



## Broadcasting Decision CRTC 2022-15

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Reference: 2021-218

Ottawa, 26 January 2022

**Maritime Broadcasting System Limited**  
Campbellton, New Brunswick

*Public record for this application: 2021-0192-1*  
*Public hearing in the National Capital Region*  
*9 September 2021*

### **CKNB Campbellton – Conversion to the FM band**

The Commission **approves** the application by Maritime Broadcasting System Limited for a broadcasting licence to operate an English-language commercial FM radio station in Campbellton, New Brunswick, to replace its English-language AM radio station CKNB Campbellton.

#### **Application**

1. Maritime Broadcasting System Limited (MBS) filed an application for a broadcasting licence to operate an English-language commercial FM radio station in Campbellton, New Brunswick, to replace its English-language AM radio station CKNB Campbellton. The Commission did not receive any interventions in regard to this application.
2. Robert L. Pace, who owns and exercises effective control over MBS through holding companies, is a Canadian, satisfying the *Direction to the CRTC (Ineligibility of Non-Canadians)*, SOR/97-192.
3. The proposed FM station would operate at frequency 100.7 MHz (channel 264B1<sup>1</sup>) with an effective radiated power (ERP) of 2,570 watts (directional antenna with a maximum ERP of 5,330 watts and an effective height of the antenna above average terrain of 182.3 meters). It would broadcast from a new transmission site located approximately 14 kilometres southwest of the current transmission site.
4. MBS submitted that the proposed FM station would provide a better signal to the community currently served by the AM station. It added that converting the station from the AM to the FM band would provide its listeners and advertisers with the

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<sup>1</sup> In its application, MBS proposed to operate the new FM station as a Class A station. However, the technical parameters proposed by MBS for the new station exceeded the maximum technical parameters for a Class A station. Both MBS and the Department of Industry agreed to change the class of the proposed FM station to B1.

benefit of a superior audio signal, and would enable it to stop relying on outdated and obsolete AM technology.

5. CKNB currently operates within an Adult Contemporary format, targeting listeners from 18 to 54 years of age. Of the 126 hours of programming broadcast on the station each broadcast week, 118 hours are devoted to local programming and the remaining eight hours are devoted to American syndicated programming (Rick Dees Top 40 Countdown). MBS did not propose any changes in regard to these aspects of the programming to be broadcast by the new FM station.
6. The applicant added that the new station would continue to provide local news and information to the Campbellton community. In regard to its pure news offering, MBS proposed to broadcast one hour and ten minutes of news per broadcast week, of which one hour would be devoted to local and regional news and ten minutes to national news. In regard to local spoken word content, MBS indicated that the new FM station would broadcast information on everything from community events and charitable causes to garage and yard sales, local ski conditions, church raffles, and lost and found pets. It further noted that it would continue to participate in and promote regional festivals and sports activities, as well as support local charitable causes and non-profit events including, among others, the Tim Horton's Camp Day, McHappy Day, MS Walk, Relay for Life Campbellton and Dairy Queen Miracle Treat Day.

## **Issues**

7. The Commission has the authority, pursuant to subsection 9(1) of the *Broadcasting Act*, to issue licences for such terms not exceeding seven years and subject to such conditions related to the circumstances of the licensee as it deems appropriate for the implementation of the broadcasting policy set out in subsection 3(1) of the *Broadcasting Act*.
8. After examining the record for this application in light of applicable regulations and policies, the Commission considers that it must address the following issues:
  - the proposed frequency;
  - whether approval of the applicant's proposal would have an undue negative economic impact on incumbent stations in the market;
  - whether the programming currently broadcast by CKNB would be maintained for the Campbellton community; and
  - whether the present application is compliant with the Commission's current requirements relating to MBS's Canadian content development (CCD) contributions.

### **Proposed frequency**

9. The applicant proposed to operate the new FM radio station on frequency 100.7 MHz (channel 264B1). Multiple frequencies that provide similar coverage to that proposed by the applicant are available in the Campbellton area. Consequently, 100.7 MHz is not one of the last frequencies available to Campbellton.
10. Although the use of the proposed frequency would remove its availability from Campbellton and surrounding areas, other frequencies are available to provide service to those areas. In addition, there are no other surrounding markets that would be impacted by approval of the applicant's proposed frequency for the new station.
11. In light of the above, the Commission finds that the use of frequency 100.7 MHz for the new station would have a minimal impact on the availability of frequencies in Campbellton and surrounding areas.

