



Broadcasting Notice of Consultation CRTC 2024-10

PDF version

Ottawa, 17 January 2024

Public record: 1011-NOC2024-0010

Call for comments on market capacity and the appropriateness of issuing a call for radio applications to serve Vancouver, British Columbia

Summary

The Commission has received an application for a licence amendment to operate a rebroadcasting transmitter in order to provide improved coverage in Vancouver, British Columbia. The Commission is seeking comments on market capacity and the appropriateness of issuing a call for radio applications to serve Vancouver. The Commission encourages members of the public, as well as the applicant, to submit interventions to provide additional information.

The deadline for the receipt of interventions is **19 February 2024**. Only parties that file interventions may file a reply to matters raised during the intervention phase. This requirement applies to all interested persons, including the applicant. The deadline to file replies is **5 March 2024**.

The Commission expects persons interested in serving the Vancouver radio market to express their interest during the intervention period. Should little or no interest be expressed to serve that radio market, the Commission may publish the application for consideration during the non-appearing phase of a public hearing rather than issue a call for applications.

Background

1. According to Broadcasting Regulatory Policy 2014-554 (the Radio Call Policy), when the Commission receives an application for a new station or a licence amendment to an existing service that is proposing to use one of the last known frequencies in the market, and if an application does not fall within one of the exceptions to the issuance of a call, the Commission will publish a notice of consultation to seek comments on market capacity and the appropriateness of issuing a call.
2. The Commission does so to ensure that new radio stations or rebroadcasting services are introduced in a transparent and efficient manner and that the ability of existing radio stations to serve their communities is not compromised. It also provides Canadians with an opportunity to express their views on introducing new radio services prior to a call being issued.

3. On 22 August 2023, in Broadcasting Information Bulletin 2023-278, the Commission announced the suspension of the consideration of new applications and complaints relating to radio undertakings during the implementation of its regulatory plan for modernizing the Canadian broadcasting system. As the Commission initiated its examination of this application prior to the publication of the information bulletin, the Commission finds that it is in the public interest to move forward with this proceeding as well as issue a call for radio applications, if necessary, following this notice of consultation.

Application for Vancouver

4. The Commission announces that it has received the following application for a licence amendment to operate a rebroadcasting transmitter to serve Vancouver, British Columbia, proposing to use one of the last known frequencies available in Vancouver:

Applicant	Type of service	Technical parameters	Main community included in the primary contour
Durham Radio Inc.	Rebroadcasting transmitter for the English-language commercial radio programming undertaking CIWV-FM Vancouver	98.7 MHz (channel 254A) with a maximum effective radiated power (ERP) of 6,000 watts and an average ERP of 3,600 watts	Vancouver

Call for comments

5. In light of the above, the Commission calls for comments on the capacity of Vancouver to support a new service and on whether it should issue a call for applications for new radio stations to serve this community. The Commission also encourages members of the public, as well as the applicant, to submit information on how this market is currently being served, the diversity of programming, and the availability of services in this area.
6. Aggregated commercial and non-commercial financial information relating to the radio market in Vancouver can be found in the Commission’s [Broadcasting Financial Summaries](#) and on the [Open Data Portal](#). For commercial radio stations, information for the Vancouver market can be found under the ‘British Columbia and Territories’ section. For non-commercial stations, information for the Vancouver market can be found under the ‘British Columbia & Territories’ and ‘Prairies, British Columbia & Territories’ sections, depending on the type of station.

7. Following receipt of comments, the Commission will conduct an assessment of the capacity of Vancouver to support an additional service, taking into account economic and financial data as well as the comments received in the public consultation.
8. As indicated in the Radio Call Policy, the Commission will weigh factors such as market capacity, spectrum availability or scarcity, comments from the public, and interest by other parties in serving the market when deciding whether to:
 - publish the application for consideration during the non-appearing phase of a public hearing (for example, in instances where there is capacity in the market, a number of frequencies of comparable quality (or coverage) are available or there is a low probability of other applications to serve the market);
 - issue a call for applications (for example, in instances where there is capacity in the market, a limited number of frequencies available or a high probability of multiple applications to serve the market); or
 - make a determination that the market cannot sustain additional stations or services, return the application and issue a decision setting out this determination.

