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To the:  
Canadian Radio-Television and Telecommunications Commission

## **Response to PN 1999-75 (Community Radio Policy)**

Submitted by:  
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Members of the Commission: (SUMMARY)  
In paragraphs 145 and 146 of PN 1999-75, the CRTC states:

145. The Commission invites written comments that address the issues and questions set out in this notice. The Commission will accept comments that it receives on or before Wednesday, 7 July 1999.

146. The Commission will not formally acknowledge written comments. It will, however, fully consider all comments and they will form part of the public record of the proceeding, provided that the procedures for filing set out below have been followed.

We appreciate that this Public Notice is not an invitation to a public debate on Community Radio policy and that the CRTC does not intend to publish all the comments it receives as attachments to this policy. However, in the spirit of public consultation on issues of community concern and in view of past CRTC policies to invite the public to present its view to the CRTC, we raise these issues as a matter of record and ask the Commission to address them.

The signatories of this presentation have addressed the Commission on these issues in the past: as founders of Canada's earliest community radio station and as participants in the development of the original CRTC policy on community radio.

Overall, we find the CRTC community radio policy lacking. Under the guise of deregulation, this policy proposes to surrender its authority over community radio to the commercial marketplace. This policy neglects the importance of minority audiences, of participation and diversity, of creativity and free expression; it elevates the sales of commercials to become as equally important as programming.

We ask the Commission to review the merits of this policy and not permit commercial pressures to limit one of the very few venues in broadcasting where the free exchange of ideas is still possible.

on behalf of the following founders of Radio Centreville:  
Hyman Glustein, Nelson Becker, Mark Zannis,  
Suzanne Perron, Fred Leclaire, Kevin Cohalan

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## **Presentation to the CRTC**

# Response to PN 1999-75 (Community Radio Policy)

## Introduction

1. The proposed policy on community radio fails to address why it is important to Canadians and why it must be sustained with a policy that reflects its goals and purposes.
2. Community radio is more than commercial radio with volunteers. It is an avenue for the free exchange of ideas and a means for the people to speak to each other on issues of concern.

## Identification

3. As founders of Canada's earliest community radio station Radio Centreville, as participants in the development of the original CRTC policy on community radio and, as managers, operators and broadcasters, we find the CRTC effort in codifying a community radio policy fails to accept the dynamic range within community broadcasting. It neglects the importance of minority programming in community radio and it encourages the sale of commercials to rise in importance to the level of programming. In fact, if this policy were in place back in 1973 when we first applied to set up a community radio station, there would probably be no community radio today -- after all, we were not a viable operation, we had no technical expertise, we were opposed by existing commercial broadcasters, we had no access to commercial sales. Nonetheless, we survived and we are here today to talk about it. We survived through volunteer participation, community support, donations, make-work projects and non-commercial sponsorships. We did not have the commercial potential offered in 1999-75. This policy, we predict, will become a one-way ticket for community radio to develop as a cash cow for organizations in need of a capital infusion by selling unlimited commercial ads; it is also a substantial roadblock to future applicants who want to use the airwaves creatively -- not to mimic commercial stations -- but to better their community.

## Issues

4. There are 5 critical issues that face community radio:  
Public Access  
Participation  
Ownership  
Diversity  
Commercial Policy and Minority Audiences

5. **Issue 1: Public Access**

In your paragraph 20, the mandate of a community radio station should read: The primary focus of a community station is to provide *<the>* community *<with open>* access to the airwaves.

6. Open access is not a restriction on community radio; it is a critical element in its composition. We are aware that the management of each operation has the right to make qualitative judgments on programming and airtime allocations.

7. In your paragraph 21, the policy should state:  
... community stations do not need to reflect all needs and interests of community members but rather *<a variety of opinions and tastes within>* (~~the overall diversity of~~) the community

8. At Radio Centreville, we found that community radio worked best when based on a clear set of principles. We formulated a Declaration of Principles recognizing all aspects of community radio that were important; to this day, these principles govern the activity of that station and perhaps that is why, after 25 years, it continues to flourish with diverse linguistic and social groups harmoniously managing the operation.

