



Broadcasting Decision CRTC 2007-289

Ottawa, 13 August 2007

CAB-K Broadcasting Ltd.

Olds, Alberta

Rawlco Radio Ltd.

Calgary, Alberta

Applications 2007-0517-1 and 2007-0516-3, received 4 April 2007

Broadcasting Public Notice CRTC 2007-47

7 May 2007

Technical changes – CKLJ-FM Olds and the Calgary Specialty FM station approved in Broadcasting Decision 2006-322

*The Commission **approves** applications by CAB-K Broadcasting Ltd. (CAB-K) and Rawlco Radio Ltd. (Rawlco) requesting technical changes for their respective radio stations in the communities noted above.*

*CAB-K is authorized to change CKLJ-FM Olds' frequency from 97.7 MHz (channel 249B) to 96.5 MHz (channel 243B); to increase the effective radiated power (ERP) from 13,000 watts to 35,000 watts; and to increase the antenna height. By **condition of licence**, CAB-K is authorized to simulcast the programming of CKLJ-FM at 97.7 MHz (channel 249B) and 96.5 MHz (channel 243B) for three months from the date of implementation of the proposed technical changes.*

Rawlco is authorized to change the frequency of the Specialty FM radio station in Calgary approved in Broadcasting Decision 2006-322, from 100.3 MHz (channel 262C) to 97.7 MHz (channel 249C1); to increase the average ERP from 19,000 watts to an ERP of 100,000 watts; to increase the antenna height; and to relocate the transmitter.

Introduction

1. CAB-K Broadcasting Ltd. (CAB-K) filed an application requesting a licence amendment for the radio programming undertaking CKLJ-FM Olds, Alberta, in order to change the frequency from 97.7 MHz (channel 249B) to 96.5 MHz (channel 243B). CAB-K also requested changes to the undertaking's authorized contours in order to increase the effective radiated power (ERP) from 13,000 watts to 35,000 watts and to increase the antenna height. Finally, CAB-K requested authority to simulcast the programming of CKLJ-FM at 97.7 MHz and 96.5 MHz for three months from the date of implementation of the proposed technical changes.

2. At the same time, Rawlco Radio Ltd. (Rawlco) filed an application requesting a licence amendment for the Specialty FM radio programming undertaking in Calgary approved in Broadcasting Decision 2006-322, in order to change the frequency from 100.3 MHz (channel 262C) to 97.7 MHz (channel 249C1). Rawlco also requested changes to the undertaking's authorized contours in order to increase the average ERP from 19,000 watts to an ERP of 100,000 watts, to increase the antenna height and to relocate the transmitter. The Calgary station, which will offer a Folk/Acoustic music format, is not yet in operation.
3. Tiessen Media Inc. (Tiessen) filed a comment on CAB-K's application. Tiessen is the licensee of the radio programming undertaking consisting of CFIT-FM Airdrie and its transmitter CFIT-FM-1 Cochrane, Alberta. The Commission did not receive any interventions in connection with Rawlco's application.
4. The Commission considers that the primary issues arising from these applications are:
 - whether CAB-K has provided compelling evidence of technical impairment to CKLJ-FM's signal operating at 97.7 MHz in Olds;
 - whether approval of the proposed technical changes for CKLJ-FM and the Calgary station would represent the optimum use of the frequency spectrum; and
 - whether approval of these applications is in the public interest.

Commission's analysis and determinations

5. The Commission's analysis confirms CAB-K's claim that, due to hilly terrain west of Olds, CKLJ-FM's current technical parameters are not adequate to provide a quality signal to a number of communities within its authorized service area, including Sundre, Torrington, Bowden and Innisfail, Alberta, as proposed in the original licensing application approved in Broadcasting Decision 2003-320. The Commission considers that the coverage deficiencies in these communities would be resolved by the additional antenna height and greater ERP available to CKLJ-FM if it were operating at 96.5 MHz. In addition, the Commission is persuaded by the arguments presented by both Rawlco and CAB-K that the use of 97.7 MHz (channel 249B) by CKLJ-FM, which currently operates with an ERP of 13,000 watts, represents an under-utilization of the frequency spectrum.
6. For its part, Tiessen also indicated support for the principal of the proposed frequency exchange between CAB-K and Rawlco in the interest of spectrum efficiency. However, Tiessen expressed concern that the principal marketing area of CFIT-FM Airdrie and its transmitter CFIT-FM-1 Cochrane (as defined by its 3 mV/m contour) would be encompassed by CKLJ-FM's new 0.5 mV/m contour if the technical changes proposed by CAB-K were approved.

