



## Broadcasting Decision CRTC 2006-310

Ottawa, 24 July 2006

### **Peace River Broadcasting Corporation Ltd.**

Peace River, High Prairie, Fairview, Valleyview and Saddle Hills, Alberta

*Application 2005-1535-6*

*Broadcasting Public Notice CRTC 2006-21*

*20 February 2006*

### **CKYL Peace River – New FM transmitters at Peace River, High Prairie, Fairview, Valleyview and Saddle Hills**

*The Commission **approves** an application to amend the broadcasting licence for the radio programming undertaking CKYL Peace River, in order to operate new FM transmitters at Peace River, High Prairie, Fairview, Valleyview and Saddle Hills, Alberta*

#### **The application**

1. The Commission received an application by Peace River Broadcasting Corporation Ltd. (Peace River Broadcasting) to amend the broadcasting licence for the radio programming undertaking CKYL Peace River, in order to operate FM transmitters at Peace River, High Prairie, Fairview, Valleyview and Saddle Hills, Alberta.
2. In support of its application, Peace River Broadcasting submitted that CKYL's contours have eroded over the years and that the quality of the station's signal has deteriorated as more power lines have been built in the area. The licensee stated that CKYL is subject to interference even in Peace River and that businesses using florescent lighting have particular difficulty in receiving a good quality signal of CKYL.

#### **Interventions**

3. The Commission received an intervention by O.K. Radio Group Ltd. (O.K. Radio), the licensee of CFGP-FM Grande Prairie, which opposed the addition of a transmitter of CKYL at Saddle Hills, as well as an intervention by Crude Communications Inc. (Crude), which commented on the proposed transmitter at Saddle Hills.
4. O.K. Radio contended that the proposed transmitter at Saddle Hills would enable CKYL to provide a good quality signal to Grande Prairie and alleged that the request to add a transmitter at Saddle Hills is an attempt by Peace River Broadcasting to obtain a broadcasting licence to serve Grande Prairie "by the back door." O.K. Radio submitted that, if Peace River Broadcasting wanted to serve Grande Prairie, it should have filed an application in response to *Call for applications for a broadcasting licence to carry on a*

*radio programming undertaking to serve Grande Prairie, Alberta,*

Broadcasting Public Notice CRTC 2005-30, 12 April 2005 (Public Notice 2005-30).

O.K. Radio added that, in those circumstances, Peace River Broadcasting's application would have been considered in the context of the other applicants' proposals to provide a radio service to Grande Prairie, taking into account the impact of a proposed service on the radio market, an applicant's commitments to Canadian talent development and the other criteria the Commission uses to evaluate such applications.

5. O.K. Radio further claimed that Peace River Broadcasting plans to draw advertising revenues from the Grande Prairie radio market, but has provided no proposals for local service to that community. In O.K. Radio's view, Peace River Broadcasting should be willing to accept a condition of licence requiring that it not solicit advertising revenues in the Grande Prairie radio market.
6. In its comment on the application, Crude also expressed concern that the proposed transmitter at Saddle Hills would enable CKYL's signal to reach Grande Prairie. Crude suggested that the Commission consider Peace River Broadcasting's application at the same time as the applications to serve Grande Prairie that were filed in response to Public Notice 2005-30.

#### **Licensee's replies**

7. In response, Peace River Broadcasting confirmed that CKYL would not abandon its current listener base in an attempt to become a Grande Prairie radio station. The licensee noted that CKYL has served the area surrounding Grande Prairie, which is known as Peace Country, for more than 51 years and stated that the signals of Grande Prairie radio stations are received clearly in the Peace River radio market. Peace River Broadcasting further acknowledged that CKYL's signal currently reaches the Saddle Hills region but does not provide as clear a signal as it did in the past. According to the licensee, its request for the addition of an FM transmitter at Saddle Hills is similar to a much earlier application by O.K. Radio for a Peace River transmitter of CFGP-FM Grande Prairie, which was approved in *Licence amendment for CFGP-FM*, Decision CRTC 97-273, 25 June 1997.
8. Peace River Broadcasting stated that the proposed FM transmitters would enable CKYL to provide coverage to an area similar to the coverage area authorized in *Addition of FM transmitters of CKKX-FM and CKYL at Valleyview*, Decision CRTC 2000-216, 4 July 2000. The licensee indicated that it did not implement the two transmitters in Valleyview because of corporate restructuring and the rising cost of delivering power to the site.

