



Broadcasting Decision CRTC 2021-122

PDF version

Reference: Part 1 application posted on 11 February 2020

Ottawa, 31 March 2021

La Coopérative des montagnes limitée – Radio communautaire
Edmundston, New Brunswick

Public record for this application: 2020-0086-8

CFAI-FM Edmundston – Technical changes

*The Commission **approves** an application to change the authorized contours of the French-language community radio station CFAI-FM Edmundston.*

Application

1. La Coopérative des montagnes limitée – Radio communautaire (Coopérative des montagnes) filed an application to change the authorized contours of the French-language community radio station CFAI-FM Edmundston, New Brunswick. Specifically, the applicant proposed to increase the effective radiated power from 1,000 to 5,700 watts and to change the transmitter class from A to B1. All other technical parameters would remain unchanged.
2. Coopérative des montagnes indicated that the requested technical changes are primarily intended to improve the station's existing coverage, because the mountainous terrain surrounding Edmundston produces signal shadows that prevent the station from ensuring good coverage of its authorized service area.
3. The Commission did not receive any interventions in regard to this application.

Commission's analysis and decision

4. The Commission has the authority, pursuant to section 9(1) of the *Broadcasting Act* (the Act), to issue licences for such terms not exceeding seven years and subject to such conditions related to the circumstances of the licensee as it deems appropriate for the implementation of the broadcasting policy set out in section 3(1) of the Act, as well as to amend those conditions on application of the licensee.
5. When a licensee of a radio station files an application for a technical change, the Commission expects the licensee to present a compelling technical or economic need justifying the change. The Commission may, as an exception to this general approach, approve applications that do not provide a compelling technical or economic need where the particular circumstances of the licensee warrant.

6. Given this expectation, and after examining the information on the record of this application in light of applicable regulations and policies, the Commission considers that it must address the following issues:
- whether the applicant has demonstrated a compelling technical or economic need for the technical changes;
 - whether the requested technical changes represent an appropriate use of spectrum;
 - whether approval of the application would have an undue financial impact on incumbent radio stations; and
 - whether an exception to the Commission's general approach to technical changes is warranted in this case.

Technical or economic need for the proposed technical changes

7. In order to demonstrate a compelling technical need for the proposed power increase, the Commission would generally require the applicant to present evidence of technical deficiencies within its authorized contours. Although Coopérative des montagnes indicated that the signal shadows caused by the mountainous terrain prevent the station from ensuring adequate coverage, it did not submit any evidence of technical deficiencies within its authorized primary (3 mV/m) contour.
8. In support of its application for technical changes, Coopérative des montagnes submitted a map showing the realistic coverage of the proposed theoretical contours, as well as complaints from listeners regarding reception of the station's signal.
9. The Commission notes that these complaints do not constitute sufficient evidence of technical difficulties within the primary contour. However, they do demonstrate that the proposed changes serve the public interest and are intended to better meet the needs of the French-language community of Edmundston.
10. The Commission notes that the map depicting the realistic coverage of the station's proposed theoretical contours demonstrates, to some degree, the effect of the mountainous terrain on reception of the station's signal, particularly within the secondary (0.5 mV/m) contour, a coverage area in which reception is weaker and more sensitive to interference. Nevertheless, the Commission considers that this does not constitute sufficient evidence of technical difficulties within the station's authorized primary service area.
11. Coopérative des montagnes confirmed that the proposed changes are not required to ensure the station's viability and that they are only intended to address the above-mentioned technical difficulties.
12. In light of the above, the Commission finds that the applicant has not demonstrated a compelling technical or economic need for the proposed changes.

Appropriate use of spectrum

13. Given that the applicant is not proposing the use of an alternate frequency, the Commission finds that Coopérative des montagnes's application represents an appropriate use of spectrum.

Financial impact on incumbent stations

14. The proposed changes would have an impact on the population served by CFAI-FM, in that this population would increase. However, the increased coverage would not include large population centres, and the increase in the population being served would not come from new markets outside the Edmundston market.
15. Only one French-language commercial radio station, CJEM-FM, is licensed to serve Edmundston. The applicant indicated that the proposed amendment would not have an impact on existing financial projections.
16. In light of the above, the Commission finds that approval of the proposed technical changes would not have an undue financial impact on incumbent stations.

Exception to the Commission's general approach

17. While Coopérative des montagnes has not demonstrated a compelling economic or technical need for the requested changes, the Commission notes that CFAI-FM is the only French-language community station dedicated to serving the official language minority community of Edmundston. Therefore, the Commission considers that approval of the proposed technical changes would allow CFAI-FM to better serve the Francophone community of Edmundston by continuing to offer varied, balanced and community-oriented programming that informs, enlightens and entertains in a way that reflects the situation and needs of this community.
18. In addition, the Commission considers that this application represents an appropriate technical solution to improve the station's signal in the community of Edmundston. It also considers that approval of this amendment would not undermine the integrity of the Commission's licensing process.
19. In light of the above, given the particular circumstances of this case, the Commission is satisfied that an exception to its general approach in regard to technical changes is appropriate in this case.

Conclusion

20. In light of all of the above, the Commission **approves** the application by La Coopérative des montagnes limitée – Radio communautaire to change the authorized contours of the French-language community radio programming undertaking CFAI-FM Edmundston, New Brunswick.

21. Pursuant to section 22(1) of the 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.
22. The licensee must implement the technical changes by no later than **31 March 2023**. To request an extension, the licensee must submit a written request to the Commission at least 60 days before that date, using the form available on the Commission's website.
23. As set out in section 16 of the *Radio Regulations, 1986* (the Regulations), all radio station licensees have obligations relating to the broadcast of emergency alert messages received from the National Alert Aggregation and Dissemination System. In regard to the changes to CFAI-FM's authorized contours resulting from the implementation of the technical changes approved in this decision, the Commission reminds the licensee that continued compliance with section 16 of the Regulations may require that any alert broadcast decoders (e.g., ENDEC) used for the purposes of broadcasting emergency alert messages on that station be reprogrammed to properly account for the new authorized contours.

Secretary General

This decision is to be appended to the licence.