9. It is regrettable that the CRTC statement on community radio does not recognize the broad principles of access as the *raison d'être* of community radio.

#### 10. **Issue 2: Participation**

When we first approached the CRTC, we told the Commission that community radio was the only way to provide open access to the airwaves: that significant audiences were neglected by commercial programmers and that existing radio stations reflected the concerns of programmers and owners, not of the community where they operate.

11. As it was then, commercial radio still programs only for the popular tastes it identifies as a saleable commodity; the CBC programs from a national and regional perspective; but only community radio has the capability to allow for local people to take part in all aspects of their own radio service. This is why community radio is different from any other type of radio. Community radio is based on public participation in all aspects of its operation: broadcasting, management, ownership, long-term policy planning, community relations, even music selection. No other type of radio station allows for a public role in all aspects of its day-to-day business.

12. Volunteers are crucial for the existence of community radio and must be recognized as part of any community radio policy. In your paragraph 9, the CRTC states: "Community stations rely primarily on volunteers for

programming and other operations." We feel that this is not strong enough to recognize the importance of volunteers in community radio -- indeed, this policy should state as a minimum "Community stations rely primarily on volunteers for programming and *<all>* other operations." To put it simply, the role of volunteers is a distinguishing feature between community and commercial radio and is worthy of note.

### 13. **Issue 3: Diversity**

In paragraph 13, the CRTC states: "The Commission believes that a healthy and vibrant not-for-profit sector is essential to fulfill the goals of the Broadcasting Act." Did the Commission forget about the rest of the broadcast band? Each and every licensed station, we contend, is essential to fulfill the goals of the Broadcasting Act; otherwise, none should have been licensed!

14. Does this policy imply that commercial stations are not equally obliged to fulfill the goals of the Broadcasting Act, or do they get a free ride because community radio is "balancing" (making up for their deficiencies) for them? Or does the Commission not include the CBC policy of access for small communities as a low-cost alternative to running a fully-licensed community radio station? Perhaps your paragraph 13 should read: "The Commission believes that a healthy and vibrant not-for-profit sector *<, a commercial sector and a CBC sector that provides access in smaller communities are>* (is) essential to fulfill the goals of the Broadcasting Act." Balance means more than obliging one group to make up for the deficiencies of others?

15. Again, back to the early 1970s, when we first tried to convince the Commission to license community radio, we went to a local commercial broadcaster in Montreal and asked for air time to learn how to make and program radio. At that time, the CRTC obliged all broadcasters to present balanced programming (including spoken word, arts and news programming) and, thus, we were allowed some airtime. Now that the CRTC has decided to allow licensees to virtually self-deregulate, there is no further obligation for commercial media to serve the community in this way.

16. With this policy, the CRTC is sweeping commercial deficiency into a regulation that obliges community radio to fill in the gap. This not only shortchanges the community as a whole (who largely prefer to listen to commercial media) but profits the commercial stations at public expense. After all, if a moneymaking station can replace a human broadcaster with an automated circuit, and the public finances a local community radio station to make up for the lack of a human presence on the airwaves, it is the commercial operator who financially benefits and the listener who loses.

17. Commercial radio targets the largest audience with the lowest common denominator. The aim of their game is to sell, to promote and to earn; unfortunately for the rest of us, these merchants are plying their wares using a limited public space. Shouldn't those who use public property to sell their wares respect the public and the laws its representatives have legislated?

18. The Broadcasting Act should equally apply to all licensees fairly and evenly. No licensee should be obliged to respect it more than any other. If community radio should be varied and diverse, so should every broadcaster.

19. The airwaves are public property and a public trust, not unlike a public park; the community has the right to regulate activities on public territory. The role of the regulator is to insure that no one interferes with another and that no one abuses their right to be there. Like a park, the regulator may give the right to sell, for a speakers' corner or for an organized activity; but each person is expected to respect the rights of others equally and no one should be allowed to abuse the public simply because another is willing to compensate by doing better.