#### **Commission's analysis and determination**

9. In its evaluation of this application, the Commission has carefully considered the views expressed by the interveners and is satisfied with Peace River Broadcasting's response.

10. In *An FM Policy for the Nineties*, Public Notice CRTC 1990-111, 17 December 1990, the Commission defined the market of a station to be any area within either the 3 mV/m signal contour or the Central Area of the community served by the station as defined by the Bureau of Broadcast Measurement, whichever is smaller. The Commission notes that the 3 mV/m signal contour of the proposed transmitter of CKYL at Saddle Hills would not include the Grande Prairie market.
11. With respect to the suggestion that the Commission should consider the present application at the same time as the applications to serve Grande Prairie filed in response to Public Notice 2005-30, the Commission is satisfied that the addition of the transmitter at Saddle Hills to rebroadcast CKYL would not have a significant impact on the Grande Prairie radio market. The Commission notes that the only commercial radio stations that are currently licensed to serve the Grande Prairie market are CFGP-FM, which is owned by O.K. Radio, and CJXX-FM, which is owned by Jim Pattison Industries Ltd. The Commission further notes the signals of both CFGP-FM and CJXX-FM reach into the Peace River market.
12. The Commission notes that the coverage that would be provided by the proposed FM transmitters at High Prairie, Fairview, Valleyview and Saddle Hills would extend CKYL's signal to areas that the station's signal is currently unable to reach at night. The 0.5 mV/m coverage contours of the proposed FM transmitters at High Prairie, Valleyview and Saddle Hills fall entirely outside CKYL's night-time interference free contour. In addition, although the transmitter site of the proposed FM transmitter at Fairview is located just within CKYL's AM night-time service contour, most of the area to be served by the proposed transmitter lies outside that contour. As for the proposed FM transmitter at Peace River itself, the licensee has indicated that interference has eroded the quality of CKYL's signal over the years. The Commission is satisfied that approval of this application would extend CKYL's service and provide improvements in the quality of its signal.
13. While the present application proposes to use five different FM frequencies for the rebroadcasting of a single station, the Commission notes that the communities to be served by the proposed FM transmitters are located far from international borders and from large population centres. Furthermore, the Commission is satisfied that there are a number of other drop-in frequencies available in the area and that future growth of the Peace River radio market would not be compromised by approval of this application.
14. In light of all of the above, the Commission **approves** the application by Peace River Broadcasting Corporation Ltd. to amend the broadcasting licence for the radio programming undertaking CKYL Peace River, in order to operate FM transmitters at Peace River, High Prairie, Fairview, Valleyview and Saddle Hills, Alberta.

15. The new transmitters will operate with the following technical parameters:

<b>Location</b>	<b>Frequency (channel)</b>	<b>Effective radiated power</b>
Peace River	94.9 MHz (channel 235A)	2,900 watts
High Prairie	92.1 MHz (channel 221A)	1,400 watts
Fairview	88.5 MHz (channel 203A)	850 watts
Valleyview	88.7 MHz (channel 204A)	1,400 watts
Saddle Hills	88.9 MHz (channel 205B1)	2,500 watts

16. The Department of Industry (the Department) has advised the Commission that, while this application is conditionally technically acceptable, it will only issue broadcasting certificates when it has determined that the proposed technical parameters will not create any unacceptable interference with aeronautical NAV/COM services.
17. 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 broadcasting certificates will be issued.
18. The transmitters must be operational at the earliest possible date and in any event no later than 24 months from the date of this decision, unless a request for an extension of time is approved by the Commission before 24 July 2008. In order to ensure that such a request is processed in a timely manner, it should be submitted in writing at least 60 days before that date.

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>*