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October 11, 2016

## **VIA Electronic Filing System**

Mr. Hossein Hashemzadeh, Deputy Chief  
Media Bureau, Video Division  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: Miriam Media, Inc.  
LPTV Application, Ch 3, Palm Springs, CA  
File No. BNPDVL-20100202AAX (FAC ID 184234)  
Request for Reconsideration and Reinstatement**

Dear Mr. Hashemzadeh:

Miriam Media, Inc. ("MMI") is an applicant for a new digital low power television ("LPTV") Station, on Channel 3 at Palm Springs, California (BNPDVL-20100202AAX). On August 25, 2016 the Video Division issued a letter dismissing MMI's application because, after coordination efforts, the Mexican Department of Communications (MDC) indicated that they would object to a grant of the proposed facility because it would not provide protection to analog Channel 3 at Mexicali, Mexico (a Mexican television allocation) and to an existing analog station on Channel 3 at Tijuana, Mexico.<sup>1</sup> Based on research and discussions with staff of the FCC's International Bureau, it is believed that the conclusion of the MDC was arrived at in error. Accordingly, MMI is hereby requesting reconsideration and reinstatement of its above-referenced application so that the International Bureau may recirculate it to the MDC.<sup>2</sup>

The Mexican digital conversion was substantially completed in December of 2015 and the great majority of analog stations were turned off following the conversion. It is believed that the Tijuana Channel 3 station migrated to digital Channel 46 as part of that process. A review of stations and allotments for Mexicali and Tijuana, Baja California in the Video Services TV Query utility did not reveal either an existing station or an allotment at Mexicali but did show an analog Channel 3 allotment at Tijuana. In discussion with Staff of the International Bureau it was learned that such reference had been removed for Mexicali pursuant to discussions and a July 15, 2015 exchange of letters by the agencies as part of a US and Mexico 600MHz mobile broadband accord. Under a revised Table 1 Mexico was given a Channel 14 allotment at

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<sup>1</sup> See August 25, 2016 Letter of Video Division Deputy Chief Hossein Hashemzadeh (1800E1-MFC), attached hereto as Exhibit 1.

<sup>2</sup> This request is timely made pursuant to a two week extension conferred by Hossein Hashemzadeh via email dated Wed 9/21/2016 2:10 PM. The due date for such filing now falls on October 11, 2016 due to interceding holidays.

Mexicali and the Channel 3 allotment was removed.<sup>3</sup> Similarly, Mexico was given a Channel 15 allotment at Tijuana and the Channel 3 allotment is to be removed when the existing digital station transitions off of its channel as part of a Mexican process to migrate existing stations to the new Table 1 allotments.<sup>4</sup> Paragraph 3 of the US letter from the Chief of the International Bureau states that the entries in the revised Table 1 will be considered “mutually acceptable” and “may be brought into immediate operation.” The responsive Letter from Mexico makes clear at page 2 that the “final digital channels are for immediate use by stations, except that those stations marked with a double asterisk (\*\*), as were the allotments at Mexicali and Tijuana, “will be subject to the process and administrative time required to modify the channel previously authorized ....” In that regard Applications for digital TV stations have already been filed on Channel 14 at Mexicali and on Channel 15 at Tijuana, indicating that the administrative process for such migration is well underway.<sup>5</sup>

While the agencies are now operating, with regard to such swaps, based on the 2015 letters, it appears that there is still a possibility that MMI may still need to protect vacant Channel 3 allotments at Tijuana for a period of time should it be able to construct within the next few years.<sup>6</sup> Accordingly MMI would be willing to accept a grant conditioned on the requirement that it not commence operation until any station previously licensed on analog Channel 3 and now operating digitally on old table 1 digital replacement channels at Mexicali or Tijuana, shall have migrated onto the new Table 1 digital channels. Alternatively MMI would be willing to amend its application to specify a directional facility that would protect the old Table 1 vacant analog channel allotments at Mexicali and Tijuana (see draft engineering for such directional facilities, attached hereto)(a signed version can be supplied if Staff deems that this option is best and that an amendment is needed). Staff in the International Bureau indicated that if MMI’s application were reinstated it would be recirculated to for Mexican coordination with an explanatory note regarding the Mexicali and Tijuana channel changes.

