



Broadcasting Decision CRTC 2013-204

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Route reference: 2012-560

Ottawa, 25 April 2013

Canadian Broadcasting Corporation
Montréal, Sherbrooke and Trois-Rivières, Quebec

*Applications 2012-0903-1, 2012-0932-0, 2012-0902-3 and 2012-0883-5, received
24 July 2012*

*Public hearing in the National Capital Region
11 December 2012*

New radio stations in Sherbrooke and Trois-Rivières

CBFX-FM Montréal – Licence amendments

1. The Commission **approves** two applications filed by the Canadian Broadcasting Corporation (CBC) for broadcasting licences to operate new French-language FM radio programming undertakings at Trois-Rivières and Sherbrooke (applications 2012-0902-3 and 2012-0903-1). The terms and **conditions of licence** are set out in the appendix to this decision.
2. The new stations will replace the transmitters CBFX-FM-1 Trois-Rivières and CBFX-FM-2 Sherbrooke of CBFX-FM Montréal. The Trois-Rivières and Sherbrooke stations will offer at least 20 minutes of local programming in each broadcast week. Local programming will include regional cultural features and, for certain programs, a local host who will cover regional news, including regional cultural news. The local content broadcast by these stations will be different from that broadcast by the other stations on the Espace musique network. The remainder of the programming for the Trois-Rivières and Sherbrooke stations will come from the Espace musique network.
3. The Trois-Rivières station will operate at 104.3 MHz (channel 282C1) with an average effective radiated power (ERP) of 45,400 watts (maximum ERP of 100,000 watts with an effective height of antenna above average terrain (EHAAT) of 249.7 metres). The Sherbrooke station will operate at 90.7 MHz (channel 214B) with an ERP of 25,000 watts (non-directional antenna with an EHAAT of 173 metres).
4. The Commission notes that it received two interventions regarding these applications: one in support and a comment, to which the licensee replied. The only concern raised in the interventions was in regard to the broadcast of national advertising on the Espace musique network and more particularly, on the stations authorized in this decision.

5. The CBC requested that the new stations be subject to the same conditions of licence as those in effect for CBFX-FM Montréal, as set out in Broadcasting Decision 2001-531. The Commission notes that under their current conditions of licence, stations belonging to the Espace musique network are not authorized to broadcast advertising.¹ The issue of the broadcasting of national advertising on the Espace musique network will be examined in the context of the proceeding on the renewal of the licences for the network and its stations announced in Broadcasting Notice of Consultation 2011-379.
6. Since this issue will be examined in the context of the renewal of other licences belonging to the CBC and since the licences granted in this decision will not be discussed in the context of that proceeding, the Commission's decision as regards national advertising will not apply to the new stations.
7. In addition, the licensee requested that the licences expire on the same date as the licence for CBFX-FM Montréal. However, the Commission notes that the licence for CBFX-FM expires on 31 August 2013. The Commission considers it appropriate to license the new stations for a period that exceeds the current expiry date for CBFX-FM's licence. The licences will therefore expire on 31 August 2019.
8. Moreover, in the event that the conditions of licence imposed on the stations belonging to the Espace musique network in the context of the licence renewal differ from the current conditions, the CBC will be required to submit a licence amendment application if it wishes to harmonize the conditions of licence of the stations authorized in this decision with those that will be imposed on the stations belonging to the Espace musique network following the proceeding initiated in Broadcasting Notice of Consultation 2011-379.
9. Finally, in light of the approval of the afore mentioned applications, the Commission **approves** the CBC's applications to amend the broadcasting licence for the French-language radio programming undertaking CBFX-FM Montréal by deleting the rebroadcasting transmitters CBFX-FM-1 Trois-Rivières (application 2012-0883-5) and CBFX-FM-2 Sherbrooke (application 2012-0932-0) from this licence. The Commission notes that deletion will occur at the time that the new FM station approved above is prepared to commence operations.

Employment equity

10. 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

¹ "Advertising" is defined in Broadcasting Regulatory Policy 2010-819.

Related documents

- *Licence renewals for the Canadian Broadcasting Corporation's French- and English-language services*, Broadcasting Notice of Consultation CRTC 2011-379, 17 June 2011
- *Revised content categories and subcategories for radio*, Broadcasting Regulatory Policy 2010-819, 5 November 2010
- *Licence renewal for CBC stations affiliated to La Chaîne culturelle*, Decision CRTC 2001-531, 31 August 2001

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

Appendix to Broadcasting Decision CRTC 2013-204

Terms, conditions of licence and expectations for the French-language radio programming undertakings CBFX-FM-1 Trois-Rivières and CBFX-FM-2 Sherbrooke, Quebec

Terms

The licences will expire 31 August 2019.

The station CBFX-FM-1 Trois-Rivières will operate at 104.3 MHz (channel 282C1) with an average effective radiated power (ERP) of 45,400 watts (maximum ERP of 100,000 watts with an effective height of antenna above average terrain (EHAAT) of 249.7 metres).

The station CBFX-FM-2 Sherbrooke will operate at 90.7 MHz (channel 214B) with an ERP of 25,000 watts (non-directional antenna with an EHAAT of 173 metres).

Conditions of licence

1. The licensee shall not broadcast any commercial messages belonging to content 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. In each broadcast month, the licensee shall devote at least 50% of its musical selections from content category 2 (Popular Music) to Canadian musical selections.
3. In each broadcast month, the licensee shall devote at least 20% of its musical selections from content category 3 (Special Interest Music) to Canadian musical selections scheduled in a reasonable manner throughout the broadcast day.
4. The licensee must adhere to its self-regulatory guidelines on sex-role portrayal, as amended from time to time and approved by the Commission, and at a minimum to the *Equitable Portrayal Code*, as amended from time to time and approved by the Commission.

Expectations

The Commission expects the licensee to broadcast at least 85% of vocal music selections from content category 2 in each broadcast month in the French language, to limit English-language vocal music selections to 5% and to ensure that the latter are Canadian.

The Commission also expects the licensee to broadcast at least 20 minutes of local programming in each broadcast week.