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April 7, 2014

John Traversy
Secretary General
Canadian Radio-television and Telecommunications Commission
Ottawa, Ontario, K1A 0N2

Secretary General,

Re: Broadcasting Notice of Consultation CRTC 2014-102

1. We are writing in support of an application by WhiStle Community Radio ("CIWS-FM") to change their authorized contours, increase the effective height of their antenna, and relocate their transmitter. CIWS-FM, who are NCRA/ANREC members, are currently licensed as a low-power unprotected FM service. If approved, these proposed amendments will allow them to attain protected status for their frequency. We request the opportunity to appear at the upcoming hearing.
2. The NCRA/ANREC is a not-for-profit national association working to recognize, support, and encourage volunteer-based, non-profit, public-access campus and community-based broadcasters in Canada. We provide advice and advocacy for individual campus and community ("c/c") stations, and conduct lobbying and policy development initiatives for the sector with a view to advancing the role and increasing the effectiveness of our sector.
3. CIWS-FM is the only locally-originating radio service in Whitchurch-Stouffville, a fast-growing rural Ontario municipal region in the regional municipality of York. York is part of the Toronto Census Metropolitan Area ("TMA"), which is one of the most spectrum-crowded radio markets in Canada. Since its inception, CIWS-FM has been successful in building strong relationships with community members, local artists, and arts and service organizations, and in providing a voice for the community.
4. CIWS-FM was granted permission to operate a 50 watt low-power community radio undertaking in Whitchurch-Stouffville in 2006, and the station began broadcasting in 2008. They

quickly discovered that their low-power signal was not adequate to provide service to the entire municipality of Whitchurch-Stouffville, as they had originally intended. Since that time, they have been unable to obtain a protected frequency, which makes the station vulnerable in competitive proceedings like this one, especially since large urban commercial broadcasters have been expanding their signals into smaller nearby markets in order to increase their profitability.

5. Whitchurch-Stouffville is comprised of several villages, hamlets and communities spread out over a large geographic area (206 km). Their signal fails to reach large portions of their intended broadcast coverage area, in part because there is a hill in the centre of the community that impedes the station's signal and CIWS-FM's transmitter is not in an ideal location to address this issue.

6. An ongoing population increase and a commensurate increase in construction starts in the municipality are also affecting CIWS-FM's ability to reach their intended community. Whitchurch-Stouffville's population rose by 54% between 2006 and 2011 (2011 Census), and this trend is expected to continue, with a 250% population increase predicted for the municipality by 2031.

7. Between 2006 and 2011, the number of private dwellings built in the municipality increased by 65%, and there has been a corresponding increase in commercial construction. Construction has added to CIWS-FM's existing reception challenges by blocking the station's signal in some areas of the community.

8. If the population and construction continue to increase at this rate, and if CIWS-FM's current application is not approved, a growing number of potential listeners, volunteers and supporters in the Whitchurch-Stouffville community will not be able to adequately receive the station's signal. If CIWS-FM's signal could reach the entire intended broadcast coverage area, the anticipated growth in Whitchurch-Stouffville would allow CIWS-FM to expand its listening audience, recruit more members and volunteers, strengthen the financial support it receives from local businesses and individuals, and truly serve the entire community.

9. CIWS-FM applied to increase their power and to relocate their transmitter in 2011, but the application was denied by the Commission on the grounds that the proposal "indicat(ed) a shift away from the community that CIWS-FM was originally licensed to serve" and "did not present any compelling technical need" or "sufficient economic evidence to justify its request for a technical amendment." The Commission also noted that CIWS-FM's "non-compliance (was) closely linked to its amendment application."

10. In this new application, we believe CIWS-FM has addressed the concerns expressed by the Commission in response to their 2011 application. In particular, CIWS-FM has provided clearer evidence in the current application of technical and economic need. They have also proposed a new transmitter location in the downtown core, and significantly reduced the proposed broadcast coverage area to ensure that the signal does not reach into neighbouring communities. As for CIWS-FM's previous non-compliance, our understanding is that they have implemented appropriate measures and best practices to ensure that they are in compliance now, and that they will remain so in the future. We are also told that they have received an email from the CRTC confirming that they are in full compliance.

11. Statistics Canada estimates that Whitchurch-Stouffville's population by mid-2014 will be 44,814. CIWS-FM estimates that their signal currently reaches less than 20% of their target population, and at least 37,000 residents are unable to receive the station's signal reliably. If the Commission approves the proposed amendments, CIWS-FM calculates that the improvements

to their signal will allow them to reach almost 90% of the community's population in the 0.5 mV/m area.

12. With respect to the economic evidence required to justify their application for a technical amendment, CIWS-FM has informed us that despite working diligently over the last three years to increase their advertising revenue, they have had limited success. They believe their ongoing inability to reach most of their target broadcast area harms their ability to raise funds and ensure their financial sustainability. They also face advertising competition within Whitchurch-Stouffville from larger commercial radio stations that originate from other areas of the TMA. They believe that increasing their signal strength and moving their transmitter will increase the value of their advertising to local businesses that wish to support them, and they have provided anecdotal information about their conversations with local businesses that support this belief.

13 If these amendments are approved, CIWS-FM projects a modest increase of local advertising revenue over the first three years (from \$38,000 in the first year to \$48,000 in the third year). If they cannot find a way to improve their coverage in Whitchurch-Stouffville, they believe their financial position will not improve, and may even worsen, because their access to funds will remain extremely limited.

14. In our experience, c/c stations that experience severe financial strain are often unable to retain staff, and find it more difficult to maintain regulatory compliance and continuity of practices and policies. We can confirm that many of our small station members have difficulty meeting their financial needs based solely on fundraising, memberships, and grants if they cannot also rely on advertising as a significant source of revenue. In addition, if CIWS-FM cannot obtain protected status, we anticipate that much of their volunteer energy will be spent intervening in future competitive proceedings as they try to retain the use of their unprotected frequency. These factors are likely to impact their ability to continue serving even the limited portion of their community that they are currently reaching.

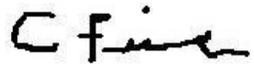
15. CIWS-FM states that these proposed changes will not interfere with other broadcasters technically or financially, and we are pleased to see that they have made efforts to contact other broadcasters in the region, like CHOP-FM (Pickering College's Campus station) and Vista Radio, to confirm this.

16. In [Broadcasting Decision CRTC 2012-487](#), a competitive proceeding to serve nearby Markham, ON, the Commission stated that "(g)iven its geographical proximity to Toronto, the community of Markham has access to many radio stations originating from Toronto.....the Commission notes that none of these stations currently provide **a local service to the community** of Markham." We believe the same situation applies in Whitchurch-Stouffville, and CIWS-FM is well positioned to meet the needs of the community as a local not-for-profit community access station.

17. To conclude, we hope that the Commission will approve CIWS-FM's technical amendment application so the station can obtain frequency protection, stabilize its financial position, and properly serve the entire community of Whitchurch-Stouffville in furtherance of the objectives of the Broadcasting Act.

18. We would be pleased to present at the scheduled hearing in May in order to provide further context about our sector and this application.

Sincerely,



Catherine Fisher
NCRA/ANREC External Policy Committee



Freya Zaltz
Regulatory Affairs Director
NCRA/ANREC Advisory Board

C/c: CIWS-FM, Whitchurch-Stouffville, ON

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