



Broadcasting Decision CRTC 2016-444

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Reference: 2016-176

Ottawa, 8 November 2016

Atlantic Broadcasters Limited

Antigonish, Nova Scotia

Application 2014-0941-7, received 10 September 2014

Public hearing in the National Capital Region

13 July 2016

English-language FM radio station in Antigonish

*The Commission **denies** an application by Atlantic Broadcasters Limited for a broadcasting licence to operate an English-language, commercial FM radio station in Antigonish, Nova Scotia.*

Application

1. Atlantic Broadcasters Limited (ABL) filed an application for a broadcasting licence to operate an English-language, commercial FM radio station in Antigonish, Nova Scotia. The proposed station would operate at 93.5 MHz (channel 228C1) with an effective radiated power of 60,600 watts (non-directional antenna with an effective height of antenna above average terrain of 215 metres).
2. ABL is a qualified corporation controlled by its board of directors. ABL is the licensee of the commercial station CJFX-FM Antigonish.
3. The station would offer a country music format targeting adults 25 to 49 years of age. It would broadcast 126 hours of local programming each broadcast week, of which 5 hours would be devoted to newscasts. The programming would include a local music show featuring interviews and music from Atlantic Canadian artists.

Interventions and reply

4. The Commission received two interventions in opposition to the application from MacEachern Broadcasting Limited (MacEachern) and Hector Broadcasting Company Ltd. (Hector), to which the applicant replied. The public record for this application can be found on the Commission's website at www.crtc.gc.ca or by using the application number provided above.
5. MacEachern, licensee of CIGO-FM Port Hawkesbury (Inverness County), argued that approval of a third station in the Antigonish/Port Hawkesbury market would have a negative financial impact on its own station. It stated that economic growth in the

community has been in decline over the last few years and that many businesses have closed since 2010, causing job losses and a reduction in businesses willing to advertise on radio. MacEachern argued that licensing a station in these conditions would be detrimental to both the applicant's incumbent station CJFX-FM and its own station, CIGO-FM.

6. Hector, licensee of CKEZ-FM and CKEC-FM New Glasgow, stated that licensing the proposed station would add a sixth station selling advertising in the Pictou County market. Hector was concerned that ABL will look to the Pictou County market for a significant part of its new revenue. Hector stated that the market has seen significant economic challenges in the past four years and has lost over 1,000 jobs.
7. In its reply to the interventions, ABL argued that the 3 mV/m contour of CIGO-FM does not reach Antigonish and that the 3 mV/m contour of its proposed station does not reach Port Hawkesbury. It argued that the overlap between CIGO-FM and the proposed station would be well within the acceptable range and that CIGO-FM's principal markets are not included in the proposed station's primary contour.
8. With respect to Hector's intervention, ABL stated that the proposed 3 mV/m contour (primary contour) would only graze the eastern part of New Glasgow. According to the applicant, the population overlap between the proposed station's primary contour and the primary contours of CKEC-FM (6.94%) and CKEZ-FM (8.68%) is small.
9. ABL did not agree that the economy is in decline and noted that markets have rebounded. ABL further argued that the country music format would attract different advertisers.

Commission's analysis and decisions

10. The primary contour of the proposed station would reach a population of 22,190 people and the secondary contour would reach a population of 91,963. The primary contours would extend outside of Antigonish County into Pictou County and Guysborough County. The primary contour would overlap with the following stations: CKEZ-FM and CKEC-FM New Glasgow in Pictou County and CIGO-FM Port Hawkesbury in Richmond, Inverness, Guysborough and Antigonish counties.
11. Based on the Commission's own assessment, the overlap between the proposed station and CIGO-FM would encompass 4,382 people, which represents 27.4% of the population in CIGO-FM's primary contour. The overlap with CKEZ-FM and CKEC-FM would cover approximately 6% of the population in the primary contour of each of these stations.
12. Given the overlap with the primary contours of other stations, the Commission must consider the impact that the proposed station could have on incumbent stations in nearby markets.

13. CKEZ-FM launched in 2014 and its first full year of operation was 2015. It may therefore not be fully established in the market. Further, given the financial situation of the stations in the counties of Antigonish, Pictou, Guysborough and Inverness, the Commission is of the view that adding a new station in the area at this time could result in undue financial impact on stations operating in these markets.
14. In light of the above, the Commission **denies** the application by Atlantic Broadcasters Limited for a broadcasting licence to operate an English-language, commercial FM radio programming undertaking in Antigonish.

Secretary General