

Before the  
Federal Communications Commission  
Washington, D.C. 20554

<p>In re</p> <p>Maritime Communications/ Land Mobile LLC, DIP (“MCLM”) and Choctaw Holdings LLC (“Choctaw”)</p> <p>Assignment of License Authorization Applications: now in the name of “assignor” Choctaw, filed initially by assignor MCLM</p> <p>Relevant dockets</p> <p>Call Signs WQGF316, WHG750, WQGF315</p>	<p>Public Notice No. 12484. 08/02/2017</p> <p>File Nos. in the Public Notice: 0004030479, 0004193328, 0004430505, 0004507921, 0004604962, 0005224980, 0006967374</p> <p>Dockets: 11-71, 13-85</p>
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PETITION TO DENY  
OR IN THE ALTERNATIVE  
PETITION FOR RELIEF UNDER SECTIONS 1.41, 1.2 AND OTHER RULES

To: Office of the Secretary  
Attn: Chief, Wireless Telecom Bureau

Warren Havens  
and  
Polaris PNT PBC

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August 16, 2017

Warren Havens and Polaris PNT PBC (the “Petitioners”) hereby submit this petition to deny (the “Petition”) of the above-captioned assignment applications of Choctaw Holdings, LLC (Choctaw) and various assignees: EnCana Oil & Gas (USA), Inc., Duquesne Light Company, Enbridge Energy Company, Inc., Dixie Electric Membership Corporation, Inc., Shenandoah Valley Electric Cooperative, and Rappahannock Electric Cooperative (together, the “Assignees”), involving AMTS licenses (the “Licenses”) previously in the name of Maritime Communications/Land Mobile LLC (“MCLM”) (Petitioners have pending challenges regarding the assignment of the licenses from MCLM to Choctaw) (the “Applications” or the “MCLM Applications”), as listed on PN No. 12484 of 08/02/2017 (the “PN”).

*This Petition supersedes and replaces the filing made by Havens on August 9, 2017, the (“Initial PD Motion”), and Petitioners hereby withdraw that prior filing.<sup>1</sup>*

If this Petition is not accepted under Section 1.939, then Petitioners requested that it be processed and addressed as an informal request under Section 1.41, since, as shown herein, the facts and issues presented are of major importance to the public interest and FCC licensing rules, policies and procedures, and for the equal treatment of all FCC licensees and assignment applications.

The Applications and PN are clearly defective under FCC rules, and it is in the public interest that those defects be addressed and remedied by the FCC.

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<sup>1</sup> Petitioners intend, within the relevant time period, to submit a petition for reconsideration of the subject PN and related matters under FCC rule Section 1.106 and 47 USC §405, and §1.41 in the alternative. If the FCC chooses to make correction or clarifying action as the August 9 filing requested, it can do so of course. This withdrawal does not change Havens position as to the good-cause need already presented for that action. The instant Petition further shows the need.

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### Introduction and Summary

In this Petition, in sum: Petitioners show that they have standing and interest to file this Petition. Petitioners show that the Petition should be processed and granted in the public interest. Petitioners show that the Applications captioned above are incurably defective under FCC rules and precedents and cannot be granted (impermissible change in assignors and other information on the Applications as originally filed by MCLM), that the Public Notice of them was defective, and that the Licenses are subject to pending challenges that, if successful, may make the Applications moot. For purposes of efficiency, Petitioners reference and incorporate several of their pleadings already filed before the FCC that contain supports facts and arguments of the issues raised herein with respect to the subject Applications and Licenses. Also, Petitioners show that the Commission failed to determine innocent creditors and that that raises issues relevant to processing of the Applications and any funds that Choctaw may obtain from grant of them to pay creditors, since the FCC never properly determined under its “Second Thursday” policy who were the “innocent” creditors among the creditors. Petitioners provide one example of a MCLM creditor, Oliver Phillips, who is not innocent and who, if fully paid, will directly benefit wrongdoers, Donald and Sandra DePriest (in an amount in excess of \$5-6 million). Petitioners show that this Petition should be granted and the Applications dismissed or denied. Other relevant, related matters are also presented.

