



Broadcasting Decision CRTC 2012-343

PDF version

Route reference: 2012-29

Ottawa, 22 June 2012

Canadian Broadcasting Corporation
Edmonton, Alberta

Applications 2011-1418-1 and 2011-1465-2, received 20 October 2011 and 4 November 2011, respectively

*Public hearing in the National Capital Region
21 March 2012*

New FM radio station in Edmonton CBCX-FM-1 Edmonton and CHFA-10-FM Edmonton – Technical amendments

*The Commission **approves** the application by the Canadian Broadcasting Corporation (CBC) for a broadcasting licence to operate a French-language FM radio station in Edmonton, Alberta, to replace its AM station CHFA Edmonton, under the same conditions of licence as those in CHFA's current licence.*

*The Commission also **approves** the application by the CBC to modify the technical parameters of the transmitters CBCX-FM-1 Edmonton and CHFA-10-FM Edmonton.*

The applications

1. The Commission received two applications by the Canadian Broadcasting Corporation (CBC) which, according to the CBC, are non separable. The first application (2011-1465-2) is to obtain a broadcasting licence to operate a French-language FM radio programming undertaking in Edmonton, Alberta, in order to replace the licensee's current AM station, CHFA Edmonton, an affiliate of the network service La Première Chaîne. The second application (2011-1418-1) is to switch the transmitter sites of CBCX-FM-1 Edmonton and CHFA-10-FM, and to modify the technical parameters of both transmitters. The Commission received an intervention in support of both applications.
2. The CBC stated that it is forced to cease operating the transmitter CHFA-10-FM as a result of residential zones encroaching on the transmitter site. The CBC wishes to

make the nested¹ rebroadcasting transmitter CHFA-10-FM the primary transmitter for La Première Chaîne in Edmonton.

3. In order to limit the decrease in coverage associated with the transition from the AM to the FM band, the CBC proposed switching the site of CHFA-10-FM with that of CBCX-FM-1, its other FM transmitter in Edmonton, which rebroadcasts the programming of CBCX-FM Calgary (Espace musique). The CBC submitted that this proposal would improve FM-band access to La Première Chaîne, the only French-language radio service to offer news and regional programming to the population of Edmonton.
4. Once the two transmitters are relocated, the transmitter CHFA-10-FM would move from 101.1 MHz (channel 266A) to 90.1 MHz (channel 211C1). The effective radiated power (ERP) would increase from 3,931 to 100,000 watts (non-directional antenna with an effective height of antenna above average terrain (EHAAT) increasing from 123.7 to 193 metres). According to the CBC, this would increase by 8.7% the number of Francophones having access to La Première Chaîne's FM signal in Edmonton. Going forward, the current transmitters associated with CHFA would be under the new FM station's licence.
5. In regard to the transmitter CBCX-FM-1, it would move from 90.1 MHz (channel 211C1) to 101.1 MHz (channel 266A), and its ERP would decrease from 100,000 to 3,931 watts (non-directional antenna with an EHAAT decreasing from 193 to 123.7 metres). The CBC stated that this would result in a decrease of 8% in the number of Francophones having access to the programming of the national service Espace musique in Calgary.

Commission's analysis and determinations

6. The Commission notes that in addition to moving CHEA from the AM to the FM band, the net result of the CBC's proposal would be a change of frequency: La Première Chaîne would, going forward, be available at 90.1 MHz (currently 101.1 MHz), while Espace musique would be available at 101.1 MHz (currently 90.1 MHz).
7. The Commission also notes that it received no interventions from the Edmonton Francophone community opposing these applications.
8. The Commission concludes that the exchange of frequencies as proposed by the CBC would solve the CBC's problem while maintaining good coverage in the service areas of each radio station affected by the exchange. The Commission further concludes that this exchange of frequencies is the most appropriate technical way for the CBC to address its problem, and that it constitutes an appropriate use of the frequencies.

¹A "nested" rebroadcasting transmitter is a transmitter that is located within the coverage contours of the originating station so that it can supplement coverage to an area experiencing reduced signal quality.

