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August 21, 2003

DAVID A. O'CONNOR
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RECEIVED

AUG 21 2003

FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

VIA HAND DELIVERY

Mr. Clay Pendarvis, Esq.
 Chief, Television Branch
 Video Division, Media Bureau
 Federal Communications Commission
 236 Massachusetts Ave. NE, Suite 110
 Washington, DC 20002

Re: MM Docket No. 00-163
 Station KBRR(TV), Thief River Falls, MN
 Facility ID No. 55370

Dear Mr. Pendarvis:

On behalf of Red River Broadcast Company, LLC ("Red River"), this letter is submitted in response to your letters dated November 26, 2001 and August 3, 2001 with respect to the above-referenced proposal to substitute Channel 32 for Channel 57 as the DTV allotment for Station KBRR(TV), Thief River Falls, Minnesota. The Commission has requested that Red River submit a Longley-Rice analysis showing less than a 2% increase to a DTV allotment in Portage La Prairie, Manitoba, or a revised engineering exhibit that eliminates the interference to that Canadian allotment.

As an initial matter, Red River apologizes for the delay in responding fully to the Commission's inquiries, but submits that the delay was due to reasons beyond Red River's control. Red River submitted its initial and timely response on December 20, 2001, in which Red River indicated that its consulting engineer was in ongoing discussions with the Bureau's engineering staff and with the International Bureau's staff concerning Red River's Canadian coordination

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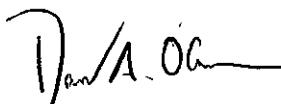
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proposal.¹ Red River also requested a 30-day extension of time in which to continue those discussions. There has been no subsequent correspondence between the Commission and Red River concerning this matter since December 20, 2001; however, Red River's consulting engineer has been in contact routinely with Commission staff concerning the reasons for the delay in responding to the Commission. Red River submits that the information necessary to respond to the Commission's inquiries was extremely difficult to obtain due to the unavailability of information from Canadian authorities.

The necessary information is now available, and Red River hereby submits its Longley-Rice analysis, as set forth in the attached Engineering Statement of Mr. Donald G. Everist of Cohen Dippell & Everist, P.C. The Longley-Rice analysis demonstrates that less than 2% interference is caused to the service area of CHMI-DT, Portage La Prairie, Manitoba. Therefore, Red River submits that its Petition for Rulemaking complies with the terms of the U.S.-Canadian *Letter of Understanding* and that a Notice of Proposed Rule Making may be instituted in this proceeding.

Respectfully submitted,

HOLLAND & KNIGHT LLP



David A. O'Connor
Counsel for Red River Broadcast Co., LLC

Enclosure

cc (w/encl.): Nazifa Naim, Media Bureau
Pam Blumenthal, Media Bureau
John Morgan, Media Bureau
Nai Tam, Media Bureau
James Ballis, International Bureau
James McLuckie, International Bureau

¹ For your convenience, copies of the correspondence between the Commission and Red River are attached hereto.

ENGINEERING STATEMENT
ON BEHALF OF
RED RIVER BROADCAST COMPANY, LLC
KBRR-DT, THIEF RIVER FALLS, MINNESOTA
RESPONSE TO MEDIA BUREAU'S LETTER
DATED AUGUST 2001
FCC FILE NO. BPRM-20000328ABU

AUGUST 2003

COHEN, DIPPELL AND EVERIST, P.C.
CONSULTING ENGINEERS
RADIO AND TELEVISION
WASHINGTON, D.C.

This engineering statement has been prepared on behalf of Red River Broadcast Company, LLC, licensee of television station KBRR(TV), Thief River Falls, Minnesota, and is in response to the letter from FCC dated August 2001. That FCC letter requested additional information with reference to protection to Canadian allotments contained in the *Letter of Understanding*¹ for the rule making request to change to Channel 32 (FCC File No. BPRM-20000328ABU). Specifically information regarding coordination with the FCC Channel 32 station at Portage La Prairie, MB, is submitted in response to the aforementioned FCC letter.

