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Feb 25, 2016

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

Secretary General:

Re: Broadcasting Applications 2015-1038-9 and 2015-0787-3 (Renewal of broadcasting licences for campus and community radio programming undertakings expiring August 31, 2016)

In support of the following applications:

- 1. Dawson City Community Radio Society ("CFYT-FM")**
- 2. Student Media, University of Windsor ("CJAM-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 two licence renewal applications for radio programming undertaking licences expiring August 31, 2016. 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 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 95 members, including these two stations.

3. CFYT-FM is an entirely volunteer-run community-licensed station, and the only local broadcaster in Dawson City, a town of approximately 1,300 people in Yukon. Dawson City's main industries are tourism and gold mining. It is home to the Berton House Writers' Retreat, administered by the Writers' Trust of Canada, which houses established Canadian writers for four three-month residencies each year. The area is also an important harvest area which has been used for millennia by the Hän-speaking people of the Tr'ondëk Hwëch'in First Nation.

4. The roots of CFYT-FM go back to the Canadian Forces Yukon Territory station established in Dawson City after World War II. The first local community radio station in the area began broadcasting from a hotel room in 1948; it was run largely by Forces staff posted there, who called it CFYT, short for "Canadian Forces Yukon Territory". The current society that took over CFYT-FM was formed in 1984, and the station was re-licensed in 2006 to broadcast two hours per week of locally-produced programming, and re-broadcast 124 hours per week of programming originating from CKRW-AM in Whitehorse, Yukon.

5. CFTY-FM currently hosts more locally-produced programming than it did formerly (now 26 hours each week; the remaining hours are still wrap-around programming from CKRW-AM). CFYT-FM broadcasts live from special community events like Dawson City's Annual Gold Show, an industry and consumer trade show that celebrates the city's gold rush heritage. They also broadcast from the biennial Tr'ondëk Hwëch'in (Hän) cultural summer gathering at Moosehide Village just outside of Dawson. In 2014, CFYT-FM partnered with the Dänojà Zho Cultural Centre to produce a series of live radio events, including a weekly program called Radio Zho, a one-hour show featuring Tr'ondëk Hwëch'in traditional knowledge, language and Dawson City musicians.

6. Regarding CFYT-FM's apparent non-compliance with s. 9(2) of the Radio Regulations, 1986, we have been told that their incomplete annual return in 2012/13 was due to an oversight on the part of the board treasurer, and at that time, the station had insufficient checks and balances in place to ensure that annual returns were filed correctly. We understand that since the apparent non-compliance was identified, the station has put the following procedures in place to ensure regulatory compliance going forward. First, the executive committee of the board meets every two weeks to check in about important deadlines, and the board has added a standing regulatory update to the agenda of each board meeting. Second, CFYT-FM was recently awarded a grant from the Community Radio Fund of Canada ("CRFC") to run the CFYT Radio School, and they will build into the curriculum a half-day workshop on regulatory compliance.

7. CJAM-FM broadcasts to the cities of Windsor, Ontario and Detroit, Michigan. It began broadcasting via closed-circuit to the University of Windsor Campus in 1952, assigned as CSRW-AM in 1974, and re-assigned as CJAM in 1977. CJAM-FM has served the Windsor-Detroit community on FM since 1983. The station has been a member of the NCRA/ANREC for many years and has made significant contributions to the c/c sector in Canada, including hosting our organization's national conference in 2008.

8. CJAM-FM plays an important and unique role in its community. It has done an exemplary job of engaging listeners and volunteers from both the University of Windsor campus and the wider community in an accessible and tolerant environment. The station provides high quality programming in 10 languages, including a wide range of cultural, political, arts, news, local sports, and issue-oriented content not found on other local stations.

9. Windsor, the fourth-largest border city media market in Canada, is unusual, as it has a high ownership concentration due to the region's exemption from standard media concentration regulations. This means that CJAM-FM's diverse programming is essential in the community in order to ensure greater diversity within the local broadcast system.

10. We spoke with CJAM-FM about the apparent non-compliance. They told us that the circumstances of this apparent non-compliance arose from a misunderstanding. After their new Station Manager took action to correct deficiencies in two previous annual returns, he was unaware that the 2006/07 annual return remained incomplete, and he diligently filed the missing documents two weeks after the Commission contacted the station about it. Going forward, CJAM-FM has put a number of new protocols in place to ensure compliance going forward. There is now a regulatory calendar on the Station Manager's wall, compliance is a standing agenda item at board meetings, and staff consult with and report to board members and other staff on filings. We are also told they are looking into changing their financial year to align with the Commission's, and that they were able to hire two volunteer coordinators to meet with programmers before, during and after their shows to ensure programming compliance with regulatory requirements.

11. Both CFYT-FM and CJAM-FM have 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.

12. Both stations rely extensively on the work of volunteers. In the c/c sector, wages tend to be low, staff and volunteer turnover is high, therefore institutional memory is easily lost. Although these factors cannot excuse non-compliance, they may contribute to the ongoing challenges stations face in understanding and fulfilling the regulatory requirements.

13. Based on our conversations with CFYT-FM and CJAM-FM, we believe they understand the requirements set out in s. 9(2) of the Regulations. We also believe they have taken appropriate steps to address any issues that may have contributed to the apparent

non-compliance in the past, and to ensure that they remain in full compliance in future, regardless of financial and other challenges.

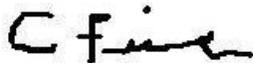
14. The NCRA/ANREC provides regulatory support and materials to all of our member stations. In 2012, we started a campaign to encourage all NCRA/ANREC members to file their annual returns on time. We also suggested strategies they could implement at staff and board levels to ensure that annual returns are filed correctly and on time. The staff at our national office have contacted all licensed members over the last four years, and we are told that all (or nearly all) of our members have submitted their returns by the Commission's deadline.

15. Our understanding is that both CFYT-FM and CJAM-FM have successfully filed annual returns in compliance with s. 9(2) in all recent years. We believe the NCRA/ANREC's focused efforts to educate our members about regulatory compliance have assisted them in better understanding their regulatory responsibilities. We also believe that possible non-compliance with s. 9(2) has decreased markedly in our sector over the last few years.

17. The NCRA/ANREC strongly encourages the Commission to renew CFYT-FM's and CJAM-FM's licences for the longest possible terms. We note that the Commission has, in the past, renewed the licences of stations found in apparent 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.

18. 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,



Catherine Fisher  
NCRA/ANREC Regulatory Affairs Committee



Freya Zaltz  
NCRA/ANREC Regulatory Affairs Director

cc: CFYT-FM  
CJAM-FM

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