



NCRA-ANREC  
325 Dalhousie, Suite 230  
Ottawa, Ontario, K1N 7G2

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

March 29, 2010  
Broadcasting Notice of Consultation CRTC 2010-146  
Reference No. 2010-0098-4

Dear Secretary General,

1. The National Campus and Community Radio Association/l'Association nationale des radios étudiantes et communautaires (NCRA/ANREC) offers comments on two questions posed by the Commission relating to the operations of CKLN Radio Incorporated ("CKLN"):

- Why a mandatory order should not be issued pursuant to section 12 of the Broadcasting Act (the Act) requiring the licensee to comply with Regulations and its conditions of license; and
- Why the Commission should not suspend or revoke the licensee's license pursuant to sections 9 and 24 of the Act.

2. The NCRA/ANREC is a not-for profit National Association working to recognize, support and encourage not-for profit, volunteer-based, 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 with a view to advancing the role and increasing the effectiveness of our sector.

3. The NCRA/ANREC believes that the CRTC should neither suspend nor revoke CKLN's broadcasting license. While we share the Commission's concerns about CKLN's perceived non-compliance to Regulations during parts of 2008 and 2009, we are confident that the station has taken reasonable and effective steps to re-stabilize and move forward. We are very pleased with CKLN's recent progress, as CKLN is a large and well-established station in a very large market,

and the loss of this station's collected wisdom, experience, and history would be a major blow to the c/c sector, as well as its local listeners and the communities it serves.

4. Since 1983, CKLN has been an important nexus for community groups, students at Ryerson University, and residents of the Greater Toronto Area. Known for years as Toronto's "voice of the underground", the station is situated in the heart of Canada's most culturally-diverse metropolis, and station volunteers and staff have worked hard for almost three decades to ensure that its governance and its local arts, culture and information programming reflects this cultural and social diversity.

4. CKLN has made significant contributions to the NCRA/ANREC, and to the c/c sector in Canada. The station was instrumental in developing many of the NCRA/ANREC's best practices and key projects. Since 1995, member stations have been welcomed to our yearly conference and AGM ("NCRC"), by an elder of the hosting First Nation, and this initiative was first suggested by CKLN. CKLN also contributed to the development of our annual Women in Radio conference, the recognition of the importance of Affirmative Action policies throughout the sector, and to a resolution seeking the greater inclusion of disabled programmers in our stations. We believe CKLN has an important role to play in continuing to provide examples of inclusive, good and equitable governance to other stations in our sector.

5. After CKLN'S internal difficulties became apparent to us in mid-2008, the NCRA/ANREC struck a working group of experienced c/c sector individuals with an eye to helping CKLN. Members of this group attempted to speak with all concerned parties, offered advice and mediation assistance, met with the Ryerson Student Union ("RSU"), and consulted with members of the Commission about assisting with CKLN's perceived compliance issues. The NCRA's efforts yielded limited results, and credit is due to a small group of dedicated CKLN volunteers who have worked to re-establish the station and its decision making structures and address the outstanding issues.

6. Gradually improvements began to occur. In July 2009, a member of the NCRA/ANREC's Advisory Board chaired a Special General Meeting to elect a new board of directors at CKLN, and a member of the NCRA board oversaw the balloting. Since that election, the NCRA has seen this new board gain traction and undertake the work that lies before it systematically and thoroughly.

7. Thus we request that CKLN be permitted to continue operating while they implement and solidify the changes mandated by the Commission, as well as other necessary improvements.

8. In the Call to Hearing (Broadcasting Notice of Consultation CRTC 2010-146), the Commission also asks: "Why a mandatory order should not be issued pursuant to section 12 of the Broadcasting Act (the Act) requiring the licensee to comply with Regulations and its conditions of license". The NCRA/ANREC recommends that such an order not be issued. Recent discussions with members of the CKLN board of directors have satisfied the NCRA/ANREC that CKLN is well aware of their regulatory responsibilities and intends to comply with all Regulations and conditions of license, and we are confident that they have the capacity to do so.

9. CKLN has been candid about the station's previous difficulties, and the board of directors has taken decisive steps to address their causes and ensure that previous mistakes are not repeated. The NCRA/ANREC has been impressed by the tenacity and dedication of the individuals who re-formed the station after such a protracted period of strife. They have worked hard and systematically to stabilize the station, while also looking to the future of the

organization. Under these most challenging circumstances, CKLN has re-populated their weekly programming schedule, negotiated a twenty-year lease, as well as a levy-transfer agreement with RSU, in effect until 2029. They have also created a bylaw review committee to recommend amendments to address previous governance problems and ensure compliance with CRTC requests and best practices. In the near future they have also committed to re-examining their internal policies, paying debts, fundraising, expanding student involvement in the station, and concluding an ongoing judicial mediation process with a former staff member. The NCRA/ANREC will continue to offer regulatory and organizational development assistance to CKLN in any of these matters as needed.

10. The NCRA/ANREC respectfully requests that the Commission does not issue a Mandatory Order to CKLN. We request this because we believe it is not necessary, and we believe it would be damaging to morale of volunteers at the station at this critical time in its history. We are confident that the CKLN board of directors have acknowledged, addressed, and continue to address the station's regulatory contraventions. It is our understanding that the directors are fully apprised of their responsibilities and Conditions of License, take those responsibilities and conditions very seriously, and are committed to compliance with all policies and Regulations set out by the Commission. We further believe that the steps taken by CKLN to stabilize their finances, rebuild their relationships, and reconnect with their community illustrate good faith and good judgment on the part of those involved.

Sincerely,



Catherine Fisher  
Regulatory Affairs Committee  
NCRA/ANREC



Freya Zaltz  
Regulatory Affairs Director  
NCRA/ANREC

cc: CKLN Radio Incorporated

\*\*\* END OF DOCUMENT \*\*\*

