



Broadcasting Decision CRTC 2007-357

Ottawa, 27 September 2007

Norwesto Communications Ltd.

Vermilion Bay and Sioux Lookout, Ontario

Application 2006-1570-1, received 1 December 2006

Broadcasting Public Notice CRTC 2007-56

25 May 2007

CKQV-FM Vermilion Bay – New transmitter at Sioux Lookout

*The Commission **approves** the application to amend the broadcasting licence for the radio programming undertaking CKQV-FM Vermilion Bay, in order to operate a transmitter in Sioux Lookout.*

The application

1. The Commission received an application by Norwesto Communications Ltd. (Norwesto) to amend the broadcasting licence for the radio programming undertaking CKQV-FM Vermilion Bay, in order to operate a transmitter at Sioux Lookout.
2. The applicant proposed to operate the new transmitter at 104.5 MHz (channel 283LP) with an effective radiated power (ERP) of 49 watts.
3. This application was originally announced in Broadcasting Notice of Public Hearing CRTC 2007-2, 15 February 2007, as an application for a broadcasting licence to operate a new English-language FM radio programming undertaking in Sioux Lookout. The applicant subsequently informed the Commission that its application did not contemplate a new licence, but rather a new transmitter of CKQV-FM to serve Sioux Lookout. The application was then withdrawn from the public hearing announced in Broadcasting Notice of Public Hearing 2007-2, and subsequently re-announced correctly in Broadcasting Public Notice 2007-56.

Interventions

4. The Commission received interventions in opposition to this application from Fawcett Broadcasting Limited (Fawcett), and Northwoods Broadcasting Limited (Northwoods), a corporation owned and controlled by Mr. John E. Irving. On 16 April 2007, the Commission approved by administrative letter, the transfer to Northwoods of the ownership and effective control of Fawcett, licensee of radio stations in Fort Frances, Kenora, Dryden, Red Lake, and Sioux Lookout, Ontario (see Broadcasting Public Notice 2007-60).
5. The opposing interventions expressed concern that approval of Norwesto's application

could have a negative financial impact on Fawcett's new Sioux Lookout FM radio station, approved in Broadcasting Decision 2006-67. Fawcett stated that it projects a substantial loss of revenue for that station, should the Norwesto application to place a transmitter in the same location be approved, although it did not quantify this loss.

Applicant's reply

6. In reply, Norwesto indicated that approval of its proposal would allow regional advertisers on its Vermilion Bay station to reach another 25,000 to 30,000 potential customers.

Commission's analysis and determination

7. The Commission notes that, since Norwesto's proposed transmitter would not fall under the definition of an "FM station" as set out in the *Radio Regulations, 1986*, Sioux Lookout will remain a single-station market as defined in Public Notice 1993-121, and Fawcett's station CKDR-2-FM Sioux Lookout will therefore continue to be exempt from the requirement to produce at least 42 hours of local programming, in order to solicit local advertising.
8. At the same time, the Commission notes that Norwesto's proposed Sioux Lookout transmitter would not offer local programming, and would simply rebroadcast the programming of CKQV-FM Vermilion Bay. Under the standard conditions of CKQV-FM's licence, Norwesto would therefore not be allowed to solicit local advertising in Sioux Lookout.
9. The Commission is of the view that approval of the Norwesto proposal would bring additional diversity to the Sioux Lookout market without an undue negative financial impact on the new Fawcett Sioux Lookout FM station, especially considering that Norwesto would be prohibited from soliciting advertising revenue in that market.
10. Based on all of the above, the Commission **approves** the application by Norwesto Communications Ltd. to amend the broadcasting licence for the radio programming undertaking CKQV-FM Vermilion Bay, in order to operate a transmitter at Sioux Lookout. The new transmitter will operate at 104.5 MHz (channel 283LP) with an ERP of 49 watts.
11. 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.
12. 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.

13. Given that the technical parameters approved in this decision are for a low-power unprotected FM service, the Commission also reminds the licensee that it will have to select another frequency if the Department so requires.
14. The transmitter 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 **27 September 2009**. 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

- *Applications granted approval pursuant to streamlined procedures*, Broadcasting Public Notice CRTC 2007-60, 7 June 2007
- *CKDR-2 Sioux Lookout – Conversion to FM band*, Broadcasting Decision CRTC 2006-67, 14 March 2006
- *Local programming policy for FM radio – Definition of a single-station market*, Public Notice CRTC 1993-121, 17 August 1993

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>