20. In this proposal, the CRTC approach boils down to this: if one broadcaster is a headache, another should be an aspirin. This approach is an abrogation of the role of the regulator. In short, diversity is not a total of the broadcast spectrum: lumping all the broadcasters into one pot and stirring until balanced; rather, communications is a shared responsibility of each and every broadcaster.

21. If it weren't for community broadcasting, radio would still be inaccessible -- except for open-line telephone programs.

#### 22. **Issue 4. Ownership**

In this proposed policy, there is no discussion of different models of ownership (such as coops, participatory membership organization, share-held incorporation, unincorporated associations, individual ownership, etc.). The only references are to a not-for-profit society and do not allow communities the right to express their approach to management.

23. It is incumbent on the Commission to go beyond reflecting its current licensees and to allow for new situations. Under this policy, without a non-profit incorporation, organizations cannot qualify. It should be noted that for registration for Type A Native stations, the Commission does accept individuals, community bodies as well as incorporated companies; it does not insist a not-for-profit incorporation. Why does the CRTC want to encumber experimental organizations with legal and accounting services (especially if it seriously proposes deregulation)?

24. Who is allowed to own a community radio service? If a volunteer group of individuals is capable of operating an experimental radio service, should they alone be allowed to decide who is eligible to own the station? If a station intends to establish a by-law that restricts voting members to participants, then is it only the participants who, as voters, ultimately own the service? If membership is open to residents of a geographical area, what rights have those who live outside the area? If a radio station adheres to a statement of principles, can it reject those who will not accept it? These issues are currently part of the ownership issue for community radio stations and are not hypothetical concerns. We contend that each application must be reviewed on a case by case basis and each applicant must be required to state its intentions. The public has a right to know who owns the media. If the CRTC expresses no interest in the ownership issue; why then does it set out a not-for-profit formula that allows each station to define and to change its own restrictions without public notice?

**25. Issue 5. Commercial Revenue and Minority Audiences**

In your paragraph 8, the CRTC policy states:

Most community stations derive revenues from various sources...grants, advertising, fund raising...." Nonetheless, there is no references at all to fund raising and only passing reference to grants. However, much emphasis is placed on the discussion of advertising. Are the other areas of finance a concern of the Commission or are these other references window-dressing? Why not stress listener-support campaigns? Why deal only with commercials as a source of revenue?

26. Other funding regulated by the CRTC, such as cable funds, remain unexplored. For example, CRTC policy obliges cable companies to spend a portion of revenues on other media, such as for TV and film, to create an opportunity for Canadian talent. Why not direct these funds to other media that allow open access. If the CRTC intends these funds for Canadian talent development and expression, why not include community radio, thus insuring open access for the local community and new opportunities for expression, ideas and communication?

27. The Commission states in paragraph 100:

"The Commission proposes to eliminate all restrictions on the amount of advertising broadcast by Type B stations, as is currently the case for Type A stations."

Commercial revenue is based solely on a station's ability to deliver audience to advertisers. In community radio, audience agglomeration should always be secondary to programming. In your paragraph 104, the NCRA opposed elimination of advertising limits. On this point, we congratulate the

NCRA. By eliminating advertising limits, the CRTC is encouraging community stations to neglect minority audiences. This is not only contrary to the aims of community radio, it is an encouragement to destroy the essential ingredient that makes community radio different.

28. We believe that non-promotional sponsorship is not an anathema to community radio. A reasonable limit of 4 minutes per hour would permit stations some access to commercial revenues. It would also limit dependence on building mass audiences. We feel that before a community radio station turns to accepting commercial revenue, it should first explore: listener support, community memberships, sponsored programming, public fundraising, support programs such as auctions, subscriptions -- even contra exchanges with local business. Most of all, such support will give community radio independence from the commercial marketplace. We cannot agree that unlimited commercials will further the goals of community radio.

