



Broadcasting Decision CRTC 2011-7

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Route reference: 2010-551

Ottawa, 7 January 2011

7253231 Canada Limited
Prince Edward County, Ontario

Application 2010-0549-7, received 31 March 2010
Public Hearing in Saskatoon, Saskatchewan
6 October 2010

English-language FM radio station in Prince Edward County

*The Commission **denies** an application for a broadcasting licence to operate an English-language commercial FM station in Prince Edward County, Ontario.*

The application

1. The Commission received an application by 7253231 Canada Limited (7253231 Canada) for a broadcasting licence to operate an English-language commercial FM radio programming undertaking in Prince Edward County, Ontario.
2. The new station would offer an Adult Album Alternative music format.

Interventions and applicant's reply

3. The Commission received interventions in support of the application. It also received opposing interventions from My Broadcasting Corporation (MBC) and the not-for-profit member corporation Concerned Citizens of Prince Edward County (Concerned Citizens), as well as from Starboard Communications Ltd. jointly with Quinte Broadcasting Company Limited (Starboard/Quinte).
4. Both Starboard/Quinte and MBC submitted that the proposed FM station would not represent a first service in the market, as stated by 7253231 Canada in its application. Starboard/Quinte, who collectively operate five stations in Belleville, Ontario, stated that the application was for a sixth commercial radio station to serve the Belleville-Trenton Central Area, to which Prince Edward County belongs. They also indicated that they already provide strong programming service to Prince Edward County. MBC further noted that the applicant proposed to use the same size of transmitter and the same tower as its station CKYM-FM Napanee and submitted that approval of the application would have a negative financial impact on its station.

5. Concerned Citizens indicated that the applicant had no Prince Edward County connections and that therefore there would be no local ownership. The intervener was also dissatisfied with the proposed programming, stating that the proposed station would do little to benefit the residents of Prince Edward County.
6. In reply to the interventions from Starboard/Quinte and MBC, the applicant maintained that its proposed FM station would represent a first service in the market and that the market was distinct from Belleville and Napanee. 7253231 Canada acknowledged that Prince Edward County was located within the Belleville-Trenton Central Area as defined by BBM Canada. However, the applicant indicated that the 3 mV/m contour of the proposed station did not cover this entire area and that there were no originating stations located within the proposed contour licensed to serve Prince Edward County.
7. In reply to the intervention from Concerned Citizens regarding local ownership, the applicant indicated that the vast majority of radio stations are owned and operated by organizations the majority ownership of which does not reside in the market. The applicant submitted that having a locally focused station with an experienced management team to provide a high-quality service that meets the needs of listeners and advertisers should be the priority.

Commission's analysis and determination

8. The Commission notes that even though the applicant stated that it was proposing a first service for Prince Edward County, its technical parameters are such that it would serve a market already served by several stations located in Napanee and Belleville. A review of the technical parameters shows that there is significant overlap between the primary contour of the proposed station and the contours of existing stations in Belleville and Napanee and that the primary contours of these stations also encompass a large portion of Prince Edward County.
9. Given the market identified by the applicant and the financial performance of the radio stations in Belleville and Napanee, the Commission considers that the introduction of a new station in Prince Edward County could have a considerable negative financial impact on stations already serving the market.
10. Accordingly, the Commission **denies** the application by 7253231 Canada Limited for a broadcasting licence to operate an English-language commercial FM radio programming undertaking in Prince Edward County, Ontario.

Secretary General