



Canadian
Association of
Broadcasters

L'Association
canadienne des
radiodiffuseurs

July 2, 2004

Ms. Diane Rhéaume
Secretary-General
Canadian Radio-television and
Telecommunications Commission
1 Promenade du Portage
Gatineau, Québec
K1A 0N2

Dear Ms. Rhéaume:

**Re: Public Notice CRTC 2004-35
Application No. 2003-1236-4 by 902890 ALBERTA LTD.
Relating to Radio Station CIHS-FM Wetaskiwin**

The Canadian Association of Broadcasters (CAB) – the national voice of Canada's private broadcasters, representing the vast majority of Canadian programming services, including private television and radio stations, networks and specialty, pay and pay-per-view televisions services – is pleased to intervene in the context of the above-noted application.

902890 ALBERTA LTD of Wetaskiwin, Alberta (known as Tag Broadcasting) has filed an application with the Commission to increase the effective radiated power of CIHS-FM Wetaskiwin from 50 watts to 1,700 watts.

Public Notice CRTC 2004-35 notes that the proposed power increase would result in a change of CIHS-FM's licence status from a low-power to a regular Class "A" station.

The CAB **strongly opposes the above-noted application** because it is inconsistent with the Commission's licensing policy for low-power radio.

In its *Policy Framework for Community-based media* (PN 2002-61) which includes a revised licensing policy for low-power radio undertakings, the Commission notes the following:

- The Commission may issue calls for competing low-power applications in certain circumstances. In making a decision to issue a call, the Commission will take particular note of the following criteria: whether or not potential low-power frequencies are scarce in the market to be served; the original application is for a rebroadcaster of a distant station; *an existing low-power station files an application to change its operating class to one that has protected status under the Department of Industry's rules.* (emphasis added)
- The CAB submits that Tag Broadcasting application for technical amendments to its licence proposing to change the operating class of CIHS-FM to one of protected status indicates the station's intention to more directly compete with its licensed commercial counterpart in the Wetaskiwin market. The CAB believes that, by so doing, Tag Broadcasting is effectively forgoing its more limited, complementary position of a low-power commercial radio service as mandated by the Commission's policy framework on community-based media.
- As such, the CAB contends that utilizing a low-power radio licence as a non-competitive, low-cost stepping stone to achieving full commercially competitive status is an action that derogates from both the letter and the spirit of the Commission's policy on low-power radio. Anything less than the issuance of a call for licence applications in the Wetaskiwin market would effectively invite any low-power radio service to seek commercially competitive status by simply applying for technical amendments to its licence.
- Such a development would do a disservice to both the broadcasting system at large, and to audiences served by the additional diversity of spoken word and music programming services resulting from the presence of low-power radio services in communities across Canada.

The CAB therefore urges the Commission to apply the principles outlined in its policy framework for low-power radio, and to issue a general call for licence applications for Wetaskiwin in response to Tag Broadcasting application for technical amendments to its existing radio licence.

Yours truly,

A handwritten signature in black ink, appearing to read 'Glenn O'Farrell', with a stylized, cursive script.

Glenn O'Farrell
President and CEO

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