Canadian concurrence is to be demonstrated by using the information and procedures set forth in the *Letter of Understanding* ("LOU"), released September 29, 2000, and an analysis using the Longley-Rice propagation model is permitted. A Longley-Rice analysis has been specially performed towards the service area of CHMI-DT and demonstrates that less than 2% interference is caused to its service area of CHMI-DT. The results of Longley-Rice analysis are as follows:

KBRR-DT proposes the following:

Channel:	32
ERP:	1000 kW directional (See Exhibit E-1 for antenna pattern)
Center of Radiation Above Ground:	177.3 meters
Center of Radiation:	495 meters AMSL
HAAT:	183 meters

¹"Letter of Understanding Between the Federal Communications Commission of the United States of America and Industry Canada Related to the Use of the 54-72 MHz, 76-88 MHz, 174-216 MHz and 470-806 MHz Bands for the Digital Television Broadcasting Service Along the Common Border".

Coordinates: N 48° 01' 19"
 W 96° 22' 12"
 NAD-27

An allocation analysis of the CHMI-DT service area has been performed using the Federal Communications Commission OET Bulletin 69 dated July 2, 1997 and the FCC supplemental processing guidelines dated August 1998 modified to include terrain² and population data for Canada. The analysis was performed by using the FCC Longley-Rice model adapted for use for an INTEL computer. The results of this adapted program domestically has been compared to other known FCC studies and have been found to give comparable results.

Table 1 provides the results of this analysis which demonstrates compliance with the provisions of the *Letter of Understanding* with reference to station CHMI-DT.

²Based on Global 30-second datum.

COHEN, DIPPELL AND EVERIST, P. C.

TABLE I
INTERFERENCE SUMMARY
BASED ON LONGLEY-RICE ANALYSIS
KBRR-DT, THIEF RIVER FALLS, MINNESOTA
AUGUST 2003

A study of predicted interference by the proposed KBRR-DT operation on DTV Channel 32 has been performed using a version of the Longley-Rice program as described in OET Bulletin 69 dated July 2, 1997 modified to include terrain and population data for Canada.

Baseline, KBRR-DT: Allotment, Channel 57, 692.6 kW, 183 meters HAAT

N 48° 01' 19" L, W 96° 22' 12" L (NAD-27)

Proposed Change: Channel 32, 1000 kW DA, 183 meters HAAT, 495 meters C/R AMSL

N 48° 01' 19" L, W 96° 22' 12" L (NAD-27)

Canadian Station

CHMI-DT, Channel 32, Portage La Prairie, MB

550 kW ND, 300 meters HAAT, 540.7 meters AMSL

N 49° 52' 26" L, W 97° 44' 25" L (NAD-27)

229.1 km from KBRR-DT bearing N 334.6° E

KBRR-DT DA, 1000 kW effective radiated power is 1.91% interference



Federal Communications Commission
Washington, D.C. 20554

AUG 03 2001

1800E1-PB

Arthur B Goodkind
Holland & Knight LLP
2100 Pennsylvania Avenue, NW
Suite 400
Washington, DC 20037-3202

In Re: MM Docket No. 00-163
Station KBRR(TV)
Thief River Falls, Minnesota

Dear Mr. Goodkind:

This is in reference to the above-referenced petition for rule making you filed on behalf of Red River Broadcasting Company, LLC requesting the substitution of DTV channel 32 for station KBRR(TV)'s assigned DTV channel 57 at Thief River Falls, Minnesota.

As you are aware, Thief River Falls is located within 400 kilometers of the U.S.-Canadian border and concurrence of the Canadian government was solicited for this proposal. The Canadian government has completed its review of Red River's proposal and objects to the proposal on the grounds that it fails to adequately protect either Canadian NTSC and/or DTV channels. The Canadian assessment was based upon the second step contour overlap method in the *Letter of Understanding (LOU) between the Commission and Industry Canada, released September 29, 2000*. Specifically, Red River's proposal does not provide protection to a co-channel DTV allotment at Portage La Prairie, Manitoba.

Accordingly, you must within 30 days of the date of this letter, submit either a Longley-Rice analysis if it can show less than a 2% increase in interference or eliminate the overlap. It is recommended that HMW conduct a complete technical analysis of its proposal in an effort to correct the deficiency outlined in this letter as well as any other technical problems that might exist. You are cautioned that Red River's failure to comply with the requirements of this letter within the time specified herein may result in the dismissal of its petition for rule making.

