



Broadcasting Notice of Consultation CRTC 2010-12

Ottawa, 15 January 2010

Notice of applications received

Various locations

Deadline for submission of interventions/comments: 19 February 2010

The Commission has received the following applications:

[\[Broadcasting interventions/comments form\]](#)

Applicant and Locality

1. **Radio Port-Cartier inc.**
Port-Cartier, Quebec
Application No. 2009-1678-6
2. **My Broadcasting Corporation**
Port Elgin, Ontario
Application No. 2009-1634-8

1. Port-Cartier, Quebec **Application No. 2009-1678-6**

Application by **Radio Port-Cartier inc.** relating to the broadcasting licence of the French-language commercial radio programming undertaking CIPC-FM Port-Cartier, Quebec.

The licensee proposes to change the authorized contours of the station by increasing the transmitter's average effective radiated power from 18,766 to 41,687 watts (maximum effective radiated power from 45,016 to 100,000 watts). All other technical parameters remain unchanged.

The licensee submits that this amendment will allow it to increase the quality of the station's signal.

Licensee's address:

52 Elie-Rochefort Street
Port-Cartier, Quebec
G5B 1N2
Fax: 418-968-0121
E-Mail: jean@vision-marine.qc.ca

Canada

Examination of application:

At the licensee's address

2. Port Elgin, Ontario
Application No. 2009-1634-8

Application by **My Broadcasting Corporation** (MBC) to amend the broadcasting licence of the English-language commercial radio programming undertaking CIYN-FM Kincardine.

The licensee proposes to add an FM transmitter at Port Elgin to broadcast the programming of CIYN-FM in order to adequately serve the population of Port Elgin.

The transmitter would operate on frequency 90.9 MHz (channel 215A) with an effective radiated power of 3,100 watts (non-directional antenna with an effective height of antenna above average terrain of 47.3 metres).

The Commission notes that it approved transmitters in Port Elgin and Goderich in *Adult Classic Hit FM radio station in Kincardine, with transmitters in Goderich and Port Elgin*, Broadcasting Decision CRTC 2005-68, 17 February 2005 (Broadcasting Decision 2005-68). Subsequently, the licensee did not meet the requirements of this decision for the implementation of the transmitters because the transmitters did not become operational and a request for an extension of time to commence operation was not received by the Commission within the given time frame. Consequently, the authority granted in Broadcasting Decision 2005-68 for the operation of the transmitters became null and void effective 17 February 2007.

The Commission notes that it subsequently approved the addition of a transmitter in Goderich in *CIYN-FM Kincardine – New transmitter at Goderich*, Broadcasting Decision CRTC 2008-68, 25 March 2008.

In *Change in effective control and addition of a transmitter of CIYN-FM Kincardine in Port Elgin*, Broadcasting Decision CRTC 2009-269, 13 May 2009 (Broadcasting Decision 2009-269), the Commission approved a change in the effective control of 2079966 Ontario Limited but denied the addition of a transmitter in Port Elgin. In the decision, the Commission indicated that, if it were to approve the proposed licence amendment, the profit to be realized from the sale of the transmitter would be significant (\$125,000) particularly in view of the fact that the vendor had not fulfilled the original requirements set out in Broadcasting Decision 2005-68 to establish a transmitter in Port Elgin and had not made any financial investment in the undertaking. The Commission further noted in the decision that MBC could file an application requesting a licence amendment to add a transmitter of CIYN-FM in Port Elgin nine months from the date of that decision. In that case, MBC would not be required to pay extra compensation to 2079966 Ontario Limited related to the additional transmitter in Port Elgin.

In the current application, the licensee filed an agreement between MBC and 2079966 Ontario Inc. stating that there will be no further payment required regarding the addition

of a transmitter in Port Elgin. Therefore, the licensee indicates that the approval of the application would not have an impact on the value of the ownership transaction approved in Broadcasting Decision 2009-269.

Licensee's address:

321B Raglan St. South
 Renfrew, Ontario
 K7V 4H4
 Fax: 877-840-6936
 E-Mail: andrew@myfmradio.ca

Examination of application:

Town of Saugeen Shores
 600 Tomlinson Drive
 Port Elgin, Ontario

Public participation

Deadline for interventions 19 February 2010

The intervention must be received by the Commission and by the applicant on or before the above-mentioned date. The Commission cannot be held responsible for postal delays and will not notify a party whose intervention is received after the deadline date. The intervention will not be considered by the Commission and will not be part of the public file.

Interventions will be considered by the Commission and will form part of the public record of the proceeding without further notification to intervening parties, provided the procedure set out below has been followed. Parties will be contacted only if their submissions raise procedural questions.

Written interventions should be submitted to the Secretary General of the Commission in **only one** of the following formats:

by using the
[\[Broadcasting interventions/comments form\]](#)

or

by mail to
 CRTC, Ottawa, Ontario K1A 0N2

or

by fax at
819-994-0218

A true copy must be sent to the applicant, and proof that this has been done must accompany the intervention sent to the Commission.

The Commission advises those who file and serve by electronic mode to exercise caution when using e-mail for service of documents or notification, as it may be difficult to establish that service has occurred.

Parties must ensure that, before initiating service through electronic mode, they will be able to satisfy the Commission, upon request, that service of the notification was completed.

Submissions longer than five pages should include a summary.

Each paragraph of the submission should be numbered. In addition, where the intervention is filed by electronic means, the line *****End of document***** should be entered following the last paragraph of the document, as an indication that the document has not been damaged during electronic transmission.

Interventions should clearly identify the application referred to and indicate whether parties support or oppose the application, or, if they propose changes to it, include the facts and grounds for their proposal.

Important notice

All information that parties provide as part of this public process, except information granted confidentiality, whether sent by postal mail, facsimile, e-mail or through the Commission's website at www.crtc.gc.ca, becomes part of a publicly accessible file and will be posted on the Commission's website. This information includes personal information, such as full names, e-mail addresses, postal/street addresses, telephone and facsimile numbers, and any other personal information parties provide.

The personal information that parties provide will be used and may be disclosed for the purpose for which the information was obtained or compiled by the Commission, or for a use consistent with that purpose.

Documents received electronically or otherwise will be put on the Commission's website in their entirety exactly as received, including any personal information contained therein, in the official language and format in which they are received. Documents not received electronically will be available in PDF format.

The information that parties provide to the Commission as part of this public process is entered into an unsearchable database dedicated to this specific public process. This database is accessible only from the web page of this particular public process. As a

result, a general search of the Commission's website with the help of either its own search engine or a third-party search engine will not provide access to the information that was provided as part of this public process.

The Commission encourages interested parties to monitor the public examination file and the Commission's website for additional information that they may find useful when preparing their interventions.

Examination of documents

An electronic version of the applications is available from the Commission's website by selecting the application number within this notice.

A list of all interventions will also be available on the Commission's website. An electronic version of all interventions submitted will be accessible from this list. To access the list, select "Lists of interventions/comments" under "Public Proceedings" from the Commission's website.

Documents are also available during normal office hours at the local address provided in this notice and at the Commission offices and documentation centres directly involved with these applications, or, upon request, within two (2) working days, at any other Commission offices and documentation centres.

Location of Commission offices

Toll-free telephone: 1-877-249-2782

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Regional offices

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Secretary General

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>.