



## Broadcasting Decision CRTC 2015-411

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Reference: Part 1 application posted on 7 November 2014

Ottawa, 1 September 2015

**Aboriginal Multi-Media Society of Alberta**  
Edmonton, Alberta

*Application 2014-1132-1*

### **CFWE-FM-4 Edmonton – Technical changes**

*The Commission **approves** an application to change the authorized contours of the English-and Aboriginal-language Native Type B radio station CFWE-FM-4 Edmonton.*

*As a result of these changes, local listeners will see an increase in the quality of the station's signal.*

### **Background**

1. In Broadcasting Decision 2008-288, following a competitive process, the Commission approved an application by Aboriginal Multi-Media Society of Alberta (AMMSA) to operate an English- and Aboriginal-language Native Type B FM radio station to serve Edmonton along with 36 transmitters to serve communities across Alberta.
2. In that decision, the Commission indicated that given the significant Aboriginal population in Edmonton, an additional Native radio station in that market would provide a social benefit through the increased exposure of Aboriginal cultures and perspectives. Moreover, the station was licensed because it would contribute to the fulfilment of the policy objectives of the *Broadcasting Act* (the Act), most notably, that programming that reflects the aboriginal cultures of Canada should be provided within the Canadian broadcasting system as resources become available for that purpose.

### **Application**

3. AMMSA filed an application to change the authorized contours of CFWE-FM-4 by increasing the effective radiated power (ERP) from 9,300 to 100,000 watts and decreasing the effective height of antenna above average terrain (EHAAT) from 162 to 153.7 metres. This increase in power would result in a change to CFWE-FM-4's class from B1 to C1. The Commission received an intervention in support of this application.

### **Non-compliance**

4. In Broadcasting Decision 2015-276, the Commission found AMMSA in non-compliance with section 9(2) of the *Radio Regulations, 1986* relating to the filing of annual returns

and financial statements. Specifically, the licensee filed its annual return and financial statements for the 2011-2012 broadcast year five months after the 30 November deadline. Given its new approach to non-compliance by radio stations, the Commission still granted CFWE-FM-4 a full seven-year licence renewal, expiring 31 August 2022.

### **Commission's analysis**

5. The Commission generally assesses the merits of applications for technical changes on the basis of the demonstrated economic or technical evidence justifying the proposed change. In this particular case, the application was made to expand its service area to provide its Native service to Edmonton listeners situated outside its primary service area, given that the station is licensed to serve Edmonton but that its signal does not fully encompass it within its primary contour. Accordingly, as an exception, the Commission does not consider it appropriate to assess the present application on the basis of economic or technical need.
6. Rather, after examining the public record for this application in light of applicable regulations and policies, the Commission considers that the issues to be addressed are the following:
  - whether the proposal constitutes an appropriate technical solution;
  - whether the proposed changes would have an undue financial impact on existing stations; and
  - the potential impact of the proposal on listeners.

### **Technical solution**

7. The technical parameters proposed by AMMSA would result in its station encompassing most of Edmonton in its primary contour, with its secondary contour being extended by approximately 22 kilometres in all directions.
8. Consequently, the Commission finds that the proposed technical solution to serve Edmonton is appropriate.

### **Financial impact on existing stations**

9. In its application, AMMSA indicated that it has relied on an annual grant from the Department of Canadian Heritage to remain on the air and that grant monies are tenuous at best. It also stated that its goal is to be self-sufficient through station-generated sales. The financial projections provided by the licensee indicate that the proposed changes could allow the station to generate \$115,639 in incremental revenues by the third year following approval of the application.
10. To assess the potential impact of the requested technical changes on existing stations, the Commission has taken into consideration that the incremental revenue anticipated in the

third year would represent approximately 0.1% of the total advertising revenue in that market and that no interventions were filed in opposition to the application.

11. Based on the above, the Commission finds that approval of this application would have no undue financial impact on stations operating in the Edmonton market.

### **Impact on listeners**

12. CFWE-FM-4 is subject to conditions of licence requiring that it devote, each broadcast week, at least:

- 7 hours of spoken word programming in an Aboriginal language;
- 20% of all musical selections to musical selections performed by Aboriginal artists; and
- 5% of all musical selections to musical selections in an Aboriginal language.

13. Accordingly, the Commission finds that approval of the proposed technical changes would result in a substantial increase in the number of listeners in Edmonton, including Aboriginal peoples, who currently have no or limited access to CFWE-FM-4's programming. Moreover, it would contribute to the fulfilment of the objectives of the Act, particularly with regards to ensuring a special place for Aboriginal people within Canadian society.

### **Conclusion**

14. In light of all of the above, the Commission **approves** the application by Aboriginal Multi-Media Society of Alberta to change the authorized contours of the English- and Aboriginal-language Native Type B radio programming undertaking CFWE-FM-4 Edmonton by increasing the ERP from 9,300 to 100,000 watts, decreasing the EHAAT from 162 to 153.7 metres and changing the class from B1 to C1.
15. Pursuant to section 22(1) of the *Broadcasting Act*, this authority will only be effective when the Department of Industry notifies the Commission that its technical requirements have been met and that a broadcasting certificate will be issued.

Secretary General

### **Related documents**

- *CFWE-FM-4 Edmonton and its transmitters – Licence renewal*, Broadcasting Decision CRTC 2015-276, 22 June 2015
- *Licensing of new radio stations to serve Edmonton, Alberta*, Broadcasting Decision CRTC 2008-288, 17 October 2008

*\*This decision is to be appended to the licence.*