Sincerely,

Clay Pendarvis
Chief, Television Branch
Video Services Division
Mass Media Bureau

cc: James McLuckie, International Bureau

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December 20, 2001

ARTHUR B. GOODKIND
202-457-1815

Internet Address:
agoodkin@hklaw.com

VIA CAPITAL FILING SPECIALISTS

Mr. Clay Pendarvis
Chief, Television Branch
Video Services Division
Mass Media Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

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DEC 20 2001

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: MM Docket No. 00-163, Station KBRR(TV), Thief River Falls, MN
Response to letter dated November 26, 2001, Ref. 1800E1-PB

Dear Mr. Pendarvis:

On behalf of Red River Broadcasting Company, LLC (Red River), this will respond to your letter dated November 26, 2001 with respect to the above-referenced proposal to substitute Channel 32 for Channel 57 as the DTV allotment for Station KBRR(TV), Thief River Falls, Minnesota.

Subsequent to your letter, the consulting engineer for Red River has had further discussions with your engineering staff and with the Chief, Negotiations Branch, Planning and Negotiations Division, International Bureau, with respect to submission of Red River's most recent proposal to Canada for coordination. It has not yet been possible to conclude these discussions, however, and it is therefore necessary for Red River to request an additional thirty-day extension of time, until January 25, 2002, to permit this process to proceed.

Mr. Clay Pendarvis
December 20, 2001
Page 2

Accordingly, Red River respectfully requests a thirty-day extension of time, until January 25, 2002, within which to respond to your letter.

Very truly yours,



Arthur B. Goodkind

Attorney for Red River Broadcasting
Company, LLC

cc: Pamela Blumenthal, Esq., FCC
James Ballis, FCC
John Morgan, FCC

bc: Don Everist
Don Sturzenbecher
Ro Grignon
Kathy Lau

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September 4, 2001

SEP 4 2001

**Federal Communication Commission
Bureau/Office**

**ARTHUR B. GOODKIND
202-457-1815**

Internet Address:
agoodkin@hklaw.com

Clay Pendarvis
Chief, Television Branch
Video Services Division
Mass Media Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: MM Docket Number 00-163
Petition for Rule Making to Substitute Channel 32 as Digital
Television Allotment for Television Station KBRR-DT, Thief
River Falls, Minnesota

Dear Mr. Pendarvis:

On behalf of Red River Broadcast Company, LLC, Petitioner in the above-referenced matter, this will respond to your letter dated August 3, 2001 (Reference 1800E1-PB). Your letter states that the above-referenced rule making proposal appears not to protect a co-channel DTV allotment at Portage La Prairie, Manitoba. You request that the Petitioner submit either a Longley-Rice analysis to show that less than 2% interference would be caused to the Canadian allotment or that the proposal be modified so as to eliminate the overlap.

In response to your letter, the petitioner will shortly request that the Commission's International Branch seek Canadian concurrence with respect to an amendment to the KBRR-DT rule making proposal that would propose to eliminate interference to the Canadian co-channel allotment by using a directional antenna or other form of cancellation technique. An Engineering Statement including the horizontal plane radiation pattern to be proposed is

Mr. Clay Pendarvis
September 4, 2001
Page 2

attached hereto, including a depiction of the proposed radiation. In addition, a tabulation of the field values is enclosed.

In the event there are any questions, please communicate with the undersigned.

Very truly yours,

A handwritten signature in black ink, appearing to read "Arthur B. Goodkind". The signature is written in a cursive style with a large initial "A".

Arthur B. Goodkind

Enclosures

cc(w/enc): James McLuckie, International Bureau
John Morgan
Pamela Blumenthal, Esq.

Mr. Clay Pendarvis
September 4, 2001
Page 3

bc(w/enc.): Don Sturzenbecher
Kathy Lau
Ro Grignon
Don Everist

WAS1 #1010021 v1

Engineering Statement

This engineering statement is on behalf of Red River Broadcast Company, LLC and is with reference to MM Docket Number 00-163. MM Docket No. 00-163 requests a substitute DTV Channel 32 be assigned to KBRR-DT for its operation in Thief River Falls, Minnesota. If granted, it will replace the current Appendix B allotment DTV Channel 57 provided in MM Docket No. 87-268.¹ This engineering statement is in response to the FCC letter dated August 3, 2001 with reference to the Canadian coordination to DTV Channel 32, Thief River Falls, Minnesota. As cited in the letter, Canadian concurrence is to be demonstrated by using the information and procedures set forth in the Letter of Understanding², released September 29, 2000.

