



Broadcasting Decision CRTC 2022-263

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References: Part 1 applications posted on 14 February 2022

Ottawa, 23 September 2022

CIAM Media & Radio Broadcasting Association

Various locations in British Columbia, Alberta and Saskatchewan

Public record: 2022-0048-4, 2022-0050-0, 2022-0051-7, 2022-0052-5, 2022-0053-3, 2022-0054-1, 2022-0055-9 and 2022-0056-7

CIAM-FM Fort Vermilion and its transmitters CIAM-FM-3 Watt Mountain, CIAM-FM-6 Hines Creek, CIAM-FM-8 Charlie Lake, CIAM-FM-9 Dawson Creek, CIAM-FM-11 Vanderhoof, CIAM-FM-22 Prince Albert, CIAM-FM-25 Saskatoon Hill and CIAM-FM-29 Corman Park – Technical changes

Summary

The Commission **approves** applications by CIAM Media & Radio Broadcasting Association, licensee of the low-power, English-language community FM radio station CIAM-FM Fort Vermilion, to change the authorized contours of eight of the station's rebroadcasting transmitters: CIAM-FM-3 Watt Mountain, CIAM-FM-6 Hines Creek, CIAM-FM-8 Charlie Lake, CIAM-FM-9 Dawson Creek, CIAM-FM-11 Vanderhoof, CIAM-FM-22 Prince Albert, CIAM-FM-25 Saskatoon Hill and CIAM-FM-29 Corman Park.

Further, the Commission **approves** the licensee's request to change the frequency of the rebroadcasting transmitter CIAM-FM-6 from 94.7 MHz (channel 234LP) to 94.5 MHz (channel 233A).

Background

1. In Broadcasting Decision 2003-3, the Commission approved an application by Care Radio Broadcasting Association (now CIAM Media & Radio Broadcasting Association) (CIAM) for a broadcasting licence to operate a low-power Type B English-language FM community radio station in Fort Vermilion, Alberta. In that decision, the Commission noted that to maintain diverse and balanced programming, the new station would reflect the community's religious and spiritual needs. It further noted that the station would broadcast station-produced content in English and Indigenous languages.
2. In 2003, the new station launched as CIAM-FM Fort Vermilion. Since then, CIAM-FM has grown to a community radio station with 28 rebroadcasting transmitters in British Columbia, Alberta, Saskatchewan and the Northwest Territories. The station's mandate is

to provide community access to the airwaves, thereby offering diverse programming that reflects the needs and interests of the local community.

3. While CIAM provides English-language radio programming, it also serves Indigenous and remote communities in local Indigenous languages (for example, Carrier, Cree and Chipewyan). Many of these communities are closely connected and underserved in the context of local news and important community and health information.
4. In previous licence renewal decisions for CIAM-FM,¹ the Commission noted CIAM's recognition of the unique need for expression of religious and spiritual programming in radio broadcasting, especially from an Indigenous perspective, and encouraged the licensee to continue providing community access to all members of the communities it serves.

Applications

5. CIAM filed eight applications relating to its low-power, English-language community FM radio station CIAM-FM. Specifically, the licensee requested technical changes for the following low-power FM rebroadcasting transmitters of CIAM-FM:
 - CIAM-FM-3 Watt Mountain, Alberta (application 2022-0056-7):
 - change the class from low-power to B;
 - increase the maximum effective radiated power (ERP) from 50 to 3,420 watts and increase the average ERP from 50 to 1,920 watts;
 - increase the effective height of the antenna above average terrain (EHAAT) from 152.7 to 358.4 metres;
 - replace the existing non-directional antenna with a new directional antenna; and
 - amend the existing coordinates of the transmitter site.
 - CIAM-FM-6 Hines Creek, Alberta (application 2022-0052-5):
 - change the class from low-power to A;
 - increase the maximum ERP from 50 to 2,110 watts and increase the average ERP from 50 to 1,190 watts;
 - decrease the EHAAT from 85.3 to 81.4 metres;
 - replace the existing non-directional antenna with a new directional antenna; and
 - amend the existing coordinates of the transmitter site.

¹ See Broadcasting Decisions 2020-172, 2013-665 and 2010-437.

