



Federal Communications Commission
Washington, D.C. 20554

November 28, 2012

KOB-TV, LLC
c/o Charles R. Naftalin, Esq.
Holland & Knight LLP
2099 Pennsylvania Avenue, N.W.
Suite 100
Washington, D.C. 20006

Re: KAEP-LP, Las Cruces, New Mexico
File No. BDFCDTL-20080804ABM
Facility Id No. 35325

Dear Licensee:

By letter dated August 10, 2009, the Video Division dismissed the above-referenced application for a digital flash-cut construction permit for station KAEP-LP, Las Cruces, New Mexico, because the Mexican Department of Communications (MDC) informed the Commission that it would object to grant of the proposed facility because it did not comply with certain distance requirements with respect to channel allotments in Mexico.

KOB-TV, LLC, the licensee of the station, filed a timely petition for reconsideration arguing that the Division had no obligation to submit the application to the MDC for coordination and approval because there is no bilateral agreement between the United States and Mexico that contains provisions for the coordination of digital low power television stations along the border. The Commission has concluded, however, that it will coordinate all proposed digital television facilities, including low power digital facilities, consistent with the 1998 Memorandum of Understanding for the digital television broadcasting service along the border.¹

In its petition for reconsideration, KOB-TV also provides further technical information demonstrating that the proposed facility would not cause interference to the Mexican allotments. In view of the foregoing, the petition for reconsideration IS GRANTED and the above-referenced application IS REINSTATED for further international coordination.

Sincerely,

Hossein Hashemzadeh
Deputy Chief, Video Division
Media Bureau

¹ See Memorandum of Understanding between the Federal Communications Commission of the United States of America and the Secretaria de Comunicaciones Y Transportes of the United Mexican States Related to the Use of the 54-72 MHz, 174-216 MHz and 470-806 MHz Bands for the Digital Television Broadcasting Service along the Common Border (July 22, 1998).