The proposed DT operation by KBRR would potentially impact DTV Channel 32 in Portage La Pairie, Manitoba.

KBRR-DT, Thief River Falls, Minnesota, proposes to provide restricted parameters in the direction of Portage La Pairie, Manitoba, by using a directional antenna or other form of cancellation technique. The horizontal plane radiation pattern is provided which shows the proposed reduction. In

¹In the Matter of Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service, MM Docket No. 87-268, Memorandum Opinion and Order on Reconsideration of the Sixth Report and Order (FCC 98-24), 2/12/98.

²"Letter of Understanding Between the Federal Communications Commission of the United States of America and Industry Canada Related to the Use of the 54-72 MHz, 76-88 MHz, 174-216 MHz and 470-806 MHz Bands for the Digital Television Broadcasting Service Along the Common Border".

addition, a tabulation of the directional antenna field values is provided.

The affiant states that he is a graduate electrical engineer, a registered professional engineer in the District of Columbia, and President of Cohen, Dippell and Everist, P.C., Consulting Engineers, Radio-Television; that the foregoing engineering information was prepared by him or under his supervision and direction; that he believes it to be true and correct; and that his qualifications are a matter of record before the Federal Communications Commission.

Donald G. Everist
District of Columbia
Professional Engineer
Registration No. 5714

City of Washington)
) ss
District of Columbia)

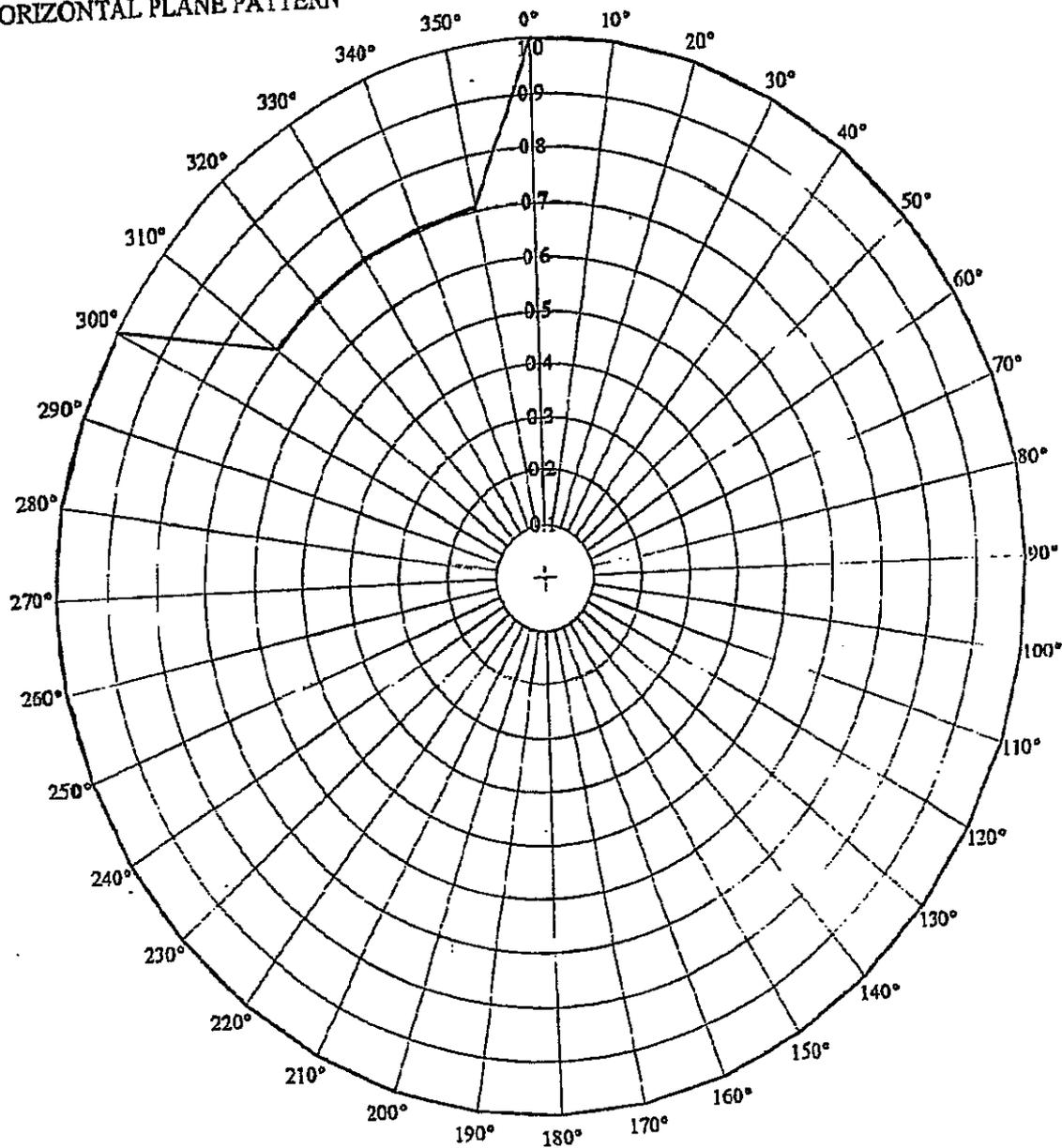
Subscribed and sworn to before this _____ day of _____, 2001.

