



Broadcasting Decision CRTC 2006-356

Ottawa, 11 August 2006

Radio du Golfe inc.
Chandler, Quebec

Application 2005-1252-6
Public Hearing in Québec, Quebec
20 March 2006

CFMV-FM Chandler – Technical amendments

*The Commission **approves** the application by Radio du Golfe inc. to amend the broadcasting licence of radio programming undertaking CFMV-FM Chandler to change the frequency from 92.1 MHz (channel 221LP) to 96.3 MHz (channel 242B). The Commission further **approves** the application by Radio du Golfe inc. to change the authorized contours by increasing the average effective radiated power from 15 watts to 5,716 watts.*

The application

1. The Commission received an application by Radio du Golfe inc. (Radio du Golfe) to amend the broadcasting licence of the French-language radio programming undertaking CFMV-FM Chandler approved in *FM radio station in Chandler and a transmitter in New Carlisle, Quebec*, Broadcasting Decision CRTC 2004-322, 9 August 2004 to change the frequency from 92.1 MHz (channel 221LP) to 96.3 MHz (channel 242B), and an application to change the authorized contours by increasing the average effective radiated power (ERP) from 15 watts¹ to 5,716 watts, by increasing the antenna height and by relocating the transmitter.
2. According to the licensee, these technical amendments would allow residents in the Rocher-Percé Regional County Municipality (RCM) to receive news and cultural, artistic and other information on events in their community.
3. Radio du Golfe stated that it intended to hire two journalists to provide complete coverage of the entire area served, which would allow CFMV-FM to broadcast more complete news bulletins that include reports from the entire Rocher-Percé RCM. Radio du Golfe also proposed to set up production studios in each end of the RCM (one studio in Percé and the other in Port-Daniel), which would allow journalists to deliver live or delayed reports and conduct interviews with individuals from the various municipalities in the RCM. The journalists would also cover all youth sports through reports, interviews and commercials.

¹ According to the certificate issued by the Department of Industry, the average effective radiated power of this undertaking is 15 watts, not 10 watts as indicated in Notice of Public Hearing CRTC 2006-2, 19 January 2006.

4. Radio du Golfe added that the increase in power would allow CFMV-FM to broadcast live shows from Percé, which would introduce its listeners to Canadian artists.

Interventions

5. The Commission received interventions in support of the application, a 750-signature petition in support of the application, and interventions opposing the application.
6. The Fédération professionnelle des journalistes du Québec – Gaspésie-les Îles-Matane (FPJQ) questioned the willingness of Radio du Golfe to implement a regional news service, and noted that stations CFMV-FM Chandler and CJMC Saint-Anne-des-Monts, which are also owned by Radio du Golfe, do not broadcast national and international newscasts. The FPJQ submitted that the Commission should require CFMV-FM to establish a truly independent news service devoted exclusively to covering regional news.
7. Radio Gaspésie inc. (Radio Gaspésie), licensee of community radio station CJRG-FM Gaspé, noted the region's fragile, and indeed precarious, economic situation and that the situation of radio stations in the Gaspé has not improved since the Commission denied applications by Radio du Golfe to add transmitters in Percé and Port-Daniel in *CFMV-FM Chandler – Addition of transmitters at Percé and Port-Daniel*, Broadcasting Decision CRTC 2005-216, 26 May 2005 (Decision 2005-216). Radio Gaspésie noted that most community radio licences in Canada were approved strategically in economically weak and remote areas, and generally to operate as first radio services. Radio Gaspésie noted that it received a first radio service licence for Gaspé 28 years ago and submitted that the Commission should allow it to continue to operate as such by denying the application by Radio du Golfe. Radio Gaspésie also noted that given the region's economic situation, the addition of a Class B radio station is no more appropriate today than it was several months ago. Radio Gaspésie also submitted that the proposed amendments would affect its station's listenership and revenues, and that any decrease in revenues would be disastrous for CJRG-FM.
8. Diffusion communautaire Baie-des-Chaleurs inc., licensee of station CIEU-FM Carleton, noted that the territory encompassed by the licensee's proposed authorized contours is already fully served by two community stations and one commercial station. The intervener also cited the precarious financial situation of each of these stations, and submitted that approval of the application would result in fragmentation of the radio market.
9. Radio CHNC ltée (Radio CHNC), licensee of CHNC New Carlisle, submitted that the Commission should deny the Radio du Golfe application because of the planned creation of a cooperative by CHNC employees to acquire the station and the planned conversion of the station to FM. Radio CHNC also argued that the local advertising market in Chandler cannot accommodate the proposed expansion of Radio du Golfe, and that approval of the application would negatively impact all local media and particularly

CHNC, whose financial situation is already precarious. Radio CHNC also expressed doubts as to the ability of Radio du Golfe to cover local and regional news adequately.