- CIAM-FM-8 Charlie Lake, British Columbia (application 2022-0048-4):
 - change the class from low-power to B1;
 - increase the ERP from 15 to 1,450 watts;
 - increase the EHAAT from 118.5 to 266.8 metres; and
 - amend the existing coordinates of the transmitter site.
- CIAM-FM-9 Dawson Creek, British Columbia (application 2022-0051-7):
 - change the class from low-power to A;
 - increase the maximum ERP from 50 to 2,150 watts and increase the average ERP from 50 to 1,210 watts;
 - increase the EHAAT from 130.5 to 140 metres;
 - replace the existing non-directional antenna with a new directional antenna; and
 - amend the existing coordinates of the transmitter site.
- CIAM-FM-11 Vanderhoof, British Columbia (application 2022-0055-9):
 - change the class from low-power to A;
 - increase the ERP from 50 to 445 watts;
 - decrease the EHAAT from 7.3 metres to -47.5 metres; and
 - amend the existing coordinates of the transmitter site.
- CIAM-FM-22 Prince Albert, Saskatchewan (application 2022-0053-3):
 - change the class from low-power to A;
 - increase the ERP from 50 to 490 watts;
 - decrease the EHAAT from 42 to 24.1 metres; and
 - amend the existing coordinates of the transmitter site.
- CIAM-FM-25 Saskatoon Hill, Alberta (application 2022-0054-1):
 - change the class from low-power to B1;
 - increase the ERP from 50 to 1,450 watts;
 - increase the EHAAT from 157.5 to 276.3 metres; and
 - amend the existing coordinates of the transmitter site.

- CIAM-FM-29 Corman Park, Saskatchewan (application 2022-0050-0):
 - change the class from low-power to A;
 - increase the maximum ERP from 50 to 2,000 watts and increase the average ERP from 50 to 1,100 watts;
 - increase the EHAAT from 32 to 33.4 metres;
 - replace the existing non-directional antenna with a new directional antenna; and
 - amend the existing coordinates of the transmitter site.
6. Approval of CIAM's requested technical changes would not only result in an increase in each transmitter's coverage of its licensed area, it would also result in those transmitters having protected status, which would provide them with protection from interference caused by other new FM stations in the future.
 7. In addition, in its application for the rebroadcasting transmitter CIAM-FM-6, the licensee requested to amend the broadcasting licence for CIAM-FM in order to change the frequency of that rebroadcasting transmitter from 94.7 MHz (channel 234LP) to 94.5 MHz (channel 233A).
 8. The Commission did not receive any interventions in regard to these applications.
 9. CIAM stated that many of the above-noted communities and the nearby Indigenous reserves have expressed the desire to receive a better broadcast signal from the eight rebroadcasting transmitters. The licensee submitted that approval of its requested technical changes is necessary to enable CIAM-FM, through these transmitters, to reach more listeners in local communities and nearby Indigenous reserves with clearer and stronger signals, particularly in regard to the need for emergency broadcasts, local news, and timely and critical community and health information.
 10. CIAM indicated that it has explored every venue for a technical solution to the issues of broadcast coverage and signal strength, but has not been able to get a clear signal. It further indicated that there are no other towers available for co-locations in the area. The licensee added that these rebroadcasting transmitters are constantly subject to possible interference from other high-power protected broadcasters.

Regulatory framework

11. The Commission has the authority, pursuant to subsection 9(1) of the *Broadcasting Act* (Act), to issue licences subject to such conditions related to the circumstances of the licensee as the Commission deems appropriate for the implementation of the broadcasting policy set out in subsection 3(1) and to amend those conditions on application of the licensee.
12. When the licensee of a radio station files an application for technical changes, the Commission generally requires the licensee to present compelling technical or economic

evidence justifying the requested technical changes. The Commission may, as an exception to this general approach, approve applications that do not provide compelling technical or economic evidence where the particular circumstances of the undertaking warrant.

