



Broadcasting Decision CRTC 2010-933

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Route reference: 2010-539

Ottawa, 13 December 2010

9202-1617 Québec inc.
Mont Ste-Claire, Quebec

Application 2010-0903-5, received 29 May 2010

CKGS-FM Saguenay – Licence amendment

*The Commission **denies** the application by 9202-1617 Québec inc. to amend the broadcasting licence for the French-language commercial radio station CKGS-FM Saguenay (zone La Baie) in order to add a transmitter in Mont Ste-Claire to rebroadcast the programming of CKGS-FM to the population of Chicoutimi and Jonquière.*

Introduction

1. The Commission received an application by 9202-1617 Québec inc. (9202-1617 Québec) to amend the broadcasting licence for the French-language commercial radio programming undertaking CKGS-FM Saguenay (zone La Baie) in order to add a transmitter in Mont Ste-Claire to rebroadcast the programming of CKGS-FM to the population of Chicoutimi and Jonquière. The new transmitter would operate at frequency 105.9 MHz (channel 290A1) with an effective radiated power (ERP) of 57 watts (maximum ERP of 250 watts with an effective height of antenna above average terrain of 51.1 metres).
2. The licensee indicated that the objective of its application is to address a technical problem, which would permit it to adequately serve the population of Chicoutimi and Jonquière and to ensure better reception quality of CKGS-FM in these localities and their surroundings.
3. The Commission received several interventions in support of the application, as well as interventions in opposition from Radio Saguenay inc. (Radio Saguenay), Groupe Radio Antenne 6 inc. (Groupe Antenne 6) and Radio communautaire du Saguenay inc. The interventions and the licensee's reply can be found on the Commission's website at www.crtc.gc.ca under "Public Proceedings."

Commission's analysis and determinations

4. After examining the application in light of applicable regulations and policies, and taking into account the interventions received and the licensee's reply, the Commission considers that the issues to be addressed in its determinations are the following:

- the effect of the new transmitter on the size of the population served by the station; and
- the impact of the new transmitter on existing stations in the same radio market.

Effect of the new transmitter on the size of the population served by the station

5. The opposing interveners stated that CKGS-FM is authorized to serve the population of Saguenay (zone La Baie) and that approval of the present application would permit the licensee to obtain indirectly what the Commission had denied in Broadcasting Decision 2008-96. That decision related to a request to increase the average ERP approved by the Commission for this station in Broadcasting Decision 2007-95, which the Commission denied because the authorized contours would encompass not only La Baie and Bas-Saguenay, but also other localities such as Jonquière and Chicoutimi.
6. In its reply, the licensee clarified that the objective of the present application is to add a rebroadcasting transmitter in order to correct technical issues clearly identified within its authorized 0.5 mV/m service area, and not to increase its broadcasting area as claimed by certain of the opposing interveners.
7. Although the addition of a transmitter would permit the licensee to address signal deficiencies in certain sectors, the Commission considers that it would also have the effect of significantly increasing the licensee's broadcasting area so as to serve the population located outside of its authorized service area.

Impact of the new transmitter on existing stations in the same radio market

8. The opposing interveners also expressed concerns regarding the significant financial consequences that approval of the present application would have on other stations in the market. Radio Saguenay submitted that the impact on existing stations, and in particular on that of the licensee, could be much greater than the licensee suggests. For its part, Groupe Antenne 6 noted that the economic context in the Saguenay is uncertain and that this creates a sense of concern among all of the region's radio stations.
9. In its reply, the licensee indicated that it has provided, with supporting evidence, the technical and financial justification for the present application. Based on its financial projections and an initial market study, it also stated that the impact on other stations in the market would be mitigated. Finally, the licensee noted that CKGS-FM has been in operation for only 18 months and that the financial losses noted by the station's staff could force the station to close its doors.
10. Although the Commission recognizes the precarious financial situation of CKGS-FM, it considers that an increase in its listening share would be to the detriment of the market's local stations that serve the population located in the proposed service area for the new transmitter. Furthermore, since the financial

situation of these other stations is also precarious and depends in large part on advertising revenue from Chicoutimi and the Saguenay region, the Commission is of the view that any loss of revenue could exacerbate the situation and further weaken those stations.

Conclusion

11. In light of all of the above, the Commission **denies** the application by 9202-1617 Québec inc. to amend the broadcasting licence for the French-language commercial radio programming undertaking CKGS-FM Saguenay (zone La Baie) in order to add a transmitter in Mont Ste-Claire in order to rebroadcast the programming of CKGS-FM to the population in Chicoutimi and Jonquière.

Secretary General

Related documents

- *Use of frequency 105.5 MHz by the new FM radio station in Saguenay (zone La Baie)*, Broadcasting Decision CRTC 2008-96, 2 May 2008
- *French-language FM radio station in Saguenay (zone La Baie)*, Broadcasting Decision CRTC 2007-95, 21 March 2007