



## Broadcasting Decision CRTC 2015-575

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Reference: Part 1 applications posted on 10 April 2015

Ottawa, 22 December 2015

**Torres Media Ottawa Inc.**  
Ottawa, Ontario

*Application 2015-0266-7*

**Pontiac Community Radio**  
Fort-Coulonge, Quebec

*Application 2015-0312-8*

### **CIDG-FM Ottawa and CHIP-FM Fort-Coulonge – Licence amendments and technical changes**

*The Commission **approves** applications by Torres Media Ottawa Inc. (Torres Media) and Pontiac Community Radio to amend the broadcasting licences for the English-language commercial radio station CIDG-FM Ottawa and the French-language community radio station CHIP-FM Fort-Coulonge by exchanging their frequencies, and in the case of Torres Media, by moving the transmission site and changing the technical parameters of CIDG-FM.*

*This exchange will improve the quality of the signal that CIDG-FM provides to listeners in the Ottawa-Gatineau market and support the ongoing operations of CHIP-FM and the programming it offers to listeners.*

#### **Applications**

1. Torres Media Ottawa Inc. (Torres Media) and Pontiac Community Radio (Pontiac) filed applications to amend the broadcasting licences for the English-language commercial radio station CIDG-FM Ottawa, Ontario, and the French-language community radio station CHIP-FM Fort-Coulonge, Quebec, by exchanging their frequencies, and in the case of Torres Media, by moving the transmission site and changing the technical parameters of CIDG-FM.
2. More specifically, the current technical parameters for each station would be revised as follows:

Technical parameters	Torres Media (CIDG-FM)		Pontiac (CHIP-FM)	
	<i>Current</i>	<i>Proposed</i>	<i>Current</i>	<i>Proposed</i>
<b>Frequency, channel and class</b>	101.9 MHz (270A)	101.7 MHz (269B1)	101.7 MHz (269B)	101.9 MHz (270B)
<b>Effective height of antenna above average terrain</b>	98 metres	99.6 metres	90.5 metres	n/a
<b>Maximum effective radiated power</b>	5,500 watts	19,500 watts	11,900 watts	n/a
<b>Average effective radiated power</b>	1,793 watts	5,360 watts	11,900 watts	n/a

3. In support of the proposed frequency exchange, Pontiac cited an economic need, while Torres Media cited both an economic and a technical need.
4. In addition, Torres Media indicated that CIDG-FM is unable to fully serve the Ottawa-Gatineau Bureau of Broadcast Measurement (BBM)<sup>1</sup> central market with its existing signal and that the station is therefore receiving lower tuning, which in turn lowers advertising rates.
5. Pontiac indicated that CHIP-FM is currently experiencing a decline in listenership and revenue growth. It confirmed that it would receive funds from Torres Media as a result of the agreement, which would allow its station to hire a new employee and would contribute toward running a promotional campaign.

### **Interventions and reply by Torres Media**

6. The Commission received interventions in support of the application by Torres Media, as well as interventions offering comment from Rogers Media Inc. (Rogers), licensee of the commercial radio station CKBY-FM Smiths Falls, and CKHQ United Voices Radio (CKHQ), licensee of the low-power Type B Native radio station CKHQ-FM Kanesatake, Quebec. Torres Media replied to the intervention submitted by CKHQ. The Commission did not receive any interventions regarding the application by Pontiac. The public record for this proceeding can be found on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) or by using the appropriate application number, provided above.

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<sup>1</sup> BBM is now known as Numeris.

7. In its intervention, Rogers submitted that the exchange could create interference between CIDG-FM and CKBY-FM. Moreover, upon approval of the applications, Rogers expects Torres Media to notify it of the testing period and to rectify any interference issues relating to the reception of CKBY-FM, at its own expense.
8. For its part, CKHQ submitted that it is not opposed to the applications so long as the exchange would not have a negative impact on its station.
9. Torres Media replied that the exchange would not cause any interference with the existing parameters of CKHQ-FM.

### **Commission's analysis and decisions**

10. After having examined the public record for these applications in light of applicable regulations and policies, the Commission considers that it must address the following issues:
  - whether the exchange would undermine the integrity of the Commission's original licensing process;
  - whether the applicants demonstrated a compelling economic need for the proposed exchange;
  - whether the exchange would have an undue negative financial impact on existing radio stations;
  - whether Torres Media demonstrated a compelling technical need for the proposed exchange;
  - whether the exchange represents an appropriate technical solution;
  - whether the exchange represents an appropriate use of spectrum; and
  - whether approval of the applications would be generally consistent with the Commission's past practice.

