



## Broadcasting Decision CRTC 2006-44

Ottawa, 16 February 2006

**Coopérative de solidarité radio communautaire  
Nicolet-Yamaska/Bécancour**  
Bécancour and Nicolet, Quebec

*Application 2005-0200-9  
Broadcasting Public Notice CRTC 2005-65  
5 July 2005*

### **CKBN-FM Bécancour and Nicolet – Technical amendment**

*The Commission **denies** the application to change the frequency and authorized contours of CKBN-FM Bécancour and Nicolet.*

#### **The application**

1. The Commission received an application by the Coopérative de solidarité radio communautaire Nicolet-Yamaska/Bécancour (the Coopérative) to amend the broadcasting licence of radio programming undertaking CKBN-FM Bécancour and Nicolet, authorized in *Community radio station in Bécancour and Nicolet*, Broadcasting Decision CRTC 2004-56, 30 January 2004 (Decision 2004-56), by changing the frequency from 90.5 MHz to 88.1 MHz. The applicant also proposed to change the authorized contours by decreasing the average effective radiated power from 34,000 watts to 2,600 watts, by increasing the antenna height and by relocating the transmitter from Bécancour to Mont-Carmel.
2. The applicant stated that, when it filed its initial application in April 2003, frequency 88.1 MHz was not available. The applicant also submitted that, in the villages of Pierreville and Saint-François and the Aboriginal community of Odanak, there is a risk of its current signal interfering with the signal from the transmitter of the radio programming undertaking CBFX-FM-2 Sherbrooke, which is owned by the Canadian Broadcasting Corporation and uses frequency 90.7 MHz, and that it would have to lower the power of its signal towards Sherbrooke to reduce the possibility of interference with CBFX-FM-2. The applicant argued that the use of frequency 88.1 MHz would provide better coverage of the area in question while reducing the possibility of interference.
3. The Coopérative also stated that it cannot build a tower of a safe size for its transmitter on the site proposed in the original application. The applicant noted that it received a letter from the urban development department of the municipality of Bécancour notifying

it that building a transmission tower on the site in question would not be allowed. The

applicant added that the presence of a residential neighbourhood near the transmitter site would increase potential complaints. According to the applicant, the people living near the 34,000 watt transmission site could have trouble receiving other signals.

## **Background**

4. On 17 September 2003, the Commission released Broadcasting Notice of Public Hearing CRTC 2003-9 stating that it would consider an application by the Coopérative for a broadcasting licence to operate a French-language Type B FM community radio programming undertaking in Bécancour only if the Department of Industry (the Department) advised the Commission, at least ten days prior to the hearing on 17 November 2003, that the application was technically acceptable.
5. In its letter dated 18 September 2003, the Department advised that the Coopérative's application to operate its undertaking at 90.5 MHz with an effective radiated power of 34,000 watts was conditionally technically acceptable.
6. In Decision 2004-56, the Commission authorized the Coopérative to operate a French-language Type B FM community radio station in Bécancour and Nicolet. The Commission stated that the station's programming would reflect the needs and interests of the regional county municipalities of Bécancour and Nicolet-Yamaska and the Odanak and Wôlinak Indian reserves.
7. The broadcasting licence for this undertaking has not yet been issued because the undertaking is not yet in operation.

## **Interventions**

8. The Commission received interventions opposing this application. One of these interventions was filed jointly by Michel Mathieu, Radio Nord-Joli inc., licensee of CFNJ-FM Saint-Gabriel-de-Brandon, and the Coop de solidarité radio communautaire de la MRC de Maskinongé, licensee of the new French-language Type B FM community radio station authorized in *Community radio station in Louiseville*, Broadcasting Decision CRTC 2005-353, 28 July 2005 (Decision 2005-353) (collectively the Group of Intervenors).
9. La radio campus communautaire francophone de Shawinigan inc. (La radio campus), licensee of community radio station CFUT-FM Shawinigan, expressed concern about potential interference problems if the application were approved, owing to the low power of the CFUT-FM transmitter. Furthermore, the intervener submitted that the presence of two community radio stations serving Shawinigan could have a negative impact on both stations.

10. According to La radio campus and the Group of Interveners, moving the CKBN-FM transmitter to Mont Carmel would change the transmitter's 3mV/m contour, such that it would encompass the cities of Shawinigan and Trois-Rivières, and no longer encompass its principal target market, the municipalities of Nicolet and Bécancour.
11. The Group of Interveners was also of the view that the applicant's proposed 0.5 mV/m contour would encompass a large part of the Louiseville community radio station's territory and encroach on the territory of CFNJ-FM.
12. The Group of Interveners also cited the approximately 54% decrease in the population covered within the 3 mV/m contour. Under its current coverage, the station would reach 20,500 people, whereas with the proposed technical parameters, only 11,051 people would be able to receive the signal.
13. The Group of Interveners believes that use of frequency 88.1 MHz would be more appropriate for the Trois-Rivières market, and that the public interest would be better served by using frequency 90.5 MHz on the south shore of Trois-Rivières.
14. Finally, in response to the Coopérative's concerns regarding potential coverage gaps in the Pierreville and Saint-François areas and the community of Odanak, the Group of Interveners submitted that the applicant could use a low-power re-transmitter to fill those gaps.

