



## Broadcasting Decision CRTC 2014-401

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Ottawa, 1 August 2014

### **Coast Broadcasting Ltd.**

St. John's and Bluff Point, Newfoundland and Labrador

*Application 2013-0554-0*

### **CKSJ-FM St. John's – Addition of a transmitter at Bluff Point**

*The Commission **approves** the application by Coast Broadcasting Ltd. to amend the broadcasting licence for the English-language commercial radio station CKSJ-FM St. John's, Newfoundland and Labrador, to add a rebroadcasting transmitter at Bluff Point.*

*As a result, listeners in the Clarenville area will be able to receive CKSJ-FM's signal.*

### **Application**

1. Coast Broadcasting Ltd. (Coast Broadcasting) filed an application to amend the broadcasting licence for the English-language commercial radio station CKSJ-FM St. John's, Newfoundland and Labrador, to add a rebroadcasting transmitter at Bluff Point. The Commission received interventions in support of this application.
2. The new transmitter would operate at 107.5 MHz (channel 298B) with an average effective radiated power (ERP) of 11,630 watts (maximum ERP of 25,500 watts with an effective height of antenna above average terrain (EHAAT) of 126.3 metres).<sup>1</sup>

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

3. The Commission generally assesses the merits of applications for technical changes on the basis of demonstrated economic need or technical evidence that a station's existing technical parameters are not adequate to provide the service as originally proposed. In this case, while the applicant did cite a technical need, the Commission is of the view that the application primarily reflects the applicant's desire to level the playing field in the St. John's/Clarenville area. Accordingly, as an exception the Commission does not consider it appropriate to assess the present application on the basis of economic or technical need.

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

4. Rather, after examining the public record for this application in light of applicable regulations and policies, the Commission considers that the issues it must address are the following:
  - the potential impact of the addition of the transmitter on listeners in adjacent communities;
  - whether the proposed change makes appropriate use of spectrum; and
  - whether the addition of a new transmitter would have an undue negative impact on other radio stations serving the market.

#### **Impact on listeners in adjacent communities**

5. Coast Broadcasting submitted that the proposed transmitter was necessary to alleviate reception problems for CKSJ-FM in communities on the western side of Conception Bay North and on the Trans Canada Highway between St. John's and Clarenville. Further, the applicant argued that the new transmitter was necessary to level the playing field with other St. John's stations whose signals reach Clarenville (through the use of rebroadcasting transmitters). With regard to its actual limited coverage, Coast Broadcasting indicated that in its original application for a licence, it had proposed an ERP of 100,000 watts.<sup>2</sup> However, the Department of Industry approved an ERP of only 20,000 watts due to a potential to overload the locator beacon at the St. John's airport.
6. Further, Coast Broadcasting submitted a map with its application showing the combined coverage areas of CKSJ-FM's existing transmitter and its proposed rebroadcasting transmitter. The map indicates that the new transmitter will produce a primary contour that encompasses the Clarenville area, thereby increasing CKSJ-FM's overall coverage. The transmitter will also serve to fill in gaps toward the west of St. John, although coverage in those areas will only be at the 0.5 mV/m service level.
7. The Commission considers that while the new transmitter would correct signal deficiencies in the St. John's/Clarenville area, it would primarily serve to make the station more competitive with other St. John's stations broadcasting into Clarenville. Accordingly, the Commission finds that approval of the application would provide an alternate signal to the listeners on the western side of Conception Bay North and on the Trans Canada Highway from St. John's to Clarenville.

#### **Use of spectrum**

8. The Commission considers that the technical parameters chosen would provide adequate service to Clarenville. While the proposed frequency is the last allotted

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<sup>2</sup> The Commission approved this application in *FM radio station in St. John's*, Broadcasting Decision CRTC 2003-171, 3 June 2003.

frequency available for assignment in Clarenville, the Commission considers that there are other drop-in frequencies available that could be used to serve the area.

9. In light of the above, the Commission finds that Coast Broadcasting's proposal makes appropriate use of spectrum.

#### **Impact on other stations**

10. Coast Broadcasting indicated that it expects to draw only a modest amount of incremental revenues, mostly from national advertising, if the application is approved. It further stated that it does not intend to solicit local advertising in Clarenville. As well, the Commission notes that no operators of radio stations serving St. John's and Clarenville intervened in opposition to the application.
11. In addition, the Commission notes that the classic hits format that CKSJ-FM provides is not currently available to listeners in Clarenville from incumbent stations serving the market.
12. Accordingly, the Commission finds that approval of the application would not have an undue negative financial impact on other stations in the market and that approval would increase the diversity of programming available in the Clarenville area.

#### **Conclusion**

13. In light of all of the above, the Commission **approves** the application by Coast Broadcasting Ltd. to amend the broadcasting licence for the English-language commercial radio programming undertaking CKSJ-FM St. John's, Newfoundland and Labrador, to add a rebroadcasting transmitter at Bluff Point.
14. The new transmitter will operate at 107.5 MHz (channel 298B) with an average ERP of 11,630 watts (maximum ERP of 25,500 watts with an EHAAT of 126.3 metres).
15. 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. The new transmitter 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 **1 August 2016**. In order to ensure that such a request is processed in a timely manner, it should be submitted in writing at least 60 days before that date.

#### **Expectation**

17. In light of its stated intention to not solicit local advertising in Clarenville, the Commission expects that the licensee will not solicit local advertising in Clarenville.

Secretary General

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