the longest possible terms. We note that the Commission has, in the past, renewed the licences of stations found in non-compliance for terms shorter than seven years. We understand that this enables the Commission to check on stations' progress and confirm their compliance before the end of a full licence term. However we note that shortened renewals, particularly those of two years or less, can significantly add to stations' administrative burden, particularly for smaller stations with few or no paid staff. Those stations often find the renewal process onerous; the time and effort required to complete and submit the necessary documents may detract from other work, like recruiting volunteers, fundraising for station operations, or improving internal station policies that underpin compliance.

20. Therefore, in order to balance the burden and the necessity for oversight, we encourage the Commission, if considering reduced licence terms for any of these stations, to renew them for terms of at least four years.

Sincerely,



Freya Zaltz  
Regulatory Affairs Director  
NCRA/ANREC



Catherine Fisher  
Regulatory Affairs Committee  
NCRA/ANREC

cc: CFXU-FM, CFUR-FM, CIWS-FM

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