



## Broadcasting Decision CRTC 2015-21

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Ottawa, 26 January 2015

**Concordia Student Broadcasting Corporation**  
Montréal, Quebec

*Application 2014-0336-0*

### **CJLO Montréal – New transmitter in Montréal**

*The Commission **denies** an application by Concordia Student Broadcasting Corporation to operate a nested FM transmitter in downtown Montréal to rebroadcast the programming of the English-language campus radio station CJLO Montréal.*

#### **Introduction**

1. Concordia Student Broadcasting Corporation (CSBC) filed an application to operate a nested FM transmitter<sup>1</sup> in downtown Montréal, Quebec, to rebroadcast the programming of the English-language campus radio station CJLO Montréal. The transmitter would operate at 107.9 MHz (channel 300A1) with an effective radiated power of 100 watts (non-directional antenna with an effective height of antenna above average terrain of 101.4 metres).
2. CSBC indicated that since the station began broadcasting in 2008,<sup>2</sup> it has suffered from significant interference issues around Concordia University's downtown Sir George Williams Campus due to the inability of the AM frequency to penetrate the concrete buildings surrounding the campus. It claimed, however, that its campus in the west end of Montréal does not experience the same reception issues.

#### **Interventions**

3. The Commission received interventions in support of and commenting on this application. It also received opposing interventions, including one from Vermont Public Radio (VPR), licensee of WVPS-FM Burlington, Vermont, and several from its supporters. The public record for this application is available on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) or by using the application number provided above.

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<sup>1</sup> A nested transmitter is a transmitter located within the coverage contours of the original station to supplement coverage to an area experiencing reduced signal strength.

<sup>2</sup> The Commission licensed CJLO in *Community-based campus AM radio station in Montréal*, Broadcasting Decision CRTC 2006-58, 10 March 2006.

4. The interveners argued that based on the technical brief submitted by CSBC and the technical brief that it commissioned from the engineering firm Yves R. Hamel et Associés Inc.,<sup>3</sup> WVPS-FM's signal would be obliterated around Concordia University's downtown campus, which would likely create interference within a 14-kilometre radius of CJLO's proposed transmitter and make it difficult for anyone in that area to listen to either of the stations. While supportive of campus radio, VPR and its supporters opposed the application on the grounds that it would deprive Montréal residents of a service that they have been enjoying and supporting financially for over 37 years.

### **Applicant's reply**

5. Through its broadcast consultant, CSBC stated that it is the licensee—rather than the Commission—that is responsible for selecting frequencies. Following years of studies with many broadcast engineers, CSBC determined that the use of an FM transmitter operating at 107.9 MHz would be the best solution to CJLO's reception problems in downtown Montréal. It also pointed out that the opposing interventions were against the use of frequency 107.9 MHz rather than the need to improve CJLO's signal.
6. CSBC further indicated that even though VPR provides fantastic programming, 107.9 MHz is the only frequency available that could provide CJLO with the service that it requires. It added that the Commission is not obligated to protect foreign stations, especially to the detriment of Canadian stations like CJLO.

### **Commission's analysis**

7. With respect to VPR's opposing intervention, the Commission notes that because VPR operates a U.S. station, its station was not considered in the examination of this application.
8. When a licensee files an application to change its authorized contours, the Commission expects it to demonstrate a compelling technical or economic need justifying the proposed technical change. In light of this expectation, the Commission considers that the issues it must address are the following:
  - Did the applicant demonstrate a compelling technical need for the proposed change?
  - Did the applicant propose an appropriate technical solution?
  - Would the proposed change make appropriate use of the radio spectrum?

### **Technical need**

9. In support of its application, CSBC provided field strength measurements of CJLO's AM signal and several letters of complaint citing reception issues in downtown Montréal. Most of the measurements were taken from locations on the periphery of the secondary

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<sup>3</sup> VPR submitted this technical brief along with its intervention.

contour, and the majority of the complaints were filed by listeners residing near those areas.

10. The Commission notes that AM signals are sensitive to electromagnetic interference caused by electromagnetic apparatus and power lines, and are affected by reinforced concrete buildings and other large metallic structures. As a result, they are significantly more affected in large metropolitan areas like Montréal, where reception issues in an AM station's service area are to be expected.
11. Given that the signal deficiencies are mainly reported near the edge of the station's secondary contour, the Commission is of the view that the applicant has not demonstrated that the station's technical difficulties are severe within its licensed service area or that it is subject to more interference than other AM stations in urban areas.
12. Consequently, the Commission finds that the applicant has not demonstrated a compelling technical need justifying the proposed amendment.

#### **Technical solution**

13. In its application, CSBC outlined other possible solutions to improve CJLO's AM signal. After discarding these potential solutions due to issues mainly relating to cost and zoning, it decided that it would like to operate a nested FM transmitter in downtown Montréal. However, the Commission considers that the licensee has not provided evidence that it has considered all potential technical solutions to solve CJLO's coverage issues while remaining on the AM band or without expanding its contours beyond what is necessary to improve service to its downtown campus.
14. Accordingly, the Commission finds that CSBC's proposed technical solution is not appropriate.

#### **Use of spectrum**

15. The Commission considers that the use of one of the last known frequencies for a nested FM transmitter may not be the best use of frequency 107.9 MHz in a radio market characterized by a scarcity of available frequencies.
16. As a result, the Commission finds that CSBC's proposal does not represent an appropriate use of spectrum.

#### **Conclusion**

17. In light of all of the above, the Commission **denies** the application by Concordia Student Broadcasting Corporation to amend the broadcasting licence for the English-language campus radio programming undertaking CJLO Montréal to operate a nested FM transmitter in Montréal.

Secretary General