### Reference and Incorporation

Petitioners herein reference and incorporate in full their facts and arguments in the following filings (both initial filings and any subsequent filings or replies—only a lead pleading is listed here) before the FCC that are relevant to the Licenses, the Applications, MCLM, and Choctaw, etc., including but not limited to, that these filings and proceedings directly relate to the Licenses, MCLM and Choctaw and contain reasons that support grant of this Petition, and/or grant of relief, including dismissal or denial of the Applications:

- (i) *Petition to Dismiss, Petition to Deny, or in the Alternative §1.41 Request*, filed by Warren Havens, et al., on February 3, 2017, regarding MCLM renewal application File Nos. 0007603776—779 and associated extension requests.
- (ii) *Reply to Opposition to Petition to Dismiss, Petition to Deny, or in the Alternative §1.41 Request*, filed by Warren Havens, et al., on March 1, 2017 (Errata Copy filed March 2, 2017), regarding MCLM renewal application File Nos. 0007603776—779 and associated extension requests.
- (iii) *Petition for Reconsideration and Review Under Communications act §405 and FCC Rule §1.106, Under §1.41 and the Public Interest, and Under Constitutional Due Process*, filed by Warren Havens et al., on June 12, 2017, regarding Mobility Division Order, DA 17-450, and MCLM renewal application File Nos. 0007603776—779 and associated extension requests (Errata Copy filed June 13, 2017).
- (iv) *Reply to Opposition to Petition for Reconsideration and Review Under Communications act §405 and FCC Rule §1.106, Under §1.41 and the Public Interest, and Under Constitutional Due Process*, filed by Warren Havens et al., on July 14, 2017, regarding Choctaw Opposition, and Mobility Division Order, DA 17-450, and MCLM renewal application File Nos. 0007603776—779 and associated extension requests (Errata Copy filed July 16, 2017).
- (v) *Reply to Opposition to Petition for Reconsideration and Review Under Communications act §405 and FCC Rule §1.106, Under §1.41 and the Public Interest, and Under Constitutional Due Process*, filed by Warren Havens et al., on July 14, 2017, regarding MCLM Opposition, and Mobility Division Order, DA 17-450, and MCLM renewal application File Nos. 0007603776—779 and associated extension requests (Errata and Supplement copy filed on July 16, 2017—see next below).
- (vi) *Errata and Supplement Copy Reply to Opposition to Petition for Reconsideration and Review Under Communications act §405 and FCC Rule §1.106, Under §1.41 and the Public Interest, and Under Constitutional Due Process*, filed by Warren Havens et al., on July 16, 2017, regarding MCLM Opposition, and Mobility Division Order, DA 17-450, and MCLM renewal application File Nos. 0007603776—779 and associated extension requests
- (vii) *Petition for Reconsideration Including on New Facts and to Find Order Void and for Alternative Relief*, filed by Warren Havens et al., on February 6, 2017, regarding Mobility Division Order, DA 17-26, and various MCLM applications, FCC File Nos. 0001082495-2548, 0002303355, 0003796473, 0004030479, 0004136453, etc. (Errata and Supplement filed February 7, 2017)
- (viii) *Motion for Corrections and Explanations and Petition for Reconsideration in the Alternative and Conditional Petition to Deny*, filed by Warren Havens, et al., on August 9, 2017, regarding Files Nos. 0004030479, etc. and Public Notice No. 12484. (the “Initial PD Motion”)

- (ix) *Request for Stay and Request for Arbitration*, filed by Warren Havens, et al., on July 27, 2017, regarding various FCC proceeding matters involving MCLM, Choctaw, the Licenses, etc., including DA 17-26, File Nos. 0005552500, etc. (the “Stay Request”).
- (x) *Supplement to: Petition for Reconsideration of Warren Havens of FCC 16-172 Based on New Facts Submitted in Advance with Request to Accept (Supplement to “Petition-1”)*, filed by Warren Havens, et al., on July 21, 2017, regarding WT Docket 13-85, FCC 16-172, etc. (the “Supplement”)

Petitioners also note for convenience the following relevant, related pleading to their Petition-1 and “Petition-2” of FCC 16-172:

- (xi) *Conditionally Submitted Opposition to Motion to Strike*, filed by Warren Havens et al., on February 22, 2017, regarding MCLM’s *Motion to Strike and/or Dismiss as Defective Petitions for Reconsideration of FCC 16-172; Request for Imposition of Sanctions; and Petition for Expedited Investigation* (filed February 2, 2017), regarding Commission Order on Reconsideration and Memorandum Opinion and Order, FCC 16-172.

