



Broadcasting Decision CRTC 2006-261

Ottawa, 22 June 2006

591989 B.C. Ltd.
Cambridge, Ontario

Application 2006-0058-7
Broadcasting Public Notice CRTC 2006-33
16 March 2006

CJDV-FM Cambridge – Technical change

*The Commission **denies** an application to change the authorized contours of CJDV-FM Cambridge.*

Background

1. In *CIZN-FM Cambridge – Technical amendments*, Broadcasting Decision CRTC 2003-51, 14 February 2003 (Decision 2003-51), the Commission approved an application by 591989 B.C. Ltd., a subsidiary of Corus Entertainment Inc. (Corus) to amend the broadcasting licence of CJDV-FM (then known as CIZN-FM) by changing the frequency from 92.9 MHz (channel 225A) to 107.5 MHz (channel 298A), and by increasing the station's effective radiated power (ERP) from 560 watts to 2,500 watts. The changes were expected to correct severe technical limitations associated with the station's signal, thereby allowing the licensee to better serve Cambridge.

The application

2. The Commission received an application by Corus, to change the authorized contours of CJDV-FM Cambridge, by increasing the average ERP from 2,500 watts to 6,800 watts.
3. The proposed power increase would result in a change of CJDV-FM's status from a Class A to a Class B1 service, and the authorized contours of the station would be increased significantly.
4. Corus indicated that, while the change of frequency approved in Decision 2003-51 has resulted in an improvement for listeners, CJDV-FM still experiences signal deficiencies in certain regions of its market area.

5. The licensee expressed its opinion that the signal deficiencies were due to a rare transmission phenomenon known as “thermal ducting”. Thermal ducting is described as co-channel interference due to atmospheric conditions causing variations in the propagation of signals through layers of warm and cold air. These layers can trap radio signals and conduct the signals over long distances causing high signal levels at distances well beyond the normal range of reception.
6. Corus stated that it has experienced recurring co-channel interference from CKMB-FM Barrie, Ontario, which is owned by Rock 95 Broadcasting (Barrie-Orillia) Ltd., and which operates at 107.5 MHz. It also stated that approval of this application would give CJDV-FM listeners an improved signal with wider coverage.

Intervention

7. An intervention in opposition to this application was submitted by CanWest MediaWorks Inc. (CanWest), licensee of radio station CKBT-FM, known as “The Beat”, which operates at 91.5 MHz in Kitchener-Waterloo.
8. CanWest noted that the technical amendments approved in Decision 2003-51 were designed specifically to address CJDV-FM’s signal deficiencies within the licensed Cambridge region, and that Corus already had the ability to repatriate listeners and advertisers lost due to signal reception problems.
9. CanWest expressed the opinion that Corus’ rationale for the proposed amendments is not satisfactory, and that competitive issues have been disregarded. The intervener indicated that, while Corus uses a new competitive environment as a rationale for these amendments, the licensee is projecting an increase in financial health in the same environment, as well as an increase in the potential listener base in nearby regions that are already well-served by radio stations licensed to serve those areas. The intervener stressed that the geographic contours of stations should be respected and maintained.

Applicant’s reply

10. In reply to CanWest’s intervention, Corus stated that although the 2003 amendment to CJDV-FM’s broadcasting licence has provided the station with improvements to its signal, signal deficiencies still exist. Corus further stated that the current proposal had not been viable until the recent implementation of technical changes to radio stations in Barrie, which provided further technical solutions for CJDV-FM.
11. Corus further stated that, given the entry of two new commercial radio stations in the region, CJDV-FM has no potential for substantial financial benefit at this time, and expressed the view that CanWest has provided no evidence that the modest increases projected for CJDV-FM would have any negative impact on CanWest’s operations in the region.

Commission's analysis and determination

12. In its evaluation of this application, the Commission has considered the views expressed by Corus and by the intervener.
13. According to the Department of Industry's Broadcasting Procedures and Rules, signal strength of 3 mV/m is considered satisfactory service to principal target centres. The Commission notes that since CJDV-FM's existing realistic 3 mV/m contour falls well beyond the station's 3 mV/m theoretical contour, in the circumstances, no power increase would be justified.
14. With respect to the licensee's claim of signal deficiencies due to thermal ducting, the Commission notes that the licensee has provided neither evidence of such a deficiency, nor technical data to support such a claim.
15. In light of the above, the Commission **denies** the application by 591989 B.C. Ltd., to change the authorized contours of CJDV-FM Cambridge, by increasing the average effective radiated power from 2,500 watts to 6,800 watts.

Secretary General

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