



Broadcasting Decision CRTC 2006-640

Ottawa, 24 November 2006

591991 B.C. Ltd.
Saguenay, Quebec

Application 2006-0587-6
Public Hearing at Québec, Quebec
11 September 2006

CKRS Saguenay – Conversion to FM band

*In this decision, the Commission **approves** the application by 591991 B.C. Ltd., a wholly-owned subsidiary of Corus Entertainment Inc., for a broadcasting licence to operate a new French-language commercial FM radio station in Saguenay to replace its AM station CKRS.*

The application

1. The Commission received an application by 591991 B.C. Ltd., a wholly-owned subsidiary of Corus Entertainment Inc. (Corus), for a broadcasting licence to operate a French-language commercial FM radio programming undertaking in Saguenay to replace AM station CKRS.
2. The new station would offer a Specialty talk-based format. Programming would include local news, weather and sports and the promotion of local events and activities. In the course of each broadcast week, the new station would provide not less than 21 hours of spoken word programming of direct and particular relevance to the community served.
3. With respect to Canadian talent development (CTD), the applicant confirmed that it would continue to contribute \$3,000 annually to MusicAction. The applicant also committed to contributing annual scholarships totalling \$10,000 to the Art et technologie des medias (ATM) program of the CÉGEP at Jonquière and \$10,000 annually to the amateur singing competition, “Chansons en fêtes de St-Ambroise.”
4. The station would operate at 98.3 MHz (channel 252C1), with an average effective radiated power of 51,000 watts.

Interventions

5. The Commission received several interventions in support of this application, and comments from the Syndicat des Employé(e)s de CJAB-FM et CKRS (the Syndicat). The Syndicat supported the application but had trouble understanding how Corus intends to achieve its goal of increasing listenership among the 25 to 54 age group, given the proposed program schedule. The Syndicat noted that the new program schedule would do away with several hours of local programming at key times of the day. The Syndicat also questioned the proposed location for the CKRS FM transmitter and the applicant's promises of reinvestment under the recovery plan proposed when it acquired the station. Finally, the Syndicat asked why the applicant does not want to continue broadcasting the CKRS signal on the AM band for a three-month transition period.

Applicant's reply

6. In response to the Syndicat's comments, Corus pointed out that the station's new program schedule is a trial schedule and that local programming would be offered at the end of the day and on weekends. Corus indicated that it has no intention of changing the station's direction and that it intends to maintain the high quality of radio services that the station offers. The applicant added that the station would continue to broadcast the same number of hours of local programming.
7. With respect to the location of CKRS' FM transmitter, Corus noted that it selected the proposed channel based on frequency availability in the region and that it believes that this frequency will offer the best coverage in this instance. Corus added that if it used a transmission site on Mont Valin, it would not be able to protect signals originating in Québec and Cabano. With respect to its recovery efforts for CKRS, Corus pointed out that it is proud of the significant investments already made and that it intends to continue investing in the Saguenay region.
8. Finally, in reply to the Syndicat's question about broadcasting the station's signal on the AM band for a three-month transition period, Corus indicated that it would be preferable to continue broadcasting the CKRS signal on the AM band for a maximum period of 90 days to ensure that moving the CKRS signal to the FM band will not affect the quality of radio service provided to listeners. Corus added that it intends to ask the Commission for similar authorization for its stations CJRC, CHLN and CHLT.

Commission's analysis and determinations

9. In its examination of the application, the Commission noted the Syndicat's comments regarding programming. The Commission is satisfied with the applicant's reply concerning maintaining the station's direction, the high quality of radio services offered by CKRS and the volume of local programming distributed across the broadcast week.