### **Integrity of the Commission's original licensing process**

11. In a public hearing commencing 13 May 2008 in the National Capital Region, the Commission considered ten applications for new radio stations to serve Ottawa-Gatineau, six of which proposed to operate stations at 101.9 MHz or 101.7 MHz and were therefore technically mutually exclusive. This included an application by Torres Media to operate a radio station under a blues/blues rock-based format. In Broadcasting Decision 2008-222, the Commission approved Torres Media's application and denied the other five applications that were technically mutually exclusive, determining that Torres Media's station would increase competition and enhance musical diversity in the Ottawa-Gatineau radio market by introducing a new voice and music format. In Broadcasting Decision 2009-481, the

Commission reaffirmed its position set out in Broadcasting Decision 2008-222 in regard to the application by Torres Media.

12. The Commission considers that the proposed exchange would allow both CIDG-FM and CHIP-FM to continue to serve the communities that each were originally licensed to serve. It is also of the view that CIDG-FM would be able to better serve listeners in the Ottawa-Gatineau market by increasing its coverage in line with what is offered by the majority of the other commercial radio stations in the market without encroaching upon adjacent markets or imposing an undue impact on existing stations. At present, CIDG-FM continues to play an important role in enhancing musical diversity in the Ottawa-Gatineau radio market.
13. Given the above, the Commission finds that the exchange would not undermine the integrity of its original licensing process.

#### **Economic need**

14. CIDG-FM's primary (3 mV/m) contour, which is the second smallest among commercial stations in the market, covers about 50% of the Ottawa-Gatineau population. Most of the other commercial stations licensed to serve that region have approximately twice that coverage. Although the exchange would allow CIDG-FM to compete on a more level playing field in the Ottawa-Gatineau radio market and improve its financial viability, based on the revenues reported by CIDG-FM since its launch in 2011, the Commission finds that Torres Media has not demonstrated a compelling economic need to justify the proposed exchange.
15. Moreover, since CHIP-FM's revenues have remained stable over the last five years, the Commission also finds that Pontiac has not demonstrated a compelling economic need to justify the proposed exchange.

#### **Impact on existing stations**

16. The proposed increase in coverage for CIDG-FM would be limited to communities located within the Ottawa-Gatineau market, the market that CIDG-FM was originally licensed to serve. Moreover, Torres Media's projected incremental revenues account for a small portion of the Ottawa-Gatineau radio market and would therefore represent a minimal impact on that market.
17. CHIP-FM, the only local radio station currently licensed to serve the community of Fort-Coulonge, did not request to change its existing contours, and the proposed technical change would not alter that market.
18. In light of the above, the Commission finds that the proposed exchange would have no undue negative financial impact on existing stations.

## **Technical need**

19. Torres Media indicated that CIDG-FM's signal coverage, considering its 3 mV/m contour, could not reach the entire market because of interference protection requirements to co-channel incumbent stations. Should the proposed technical changes be approved, the populations in the primary and secondary contours would increase from 582,686 to 755,418 people and 1,094,442 to 1,131,204 people, respectively.
20. To demonstrate its technical problems with its current frequency, Torres Media provided emails from listeners experiencing unreliable reception and static from the station's signal. While some of these complaints originate from areas beyond CIDG-FM's service contours, others originate from areas within its contours, such as Kanata, Manotick, Aylmer, Island Park and Vanier.
21. In light of the above, the Commission finds that Torres Media has demonstrated a compelling technical need for the proposed exchange.

## **Technical solution**

22. Before engaging in a frequency exchange with Pontiac, Torres Media commissioned an engineering study to consider alternative solutions to improve the signal of its station. These included a power increase for its current transmitter at the existing site and the use of rebroadcasting transmitters to achieve greater coverage for CIDG-FM in Ottawa. However, according to Torres Media, the results revealed that these solutions were not economically feasible, as three different transmission sites would be needed, and that the coverage would still be inferior to what would be obtained through a frequency exchange with CHIP-FM.
23. In addition to the proposed exchange, Torres Media requested authority to relocate its transmission site from an eastern location to a more centralised location (from Carson-Grove – Carson Meadows to Carleton Heights – Rideauview).
24. The Commission acknowledges that the frequency currently used by CIDG-FM is subject to numerous co-channel and adjacent-channel limitations toward the east, south and west to protect incumbent stations from interference. By using frequency 101.7 MHz and relocating its transmission site, Torres Media would be able to increase CIDG-FM's coverage to the southwest. The alternatives examined by Torres Media would result in the need for additional frequencies, which are scarce in the Ottawa-Gatineau region.
25. For its part, CHIP-FM would maintain its existing coverage and would not be negatively impacted by the frequency exchange.
26. Given the foregoing, the Commission finds that the proposed frequency exchange constitutes an appropriate technical solution.

