



Broadcasting Decision CRTC 2008-68

Ottawa, 25 March 2008

2079966 Ontario Limited
Kincardine and Goderich, Ontario

Application 2007-1602-9, received 13 November 2007
Broadcasting Public Notice CRTC 2007-140
17 December 2007

CIYN-FM Kincardine – New transmitter at Goderich

*The Commission **approves** the application by 2079966 Ontario Limited to amend the broadcasting licence for the English-language commercial radio programming undertaking CIYN-FM Kincardine in order to operate a transmitter at Goderich.*

The application

1. The Commission received an application by 2079966 Ontario Limited to amend the broadcasting licence for the English-language commercial radio programming undertaking CIYN-FM Kincardine in order to operate a transmitter at Goderich. The proposed transmitter would operate at 99.7 MHz (channel 259A) with an effective radiated power of 750 watts.
2. The Commission received an intervention in opposition to this application from Bayshore Broadcasting Corporation (Bayshore), the licensee of CHWC-FM Goderich.

Commission's analysis and determinations

3. The Commission notes that it approved an application by the licensee for a transmitter at Goderich in Broadcasting Decision 2005-68. The Commission further notes that the licensee did not meet the requirements of this decision with respect to the transmitter at Goderich, as the transmitter was not operational nor was a request for an extension of time to commence operation received by the Commission within the required time frame, i.e. by 17 February 2007. Consequently, the authority granted in Broadcasting Decision 2005-68 for the operation of the transmitter became null and void as of that date.
4. The licensee stated that due to a dispute with the owners of the tower, it was unable to commence the operation of the transmitter at Goderich in the required time frame.

5. In its intervention, Bayshore noted that it was granted a licence to provide a local radio station in Broadcasting Decision 2007-69 and that this station was currently operational. Bayshore also noted that Blackburn Radio Inc., the licensee of CIBU-FM Wingham, was granted authority in Broadcasting Decision 2006-574 to operate a transmitter in Bluewater to serve Southern Huron County, which includes Goderich. The intervener submitted that the area was now more than adequately served by other broadcasters and that consequently the need for the proposed transmitter to provide local programming to Goderich, which was a factor in authorizing the transmitter in Broadcasting Decision 2005-68, had been overtaken by events. Bayshore also submitted that approval of the proposed transmitter would not result in the best use of frequency spectrum in Southern Ontario.
6. With respect to the intervention submitted by Bayshore, the Commission notes that the intervener did not raise any concerns regarding any undue negative impact the proposed transmitter could have on its recently approved Goderich originating station. Although Bayshore did raise concerns with respect to the best use of frequency spectrum, the Commission notes that other frequencies of the same class as that requested by the applicant are available in the area. Finally, the Commission remains of the view stated in Broadcasting Decision 2005-68 that the Adult Classic Hit format broadcast by the applicant and the news and information programming offered by its station would surpass the limited regional services currently available to listeners in the area.
7. Accordingly, the Commission **approves** the application by 2079966 Ontario Limited to amend the broadcasting licence for the English-language commercial radio programming undertaking CIYN-FM Kincardine in order to operate a transmitter at Goderich.
8. The new transmitter will operate at 99.7 MHz (channel 259A) with an effective radiated power of 750 watts.
9. The transmitter must be operational at the earliest possible date and in any event no later than 24 months from the date of this decision, unless a request for an extension of time is approved by the Commission before 25 March 2010. In order to ensure that such a request is processed in a timely manner, it should be submitted in writing at least 60 days before that date.

Secretary General

Related documents

- *English-language FM radio station in Goderich*, Broadcasting Decision CRTC 2007-69, 20 February 2007
- *CIBU-FM Wingham – New transmitter in Bluewater*, Broadcasting Decision CRTC 2006-574, 12 October 2006
- *Adult Classic Hit FM radio station in Kincardine, with transmitters in Goderich and Port Elgin*, Broadcasting Decision CRTC 2005-68, 17 February 2005

This decision is to be appended to the licence. It 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>