



Broadcasting Decision CRTC 2005-454

Ottawa, 7 September 2005

Trust Communications Ministries
Barrie, Ontario

Application 2004-1577-0
Broadcasting Public Notice CRTC 2005-26
23 March 2005

CJLF-FM Barrie – Technical change

*The Commission **approves** the application by Trust Communications Ministries to change the authorized contours of CJLF-FM Barrie by increasing the effective radiated power from 1,800 watts to an average effective radiated power of 18,700 watts.*

The application

1. The Commission received an application by Trust Communications Ministries (Trust) to change the authorized contours of the radio programming undertaking CJLF-FM Barrie, by increasing the effective radiated power (ERP) from 1,800 watts to an average ERP of 18,700 watts.
2. Trust also proposed to amend the licence for CJLF-FM by replacing the condition of licence relating to Canadian talent development (CTD) with the following:
 - In each broadcast year, the licensee shall devote a minimum of \$5,000 towards the promotion and development of local talent.
3. The proposed change would represent a \$2,000 increase to the licensee's current annual \$3,000 contribution to CTD. The licensee also proposed to offer an additional \$500 each year for an annual scholarship for a student of advertising at Georgian College in Barrie.

Interventions

4. The Commission received numerous interventions in support of this application, and one in opposition from Mr. Saul Chernos.
5. In his intervention, Mr. Chernos indicated that, while he does not oppose religious programming on Canadian airwaves, the programming on exclusively Christian stations doesn't necessarily respect the pluralism, diversity and multiculturalism that make up Canada's social fabric. Mr. Chernos added that the Greater Toronto Area is already served by the Christian broadcaster CJYE Oakville, and that, if this application were to be approved, CJYE could be at risk of financial loss.

6. Mr. Chernos also stated that, in his view, allowing a Barrie station to increase its power so that listeners who choose to travel outside that community may continue to listen is not necessary, since Barrie residents wanting to listen to religious programming while commuting to Toronto could tune to CJYE while out of range of CJLF-FM.
7. Finally, Mr. Chernos indicated that, if Trust finds it necessary to increase CJLF-FM's signal within its currently licensed coverage area, he would not oppose such a power increase, if Trust would surrender its licences for CJLF-FM-1 Owen Sound and CJLF-FM-2 Peterborough, as well as withdraw its application for a transmitter at Huntsville¹.

Licensee's reply

8. In reply to Mr. Chernos' concerns, Trust indicated that the intervenor's statements with respect to Christian broadcasting are very broad and not germane to the consideration of this application.
9. With respect to Mr. Chernos' concerns for the financial well-being of CJYE, Trust noted that, if approval of this application were likely to result in a negative financial impact on CJYE, Trafalgar Broadcasting Limited, licensee of CJYE, would have intervened.
10. In regard to the issue of losing audience during commuting times, Trust indicated that Barrie audiences can receive at least 12 Toronto radio stations, and that 60% of all Barrie listeners tune to non-local radio stations. According to Trust, Toronto radio stations have a serious negative impact on Barrie stations, and not the reverse.
11. The licensee indicated that its application for a power increase for CJLF-FM is designed to satisfy those Barrie listeners who have requested a stronger signal along Highway 400. Since the Economic Development Centre of Barrie reports that members of 40% of Barrie households commute to Toronto, Trust would like to keep its travelling listeners for as long as possible each day. Finally, Trust noted that no licensee of any other radio station has intervened in opposition to this request.

Commission's analysis and determination

12. While the Commission acknowledges Mr. Chernos' concerns, it notes that CJLF-FM provides a niche Christian-music service, and that the licensee is seeking to ensure that CJLF-FM's listeners receive a reliable signal in Barrie and the surrounding areas. The Commission notes in particular that the applicant received numerous interventions in support of its request and that no other radio broadcaster submitted an opposing intervention.

¹ Trust Communications Ministries has submitted an application (2004-0866-8), proposing the addition of a transmitter for CJLF-FM at Huntsville. That application was published in Broadcasting Public Notice CRTC 2005-27, 31 March 2005.

13. The Commission also notes that, subsequent to this application, Trust will increase its CTD expenditures from \$3,000 annually to \$5,000 annually. In addition to the \$2,000 increase in annual CTD expenditures, Trust proposed to make an annual expenditure of \$500 for a scholarship for a student of advertising at Georgian College. In this regard, the Commission reminds Trust that, in *Contributions by radio stations to Canadian talent development – A new approach*, Public Notice CRTC 1995-196, 17 November 1995, the Commission stated that “Scholarships will qualify as Canadian talent development expenditures only when they support students engaged in music, journalism or other artistic studies.” The Commission considers that the proposed scholarship for students studying advertising does not qualify under this policy. Accordingly, the Commission expects the licensee to submit a report, within three months of the date of this decision, indicating how it will re-allocate the \$500 per year to eligible CTD expenses.
14. Based on all of the factors noted above, the Commission **approves** the application by Trust Communications Ministries to change the authorized contours of the radio programming undertaking CJLF-FM Barrie, by increasing the ERP from 1,800 watts to an average ERP of 18,700 watts.
15. The existing condition of licence with respect to Canadian talent development is replaced by the following **condition**:
 - In each broadcast year, the licensee shall devote a minimum of \$5,000 in direct expenditures towards the promotion and development of local talent. In addition to the \$5,000 contribution to Canadian talent development, the licensee shall contribute a minimum of \$500 annually to Canadian talent development initiatives that meet the eligibility criteria set out in *Contributions by radio stations to Canadian talent development – A new approach*, Public Notice CRTC 1995-196, 17 November 1995.
16. The Department of Industry (the Department) has advised the Commission that, while this application is conditionally technically acceptable, it will only issue a broadcasting certificate when it has determined that the proposed technical parameters will not create any unacceptable interference with aeronautical NAV/COM services.
17. The Commission reminds the licensee that, pursuant to section 22(1) of the *Broadcasting Act*, this authority will only be effective when the Department notifies the Commission that its technical requirements have been met, and that a broadcasting certificate will be issued.

Secretary General

This decision is to be appended to the licence. It 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>

