



Broadcasting Decision CRTC 2006-355

Ottawa, 11 August 2006

Maritime Broadcasting System Limited
Sydney, Nova Scotia

Application 2006-0106-4
Public Hearing at Edmonton, Alberta
19 June 2006

CHER Sydney - Conversion to FM band

1. The Commission **approves** the application by Maritime Broadcasting System Limited for a broadcasting licence to operate a new English-language FM radio programming undertaking at Sydney to replace its AM station CHER.
2. The new station will offer a Classic Hits format. The local programming will include 2.6 hours of news weekly, covering local politics as well as national issues. The local spoken word programming will continue to reflect the community's cultural diversity through scheduled talk shows, news reports and promotion of concerts and other events in Cape Breton.
3. In the area of Canadian talent development (CTD), the licensee shall abide by the Canadian Association of Broadcasters' plan which requires licensees in markets the size of Sydney to make a minimum contribution of \$400 annually to eligible third parties, upon commencement of operations.
4. The station will operate at 98.3 MHz (channel 252 C1) with an effective radiated power of 100,000 watts.
5. The Commission received an intervention in support of this application.
6. The licence will expire 31 August 2012. It will be subject to the **conditions** set out in *New licence form for commercial radio stations*, Public Notice CRTC 1999-137, 24 August 1999.
7. The licensee also is authorized, by **condition of licence**, to simulcast the programming of the new FM station on CHER for a transition period of three months following the commencement of operations of the FM station. Pursuant to sections 9(1)(e) and 24(1) of the *Broadcasting Act* (the Act), and consistent with the licensee's request, the Commission **revokes** the licence for CHER effective at the end of the simulcast period.

Issuance of the licence

8. The Department of Industry (the Department) has advised the Commission that, while this application is conditionally technically acceptable, it will only issue a broadcasting certificate when it has determined that the proposed technical parameters will not create any unacceptable interference with aeronautical NAV/COM services.
9. The Commission reminds the licensee that, pursuant to section 22(1) of the Act, no licence may be issued until the Department notifies the Commission that its technical requirements have been met, and that a broadcasting certificate will be issued.
10. Furthermore, the licence for this undertaking will be issued once the licensee has informed the Commission in writing that it is prepared to commence operations. The undertaking must be operational at the earliest possible date and in any event no later than 24 months from the date of this decision, unless a request for an extension of time is approved by the Commission before 11 August 2008. In order to ensure that such a request is processed in a timely manner, it should be submitted at least 60 days before this date.

Employment equity

11. Because this licensee is subject to the *Employment Equity Act* and files reports concerning employment equity with the Department of Human Resources and Skills Development, its employment equity practices are not examined by the Commission.

Secretary General

This decision is to be appended to the licence. It is available in alternative format upon request, and may also be examined in PDF format or in HTML at the following Internet site: <http://www.crtc.gc.ca>