



## Broadcasting Decision CRTC 2018-283

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Reference: Part 1 application posted on 2 February 2018

Ottawa, 14 August 2018

**Sher-E-Punjab Radio Broadcasting Inc.**  
Vancouver, British Columbia

*Public record for this application: 2017-1177-1*

### **Ethnic commercial AM radio station – Technical changes**

*The Commission **approves** an application to change the authorized contours of the unlaunched ethnic commercial AM radio station in Vancouver to be operated by Sher-E-Punjab Radio Broadcasting Inc. The technical changes are necessary because the land for the original transmission site was sold and the applicant has to move to another site.*

#### **Application**

1. Sher-E-Punjab Radio Broadcasting Inc. (Sher-E-Punjab) filed an application relating to its unlaunched ethnic commercial AM radio station in Vancouver, British Columbia, which the Commission approved in *Licensing of new radio stations to serve Surrey and Vancouver, and addition of a transmitter in Surrey*, Broadcasting Decision CRTC 2016-464, 28 November 2016. The licensee requested to change the station's authorized contours by relocating the transmission site and increasing the daytime transmitter power from 10,000 to 50,000 watts and the nighttime transmitter power from 10,000 to 20,000 watts.
2. Sher-E-Punjab submitted that the requested technical changes are necessary because the land identified for the original transmission site had been sold, and the new owner was not interested in leasing the land to the applicant. The new proposed site is located approximately 24 kilometres east of the original site. The Commission did not receive any interventions regarding this application.

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

3. When a licensee of a radio station files an application for a technical change, the Commission expects the licensee to present compelling technical or economic evidence justifying the technical change. Given this expectation, and after examining the information on the public record for this application in light of applicable regulations and policies, the Commission considers that it should address the following issues:
  - whether the licensee has demonstrated a compelling technical need for the technical changes;

- whether the requested changes are appropriate on a technical basis;
- whether the licensee has demonstrated a compelling economic need for the technical changes; and
- whether approval of the application would have an undue financial impact on incumbent radio stations.

#### **Technical need**

4. As indicated by the applicant, the original transmission site is no longer available and it is necessary to move the transmitter to another site. The increases in power are necessary to maintain good coverage of its targeted market from the new site.
5. In light of the above, the Commission finds that Sher-E-Punjab has demonstrated a compelling technical need for the requested technical changes.

#### **Appropriateness of the requested changes on a technical basis**

6. Since the transmitter would be moved 24 kilometres east of the original location, the applicant has requested an increase transmitter power to cover the core Vancouver market. Although the proposed power increase would result in an increase to the primary service contour to the west, east and south, it would only increase the contour slightly to the north. Accordingly, the Commission considers that the proposed power increase is not excessive in order to maintain good coverage to the north as originally proposed.
7. Given that the applicant is not requesting the use of an alternative frequency, it would not impact the availability of frequencies in Vancouver or in adjacent markets. As such, the proposal represents an appropriate use of spectrum.
8. In light of the above, the Commission finds that the requested technical changes are appropriate on a technical basis.

#### **Economic need**

9. Sher-E-Punjab submitted that it had no other options for a transmitter site, without which the station could not launch. Approval of the proposal would also allow for significant savings in pre-operating costs as the applicant would not incur the expense of building a tower.
10. Accordingly, the Commission finds that Sher-E-Punjab has demonstrated a compelling economic need for the requested technical changes.

#### **Financial impact on incumbent radio stations**

11. The applicant provided the same financial projections with this application as it did in the application for a new broadcasting licence.

12. While the proposed amendment would increase the population in the primary contour by 46.7%, it would increase coverage of the target audience of Hindi and Punjabi speakers by less than 10%. Further, the Commission did not receive any opposing interventions.
13. In light of the above, the Commission finds that the requested technical changes would not have an undue negative financial impact on incumbent radio stations.

## **Conclusion**

14. In light of the above, the Commission **approves** the application by Sher-E-Punjab Radio Broadcasting Inc. to change the authorized contours of the ethnic AM commercial radio programming undertaking in Vancouver approved in Broadcasting Decision 2016-464 by relocating the transmission site and increasing the daytime transmitter power from 10,000 to 50,000 watts and the nighttime transmitter power from 10,000 to 20,000 watts.
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. As provided in Decision 2016-464, the undertaking must be operational by no later than **28 November 2018**. To request an extension, the licensee must submit a written request at least 60 days before that date using the form available on the Commission's website.

Secretary General

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