Good cause exists to reinstate the dismissed application. Since the Mexican coordination evaluation and decision that it would object to the grant of MMI’s application was likely reached without regard to the July 15, 2015 exchange of letters or the revised Table 1 attachment to those letters, the Video Division’s subsequent decision to dismiss MMI’s application was similarly made without regard to the coordinated channel substitutions. The fact that the two agencies are operating pursuant to the July 15, 2015 exchange of letters and related Tables was a newly discovered fact not previously known to MMI at the time its application was filed. Further, because the International Bureau staff believe that a re-circulation of the application, with a note highlighting the July 15, 2015 letters and the Table 1 changes at Mexicali and Tijuana, coupled with a willingness to protect the current vacant Mexican Channel 3 analog allotments, may yield a different decision from the MDC, reinstatement and recirculation of MMI’s application would

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<sup>3</sup> See attached July 15, 2015 exchange of letters and related table 1 excerpts.

<sup>4</sup> Id.

<sup>5</sup> See attached TV query referencing BPFS-20160301ABU (Fac ID No 199275)(XHBC-TDT) Channel 14 at Mexicali, Mexico; and BPFS-20160302ACZ (Fac ID No 199285)(XHTJB-DTD) Channel 15 at Tijuana, Mexico

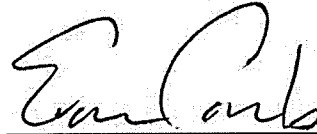
<sup>6</sup> However, given the present auction and repacking schedule and the FCC’s tolling of LPTV digital build requirements until after the repacking, it is more likely that such Mexican stations will have already migrated their digital facilities to the new Table 1 allotment channels before MMI will be in a position to construct its digital facilities on LPTV Channel 3 at Palm Springs, California.

further the Commission's statutory mandate to license stations among the several states so as to provide a fair, efficient and equitable distribution of stations in furtherance of the public interest.<sup>7</sup>

Accordingly, for the reasons set forth herein, MMI respectfully request that the Video Division reinstate the above referenced application and allow the International Bureau to recirculate it to the MDC.

Respectfully Submitted,

**Miriam Media, Inc.**

A handwritten signature in black ink, appearing to read "Evan D. Carb", written over a horizontal line.

By: Evan D. Carb, Vice President

Attachments

cc: Anne Gallagher  
Louis Bell  
James McLuckie

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<sup>7</sup> 47 USC 307(b).

Attachment  
Dismissal Letter



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D. C. 20554

August 25, 2016

Miriam Media, Inc.  
42859 Lindsey Heights Place  
Ashburn, VA 20148

1800E1-MFC

In re: Low Power Television Application of:

Miriam Media, Inc.

Channel 03, Palms Springs, CA

File number: BNPDTL-20100202AAX

Facility Id No.: 184234

Dear Applicant:

This refers to your above-captioned application for a construction permit authorization in the low power television service.

Because your proposed transmitter site is in close proximity to the Mexican border, coordination with the Government of Mexico was mandatory as prescribed by the Mexican USA Television Agreement. As a result of this coordination, the Mexican Department of Communications has informed the Commission that it would object to the grant of your proposed facility, because it would not provide protection to channel 3 Mexicali and Tijuana, Baja California.

Accordingly your application are application file number BNPDTL-20100202AAX IS  
**HEREBY DISMISSED.**

Sincerely,

A handwritten signature in black ink, appearing to read "Hossein Hashemzadeh", is written over a horizontal line.

Hossein Hashemzadeh  
Deputy Chief  
Video Division  
Media Bureau

Attachment  
July 2015 FCC and IFT Letters and Excerpted Table 1



Federal Communications Commission  
Washington, DC 20554

International Bureau

**REGISTERED MAIL-RETURN RECEIPT REQUESTED**

July 15, 2015

Ricardo Castañeda Álvarez  
Director General de Ingeniería y Estudios Técnicos  
IFT  
Av. Insurgentes Sur 1143  
Col. Nochebuena, C.P. 03720  
Del. Benito Juárez  
México, D.F.

Dear Mr. Castañeda:

The Federal Communications Commission ("FCC") and Instituto Federal de Telecomunicaciones ("IFT") have held discussions regarding use of the 54-72 MHz, 76-88 MHz, 174-216 MHz, and 470-698 MHz television broadcast bands with the intent to replace analog television service with digital and to reconfigure the UHF television band to allocate a portion of the 470-698 MHz band for mobile broadband service. This letter summarizes our mutual understanding of the key coordination factors and procedures that our Administrations intend to use as our countries initiate a joint spectrum reconfiguration for these bands. The results of these joint procedures may be subsequently formalized, through bilateral arrangements, to govern digital television service under the updated band plan, and to govern newly created mobile broadband service in the 600 MHz band in the border region, including procedures to govern use of spectrum shared by both television and mobile services. The mutual understanding between our Administrations described in this letter serves to support both the spectrum reconfiguration and the eventual development of these new arrangements.

