

EXCHANGE OF NOTES (March 31 and June 12, 1967) BETWEEN THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA CONCERNING PRE-SUNRISE OPERATION OF CERTAIN RADIO STATIONS.

I

*The Chargé d'Affaires, a.i. of the United States Embassy in Canada to the Secretary of State for External Affairs.*

EMBASSY OF THE UNITED STATES OF AMERICA

Ottawa, March 31, 1967

No. 241

SIR:

I have the honor to refer to discussions which have taken place between representatives of the Government of the United States of America and representatives of the Government of Canada relating to pre-sunrise operation of certain standard (AM) radio broadcasting stations. Those representatives have proposed a reciprocal understanding with respect to this matter in the following terms, which are acceptable to the Government of the United States of America.

Pursuant to Section A, Subsection 6, of Annex 2 of the North American Regional Broadcasting Agreement, the Governments of the United States of America and Canada agree to permit, bilaterally, certain AM broadcasting stations to operate for a limited period of time prior to local sunrise, at least during the winter months, using all or part of their authorized daytime facilities in accordance with the criteria as set forth below:

Program transmission by standard broadcast stations with authorized daytime facilities from 6:00 a.m. local standard time to local sunrise (pre-sunrise operation) will be permitted subject to the following provisions:

The privilege of pre-sunrise operation would not extend to:

- (1) Class I stations.
- (2) Class II stations operating on Clear Channels on which the other country has a Class I-A priority.
- (3) Class IV stations operating on Local Channels authorized for operation with daytime power in excess of 250 watts.

Class II stations other than as noted in (2) above to be permitted pre-sunrise operation in relation to other Class II stations in accordance with the provisions for Class III stations, where such stations:

- (1) afford NARBA night time protection to the 0.5 mv/m 50 per cent skywave contour of any co-channel Class I-B station in the other country, or
- (2) are located west of the co-channel Class I-B stations(s) in the other country and begin no earlier than sunrise at the location of the western-most Class I-B station located east of the Class II station.

Class III stations will be permitted to operate pre-sunrise with their authorized day-time facilities provided that such operations afford night time