



## Broadcasting Decision CRTC 2011-107

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Route reference: 2010-715

Ottawa, 18 February 2011

### Canadian Broadcasting Corporation

Yellowknife, Northwest Territories and various locations in Northwest Territories, the Yukon Territory and Nunavut

*Application 2010-1048-8, received 22 June 2010*

*Public Hearing in the National Capital Region*

*26 November 2010*

### CFYK-TV Yellowknife – New regional television station

*The Commission **approves** an application by the Canadian Broadcasting Corporation for a broadcasting licence to operate an English-language regional television station in Yellowknife (CFYK-TV) and to rebroadcast CFYK-TV's programming on its existing transmitters located throughout the Northwest Territories, the Yukon Territory and Nunavut.*

#### Introduction

1. The Commission received an application by the Canadian Broadcasting Corporation (CBC) for a broadcasting licence to operate an English-language regional television programming undertaking in Yellowknife (CFYK-TV) and to rebroadcast CFYK-TV's programming on its existing transmitters located throughout the Northwest Territories, the Yukon Territory and Nunavut.
2. CFYK-TV and all of its related transmitters currently operate as licensed radiocommunication distribution undertakings (RDUs)<sup>1</sup> or as exempt RDU services.<sup>2</sup> All of the transmitters broadcast the programming of the CBC Northern television service.
3. CBC proposed a licence term coinciding with that of other CBC stations. Those licences expire 31 March 2011.<sup>3</sup>
4. The CBC stated that the CFYK-TV transmitter would continue to operate on channel 8 with an average effective radiated power (ERP) of 2,400 watts (maximum ERP of 4,200 watts with an effective height of the antenna above average terrain of 62.48 meters).

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<sup>1</sup> Broadcasting Decisions 2007-183, 2007-184 and 2007-185

<sup>2</sup> Broadcasting Public Notice [2002-45](#)

<sup>3</sup> See Broadcasting Decision 2010-561.

5. The licensee committed to broadcast from seven to ten hours of local programming per broadcast week on CFYK-TV. The CBC also confirmed that CFYK-TV would abide by the same terms and conditions as other CBC television stations, as set out in Decision 2000-1.

## Intervention

6. The Commission received one intervention commenting on the application from Nah Ho Productions Inc. The Commission is satisfied with the applicant's reply. The intervention and the reply are available on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) under "Public Proceedings."

## Commission's analysis and determinations

7. The Commission is of the view that it is appropriate to licence CFYK-TV and its transmitters as a television programming undertaking with various transmitters rather than as RDUs. Such an approach would be consistent with the practice for other CBC stations. Accordingly, the Commission **approves** the application by the Canadian Broadcasting Corporation for a broadcasting licence to operate an English-language regional television programming undertaking in Yellowknife (CFYK-TV) and to rebroadcast CFYK-TV television programming on its existing transmitters located throughout the Northwest Territories, the Yukon Territory and Nunavut. The licence will expire 31 March 2011 and will be subject to the **conditions** specified therein as well as to the terms and **conditions** set out in Appendix 1 to this decision.
8. In Broadcasting Regulatory Policy 2010-167, the Commission stated that it intends to review all of the CBC's conventional and specialty television licences at its upcoming licence renewal and will determine, at that time, whether any of the elements of the group-based approach are applicable to the public broadcaster.
9. The Commission notes that the technical parameters and authorized contours of CFYK-TV and its rebroadcasting transmitters remain unchanged. A list of transmitters is set out in Appendix 2 to this decision.

## Local programming

10. CFYK-TV will be subject to harmonized standard conditions of licence for local programming for non-metropolitan markets,<sup>4</sup> which require a minimum of seven hours of local programming per broadcast week, including news. The Commission notes the CBC's commitment to broadcast seven to ten hours of local programming and reminds the CBC that the harmonized standard conditions of licence represent only a set minimum and that it expects the amount of local programming to be adjusted upward to reflect market conditions where appropriate.

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<sup>4</sup> Broadcasting Regulatory Policy 2009-406

### **Local Programming Improvement Fund eligibility**

11. The CBC requested that CFYK-TV be eligible to participate in the Local Programming Improvement Fund (LPIF), which supports the local programming efforts of small market television stations, as outlined in Broadcasting Regulatory Policy 2009-406.
12. The Commission notes that eligibility of CFYK-TV for LPIF funding will be addressed separately by the LPIF Oversight Panel, as provided in Broadcasting Information Bulletin 2010-333.

### **Implementation of the Accessibility Policy**

13. In Broadcasting and Telecom Regulatory Policy 2009-430, paragraph 117, the Commission stated its intention to impose conditions of licence relating to accessibility provisions on television broadcasters at the time of their licence renewals. Accordingly, the Commission will consider imposing such conditions of licence on CFYK-TV at the time of licence renewal. In the meantime, the Commission expects the station to adhere to the applicable accessibility requirements specified in Broadcasting and Telecom Regulatory Policy 2009-430.

### **Employment equity**

14. As the 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.

### **Digital transition**

15. The CBC stated that it intends to convert its CFYK-TV Yellowknife transmitter to digital. On 21 December 2010, the Commission approved an application by the CBC for a technical amendment to implement a digital transmitter to serve Yellowknife. In Broadcasting Regulatory Policy 2009-406, the Commission stated its expectation that conventional broadcasters convert their full-power, over-the-air analog transmitters to digital in mandatory markets<sup>5</sup> by 31 August 2011. Further, the Commission does not intend to renew authorizations for the CBC's transmitters operating on channels 52 to 69 or in analog in mandatory markets past 31 August 2011.