13. In exercising its authority in this respect, the Commission will consider the objectives of the broadcasting policy set out in subsection 3(1) of the Act, including subparagraph 3(1)(d)(iii), which provides that the Canadian broadcasting system should, among other things, reflect through its programming and the employment opportunities arising out of its operation the multicultural and multiracial nature of Canadian society and the special place of Indigenous peoples within that society. The cultural diversity present in many Canadian communities places campus and community stations serving those centres in a position to make a strong contribution to the reflection of that cultural diversity, especially by providing exposure to new and emerging artists from underserved cultural groups, in particular, racialized persons, Indigenous peoples and persons with disabilities.
14. As set out in Broadcasting Regulatory Policy 2010-499, the Commission considers that campus and community radio distinguishes itself by virtue of its place in the communities served, reflection of the communities' needs and values, and the requirement for volunteers in programming and other aspects of station operations. The programming provided by campus and community radio should meet the needs and interests of the communities served by these stations in ways that are not met by commercial radio stations and the Canadian Broadcasting Corporation (CBC).

Issues

15. After examining the applications 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 or economic need to justify the requested technical changes;
 - whether the requested technical changes represent an appropriate technical solution;
 - whether the requested technical changes represent an appropriate use of spectrum;
 - whether approval of the requested technical changes would result in an undue economic impact on incumbent stations in the market(s); and
 - whether approval of the application would undermine the integrity of the Commission's licensing process.

Compelling technical or economic need

16. As noted above, when the licensee of a radio station files an application for technical changes, the Commission generally expects that the licensee present compelling technical or economic evidence justifying the requested technical changes. Applications are

reviewed on a case-by-case basis, taking into account the particulars of the applications and any relevant issues raised in interventions.

17. In its applications, CIAM specified a technical need but did not specify an economic need for the requested technical changes. Accordingly, the Commission assessed CIAM's applications on the basis of technical need and the merits of the applications.
18. In regard to compelling technical need for proposed technical changes, the Commission generally requires an applicant to submit evidence in support of technical deficiencies. In its applications, CIAM stated that there are reception issues encountered in homes and vehicles of its current listeners, and that it has received complaints from listeners in regard to signal quality. The Commission notes, however, that the licensee did not provide supporting technical evidence demonstrating interference or unexpected deficiencies within each transmitter's primary (i.e., 3mV/m) contour.
19. In addition, CIAM submitted that the reception of its signal is impaired due to the limitations of low-power FM rebroadcasting transmitters and the lack of protection from interference, but did not provide further details in this regard.
20. In light of the above, the Commission finds that CIAM has not demonstrated a compelling technical need for the requested technical changes to the above-noted rebroadcasting transmitters of CIAM-FM.

Appropriate technical solution

21. As noted above, CIAM proposed to expand the authorized contours for each of the eight rebroadcasting transmitters by, among other things, increasing the maximum and average ERP and changing the class from low-power to full-power. Increasing a transmitter's power is a generally accepted solution for solving interference issues, and increasing each transmitter's operating parameters so that they become full-power transmitters would provide them with protection from interference from other new FM stations in the future.
22. Accordingly, the Commission finds that CIAM's proposals for the above-noted rebroadcasting transmitters constitute an appropriate technical solution for addressing and improving potential signal deficiencies, and for reaching more listeners with a clearer and stronger signal.

Appropriate use of spectrum

23. While approval of CIAM's proposals for seven of its eight rebroadcasting transmitters would result in those transmitters operating on protected frequencies, the licensee is not proposing the use of alternate frequencies. Approval of protected status for those transmitters would not have an impact on the availability of frequencies in any of the seven markets served.
24. In regard to the rebroadcasting transmitter CIAM-FM-6, the Commission notes that the proposed frequency of 94.5 MHz is not one of the last remaining frequencies available in Hines Creek. Accordingly, approval of the change in frequency for that rebroadcasting

transmitter would not have an impact on the availability of frequencies in the Hines Creek region.

25. In light of the above, the Commission finds that CIAM's proposals represent an appropriate use of spectrum.

Economic impact on incumbent stations

26. Although approval of the requested technical changes would result in a significant percentage increase in the population reached by each rebroadcasting transmitter, the actual combined increase in population served for all eight transmitters, within the primary contour for each, is less than 63,000.
27. Further, many of the areas for which the licensee has requested increases in coverage are not served by incumbent radio services.²
28. CIAM stated that it does not anticipate any changes to its financial situation should its applications be approved. In this regard, the Commission notes that CIAM, a not-for-profit radio broadcaster, does not broadcast any commercial advertising and is fully dependent on donations and volunteers for its operations.
29. In light of the above, and given the nature of the service, the Commission finds that approval of CIAM's applications would not have an undue economic impact on incumbent stations in the regions served by CIAM-FM and the rebroadcasting transmitters for which technical changes are being requested.