7. The Commission's analysis confirms that CKLJ-FM's 3 mV/m contour would not encroach on Airdrie and Cochrane or overlap with CFIT-FM's present 3 mV/m contour as a result of the proposed technical changes. However, CKLJ-FM's new 0.5 mV/m contour would encompass CFIT-FM's principal market, as claimed by Tiessen. The Commission nevertheless notes that CAB-K made a commitment that it would not change the focus of CKLJ-FM's programming, not reorient its improved signal to CFIT-FM's principal market area, which is comprised of Airdrie, Cochrane and surrounding communities, and not solicit local advertising revenues in those communities.
8. With respect to Rawlco's application, the Commission recognizes that approval of the proposed technical changes for the Calgary station would result in a significant increase in its authorized contours from those approved in Broadcasting Decision 2006-322. The Commission is nevertheless satisfied that the station would maintain the niche format proposed in the original licensing application, given that it is licensed to operate within the Specialty format as defined in Public Notices 1995-60 and 2000-14. As indicated by Rawlco, the use of 97.7 MHz would enable its station to provide a better signal to listeners in outlying areas of Calgary but would have little consequence on the station's projected revenues, as proposed in the original licensing application. Accordingly, the Commission considers that the proposed increase in the Calgary station's authorized contour would have a minimal impact on the Calgary radio market.
9. In light of the above, the Commission determines that approval of CAB-K's proposal would correct technical impairments to CKLJ-FM's signal. The Commission also determines that approval of both applications would represent optimum use of frequency spectrum and would be in the public interest.
10. Accordingly, the Commission **approves** the application by CAB-K Broadcasting Ltd. to amend the licence for CKLJ-FM Olds, in order to change the frequency from 97.7 MHz (channel 249B) to 96.5 MHz (channel 243B); and to change the station's authorized contours in order to increase the ERP from 13,000 watts to 35,000 watts and to increase the antenna height. As set out in Appendix 1 to this decision, CAB-K is authorized to simulcast the programming of CKLJ-FM at 97.7 MHz (channel 249B) and 96.5 MHz (channel 243B) for three months from the date of implementation of the technical changes approved herein.
11. In addition, as set out in Appendix 1 to this decision, the Commission expects CAB-K to adhere to its commitment not to change the focus of CKLJ-FM's programming, not to target any of CKLJ-FM's programming to the principal marketing area of CFIT-FM Airdrie and its transmitter CFIT-FM-1 Cochrane, and not to solicit local advertising in those communities.
12. The Commission also **approves** the application by Rawlco Radio Ltd. to amend the broadcasting licence for the Specialty FM radio programming undertaking in Calgary approved in Broadcasting Decision 2006-322, in order to change the frequency from 100.3 MHz (channel 262C) to 97.7 MHz (channel 249C1); and to change the undertaking's authorized contours in order to increase the average ERP from 19,000 watts to an ERP of 100,000 watts, to increase the antenna height, and to relocate the transmitter.
13. The Commission notes that CAB-K and Rawlco have entered into agreement by which

Ralwco agrees not to implement the technical changes approved herein for its Calgary station until the conclusion of the simulcast period noted in paragraph 10 above. For its part, CAB-K has agreed to implement the technical changes approved herein as soon as possible.

14. The terms of the licence amendments are set out in Appendices 1 and 2 to this decision.

Secretary General

Related documents

- *Folk/Acoustic Specialty FM radio station in Calgary*, Broadcasting Decision CRTC 2006-322, 2 August 2006
- *Eclectic Adult Contemporary FM station in Airdrie and Cochrane*, Broadcasting Decision CRTC 2006-325, 2 August 2006
- *FM radio station in Olds*, Broadcasting Decision CRTC 2003-320, 23 July 2003
- *Revised Content Categories and Subcategories for Radio*, Public Notice CRTC 2000-14, 28 January 2000
- *A Review of Certain Matters Concerning Radio*, Public Notice CRTC 1995-60, 21 April 1995

This decision is to be appended to each licence, and each appendix is to be appended to the appropriate licence. This document 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>

Appendix 1 to Broadcasting Decision CRTC 2007-289

CAB-K Broadcasting Ltd.

Olds, Alberta

Application 2007-0517-1, received 4 April 2007

Terms, condition of licence and expectation

Terms of the licence amendment for CKLJ-FM Olds

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.

The Commission reminds the licensee that, pursuant to section 22(1) of the *Broadcasting Act*, this authority will only be effective when the Department notifies the Commission that its technical requirements have been met, and that a broadcasting certificate will be issued.

Condition of licence

The licensee is authorized to simulcast the programming of CKLJ-FM Olds at 97.7 MHz (channel 249B) and 96.5 MHz (channel 243B) for a transition period of three months following implementation of the technical changes approved in Broadcasting Decision 2007-289.

Expectation

The Commission expects the licensee to adhere to its commitment not to change the focus of CKLJ-FM Old's programming, not to target any of CKLJ-FM's programming to the principal marketing area of CFIT-FM Airdrie and its transmitter CFIT-FM-1 Cochrane, and not to solicit local advertising in the principal marketing area of CFIT-FM Airdrie and CFIT-FM-1 Cochrane.

Appendix 2 to Broadcasting Decision CRTC 2007-289

Rawlco Radio Ltd.

Calgary, Alberta

Application 2007-0516-3, received 4 April 2007

Terms of the licence amendment for the Specialty FM radio station in Calgary approved in Broadcasting Decision 2006-322

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.

The Commission reminds the licensee that, pursuant to section 22(1) of the *Broadcasting Act*, this authority will only be effective when the Department notifies the Commission that its technical requirements have been met, and that a broadcasting certificate will be issued.