

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In re	)	
	)	
<b>MARITIME COMMUNICATIONS/LAND MOBILE, LLC</b>	)	EB Docket No. 11-71
	)	File No. EB-09-IH-1751
	)	FRN: 0013587779
Participant in Auction No. 61 and Licensee of Various Authorizations in the Wireless Radio Services	)	
	)	
Applicant for Modification of Various Authorizations in the Wireless Radio Services	)	Application File Nos. 0004030479, 0004144435, 0004193028, 0004193328, 0004354053, 0004309872, 0004310060, 0004314903, 0004315013, 0004430505, 0004417199, 0004419431, 0004422320, 0004422329, 0004507921, 0004153701, 0004526264, 0004636537, and 0004604962
Applicant with <b>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</b>	)	

To: Marlene H. Dortch, Secretary  
Attention: Chief Administrative Law Judge Richard L. Sippel

**JOINT STATUS REPORT CONCERNING  
SUMMARY DECISION MOTIONS PRACTICE ON ISSUE (G)**

1. On October 27, 2014, Environmental, LLC and Verde Systems, LLC

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(collectively, ENL-VSL) and Mr. Havens filed a joint motion for summary decision on Issue

(g),<sup>1</sup> despite the Presiding Judge's previous instruction that he would "not entertain a further motion for summary decision."<sup>2</sup> During the prehearing conference and evidence admission session held on November 4, 2014, the Presiding Judge directed the Enforcement Bureau (Bureau), Maritime Communications/Land Mobile, LLC (Maritime), ENL-VSL and Mr. Havens to discuss whether to engage in summary decision motions practice in lieu of proceeding to hearing on Issue (g) on December 9, 2014. Accordingly, the Bureau reached out to Maritime. The Bureau also reached out to ENL-VSL and Mr. Havens (collectively, EVH).

2. Pursuant to those discussions, the Bureau and Maritime propose suspending the trial briefing deadline of November 25, 2014 and the hearing scheduled for December 9, 2014 so that the Presiding Judge may decide the question of the permanent discontinuance of the remaining 16 site-based facilities licensed to Maritime on summary decision motions. The Bureau has been unable to reach agreement with EVH even though EVH just filed a motion last week asserting that summary decision is appropriate in this case and that "[t]here is no reasonable basis to impose the cost and delay of an Issue (g) hearing on the parties to this [sic] or the Commission."<sup>3</sup> It is reasonable to infer from EVH's filing, however, that it acknowledges that Issue (g) can (and should) be resolved on the pleadings.<sup>4</sup> Accordingly, the Bureau and Maritime propose the following schedule to respond to EVH's Motion.<sup>5</sup>

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<sup>1</sup> See ENL-VSL Motion for Summary Decision on Issue (g), filed Oct. 27, 2014 (EVH Motion). Mr. Havens joined this motion.

<sup>2</sup> Order, FCC 14M-22 (ALJ, rel. July 15, 2014), at 3.

<sup>3</sup> See EVH Motion at 24.

<sup>4</sup> It appears that EVH objects to the Bureau, Maritime, or other parties filing countermotions for summary decision. However, pursuant to the Commission's rules, any party to the proceeding may file an opposition and/or a countermotion for summary decision in response to a motion for summary decision. See 47 C.F.R. § 1.251(b).

<sup>5</sup> Because neither ENL-VSL nor Mr. Havens has been willing to work cooperatively with the Bureau, the Bureau has not been able to reach agreement with ENL-VSL or Mr. Havens on the proposed schedule.

3. Proposed Summary Decision Briefing Schedule

<b>Action</b>	<b>Deadline</b>
Bureau, Maritime (and other parties) oppose EVH's Motion and/or file countermotions for summary decision	21 calendar days from the Presiding Judge's <i>Order</i> suspending the trial briefing deadline of November 25, 2014 and the hearing scheduled for December 9, 2014 and ordering the parties to submit a response to EVH's Motion <sup>6</sup>
EVH file an opposition to any countermotions for summary decision that may be filed	14 calendar days from the date the Bureau, Maritime (and other parties) file countermotions for summary decision

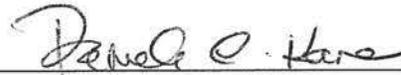
4. Counsel for Maritime has reviewed this Joint Status Report Concerning Summary Decision Motions Practice on Issue G, and has authorized the undersigned to submit it on their behalf.

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<sup>6</sup> The Bureau and Maritime propose an additional seven calendar days beyond that permitted by the Commission's rules in order to accommodate the upcoming Veterans Day and Thanksgiving holidays.

Respectfully submitted,

Travis LeBlanc  
Chief, Enforcement Bureau



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November 7, 2014

**CERTIFICATE OF SERVICE**

Alicia McCannon, an Enforcement Analyst in the Enforcement Bureau's Investigations and Hearings Division, certifies that she has on this 7th day of November, 2014, sent by first class United States mail copies of the foregoing "JOINT STATUS REPORT CONCERNING SUMMARY DECISION MOTIONS PRACTICE ON ISSUE G" to:

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