

**FEDERAL COMMUNICATIONS COMMISSION**  
**445 TWELFTH STREET, SW**  
**WASHINGTON, DC 20554**

**MEDIA BUREAU**  
**AUDIO DIVISION**  
**APPLICATION STATUS:** (202) 418-2730  
**HOME PAGE:** [www.fcc.gov/media/radio/audio-division](http://www.fcc.gov/media/radio/audio-division)

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Positive Hope Inc.  
2100 Park Blvd  
San Diego, CA 92101

FEB 06 2017

Re: KIVB-LP, San Diego, CA  
Facility ID No. 197704  
Positive Hope Inc.  
File No. BMPL-20160912AED

Dear Applicant:

This is in reference to the above application proposing a change of transmitter location.

Our review of the instant application specifying a 1.6 kilometer change in transmitter site location violates 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 of 88-107 MHz." The violation is addressed in Section 73.1650 of the Commission's Rules.<sup>1</sup> Specifically, the proposal for the 1.6 kilometer change in LPFM transmitter site violates the US/Mexican FM Agreement.<sup>2</sup>

Section 2.1.2 of the US/Mexican Agreement states that producing an interfering contour that exceeds 32 kilometers in the direction of the other country shall not be permitted by LPFM stations. The 34 dBu F(50,10) interfering contour fails to protect channel 266B in Ensanada, BN, Mexico from 93.5 degrees to 205.4 degrees. The proposed 34 dBu F(50,10) interfering contour also extends beyond 32 kilometers between 160 degrees and 225 degrees, failing to protect the Mexican Islands of Los Coronados. The application fails to recognize these violations, therefore, the application will be dismissed.

Accordingly, light of the above, application BMPL-20160912AED is unacceptable for filing and IS HEREBY DISMISSED. These actions are taken pursuant to 47 C.F.R. § 0.283.<sup>3</sup>

Sincerely,



James D. Bradshaw  
Deputy Chief  
Audio Division  
Media Bureau

cc: Michael D. Brown

<sup>1</sup> 47 C.F.R. § 73.1650(b)(4)(ii)

<sup>2</sup> US/Mexican FM Agreement, Section 2.1.2.

<sup>3</sup> 47 C.F.R. § 0.283.