

# FEDERAL COMMUNICATIONS COMMISSION

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MAY 23 2012

MEDIA BUREAU  
AUDIO DIVISION  
TECHNICAL PROCESSING GROUP  
APPLICATION STATUS: (202) 418-2730  
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Owensville Communications, LLC  
801 Clay Street, Suite 3  
Vicksburg, MS 39180

In re: NEW(FM), Las Vegas, NM  
Owensville Communications, LLC  
Facility ID No. 190438  
BNPH-20120510AAO


Dear Applicant:

The staff has under consideration the above referenced application for a new commercial FM broadcasting facility at Las Vegas, NM.

An engineering study reveals that the facility specified in the application fails to meet the minimum spacing requirement of 47 C.F.R. § 73.207. Specifically, the facility is short-spaced by 2.1 kilometers to the co-channel Class C2 licensed facility (BLH-19880422KC) of KNKT(FM), Armijo, NM. Owensville Communications, LLC recognizes this short-spacing and requests processing pursuant to 47 C.F.R. § 73.215. However, the proposed protected contour (60 dBu) would receive prohibited contour overlap from the interfering contour (40 dBu) of KNKT by as much as approximately 8.8 kilometers between the azimuths from 201°T to 260°T. The prohibited overlap occurs when KNKT is considered as a maximum Class C2 facility operating with 50 kilowatts ERP at 150 meters HAAT, as required by 47 C.F.R. § 73.215(b)(2)(ii). This overlap constitutes an acceptance defect. Therefore, the application must be amended to demonstrate compliance with § 73.215.

Further action on the subject application will be withheld for a period of thirty days from the date of this letter to provide Owensville Communications, LLC an opportunity to respond. Failure to respond within this time period will result in the dismissal of the application pursuant to 47 C.F.R. § 73.3568(a).

Sincerely,



Rodolfo F. Bonacci  
Assistant Chief  
Audio Division  
Media Bureau

cc: Mark Jones  
Larry P. Waggoner