### **Impact on incumbent stations in the market**

12. Campbellton is located approximately 300 kilometres north of Moncton, New Brunswick and 300 kilometres east of Rivière-du-Loup, Quebec. The primary (i.e., 3 mV/m) service contour for the proposed FM station would encompass Campbellton, while its secondary (i.e., 0.5 mV/m) service contour would encompass Campbellton and its surrounding areas.
13. Although most of the population of Campbellton currently served by CKNB would continue to be served by the proposed FM station, the overall potential population reach of the new station would be significantly reduced given that an AM signal travels further than an FM signal of the same strength. Although in most cases a licensee may be able to compensate for this by modifying the technical parameters of the proposed FM station, MBS indicated in its application that it did not wish to do so.
14. The Campbellton market is also served by two French-language community FM radio stations, CIMS-FM Balmoral and its transmitter CIMS-FM-1 Dalhousie, New Brunswick,<sup>2</sup> and CIEU-FM Carleton and its transmitter CIEU-FM-1 Paspébiac, Quebec.<sup>3</sup> The proposed conversion of CKNB to the FM band would significantly reduce the current primary service contour overlap of each of those stations.
15. In addition, the Campbellton market is served by two French-language Canadian Broadcasting Corporation (CBC) ICI Première rebroadcasting transmitters (CBAF-FM-3 Campbellton and CBGA-FM-20 Pointe-à-la-Garde, Quebec) and two English-language CBC Radio One rebroadcasting transmitters (CBVA-FM Escuminac, Quebec, and CBAE-FM Campbellton). The market is also served by two Indigenous (Type B native) radio stations (CFIC-FM Listuguj and CHRQ-FM Restigouche, Quebec), the signals of which reach Campbellton. Whereas these two stations

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<sup>2</sup> Operated by Coopérative Radio Restigouche ltée.

<sup>3</sup> Operated by Diffusion communautaire Baie-des-Chaleurs inc.

broadcast programming in the Micmac language as well as in English, CKNB is the only fully English-language commercial radio station operating in the Campbellton area.

16. Finally, the Commission did not receive any interventions from the licensees of those stations opposing the present application.
17. In light of the above, the Commission finds that approval of the requested conversion of CKNB to the FM band is unlikely to have an undue economic impact on incumbent stations in the market.

### **Maintaining the programming currently broadcast in Campbellton by the AM station**

18. In Broadcasting Public Notice 2008-4, the Commission stated that the Canadian broadcasting system should ensure that audiences have access to a diversity of programming, especially local, regional and national content.
19. As noted above, the new FM station would continue with CKNB's programming format, would broadcast the current amount of local programming, and would continue serving the same target audience. In regard to the new FM station's pure news offering, MBS proposed to broadcast one hour and ten minutes of news per broadcast week, of which 60 minutes would be devoted to local and regional news and 10 minutes to national news. In regard to local spoken word content, MBS indicated that the new station would broadcast everything from community events and charitable causes to garage and yard sales, local ski conditions, church raffles and lost and found pets.
20. In light of the above, the Commission finds that approval of the present application would maintain the Campbellton community programming currently broadcast by the AM station CKNB, and would maintain local reflection and programming diversity in the Campbellton market.

### **Canadian content development contributions**

21. Paragraph 3(1)(e) and subparagraph 3(1)(s)(i) of the *Broadcasting Act* declare that each element of the Canadian broadcasting system shall contribute in an appropriate manner to the creation and presentation of Canadian programming and that private networks and programming undertakings should, to an extent consistent with the financial and other resources available to them, contribute significantly to the creation and presentation of Canadian programming.
22. All radio station licensees must adhere to the requirements relating to basic annual CCD contributions set out in section 15 of the *Radio Regulations, 1986* (the Regulations), as amended from time to time. In regard to the present case, the Commission notes that for CKNB, MBS is in compliance with those requirements.

23. As set out in Broadcasting Regulatory Policy 2006-158, applicants for new commercial radio licences may wish to make CCD commitments over and above the basic annual CCD contributions. In regard to the present case, while MBS did not propose any discretionary over-and-above CCD contributions, it proposed to continue its Canadian Talent Initiative, a long-running campaign that promotes both on-air and online initiatives to encourage recording artists to submit their original music, biographical information and details on where their music can be purchased. Under this initiative, recording artists are supplied with \$500 of free advertising on the radio station and announcers provide exposure to the artists. MBS added that the new FM station's announcers would strive to give additional exposure to artists, particularly if they are performing in the area, either in concert or virtually. The Commission commends MBS for this laudable initiative, and notes its intention to give additional exposure to artists despite the difficulties presented by the COVID-19 pandemic.

## **Conclusion**

24. In light of all of the above, the Commission **approves** the application by Maritime Broadcasting System Limited for a broadcasting licence to operate an English-language commercial FM radio station in Campbellton, New Brunswick, to replace its English-language AM radio station CKNB Campbellton. The terms and **conditions of licence** are set out in the appendix to this decision.