Procedure

9. The *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure* (the Rules of Procedure)¹ apply to the present proceeding. The Rules of Procedure set out, among other things, the rules for content, format, filing and service of interventions, answers, replies and requests for information; the procedure for filing confidential information and requesting its disclosure; and the conduct of public hearings. Accordingly, the procedure set out below must be read in conjunction with the Rules of Procedure and related documents, which can be found on the Commission's website under "[Statutes and Regulations](#)." The guidelines set out in Broadcasting and Telecom Information Bulletin 2010-959 provide information to help interested persons and parties understand the Rules of Procedure so that they can more effectively participate in Commission proceedings.
10. The Commission invites interventions that address the issues and questions set out above. The Commission will accept interventions that it receives on or before **19 February 2024**. Only parties that file interventions may file a reply to matters raised during the intervention phase. This requirement applies to all interested persons, including the applicant. The deadline for the filing of replies is **5 March 2024**.
11. The Commission encourages interested persons and parties to monitor the record of the proceeding, available on the Commission's website, for additional information that they may find useful when preparing their submissions.

¹ SOR/2010-277, 26 November 2010, as amended from time to time.

12. Submissions longer than five pages should include a summary. Each paragraph of all submissions should be numbered, and the line *****End of document***** should follow the last paragraph. This will help the Commission verify that the document has not been damaged during electronic transmission.
13. Pursuant to Broadcasting and Telecom Information Bulletin 2015-242, the Commission expects incorporated entities and associations, and encourages all Canadians, to file submissions for Commission proceedings in accessible formats (for example, text-based file formats that allow text to be enlarged or modified, or read by screen readers). To provide assistance in this regard, the Commission has posted on its website guidelines for preparing documents in accessible formats.
14. Submissions must be filed by sending them to the Secretary General of the Commission using **only one** of the following means:

by completing the
[\[Intervention/comment/answer form\]](#)

or

by mail to
CRTC, Ottawa, Ontario K1A 0N2

or

by fax at
819-994-0218

15. Parties who send documents electronically must ensure that they will be able to prove, upon Commission request, that filing, or where required, service of a particular document was completed. Accordingly, parties must keep proof of the sending and receipt of each document for 180 days after the date on which the document is filed or served. The Commission advises parties who file or serve documents by electronic means to exercise caution when using email for the service of documents, as it may be difficult to establish that service has occurred.
16. In accordance with the Rules of Procedure, a document must be received by the Commission and all relevant parties by 5 p.m. Vancouver time (8 p.m. Ottawa time) on the date it is due. Parties are responsible for ensuring the timely delivery of their submissions and will not be notified if their submissions are received after the deadline. Late submissions, including those due to postal delays, will not be considered by the Commission and will not be made part of the public record.
17. The Commission will not formally acknowledge submissions. It will, however, fully consider all submissions, which will form part of the public record of the proceeding, provided that the procedure for filing set out above has been followed.

Important notice

18. All information that parties provide as part of this public process, except information designated confidential, whether sent by postal mail, fax, email or through the Commission's website at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's website. This information includes personal information, such as full names, email addresses, postal/street addresses, telephone and fax numbers, etc.
19. The personal information that parties provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.
20. Documents received electronically or otherwise will be put on the Commission's website in their entirety exactly as received, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.
21. The information that parties provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the web page of this particular public process. As a result, a general search of the Commission's website with the help of either its own search engine or a third-party search engine will not provide access to the information that was provided as part of this public process.

Availability of documents

22. Links to interventions, replies and answers/final replies filed for this proceeding, as well as other documents referred to in this notice, are available on the Commission's "[Consultations and hearings: have your say](#)" page.
23. Documents are available upon request during normal business hours by contacting:

Documentation Centre
Examinationroom@crtc.gc.ca
Tel.: 819-997-4389
Fax: 819-994-0218

Client Services
Toll-free telephone: 1-877-249-2782
Toll-free TTY: 1-877-909-2782

Secretary General

Related documents

- *Change to the processing time for applications and complaints relating to radio undertakings*, Broadcasting Information Bulletin CRTC 2023-278, 22 August 2023
- *Filing submissions for Commission proceedings in accessible formats*, Broadcasting and Telecom Information Bulletin CRTC 2015-242, 8 June 2015
- *A targeted policy review of the commercial radio sector*, Broadcasting Regulatory Policy CRTC 2014-554, 28 October 2014
- *Guidelines on the CRTC Rules of Practice and Procedure*, Broadcasting and Telecom Information Bulletin CRTC 2010-959, 23 December 2010