Petitioners reference and incorporate herein fully their arguments in their Supplement at its pages 4-5, as to why the above filings and proceedings should be considered along with this Petition. Petitioners assert that it is necessary for the Commission to consider the above listed pleadings that challenge DA 17-26 and DA 17-450, when considering this Petition and when reconsidering its Second Thursday Order, as Petitioners requested in their Petition-1, coupled with their “Petition-2”, of FCC 16-172.

Petitioners do not reiterate the facts and arguments in the above pleadings because they are already before the FCC. It is more efficient for all parties that Petitioners reference and incorporate.

### Standing

First, Petitioners fully reference and incorporate herein their standing facts and arguments in Havens’ motion for a declaratory ruling on standing, filed today with the FCC, a copy of which is attached as Exhibit 1. That motion gives ample reasons why Petitioners have standing under facts and law, that fully support Petitioners standing to file this Petition. The motion, in

turn, references and incorporates the past showing of standing by Havens including the following. However, the following items are also stated and referenced and incorporated herein out of an abundance of caution, including to provide further specifics of the broad reference and incorporation in Exhibit 1.

Petitioners reference and incorporate fully herein their showing of standing in their Initial PD Motion (pages 6-7).

Petitioners reference and incorporate fully herein their showings of standing in their filings that are referenced and incorporated herein under the section entitled “Reference and Incorporation”. All of those prior showings of standing in those other filings are relevant to the instant proceeding. The same reasons that Petitioners had standing to file those filings holds true for this Petition. All, or most all, of these pleadings contain sections on standing, including Petitioners’ above listed *Errata and Supplement Copy Reply to Opposition to Petition for Reconsideration and Review Under Communications act §405 and FCC Rule §1.106, Under §1.41 and the Public Interest, and Under Constitutional Due Process*, filed July 16, 2017, regarding DA 17-450 (granting MCLM extension and other relief).

Petitioners also assert standing for purposes of this Petition for the reasons they have shown in their pending pleadings regarding MCLM and Choctaw (including all the licenses subject of the Applications in the PN) including in their July 27, 2017 request for a stay and arbitration: Petitioners’ essential standing arguments already submitted are additionally supported by detailed analysis.

#### Defects in the Applications

There are numerous incurable defects in the Applications that require their dismissal under FCC rules. See, e.g., Petitioners facts and arguments in the Initial PD Motion at its pages 4-5, under the Sections entitled “Request” and “Support”, that are fully referenced and incorporated herein and restated to a large extent below for convenience. Under the section

“Request”, Petitioners pointed out items numbered (1) and (2) that require dismissal of the Applications for several defects and provided support for those requests for relief under the section entitled “Support”.

Based on Petitioners’ review and understanding that there is no FCC rule [2], or case precedent [3], that permits any component of the immediately following (1) resulting in these Applications disappearing on ULS, with no explanation shown, as MCLM applications (as assignor) and the same re-appearing on ULS as Choctaw applications (as assignor), and then placing those Applications, submitted by MCLM years ago, on a new, current Public Notice for any purpose (in this case, a 14 day public notice including for purposes of 47 USC 309(d) petitions to deny):

- (1) Placing on ULS under each of the Applications an explanation and documentation of:
    - (a) *any* written or oral requests by MCLM and Choctaw to cause the Applications to be assigned from MCLM to Choctaw as assignor;
    - (b) *any* action FCC employee took on those requests including action whereby the Applications are now listed as held by Choctaw as assignor;
    - (c) *any sua sponte* action any FCC employee took whereby the Applications are now listed as held by Choctaw as assignor;
    - (d) any service upon me of any of the above (I know of none).
- And an explanation of any correction made in each Application related to '(a)' to '(d)'.

Thus, Petitioners request the PN corrections and ULS explanations and documentations described in '(1) above.

Petitioners also assert this is not permitted under the Commission's December 2016 "Second Thursday" "policy" decision, FCC 16-172, since (apart from Havens’ pending challenges to that decision) it is founded on the MCLM-Choctaw bankruptcy Chapter 11 Plan and Plan Order (the court order approving the Plan, with adjustments) [4] and the Plan and Plan Order are: (i) based on *compliance* with FCC rules and procedures, and (ii) provide that Choctaw will *first* obtain all of the MCLM licenses, and *then* take actions with and under them.



