



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

Re: Broadcasting and Telecom Notice of Consultation CRTC 2010-509
Converged Rules of Procedure

September 3, 2010

Dear Secretary General,

1. The National Campus and Community Radio Association/ l'Association nationale des radios étudiantes et communautaires (NCRA/ANREC) wishes to comment on Broadcasting and Telecom Notice of Consultation CRTC 2010-509.
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 ("c/c") broadcasters in Canada. We provide advice and advocacy for individual 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.
3. The changes to the Proposed Rules and the clarifications outlined in the Information Bulletins will be helpful to the c/c sector, and we thank the Commission for responding to comments made by the NCRA/ANREC in CRTC Consultation 2009-602 (New Draft Regulations) and 2009-418 (Review of Campus and Community Radio).
4. The NCRA/ANREC is pleased that the Commission has explicitly included low-power FM broadcasters within the definition of "respondents" in section 5(b) of the Proposed Guidelines to the CRTC Rules of Procedure. The result of this is that applicants must now serve affected low-power stations with their application documents on or before the date the applicants' documents are filed with the Commission, by virtue of section 6(b). Although we still hope to obtain frequency protection for low-power FM stations in the future, in the meantime this notification requirement will give low-power c/c stations significantly more time to respond to applications that may affect their ability to continue broadcasting at their current frequency or power level.
5. As the Commission is aware, the c/c sector's smallest and most under-resourced stations are low-power. These stations often begin broadcasting at low-power because it is most affordable, or due to spectrum scarcity

in their region. Many intend to increase their power level to gain frequency protection in future, but this process can take years. Meanwhile they remain vulnerable without frequency protection.

7. The NCRA/ANREC has assisted many low-power c/c stations that were at risk of losing their frequencies or incurring signal interference due to applications made by other broadcasters. In the past, these stations were not notified of applications until the call for public comments was posted, which resulted in an emergency situation for stations lacking the resources and expertise to respond quickly. Ensuring that these stations are notified on or before the date the applications are filed with the Commission will allow low-power stations and applicants more time to find mutually beneficial solutions to any problems presented by new applications.

8. With respect to the updated list of Broadcasting applications that do not require a public process (as described in Proposed Broadcasting Information Bulletin 2010-xxx), we appreciate the explicit inclusion of low-power stations provided that their operating class does not change. There have been several occasions during recent years when low-power stations were required to change frequencies on short notice in order to avoid interruptions to their broadcasting services caused by the launch of new broadcasters. The ability for these low-power stations to obtain approval quickly to broadcast at new frequencies is extremely helpful in ensuring that they can continue to serve their communities.

9. We also appreciate that the Commission has included in the Proposed Rules of Procedure the opportunity to request to appear by videoconference in a public hearing (s. 35 (1)). We believe this provides a valuable option to stations in our sector, and it may allow the Commission to hear comments from broadcasters who have been unable to travel to proceedings due to time or financial constraints.

10. Finally, we are pleased that the Commission, in recognition of the c/c sector's challenges in accessing new technologies, is offering flexibility in the requirement to post applications on an applicant's website. (s. 20(2)(b)). While we believe that most c/c stations in Canada have websites, we are not confident that they are all capable of posting notices on their websites in a timely manner.

11. In closing, the NCRA/ANREC appreciates the Commission's willingness to consider issues which affect our sector, and to incorporate solutions into the Proposed Rules of Procedure.

Sincerely,



Freya Zaltz

Regulatory Affairs Director
NCRA/ANREC



Catherine Fisher

Regulatory Affairs Committee
NCRA/ANREC

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