

January 2022
KXKR(FM) Channel 266C3
Catalina Foothills, Arizona
Waiver of §73.316(b)(1)

The proposed KXKR facility is short-spaced to a Mexican allotment on Channel 266B at Sasabe, Sonora. In order to provide protection to the Sasabe allotment in accordance with the requirements of the US-Mexico FM Agreement, it is necessary to utilize a directional antenna pattern with a maximum-to-minimum ratio of 19 dB. The allocation study included in this application demonstrates that this power limitation is more than sufficient to provide the necessary protection to Sasabe.

Cochise Broadcasting, LLC ("Cochise") respectfully requests waiver of the 15 dB maximum-to-minimum ratio in §73.316(b)(1) of the Commission's Rules, to permit the use of a directional antenna pattern with a maximum-to-minimum ratio of 19 dB. This waiver will allow KXKR to improve its facility using an existing tower. The additional suppression will also enable KXKR to minimize undesirable signal reflections from the Sierrita Mountains, which lie to the southwest of the proposed tower site (i.e. in the direction of Sasabe) and rise as much as 1000 meters higher than the proposed KXKR antenna.

It should be noted that the proposed KXKR facility is not short-spaced to any domestic facility, and that the proposed directional antenna pattern (and the requested waiver) are not being used to protect any domestic short-spaced station under §73.215. Indeed, the US-Mexico FM Agreement (see Annex 1, Section 1.4.1) expressly contemplates the use of directional antennas with greater than 15 dB minimum-to-maximum ratio, and the Commission has previously waived §73.316(b)(1) for other stations in the US-Mexico border area, including KFMA 271C1 Oro Valley (18 dB) and the authorized KXKR facility (23.5 dB)