



Federal Communications Commission  
Washington, D.C. 20554

October 19, 2022

**Sent via Certified and Electronic Mail**

Edge Spectrum, Inc.  
Randy Weiss  
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Re: Application For Minor  
Modification  
KHVM-LD, Minneapolis, MN  
LMS File No. 0000199281  
Facility ID No. 130940

Dear Licensee:

This letter concerns the above-referenced application for minor modification filed by Edge Spectrum, Inc. (Edge) licensee of low power television station KHVM-LD, Minneapolis, Minnesota.<sup>1</sup> For the reasons set forth below and pursuant to section 73.3517 of the rules,<sup>2</sup> the KHVM-LD Application is dismissed.

The KHVM-LD Application proposes facilities that would cause 2.75 percent interference to the facilities proposed in an earlier-filed application for minor modification for KMWE-LD, Saint Cloud, Minnesota.<sup>3</sup> Such proposed interference is in excess of permissible levels.<sup>4</sup> In an engineering exhibit to the KHVM-LD Application, you acknowledge this impermissible interference; however, you note that the staff denied an amendment and that there have been no further changes to the KMWE-LD Application.<sup>5</sup> Therefore, you argue that the KMWE-LD Application “should be considered inactive and removed from the database.”<sup>6</sup> In fact, the KMWE-LD Application remains pending. Therefore, because the facilities proposed in the KHVM-LD Application would cause impermissible interference to the earlier-filed KMWE-LD application, we deem the KHVM-LD Application to be a contingent application and not acceptable for filing.<sup>7</sup>

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<sup>1</sup> LMS File No. 0000199281 (KHVM-LD Application).

<sup>2</sup> 47 CFR § 73.3517.

<sup>3</sup> See LMS File No. 0000177263 (KMWE-LD Application).

<sup>4</sup> See 47 CFR § 74.793(h) (“a digital low power TV or TV translator station must not cause a loss of service to 2.0 percent or more of the population predicted to receive service from the authorized low power TV, TV translator, digital low power TV or digital TV translator station.”).

<sup>5</sup> See KHVM-LD Application, Technical Study at 1.

<sup>6</sup> *Id.*

<sup>7</sup> See 47 CFR § 73.3517 (contingent applications are not acceptable for filing).

**ACCORDINGLY**, pursuant to section 73.3517 of the Commission's rules,<sup>8</sup> the application for minor change (LMS File No. 0000199281) for KHVM-LD, Minneapolis, Minnesota **IS DISMISSED**.

Sincerely,

/s/

Mark Colombo  
Associate Chief, Video Division  
Media Bureau

cc (via electronic mail): Ari Meltzer, Esq.

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<sup>8</sup> *Id.*