Therefore, I propose the following joint guidelines to help advance Mexico's analog-to-digital transition and the ongoing FCC and IFT spectrum reconfiguration process:

1. The FCC and IFT intend to jointly reconfigure spectrum use in the TV broadcast bands by allocating a portion of contiguous spectrum, excluding channel 37, for use by mobile broadband service, beginning with channel 51 and extending downward.

2. The FCC and IFT intend to allocate a maximum of 84 MHz of UHF television spectrum in Mexico and a maximum of 144 MHz of UHF television spectrum in the United States for mobile broadband service.
3. The FCC and IFT intend to consider the entries contained in Tables 1 and 6 to be mutually acceptable and the DTV stations listed therein may be brought into immediate operation or continue operation with the designated facilities under the following constraints:
  - 3.1. Stations in Table 1 that are listed with an "\*" would be subject to delayed operation on the designated channel in order to protect existing television operation(s).
  - 3.2. Stations in Table 1 that are listed with an "\*" may require modification to an alternate channel based on the final arrangement of channels that result from the FCC Incentive Auction.<sup>1</sup>
  - 3.3. Stations in Table 6, which have multiple designated channels in addition to their current channel assignment, are approved for operation on any of the designated channels, but may operate on *only one* of the designated channels. Once this final channel of operation is determined in the FCC Incentive Auction, the remaining channels in the designated range will be eliminated.
4. The FCC and IFT intend to mutually consent to any modifications and additions to Tables 1 and 6.
5. The FCC and IFT intend to continue work on Tables 1 and 6 with the goal of formalizing the DTV Plans in a new DTV Memorandum of Understanding ("MOU"), intended to replace the 1998 DTV MOU.
6. The FCC and IFT intend to allow a limited amount of spectrum sharing between television and mobile broadband service in the 470-698 MHz band. The potential for inter-service interference (ISIX) between these services will be limited through the development of mutually acceptable techniques and factors that permit each service to operate on overlapping and adjacent frequencies.
7. The FCC and IFT intend to follow the guidelines outlined in this letter and work towards development of new bilateral arrangements to govern digital television service under the updated band plan, and to govern newly created mobile broadband service in the 470-698 MHz band in the border region, including procedures to govern use of spectrum shared by both television and mobile services.

On this occasion, I would like to thank representatives of the IFT for the excellent spirit of cooperation and commitment that has prevailed throughout this process. Please let me know if

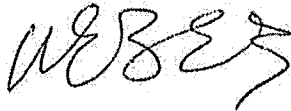
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<sup>1</sup> "Incentive Auction" refers to the process whereby the FCC holds a "reverse auction" in which broadcasters in the United States will offer to voluntarily relinquish some or all of their spectrum usage rights, and a "forward auction" for mobile broadband licenses.



you find the understanding outlined above (including agreement of terms 1 through 7 and the attached Tables 1 and 6) acceptable to IFT by reply letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'MDELTORRE'.

*per*

Mindel De La Torre  
Chief, International Bureau  
Federal Communications Commission

