



## Broadcasting Decision CRTC 2008-317

Ottawa, 20 November 2008

**Maritime Broadcasting System Limited**  
Windsor, Nova Scotia

*Application 2008-1291-8, received 26 September 2008*

### **Extension of time limit to implement the new FM radio station in Windsor**

*The Commission **approves** an application by Maritime Broadcasting System Limited (Maritime) for an extension, until 27 November 2009, of the time limit to implement the authority granted in Broadcasting Decision 2006-644 to operate a new FM station in Windsor, Nova Scotia. The Commission directs Maritime, as a **condition of approval**, to file within 60 days of the date of the present decision, a report detailing its action plan for commencing operation of the new FM station including an application for a frequency and technical parameters that would be acceptable to the Commission and the Department of Industry.*

### **Introduction**

1. The Commission received an application by Maritime Broadcasting System Limited (Maritime) for an extension to the time limit to implement the authority granted in Broadcasting Decision 2006-644 to operate a new FM radio programming undertaking in Windsor, Nova Scotia. Specifically, Maritime requested that the deadline to commence operation of the new FM station be extended from 27 November 2008 to 27 November 2009.
2. In Broadcasting Decision 2006-644, the Commission approved in part an application by Maritime to convert its AM station CFAB to the FM band. The Commission directed Maritime to submit, within 90 days of the date of that decision, another application proposing alternative technical parameters that would be acceptable to both the Commission and the Department of Industry (the Department).
3. In a letter dated 9 March 2007, the Commission granted Maritime an extension, until 31 March 2007, to submit an application proposing another frequency and technical parameters. An application was filed and subsequently denied in Broadcasting Decision 2007-424. The Commission determined that an approval would have resulted in Maritime exceeding the allowable limit of two commercial FM stations in the same language in each of the Halifax and Kentville, Nova Scotia markets, contrary to the Commission's Common Ownership Policy set out in Public Notice 1998-41 and reaffirmed in Broadcasting Public Notice 2008-4.

4. In the present application, Maritime indicated that it was not yet able to identify an FM frequency and technical parameters for the FM station that would be acceptable to the Commission and the Department. Maritime did file a detailed report on the steps it had taken in the previous nine months to find a technical solution.

### **Commission's determination**

5. The Commission authorized Maritime to operate an FM station to serve Windsor in 2006. The Commission has taken note of Maritime's efforts to provide the FM service to Windsor residents as soon as possible.
6. In light of the above, the Commission **approves** the application by Maritime Broadcasting Limited for an extension, until 27 November 2009, of the time limit to implement the authority granted in Broadcasting Decision 2006-644 to operate a new FM radio station in Windsor. The Commission directs Maritime, as a **condition of approval**, to file within 60 days of the date of the present decision, a report detailing its action plan for commencing operation of the new FM station including an application for a frequency and technical parameters that would be acceptable to the Commission and the Department.
7. The licence for this undertaking will be issued once the applicant has informed the Commission in writing that it is prepared to commence operations. The undertaking must be operational at the earliest possible date and in any event no later than 27 November 2009, unless a request for an extension of time is approved by the Commission before that date. In order to ensure that such a request is processed in a timely manner, it should be submitted at least 60 days before that date.

Secretary General

### **Related documents**

- *Diversity of voices*, Regulatory Policy, Broadcasting Public Notice CRTC 2008-4, 15 January 2008
- *Commercial Radio Policy 1998*, Public Notice CRTC 1998-41, 30 April 1998
- *Use of frequency 92.9 MHz by the new FM radio station in Windsor*, Broadcasting Decision CRTC 2007-424, 12 December 2007
- *CFAB Windsor - Conversion to FM band*, Broadcasting Decision CRTC 2006-644, 27 November 2006

*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>.*