Licensee's reply

10. Replying to the interventions, Radio du Golfe noted that all of the opposing interventions received cited the difficult economic situation in Chandler and the Rocher-Percé region. Radio du Golfe reported that it met with several socio-economic stakeholders and that they are very confident about Chandler's future. According to Radio du Golfe, several job creation projects are currently under consideration and these projects will assist in diversifying the region's single-industry economy. The licensee also noted that according to Institut de la statistique du Québec data, in 2004-2005 all RCMs in the region attracted more individuals than they lost in the 25 to 44 years age group.
11. With respect to news coverage, Radio du Golfe replied that the doors of its studios are always open to the public and that several individuals and organizations are already taking advantage of that fact. Radio du Golfe pointed out that it has a dynamic team covering press conferences as well as the various activities in Chandler, and that it makes local and regional news a priority because national news is already covered by the specialty networks. The licensee added that it tracks national and international events closely and broadcasts only the news it deems to be relevant.
12. In response to FPJQ's concerns, Radio du Golfe stated that, with the creation of two production studios, one in the east part of the territory and the other in the west, it would be able to provide full coverage of events in the entire Rocher-Percé RCM.
13. Radio du Golfe noted that there is no comprehensive business plan for the proposed conversion of Radio CHNC to FM, and that there is no guarantee that the project, estimated by Radio du Golfe at over \$1.25 million, will get the necessary financial backing.
14. With respect to the impact that Commission approval of this application would have on the existing stations, Radio du Golfe pointed out that, in Decision 2005-216, the Commission said it did not consider "that the transmitter proposed for Port-Daniel would have an adverse effect on CIEU-FM because CIEU-FM does not currently serve Port-Daniel."

The Commission's analysis and determinations

15. The Commission has reviewed the application carefully, taking into account the comments made by the licensee and the interveners.

16. In Decision 2005-216, the Commission denied the applications by Radio du Golfe to amend the broadcasting licence of radio station CFMV-FM Chandler, Quebec by adding transmitters at Percé and Port-Daniel. However, the Commission concurred with Radio du Golfe that there was no FM radio service operating at that time covering the entire Rocher-Percé RCM and that the proposed utilization of several FM frequencies operating at low power to provide that service would not constitute an appropriate use of the frequency spectrum.
17. The Commission notes that, according to data from the Bureau of Broadcast Measurement (BBM) surveys conducted in the fall of 2005, CFMV-FM seems to be meeting a demand, given that it succeeded in capturing a 12% share of the Rocher-Percé radio market during the BBM survey period.
18. The Commission considers that approval of this application would allow Radio du Golfe to operate the first commercial full-power FM radio station in the Rocher-Percé RCM and would enhance radio services offered to listeners in that market. The Commission recognizes that there could be some negative impact on the listenership and advertising revenues of existing stations. However, the Commission considers that the advantages to the community served resulting from the proposed journalistic coverage, the broadcast of newscasts and the installation of production studios would offset the potential negative impact on the existing stations.
19. In light of the above, the Commission **approves** the application by Radio du Golfe inc. to amend the broadcasting licence of the French-language radio programming undertaking CFMV-FM Chandler by changing the frequency from 92.1 MHz (channel 221LP) to 96.3 MHz (channel 242B). The Commission also **approves** the application by Radio du Golfe inc. to change the authorized contours by increasing the average effective radiated power from 15 watts to 5,716 watts, by increasing the antenna height and by relocating the transmitter.
20. The Commission notes that, as a result of the approved changes, the undertaking's authorized contours will change significantly, and that the increase in power will result in a change of CFMV-FM's status from a low-power unprotected service to a regular Class B service.
21. The Department of Industry (the Department) has advised the Commission that, while this application is conditionally technically acceptable, it will only issue a broadcasting certificate when it has determined that the proposed technical parameters will not create any unacceptable interference with aeronautical NAV/COM services.

22. The Commission reminds the licensee that, pursuant to subsection 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 a broadcasting certificate will be issued.

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>