



Broadcasting Decision CRTC 2013-368

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Route reference: 2013-154

Ottawa, 6 August 2013

The Banff Centre
Banff, Alberta

Application 2012-1466-8, received 16 November 2012
Public hearing in the National Capital Region
27 May 2013

English-language FM radio station in Banff

*The Commission **approves** an application for a broadcasting licence to operate an English-language commercial FM radio station in Banff. The licence will take effect 1 September 2013 and will expire 31 August 2020.*

Introduction

1. The Banff Centre filed an application to operate an English-language commercial FM radio station in Banff, Alberta. The Commission received interventions in support of this application.
2. The Banff Centre is an institution specialized in arts and culture, continued under Part 3 of the Province of Alberta's *Post-secondary Learning Act*. Its affairs are managed and operated by the Board of Governors of The Banff Centre.
3. The station would operate at 107.9 MHz (channel 300A) with an average effective radiated power (ERP) of 180 watts (maximum ERP of 550 watts with an effective height of antenna above average terrain of -326.4 metres).¹
4. The station would offer an Adult Album Alternative music format. It would broadcast at least 120 hours of local programming each broadcast week, including 45 hours of spoken word programming, including weather, updates on ski trail conditions and traffic, health and business segments, a community calendar and special features such as Banff Town Hall, Focus on Emerging Talent and a Fitness/Wellness morning show. Approximately five hours of the spoken word programming would consist of pure news (69% local).

Commission's analysis and decision

5. In Broadcasting Public Notice 2006-159 (the revised Radio Call Policy), the Commission indicated that applications for new radio stations or for the conversion of

¹ These technical parameters reflect those approved by the Department of Industry.

AM stations to the FM band would generally result in a call for applications with some exceptions, including proposals to provide the first commercial service in a market. The Commission notes that the proposed radio station would be the first local commercial radio service with programming directed to Banff residents and therefore considers that it would be the first local mainstream radio service in this community.² In light of this, and given that only interventions in support of the application were received, the Commission is of the view that it is not necessary to issue a call for applications, consistent with the revised Radio Call Policy.

6. Moreover, the Commission finds that the proposed station would introduce a valuable local service and add diversity to the Banff radio market. It would also provide significant local reflection and programming diversity through its music and news and information offerings.
7. In light of all of the above, the Commission **approves** the application by The Banff Centre for a broadcasting licence to operate an English-language commercial FM radio programming undertaking in Banff. The terms and **conditions of licence** are set out in the appendix to this decision.

Canadian content development

8. The Commission reminds the licensee that it must adhere to the requirements relating to contributions to Canadian content development (CCD) set out in section 15 of the *Radio Regulations, 1986*, as amended from time to time. The Commission notes that The Banff Centre made commitments to exceed the minimum required contribution to CCD. Specifically, the applicant committed to devote, by condition of licence, over and above the basic annual contribution to CCD, a total of \$70,000 to CCD over seven consecutive broadcast years upon commencement of operations. Of this amount, at least 20% shall be devoted to FACTOR or MUSICACTION on an annual basis. The Commission notes that the remainder of this additional CCD contribution shall be allocated to parties and initiatives fulfilling the definition of eligible initiatives set out in paragraph 108 of Broadcasting Public Notice 2006-158. A **condition of licence** in regard to the above is set out in the appendix to this decision.

Employment equity

9. Because this licensee is subject to the *Employment Equity Act* and files reports concerning employment equity with the Department of Human Resources and Skills Development, its employment equity practices are not examined by the Commission.

Secretary General

² The Banff Centre is the licensee of the low-power, English-language tourist information radio station CFPE-FM Banff and of the low-power, French-language tourist information radio station CFPF-FM Banff (see Broadcasting Decision 2013-345). The only commercial radio signals currently in Banff are available via local transmitters broadcasting signals originating in Canmore, Alberta, as well as the signals of several radio stations in Calgary, Alberta.

Related documents

- *CFPE-FM and CFPP-FM Banff – Acquisition of assets*, Broadcasting Decision CRTC 2013-345, 19 July 2013
- *Revised policy concerning the issuance of calls for radio applications and a new process for applications to serve small markets*, Broadcasting Public Notice CRTC 2006-159, 15 December 2006
- *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006

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

Appendix to Broadcasting Decision CRTC 2013-368

Terms, conditions of licence and expectation for the English-language commercial FM radio programming undertaking in Banff, Alberta

Terms

The licence will take effect 1 September 2013 and will expire 31 August 2020.

The station will operate at 107.9 MHz (channel 300A) with an average effective radiated power (ERP) of 180 watts (maximum ERP of 550 watts with an effective height of antenna above average terrain of -326.4 metres).

The Commission reminds the applicant that, pursuant to section 22(1) of the *Broadcasting Act*, no licence may be issued until the Department of Industry notifies the Commission that its technical requirements have been met and that a broadcasting certificate will be issued.

Furthermore, the licence for this undertaking will be issued once the applicant has informed the Commission in writing that it is prepared to commence operations. The undertaking 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 **6 August 2015**. In order to ensure that such a request is processed in a timely manner, it should be submitted at least 60 days before this date.

Conditions of licence

1. The licensee shall adhere to the standard conditions of licence set out in *Conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009.
2. The licensee shall, upon commencement of operations, make an annual contribution of \$10,000 (\$70,000 over seven consecutive broadcast years) to the promotion and development of Canadian content. Of this amount, 20% per broadcast year shall be devoted to FACTOR or MUSICACTION. The remainder shall be allocated to parties and initiatives fulfilling the definition of eligible initiatives set out in paragraph 108 of *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006.

Expectation

The Commission expects the licensee to reflect the cultural diversity of Canada in its programming and employment practices.