

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: WWW.FCC.GOV/MMB/ASD

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Panther Communications LLC
P.O. Box 681155
Indianapolis, IN 46268-9998

Re: NEW(FM), Cotulla, TX
Facility ID No. 189533
Panther Communications, LLC
File No. BNPH-20110630AIV

Dear Applicant:

This letter refers to the above-captioned application for a new commercial FM facility to serve Cotulla, TX.

An engineering review of the application reveals that the application is in violation of the *AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNITED MEXICAN STATES RELATING TO THE FM BROADCASTING SERVICE IN THE BAND 88-108 MHZ* (USA-Mexico Agreement). Specifically, the proposal is short-spaced to the first-adjacent channel Class B Mexican station XHRE(FM) in Piedras Negras, Coahuila, Mexico. Furthermore, the proposed interfering contour (48 dBu) would cause prohibited contour overlap to the Mexican station's protected contour (54 dBu). Thus, the application fails to comply with the USA-Mexico Agreement. This deficiency constitutes an acceptance defect. Therefore, the applicant must amend the application to demonstrate compliance with the USA-Mexico Agreement.

Further action on the subject application will be withheld for a period of thirty (30) days from the date of this letter to provide an opportunity to submit the requested information. Failure to respond within this time period will result in the dismissal of the application pursuant to 47 C.F.R. § 73.3568(a) (1).

Sincerely,



Edna V. Prado
Supervisory Engineer
Audio Division
Media Bureau

cc: John Parle