[2] Including:

FCC Ex parte rules, and APA ex parte provisions  
FCC 1.927. Amendment of applications.  
FCC 1.929. Classification, filings, major, minor.  
FCC 1.934. Defective applications, dismissal.  
FCC 1.937. Repetitious, conflicting apps.  
FCC 1.947. Modification of licenses.  
FCC 1.948. Assignment, etc.  
FCC 1.945. License grants.  
FCC 1.956. Settlement conferences.  
Other.

[3] For example, among other similar cases, see *DA 06-2016* (Fatima Response, Inc., 2016) (underlining, paragraph spacing, and text in brackets added, and footnotes deleted) (other relevant text deleted to save space in the procedural motion):

Based on the record in this proceeding,... we conclude [1] that [the license applicant] Fatima Response, Inc. ("FRI")... is not the FRI that originally filed the above-referenced application,

and [2] that FRI [the license applicant] has failed to prosecute its application in violation of... our Rules.

Moreover, [3] because FRI's [the license applicant's] membership has undergone two major changes since its application was filed, the application must be dismissed under Section 73.3573(a)(1) of our Rules.

Accordingly, we dismiss FRI's application.

Petitioners assert that: (a) ' [1]' above is clear just by the PN and ULS records of the Applications, and (b) -- while supportive of but not needed to grant this Motion-- '[1],' '[2]' and '[3]' above all apply to MCLM, Choctaw, and the subject Applications and matters described in this Petition above, for reasons shown in the relevant FCC records, including in Petitioners' pending challenge pleadings.

[4] This Plan Order, and the Orders regarding the MCLM license sales involving the FCC applications that became most of these Applications, are subject to Havens' appeal to the US District Court and other challenges that are pending.

Petitioners submit that the Commission (and its delegated authority staff) cannot, on any alleged "Second Thursday" "doctrine" basis of *accommodating* bankruptcy law goals, mean to or act to accommodate an unlawful violation of the subject bankruptcy Plan and Plan Order, either by the subject licensee in bankruptcy, or its successor in the bankruptcy, or any FCC licensing or other staff.

Also, bankruptcy requires extraordinary transparency, and the matters of this PN and these Applications are the *opposite*.

Bankruptcy is also based on proceeding efficiency, and the the matters of this PN and these Applications cause the opposite: that will decrease if the actions requested in this Motion are granted. FCC staff efficiency, and FCC process integrity, also call for grant of this Motion.

Although FCC 16-172 indicated in a footnote 59, that it anticipated the WTB replacing MCLM as assignor on the Applications with Choctaw, the FCC rules do not provide for such a switching of assignors on assignment applications, nor does the ULS system. FCC 16-172 states at footnote 59:

....We anticipate that WTB, upon making the requisite public interest finding under Section 310(d) of the Act, 47 U.S.C. § 310(d), will grant the Choctaw Application prior to processing any of the applications assigning spectrum to the CII Companies, and then, after Choctaw files and WTB processes the notification of consummation of the assignment to Choctaw, that the applications assigning spectrum to the CII Companies will be amended to substitute Choctaw for MCLM as the assignor. That procedure would be consistent with our decision here and our expectation regarding the processing of all of the subject applications, but we note that WTB retains discretion to address such timing and logistical issues under its existing delegated authority.

However, there is nothing in rule section 1.948 or other rule, or any part of the Communications Act, that permits the Bureau to make changes to the assignor entity and FRN on an assignment application once it is filed, and to entirely replace that assignor and FRN, and its signature party and signature date, with an entirely new party, and to still keep the same File Nos. To do what the Commission indicated that the Bureau might be able to do, and what the

