



## Broadcasting Decision CRTC 2014-11

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Route reference: Part 1 application posted on 8 July 2013

Ottawa, 15 January 2014

**Bell Media Inc.**  
Barrie, Ontario

*Application 2013-0962-5*

### **CKVR-DT Barrie and its transmitter CHCJ-DT Hamilton – Technical changes**

*The Commission **approves** an application by Bell Media Inc. to change the authorized contours of CHCJ-DT Hamilton, the rebroadcasting transmitter for the digital television station CKVR-DT Barrie, and to operate that transmitter on a permanent basis.*

#### **Introduction**

1. Bell Media Inc. (Bell Media) filed an application relating to the digital television station CKVR-DT Barrie, Ontario, which is branded as a CTV Two station. The licensee proposed to change the authorized contours of the station's rebroadcasting transmitter CHCJ-DT Hamilton, Ontario, by increasing the average effective radiated power (ERP) from 13,000 to 150,000 watts (maximum ERP from 26,000 to 390,000 watts) and by increasing the effective height of antenna above average terrain (EHAAT) from 107.7 metres to 110 metres.
2. In Broadcasting Decision 2012-496, the Commission authorized the addition of a temporary transmitter in Hamilton to rebroadcast the programming of CKVR-DT. In regard to the present application, the licensee is seeking approval to operate that transmitter on a permanent basis as well as with an increase in power.
3. The Commission received an intervention in opposition to this application from Rogers Broadcasting Limited (Rogers), as well as an intervention offering general comments from an individual. The licensee replied to Rogers' intervention. The public record for this application is available on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) under "Public Proceedings."

#### **Commission's analysis and decision**

4. After examining the application in light of applicable regulations and policies, the Commission considers that the issue it must address is whether the proposed technical changes are appropriate to serve the area as originally authorized.

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### **Intervention by Rogers**

5. Rogers submitted that Bell Media did not provide a sufficient rationale for its request to operate CHCJ-DT at the present location on a permanent basis and with a higher ERP. It further submitted that approval of the application would significantly alter the technical parameters under which the transmitter was originally approved. Rogers argued that the proposed increase in ERP would extend the coverage of that transmitter in such a way that the revised contours would cover a population more than twice that under the proposal originally approved in Broadcasting Decision 2012-51. It noted the licensee's statement in its application that the proposed contours would cover a population of 2.1 million within the local service area and 5.2 million within the regional service area, representing an increase of 126% and 100%, respectively, over the population residing within the originally approved contours.
6. Further, Rogers argued that given the major impact of the previously approved expansion of CKVR-DT's service on Citytv, OMNI.1 and other broadcasters in the market, any further impact due to an even stronger presence of the CTV Two service in southern Ontario should not be permitted.

### **Licensee's reply**

7. Bell Media stated that its original intent was to co-locate the channel at the existing CHCH-TV facility owned by Channel Zero Inc. (Channel Zero), but that it was forced to find an alternative site since it was unable to come to a financial agreement to rent the tower and building space.
8. The licensee explained that its inability to come to an agreement with Channel Zero led it to apply to temporarily operate a transmitter in Hamilton at a tower owned by Bell-Nexacor for one year (see Broadcasting Decision 2012-496). It stated that the technical parameters proposed in the present application are not intended to increase the service area but are necessary given that the Bell Media facility is at a much lower elevation than the CHCH-TV facility. It added that more power is required to overcome the interference on channel 35 used by other broadcasters in the area, and that channel 36 is also being used by another party, which causes additional interference.
9. In regard to Rogers' comment relating to the impact of an even stronger presence for CTV Two in the southern Ontario market, Bell Media stated that the current application does not materially change what was approved in Broadcasting Decision 2012-51.
10. Finally, in regard to the greater coverage area, Bell Media indicated that the Kitchener-Waterloo area was already captured in the original application, and that the small change to the transmitter's service area is not material since the Toronto television market is already served by CKVR-DT.

## Commission's decision

11. The Commission notes that the proposed technical parameters for CHCJ-DT would result in a total population of 5.18 million being encompassed in the transmitter's regional contour, whereas the originally authorized regional contour for the transmitter, as approved in Broadcasting Decision 2012-51, would have encompassed a population of approximately 4.38 million. Based on the Commission's analysis, the proposal would therefore represent an increase to the transmitter's over-the-air (OTA) reach of 18% over and above its originally authorized contour, largely resulting from an increased footprint to the north and west, much less than the 100% increase suggested by Rogers.
12. The Commission further notes that much of the new areas that would be served in the proposed coverage contour are already covered by the contours of the originating transmitter to the north, CKVR-DT. When subtracting the areas already covered by CKVR-DT, the proposed contours represent an actual increase of only 8%. Given that 6% of Canadians watch OTA television,<sup>1</sup> the increase would translate into less than ten thousand potential additional OTA television viewers.
13. Changes in the contour are to be expected when a transmitter site is changed. In the Commission's view, the proposed contours are similar to those originally authorized in Broadcasting Decision 2012-51. Given this and the modest increase in OTA television viewership, the Commission considers that the proposed technical parameters are appropriate to serve the area as originally authorized. Moreover, approval of the application would not in any way increase distribution, by broadcasting distribution undertakings, of CKVR-DT in and around the Toronto region.

## Conclusion

14. In light of the above, the Commission **approves** the application by Bell Media Inc. to change the authorized contours of CHCJ-DT Hamilton, the rebroadcasting transmitter for CKVR-DT Barrie, by increasing the average ERP from 13,000 to 150,000 watts (maximum ERP from 26,000 to 390,000 watts) and by increasing the EHAAT from 107.7 metres to 110 metres, and to operate that transmitter on a permanent basis.
15. The Commission reminds the licensee that, pursuant to section 22(1) of the *Broadcasting Act*, this authority will only be effective when the Department of Industry notifies the Commission that its technical requirements have been met and that a broadcasting certificate will be issued.
16. In Broadcasting Decision 2012-51, the Commission required Bell Media to abide by commitments it made to maintain a level of nine hours and 55 minutes of local programming for the Barrie market each broadcast week; to keep the station in operation for the duration of its licence term; and not to solicit local advertising in the

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<sup>1</sup> See Broadcasting Notice of Invitation 2013-563.

markets served by the new transmitters. The Commission continues to require Bell Media to abide by these commitments.

Secretary General

**Related documents**

- *Let's Talk TV: A conversation with Canadians about the future of television*, Broadcasting Notice of Invitation CRTC 2013-563, 24 October 2013
- *CKVR-DT Barrie and its transmitter CHCJ-DT Hamilton – Licence amendment*, Broadcasting Decision CRTC 2012-496, 13 September 2012
- *CKVR-DT Barrie – New digital transmitters to serve the areas of Burlington, Fonthill, Fort Erie, Hamilton, Niagara Falls, St. Catharines, Oakville and Welland*, Broadcasting Decision CRTC 2012-51, 26 January 2012

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