

FEDERAL COMMUNICATIONS COMMISSION
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TECHNICAL PROCESSING GROUP
APPLICATION STATUS: (202) 418-2730
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SEP 23 2013

Penfold Communications, Inc.
3232 W. MacArthur Boulevard
Santa Ana, CA 92704

In re: NEW(FM), San Diego, CA
BNPFT-20130827AEQ
Facility ID No. 142736

Dear Applicant:

This letter refers to the above-captioned application for a new translator in San Diego, California.

An engineering study of the application reveals that the proposal violates Section 3.1.5 of Annex 1 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. Section 3.1.5 of Annex 1 of the Agreement states that, objectionable interference shall be considered to exist if the interfering contour of a proposal overlaps the protected contour of an allotment or assignment listed in the Plan. The proposed interfering contour (100 dB μ) overlaps the 72 kilometer protected contour of XHFG-FM, on channel 297C1, Tijuana, Mexico. Therefore, the application fails to comply with the US-Mexican Agreement and will be dismissed.

In light of the above, the application BNPFT-20130827AEQ IS HEREBY DISMISSED. This action is taken pursuant to 47 C.F.R. § 0.283.

Sincerely,



James D. Bradshaw
Deputy Chief
Audio Division
Media Bureau

cc: Robert Moore