



Broadcasting Decision CRTC 2012-187

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Ottawa, 30 March 2012

Canadian Broadcasting Corporation
Kamloops and Kelowna, British Columbia

*Applications 2011-1262-2 and 2011-1268-0, received 9 September 2011
Public hearing in Miramichi, New Brunswick
16 January 2012*

New English-language FM radio station in Kamloops, and licence amendment for CBTK-FM Kelowna

*The Commission **approves** the application by the Canadian Broadcasting Corporation (CBC) for a broadcasting licence to operate an English-language FM radio station in Kamloops, British Columbia.*

*The Commission also **approves**, subject to an amendment, the application by the CBC to amend the broadcasting licence for CBTK-FM Kelowna in order to delete various transmitters from that licence.*

*Finally, the Commission **approves** the application by the CBC to add the above-noted transmitters of CBTK-FM to the broadcasting licence for the new FM radio station in Kamloops.*

Introduction

1. The Commission received an application (2011-1268-0) by the Canadian Broadcasting Corporation (CBC) for a broadcasting licence to operate an English-language FM radio programming undertaking in Kamloops, British Columbia. The new station would replace the CBC's existing transmitter CBYK-FM Kamloops, using its current technical parameters. The new station would therefore operate at 94.1 MHz (channel 231) with an effective radiated power of 4,750 watts (non-directional antenna with an effective height of antenna above average terrain of 124 metres).
2. The CBC indicated that the new station would provide, during each broadcast week, a minimum of 12 hours and 30 minutes of local programming originating in Kamloops, and that this programming would consist of a mix of local, national and international news, up-to-date weather forecasts and road conditions, sports coverage, interviews

and short documentaries. It also indicated that the new station would continue to broadcast programming received from its national Radio One network.

3. The Commission also received an application (2011-1262-2) by the CBC to amend the broadcasting licence for CBTK-FM Kelowna in order to delete the following of that station's transmitters, all located in British Columbia:

CBKM Blue River	CBTG Gold Bridge	CBUU Clinton
CBKN Shalalth	CBTO-FM Revelstoke	CBWA Ashcroft
CBKS Cache Creek	CBTY-FM Lytton	CBXA Mica Dam
CBKZ Clearwater	CBUC-FM Salmon Arm	CBYE-FM Logan Lake
CBRL Williams Lake	CBUH-FM Chase	CBYO-FM Barriere
CBRN-FM Northbend	CBUL Lillooet	CBYU-FM Alexis Creek
CBRZ Bralorne	CBUP Merritt	CBYZ-FM Vavenby
CBTF-FM Falkland	CBUS-FM 100 Mile House	

4. Finally, in application 2011-1268-0, the CBC requested authorization to add the transmitters set out in the list above to the broadcasting licence for the proposed Kamloops radio station. The applicant indicated that the technical parameters of those transmitters would remain unchanged.
5. The Commission received numerous interventions in support of these applications, as well as an intervention from the City of Salmon Arm in opposition to the application for the licence amendment. The public record for this application can be found on the Commission's website at www.crtc.gc.ca under "Public Proceedings."

Commission's analysis and decisions

6. After examining the public record for these applications in light of applicable regulations and policies, the Commission considers that the issue it must address is whether the transmitters CBUC-FM and CBTO-FM should be added to the broadcasting licence for the proposed radio station in Kamloops or should remain transmitters of CBTK-FM.
7. Several interveners from Salmon Arm and surrounding areas expressed their support in receiving originating programming from Kamloops, arguing that it was a "better fit geographically" than programming currently received from the Kelowna station CBTK-FM. Although the City of Salmon Arm voiced its support for the application regarding a new radio station in Kamloops, it requested that CBUC-FM be deleted from the list of transmitters set out above and continue rebroadcasting programming from CBTK-FM. Noting that Salmon Arm's geo-political affiliations are much more in line with the communities within the District of North Okanagan, which includes Kelowna, it argued that changing the originating programming to that of the Kamloops station "would likely result in a serious disconnect in relevant regional coverage for residents of Salmon Arm."