9. Furthermore, the Commission considers that these applications serve the public interest and reflect the objective set out in section 3(1)(m)(vii) of the *Broadcasting Act* (the Act), which stipulates that the programming provided by the CBC should “be made available throughout Canada by the most appropriate and efficient means and as resources become available for the purpose.”
10. In light of the above, the Commission **approves** the application by the Canadian Broadcasting Corporation for a broadcasting licence to operate a French-language FM radio programming undertaking in Edmonton to replace the licensee’s current AM station, CHFA Edmonton, under the same conditions as those in effect under the current licence for CHFA. The terms and **conditions of licence** are set out in the appendix to this decision.
11. The licence will expire 31 March 2013 so that the next licence renewal for the service coincides with that for the CBC’s other services.
12. The Commission also **approves** the CBC’s request to modify the technical parameters of the transmitter CBCX-FM-1 Edmonton by moving that transmitter to the site currently occupied by CHFA-10-FM, by moving that transmitter’s frequency from 90.1 MHz (channel 211C1) to 101.1 MHz (channel 266A) and by decreasing that transmitter’s ERP from 100,000 to 3,931 watts (non-directional antenna with an EHAAT decreasing from 193 to 123.7 metres).
13. Finally, the Commission **approves** the CBC’s request to modify the technical parameters of the transmitter CHFA-10-FM Edmonton by moving that transmitter to the site currently occupied by CBCX-FM-1, by moving that transmitter’s frequency from 101.1 MHz (channel 266A) to 90.1 MHz (channel 211C1) and by increasing that transmitter’s ERP from 3,931 to 100,000 watts (non-directional antenna with an EHAAT increasing from 123.7 to 193 metres).

Simulcast period and revocation of AM licence

14. As set out in the appendix to this decision, the Commission authorizes the CBC to simulcast the programming of CHFA-10-FM on CHFA for a transition period of three months following the commencement of operations of the FM station in order to inform listeners and allow them time to adapt to the frequency change. In accordance with sections 9(1)(e) and 24(1) of the Act, and at the licensee’s request, the Commission **revokes** the broadcasting licence for CHFA at the end of the simulcast period.

Employment equity

15. Because this licensee is subject to the *Employment Equity Act* and files reports concerning employment equity with the Department of Human Resources and Skills Development, its employment equity practices are not assessed by the Commission.

Secretary General

This decision is to be appended to each licence.

Appendix to Broadcasting Decision CRTC 2012-343

Terms, conditions of licence and expectation for the French-language FM radio programming undertaking in Edmonton, Alberta

Terms

The licence will expire 1 March 2013.

The station will operate at 90.1 MHz (channel 211C1) with an effective radiated power of 100,000 watts (non-directional antenna with an effective height of antenna above average terrain of 193 metres).

The Commission reminds the applicant that pursuant to section 22(1) of the *Broadcasting Act*, no licence may be issued until the Department of Industry notifies the Commission that its technical requirements have been met and that a broadcasting certificate will be issued.

Furthermore, a licence for this undertaking will be issued once the applicant has informed the Commission in writing that it is prepared to commence operations. The undertaking must be operational at the earliest possible date and in any event no later than 24 months from the date of this decision, unless a request for an extension of time is approved by the Commission before **22 June 2014**. In order to ensure that such a request is processed in a timely manner, it should be submitted at least 60 days prior to that date.

Conditions of licence

1. The licensee shall not broadcast any commercial messages belonging to content category 5 (Advertising) except:
 - a) during programs that are available to the licensee only on a sponsored basis; or
 - b) as required to fulfil the requirements of the legislation of the Parliament of Canada pertaining to elections.
2. In each broadcast month, the licensee shall devote at least 50% of its musical selections from content category 2 (Popular music) to Canadian musical selections scheduled in a reasonable manner throughout the broadcast day.
3. In each broadcast month, the licensee shall devote at least 20% of its musical selections from content category 3 (Special interest music) to Canadian musical selections.
4. The licensee must adhere to its self-regulatory guidelines on sex-role portrayal as amended from time to time and approved by the Commission, and, as a minimum, to the Canadian Association of Broadcasters' *Sex-role portrayal code for television and radio programming*, as amended from time to time and approved by the Commission.

5. The licensee is authorized to simulcast the programming of the new FM station on CHFA Edmonton for a transition period of three months following the commencement of operations of the FM station.

Expectation

During the new licence term, the Commission expects the licensee to broadcast, in each broadcast month, at least 85% French-language vocal music selections from content category 2, to limit English-language vocal music selections to 5% and to ensure that the latter are Canadian.