



## Broadcasting Decision CRTC 2015-210

PDF version

Reference: Part 1 application posted on 28 November 2014

Ottawa, 21 May 2015

### **Northern Native Broadcasting (Terrace, B.C.)**

Terrace and Fort Nelson, British Columbia

*Application 2014-1215-5*

### **CFNR-FM Terrace – New transmitter at Fort Nelson**

*The Commission **approves** an application to amend the broadcasting licence for the Type B Native radio station CFNR-FM Terrace to operate a low-power FM rebroadcasting transmitter at Fort Nelson.*

*As a result, listeners in the Fort Nelson area will be able to receive CFNR-FM's signal.*

#### **Application**

1. Northern Native Broadcasting (Terrace, B.C.) (Northern Native) filed an application to amend the broadcasting licence for the Type B Native radio station CFNR-FM Terrace, British Columbia, to operate a low-power FM rebroadcasting transmitter at Fort Nelson. The Commission did not receive any interventions regarding this application.
2. The transmitter would operate at 96.1 MHz (channel 241VLP) with an effective radiated power (ERP) of 8 watts (non-directional antenna with an effective height of antenna above average terrain (EHAAT) of 36.7 metres).<sup>1</sup>
3. The licensee stated that there is currently no First Nations radio programming in the Fort Nelson area and that it had been approached by the Treaty 8 First Nations community, which wished to receive the cultural programming that CFNR-FM offers as well as relevant coverage of First Nations issues.

#### **Non-compliance**

4. Section 9(2) of *the Radio Regulations, 1986* requires licensees to file an annual return by 30 November of each year for the broadcast year ending the previous 31 August. Failure to meet this filing requirement may result in a situation of non-compliance. The Commission notes that it provided detailed guidance on meeting this requirement in Broadcasting Information Bulletin 2011-795.

---

<sup>1</sup> These technical parameters reflect those approved by the Department of Industry.

5. In Broadcasting Decision 2012-657, as amended by Broadcasting Decision 2012-657-1, the Commission denied an application by Northern Native to operate an FM rebroadcasting transmitter in Prince George, British Columbia, due to severe non-compliance with respect to the non-filing of its annual returns for the 2007-2008 to 2010-2011 broadcast years. The Commission indicated in that decision that it would consider these instances of non-compliance at the time of the renewal of the broadcasting licence for CFNR-FM, which expires 31 August 2015.
6. The Commission notes that since the issuance of that decision, the licensee's annual returns for the 2011-2012 and 2012-2013 broadcast years have been filed on time, which demonstrates an improved performance on the part of the licensee.

### **Commission's analysis and decision**

7. In light of all of the above, the Commission **approves** the application by Northern Native Broadcasting (Terrace, B.C.) to amend the broadcasting licence for the Type B Native radio programming undertaking CFNR-FM Terrace to add a low-power FM rebroadcasting transmitter at Fort Nelson.
8. The transmitter will operate at 96.1 MHz (channel 241 VLP) with an ERP of 8 watts (non-directional antenna with an EHAAT of 36.7 metres).
9. Pursuant to section 22(1) of the *Broadcasting Act*, this authority will only be effective when the Department of Industry (the Department) notifies the Commission that its technical requirements have been met and that a broadcasting certificate will be issued.
10. Given that the technical parameters approved in this decision are for a low-power unprotected FM transmitter, the licensee will have to select another frequency if the Department so requires.
11. 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 **21 May 2017**. 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.

Secretary General

### **Related documents**

- *CFNR-FM Terrace – New transmitter in Prince Rupert*, Broadcasting Decision CRTC 2012-657, 30 November 2012, as amended by Broadcasting Decision CRTC 2012-657-1, 7 December 2012
- *Filing annual returns for radio programming undertakings*, Broadcasting Information Bulletin CRTC 2011-795, 20 December 2011

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