



Broadcasting Decision CRTC 2017-191

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Reference: 2016-392

Ottawa, 9 June 2017

My Broadcasting Corporation
Simcoe, Ontario

*Application 2016-0214-4, received 26 February 2016
Public hearing in the National Capital Region
7 December 2016*

English-language FM radio station in Simcoe

*The Commission **approves** an application by My Broadcasting Corporation for a broadcasting licence to operate an English-language, commercial FM radio station in Simcoe, Ontario.*

The station will provide improved local service to Simcoe with additional programming diversity and local reflection.

Application

1. My Broadcasting Corporation (MBC) filed an application for a broadcasting licence to operate an English-language, commercial FM radio station in Simcoe, Ontario.¹
2. MBC is a corporation jointly controlled by Jon Pole and Andrew Dickson through their respective family trusts. It is the licensee of several radio stations, including CHCD-FM Simcoe, currently the only commercial radio station licensed to serve Simcoe.
3. The station would offer a Classic Hits music format, targeting adults 25 to 54 years of age. It would broadcast 126 hours of programming each broadcast week, of which at least 100 hours would be devoted to local programming. Approximately 14 hours of spoken word programming would be broadcast each week, including 5 hours of programming devoted to newscasts (with 4 hours devoted to local and regional news). MBC committed to producing a minimum of 67 newscasts and to featuring 252 weather forecasts specific to Simcoe, Port Dover and Norfolk County each week.

¹ Simcoe is a community within the Municipality of Norfolk County.

4. MBC also proposed to broadcast a local music show that would feature interviews with up-and-coming local and regional musicians. The show would provide local artists with additional opportunities to be heard on the radio in Norfolk County and across other markets served by MBC.

Interventions and reply

5. The Commission received interventions in support of this application as well as an intervention in opposition from Durham Radio Inc. (Durham), licensee of the commercial radio station CHTG-FM Haldimand County. The applicant replied to the opposing intervention. The public record for this application can be found on the Commission's website at www.crtc.gc.ca or by using the application number provided above.
6. In its intervention, Durham noted that its station, CHTG-FM, is subject to a condition of licence which prevents it from soliciting local advertising in Brantford and Simcoe. Durham requested that the Commission impose a similar condition of licence on the proposed station to prevent it from soliciting local advertising in Haldimand County and ensure a level playing field.
7. MBC replied that such a condition of licence is not necessary. MBC noted that the primary contours of CHTG-FM and of the proposed station do not overlap. MBC added that although the secondary contours overlap in Haldimand County, there is considerable interference present in that area. MBC argued that its proposed station would have no impact on Haldimand County and added that its business plan is not based on any revenue generated outside of Simcoe and Port Dover.

Commission's analysis and decisions

8. The proposed station's primary service contour would encompass the Simcoe and Port Dover area, not Haldimand County. Although the secondary service contour would cover the western portion of Haldimand County, this area is subject to interference from other stations, thus limiting MBC's ability to provide service to that area.
9. Moreover, the applicant indicated that its business plan and financial projections are not based on revenue generation from Haldimand County, nor does it have any intention to solicit local advertising outside of Simcoe and Port Dover.
10. Accordingly, the Commission does not consider it necessary to impose a condition of licence preventing the proposed station from soliciting local advertising in Haldimand County.
11. The proposed station does not raise any concerns with the Commission's policies or regulations. Further, the station would provide improved local service to Simcoe with added programming diversity and local reflection.

12. In light of the above, the Commission **approves** the application by My Broadcasting Corporation for a broadcasting licence to operate an English-language, commercial FM radio programming undertaking in Simcoe, Ontario. The terms and **conditions of licence** are set out in the appendix to this decision.

Canadian content development

13. The Commission reminds the licensee that it must adhere to the requirements relating to contributions to Canadian content development set out in section 15 of the *Radio Regulations, 1986*, as amended from time to time.

Employment equity

14. Because this applicant is subject to the *Employment Equity Act* and files reports concerning employment equity with the Department of Employment and Social Development, its employment equity practices are not examined by the Commission.

Secretary General

This decision is to be appended to the licence.

Appendix to Broadcasting Decision CRTC 2017-191

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

Terms

The licence will expire 31 August 2023.

The station will operate at 99.7 MHz (channel 259B1) with an average effective radiated power (ERP) of 9,640 watts (maximum ERP of 18,000 watts with an effective height of the antenna of 26 metres).

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 Commission will only issue a licence for this undertaking 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 9 June 2019. 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 conditions set out in *Conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009.

Expectation

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