



Federal Communications Commission  
Washington, D.C. 20554

April 3, 2013

**DA 13-603**

Mr. Robert Henderson  
Gila Electronics of Yuma, Inc.  
2481 East Palo Verde Street  
Yuma, AZ 85365

Barry A. Friedman, Esq.  
Thompson Hine LLP  
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Dear Messrs. Henderson and Friedman:

On December 20, 2011, Gila Electronics of Yuma, Inc. (Gila) filed an application to modify Microwave Industrial/Business Pool Station WQOF674 to add two paths, including a path on 6912.5 MHz between Black Mountain and Drewry Farms (Path 2).<sup>1</sup> On January 5, 2012, Entravision Holdings LLC (Entravision) filed a petition to deny the Application with respect to the Black Mountain-Drewry Farms path.<sup>2</sup> For the reasons stated below, we dismiss the Application as moot to the extent it seeks authority to operate on the Black Mountain-Drewry Farms path, dismiss the Petition and all related pleadings as moot, and grant the Application to the extent it seeks authority to operate on the Black Mountain-Gila Office path using 5974.85 MHz.

Entravision argued that Gila's proposed Black Mountain-Drewry Farms path would cause interference to its TV Studio Transmitter Link Station WPVM563, which operates on 6900-6925 MHz.<sup>3</sup> After an exchange between the parties, on May 9, 2012, Gila filed a separate application seeking authority to operate on the Black Mountain-Drewry Farms path using 6286.19 MHz.<sup>4</sup> On July 10, 2012, the Wireless Telecommunications Bureau (Bureau) granted that application and issued a license with call sign WQPN968.<sup>5</sup> On March 21, 2013, Gila notified the Bureau that it had constructed Station WQPN968 on August 20, 2012.<sup>6</sup>

Gila has now obtained authorization and is operating on the Black Mountain-Drewry Farms path using alternate frequencies from what it had proposed in the Application. We therefore conclude that the request for authority to operate on the Black Mountain-Drewry Farms path in the Application is now

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<sup>1</sup> File No. 0004998547 (filed Dec. 20, 2011).

<sup>2</sup> Petition to Deny, Entravision Holdings, LLC (filed Jan. 5, 2012) (Petition).

<sup>3</sup> See Petition.

<sup>4</sup> File No. 0005201835 (filed May 9, 2012).

<sup>5</sup> See Wireless Telecommunications Bureau Site-By-Site Action, Report No. 7921, *Public Notice* (WTB July 18, 2012) at 18.

<sup>6</sup> File No. 0005701357 (filed Mar. 21, 2013).

moot. We therefore dismiss that part of the Application.<sup>7</sup> In light of that action, we dismiss the Petition and all related pleadings as moot. We have reviewed the portion of the Application seeking authority to operate on the Black Mountain-Gila Office path using 5974.85 MHz (Path 3) and find that that portion of the Application fully complies with the Commission's rules. We therefore grant that portion of the Application.

Accordingly, IT IS ORDERED, pursuant to Sections 4(i) and 309 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 309, and Section 1.945(e) of the Commission's Rules, 47 C.F.R. § 1.945(e), that the application filed by Gila Electronics of Yuma, Inc. on December 20, 2011 to modify Microwave Industrial/Business Pool Station WQOF674 IS GRANTED IN PART AND DISMISSED IN PART.

IT IS FURTHER ORDERED, pursuant to Sections 4(i) and 309 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 309, and Section 1.939(g) of the Commission's Rules, 47 C.F.R. § 1.939(g), that the Petition to Deny filed by Entravision Holdings LLC on January 5, 2012, as well as all responsive pleadings, ARE DISMISSED AS MOOT.

These actions are taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

John J. Schauble  
Deputy Chief, Broadband Division  
Wireless Telecommunications Bureau

cc: Mr. Thu Nguyen, President  
Radyn, Inc.  
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<sup>7</sup> After dismissing the Application, we will review the application filed by Entravision to modify Station WPVM563 to change coordinates (File No. 0005150474).