Integrity of the Commission's licensing process

30. When the licensee of a low-power station wishes to move that station from low-power to protected status, it must apply for a new broadcasting licence.³ CIAM has requested technical changes that would result in eight of its rebroadcasting transmitters moving from low-power to protected status; however, CIAM's originating station would remain a low-power station. While the requirement to apply for a new broadcasting licence when moving from low-power to protected status does not apply to rebroadcasting transmitters, the Commission nevertheless finds that it is appropriate to examine whether the move to protected status for so many of CIAM's rebroadcasting transmitters would in any way undermine the integrity of the licensing process.

² The exceptions being communities served by English-language commercial (rather than community) radio stations (specifically, Vanderhoof, by CIRX-FM-1 Vanderhoof, operated by Vista Radio Ltd.; Prince Albert, by CFMM-FM Prince Albert, CHQX-FM Prince Albert and CKBI Prince Albert, stations operated by Pattison Media Ltd.; Dawson Creek, by CJDC Dawson Creek, a station operated by Bell Media Inc.; and Charlie Lake, by CKFU-FM Fort St. John, a low-power station operated by 663975 B.C. Ltd.).

³ In this regard, see paragraph 31 of Broadcasting Regulatory Policy 2014-554.

31. CIAM was originally licensed to serve Fort Vermilion with a low-power station. It subsequently added a series of low-power rebroadcasting transmitters⁴ with the goal of providing community access to the airwaves by offering programming that includes emergency broadcasts, local news, and timely and critical community and health information in local Indigenous languages (for example, Carrier, Cree and Chipewyan) in addition to diverse programming that reflects the needs and interests of the local communities in remote and northern areas. The licensee's originating station in Fort Vermilion sources local Canadian content developed by community volunteers, and brings together local musicians and program producers from the various communities served by the station. In approving the rebroadcasting transmitters, the Commission acknowledged the role they would play in enhancing the diversity of radio services in these communities and that they would provide a community service to areas that would otherwise not likely be able to sustain a local radio station.⁵ As noted above, in past licence renewal decisions for CIAM-FM, the Commission also encouraged CIAM to continue providing community access to all members of the communities it serves.
32. While approval of the licensee's applications would result in the rebroadcasting transmitters becoming full-power transmitters with protected status, the originating station CIAM-FM would remain a low-power radio station, and none of the full-power signals would reach the originally licensed area. In the Commission's view, through the requested technical changes, the licensee wishes to provide a clearer, stronger signal that would reach more listeners and provide better service to the communities served by these rebroadcasting transmitters. Further, although approval of the requested technical changes would result in CIAM-FM's signal reaching more listeners, that signal would not reach any new or adjacent markets and would therefore not have an impact on incumbent stations in nearby markets. All of the communities served by these rebroadcasting transmitters are remote, northern and Indigenous communities that are unlikely to be able to sustain a local radio station of their own. Approval of these applications would expand the reach of the service and ensure its continued reception in these communities. Finally, should the Commission approve CIAM's applications, frequencies would continue to be available in the regions in which the transmitters operate.
33. In light of the above, the Commission finds that approval of CIAM's applications would not undermine the integrity of the Commission's licensing process for CIAM-FM.

Conclusion

34. The Commission has found that CIAM did not demonstrate a compelling technical need for the requested technical changes. Further, the licensee did not cite an economic need for those changes. As such, approval of the licensee's applications would require an

⁴ In Broadcasting Decision 2019-176, the Commission approved an application by CIAM to change the authorized contours of CIAM-FM-23 Taber, Alberta, which was originally approved in Broadcasting Decision 2016-219 as a low-power rebroadcasting transmitter of CIAM-FM, by, among other things, increasing that rebroadcasting transmitter's ERP from 50 to 1,500 watts, which resulted in that transmitter having protected status.

⁵ In this regard, see Broadcasting Decision 2008-302.

exception to the Commission's general approach of requiring licensees to present compelling technical or economic evidence justifying requested technical changes. The Commission notes that in the past, it has deviated from its general approach in cases where the particular circumstances of the licensee warranted approval, or for applications that primarily reflect a desire to serve additional communities when it is in the public interest to do so.

