



Broadcasting Decision CRTC 2017-193

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Reference: 2016-439

Ottawa, 9 June 2017

Findings regarding market capacity and the appropriateness of issuing a call for radio applications to serve the Brampton radio market

The Commission finds that the Brampton radio market cannot sustain an additional radio station at this time. Consequently, the Commission will not issue a call for applications for new radio stations to serve that market and will return the applications filed by Priya Datta, on behalf of a corporation to be incorporated (OBCI), and Antoine Karam, OBCI, for broadcasting licences to operate commercial ethnic radio stations in Brampton, Ontario.

Introduction

1. In Broadcasting Notice of Consultation 2016-439, the Commission announced that it had received applications by Priya Datta, on behalf of a corporation to be incorporated (Datta, OBCI), and Antoine Karam, on behalf of a corporation to be incorporated (OBCI), for broadcasting licences to operate commercial AM ethnic radio stations to serve Brampton, Ontario.
2. The city of Brampton is part of the Greater Toronto Area (GTA) and is located approximately 40 kilometres northwest of Toronto's downtown core. In terms of audience measurement, Brampton is included in the Numeris Toronto Central Area (Toronto CTRL), which has the same boundaries as the Toronto census metropolitan area. The Toronto radio market is currently served by 31 commercial stations, including 9 ethnic stations.
3. In accordance with Broadcasting Regulatory Policy 2014-554 (the Policy), the Commission called for comments on the capacity of Brampton to support a new station and whether it should issue a call for applications for new radio stations to serve that market. The Policy states that the Commission will weigh factors such as market capacity, spectrum availability or scarcity and interest in serving the market when deciding whether to:
 - publish the applications for consideration as part of the non-appearing phase of a public hearing;
 - issue a call for applications; or

- make a determination that the market cannot sustain additional stations, return the applications and issue a decision setting out this determination.

Interventions and reply

4. The Commission received a number of interventions from operators expressing interest in submitting competing ethnic radio applications in the event of a call for radio applications. It also received a joint intervention by Dufferin Communications Inc. (Dufferin), 1760791 Ontario Inc. (CINA Radio), CIRC Radio Inc. (CIRC), Fairchild Radio Group Ltd., Trafalgar Broadcasting Limited, 3885275 Canada Inc. and Canadian Hellenic Toronto Radio Inc., as well as individual interventions by CINA Radio, CIRC and Radio Humsafar Inc., commenting on the limitations of the ethnic radio market. In addition, Bell Media Inc. (Bell), Corus Entertainment Inc. (Corus), Newcap Inc. (Newcap) and Rogers Media Inc. (Rogers) filed a joint comment regarding the possible impact on the GTA market. Finally, the applicant Datta, OBCI also filed an intervention and a reply. The public record for this proceeding can be found on the Commission's website at www.crtc.gc.ca.
5. In its intervention, Datta, OBCI argued that the market could support a new ethnic station due to a large and rapidly growing ethnic audience, as well as robust economic characteristics. It further submitted that Brampton was currently underserved as GTA stations did not cater specifically to Brampton.
6. The joint intervention filed by Dufferin and other licensees noted that population growth in the market was slowing and submitted that licensing a new ethnic station was premature as it would exacerbate the difficulties facing ethnic broadcasters. These interveners further expressed concern that applicants would direct a large part of their programming to the South Asian community, which they argued was already well served by 1,100 hours of programming per week on 11 stations (when including mainstream and community stations).
7. CINA Radio, licensee of CINA Mississauga, also expressed concern about the impact of an additional ethnic station. It submitted that the market for ethnic advertising was not expanding quickly enough to license another such station at this time and noted that Radio Humsafar Inc., which was licensed in late October 2015 to operate an ethnic AM station in Brampton, has not yet launched its station. Finally, it argued that the Brampton ethnic radio market is already well served by ethnic stations in Brampton, Mississauga and Toronto.
8. Bell, Corus, Newcap and Rogers took no position on Brampton's capacity to support a new ethnic AM station, but expressed concern over the possibility of backdoor entry into the greater Toronto market by an English-language station and maintained that any call for applications should be restricted to applications for ethnic radio licences.
9. In reply to the joint intervention by Dufferin and others, Datta, OBCI noted that a significant part of available Punjabi programming is broadcast outside of the

broadcast day and does not serve local audiences. It further argued that issuing a call for applications would be consistent with the Commission's policies and that the criteria for doing so had been met.

Commission's analysis

10. Brampton represents a significant part of the Toronto CTRL radio market. Despite Brampton's rapid population growth and high level of ethnic diversity, the Toronto CTRL radio market as a whole has experienced a decline in revenues since 2012. Toronto CTRL ethnic radio revenues in particular have also declined in recent years.
11. In light of the preceding, the Commission is concerned that licensing a new Brampton ethnic station at this time risks having an undue financial impact on the unlaunched ethnic AM station recently licensed to serve Brampton, as well as the ethnic station CINA in the neighboring Mississauga market.

Conclusion

12. Based on the written record of this proceeding, its concerns over the effects of licensing a new radio station in Brampton at this time and its existing policy framework, the Commission is not persuaded that issuing a call for applications for new radio stations to serve that radio market is warranted. Consequently, it will return the applications filed by Priya Datta, OBCI, and Antoine Karam, OBCI.
13. Further, consistent with its approach set out in the Policy, the Commission will not generally be disposed to accept applications for new commercial radio stations to serve the Brampton radio market for a period of two years from the date of this decision.

Secretary General

Related documents

- *Call for comments on market capacity and on the appropriateness of issuing a call for radio applications to serve Brampton, Ontario*, Broadcasting Notice of Consultation CRTC 2016-439, 4 November 2016
- *A targeted policy review of the commercial radio sector*, Broadcasting Regulatory Policy CRTC 2014-554, 28 October 2014