25. In Broadcasting Decision 2020-167, the Commission renewed the broadcasting licence for CKNB until 31 August 2027. As set out in the appendix to this decision, the licence to be issued for the new FM radio station will expire on that date.

## **Simulcast period and revocation of AM licence**

26. As set out in the appendix to this decision, MBS is authorized to simulcast the programming of the new FM station on CKNB for a transition period of three months following the commencement of operations of the FM station. Pursuant to paragraph 9(1)(e) and subsection 24(1) of the *Broadcasting Act* and consistent with the applicant's request, the Commission **revokes** the licence for CKNB Campbellton effective at the end of the simulcast period.

## **Employment equity**

27. Because MBS is subject to the *Employment Equity Act* and files reports concerning employment equity with the Department of Employment and Social Development, its employment equity practices are not examined by the Commission.

## **Reminders**

### **Local programming**

28. Local radio stations are an important daily source of local news and information for communities. Holding a broadcasting licence comes with conditions, regulatory obligations and responsibilities, which include contributing to the Canadian

broadcasting system by ensuring that Canadians have access to local programming that reflects their needs and interests and informs them of important current issues.

29. In Broadcasting Decision 2020-167, the most recent licence renewal decision for CKNB, the Commission noted that the licensee had proposed to broadcast 1 hour and 20 minutes of news each broadcast week on the station. The Commission further noted that, although Broadcasting Public Notice 2006-158 does not specify a minimum level of weekly news to be broadcast, it does specify the type of spoken word material that must be included as part of a station's local programming. In accordance with that public notice, the Commission reminds MBS that the new FM radio station, in its local programming, must incorporate spoken word material of direct and particular relevance to the communities served, and that this programming must include local news, weather, sports coverage, and the promotion of local events and activities. In addition, the Commission encourages MBS to ensure that a reasonable amount of daily local news and information is made available to those communities.

### **Public alerting**

30. As set out in section 16 of the Regulations, licensees have obligations relating to the broadcast of emergency alert messages received from the National Alert Aggregation and Dissemination System. In regard to the new FM station's authorized contours resulting from the implementation of the technical parameters approved in this decision, the Commission reminds the licensee that continued compliance with section 16 of the Regulations may require that any alert broadcast decoders (e.g., ENDEC) used for the purposes of broadcasting emergency alert messages on the AM station CKNB, or on any rebroadcasting transmitters that may appear on the broadcasting licence for that station, be reprogrammed to properly account for the theoretical 0.5 mV/m contour of the new FM band, both during the above-noted simulcast transition period and after CKNB is no longer on air.

Secretary General

### **Related documents**

- *Various commercial radio stations – Licence renewals*, Broadcasting Decision CRTC 2020-167, 26 May 2020
- *Diversity of Voices – Regulatory policy*, Broadcasting Public Notice CRTC 2008-4, 15 January 2008
- *Commercial Radio Policy*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006

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

## Appendix to Broadcasting Decision CRTC 2022-15

### Terms, conditions of licence, expectation and encouragement for the English-language commercial FM radio programming undertaking serving Campbellton, New Brunswick

#### Terms

The licence will expire 31 August 2027.

The station will operate at 100.7 MHz (channel 264B1) with an average effective radiated power (ERP) of 2,570 watts (directional antenna with a maximum ERP of 5,300 watts and an effective height of the antenna above average terrain of 182.3 metres).

Pursuant to subsection 22(1) of the *Broadcasting Act*, no licence may be issued until the Department of Industry notifies the Commission that its technical requirements have been met and that a broadcasting certificate will be issued.

Furthermore, the Commission will only issue a licence for this undertaking once the applicant has informed the Commission in writing that it is prepared to commence operations. The undertaking must be in operation by no later than **26 January 2024**. To request an extension, the licensee must submit a written request to the Commission at least 60 days before that date, using the form available on the Commission's website.

#### Conditions of licence

1. The licensee shall adhere to the conditions set out in *Conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009, with the exception of condition of licence 8 relating to single-station markets, as well as to the conditions set out in the broadcasting licence for the undertaking.
2. The licensee is authorized to simulcast the programming of the new commercial FM station on CKNB Campbellton, New Brunswick, for a transition period of three months following the commencement of operations of the FM station.

#### Expectation

The Commission expects the licensee to reflect the cultural diversity of Canada in its programming and employment practices.

#### Encouragement

The Commission encourages the licensee to ensure that a reasonable amount of daily local news and information is made available to the Campbellton, New Brunswick community.