



## Broadcasting Decision CRTC 2006-568

Ottawa, 3 October 2006

### The Valemout Entertainment Society

Valemout, British Columbia

*Application 2006-0807-8*

*Broadcasting Public Notice CRTC 2006-84*

*12 July 2006*

### CHVC-TV Valemout – Technical change

*The Commission **approves** an application to amend the broadcasting licence for the television programming undertaking CHVC-TV Valemout, in order to change the channel of its transmitter from 14VLP to 32VLP.*

### The application

1. The Commission received an application by The Valemout Entertainment Society (Valemout Entertainment) to amend the broadcasting licence for the television programming undertaking CHVC-TV Valemout, in order to change the channel of its transmitter from 14VLP to 32VLP.

### Intervention

2. The Commission received an intervention from the Canadian Broadcasting Corporation (CBC). In its comment, the CBC indicated that the proposal by Valemout Entertainment to use channel 32VLP is mutually exclusive with the CBC's digital television (DTV) transitional channel assignment for CBUHT-5-DT on channel 32B at Valemout. The CBC cited the following provision in section E-1.2.1 of the Department of Industry's (the Department) *Broadcasting Procedures and Rules Part 4 (BPR-4)*:

Should the operation of a station established in accordance with this Section cause interference to stations operating on allotted channels, **whether established before or after the low power station**, [...] remedial measures would have to be taken even to the extent of closing down the station if another suitable channel cannot be used. [emphasis by intervener]

3. Based on this provision, the CBC requested that, in the event the Commission decides to approve the application by Valemout Entertainment, it should clearly state in its decision that the licensee would be required to change the channel of its transmitter, should the CBC submit an application to establish a DTV transmitter at Valemout.

### **Applicant's reply**

4. Valemount Entertainment stated that, in the event the CBC establishes a DTV transmitter in Valemount, it would be prepared to change the channel that it is currently using.

### **Commission's analysis and determinations**

5. The Commission notes that the concern expressed in the CBC's comment is dealt with in *Policy framework for community-based media*, Broadcasting Public Notice CRTC 2002-61, 10 October 2002 (Public Notice 2002-61). According to Public Notice 2002-61:

... low-power stations are secondary assignments in relation to regular class stations, and are established on an unprotected basis with respect to the frequency band that they occupy. This means that they have no protection from interference by regular class stations. However, in the event that a low-power station causes interference to a regular station, the low-power station could be required to change its assigned channel or to cease operation if no replacement channel can be found.

6. The Commission further notes that Valemount Entertainment, in its response to the CBC, indicated that it would comply with Public Notice 2002-61 in the event that the CBC establishes a DTV transmitter at Valemount.
7. The Commission therefore **approves** the application by The Valemount Entertainment Society to amend the broadcasting licence for the television programming undertaking CHVC-TV Valemount, in order to change the channel of its transmitter from 14VLP to 32VLP.
8. 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.
9. Given that the technical parameters approved in this decision are for a low-power unprotected television service, the Commission also reminds the licensee that it will have to select another channel if the Department so requires.

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>*