10. Furthermore, the Commission notes the applicant's commitment to continue to contribute \$3,000 annually to MusicAction to satisfy its CTD requirements, as well as its additional \$10,000 annual commitment in the form of scholarships to the ATM program of the CÉGEP at Jonquière and \$10,000 annually to the amateur singing competition, "Chansons en fêtes de St-Ambroise." A **condition of licence** to that effect is set out in the appendix to this decision.
11. With respect to Corus' request to simulcast the new FM station's programming on CKRS for a three-month transition period, the Commission considers that simulcasting the CKRS signal will benefit listeners.
12. In *Exchange of radio assets in Quebec between Astral Media Radio inc. and Corus Entertainment Inc.*, Broadcasting Decision CRTC 2005-15, 21 January 2005, the Commission imposed a condition of licence on CJRC Gatineau, CHLT Sherbrooke, CHLN Trois-Rivières and CKRS Saguenay with respect to the minimum level of local programming to be broadcast by each of these stations. The levels set by the Commission were to be staggered progressively throughout the term of the licence of these stations. This condition of licence held that each station must broadcast at least 27 hours of local programming in each broadcast week during the period ending 2 September 2006, at least 32 hours of local programming in each broadcast week in the period commencing 3 September 2006 and ending 1 September 2007, and at least 37 hours of local programming in each broadcast week during the period commencing 2 September 2007 and ending 31 August 2009.
13. Nevertheless, given the conversion of these stations to the FM band, the Commission considers it unnecessary to renew the condition of licence regarding the level of local programming. The Commission reminds the licensee that, as set out in *Local programming policy for FM radio – Definition of a single-station market*, Public Notice CRTC 1993-121, 17 August 1993, it is a condition of licence for all commercial FM stations serving markets other than single-station markets that the licensee refrain from soliciting or accepting local advertising for broadcast during any broadcast week when less than one-third, i.e., 42 hours, of the programming aired is local.
14. Consequently, in order to solicit or accept local advertising in the markets in question, Corus must broadcast a minimum of 42 hours of local programming over the course of the broadcast week. This represents an increase in local programming when compared to the current conditions of licence of the AM stations.
15. In light of the above, the Commission **approves** the application by 591991 B.C. Ltd., a wholly-owned subsidiary of Corus Entertainment Inc., for a broadcasting licence to operate a French-language commercial FM radio programming undertaking in Saguenay to replace AM station CKRS. The new station will operate at 98.3 MHz (channel 252C1) with an average effective radiated power of 51,000 watts.

16. The licence will expire 31 August 2009 and will be subject to the **conditions** set out in *New licence form for commercial radio stations*, Public Notice CRTC 1999-137, 24 August 1999, with the exception of conditions 5 and 8. The licence will also be subject to the **conditions** set out in the appendix to this decision.
17. Furthermore, the licensee is authorized, by **condition of licence**, to simulcast the programming of the new FM station on CKRS for a transition period of three months following the commencement of operations of the FM station, or for any other period granted by the Commission subsequent to the submission of an application. Pursuant to sections 9(1)(e) and 24(1) of the *Broadcasting Act* (the Act), and consistent with the applicant's request, the Commission **revokes** the broadcasting licence for CKRS Saguenay effective at the end of the simulcast period.

Issuance of the licence

18. 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.
19. The Commission reminds the applicant that, pursuant to section 22(1) of the Act, no licence may be issued until the Department notifies the Commission that its technical requirements have been met, and that a broadcasting certificate will be issued.
20. Furthermore, the licence for this undertaking will be issued once the applicant has informed the Commission in writing that it is prepared to commence operations. The undertaking 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 November 2008. In order to ensure that such a request is processed in a timely manner, it should be submitted at least 60 days before that date.

Employment equity

21. Because this licensee is subject to the *Employment Equity Act* and files reports concerning employment equity with the Department of Human Resources and Skills Development, its employment equity practices are not examined by the Commission.

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>

Appendix to Broadcasting Decision CRTC 2006-640

Conditions of licence

1. The licence is subject to the conditions set out in *New licence form for commercial radio stations*, Public Notice CRTC 1999-137, 24 August 1999, with the exception of conditions 5 and 8.
2. The station shall be operated within the Specialty format as defined in *A Review of Certain Matters Concerning Radio*, Public Notice CRTC 1995-60, 21 April 1995, and *Revised content categories and subcategories for radio*, Public Notice CRTC 2000-14, 28 January 2000, as amended from time to time.
3. Not less than 50% of the programming broadcast during the broadcast week shall be drawn from category 1 (Spoken Word).
4. The licensee shall broadcast, in each broadcast week, not less than 21 hours of spoken word programming of direct and particular relevance to the community served. This programming shall include local news, weather and sports and the promotion of local events and activities.
5. The licensee shall contribute \$23,000 annually to Canadian talent development during the first seven years of operation. This annual contribution shall be distributed as follows:
 - \$3,000 to MusicAction;
 - \$10,000 in the form of scholarships to the Art et technologie des medias program of the CÉGEP at Jonquière; and
 - \$10,000 to the amateur singing competition, “Chansons en fêtes de St-Ambroise.”