Bureau actually did, is *sua sponte* and *ultra vires* action. It violates and frustrates the licensing sections and principals in the Communications Act, including that parties that seek licensing actions must submit applications that comply with FCC rules (the FCC cannot assist in that including by hidden means as in this case, and by ex parte communication violations that are apparent here), and (which exceptions that do not apply here) those applications, if acceptable for filing and not facially defective, must be timely placed on Public Notice for potential challenges under 47 USC §§ 309(d) or in some cases 405. Here, apparently FCC staff made some sort of “Internal Corrections” on the Applications, as reflected on the Applications on ULS: that appears to be make the change of the assignor entity, and other information on the Applications challenged herein. However, that is not permitted, and none of the changes show up under any transaction log for the Applications—that is all of the changes made are not even public, which also makes the PN of the Applications defective and denies parties their rights in understanding what has transpired and filing any objections pursuant to Section 309(d) of the Communications Act. These impermissible changes to the Applications, as originally filed by MCLM and the Assignees, makes the Applications incurably defective and require their dismissal. The FCC cannot simply replace MCLM on the Applications with Choctaw, and not require new applications (if the Applications’ parties chose to do that), with new file numbers to be issued/generated, and then a proper Public Notice issued, and an opportunity for parties to file challenges. That was not done here, in violation of the Communications Act as noted above, and the Administrative Procedures Act, as well as FCC rules.

In fact, Petitioners believe it is clear under FCC rules and precedents that once MCLM and Choctaw consummated the assignment of the Licenses from MCLM to Choctaw and the Licenses were put into the name of Choctaw, then that mooted the Applications as filed by MCLM, with the above-captioned file numbers, because the Licenses subject of those Applications were no longer in the name of MCLM and therefore there was nothing left to be assigned from MCLM to the Assignees. Once the Licenses were assigned to Choctaw, then the MCLM assignments to the Assignees were impossible and had to be dismissed. Proper procedure under FCC rules and precedents required that Choctaw and the Assignees file new assignment applications, which would be assigned new ULS file numbers, and contain new certifications, showings, etc. relevant to the new licensee and its agreements with the Assignees. The Choctaw-MCLM bankruptcy plan contemplates Choctaw taking such actions in accord with FCC law.

Petitioners believe there is a conflict in FCC licensing and application records revealed by the FCC's PN and related actions to change the Applications that should have prevented grant of the assignment from MCLM to Choctaw and these Applications: that is, the assignment from MCLM to Choctaw, and the Applications, involved assignments of the same spectrum to different parties, but it is impossible for a licensee to file assignment applications assigning the same spectrum to two different entities, but that is what MCLM did and the FCC has apparently permitted contrary to its rules. Petitioners believe that major procedural defect is additional cause for dismissal of the Applications, as well as the MCLM assignment to Choctaw, since the FCC could not accept and process mutually exclusive applications, but first had to have MCLM resolve that conflict, but that was not done.

The impermissibly changed Applications say on them that they are “voluntary” but they are pursuant to a court-ordered bankruptcy plan. Thus, Petitioners do not believe the Application can be listed as “voluntary”, because the bankruptcy plan required Choctaw to assume the executory contract obligations of MCLM.

*Signature Dates are inaccurate:* The signatures on the impermissibly revised Applications, as listed on the PN, are dated in the past when MCLM and the Assignees originally signed and submitted the Applications, and do not reflect new assignments from Choctaw to the Assignees and the required current certifications by the assignor and assignees. The Choctaw assignments are new applications—as evidence by the fact that the Bureau put them out on a 14-day PN, and those new assignments required signature dates and any other showings current as of time of their submission. Those dates cannot be a date that pre-dates Choctaw as the licensee. The Bureau making such a change is not authorized and improper. The signature dates listed on the Applications have nothing to do with the Choctaw assignments to the Assignees. For example, Patrick Trammell is listed for Choctaw as the signor with a signing date back before Choctaw even held the Licenses (and some dates pre-date Choctaw’s existence). That is inaccurate, impossible and defective, and is caused for dismissal of the Applications. Form 603 states on the signature page that, “WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001)”. It is impossible for the applications to have been signed on the date listed on them. Further, Petitioners do not know how Mr. Trammell was even able to access and sign the Applications since they are under MCLM’s ULS account and FRN and not Choctaw’s. Thus, the Applications appear to contain false statements, and at minimum requires dismissal of the Applications.

As stated in part above, there is no current signature, signature date and current certifications by Assignees or Choctaw for the Applications. Even if permitted (which it is not under FCC rules), an assignment application filed with a new assignor party cannot maintain the certifications previously given by the assignor and assignee when the application was submitted by another licensee assignor entity many years previous.