Attachments

Table 1: Mexico Post-Transition DTV Allotment Plan

Table 6: United States Post-Transition DTV Allotment Plan

Table 1: Mexico Post-Transition DTV Allotment Plan

| Final Digital<br>Channel | Priority/Analog<br>Equivalent | State | City                  | Latitude (NAD83) | Longitude (NAD83) | Call Sign   | ERP (kW) | BSM (m)  | Antenna | Antenna ID | Comments         |
|--------------------------|-------------------------------|-------|-----------------------|------------------|-------------------|-------------|----------|----------|---------|------------|------------------|
| 14                       | D44                           | BN    | ENEBVADA              | 31-53-26.00      | 116-37-50.00      | LICITACION  | 250.00   | 370.00   | DA      | 1000       |                  |
| 16                       | A13                           | BN    | ENEBVADA              | 31-52-25.00      | 116-37-51.30      | XHEBE       | 28.30    | 144.00   | DA      | 1001       |                  |
| 17                       | A17, D48                      | BN    | ENEBVADA              | 31-52-22.00      | 116-37-51.00      | XHEUJ       | 38.00    | 205.00   | DA      | 1002       |                  |
| 20                       | A2                            | BN    | ENEBVADA              | 31-52-25.00      | 116-37-51.30      | XHEUT       | 29.10    | 144.00   | DA      | 1003       |                  |
| 23                       | A23, D43                      | BN    | ENEBVADA              | 31-52-22.00      | 116-37-51.00      | XHS         | 38.00    | 205.00   | DA      | 1005       |                  |
| 24                       |                               | BN    | ENEBVADA              | 31-53-26.00      | 116-37-50.00      | CADENA TRES | 250.00   | 370.00   | ND      |            |                  |
| 26                       | A57                           | BN    | ENEBVADA              | 31-52-22.00      | 116-37-51.00      | XHEBC       | 38.00    | 205.00   | DA      | 2005       |                  |
| 28                       | A23, D35                      | BN    | ENEBVADA              | 31-53-26.00      | 116-37-50.00      | XHEB3       | 1.00     | 368.30   | DA      | 1006       |                  |
| Floating                 | P15                           | BN    | ENEBVADA              | 31-53-26.00      | 116-37-50.00      | LICITACION  | 250.00   | 370.00   | ND      |            | Mex 2016 auction |
| Floating                 | P25                           | BN    | ENEBVADA              | 31-51-28.00      | 116-36-21.00      | LICITACION  | 30.00    | 74.00    | ND      |            | Mex 2016 auction |
| 14(**)                   | A3, D47                       | BN    | MEKCAU                | 32-36-41.00      | 115-29-39.00      | XHEC        | 200.00   | 168.00   | DA      | 1007       |                  |
| 15(**)                   | A38, D45                      | BN    | MEKCAU                | 32-36-41.00      | 115-29-39.00      | XHEEE       | 200.00   | 168.00   | DA      | 1008       |                  |
| 16                       | D35                           | BN    | MEKCAU                | 32-36-41.00      | 115-29-39.00      | LICITACION  | 300.00   | 80.00    | DA      | 1009       |                  |
| 17                       | D24                           | BN    | MEKCAU                | 32-36-41.00      | 115-29-39.00      | CADENA TRES | 400.00   | 80.00    | DA      | 1010       |                  |
| 18(**)                   | A32, D44                      | BN    | MEKCAU                | 32-36-41.00      | 115-29-39.00      | XHEEX       | 200.00   | 163.00   | DA      | 1011       |                  |
| 20(**)                   | A66, D46                      | BN    | MEKCAU                | 32-31-34.00      | 115-35-49.00      | XHEA        | 107.00   | 135.00   | DA      | 1012       |                  |
| 25                       | A20                           | BN    | MEKCAU                | 32-36-46.20      | 115-29-16.90      | XHEXT       | 255.00   | 99.00    | DA      | 1013       |                  |
| 28                       | A5                            | BN    | MEKCAU                | 32-36-46.20      | 115-29-16.90      | XHEAQ       | 252.00   | 99.00    | DA      | 1014       |                  |
| 34                       | A14                           | BN    | MEKCAU                | 32-36-41.00      | 115-29-39.00      | XHEM        | 180.00   | 163.00   | DA      | 1015       |                  |
| Floating                 | P21                           | BN    | MEKCAU                | 32-31-34.00      | 115-35-49.00      | LICITACION  | 107.00   | 135.00   | ND      |            | Mex 2016 auction |
| 21                       | A2                            | BN    | SAN FELIPE            | 31-01-21.21      | 114-50-24.00      | XHEEC       | 1.02     | 34.00    | DA      | 1016       |                  |
| 22                       | A4                            | BN    | SAN FELIPE            | 31-01-21.21      | 114-50-15.71      | XHEE        | 5.00     | 35.00    | ND      |            |                  |
| 23                       | D51                           | BN    | SAN FELIPE            | 31-01-09.99      | 114-50-24.00      | LICITACION  | 35.00    | 45.00    | ND      |            |                  |
| 26                       | A26                           | BN    | SAN FELIPE            | 31-01-21.21      | 114-50-15.71      | XHEB        | 40.00    | 45.00    | ND      |            |                  |
| 30                       |                               | BN    | SAN FELIPE            | 31-01-09.99      | 114-50-24.00      | CADENA TRES | 35.00    | 45.00    | ND      |            |                  |
| 33                       | A8                            | BN    | SAN FELIPE            | 31-01-21.21      | 114-50-15.71      | XHEEN       | 40.00    | 45.00    | ND      |            |                  |
| 25                       | D49                           | BN    | SAN QUINTIN-SAN TELMO | 30-33-55.99      | 115-56-36.00      | CADENA TRES | 50.00    | 120.00   | ND      |            |                  |
| 30                       | A36                           | BN    | SAN QUINTIN-SAN TELMO | 30-33-55.99      | 115-56-36.00      | LICITACION  | 50.00    | 120.00   | ND      |            |                  |
| 21(**)                   | A49, D47                      | BN    | TICATE                | 32-18-49.00      | 116-39-53.00      | XHDTV       | 300.00   | 1,353.00 | DA      | 1017       |                  |