29. In the case of Type A stations where a region has no other commercial broadcast outlet, we believe that in these isolated cases, there is an obligation for community stations to provide access to all sectors of the community including the commercial sector; but even in these cases, we suggest that the number of commercial minutes be limited to 4 per hour. In the case of Type B stations, where there is adequate service to the commercial sector, this unlimited commercials policy will give commercial radio operators greater authority over community operations. By allowing unlimited commercials, any new licensee intending to enter a market and survive on commercials, must prove that they will not injure the existing media market. If an existing commercial station can demonstrate it will be harmed (even if the real causes were poor programming and/or incompetent management), it could argue that a new station will cause it to close -- thus the CRTC would be obliged to refuse a community license for commercial reasons. To establish its case, a community radio would then require market analysis and studies, an unnecessary, costly and complex procedure that few community radios can afford. We feel that each and every community radio licensee should be obliged to explain its approach to fundraising before proposing to carry any commercials and the Commission should publicly decide these changes on a case-by-case basis.

30. If the CRTC set out to eliminate new community radio applications, it has chosen the ideal policy:

- it is capable of destroying minority programming,
- it delivers to commercial stations the ability to effectively oppose new licenses,
- it allows community radio station the right to water down their mandate and go mass-media.

31. The CRTC discusses, in paragraph 106, the revenues of community radio stations as an aggregate total across Canada. We contend that this survey is flawed because it is too small, it is composed of disparate operations, it adds together very diverse markets, it has a disproportionate number of stations in Quebec (where government grants help sustain certain operations) and it combines very different types of markets. It is a statistical hodge-podge of loosely fitting numbers that neither make sense nor logically add up. For example, there is no distinction between ads sold locally within the market, agency ads, national ads, government advertising or even paid local public-service-type ads.

32. Minority audiences are not mentioned in the CRTC policy. Developing listenership is a difficult issue for community radio in competitive markets and will quickly become a dominating concern if the CRTC policy on unlimited commercials comes into force. Back in the early days of community radio, there were only small audiences. One wag, writing for Le Magazine Macleans, wrote that based on listenership, Radio Centreville was the smallest station in the world. To us, this was a compliment and here is why.

33. Community radio is supposed to serve the community. When we produced programming for Alcoholics Anonymous, our goal was to reach those who needed to know about this service. A former broadcaster who loved radio and who sat as CRTC Chairman, Harry Boyle, once told us about mass audiences and background radio: one listener, he said, can make it a success. Indeed when Radio Centreville first broadcast in Greek, Portugese, Spanish and Chinese, it attracted no listeners who did not speak the language. Many French and English language listeners tuned out more frequently than they tuned in.

34. If Radio Centreville had been a commercial station, minority programming would surely be a recipe for instant bankruptcy; but as a community station, it was the path to success. Identifying and reaching minority audiences is what makes community radio meaningful. By going for big numbers, community radio excludes those who need the media the most. Mass audiences were not a concern in the early days of Radio Centreville; its programming concerns covered a wide range of minority-interest subjects (none of them audience grabbers) including:

- the adaptation of immigrants into the French-speaking milieu
- the need for bicycle paths in Montreal
- community thrift and family economics
- advising elderly patients on medical treatment
- alcoholism and rehabilitation
- community recycling

Back in 1972, when Radio Centreville first began to do radio programs, none of these issues were a concern of government. All were considered "minority"

issues. No commercial station presented these views on its programs, except for the odd mockery on call-in shows. Had we been driven by a sales department and large audience requirements, these issues would have been replaced by "hits".

35. We do not claim to have been clairvoyant. We know we were "whistling in the dark." In fact, there were many more issues we discussed that were irrelevant and became more so. Nonetheless, many issues we discussed were eventually approached by government and became public policy. Programming was the main consideration, not listenership; even without large numbers of listeners, community radio made a difference.

