



## Broadcasting Decision CRTC 2024-9

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Reference: Part 1 application posted on 22 June 2023

Ottawa, 12 January 2024

**United Christian Broadcasters Media Canada**  
Saskatoon, Saskatchewan

*Public record: 2023-0340-3*

### CIHX-FM Saskatoon – Technical changes

#### Summary

The Commission **approves** an application by United Christian Broadcasters Media Canada to change the authorized contours of its unlaunched commercial specialty (Religious music) radio station CIHX-FM Saskatoon, Saskatchewan.

#### Background

1. In Broadcasting Decision 2018-462, the Commission approved an application by International Harvesters for Christ Evangelistic Association Inc. (International Harvesters) for a broadcasting licence to operate an English-language commercial specialty (Religious music) radio station in Saskatoon, Saskatchewan. International Harvesters later indicated that it did not have the capacity to launch the station following the passing of its president and chief executive officer.
2. In Broadcasting Decision 2022-286, the Commission approved an application by United Christian Broadcasters Media Canada (UCBC) to operate three unlaunched commercial specialty (Religious music) radio stations: one in Kelowna, British Columbia, and its rebroadcasting transmitter in Kamloops; one in Scarborough, Ontario; and CIHX-FM Saskatoon. In that application, UCBC proposed to operate each of the three stations using the same technical parameters as those approved in their original licensing decisions.

#### Application

3. UCBC filed an application to change the authorized contours for its unlaunched commercial specialty (Religious music) radio station CIHX-FM.
4. Specifically, UCBC proposed to change the station's class from A to B1, increase the maximum effective radiated power (ERP) from 2,000 to 14,000 watts, increase the average ERP from 2,000 to 9,000 watts, replace the existing non-directional antenna with a directional antenna, increase the effective height of the antenna above average terrain (EHAAT) from 39.9 metres to 102.0 metres and change coordinates of the transmitter site.

5. UCBC stated that when it filed the application to operate CIHX-FM, it anticipated that the station's primary contour would cover the entire city of Saskatoon and based its financial projections on that assumption. However, upon analysis, UCBC noticed that less than half of the city of Saskatoon's population would be served by CIHX-FM's authorized primary contour.
6. The Commission did not receive any interventions in regard to this application.

### **Regulatory framework**

7. The Commission has the authority, pursuant to subsections 9(1) and 9.1(1) of the *Broadcasting Act* (the Act), to issue and renew licences and to make orders imposing conditions on the carrying on of a broadcasting undertaking that it considers appropriate for the implementation of the broadcasting policy set out in subsection 3(1) of the Act.
8. When a licensee of a radio station files an application for a technical amendment, the Commission generally requires that the licensee presents compelling technical or economic evidence justifying the proposed technical changes. The Commission may, as an exception to this general approach, approve applications that do not provide compelling technical or economic evidence where the particular circumstances warrant it. The Commission has deviated from this approach in the past by approving applications that primarily reflect a desire to expand its reach within a community or to serve additional communities where it is in the public interest to do so. Such applications are evaluated on a case-by-case basis and take into account the unique factors of each station's situation.

### **Issues**

9. After examining the record for this application in light of applicable regulations and policies, the Commission considers that it must address the following issues:
  - whether the requested changes represent an appropriate technical solution;
  - whether the requested changes represent an appropriate use of spectrum;
  - whether approval of the application would have an undue economic impact on incumbent radio stations;
  - whether the applicant has demonstrated a compelling technical need for the technical changes; and
  - whether approval of the application would undermine the Commission's licensing process.

### **Appropriateness of the requested changes on a technical basis**

10. UCBC did not submit this technical amendment application on the grounds of technical deficiencies within its authorized contours. Rather, it proposed to expand its service to the entire city of Saskatoon and surrounding areas.

11. The Commission considers that increasing the primary contour is generally an effective solution to improve coverage and should provide sufficient service to Saskatoon and surrounding areas.
12. In light of the above, the Commission finds that the proposed technical changes represent an appropriate technical solution for providing service to Saskatoon and surrounding areas.

### **Appropriate use of spectrum**

13. The applicant's proposal has received conditional technical acceptability from the Department of Industry (also known as Innovation, Science and Economic Development Canada, hereafter referred to as the Department).
14. Furthermore, UCBC is not proposing the use of an alternate frequency.
15. In light of the above, the Commission finds that the proposed technical changes represent an appropriate use of spectrum.

### **Economic impact on incumbent stations**

16. Saskatoon is the largest city in Saskatchewan with a population of 265,000, of which approximately 51% identify as Christian.
17. The Saskatoon market is served by eight commercial radio stations, including one commercial specialty (Religious music) station, CFAQ-FM Blucher operated by Bertor Communications Ltd. The Saskatoon market is also served by one community radio station. While the primary contour for CFAQ-FM is contained within the Saskatoon central Numeris area, the primary contour is limited to the suburb of Blucher, located approximately 40 kilometres southeast of Saskatoon.
18. UCBC stated that the majority of the station's funding is projected to come from donations. Furthermore, the average projected advertising revenue by UCBC would equate to just 0.2% of advertising revenues in the Saskatoon market.
19. In light of the above, the Commission finds that approval of the requested technical changes would not have an undue economic impact on incumbent stations.