| Final Digital Channel | Potential Analog & Digital Decision | State | City           | Latitude (NAD83) | Longitude (NAD83) | Call Sign   | ERP (mW) | RCAMSL (m) | Antenna | Antenna ID | Comments   |
|-----------------------|-------------------------------------|-------|----------------|------------------|-------------------|-------------|----------|------------|---------|------------|--|
| 15(*)                 | A3, D46                             | BN    | TIJUANA        | 32-28-26.50      | 116-53-49.20      | XHTJB       | 79.00    | 607.50     | DA      | 1019       | Available on a * (R)estricted basis. The station and allotment are restricted to the current XHTJB operating parameters of 79kW ERP and 607.5m RCAMSL and directional antenna #1019 in order to protect land mobile services in Los Angeles. |
| 22                    | A57                                 | BN    | TIJUANA        | 32-30-05.51      | 117-02-23.00      | XHUAA       | 200.00   | 403.00     | DA      | 1020       |  |
| 23                    | A6                                  | BN    | TIJUANA        | 32-30-05.51      | 117-02-23.00      | XETV        | 200.00   | 403.00     | DA      | 1021       |  |
| 27                    | A45                                 | BN    | TIJUANA        | 32-30-05.51      | 117-02-23.00      | XHB1        | 75.00    | 297.00     | DA      | 1018       |  |
| 28                    | A27                                 | BN    | TIJUANA        | 32-30-08.10      | 117-02-21.10      | XHIK        | 151.00   | 379.00     | DA      | 1022       |  |
| 29                    | A21                                 | BN    | TIJUANA        | 32-30-08.10      | 117-02-21.10      | XHTT        | 148.00   | 379.00     | DA      | 1023       |  |
| 32                    | A12                                 | BN    | TIJUANA        | 32-30-05.51      | 117-02-23.00      | XEWT        | 200.00   | 403.00     | DA      | 1024       |  |
| 33                    | D38                                 | BN    | TIJUANA        | 32-30-05.00      | 117-02-23.00      | CADENA TRES | 400.00   | 408.00     | ND      |            |  |
| 34                    |                                     | BN    | TIJUANA        | 32-30-17.00      | 117-02-25.00      | XHAS        | 400.00   | 350.80     | DA      | 1025       |  |
| Floating              | P38                                 | BN    | TIJUANA        | 32-30-05.00      | 117-02-23.00      | LICTACION   | 400.00   | 408.00     | ND      |            |  |
| Floating              | P14                                 | BN    | TIJUANA        | 32-30-05.00      | 117-02-23.00      | LICTACION   | 400.00   | 412.00     | ND      |            | Mex 2016 auction   |
| 14                    | A9                                  | CH    | ALDAMA         | 30-00-16.21      | 107-44-45.90      | XHALC       | 1.00     | 1,663.50   | ND      |            |  |
| 21                    | A11                                 | CH    | CHIHUAHUA      | 28-38-48.60      | 106-03-01.10      | XHECH       | 44.40    | 1,774.50   | DA      | 1026       |  |
| 22                    | A2                                  | CH    | CHIHUAHUA      | 28-38-48.60      | 106-03-01.10      | XHCH        | 51.50    | 1,774.50   | DA      | 1027       |  |
| 23                    | A4                                  | CH    | CHIHUAHUA      | 28-38-48.60      | 106-03-01.10      | XHT         | 51.40    | 1,774.50   | DA      | 1028       |  |
| 24                    | A13                                 | CH    | CHIHUAHUA      | 28-38-48.50      | 106-02-59.65      | XHCZ        | 47.00    | 1,762.00   | DA      | 1029       |  |
| 25                    | A20                                 | CH    | CHIHUAHUA      | 28-38-48.00      | 106-03-00.00      | XHCH        | 130.00   | 1,765.30   | DA      | 1030       |  |
| 26                    | A5                                  | CH    | CHIHUAHUA      | 28-38-48.50      | 106-02-59.65      | XHF1        | 47.00    | 1,761.00   | DA      | 1031       |  |
| 29                    | D42                                 | CH    | CHIHUAHUA      | 28-38-49.00      | 106-03-00.00      | CADENA TRES | 1,000.00 | 1,780.00   | ND      |            |  |
| 30                    | D51                                 | CH    | CHIHUAHUA      | 28-38-49.00      | 106-03-00.00      | LICTACION   | 1,000.00 | 1,780.00   | ND      |            |  |
| 32                    | A9                                  | CH    | CHIHUAHUA      | 28-37-55.00      | 106-03-39.01      | XHALC       | 45.00    | 1,580.00   | DA      | 1032       |  |
| 34                    | A28                                 | CH    | CHIHUAHUA      | 28-38-52.80      | 106-03-49.90      | XHABC       | 5.00     | 1,453.00   | ND      |            |  |
| Floating              | P27                                 | CH    | CHIHUAHUA      | 28-38-07.00      | 106-05-20.00      | LICTACION   | 50.00    | 1,493.00   | ND      |            | Mex 2016 auction   |
| Floating              | P30                                 | CH    | CHIHUAHUA      | 28-38-07.00      | 106-05-20.00      | LICTACION   | 50.00    | 1,493.00   | ND      |            |  |
| 21                    | A6                                  | CH    | CUIDAD CAMARGO | 27-40-20.20      | 105-10-53.69      | XHCG        | 4.08     | 1,253.00   | DA      | 1033       |  |