Notary Public
My Commission Expires:

TABULATION OF FIELD VALUES
KBRR-DT, THIEF RIVER FALLS, MINNESOTA
FOR PENDING APPLICATION
FCC FILE NO. MM DOCKET NO. 00-163
SEPTEMBER 2001

<u>Azimuth</u> N ° E, T	<u>Field Value</u>	<u>Azimuth</u> N ° E, T	<u>Field Value</u>
0	1.000	180	1.000
10	1.000	190	1.000
20	1.000	200	1.000
30	1.000	210	1.000
40	1.000	220	1.000
50	1.000	230	1.000
60	1.000	240	1.000
70	1.000	250	1.000
80	1.000	260	1.000
90	1.000	270	1.000
100	1.000	280	1.000
110	1.000	290	1.000
120	1.000	300	1.000
130	1.000	310	0.707
140	1.000	320	0.707
150	1.000	330	0.707
160	1.000	340	0.707
170	1.000	350	0.707

HORIZONTAL PLANE PATTERN



Relative Intensity

**POLAR PLOT
HORIZONTAL PLANE
RADIATION PATTERN
KBRR-DT
THIEF RIVER FALLS, MINNESOTA
FOR PENDING APPLICATION
MMDOCKET No. 00-163
SEPTEMBER 2001**

**COHEN, DIPPELL AND EVERIST, P.C.
CONSULTING ENGINEERS
WASHINGTON, D.C.**

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October 24, 2001

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OCT 24 2001

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

James Ballis, Chief International Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: MM Docket No. 00-163, Request that Channel 32 be
Substituted in Lieu of Channel 57 for DTV Allotment of
KBRR-DT, Thief River Falls, Minnesota

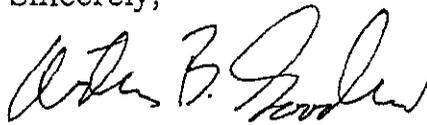
Dear Mr. Ballis:

Transmitted herewith, on behalf of Red River Broadcast Company, L.L.C., petitioner in the above-referenced matter, is an additional copy of an engineering statement previously filed with the Commission in response to a Commission letter stating that the channel substitution proposed for KBRR-DT would potentially impact DTV Channel 32, Portage La Prairie, Manitoba.

As shown in the engineering statement, the petitioner proposes to provide restricted parameters in the direction of the affected Canadian station by using a directional antenna or other form of cancellation technique. We hereby request that the International Bureau seek Canadian concurrence to this proposal so that the above-referenced rule making matter may proceed.

In the event there are any questions, please communicate with the undersigned.

Sincerely,



Arthur B. Goodkind

Enclosure

cc(w/enc:) James McLuckie, FCC
John Morgan, FCC

ENGINEERING STATEMENT
ON BEHALF OF
RED RIVER BROADCAST COMPANY, L.L.C.
RE MM DOCKET NO. 00-163
KBRR-DT, THIEF RIVER FALLS, MINNESOTA
DTV CHANNEL 32 1000 KW (MAX. DA) 183 METERS HAAT

SEPTEMBER 2001

COHEN, DIPPELL AND EVERIST, P.C.
CONSULTING ENGINEERS
RADIO AND TELEVISION
WASHINGTON, D.C.