### **Revocation of radiocommunication distribution undertaking licences**

16. In light of this decision, the Commission revokes the licences of the radiocommunication distribution undertakings serving Fort Providence, Hay River, Inuvik, Rae/Edzo (Belchoko), and Yellowknife, Northwest Territories; Cape Dorset, Nunavut; and Dawson City, Watson Lake, and Whitehorse, Yukon Territory, upon issuance of the licence for the television station approved in this decision.

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<sup>5</sup> For a list of affected transmitters, see Broadcasting Information Bulletin 2010-719, as corrected by Broadcasting Information Bulletin 2010-719-1.

## Secretary General

### Related documents

- *Analog transmitters mandated for digital conversion, or operating on channels 52 to 69 in non-mandatory markets*, Broadcasting Information Bulletin CRTC 2010-719, as corrected by Broadcasting Information Bulletin CRTC 2010-719-1, 4 October 2010
- *Administrative renewals*, Broadcasting Decision CRTC 2010-561, 9 August 2010
- *Local Programming Improvement Fund*, Broadcasting Information Bulletin CRTC 2010-333, 31 May 2010
- *A group-based approach to the licensing of private television services*, Broadcasting Regulatory Policy CRTC 2010-167, March 2010
- *Accessibility of telecommunications and broadcasting services*, Broadcasting and Telecom Regulatory Policy CRTC 2009-430, 21 July 2009
- *Policy determinations resulting from the 27 April 2009 public hearing*, Broadcasting Regulatory Policy CRTC 2009-406, 6 July 2009
- *Radiocommunication distribution undertaking – Licence renewal*, Broadcasting Decision CRTC 2007-185, 18 June 2007
- *Radiocommunication distribution undertaking – Licence renewal*, Broadcasting Decision CRTC 2007-184, 18 June 2007
- *Radiocommunication distribution undertaking – Licence renewal*, Broadcasting Decision CRTC 2007-183, 18 June 2007
- *Exemption order respecting radiocommunication distribution undertakings*, Broadcasting Public Notice CRTC 2002-45, 12 August 2002
- *Licences for CBC English-language television and radio renewed for a seven-year term*, Decision CRTC 2000-1, 6 January 2000

# Appendix 1 to Broadcasting Decision CRTC 2011-107

## Terms, conditions of licence and expectation

### Terms

**Issuance of the broadcasting licence to the Canadian Broadcasting Corporation to operate an English-language television programming undertaking to serve Yellowknife, Northwest Territories with transmitters in various locations in the Northwest Territories, the Yukon Territory and Nunavut**

The transmitter serving Yellowknife will operate on channel 8 with an average effective radiated power (ERP) of 2,400 watts (maximum ERP of 4,200 watts with an effective height of the antenna above average terrain of 62.48 meters). The technical parameters and authorized contours of CFYK-TV Yellowknife and its rebroadcasting transmitters will remain unchanged and be operated according to the current technical specifications of the respective undertakings.

The licence will expire 31 March 2011.

### Conditions of licence

1. The licence will be subject to the terms and conditions set out in Appendix (Part 1) to *Licences for CBC English-language television and radio renewed for a seven-year term*, Decision CRTC 2000-1, 6 January 2000.
2. The licensee shall broadcast a minimum of seven hours of local programming per broadcast week.

### Expectation

The Commission expects the station to adhere, as soon as possible, to the applicable accessibility requirements specified in *Accessibility of telecommunications and broadcasting services*, Broadcasting and Telecom Regulatory Policy CRTC 2009-430, 21 July 2009.

## **Appendix 2 to Broadcasting Decision CRTC 2011-107**

### **Transmitters for CFYK-TV Yellowknife**

#### **Northwest Territories**

Aklavik CBEX-TV Ch. 13  
Deline (Fort Franklin) CBETT Ch. 9  
Fort Good Hope CBEST Ch. 9  
Fort Mcpherson CHAK-TV-1 Ch. 13  
Fort Providence CBEBT-3 Ch. 13  
Fort Resolution CBEV-TV Ch. 9  
Fort Simpson CBEGT Ch. 9  
Fort Smith CBEAT Ch. 8 +  
Hay River CBEBT-1 Ch. 7  
Inuvik CHAK-TV Ch. 6  
Norman Wells CBEDT Ch. 9  
Rae/Edzo CFYK-TV-1 Ch. 10  
Tuktoyaktuk CBEPT Ch. 8  
Yellowknife CFYK-DT Ch.8

#### **Yukon Territory**

Dawson CBDDT Ch. 7  
Elsa CBKHT-1 Ch. 9  
Faro CBDBT Ch. 8  
Mayo CBKHT-2 Ch. 7  
Watson Lake CBDAT Ch. 8 +  
Whitehorse CFWH-TV Ch. 6

#### **Nunavut**

Arviat (Eskimo Point) CBEHT Ch. 9  
Baker Lake CBEIT Ch. 9  
Cambridge Bay CBENT Ch. 9  
Cape Dorset CBEJT Ch. 9  
Gjoa Haven CBERT Ch. 9  
Igloolik CBII-TV Ch. 9  
Iqaluit CFFB-TV Ch. 8  
Kugluktuk (Coppermine) CBEOT Ch. 9  
Pangnirtung CBEKT Ch. 9  
Pond Inlet CBELT Ch. 9  
Rankin Inlet CBECT Ch. 9  
Resolute Bay CBEMT Ch. 9  
Taloyoak (Spence Bay) CBEQT Ch. 9