INSTITUTO FEDERAL DE  
TELECOMUNICACIONES

**INSTITUTO FEDERAL DE TELECOMUNICACIONES  
UNIDAD DE ESPECTRO RADIOELECTRICO**

**IFT/222/UER/168/2015**

**Mexico, Distrito Federal a 15 de julio de 2015**

**MINDEL DE LA TORRE**

Chief of the International Bureau  
Federal Communications Commission  
445 12th Street, SW  
Washington, D.C. 20554

**PRESENTE**

I refer to your communications dated 29 June and 15 July this year, received via email on the same dates, which provide updates to Table 1: post-digital TV transition allotments for Mexico; and of Table 6: allotments for the United States of America prior to the incentive auction and after the DTV transition, which take into consideration our exchange IFT / 222 / EBU / DG- IEET / 560 / 2015 dated June 2 of this year, which seeks to expand the range of channels available for use by some US stations located in the most congested border zones.

Regarding this matter, I would like to inform you that we appreciate the efforts of your Administration to find joint solutions to, on one hand, move Mexican channels located in the coordination zone established in the signed bilateral instruments below channel 37, and on the other hand, to have channel alternatives in which to relocate the US stations that remain in operation after the incentive auction in the United States of America, allowing both countries to benefit from plans to restructure the 600 MHz band to permit new wireless services.

Insurgentes Sur, 1 143,  
Col Nochebuena, C.P 03720  
Delegación Benito Juárez,  
México, D.F.  
Tel. (55) 5015 4000

*FCC TRANSLATION*

We also appreciate the incorporation in Table 1 of the coordination requests for new channels that will be included in our next Annual Frequency Bands Program 2016, which at the moment appear as "floating" channels and which at the appropriate time will have the final channels designated for them. With respect to these, I would appreciate it very much if you tell us as soon as possible which frequency band, whether VHF or UHF, will be awarded to Mexico for the 34 channel coordination requests designated as floating channels.

In addition to this, we appreciate the effort of your team in providing timely responses to requests of our administration for the coordination of complementary equipment that primary operating DTV stations need to replicate their analog coverage, a situation that has contributed to our Administration's ability to comply with the objective of successfully completing the process of transition to Digital Terrestrial Television in Mexico.

Regarding implementation of the Allotment Plan for Mexico (Table 1), we understand that the final digital channels are for immediate use by stations, except those channels marked with an asterisk ( \* ), which in order to be used will have to await the outcome of the FCC incentive auction, which we understand will be held, at the latest, in the first half of 2016. Similarly, for stations with a double asterisk (\*\*) their use will be subject to the process and the administrative time required to modify the channel previously authorized by IFT.

As to the updates of your DTV Allotment Plan (Table 6) which seek to expand the range of channels that potentially could be used by each station, we understand that at this time the Commission has no certainty of the channels that will finally remain in operation after the incentive auction, which is why we agree to provide flexibility with the proposals listed in Table 6, on the understanding that only one channel is finally chosen, preferably below the channel 37, for those stations remaining in operation at the end of the incentive auction.



Insurgentes Sur 1143,  
Col. Nochebuena, C.P. 03720  
Delegación Benito Juárez,  
México, D.F.  
Tel. (55) 5015 4000

Because of the time constraints required by our Administrations for use of some of the channels specified in Table 1 marked with ( \* ) and / or ( \*\* ) , plus eventual definition of the final channel assignment in Table 6 we understand that the two Administrations must carry out coordination to arrange the appropriate time for ultimate implementation of operation by stations as provided in Tables 1 and 6 and to avoid the risk of affecting the DTV services on both sides of the common border.