Engineering Statement

This engineering statement is on behalf of Red River Broadcast Company, LLC and is with reference to MM Docket Number 00-163. MM Docket No. 00-163 requests a substitute DTV Channel 32 be assigned to KBRR-DT for its operation in Thief River Falls, Minnesota. If granted, it will replace the current Appendix B allotment DTV Channel 57 provided in MM Docket No. 87-268.¹ This engineering statement is in response to the FCC letter dated August 3, 2001 with reference to the Canadian coordination to DTV Channel 32, Thief River Falls, Minnesota. As cited in the letter, Canadian concurrence is to be demonstrated by using the information and procedures set forth in the Letter of Understanding², released September 29, 2000.

The proposed DT operation by KBRR would potentially impact DTV Channel 32 in Portage La Prairie, Manitoba.

KBRR-DT, Thief River Falls, Minnesota, proposes to provide restricted parameters in the direction of Portage La Prairie, Manitoba, by using a directional antenna or other form of cancellation technique. The horizontal plane radiation pattern is provided which shows the proposed reduction. In addition, a tabulation of the directional antenna field values is provided.

¹In the Matter of Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service, MM Docket No. 87-268, Memorandum Opinion and Order on Reconsideration of the Sixth Report and Order (FCC 98-24), 2/12/98.

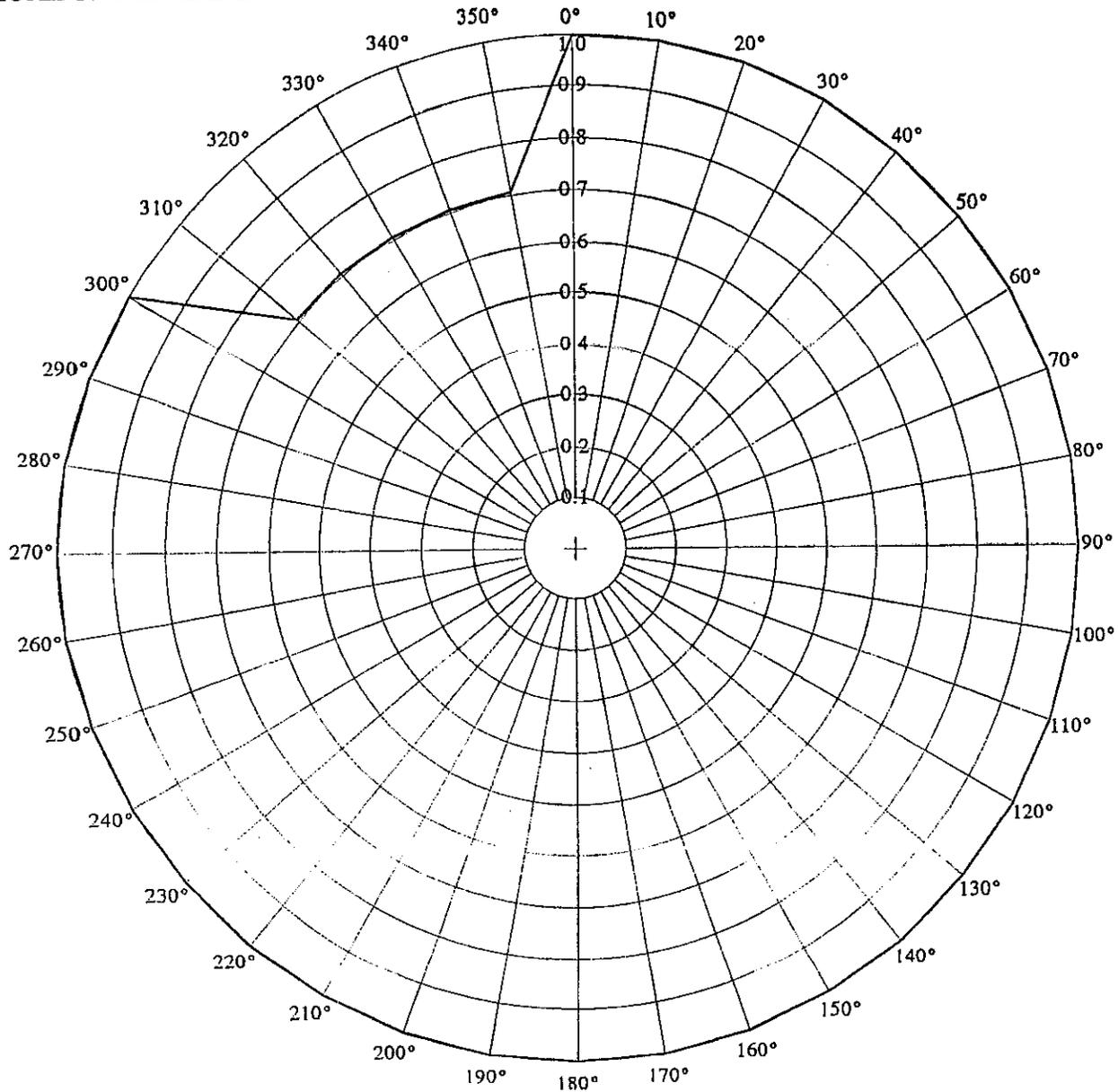
²"Letter of Understanding Between the Federal Communications Commission of the United States of America and Industry Canada Related to the Use of the 54-72 MHz, 76-88 MHz, 174-216 MHz and 470-806 MHz Bands for the Digital Television Broadcasting Service Along the Common Border".

