



Broadcasting Notice of Consultation CRTC 2011-767

PDF version

Ottawa, 13 December 2011

Notice of application received

Windsor, Ontario

Deadline for submission of interventions/comments/answers: 6 February 2012

[\[Submit an intervention/comment/answer or view related documents\]](#)

The Commission has received the following application:

Applicant/Licensee and Locality

1. **Neeti P. Ray, on behalf of a corporation to be incorporated**
Windsor, Ontario
Application 2008-1603-5

1. **Windsor, Ontario**
Application 2008-1603-5

Application by **Neeti P. Ray, on behalf of a corporation to be incorporated (OBCI)** relating to the broadcasting licence of the FM ethnic radio programming undertaking CJNR-FM Windsor.

The licensee proposes to change the frequency from 95.9 MHz to 102.3 MHz (channel 204B1 to 272A) and to modify the authorized contours by decreasing the average effective radiated power from 2,900 to 1,900 watts (maximum effective radiated power from 11,800 to 5,000 watts), by decreasing the effective height of antenna above average terrain from 145 to 55.5 metres and by relocating the tower.

The licensee is requesting these amendments following *Licensing of new radio stations to serve Windsor, Ontario*, Broadcasting Decision CRTC 2008-101, 9 May 2008, in which the Commission approved in part the application by Neeti P. Ray (OBCI) to operate an FM ethnic radio programming undertaking in Windsor, Ontario. In that decision, the Commission required the licensee to submit an application for a technical amendment proposing the use of a frequency other than 95.9 MHz. Neeti P. Ray (OBCI) requested and was granted two extensions of time to submit the amendment.

In *CBE and CBEF Windsor - New transmitters at Windsor*, Broadcasting Decision 2008-102, 9 May 2008, the Commission approved the application submitted by the Canadian Broadcasting Corporation (CBC) to amend the licence of CBE Windsor by adding a nested FM rebroadcasting transmitter in Windsor on frequency 102.3 MHz. In *CBE Windsor – Conversion to FM band and new transmitter in Leamington*, Broadcasting Decision CRTC 2009-349, 16 June 2009, the Commission approved the

application by the CBC to convert CBE Windsor from the AM to the FM band. In light of this conversion, the nested transmitter was never implemented and the 102.3 MHz frequency became available in September 2011. The Commission is therefore now able to proceed with the current application by Neeti P. Ray (OBCI).

Licensee's address:

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Mississauga, Ontario

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Email: neetiray@gmail.com

Email to request electronic version of application: windsorfm@gmail.com

Procedure

Deadline for interventions or answers

6 February 2012

The new *Canadian Radio-television and Telecommunications Commission Rules of Practice and Procedure*, SOR/2010-277 (the Rules of Procedure), set out, among other things, the rules for content, format, filing and service of interventions, the procedure for filing confidential information and requesting its disclosure, and the conduct of public hearings. Accordingly, the procedure set out below must be read in conjunction with the Rules of Procedure and its accompanying documents, which can be found on the Commission's website under "CRTC Rules of Practice and Procedure."

This notice may announce applications that would normally be subject to the written process described in Part 1 of the Rules of Procedure, but that were filed before 1 April 2011. An explanation in this regard is set out in *Implementation of new Rules of Practice and Procedure*, Broadcasting and Telecom Regulatory Policy CRTC 2010-958, 23 December 2010.

An intervention or answer from a respondent must be received by the Commission and by the applicant on or before the above-mentioned date. An answer from a respondent must also be served on any other respondent.

In accordance with the Rules of Procedure, a document must be filed with, not merely sent to, the Commission by 5 p.m. Vancouver time (8 p.m. Ottawa time) on the date it is due. The Commission takes no responsibility for postal delays and will not notify a party whose submission is received after the deadline date. Late submissions will not be considered by the Commission and will not be made part of the public file.

Interventions and answers from respondents will be considered by the Commission and will form part of the public record of the proceeding without further notification to parties, provided the procedures set out in the Rules of Procedure and this notice have

been followed. Parties will be contacted only if their submissions raise procedural questions.

Submissions must be filed by sending them to the Secretary General of the Commission by **only one** of the following means:

by using the
[\[Intervention/comment/answer form\]](#)

or

by mail to
CRTC, Ottawa, Ontario K1A 0N2

or

by fax at
819-994-0218

A true copy of each intervention or answer from a respondent must be sent to the applicant and, in the case of a respondent to an application, to any other respondent.

The Commission advises those who file and serve by electronic mode to exercise caution when using e-mail for service of documents, 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 was completed. The sender must keep proof of the sending and the receipt of the document for 180 days after the day on which it is filed.

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 altered during electronic transmission.

Interventions and answers 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 designated confidential, 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 parties and interested persons to monitor the record of the proceeding, available on the Commission's website, for additional information that they may find useful when preparing their submissions.

Examination of documents

An electronic version of the application is available on the Commission's website by selecting the application number within this notice. It is also available from the licensee, either on its website or upon request by contacting the licensee at its email address, provided above.

A list of all interventions and answers will also be available on the Commission's website. The list is accessible by selecting "View all proceedings open for comment" from the "Public Proceedings" section of the Commission's website and by clicking on the "Interventions/Answers" link associated with this notice.

Documents are also available during normal office hours at the Commission offices and documentation centres directly involved with this application, 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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Secretary General