36. If community radio aims simply for a large audience, the criterion for maximizing advertising revenues, and worries only about whether it should play "new age" or "third world beat" music, it will be a disservice to its community. Unattractive issues will be back-burnered while popular tastes will be paid inordinate attention.

37. When Radio Centreville first went on the air, we struggled to find significant Canadian and French-language music (the station was about 60% French-language and even then there were requirements for French-language music). We found the forgotten music of Quebec and brought it to the community. Our airtime was filled with records of Jean Carignan, Madame Bolduc, Oscar Thiffault, and from l'Acadie, La Louisianne and Haiti and from French-speaking communities of other provinces, none of which were available in Quebec stores, they were purchased mostly in Toronto and New York; our jazz programs were the only ones featured on local radio; our selection of original folk music were from the Smithsonian library, from Folkways and other obscure labels and from Europe. Tape recorders in hand, we recorded local performers and participated in presenting Aboriginal music from the Save James Bay Concerts; we broadcast old radio programs that previously only sat on shelves of the Public Archives in Ottawa; and we read from books and foreign publications. If we had played the hit parade or simply complained to the CRTC that our special type of radio lacked Canadian recorded material and that we should be exempt from Canadian content, we would have attracted a greater audience and our sponsorship sales might have been more successful; but the commitment of the volunteer staff was to produce exciting programming that would give the station life. And they succeeded because these local community activists, students and ordinary folks, all had one thing in common -- they felt excluded by the commercial media and, even though at time their numbers exceeded the number of listeners, they wanted to make a difference.

38. We knew that one day Radio Centreville would have listeners. In its early days, we put the emphasis on programming; that was our measure of success.

## **Other issues**

### **39. Turntablism**

When community radio first began, much discussion was centered on free-form radio, a style of broadcasting using multiple tapes, turntables, sounds, musicians, all mixed to produce a new art form, not unlike the "turntablism" the CRTC now discusses. Sooner than expected, the "artistic sounds" gave way to conventional programmers and free-form became less important than utilitarian programming. Certainly this type of expression does not qualify as conventional music or significant spoken word material.

### **40. Canadian Content**

Programmers have long complained about the dearth of their type of music, of how there is not enough Canadian content and the difficulty in finding record sources. We do not find this argument either sensitive to reality or correct. By using the Internet effectively, stations can now obtain original material from across Canada with a keystroke. As for stations introducing new musical genres, it should be equally incumbent on them to explore historical genres, or Canada's past -- and go beyond anticipating tomorrow's "golden oldies". In short, programmers should be obliged to work harder and smarter. In answer to your paragraph 65(2), there is no genre of music that should be exempted from Canadian content. It is the programmer's responsibility to discover solutions!

### **41. Training**

The Commission proposes in paragraph 114 to establish new types of stations for training purposes. We feel that if this is a suitable purpose for a station under the Broadcasting act, then it should equally apply across the board and all stations, especially commercial stations, should be obliged to meet these training considerations. Why should new experimental frequencies be obliged to do what no one else wants to do?

### **42. Canadian Talent Development**

The Commission in paragraph 125 fails to take the initiative to insure talent development. Given that the CRTC does not want to place a financial burden on community radio, why not apply a required allocation of airtime, perhaps 5% of the weekly schedule to promote new talent, not only from the local area but from across Canada.

### **Summary**

43. We believe that both existing and potential community radios deserve the support of the CRTC.

44. Unfortunately, we do not believe that this community radio policy is a vehicle for creating new opportunities. Many of the existing operations participating in the process may offer their support to the CRTC; after all, many are motivated by self-interest and to find the easiest path to survival. We do not believe that they have a monopoly right to speak for future applicants.

45. The role of the regulator is to develop a long-term approach that respects the past, serves the present and plans for the future. We contend that this policy neglects the past, encourages the present licensees to change into commercial operators. In short, this policy stifles any future development and creativity.

on behalf of the following founders of Radio Centreville:

Hyman Glustein, Nelson Becker, Mark Zannis,  
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