



Canadian
Association of
Broadcasters

L'Association
canadienne des
radiodiffuseurs

April 27, 2007

Via Epass

Mr. Robert A. Morin
Secretary General
Canadian Radio-television and
Telecommunications Commissions
Ottawa, Ontario
K1A 0N2

Dear Mr. Morin:

Re: Broadcasting Public Notice CRTC 2007-30 – Application No. 2007-0164-0 by King's Kids Promotions Outreach Ministries Incorporated relating to CKKK-FM Peterborough, Ontario

1. The Canadian Association of Broadcasters (CAB) – the national voice of Canada's private broadcasters, representing the vast majority of Canadian programming services, including private radio and television stations, networks and specialty, pay and pay-per-view televisions services – is pleased to provide the following comments in relation to the above-noted application.
2. This application is to amend the licence for CKKK-FM by changing the frequency, increasing the effective radiated power, increasing the antenna height and relocating the antenna. As noted by the Commission, these technical amendments, if approved, would result in a significant increase to the authorized contours of this station and would change its status from an unprotected low-power service to a regular Class A1 service.
3. As the CAB has stated previously in a number of interventions concerning similar low-power applications, a low-power licensee should not be able to obtain a fully protected commercial licence simply by filing an application for a technical amendment, notwithstanding the fact that there may be certain technical issues that it is attempting to address.

4. In this case, the CAB recognizes that CKKK-FM has been required to vacate its current low-power frequency as a result of the Commission's recent approval of the conversion of CKPT to the FM band. In such circumstances CKKK-FM should have been expected to select another unprotected low-power frequency on which to continue operations, and the CAB would have been supportive of such a straightforward technical amendment to address the immediate issue.
5. The CAB fundamentally disagrees, however, with an approach whereby a licensee is attempting to use a simple technical amendment application to change the status of its station from a low-power operation to a protected Class A1 service.
6. In the current situation, **if the licensee of CKKK-FM wishes to obtain a fully protected commercial licence, it should be required to file an application for a new licence.** Such an application would be evaluated using the Commission's policy for assessing applications for new commercial radio services and that review, depending on the market, might or might not trigger a call for competing applications.
7. Accordingly, **the CAB opposes the proposed technical amendments to the licence of CKKK-FM.** We remain concerned about applicants using low-power radio as a springboard to enter the broadcasting system "through the back door", with few of the regulatory obligations carried by private commercial radio operators.

Yours truly,

Original signed by Pierre-Louis Smith

Pierre-Louis Smith
Vice-President
Policy & Regulatory Affairs (Radio)

c.c.: King's Kids Promotions Outreach Ministries Incorporated
(Via Email: rick@kaosradio.com)

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