



Broadcasting Decision CRTC 2024-114-1

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Reference: 2024-114

Ottawa, 2 December 2024

Arsenal Media Inc.

Joliette, Quebec

Public record: 2021-0457-9

Public hearing in the National Capital Region

14 September 2023

French-language commercial FM radio station in Joliette – Finalization of conditions of service

Introduction

1. In Broadcasting Decision 2024-114, the Commission approved the application by Arsenal Media Inc. (Arsenal) for a broadcasting licence to operate a new French-language commercial FM radio station in Joliette, Quebec.
2. In that decision, the Commission proposed to make orders imposing on Arsenal the conditions of service set out in Appendix 2 to the decision and invited interested persons to make representations only on the proposed orders.

Interventions

3. The Commission received more than 100 interventions from Canadian listeners of the U.S. station WVPS-FM Burlington, Vermont, whose signal can be received in Montréal and surrounding areas. These listeners, from the English-language community in the Montréal region and surrounding areas, opposed the use of the frequency 107.9 FM allocated to Arsenal, as it is the same frequency as that used by WVPS-FM.
4. Listeners were not opposed to granting a commercial radio license to Arsenal, but argued that they will lose the signal of WVPS-FM if Arsenal uses this frequency. They added that this would deprive English speakers of one of the few services that offer quality English-language programming in the area.

Commission's analysis

5. According to the *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure*, any interested person may intervene in a proceeding in writing during the period the application is posted. In this case, the Commission

notes that no interventions were filed during the posting period of the application indicating that Arsenal's proposed station would use the frequency 107.9 FM.

6. As noted in Broadcasting Decision 2024-114, interested persons could comment only on the proposed orders set out in Appendix 2 to that decision. The above-mentioned comments in opposition did not relate to the draft orders, but rather to the allocation of frequency 107.9 FM to Arsenal's station.
7. Regarding the auditor's interventions, the Commission notes that, in Broadcasting Decision 2023-16, it indicated that there are agreements between the Government of Canada and the Government of the United States of America regarding the coordination of FM Broadcasting Services. It specified that in assessing technical acceptability, the Department of Industry (also known as Innovation, Science and Economic Development Canada) takes into consideration the interference protection afforded to existing radio stations, including FM radio stations in the United States. However, the portion of American FM radio station coverage on the Canadian side of the border is not protected from interference.
8. Moreover, in that decision, the Commission recognized that there were other frequencies available to serve the Joliette market, but none were likely to provide coverage similar to or greater than the frequency 107.9 FM.
9. Therefore, the Commission considers that it should not protect access to the WVPS-FM signal at the expense of a Canadian station.

Conclusion

10. In light of the above, and pursuant to subsections 9.1(1) and 11.1(2) of the *Broadcasting Act*, the Commission hereby makes the **orders** imposing **conditions of service** on Arsenal Media Inc. in respect of the new French-language commercial FM radio programming undertaking in Joliette, Quebec, as set out in Appendix 2 to Broadcasting Decision 2024-114.

Secretary General

Related documents

- *French-language commercial FM radio station in Joliette*, Broadcasting Decision CRTC 2024-114, 27 May 2024
- *Findings regarding market capacity and the appropriateness of issuing a call for radio applications to serve Joliette*, Broadcasting Decision CRTC 2023-16, 23 January 2023

This decision is to be appended to the licence.