

# Radio stations ponder fate of Stern's show

## Broadcasters face Dec. 10 deadline to curb stereotyping and ethics breaches

BY PHILIP FINE  
Special to The Globe and Mail

MONTREAL — On a morning when parent companies of two affiliates would be pondering the Canadian fate of *The Howard Stern Show* for yet another day, Howard Stern seemed oblivious. He was interviewing a supine stripper, who with her feet over her head (almost in a yoga position), was demonstrating she could perch Sesame Street's Bert and Ernie on her buttocks.

Neither CHUM Ltd. and Western International Communications (WIC), nor their respective radio stations, Montreal's CHOM-FM and Toronto's Q107-FM, have yet made an announcement on the fate of the show, beyond saying they will study the Nov. 11 ruling by industry regulator, the Canadian Broadcast Standards Council. After studying more than 50 hours of tape, the council decided the two radio stations had violated the broadcasters' code of ethics and sex-role portrayal code. If the stations do not adjust their programming by Dec. 10, they will become the only broadcasters in the six-year history of the council to ignore a ruling and could face possible sanctions by the Canadian Radio-television and Telecommunications Commission.

One radio industry executive, who says the decisions are now in the hands of the parent companies, says growing media giant CHUM could face future repercussions if it defied the council. Gary Slaight, president and CEO of Standard Radio, cautiously predicts that CHUM will drop Stern's show in Montreal.

"If one day CHUM wants to buy a specialty channel or another radio station, they can't afford to have the CRTC mad at them, based on this decision," said Slaight, whose company owns 13 Canadian stations, including two in Montreal.

While CHUM was not available for comment, CHOM-FM's Lee Hambleton showed little respect for the council's ruling. One of the few statements he was willing to make was that his station's listeners have shown an overwhelmingly negative reaction to the council's decision.

Standard's Slaight predicts that WIC will fight to save the show because of its higher value in the To-

ronto radio market. WIC spokesman Terry O'Donovan would not comment on any option the Vancouver company will take, but he says they are still in consultation with their Toronto station.

At Q107 in Toronto, meanwhile, program director Pat Cardinal said that his station has made no decision about what action, if any, it might take in light of the council judgment.

"It's a 93-page document and ... it's certainly going to take us some time to go through it. We've made no decision about anything. We did what we were told — we ran the announcement [required by the council], and we did it several times."

Cardinal dismissed as "complete speculation" a column in a Toronto newspaper this week which said that both Q107 and CHOM are preparing to drop *The Howard Stern Show* voluntarily. "That is not based on fact whatsoever," he said.

Although WIC and CHUM have refused to reveal the show's cost, the four-hour morning show is rumoured to be locked into a two-year to three-year contract costing \$200,000 a year in Montreal and \$400,000 in Toronto.

Stern's show, which went on the air on Sept. 2 in Montreal and Toronto brought a record 1,070 complaints by letter, facsimile and electronic mail to council offices. Stern has already broken the more liberal U.S. freedom-of-speech laws, paying an unprecedented \$2.4-million (Canadian) in fines.

Unlike the FCC, the CRTC has no mechanism to fine broadcasters for breaking the rules. It can, however, initiate prosecution through the courts, which could result in a fine. The CRTC's other powers of enforcement include publicly censuring a broadcaster, issuing a "mandatory order" requiring a station to stop a certain action (if a station does not comply with such an order — equivalent to a court order — the CRTC can ask a court of law to cite the broadcaster for contempt of court), renewing a broadcaster's licence for a limited term, or even removing the licence altogether.

Both CHOM and Q-107's licences come up on Aug. 31, 1999.

With a report from Christopher Harris.