8. In its reply to the intervention by the City of Salmon Arm, the CBC described the intervener's request as reasonable. It further requested that its Revelstoke transmitter CBTO-FM also be deleted from the list of transmitters set out above and remain a transmitter of CBTK-FM.
9. Based on the interventions received, the Commission considers that it would be appropriate for CBUC-FM to continue broadcasting programming from CBTK-FM, as originally requested by the CBC. The Commission notes that this would not cause any undue harm to Salmon Arm as it would ultimately serve to maintain the status quo, and would enable the station to better serve listeners from that city, as argued by the City of Salmon Arm in its opposing intervention.
10. In regard to the CBC's request relating to CBTO-FM, the Commission notes that this request was made during the intervention reply process and was not triggered by anyone from the city of Revelstoke. Consequently, parties to the proceeding were not provided with an opportunity to comment on how this request by the CBC might affect them. In light of the above, the Commission does not consider it appropriate to consider this request at this time. Accordingly, the Commission considers that CBTO-FM should be retained on the list of transmitters to be added to the broadcasting licence for the proposed station, as originally requested by the CBC.
11. However, if the CBC wishes to delete the transmitter CBTO-FM from the broadcasting licence for the proposed station and add this transmitter to the broadcasting licence for CBTK-FM, the licensee should file an application with the Commission consistent with Part 1 (Rules applicable to broadcasting and telecommunications) of the *CRTC Rules of Practice and Procedure*.

Conclusion

12. In light of the above, the Commission **approves** the application by the Canadian Broadcasting Corporation for a broadcasting licence to operate an English-language FM radio station in Kamloops, British Columbia.
13. In addition, the Commission **approves**, subject to an amendment, the CBC's request to delete various transmitters from the broadcasting licence for CBTK-FM Kelowna and to add them to the broadcasting licence for the new radio station in Kamloops. These transmitters are as follows:

CBKM Blue River	CBTF-FM Falkland	CBUU Clinton
CBKN Shalalth	CBTG Gold Bridge	CBWA Ashcroft
CBKS Cache Creek	CBTO-FM Revelstoke	CBXA Mica Dam
CBKZ Clearwater	CBTY-FM Lytton	CBYE-FM Logan Lake
CBRL Williams Lake	CBUH-FM Chase	CBYO-FM Barriere
CBRN-FM Northbend	CBUL Lillooet	CBYU-FM Alexis Creek
CBRZ Bralorne	CBUP Merritt	CBYZ-FM Vavenby
	CBUS-FM 100 Mile House	

14. The terms and **conditions of licence** for this undertaking and for its transmitters are set out in the appendix to this decision. The Commission notes that these conditions of licence are the standard conditions of licence currently imposed on the CBC Radio One service CBTK-FM Kelowna. Furthermore, in *Administrative renewals*, Broadcasting Decision CRTC 2011-527, 25 August 2011, the Commission administratively renewed the broadcasting licence for CBTK-FM and its transmitters from 1 September 2011 to 1 March 2013. Accordingly, the broadcasting licence for the new FM radio programming undertaking approved in the present decision and its transmitters set out in the list above will expire 1 March 2013.

Secretary General

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

Appendix to Broadcasting Decision CRTC 2012-187

Terms and conditions of licence

Terms

Issuance of the broadcasting licence to operate an English-language FM radio programming undertaking in Kamloops, British Columbia

The licence will expire 1 March 2013.

The station will operate on frequency 94.1 MHz (channel 231) with an effective radiated power of 4,750 watts (non-directional antenna with an effective height of antenna above average terrain of 124 metres).

The transmitters listed below will continue to operate at their current frequencies using the existing technical parameters, as currently approved by the Department of Industry.

CBKM Blue River	CBTF-FM Falkland	CBUU Clinton
CBKN Shalalth	CBTG Gold Bridge	CBWA Ashcroft
CBKS Cache Creek	CBTO-FM Revelstoke	CBXA Mica Dam
CBKZ Clearwater	CBTY-FM Lytton	CBYE-FM Logan Lake
CBRL Williams Lake	CBUH-FM Chase	CBYO-FM Barriere
CBRN-FM Northbend	CBUL Lillooet	CBYU-FM Alexis Creek
CBRZ Bralorne	CBUP Merritt	CBYZ-FM Vavenby
	CBUS-FM 100 Mile House	

Conditions of licence

1. The licensee shall not broadcast any commercial message of category 5 (Advertising) except:
 - a. during programs that are available to the licensee only on a sponsored basis; or
 - b. as required to fulfil the requirements of the legislation of the Parliament of Canada pertaining to elections.
2. The licensee shall ensure that no less than 50% of musical selections from content category 2 (Popular Music) broadcast during each broadcast week are Canadian selections broadcast in their entirety, and that these selections are scheduled in a reasonable manner throughout the broadcast day.
3. The licensee shall ensure that no less than 20% of musical selections from content category 3 (Special Interest Music) broadcast during each broadcast week are Canadian selections broadcast in their entirety.

4. The licensee shall adhere to the *Equitable Portrayal Code*, as amended from time to time and approved by the Commission.

For the purposes of these conditions of licence, the term “content category” shall have the same meaning as that set out in the *Radio Regulations, 1986*.