



is deemed a requirement or would otherwise be helpful to the Presiding Judge, Maritime respectfully asks that this addendum be accepted and included with its proposed findings.

Respectfully submitted,  
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Dated: April 13, 2015

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### SUMMARY

At the conclusion of a three day trial limited to Issue G, the Presiding Judge called for proposed findings of fact limited to Issue G. Proposed conclusions of law were deferred to the conclusion of the next phase of the hearing proceedings in which the remaining issues are to be addressed. After pre-trial stipulations and summary decisions, the sole remaining aspect of Issue G is whether Maritime has permanently discontinued operation of sixteen specified incumbent AMTS facilities.

As detailed herein, evidence was presented at trial showing that Maritime has entered into spectrum leases whereby third parties are using the AMTS spectrum within the service area footprint of the majority of the sixteen stations. Maritime maintains installed and operational equipment of its own at most of the sixteen sites. To avoid creating interference to its spectrum lessees, Maritime does not engage in regular operations. In a minority of cases, where equipment

has been temporarily removed, Maritime plans to reinstall and/or reactivate equipment at the licensed site or at a replacement site.

Even during times when it had no customers, Maritime maintained its facilities, paying site rental, utilities, etc., as long as finances permitted. Maritime never permanently abandoned the stations and always intended to maintain or resume operations. Prior to the current spectrum leases, and until December 2007, Maritime used the AMTS facilities to provide traditional maritime ship-to-shore communications and land mobile radio services to customers. Maritime has worked diligently since 2006 (shortly after acquiring the incumbent authorizations from the prior licensee) to develop alternative commercial uses for the spectrum, finally culminating in providing spectrum to utilities for smart grid control and to transportation entities for positive train control.

No longer able to meet its continuing financial obligations, Maritime sought Chapter 11 bankruptcy protection on August 1, 2011. The court confirmed a plan of reorganization pursuant to which Maritime's licenses will be acquired by Choctaw. Maritime and Choctaw have sought Commission consent to the license assignment pursuant to the Second Thursday doctrine. If the Commission grants the assignment, Choctaw has committed to maintaining and and/or restoring operation of each of the sixteen incumbent AMTS stations.

## CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of April, 2015, I caused copies of the foregoing document to be served, by U.S. Postal Service, First Class postage prepaid, on the following:

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