



Broadcasting Decision CRTC 2008-344

Ottawa, 5 December 2008

101056012 Saskatchewan Ltd.
Yorkton, Saskatchewan

Application 2008-0961-8, received 14 July 2008
Broadcasting Public Notice CRTC 2008-71
14 August 2008

CJJC-FM Yorkton – Technical changes

*The Commission **denies** an application by 101056012 Saskatchewan Ltd. to amend the broadcasting licence for the English-language specialty radio station CJJC-FM Yorkton in order to change the frequency and the authorized contours of the station.*

Introduction

1. The Commission received an application by 101056012 Saskatchewan Ltd. (101056012) to amend the broadcasting licence for the English-language specialty radio programming undertaking CJJC-FM Yorkton in order to change the frequency from 100.5 MHz (channel 263LP) to 98.5 MHz (channel 253B) and to change the authorized contours by increasing the average effective radiated power from 44.79 watts to 50,000 watts and by increasing the effective antenna height above average terrain from 29.9 metres to 118 metres.
2. The licensee indicated that it is seeking a power increase to ensure the station's long-term financial viability through an expansion of its potential listener and advertiser reach.
3. The Commission notes that the increase in power would result in a change of CJJC-FM's status from a low-power unprotected service to a Class B station.
4. As part of this process, the Commission received and considered several interventions in support of this application and one intervention in opposition from Harvard Broadcasting Inc. (Harvard). The interventions and the applicant's reply to Harvard's intervention can be found on the Commission's website at www.crtc.gc.ca under "Public Proceedings."

Background

5. In *CJJC-FM Yorkton – New transmitter at Melville*, Broadcasting Decision CRTC 2007-353, 20 September 2007, the Commission denied a previous application by 101056012 to expand its service by adding a new FM transmitter in Melville, Saskatchewan. In that decision, the Commission noted that CJJC-FM Yorkton was

originally licensed to serve the community of Yorkton only and that the licensing decision did not address the servicing of Yorkton's surrounding areas. The Commission determined that the licensee did not demonstrate either a technical or economic need that would justify an expansion of its service.

Commission's analysis and determinations

6. In applications where the technical amendment requested would result in a change of status from a low-power unprotected service to a Class B station, the Commission is of the view that the primary issue to be considered is whether there is evidence of a technical or demonstrated economic need that would justify an expansion of the service.
7. In regard to technical need, 101056012 provided no evidence in its application that, given its existing technical parameters, it is not adequately serving Yorkton, the community it was originally licensed to serve. Therefore, the Commission considers that CJJC-FM is capable of serving the citizens of Yorkton with its existing low-power FM signal.
8. In regard to demonstrated economic need, Harvard argued in its intervention that there is not enough evidence of CJJC-FM's financial difficulties to justify the significant amendments proposed. In its reply, 101056012 stated that only an increase in power along with a larger service area would prevent sustained losses and ensure the station's long term financial viability.
9. The applicant argued that, to maintain and grow its advertiser base, it must increase its service area to encompass a greater population. The Commission notes that the applicant's arguments focused on the desire to expand the existing advertiser base rather than making a case that the existing local advertising base in Yorkton is too small to support the original business plan.
10. The Commission generally expects licensees to make every effort to meet business plan projections during the first licence term before applying to the Commission for a technical amendment based upon economic need. The Commission notes that CJJC-FM has been in operation for just less than three years. Further, after examining the revenue information filed by the licensee for CJJC-FM, the Commission found that, due to an increase in the actual generated revenues across the station's first years of operation, the gap has narrowed between those actual revenues and the revenues projected by the applicant in its original business plan.
11. Accordingly, the Commission considers that 101056012 has not demonstrated a compelling economic need for the requested increases in power and coverage area for the station. Further, the Commission considers that approval of the present application, in the absence of any compelling evidence with regard to either economic or technical need, would serve to undermine the integrity of the licensing process.

Conclusion

12. In light of the above, the Commission **denies** the application by 101056012 Saskatchewan Ltd. to amend the broadcasting licence for the English-language specialty radio programming undertaking CJJC-FM Yorkton in order to change the frequency from 100.5 MHz (channel 263LP) to 98.5 MHz (channel 253B) and to change the authorized contours.

Secretary General

This decision is available in alternative format upon request, and may also be examined in PDF format or in HTML at the following Internet site: <http://www.crtc.gc.ca>.