



## Broadcasting Decision CRTC 2019-157

PDF version

Reference: Part 1 application posted on 6 September 2018

Ottawa, 16 May 2019

### **UFV Campus and Community Radio Society**

Abbotsford and Chilliwack, British Columbia

*Public record for this application: 2018-0689-5*

### **CIVL-FM Abbotsford – New transmitter in Chilliwack**

*The Commission **approves** an application by UFV Campus and Community Radio Society (UFV) to amend the broadcasting licence for the community-based campus radio station CIVL-FM Abbotsford, British Columbia, in order to operate a transmitter in Chilliwack.*

*The new transmitter will allow UFV to reach the University of the Fraser Valley's students, faculty and staff in Chilliwack, as well as the surrounding community.*

#### **Application**

1. UFV Campus and Community Radio Society (UFV) filed an application to amend the broadcasting licence for the community-based campus radio station CIVL-FM Abbotsford, British Columbia, in order to operate a transmitter in Chilliwack. The Commission received interventions in support of this application.
2. The transmitter would operate at 92.3 MHz (channel 222A) with an average effective radiated power (ERP) of 1,700 watts (maximum ERP of 4,600 watts with an effective height of the antenna above average terrain of -346.4 metres).
3. The licensee indicated that the amendment would allow CIVL-FM to reach all of the University of the Fraser Valley's students, faculty, staff and surrounding community. UFV stated that the station already creates programming relevant to Chilliwack given that approximately a third of CIVL-FM's student and community membership resides, works or attends school in Chilliwack. UFV noted that, in its initial application for a broadcasting licence, it had submitted technical parameters that would have covered both Abbotsford and Chilliwack. However, due to interference issues, it had to alter its technical parameters, which resulted in the coverage area no longer extending to Chilliwack.
4. It further indicated that Chilliwack is not served by a community radio station and that community groups regularly reach out to the station to promote and cover their events.

## **Commission's analysis and decision**

5. The Commission generally assesses the merits of an application for technical changes on the basis of demonstrated economic need or technical evidence that a station's existing technical parameters are not adequate to provide the service as originally proposed. In this particular case, however, the application was made to expand its current service area in order to extend its campus community service to Chilliwack, which is located outside of the station's primary service area of Abbotsford. As a result, the Commission will not assess the merits of the application based on an economic or technical need.
6. Accordingly, after examining the public record for this application in light of applicable regulations and policies, the Commission considers that the issues it must address are the following:
  - whether approval of the application would have an undue financial impact on other radio stations in the market;
  - whether the proposal would have an impact on programming diversity in the market; and
  - whether the addition of a transmitter to extend the station's coverage is appropriate.

### **Financial impact on other radio stations in the market**

7. Chilliwack is currently served by three commercial radio stations: CHWK-FM Chilliwack, operated by Fabmar Communications Ltd., as well as CKKS-FM Chilliwack and CKSR-FM Chilliwack, operated by Rogers Media Inc. Neither licensee intervened in the proceeding.
8. CIVL-FM is almost entirely funded by membership fees and other sponsorship revenues. Further, as a campus station, UFV is subject to the standard condition of licence limiting the advertising it can broadcast per broadcast week to 504 minutes.
9. In light of the above, the Commission considers that the proposed transmitter would not have an undue impact on other stations in the market.

### **Impact on programming diversity in the market**

10. Community-based campus stations are owned, managed and controlled by not-for-profit organizations. Their boards of directors include campus representatives, including a balanced representation from the student body and representation from the administration of the post-secondary institution, station volunteers and the community at large. Campus radio stations distinguish themselves by having local programming produced in part by volunteers from the student body as well as the broader community.

11. These stations also have specific conditions of licence to ensure that the programming broadcast is distinct from commercial and public radio and reflects the diversity of the communities served.
12. The Commission considers that CIVL-FM distinguishes itself by virtue of its programming and by meeting the needs and interests of the communities served in ways that are distinct from commercial radio stations and the Canadian Broadcasting Corporation. Further, CIVL-FM already enables volunteer participation and community access to the airwaves for residents of Chilliwack.
13. CIVL-FM is currently licensed as a community-based campus station with conditions of licence that ensure it broadcasts unique and diverse programming. The Commission further recognizes that CIVL-FM is a small radio station with limited revenues that provides a valuable service to the communities in terms of diversity.
14. Accordingly, the Commission considers that CIVL-FM's distinct programming would add programming diversity to the market of Chilliwack.

#### **Appropriateness of adding a transmitter to extend the station's coverage**

15. The Commission will generally authorize the addition of a transmitter to broadcast the programming of an originating station to correct technical deficiencies in the signal of the originating station within its authorized service area. In certain instances, the Commission may also authorize the addition of a transmitter to extend the originating station's signal into neighbouring communities.
16. Chilliwack is located approximately 34 kilometres from Abbotsford. The University of the Fraser Valley has strong ties to the Chilliwack community as it has a campus in Chilliwack. The station already provides programming that is relevant to the community, such as the broadcast and promotion of Canadian emerging talent and local artists, local arts, community events and issues. Students that attend university at the Chilliwack campus currently pay a student levy to CIVL-FM, but are unable to hear the station over the air.
17. The Commission recognizes that the addition of a transmitter in Chilliwack would enable UFV to offer programming that is relevant and of interest to the Chilliwack community as it had originally proposed when it first applied for a broadcasting licence.
18. Finally, given that there are other FM frequencies available in Chilliwack, the Commission considers that the proposal represents an appropriate use of spectrum.

#### **Conclusion**

19. In light of all the above, the Commission **approves** the application by UFV Campus and Community Radio Society to amend the broadcasting licence for the community-based campus radio programming undertaking CIVL-FM Abbotsford in order to operate a transmitter in Chilliwack.

20. Pursuant to section 22(1) of the *Broadcasting Act*, this authority will only be effective when the Department of Industry notifies the Commission that its technical requirements have been met and that a broadcasting certificate will be issued.
21. The transmitter must be in operation by no later than **16 May 2021**. To request an extension, the licensee must submit a written request to the Commission at least 60 days before that date, using the form available on the Commission's website.

Secretary General

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