



Broadcasting Decision CRTC 2007-232

Ottawa, 16 July 2007

591989 B.C. Ltd.
Collingwood, Ontario

*Application 2006-1680-8, received 20 December 2006
Broadcasting Public Notice CRTC 2007-10
26 January 2007*

CKCB-FM Collingwood – Technical change

*The Commission **denies** the application to change the authorized contours of CKCB-FM Collingwood.*

The application

1. The Commission received an application by 591989 B.C. Ltd., a wholly-owned subsidiary of Corus Entertainment Inc. (Corus) to change the authorized contours of the radio programming undertaking CKCB-FM Collingwood, by increasing the effective radiated power (ERP) from 350 watts to an average ERP of 4,000 watts, and by increasing the antenna height.
2. The applicant indicated that the authorized contours of the station will be increased as a result of the proposed technical changes. The applicant further indicated that growing regional infrastructure has resulted in a reduction of CKCB-FM's signal penetration within the station's local market.

Interventions

3. The Commission received interventions in support of this application, as well as two interventions in opposition, from Bayshore Broadcasting Corporation (Bayshore) and Rock 95 Broadcasting Limited (Rock 95).
4. Bayshore is the licensee of CHGB-FM, a new FM station serving Wasaga Beach, Ontario approved in Broadcasting Decision 2006-507, and officially launched in May of 2007. Wasaga Beach is adjacent to the municipality of Collingwood. Bayshore indicated that the technical amendment proposed by Corus would result in the CKCB-FM contour fully encompassing the town of Wasaga Beach, and the introduction of a new competitor would have a severe impact on the business plan for CHGB-FM.

5. Further, Bayshore stated that it had commissioned an engineering study that revealed two alternative transmitter sites for CKCB-FM that would address the applicant's stated technical concerns, and that would not cause undue harm to the Bayshore station in Wasaga Beach.
6. The intervener noted that, in Broadcasting Decision 2005-487, the Commission denied Bayshore's original application to serve Wasaga Beach. In that decision, the Commission stated that it was "...particularly concerned with the possible impact on CKCB-FM Collingwood, given that Collingwood and Wasaga Beach are less than 25 kilometres apart..."
7. Bayshore requested that the Commission "provide the same consideration and protection" for its new Wasaga Beach station as was provided to CKCB-FM in denying Bayshore's original application for a station in that location.
8. Rock 95 is the licensee of CFJB-FM and CKMB-FM Barrie. Rock 95 expressed the view that, while there is some technical impairment of the CKCB-FM signal, it is relatively minor, and suggests that the current signal strength throughout the Collingwood area is greater than or equal to that of other radio stations. In the opinion of Rock 95, Corus had not provided any data to support its contention that CKCB-FM is at a competitive disadvantage due to technical impairments.
9. The intervener also stated that the expanded contour as proposed by Corus would "jeopardize the ongoing viability of independent broadcasters in the Barrie, Midland and Wasaga markets." Rock 95 reiterated Bayshore's comments with respect to the protection of CKCB-FM given in Broadcasting Decision 2005-487, and, similar to Bayshore, suggested an alternative transmitter location for CKCB-FM.

Applicant's reply

10. In response to both opposing interveners, Corus stated that the proposed power increase for CKCB-FM is required to adequately and fully serve its core market. Corus recognized that an increased contour would completely encompass Wasaga Beach, but indicated that no technical interference to CHGB-FM would result. Corus further noted that CKCB-FM does not currently solicit advertising revenue in Wasaga Beach, and that, should the Commission approve this application, it has no intention of doing so. Corus also noted that, while the proposed contour would reach the outskirts of Barrie, it has no intention of becoming a Barrie radio station.
11. Finally, Corus indicated that it had taken into consideration the alternative technical solutions suggested by the interveners, but that, for various reasons, it did not consider them to be acceptable alternatives.

Commission's analysis and determination

12. The Commission notes that the broadcast contour proposed by Corus for CKCB-FM would encompass the adjacent market of Wasaga Beach, served by Bayshore's newly-licensed FM station, CHGB-FM. The Commission notes that approval of Corus' application would be inconsistent with its decision, set out in Broadcasting Decision 2005-487, to deny Bayshore's original application to serve Wasaga Beach because it would have resulted in an undue negative impact upon Corus' CKCB-FM.
13. The Commission is further of the view that there are alternatives to the technical parameters proposed by Corus in this application that could address the applicant's concerns for the ability of CKCB-FM to effectively reach all areas of its Collingwood market.
14. Finally, the Commission is of the view that the applicant has not demonstrated an economic imperative for approval of the proposed technical amendment.
15. Accordingly, the Commission **denies** the application by 591989 B.C. Ltd. to change the authorized contours of the radio programming undertaking CKCB-FM Collingwood, by increasing the effective radiated power (ERP) from 350 watts to an average ERP of 4,000 watts, and by increasing the antenna height.

Secretary General

Related documents

- *English-language FM radio station in Wasaga Beach*, Broadcasting Decision CRTC 2006-507, 13 September 2006
- *English-language FM radio station in Wasaga Beach*, Broadcasting Decision CRTC 2005-487, 13 October 2005

This decision 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>