



## Broadcasting Decision CRTC 2007-75

Ottawa, 1 March 2007

### **3077457 Nova Scotia Limited**

Ottawa, Ontario

*Application 2006-1644-3*

*Broadcasting Public Notice CRTC 2007-1*

*9 January 2007*

### **Low-power tourist information service in Ottawa – Technical change**

*In this decision, the Commission **approves** the application by 3077457 Nova Scotia Limited to amend the broadcasting licence for CIIO-FM Ottawa, in order to change the frequency from 104.7 MHz (channel 284LP) to 99.7 MHz (channel 259LP).*

### **The application**

1. The Commission received an application by 3077457 Nova Scotia Limited (3077457 Nova Scotia) to amend the broadcasting licence for CIIO-FM Ottawa, in order to change the frequency from 104.7 MHz (channel 284LP) to 99.7 MHz (channel 259LP).
2. 3077457 Nova Scotia indicated that in *CJRC Gatineau – Conversion to FM band*, Broadcasting Decision CRTC 2006-637, 24 November 2006, the Commission approved an application by 591991 B.C. Ltd. for the conversion of its AM station CJRC Gatineau to the FM band at 104.7 MHz. Since 3077457 Nova Scotia is currently licensed to operate its Ottawa station on this frequency as a low-power unprotected FM service, it has submitted the above-noted application.

### **Intervention**

3. The Commission received an intervention from Christian Hit Radio Inc. (Christian Hit Radio) offering general comments in connection with this application. Christian Hit Radio stated that it had submitted an application for a broadcasting licence to operate a 2.5 kW radio station at 99.7 MHz in late 2006. The intervener was of the view that, although it was unfortunate that so few frequencies were available on the FM band for low-power broadcasters in an active market like Ottawa, a valuable frequency like 99.7 MHz should not be allocated to low-power use.
4. Christian Hit Radio also submitted that the Commission would eventually approve an application for a class B1 radio station to operate at 99.7 MHz, and 3077457 Nova Scotia would again have to find a new frequency. The intervener suggested that 3077457 Nova Scotia explore the use of 101.9 MHz, 107.7 MHz or an AM frequency for its undertaking.

### **Applicant's response**

5. 3077457 Nova Scotia replied that it was aware that given its status as a low-power FM undertaking, the frequency that it occupies is unprotected and could be granted to another applicant for a high-power radio station in the future. The applicant noted, however, that it has applied to use the frequency now so that it can continue to deliver useful information to its listeners without interruption when CJRC converts to 104.7 MHz. The applicant added that it is prepared to find another frequency if another applicant is granted a licence to operate a high-power station at 99.7 MHz in the future.
6. 3077457 Nova Scotia also noted the support of the City of Ottawa, Ottawa Tourism and the National Capital Commission for its service. It stated that it fulfils an important and unique role in the Ottawa radio market.

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

7. In its evaluation of this application, the Commission has considered the views expressed by the intervener and is satisfied with the applicant's response. In particular, the Commission notes that the applicant is prepared to find another frequency if another applicant is granted a licence to operate a high-power station at 99.7 MHz in the future.
8. Accordingly, the Commission **approves** the application by 3077457 Nova Scotia Limited to amend the broadcasting licence for CIIO-FM Ottawa, in order to change the frequency from 104.7 MHz (channel 284LP) to 99.7 MHz (channel 259LP).
9. 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.
10. 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.
11. 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.

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>*