As for the guidelines numbered 1-7 that the FCC proposed in its letter of July 15, with the aim of contributing to the process of transition to DTV in Mexico and plans for reconfiguration of the spectrum below channel 51 in both Administrations, we agree in general with the terms set by the FCC in the referenced paragraphs above. However, we state the following details:

Regarding number 2 of those guidelines referred to above, we note that this Institute has not yet formally determined the amount of MHz below channel 51 that will be reconfigured for new wireless services, so our Administration will not necessarily free a maximum of 84 MHz for mobile broadband services but may increase this amount of spectrum in the future.

Concerning numbers 5, 6 and 7 of the guidelines, we express our intention to work with the FCC to jointly establish new conditions for sharing of DTV spectrum in both countries; conditions for spectrum sharing and technical conditions for coexistence of television services and mobile broadband operations below channel 51 ; all with a view to establishing rules and procedures to agree on the use of radio spectrum for such services by amending the existing bilateral agreements and eventually adopting new bilateral agreements.

Insurgentes Sur 1143,  
Col. Nochebuena C.P 03720  
Delegación Benito Juárez.  
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INSTITUTO FEDERAL DE  
TELECOMUNICACIONES

In this regard, we express to the FCC that in negotiations to agree upon amendments to existing agreements or adoption of new bilateral agreements, this Institute would do it in coordination with the Secretariat of Communications and Transportation of Mexico, which is the formal authority for international agreements in our country in the subject matter at hand.

For these reasons, we express that the terms in which the FCC proposes the allotment plan for Mexico and the United States of America contained in Tables 1 and 6 with their respective specific written notes of your letter of July 15 of this year, are acceptable to our Administration as well as the proposed guidelines along with the clarifications we have described in the preceding paragraphs.

Cordially,

**ATENTAMENTE**

**"2015, Año del Generalísimo José María Morelos Pavón"**

**EL TITULAR DE LA UNIDAD**



**ALEJANDRO NAVARRETE TORRES**

c.c.p. JUAN CARLOS HERNANDEZ WOCKER.- Titular de la Coordinación General de Asuntos Internacionales del IFT. Presente.

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FCC TRANSLATION

Attachment  
TV Query Search Showing  
Mexicali Digital Application on Substitute Channel  
and  
Tijuana Existing Analog Station and Digital Application on Substitute Channel



XHBC-TDT

BN MEXICALI

Mexico

Service Designation: DT Digital television station

Transmit Channel: 14 470 - 476 MHz

Virtual Channel: (viewer sees this channel number)

Network affiliation: -

Designated Market Area (DMA): -

File No.: BPFS-20160301ABU

Facility ID number: 199275

CDBS Application ID No.: 1723105

32° 36' 40.80" N Latitude

115° 29' 36.00" W Longitude (NAD 27)

Polarization: Horizontal  
(H)

|                                       |      |                               |
|---------------------------------------|------|-------------------------------|
| Effective Radiated Power (ERP):       | 200. | kW ERP                        |
| Antenna Height Above Average Terrain: | -    | meters HAAT -- Calculate HAAT |
| Antenna Height Above Mean Sea Level:  | 168. | meters AMSL                   |
| Antenna Height Above Ground Level:    | 0.   | meters AGL                    |

Directional

Antenna ID No.: 123893

Pattern Rotation: 0.0

Relative Field values for directional antenna  
polar plot

Relative Field

Relative field values listed here do not include any pattern rotation that may be indicated above.

|           |            |            |            |            |            |
|-----------|------------|------------|------------|------------|------------|
| 0° 1.000  | 60° 0.750  | 120° 0.730 | 180° 0.750 | 240° 0.200 | 300° 0.370 |
| 10° 0.950 | 70° 0.710  | 130° 0.830 | 190° 0.710 | 250° 0.180 | 310° 0.570 |
| 20° 0.790 | 80° 0.920  | 140° 0.800 | 200° 0.630 | 260° 0.210 | 320° 0.670 |
| 30° 0.720 | 90° 1.000  | 150° 0.560 | 210° 0.530 | 270° 0.240 | 330° 0.730 |
| 40° 0.920 | 100° 0.920 | 160° 0.555 | 220° 0.510 | 280° 0.190 | 340° 0.850 |
| 50° 0.930 | 110° 0.710 | 170° 0.680 | 230° 0.400 | 290° 0.190 | 350° 0.960 |

-

BN TIJUANA

Mexico

Service Designation: TA NTSC (analog) television allotment

Transmit Channel: 3 60 - 66 MHz

Virtual Channel: (viewer sees this channel number)

