



Federal Communications Commission  
Washington, D.C. 20554

SEP 01 2009

Airwaves, Inc.  
453 Simoron Drive  
Ogden, UT. 84404

1800E3-RLG

In re: Low Power Television Application of:  
Airwaves, Inc.  
Channel 10, Ogden, UT.  
File number BPDVL-20090728ACT  
Facility Id No.: 168495

Dear Applicant:

We are currently processing your above-referenced application. Our preliminary engineering review reveals that your proposed facility does not comply with the Commission's interference rules. Specifically, the proposal is predicted to cause interference to the following facilities:

1. KCBU, Price, UT. – BPCDT-20080530AGB

The licensee was sent a deficiency letter dated June 1, 2009, that revealed the same interference issue as listed above which pertains to the facilities previous minor change application file number BPDVL-20090507ACE for which our records indicated that no amendment was filed after the date of that letter to resolve the interference issue. And that our re-analysis revealed that the proposal was predicted to cause interference to the same facility as indicated in the original 30 day letter; therefore, the referenced application was considered incomplete and was dismissed on July 10 2009.

In addition, our records indicate that the licensee has filed a digital displacement application requesting to move the current digital licensed facility from channel 10 to channel 14 because of interference issues with the above referenced full service station KCBU. Please refer to the first part of Exhibit 1 below which was filed with the displacement application that reference the reasons for the requested channel change:

Exhibit inserted:

**Exhibit 1**

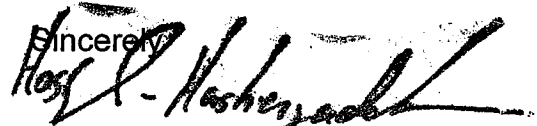
**Description:** ENGINEERING STATEMENT

ENGINEERING STATEMENT IN SUPPORT OF AN APPLICATION TO DISPLACE LPTV STATION KULX-LD TO CHANNEL 14.

KULX-LD OPERATES ON CHANNEL 10 AND IS PROSPECTIVELY DISPLACED BY ADJACENT FULL SERVICE STATION KCBU-DT, BMPCDT-20080620AAQ ON CHANNEL 11. THE SEPARATION IS 87 KM AND KULX-LD IS INSIDE THE PROTECTED CONTOUR OF KCBU-DT ASSOCIATED WITH THIS FILE NUMBER. ASIDE FROM THE INTERFERENCE TO KULX-LD FROM FULL SERVICE STATION KCBU-DT THERE IS THE PROBLEM OF OUTGOING INTERFERENCE. KULX-LD IS TWO THIRDS OF THE WAY OUT TO KCBU-DT'S PROTECTIVE CONTOUR WHERE THIS STATIONS SIGNAL IS DIMINISHED BY DISTANCE AND SUSCEPTIBLE TO INTERFERENCE. THE LICENSEE OF KULX-LD FEELS IT IS ONLY PRUDENT TO AVOID THE PROBABILITY OF BEING TOLD TO CEASE OPERATION ON CHANNEL 10 ON SHORT NOTICE BY FILING FOR A DISPLACEMENT CHANGE BEFORE THE PERMIT TEE OF KCBU-DT PRESENTS A DEMAND.

End of exhibit inserted

Based on the ongoing interference issue with the full service station KCBU and the filing of the displacement application which supersedes the current minor change as reference above; the application BPDVL-20090728ACT IS HEREBY DISMISSED.

Sincerely,  


Hossein Hashemizadeh  
Associate Chief  
Video Division  
Media Bureau