

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/mb/audio/

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JAN 16 2009

KXO, Inc.
420 Main Street
El Centro, California 92243

Re: KXO, Inc.
KXO(AM), El Centro, CA
Facility Identification No: 35969
File No. BP-20060922ADJ

Dear Applicant:

The staff has under consideration of the above-captioned application for a modification of broadcast station KXO(AM) to change transmitter location.

An engineering review of the application reveals that proposed 0.025 mV/m daytime groundwave contour would increase overlap to the 0.5 mV/m of co-channel Mexican Class C station XESCT, Ensenada, BN, in violation of U.S/Mexican AM Broadcast Agreement. It is noted that Mexican Government had objected to the KXO proposal for the above reason. Accordingly, in order to be grantable the daytime proposal must be amended to eliminate interference to XESCT.

Further action on the subject application will be withheld for a period of thirty (30) days from the date of this letter to provide you an opportunity to respond. Failure to respond within this time period will result in the dismissal of the application pursuant to 47 C.F.R. § 73.3568. Please note that any amendment must be submitted in the same manner as the original application. For questions concerning foreign stations protections, please contact George Fehlner of International Bureau at (202) 418-2197.

Sincerely,



Son Nguyen
Supervisory Engineer
Audio Division
Media Bureau

cc: Kathryn Schmeltzer, Esq.
Elliott Kurt Klein