COHEN, DIPPELL AND EVERIST, P. C.

TABULATION OF FIELD VALUES
KBRR-DT, THIEF RIVER FALLS, MINNESOTA
FOR PENDING RULE MAKING APPLICATION
FCC FILE NO. MM DOCKET NO. 00-163
SEPTEMBER 2001

<u>Azimuth</u> N ° E, T	<u>Field Value</u>	<u>Azimuth</u> N ° E, T	<u>Field Value</u>
0	1.000	180	1.000
10	1.000	190	1.000
20	1.000	200	1.000
30	1.000	210	1.000
40	1.000	220	1.000
50	1.000	230	1.000
60	1.000	240	1.000
70	1.000	250	1.000
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150	1.000	330	0.707
160	1.000	340	0.707
170	1.000	350	0.707

HORIZONTAL PLANE PATTERN



Relative Intensity

POLAR PLOT
HORIZONTAL PLANE
RADIATION PATTERN
KBRR-DT
THIEF RIVER FALLS, MINNESOTA
FOR PENDING
RULEMAKING APPLICATION
MMDOCKET No. 00-163
SEPTEMBER 2001

COHEN, DIPPELL AND EVERIST, P.C.
CONSULTING ENGINEERS
WASHINGTON, D.C.



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Washington, D.C. 20554

Red River
Fargo - black

NOV 26 2001

1800E1-PB

Arthur B Goodkind
Holland & Knight LLP
2100 Pennsylvania Avenue, NW
Suite 400
Washington, DC 20037-3202

In Re: MM Docket No. 00-163
Station KBRR(TV)
Thief River Falls, Minnesota

Dear Mr. Goodkind:

This is in reference to the amendment you submitted in response to the Commission's letter dated August 3, 2001, denoting Canada's objection to the above -referenced petition for rule making you filed on behalf of Red River Broadcasting Company, LLC, requesting the substitution of DTV channel 32 for station KBRR(TV)'s assigned DTV channel 57 at Thief River Falls, Minnesota.

The Commission's engineering staff has completed its review of Red River's amended proposal and finds that the proposal fails to adequately protect the co-channel DTV allotment at Portage La Prairie, Manitoba. Our assessment was based upon the second step contour overlap method in the *Letter of Understanding (LOU) between the Commission and Industry Canada, released September 29, 2000.*

Accordingly, you must within 30 days of the date of this letter, submit either a Longley-Rice analysis demonstrating less than a 2% increase in interference or eliminate the overlap. It is recommended that HMW conduct a complete technical analysis of its proposal in an effort to correct the deficiency outlined in this letter as well as any other technical problems that might exist. You are cautioned that Red River's failure to comply with the requirements of this letter within the time specified herein may result in the dismissal of its petition for rule making.

Sincerely,

Clay Pendarvis
Chief, Television Branch
Video Services Division
Mass Media Bureau

cc: James McLuckie, International Bureau