**Applicant's reply**

15. In its reply, the applicant stated that the site proposed in the original application does not allow it to build a sufficiently large tower to accommodate the transmitter approved in Decision 2004-56. The applicant further submitted that this transmitter would not allow it to appropriately serve the regional county municipalities of Bécancour and Nicolet-Yamaska and the Odanak and Wôlinak Indian reserves.
16. With respect to the decrease in the population within the 3 mV/m contour, the applicant stated that, because CKBN-FM is a regional station, the 0.5 mV/m contours should be used to define the size of its potential audience. According to the applicant, the 0.5 mV/m contour meets its needs and would allow it to reach the target population.
17. The applicant added that the sectors unintentionally covered by the signal, i.e., Shawinigan, Trois-Rivières and Louiseville, were already included in the station's existing contours and thus do not constitute an addition. The Coopérative submitted that CKBN-FM's programming and information service will specifically target the population on the south shore, and reiterated its intention to target the south shore advertising market exclusively. The applicant further committed not to target the north shore markets included in its coverage maps.

18. Given that frequency 88.1 MHz receives no interference in the Odanak area, the applicant submitted that using this frequency is more appropriate than using frequency 90.5 MHz. According to the applicant, use of frequency 88.1 MHz will not have any technical impact on the interveners.
19. The applicant is convinced that the Mont-Carmel site is the best broadcasting site available in the area and that by using the site, it will be better able to serve the target sectors, while limiting the risk of potential interference. The applicant submitted that denial of its application could compromise its community radio project.

### **Commission's analysis and determination**

20. The Commission notes that the reasons given by the Coopérative in support of its application seem to indicate a major lack of planning by the applicant in preparing its initial application. The Commission notes that the station is still not in operation, even though the Department certified the site proposed in the initial application.
21. In *An FM policy for the nineties*, Public Notice CRTC 1990-111, 17 December 1990, the Commission defined the market of an FM station to be “any area within either the 3 mV/m signal contour or the Central Area of the community served by the station as defined by BBM, whichever is smaller.”
22. The Commission notes that moving the transmitter from Bécancour to Mont-Carmel would result in a significant shift to the north of the authorized 3 mV/m contour, and that the municipalities of Shawinigan and Shawinigan Sud would be included in the contour, whereas the municipalities of Nicolet and Odanak would be excluded. The Commission notes that moving the transmitter would change CKBN-FM's principal market and the proposed 3 mV/m contour would significantly encroach on the market of CFUT-FM Shawinigan. The Commission also considers that the changes to the technical parameters could interfere with the launch of the Louiseville community radio station authorized in Decision 2005-353.
23. According to the applicant's original application, the station's market would be composed of the municipalities of Nicolet and Bécancour, the village of Saint-Célestin, the municipality of Saint-Célestin and Wôlinak. The Coopérative also said it would reach a population of 20,509 within its 3 mV/m contour. The Commission notes that according to the current application, the applicant stated that it would serve only 11,051 people in the new 3 mV/m contour, which is a decrease in service of 46% or 9,458 people, and that it would reach a population of 42,143 within the proposed 0.5 mV/m contour, rather than 37,806 as indicated in the initial application, which is an increase of 11%.
24. The Commission notes that the amendments proposed by the applicant would permit it to serve the metropolitan region of Trois-Rivières, which, according to the Statistics Canada 2001 census, has a population of 137,507, as well as the agglomeration of Shawinigan, which includes 57,304 people, according to the same census.

25. The Coopérative has not persuaded the Commission of the need to move the transmitter to Mont Carmel. The Commission notes that the applicant based its application on technical reasons aimed at avoiding potential interference, and did not provide any evidence in support of its application. Furthermore, the applicant has not convinced the Commission that it has conducted an in-depth study of existing sites available within the station's authorized 3 mV/m contour.
26. In view of the preceding, the Commission **denies** the application by the Coopérative de solidarité radio communautaire Nicolet-Yamaska/Bécancour to amend the licence of radio programming undertaking CKBN-FM Bécancour and Nicolet by changing the frequency from 90.5 MHz to 88.1 MHz, to modify the authorized contours by decreasing the average effective radiated power from 34,000 watts to 2,600 watts, by increasing the antenna height, and by relocating the transmitter from Bécancour to Mont-Carmel.

Secretary General

*This decision is available in alternative format upon request, and may also be examined in PDF format or in HTML at the following Internet site: <http://www.crtc.gc.ca>*