### Innocent Creditors Never Determined

In FCC 16-172, at its paragraph 15, the FCC appears to suggest that the issue of “innocent creditors” was determined by the Mississippi Bankruptcy Court, however, as shown by Havens and Polaris in their challenges before the FCC, no such determination under applicable FCC rules and policies was done by the bankruptcy court, because that is sole jurisdiction of the FCC under its Second Thursday policy. FCC 16-172 states (footnote in-line):

....Choctaw asserts, without contradiction in the record, that “there was extensive testimony before the Bankruptcy Court on the issue of innocent creditors,”<sup>51</sup> and we give great weight to the Bankruptcy Court’s findings that the Plan represents a good faith effort to benefit innocent creditors of MCLM without unfair discrimination.....

51 See Choctaw Opposition at 15.

The FCC’s failure to make that determination is a fatal defect in its Second Thursday Order, FCC 16-172. Petitioners reference and incorporate herein their already pending facts and arguments in their above-referenced and incorporated filings already before the FCC. They do not reiterate them again here. See, e.g. *Reply to Opposition to Petition for Reconsideration and Review Under Communications act §405 and FCC Rule §1.106, Under §1.41 and the Public Interest, and Under Constitutional Due Process*, filed by Warren Havens et al., on July 14, 2017, regarding Choctaw Opposition, and Mobility Division Order, DA 17-450, and MCLM renewal application File Nos. 0007603776—779 and associated extension requests (Errata Copy filed July 16, 2017), at its pages 2-4 (Section entitled “Innocent Creditors”) and its footnote 6. These

matters are relevant to the Applications since without determination of who are the innocent creditors, then the FCC does not know what benefit any wrongdoers, including the DePriests', may be receiving by Choctaw, under the bankruptcy plan, pursuing the subject assignments and then using the funds from those assignments to pay creditors, who the FCC have never determined were innocent by any fact-finding procedure. Until the FCC undertakes a proper fact-finding hearing to determine the "innocent" creditors, then it should abstain from any action on the Applications, since it does not know what benefit may be provided to a wrongdoer among the creditors that Choctaw intends to pay from funds obtained by grant of the Applications or other license assignments involving the Licenses. One major example of this is Oliver Phillips as a creditor of MCLM. Oliver Phillips is not innocent. His entire debt was attributed to Donald DePriest, as the court proceeding resulting in his judgment against DePriest shows, and had nothing to do with MCLM. Donald DePriest unlawfully transferred his personal debt with Phillips to MCLM, and now Phillips is a creditor of MCLM. Thus, any payment to Phillips is a direct benefit to Donald DePriest, a wrongdoer (and his spouse Sandra DePriest).

### Conclusion

For the reasons given, the Petition should be granted and the relief requested, including dismissal of the Applications, granted, or at minimum, a hearing held.

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Respectfully submitted,

August 16, 2017,

/s/

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Warren Havens

Warren Havens, an individual

Warren Havens,  
President, Polaris PNT PBC (a Delaware Public Benefit Corporation)

Contact information is on the Caption page.

Email: [wrnvns@gmail.com](mailto:wrnvns@gmail.com)<sup>2</sup>

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<sup>2</sup> Call first to enable email to me.



Declaration

I, Warren Havens, declare under penalty of perjury that the foregoing filing was prepared pursuant to my direction and control and that the factual statements and representations therein known by me are true and correct.

/s/

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Warren Havens

August 16, 2017

## Certificate of Filing and Service

I, Warren C. Havens, certify that I have, on August 16, 2017:<sup>[\*]</sup>

(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, including any exhibits or attachments, to the following (Note: most of the addresses used for Assignees below are the assignee contact information off of the Applications on FCC ULS):

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Pittsburgh, PA 15233

Enbridge Energy Company, Inc.  
ATTN Telecom

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<sup>[\*]</sup> 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.

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Dixie Electric Membership Corporation, Inc.  
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(2) Caused to be filed the foregoing filing as stated on the caption page, and thus, as I have been instructed, <sup>[[\*\*]]</sup> provide notice and service to any party that has or may seek to participate in dockets 13-85 and 11-71 that extend to this filing.

/s/

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Warren Havens

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<sup>[[\*\*]]</sup> 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.