Network affiliation: -

Designated Market Area (DMA): -

File No.: - Facility ID number: 97933

CDBS Application ID No.: 303309

32° 30' 3.00 " N Latitude  
117° 02' 24.00" W Longitude (NAD 27)

XHTJB-DTD

BN TIJUANA

Mexico

Service Designation: DT Digital television station

Transmit Channel: 15 476 - 482 MHz

Virtual Channel: (viewer sees this channel number)

Network affiliation: -

Designated Market Area (DMA): -

File No.: BPFS-20160302ACZ

Facility ID number: 199285

CDBS Application ID No.: 1723215

32° 28' 26.50" N Latitude  
 116° 53' 49.00" W Longitude (NAD 27)

Polarization: Horizontal  
 (H)

|                                       |       |                                      |
|---------------------------------------|-------|--------------------------------------|
| Effective Radiated Power (ERP):       | 79.   | kW ERP                               |
| Antenna Height Above Average Terrain: | -     | meters HAAT -- <u>Calculate HAAT</u> |
| Antenna Height Above Mean Sea Level:  | 607.5 | meters AMSL                          |
| Antenna Height Above Ground Level:    | 0.    | meters AGL                           |

Directional

Antenna ID No.: 123909

Pattern Rotation: 0.0

\*\*\* Directional antenna pattern is not in the database --  
 Relative field values are assumed to be 1.000 (maximum) in all  
 directions. \*\*\*

Relative Field values for directional antenna  
polar plot Relative Field

Relative field values listed here do not include any pattern rotation that may be indicated above.

|           |            |            |            |            |            |
|-----------|------------|------------|------------|------------|------------|
| 0° 1.000  | 60° 1.000  | 120° 1.000 | 180° 1.000 | 240° 1.000 | 300° 1.000 |
| 10° 1.000 | 70° 1.000  | 130° 1.000 | 190° 1.000 | 250° 1.000 | 310° 1.000 |
| 20° 1.000 | 80° 1.000  | 140° 1.000 | 200° 1.000 | 260° 1.000 | 320° 1.000 |
| 30° 1.000 | 90° 1.000  | 150° 1.000 | 210° 1.000 | 270° 1.000 | 330° 1.000 |
| 40° 1.000 | 100° 1.000 | 160° 1.000 | 220° 1.000 | 280° 1.000 | 340° 1.000 |
| 50° 1.000 | 110° 1.000 | 170° 1.000 | 230° 1.000 | 290° 1.000 | 350° 1.000 |

Attachment  
Draft Engineering Statement and Coverage Map  
For Directional Amendment (if deemed necessary by Staff)

**DELAWDER COMMUNICATIONS, INC.**

P.O. Box 1095  
Ashburn, Virginia 20146-1095  
(703) 299-9222

**ENGINEERING REPORT**

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Miriam Media, Inc.  
Support for Reinstatement of Palm Springs, CA Channel 3 LPTV Application

**ENGINEERING STATEMENT**

1. This Engineering Statement is submitted on behalf of Miriam Media, Inc. ("Miriam") in support of the Reconsideration filing to re-instate the dismissed LPTV application BNPTL-20100202AAX. Miriam will substitute the omni antenna with a directional antenna – the Scala CL26 (FCC CDBS Antenna ID Number 80265) aimed at 300 degrees True so that the 13 dBu F50,10 interference contour does not extend into Mexico. (The protected contour for a Low-VHF Analog TV station is the 47 dBu F50,50 contour and the carrier-to-interference protection ratio is 34 dB. Thus, the applicable interference contour for the LPTV facility is the 13 dBu F50,10 contour.) Attached as Figure EE1 is a map showing the 26 dBu F50,10 contour of the LPTV facility with the directional antenna. (Note that no other facility changes are needed for the LPTV.)

2. With the antenna change to directional, the protection to the two cited Mexican channel 3 analog TV stations (at Mexicali and at Tijuana) is easily met. The 13 dBu F50,10 interference contour of the LPTV facility will not come within 80 kilometers of the US-Mexican Border. (A USGS 30 arc-second terrain database is used to generate this contour.) Miriam will amend BNPTL-20100202AAX should the FCC reinstate this dismissed application.

3. The undersigned, whose qualifications are a matter of record before the Commission, hereby certifies that the foregoing statement was prepared by him or under his direction, and that it is true and correct to the best of his knowledge and belief.

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Darryl K. DeLawder, President  
DeLawder Communications, Inc.

Date: October 11, 2016

**FIGURE EE1: Palm Springs, CA Channel 3 LPTV Contour Map  
(With Scala CL26 Aimed at 30 Deg True Antenna Substituted for Omni)**

