



Broadcasting Decision CRTC 2014-316

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Route reference: Part 1 application posted on 13 March 2014

Ottawa, 11 June 2014

Thunder Bay Electronics Limited
Thunder Bay, Ontario

Application 2014-0187-7

CKPR-DT Thunder Bay – Disaffiliation from the CBC English-language television network

*The Commission **approves** an application by Thunder Bay Electronics Limited to disaffiliate the conventional television station CKPR-DT Thunder Bay from the English-language television network operated by the Canadian Broadcasting Corporation (CBC).*

The Commission encourages the parties to consider alternate solutions, such as multiplexing, to ensure the availability of the CBC's service over-the-air.

Application

1. Thunder Bay Electronics Limited (Thunder Bay Electronics) filed an application to disaffiliate the conventional television station CKPR-DT Thunder Bay from the English-language television network operated by the Canadian Broadcasting Corporation (CBC).¹
2. Thunder Bay Electronics explained that it was appropriate to end its current relationship with the CBC and explore program supply arrangement opportunities with another source to enable its small-market television station to remain viable. The licensee added that it had reached a program supply agreement with such a source.

Interventions and applicant's reply

3. The Commission received interventions opposing the application from individuals concerned about the loss of CBC service in their community. Some of these interveners proposed that if CKPR-DT were allowed to disaffiliate from the CBC, the licensee should continue to transmit the CBC's signal through multicasting or a digital subchannel. The public record for this application can be found on the

¹ Condition of licence 9 of Broadcasting Regulatory Policy 2011-442, states that a conventional television licensee shall not affiliate with or disaffiliate from any network operator without the prior written approval of the Commission.

Commission's website at www.crtc.gc.ca or by using the application number provided above.

4. In reply, the licensee stated that it was seeking other programming sources to meet its licence requirements and remain a viable operation. It added that it would continue to offer a minimum weekly average of original local news following its disaffiliation from the CBC and noted that the CBC television network was available by other means, such as cable or satellite.

Commission's analysis

5. As set out in Broadcasting Decision 2013-467, the licensee is required to broadcast at least 14 hours of local programming per week, counted in aggregate with the local programming of CHFD-DT Thunder Bay. The disaffiliation would therefore only change the network programming on the station and would not affect the amount of local programming provided to the community.
6. With respect to the availability of CBC programming, section 3(1)(m)(vii) of the *Broadcasting Act* states that the programming provided by the CBC should be made available throughout Canada by the most appropriate and efficient means and as resources become available for the purpose. In this respect, the Commission notes that although the CBC's programming would no longer be available over-the-air in Thunder Bay following the proposed disaffiliation, it would remain available on the basic service provided by cable and satellite operators. The Commission also considers that the responsibility to provide the CBC's services rests with the CBC, not with private broadcasters. In Broadcasting Decision 2013-263, the Commission indicated that it would not impose requirements on the CBC to establish or operate television transmitters. However, it stated that broadcasters should continue to explore opportunities such as multiplexing to ensure that Canadians have access to free over-the-air television.

Conclusion

7. In light of the above, the Commission **approves** the application by Thunder Bay Electronics Limited to disaffiliate the conventional television programming undertaking CKPR-DT Thunder Bay from the CBC English-language television network.
8. The Commission encourages Thunder Bay Electronics and the CBC to consider alternate solutions, such as multiplexing.

Secretary General

Related documents

- *Various independent conventional and community-based television programming undertakings – Licence renewals*, Broadcasting Decision CRTC 2013-467, 30 August 2013
- *Canadian Broadcasting Corporation – Licence renewals*, Broadcasting Decision CRTC 2013-263, 28 May 2013
- *Standard conditions of licence, expectations and encouragements for conventional television stations*, Broadcasting Regulatory Policy CRTC 2011-442, 27 July 2011

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