



Broadcasting Decision CRTC 2010-383

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Route reference: 2010-45

Ottawa, 16 June 2010

Erin Community Radio

Erin, Ontario

Application 2010-0002-5, received 4 January 2010

CHES-FM Erin – Technical change

*The Commission **approves** the application by Erin Community Radio to amend the broadcasting licence for the low-power, English-language Type B community FM radio station CHES-FM Erin by changing the frequency and modifying the authorized contours.*

Introduction

1. The Commission received an application by Erin Community Radio (ECR) to amend the broadcasting licence for the low-power, English-language Type B community FM radio programming undertaking CHES-FM Erin in order to change the frequency from 101.5 MHz (channel 268LP) to 88.1 MHz (channel 201A1) and to modify the station's authorized contours by increasing its maximum effective radiated power (ERP) from 50 to 250 watts, by changing its antenna's radiation pattern from non-directional to directional and by increasing the effective height of the antenna above average terrain (EHAAT) from 44 to 63 metres.
2. The licensee stated that the increase in power would allow the station to cover much more of the town of Erin and would help it to fulfill its original mandate. Further, it would give the station a stronger audience base, which would ensure its future economic and artistic health. The licensee also stated that the change in frequency was necessary because the proposed power increase would not be possible on its current frequency due to the over-crowded nature of the FM spectrum in southern Ontario.
3. The Commission received several interventions in support of this application, as well as several interventions in opposition. The interventions and the applicant's reply to the opposing interventions can be found on the Commission's website at www.crtc.gc.ca under "Public Proceedings."

Commission's analysis and determinations

4. The opposing interventions expressed concerns relating to how approval of the present application would affect CKLN-FM Toronto, which is owned and operated by CKLN Radio Incorporated (CKLN Radio). Specifically, the opposing interveners noted the possibility of interference between the two stations and the possibility that CKLN-FM would not be able to expand its coverage. The Commission notes that ECR's proposed directional antenna would direct CHES-FM's signal towards the cities of Brampton and Mississauga, thereby minimizing any potential interference. In regard to CKLN-FM's expansion of coverage, the Commission notes that should CKLN Radio file an application for an increase in its station's power, that application would be assessed at that time through a public process, leading to a Commission determination on the matter. The Commission considers that the above-noted efforts by ECR, along with a letter of understanding between ECR and CLKN Radio that explains how both parties have resolved their dispute, address the concerns expressed in the opposing interventions.

Conclusion

5. In light of the above, the Commission **approves** the application by Erin Community Radio to amend the broadcasting licence for the low-power, English-language Type B community FM radio programming undertaking CHES-FM Erin in order to change the frequency from 101.5 MHz (channel 268LP) to 88.1 MHz (channel 201A1) and to modify the station's authorized contours by increasing its maximum ERP from 50 to 250 watts, by changing its antenna's radiation pattern from non-directional to directional and by increasing the antenna's EHAAT from 44 to 63 metres. The Commission notes that this change will result in the station's status changing from that of a low-power unprotected service to that of a regular, Class A1 protected service.
6. 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.
7. 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 a broadcasting certificate will be issued.

Secretary General

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