## **Use of spectrum**

27. While the availability of frequencies in the Ottawa-Gatineau market remains scarce, Torres Media is the only licensee that can apply to make use of 101.7 MHz in Ottawa-Gatineau due to protection requirements with CIDG-FM's current use of 101.9 MHz. In addition, 101.7 MHz can be operated with greater parameters than 101.9 MHz in Ottawa and provide increased coverage, which demonstrates an optimal use of radio spectrum.
28. Because of its proximity to Ottawa-Gatineau, there is a scarcity of frequencies in Fort-Coulonge. Apart from 101.7 MHz, CHIP-FM's current frequency, the only frequency that can provide CHIP-FM with similar coverage is 101.9 MHz. For the same protection requirement reasons noted above, CHIP-FM is also the only radio station that can apply to use the proposed frequency in Fort-Coulonge. Therefore, its use would not impact the availability of frequencies in Fort-Coulonge.
29. With regard to concerns about potential signal interference to existing stations, the Commission considers that these issues fall within the jurisdiction of the Department of Industry (the Department). Further, Torres Media is responsible for rectifying third adjacent channel interference to CKBY-FM, in accordance with the Department's requirements.
30. In light of the above, the Commission finds that the proposed frequency exchange would result in an appropriate use of frequency 101.7 MHz and improve CIDG-FM's coverage of Ottawa-Gatineau. Accordingly, the Commission concludes that the proposed exchange would result in an appropriate use of spectrum.

## **Consistency with the Commission's past practice**

31. There are currently no regulations or policies specifically addressing the exchange of frequencies. When presented with such applications, the Commission analyzes each application on a case-by-case basis.
32. In this respect, the Commission has approved applications for frequency exchanges in the past. Specifically, in Broadcasting Decision 2011-580, the Commission approved applications by Jim Pattison Broadcast Group Limited Partnership (Pattison), licensee of the commercial radio station CKPK-FM Vancouver, and Vancouver Co-operative Radio, licensee of the community radio station CFRO-FM Vancouver, to exchange the frequencies of their respective stations. As part of the exchange, Pattison committed to providing technical, financial and marketing support to CFRO-FM. The Commission concluded that there was an economic need on the part of CFRO-FM to support the exchange and that the exchange would result in a better use of radio spectrum.
33. Subsequently, in Broadcasting Decision 2012-343, the Commission approved applications by the Canadian Broadcasting Corporation (CBC) for a new French-language radio station in Edmonton to replace the existing AM station CHFA Edmonton and to exchange the frequencies of two rebroadcasting transmitters,

CBCX-FM-1 and CHFA-10-FM. The Commission concluded that the exchange constituted an appropriate use of spectrum and an appropriate solution to the CBC's technical issues while maintaining coverage for each station.

34. In the present case, Torres Media has demonstrated a technical need for the proposed exchange. Moreover, the proposed exchange would allow CIDG-FM to compete on a more level playing field with increased coverage in the Ottawa-Gatineau radio market while providing CHIP-FM with a new source of financial support.
35. For all of the reasons outlined in this decision, the Commission finds that approval of these applications would be generally consistent with its past practice.

## **Conclusion**

36. In light of all of the above, the Commission **approves** the applications by Torres Media Ottawa Inc. and Pontiac Community Radio to amend the broadcasting licences for the English-language commercial radio programming undertaking CIDG-FM Ottawa and the French-language community radio programming undertaking CHIP-FM Fort-Coulonge by exchanging their frequencies, and in the case of Torres Media, by moving the transmission site and changing the technical parameters of CIDG-FM. The revised technical parameters for both stations will be those proposed in paragraph 2 of this decision.
37. Pursuant to section 22(1) of the *Broadcasting Act*, these authorities will only be effective when the Department notifies the Commission that its technical requirements have been met and that broadcasting certificates will be issued.
38. The technical amendments must be implemented, and CHIP-FM's and CIDG-FM's transmitters 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 December 2017**. In order to ensure that such a request is processed in a timely manner, it should be submitted in writing at least 60 days before that date.

Secretary General

## **Related documents**

- *New FM radio station in Edmonton – CBCX-FM-1 Edmonton and CHFA-10-FM Edmonton – Technical amendments*, Broadcasting Decision CRTC 2012-343, 22 June 2012
- *CKPK-FM and CFRO-FM Vancouver – Licence amendments and technical changes*, Broadcasting Decision CRTC 2011-580, 9 September 2011
- *Reconsideration of Broadcasting Decision 2008-222 pursuant to Orders in Council P.C. 2008-1769 and P.C. 2008-1770*, Broadcasting Decision CRTC 2009-481, 11 August 2009

- *Licensing of new radio stations to serve Ottawa and Gatineau,*  
Broadcasting Decision CRTC 2008-222, 26 August 2008

*\*This decision is to be appended to each licence.*