

Non-compliance gets renewal

OTTAWA – When broadcasting licensees do not live up to the programming promises made to the Canadian Radio-television and Telecommunications Commission, what does the CRTC do? To judge by a recent batch of FM-radio decisions, it renews the licenses – but at less than their full-term.

In 12 decisions since July 5, broadcasters from Alberta to Nova Scotia had their licenses renewed, but, because of non-compliance with what is called their "Promise of Performance" – a contract with the Canadian public for the type of programming it should offer its listeners using frequencies of the public domain – the Commission decided to renew the licenses for less than the usual five-year term. In four cases, the renewals were for only one year; in four other cases the renewals were for two years, while two renewals each were handed out for three and four years respectively.

In a instance of a one-year-only renewal, Edmonton licensee CFCN Communications, the Commission had "serious concerns" with respect to non-compliance of CJAX-FM's

promise of performance. CRTC scrutiny of the station's logs – CJAX-FM delivers a rock-oriented country sound – found "unacceptable" levels of "hits" in excess of the 50% levels the station had promised. As well, the station had not complied with its 30% promise of Canadian music-general selections, playing some 770 selections when it had committed to 1100 in its Promise of Performance. Furthermore, the license had committed to an annual sum of \$100,000 for the support and promotion of Canadian talent, but in the past year had only expended \$61,000. The CRTC found that "the station was operated in serious non-compliance with its programming commitments for two years."

At the renewal hearing last May in Calgary, the licensee asked to be allowed to change its music format from country to soft pop and rock. The Commission, in its decision Sept. 27, reminded the licensee that it had been licensed in 1981 primarily because of its own assurance "it would play 'urban country' music" aimed at young adults aged 18-34. While the CRTC indicated it

was willing to consider a new Promise of Performance, pending approval, it expected the licensee to adhere to its original Promise of Performance in all respects. The one-year renewal granted the licensee would, the Commission provide "sufficient time to demonstrate to the Commission that CJAX-FM is being operated in compliance with its Promise of Performance."

"It is essential that each licensee honour its Promise of Performance," commented CRTC chairman André Bureau. "Failure of a station to live up to its Promise of Performance affects the fairness of the licensing process and, more importantly, can also diminish the variety of program choice available to the public."

The CRTC chairman noted, however, that a station "can apply for a change in its promise at any time."

Third service in Saskatchewan

OTTAWA – In what seems to be a trend, the Canadian Radio-television and Telecommunications Commission (CRTC) has licensed another third television service, this time to Saskatchewan, six days after licensing a third network in Quebec.

The CRTC on Sept. 12 released a 22-page decision, announcing it had licensed two new television stations, one for Regina and one for Saskatoon, to be operated by Saskwest Television and to go on air by September 1986.

Saskwest Television is a wholly owned subsidiary of Canwest Broadcasting, Winnipeg, which indirectly control Global Communications (Ontario's Global web). It beat out competing applications from Harvard Developments Ltd. of Regina and Allarcom Ltd. of Edmonton. Winnipeg has had a third service since 1975, with Canwest licensee CKND-TV, whose past successes were noted by the Commission's decision, "despite the difficult economic climate, in the production of Canadian content programs and award-winning drama specials in particular."

The CKND model, particularly because of its Drama Project, and tri-productions between the Regina, Winnipeg and Saskatoon stations, appeared to be the one favored by the CRTC in issuing licenses to Saskwest's proposals for a mix of Canadian and foreign programming. Saskwest's proposed 23 hours of local programming were deemed by the CRTC "substantially greater

than that proposed by the other applicants" and consistent with the role and model of a third service "to provide alternative local programming" that would be "competitive and realistic" and within the resources and abilities of the applicant.

While the Commission did stipulate as conditions of license that Saskwest produce a yearly number of specials and variety series, "the Commission considers that it would be inappropriate to impose any quantitative requirements on the applicant with respect to drama production."

Saskwest's weekly broadcast schedule will deliver 23.5 hours of local production (including news, public affairs and entertainment), 51.5 hours of Canadian programming, and 91 hours of "foreign" programs not presently available to the region.

The Regina and Saskatoon markets are the ninth largest in Canada. The two new stations will be available over the air to 230,000 viewers in the Regina-Moose Jaw area, and 170,000 more in the Saskatoon area. Distributed by cable companies, the stations should reach about 500,000 viewers in the province.

American Cousin bows

TORONTO – *My American Cousin*, which shared the International Critics' Prize with the Canadian-British co-production *No Surrender* at Toronto's Festival of Festivals, will have its theatrical release Nov. 1 at Toronto's Varsity Theatre and Nov. 8 in Vancouver at the Varsity and Penticton, B.C. The Independent Pictures film, produced by Peter O'Brian and co-produced and directed by Penticton native Sandy Wilson, will be at the centre of a large promotional drive.

For its Toronto debut, interest-stoking promotions will be done by CITY-TV, the *Toronto Sun*, and FM radio station CHFI, with O'Brian, director of photography Richard Leiterman, and male lead John Wildman (who portrays Butch Walker) in town. Also in Toronto, on the evening of Nov. 3, a special benefit screening of the film and reception will be held for the Royal Life Saving Association (Dr. Caroline Bennett, O'Brian's wife, is an association member and will be attending) at the Ontario Film Institute Film

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