

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the matter of:	
ORDER OF DISMISSAL, by ALJ Richard Sippel	FCC 17M-35
In and regarding:	
MARITIME COMMUNICATIONS/LAND MOBILE, LLC	FRN: 0013587779
Participant in Auction No. 61 and Licensee of Various Authorizations in the Wireless Radio Services	EB Docket No. 11-71 File No. EB-09-IH-1751
Applicant for Modification of Various Authorizations in the Wireless Radio Services	
Applicant with ENCANA OIL AND GAS (USA., INC.; DUQUESNE LIGHT COMPANY; DCP MIDSTREAM, LP; JACKSON COUNTY RURAL MEMBERSHIP ELECTRIC COOPERATIVE; PUGET SOUND ENERGY, INC.; ENBRIDGE ENERGY COMPANY, INC.; INTERSTATE POWER AND LIGHT COMPANY; WISCONSIN POWER AND LIGHT COMPANY; DIXIE ELECTRIC MEMBERSHIP CORPORATION, INC.; ATLAS PIPELINE-MID CONTINENT, LLC; DENTON COUNTY ELECTRIC COOPERATIVE, INC., DBA COSERV ELECTRIC; AND SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY	Application File Nos. ¹ 0004030479, 0004144435, 0004193028, 0004193328, 0004354053, 0004309872, 0004310060, 0004315903, 0004315013, 0004430505, 0004417199, 0004419431, 0004422320, 0004422329, 0004507921, 0004153701, 0004526264, 0004636537, and 0004604962
For Commission Consent to the Assignment of Various Authorizations in the Wireless Radio Service	

To: Marlene H. Dortch, Secretary
Attn: The Commission, and Office of General Counsel
Filed: By hand delivery, and electronically in dockets 11-71 (and 13-85)

NOTICE OF APPEAL

Warren Havens, and Polaris PNT PBC
2649 Benvenue Avenue
Berkeley, CA 94704
Phone 510. 914 0910

October 6, 2017

¹ Some dismissed after Docket 11-71 commenced.

NOTICE OF APPEAL

Pursuant to FCC Rule §1.302(b) and other relevant law, as a parties with legal interest and standing, I, Warren Havens, and Polaris PNT PBC² (together “Appellants”) submit this Notice of Appeal, to notify the FCC and parties that Appellants will file an appeal, and to preserve their right to file an appeal, of the *Order of Dismissal*, **FCC 17M-35**, released September 28, 2017, by the Administrative Law Judge Hon. Richard Sippel (herein, the “Sippel Termination Order”) (the “Notice”). This Notice is timely filed.

This Notice is accompanied by a Memo by Appellants, incorporated herein in full by reference, that explains Appellants’ legal interest and standing to file the Notice and to file the upcoming Appeal, and other relevant matters.

Respectfully submitted,

October 6, 2017,



Warren Havens
Warren Havens, an Individual
And for Polaris PNT PBC, as President

Contact information is on the Caption page.

² This filing is also submitted by Havens for Polaris PNT PBC, a Delaware Public Benefit Corporation, owned and controlled by Havens and in which Havens serves as President. Havens has assigned certain rights and assets to Polaris to enable it to pursue wireless in the public interest and benefit and for commercial gain.

Declaration

I, Warren Havens, declare under penalty of perjury that the foregoing filing was prepared by me and that the factual statements and representations contained herein known to me are true and correct.



Warren Havens

October 6, 2017

Certificate of Filing and Service

I, Warren C. Havens, certify that I have, on October 6, 2017: ^{[*]1/}

(1) Caused to be served, by placing into the USPS mail system with first-class postage affixed unless otherwise noted below, a copy of the foregoing filing to the following parties and other persons: ^{[*]2/}

Hon. Richard L. Sippel

Chief Administrative Law Judge
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

David Senzel

FCC Office of General Counsel
By email to: David.Senzel@fcc.gov

Pamela Kane

FCC Enforcement Bureau
445 12th Street, SW
Washington, D.C. 20554
(Counsel at the Bureau, and for Maritime)

Robert J. Keller

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(Counsel to Maritime, DIP)

Wilkinson Barker Knauer, LLP

ATTN Mary N. O'Connor
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(Counsel to Choctaw)

Jeffrey L. Sheldon

Levine, Blaszak, Block & Boothby, LLP
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Washington, D.C. 20036
(Counsel for Puget Sound Energy, Inc.)

^{[*]1/} The mailed service copies being placed into a USPS drop-box today may be after business hours and thus may not be processed and postmarked by the USPS until the next business day.

^{[*]2/} Appellants do not admit by including any person on this list that they are a proper party to any matter described in this filing. Some are included out of an abundance of caution.

Jack Richards, Albert J. Catalano, Wesley Wright

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(Counsel to Enbridge Energy Co., Inc.; Dixie Electric Membership Corp., EnCana Oil and Gas, Inc.; Jackson County Rural Membership Electric Cooperative, DCP Midstream, LP; Atlas Pipeline-Mid Continent LLC)

Charles A. Zdebski, Gerit F. Hull

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Arnold Leong

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San Francisco, Ca 94115

(2) Caused to be filed the foregoing filing as stated on the caption page, and thus, as I have been instructed, ^{[**]3/} provide notice and service to any party that has or may seek to participate in dockets 13-85 and 11-71.

(3) Caused to be sent the foregoing filing via email to the following:

Office of the Inspector General
David Hunt, Inspector General, David.hunt@fcc.gov
Christopher Shields, agent, Christopher.shields@fcc.gov



Warren Havens

^{[**]3/} The FCC Office of General Counsel informed me regarding others' filings concerning MCLM relief proceedings that I was served in this fashion. I assume OGC does not apply a different standard to others. If OGC has a different standard, it can make that clear and public.