



Broadcasting Decision CRTC 2011-203

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Route reference: 2010-69

Additional reference: 2011-27

Ottawa, 23 March 2011

Canadian Broadcasting Corporation
Fredericton and Saint John, New Brunswick

Application 2010-1687-4, received 19 November 2010

CBAT-TV Fredericton/Saint John – Licence amendment

*The Commission **denies** an application by the Canadian Broadcasting Corporation to amend the broadcasting licence for the English-language conventional television station CBAT-TV Fredericton/Saint John to add a post-transition digital transmitter to serve the population of Fredericton.*

The application

1. The Commission received an application by the Canadian Broadcasting Corporation (CBC) to amend the broadcasting licence for the English-language conventional television programming undertaking CBAT-TV Fredericton/Saint John to add a post-transition digital transmitter to serve the population of Fredericton.
2. The new transmitter would operate on channel 19 with an average effective radiated power (ERP) of 3,900 watts (directional antenna with a maximum ERP of 7,800 watts and an effective height of antenna above average terrain of 102.8 metres).
3. The analog transmitter associated with CBAT-TV is located on Mount Champlain and provides service to both Fredericton and Saint John. The proposed digital transmitter would be located in Fredericton and would provide service only to that market. The proposal would therefore result in a loss of over-the-air (OTA) television service to the residents of Saint John.

Interventions

4. The Commission received interventions commenting on the application, as well as numerous interventions in opposition. The public record for this proceeding can be found on the Commission's website at www.crtc.gc.ca under "Public Proceedings."
5. Most of the interventions in opposition were from individuals who expressed concern over the loss of OTA service to Saint John. In its comment, the Canadian Media Guild, while recognizing the challenges faced by the public broadcaster, expressed

concern over the impact of the transition to digital OTA transmission in Southern New Brunswick and the CBC's proposal for CBAT-TV.

Applicant's reply

6. The CBC reiterated its commitment to operate 27 digital transmitters where it operates stations and originates local programming. It also stated that OTA transmission is no longer the most appropriate and efficient means of making its television services available throughout Canada.

Commission's analysis and determinations

7. The Commission notes that both the markets of Fredericton and Saint John are designated for mandatory conversion to OTA digital transmission by 31 August 2011.
8. In *Revised licensing framework for over-the-air digital television services*, Broadcasting Regulatory Policy CRTC 2010-69, 10 February 2010, the Commission indicated that broadcasters should to the greatest extent possible ensure that Canadians do not lose access to free OTA television services as a result of the transition to OTA digital transmission. Consequently, it encouraged broadcasters to provide digital coverage that matches their current analog coverage.
9. The Commission notes that the proposed digital transmitter would be located such that it would provide service to only one of the two markets served by the existing analog transmitter. The Commission further notes that the CBC did not respond to the Commission's request to provide detailed estimates of the costs of replicating the current coverage of CBAT-TV from Mount Champlain or alternatives to maintain service in Saint John.
10. In light of all of the above, the Commission considers that the CBC's application does not fully address the Commission's policies on the digital television transition. Accordingly, the Commission **denies** the application by the Canadian Broadcasting Corporation to amend the broadcasting licence for the English-language conventional television programming undertaking CBAT-TV Fredericton/Saint John to add a post-transition digital transmitter to serve the population of Fredericton.
11. Nothing in this decision shall be taken either directly or indirectly to imply a decision by the Commission on any other aspect of the CBC or any other broadcaster's plans for digital transition.

Secretary General

**This decision is to be appended to the licence.*