



Broadcasting Decision CRTC 2012-158

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Route reference: Part 1 application posted on 25 January 2012

Ottawa, 16 March 2012

Northern Native Broadcasting, Yukon
Whitehorse, Yukon Territory

Application 2011-1669-0

CHON-FM Whitehorse – New transmitter at Klukshu

1. The Commission **approves** the application by Northern Native Broadcasting, Yukon to amend the broadcasting licence for the English-language Type B Native radio programming undertaking CHON-FM Whitehorse in order to operate a low-power FM transmitter at Klukshu, Yukon Territory, to expand its existing network. The Commission did not receive any interventions in connection with this application.
2. The new transmitter will operate at 90.5 MHz (channel 213VLP) with an average effective radiated power of 10 watts (non-directional antenna with an effective height of antenna above average terrain of 3 metres).
3. 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.
4. 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.
5. Given that the technical parameters approved in this decision are for a low-power unprotected FM service, the Commission also reminds the licensee that it will have to select another frequency if the Department so requires.
6. The transmitter 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 **16 March 2014**. In order to ensure that such a request is processed in a timely manner, it should be submitted in writing at least 60 days before that date.

Filing of annual reports

7. The Commission notes that the licensee appears to be in non-compliance with section 9(2) of the *Radio Regulations, 1986* relating to the filing of annual reports for the 2007-2008 to 2009-2010 broadcast years. The Commission also notes that the licensee has not had the opportunity to comment on this apparent non-compliance in the context of this application. Accordingly, as the licence for CHON-FM Whitehorse expires on 31 August 2015, the Commission will address this issue in the context of the renewal of the licence.

Secretary General

**This decision is to be appended to the licence.*