35. As noted above, the Commission considers that the proposed technical changes represent an appropriate solution for addressing and improving potential signal deficiencies, and for reaching more listeners, and that there would not be an undue economic impact on the incumbent stations in the areas served by the rebroadcasting transmitters.
36. Furthermore, the Commission is satisfied that the integrity of the licensing process would not be undermined by approval of the requested technical changes. CIAM-FM is the only English-language community radio station providing programming to some of the above-noted communities. Approval of the requested technical changes would allow the licensee to reach a larger population in such communities that are served by few or no radio services, thereby increasing access by those communities to local news, and events and daily programming focusing on the activities of local community and Indigenous groups served by the station.
37. As a community radio station, CIAM-FM fulfils objectives specifically set out in subparagraph 3(1)(d)(iii) of the Act by serving the needs and interests, and reflecting the circumstances and aspirations, of Canadians, particularly in regard to the multicultural and multiracial nature of Canadian society and the special place of Indigenous peoples within that society. Since 2003, CIAM-FM has been broadcasting in a not-for-profit and non-commercial community format with a strong emphasis on spiritual and religious programming, community involvement, Canadian talent development and Indigenous-language content. As part of its responses to a Commission staff procedural letter dated 28 June 2022, CIAM included a letter of support and petitions from listeners in each community in support of the requested technical changes to the eight above-noted rebroadcasting transmitters. The requested technical changes as proposed by the licensee are intended to better serve and meet the needs of many of the above-noted communities and Indigenous reserves.
38. In light of the above, the Commission finds that CIAM's applications warrant an exception to the Commission's general approach whereby it expects licensees to present compelling technical or economic evidence justifying requested technical changes. Accordingly, the Commission **approves** the applications by CIAM Media & Radio Broadcasting Association to change, as specified in paragraph 5 to this decision, the authorized contours of CIAM-FM's eight above-noted rebroadcasting transmitters operating in British Columbia, Alberta and Saskatchewan.
39. In addition, the Commission **approves** the licensee's request to change the frequency of the rebroadcasting transmitter CIAM-FM-6 Hines Creek from 94.7 MHz (channel 234LP) to 94.5 MHz (channel 233A).

40. Pursuant to subsection 22(1) of the Act, this authority will only be effective when the Department of Industry notifies the Commission that its technical requirements have been met and that broadcasting certificates will be issued.
41. The licensee must implement the technical changes for each of the rebroadcasting transmitters by no later than **23 September 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.
42. As set out in section 16 of the *Radio Regulations, 1986* (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 authorized contours of the rebroadcasting transmitters CIAM-FM-3, CIAM-FM-6, CIAM-FM-8, CIAM-FM-9, CIAM-FM-11, CIAM-FM-22, CIAM-FM-25 and CIAM-FM-29 resulting from the implementation of the technical changes 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 CIAM-FM, or on any rebroadcasting transmitters that may appear on the broadcasting licence for that station, be reprogrammed to properly account for the new authorized contours.

Secretary General

Related documents

- *Various campus and community radio stations – Licence renewals*, Broadcasting Decision CRTC 2020-172, 27 May 2020
- *CIAM-FM Fort Vermilion and its transmitter CIAM-FM-23 Taber – Technical changes*, Broadcasting Decision CRTC 2019-176, 24 May 2019
- *CIAM-FM Fort Vermilion – New transmitter in Taber*, Broadcasting Decision CRTC 2016-219, 8 June 2016
- *A targeted policy review of the commercial radio sector*, Broadcasting Regulatory Policy CRTC 2014-554, 28 October 2014
- *Campus and community radio stations – Licence renewals*, Broadcasting Decision CRTC 2013-665, 10 December 2013
- *Campus and community radio policy*, Broadcasting Regulatory Policy CRTC 2010-499, 22 July 2010
- *CIAM-FM Fort Vermilion and its transmitters – Licence renewal*, Broadcasting Decision CRTC 2010-437, 30 June 2010
- *CIAM-FM Fort Vermilion – Addition of transmitters*, Broadcasting Decision CRTC 2008-302, 6 November 2008
- *Revised policy concerning the issuance of calls for radio applications and a new process for applications to serve small markets*, Broadcasting Public Notice

CRTC 2006-159, 15 December 2006

- *Community radio station in Fort Vermilion*, Broadcasting Decision CRTC 2003-3, 7 January 2003

This decision is to be appended to the licence.