



## Broadcasting Decision CRTC 2013-397

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Route reference: 2013-154

Ottawa, 9 August 2013

**Vista Radio Ltd.**  
Creston, British Columbia

*Application 2012-1113-5, received 29 May 2012*  
*Public hearing in the National Capital Region*  
*27 May 2013*

### English-language commercial FM radio station in Creston

*The Commission **approves** an application for a broadcasting licence to operate an English-language commercial FM radio station in Creston, British Columbia.*

#### The application

1. The Commission received an application by Vista Radio Ltd. (Vista) for a broadcasting licence to operate an English-language commercial FM radio station in Creston, British Columbia.
2. Vista is a corporation controlled by Westerkirk Capital Inc., which is controlled by Thompson Investments Limited.
3. The station would operate at 94.1 MHz (channel 231C1) with an average effective radiated power (ERP) of 1,100 watts (maximum ERP of 2,800 watts with an effective height of antenna above average terrain of 602 metres).<sup>1</sup>
4. The station would offer an Adult Hits/Hot Adult Contemporary hybrid music format that would target adults aged 35 to 54, particularly women. The applicant indicated that it would broadcast at least 126 hours of local programming in each broadcast week. This would include 7 hours of spoken word programming, of which 3 hours and 44 minutes would be devoted to news bulletins and 3 hours and 21 minutes to pure news. The station would also broadcast weather, sports and special reports on music news, road conditions, ski and outdoor activity conditions and entertainment and local events.

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<sup>1</sup> These technical parameters reflect those approved by the Department of Industry.

## **Interventions and applicant's reply**

5. The Commission received interventions regarding this application: one in support, two opposed and one comment. The opposing interventions were filed by the Creston Community Radio Society (Creston Valley), licensee of CIDO-FM, the Creston community radio station and by the Nelson-Creston Constituency of the Green Party (Nelson-Creston). The comment was filed by the National Campus and Community Radio Association (NCRA). The public record for this application can be found on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) under "Public Proceedings."
6. Creston Valley and Nelson-Creston stated that the arrival of a new commercial radio station would have an undue impact on the community radio station CIDO-FM. Specifically, they submitted that advertising revenues were insufficient in Creston to support a new station. Although the NCRA did not oppose Vista's application, it was also concerned about the impact that a new radio station in Creston could have on CIDO-FM.
7. In reply, Vista stated that the interventions were based mainly on the argument that advertising revenues were insufficient in Creston to allow for an additional radio station and that the approval of its application would threaten the existence of CIDO-FM. Vista submitted that community radio stations and commercial radio stations obtain their revenues from different sources and stated that it wished to reassure the interveners that it respected the role of community radio and that it had previously coexisted with community radio stations in other locations, such as in Smithers, British Columbia.

## **Commission's analysis and decisions**

8. Creston is a town of approximately 5,300 residents. It is currently served by the low-power community radio station CIDO-FM and by CFKC, which rebroadcasts the programming of CJAT-FM Trail on the AM band.
9. The Commission notes that if it were to approve Vista's application, the new station would become the first local commercial FM radio station in Creston. The closest commercial radio stations are CHBZ-FM and CHDR-FM. These stations operate in the Cranbrook market, approximately 71 kilometres from Creston, and are owned by Jim Pattison Broadcasting. CFKC is a rebroadcaster of CJAT-FM, a station now owned by BCE Inc. and located approximately 87 kilometres from Creston. Until 27 May 2013, CJAT-FM was owned by Astral Media inc. (Astral). On 27 May 2013, the Commission approved an application by Astral and its licensed broadcasting subsidiaries for authority to change the effective control of Astral's broadcasting undertakings to BCE Inc. The Commission notes that Jim Pattison Broadcasting and Astral were not opposed to this application.
10. The Commission noted that Creston Valley expressed concern that the Creston market could not support a new radio station due to insufficient advertising revenue and that the approval of Vista's application would threaten the existence of its

community station. CIDO-FM was licensed in *Community FM radio station in Creston*, Broadcasting Decision CRTC 2005-38, 3 February 2005 and has been in operation since 2007. The Commission further notes that this low-power community radio station is owned by a not-for-profit organization and operated by volunteers. It offers a variety of popular music (category 2) and special interest music (category 3). The station's revenue depends mainly on government grants and donations.

11. The Commission recognizes that approval of this application could cause some advertising revenue to be redirected from CIDO-FM to the new station. However, the Commission notes that CIDO-FM reported modest advertising revenues in previous years. The Commission therefore considers that the station relies mainly on non-commercial revenue sources to finance its operations.
12. Although the addition of a commercial radio station to the Creston market may have a negative impact on CIDO-FM, the Commission considers that the approval of this application would bring significant benefits to Creston listeners, including:
  - the addition of a local service operated by an experienced broadcaster who has the necessary resources to offer quality programming that is relevant to the community;
  - a platform for local companies to advertise their products and services to Creston residents;
  - increased diversity of musical formats available in the market through the addition of an Adult Hits/Hot Adult Contemporary music format; and
  - increased diversity of voices in the Creston community.
13. In light of all of the above, the Commission **approves** the application by Vista Radio Ltd. (Vista) for a broadcasting licence to operate an English-language commercial FM radio programming undertaking in Creston, British Columbia. The licence will be subject to the terms and **conditions of licence** set out in the appendix to this decision.
14. The Commission reminds the applicant that it must comply with Canadian content development contribution requirements set out in section 15 of the *Radio Regulations, 1986*, as amended from time to time.

#### **Employment equity**

15. Because this licensee is subject to the *Employment Equity Act* and files reports with the Department of Human Resources and Skills Development, its employment equity practices are not examined by the Commission.

Secretary General

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

## **Appendix to Broadcasting Decision CRTC 2013-397**

### **Terms and conditions of licence for the English-language commercial FM radio programming undertaking in Creston, British Columbia**

#### **Terms**

The licence will take effect 1 September 2013 and expire 31 August 2020.

The station will operate at 94.1 MHz (channel 231C1) with an average effective radiated power (ERP) of 1,100 watts (maximum ERP of 2,800 watts with an effective height of antenna above average terrain of 602 metres).

The Commission reminds the applicant that pursuant to section 22(1) of the *Broadcasting Act*, no licence may be issued until the Department of Industry notifies the Commission that its technical requirements have been met and that a broadcasting certificate will be issued.

Furthermore, the licence for this undertaking will be issued once the applicant has informed the Commission in writing that it is prepared to commence operations. The undertaking must be operational at the earliest possible date and in any event no later than 24 months from the date of this decision, unless a request for an extension of time is approved by the Commission before **9 August 2015**. In order to ensure that such a request is processed in a timely manner, it should be submitted at least 60 days before this date.

#### **Conditions of licence**

The licensee shall adhere to the standard conditions of licence set out in *Conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009.