



## Broadcasting Decision CRTC 2023-231

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Reference: Part 1 application posted on 24 May 2023

Ottawa, 28 July 2023

### Maritime Broadcasting System Limited

Digby, Nova Scotia

*Public record: 2023-0291-7*

### CKDY Digby – New transmitter in Digby

1. The Commission has the authority, pursuant to subsection 9(1) of the *Broadcasting Act* (the Act), to issue licences for the carrying on of broadcasting undertakings as well as to amend those licences.
2. Consistent with this authority, the Commission **approves** the application by Maritime Broadcasting System Limited (MBS) to amend the broadcasting licence for the radio programming undertaking CKDY Digby, Nova Scotia, in order to operate a temporary low power transmitter in Digby. The Commission did not receive any interventions in regard to this application.
3. On 26 March 2020, the Commission administratively approved an application by MBS to amend the broadcasting licence of CKDY to add a temporary rebroadcasting transmitter in Digby due to serious vandalism and destruction of their AM transmitter site. While it was essential that the station come back on air as soon as possible since CKDY is the only radio station in the community, MBS expressed their intention to submit an application thereafter to convert their AM band to an FM band.
4. In *CKDY Digby – Conversion to FM band*, Broadcasting Decision CRTC 2021-153, 3 May 2021, the Commission approved an application by MBS for a broadcasting licence to operate a commercial FM radio station in Digby to replace its commercial AM radio station. MBS has until 2 May 2024 to complete the conversion to the FM band.
5. MBS stated that it received a letter from the Department of Industry (also known as Innovation, Science and Economic Development Canada [ISED]) on 24 April 2023, explaining that the broadcasting certificate and the Commission letter dated 26 March 2020 authorizing a new temporary low-power FM rebroadcasting transmitter for CKDY both became invalid when the licensee changed its operations from low power to high power in October 2022. Accordingly, ISED directed MBS to cease operations of CKDY-FM within 48 hours.
6. MBS further stated that it has complied with the directive and is diligently working with ISED to rectify the issues and ensure that CKDY is in complete compliance with all regulations.

7. MBS indicated that CKDY is the only radio station that has served Digby for over 50 years and having to cease operations has silenced the voice of the community. It noted that the current proposed amendment will allow it to resume operations on an expedited basis.
8. The new transmitter will operate at 99.7 MHz (channel 259LP) with an average effective radiated power (ERP) of 33.5 watts (directional antenna with a maximum ERP of 50 watts and an effective height of the antenna above average terrain [EHAAT] of 33.3 metres). All other technical parameters will remain unchanged.
9. When a licensee of a radio station files an application for technical changes, the Commission generally requires the licensee to present compelling technical or economic evidence justifying the requested technical changes. Given the circumstances surrounding the filing of the present application and the evidence filed as part of the public record of this proceeding, the Commission is satisfied that the licensee has demonstrated a technical need for the requested changes.
10. Pursuant to subsection 22(1) of the Act, this authority will only be effective when ISED notifies the Commission that its technical requirements have been met and that a broadcasting certificate will be issued.
11. The transmitter must be in operation by no later than **28 July 2025**. 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.
12. As set out in section 16 of the *Radio Regulations, 1986* (the Regulations), 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 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 CKDY, or on any rebroadcasting transmitters that may appear on the broadcasting licence for that station, be reprogrammed to properly account for the new authorized contours.

Secretary General

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