### **Technical need for the proposed technical changes**

20. UCBC proposed several changes to the existing technical parameters of CIHX-FM, including a change of transmitter location.
21. UCBC argued that the authorized contours approved in Broadcasting Decision 2018-462 have limitations. According to UCBC, an engineering review demonstrated that the approved contours serve less than half of its desired market of the city of Saskatoon.
22. While the Commission acknowledges that the primary contour of CIHX-FM does not cover the entire market of Saskatoon, as desired by the applicant, it considers that the expansion of the existing coverage is not based on technical limitations within the authorized contours.

23. Furthermore, UCBC did not identify an economic or technical need for this application. However, as noted above, the Commission has, as an exception to its general approach, approved applications that do not provide compelling technical or economic evidence where the particular circumstances warrant it, including those where the application seeks to expand its reach within a community or to serve additional communities, when it is in the public interest to do so. Such applications are evaluated on a case-by-case basis and take into account the rationale submitted by the licensee and the unique factors of each station's situation.
24. UCBC stated that it wants to encompass the entire market of Saskatoon and to provide a valuable service to the significant Christian population in the surrounding rural communities.
25. The Commission notes that CIHX-FM is currently the only radio station within Saskatoon<sup>1</sup> that is licensed as a specialty (Religious music) station. Therefore, the Commission is of the view that providing the specialty religious programming would ensure that the population would receive programming that is otherwise not available within Saskatoon and add to the diversity of programming.
26. In light of the above, the Commission finds that UCBC has not demonstrated a compelling technical need nor cited an economic need for the proposed technical changes. However, in light of the above, the Commission considers that approval of this application would be in the public interest and is therefore willing to consider the approval of this application on an exceptional basis.

### **Integrity of the Commission's licensing process**

27. The Commission approved the initial application to operate CIHX-FM as part of a non-appearing public hearing, in which International Harvesters was the only applicant for a new radio station in Saskatoon.
28. Furthermore, International Harvesters stated, as part of the original licensing application, that it intended to serve the Christian population of Saskatoon. The principal marketing area noted in the original application was Saskatoon alone, and not the rural surrounding areas, as currently proposed by UCBC.
29. The *Radio Regulations, 1986* (the Regulations) define a "market," in the case of an FM station, as the primary contour or the central area as defined by the Bureau of Broadcast Measurement (now Numeris), whichever is smaller. In the present case, the market for CIHX-FM would be its current primary contour. Had the licensee applied to serve the larger market identified in this application, the Commission likely would have approved the application.
30. While approving the present application would represent an exception to the Commission's general approach, the Commission is of the view that approval of the application would

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<sup>1</sup> CFAQ-FM Blucher is within the Saskatoon Census Metropolitan Area, but does not reach Saskatoon.

allow CIHX-FM to offer targeted programming to an unserved audience. Consequently, the Commission considers that approval of the application would be in the public interest.

31. Moreover, the Commission notes that UCBC served its application on all licensees in Saskatoon as well as CFAQ-FM and no interventions were received in opposition to this application.
32. In light of the above, the Commission finds that approval of the present application would have little impact on the integrity of the original licensing process during which the original application to operate the station was approved.

## Conclusion

33. In light of all of the above, the Commission **approves**, on an exceptional basis, the application by UCBC to change the authorized contours of its unlaunched commercial specialty (Religious music) radio station CIHX-FM Saskatoon, Saskatchewan.
34. Pursuant to subsection 22(1) of the 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.

## Reminders

35. The Commission has implemented obligations in respect of the broadcast of emergency alerts. For reference, see section 16 of the Regulations as well as Broadcasting Regulatory Policy 2014-444. Compliance involves implementing the public alerting system for each of the licensee's transmitters, and ensuring that any alert broadcast decoders (e.g., ENDEC) used for the purposes of broadcasting emergency alert messages be installed and programmed to properly account for the applicable contour (as set out in paragraph 16(2)(b) of the Regulations) of the station as well as that of any rebroadcasting transmitter that may appear on the licence for that station.
36. 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. As set out in Broadcasting Decision 2022-286, the undertaking must be in operation by no later than **18 October 2024**, unless a request for an extension of time is approved by the Commission before that date. 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.

Secretary General

## Related documents

- *Specialty (religious music) FM radio stations in Kelowna and its transmitter in Kamloops; in Saskatoon and in Scarborough*, Broadcasting Decision CRTC 2022-286, 18 October 2022

- *New Christian music FM radio station in Saskatoon*, Broadcasting Decision CRTC 2018-462, 12 December 2018
- *Amendments to various regulations, the standard conditions of licence for video-on-demand undertakings and certain exemption orders – Provisions requiring the mandatory distribution of emergency alert messages*, Broadcasting Regulatory Policy CRTC 2014-444 and Broadcasting Orders CRTC 2014-445, 2014-446, 2014-447 and 2014-448, 29 August 2014

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