

Telesaurus Holdings GB LLC | Intelligent Transportation & Monitoring Wireless
LLC | V2G LLC | Skybridge Spectrum Foundation | Environmental LLC |
Verde Systems LLC | Warren Havens

July 29, 2015

Via email

Linda Oliver
Associate General Counsel
Federal Communications Commission
445 12th Street, SW
Washington DC 20554

Re: EB Docket 11-71, DA 15-796

Dear Ms. Oliver,

Please see the attachment hereto: email between David Senzel of your office and the undersigned, Warren Havens. For reasons explained in the attachment,¹ for the entities indicated therein (the first four listed above)² as well and for myself, I request permission to file an interlocutory appeal supplement within 30 days of grant of this request, if granted, in accord with your letter dated July 8, 2015 addressed to Dana Frix, Esq., DA 15-796. If this request is granted, then as I note in the attachment, I request the same deadline for ENL-VSL. I am submitting this as soon as practical, given that these entities (that are distinct from ENL-VSL, and have different interests in this docket), were not active parties in docket 11-71 but are subject to the Order and thus needed to arrange appropriate counsel in the DC area for the appeal.

Respectfully,



Warren Havens

Cc:
Parties in Docket 11-71
ALJ Richard L. Sippel
David Senzel, OCG, via email

¹ I believe that 5 USC §555(b) applies in the circumstance.

² As shown in FCC records, I am the President of these entities.

Attachment

From: Warren Havens <warren.havens@sbcglobal.net>
To: David Senzel <david.senzel@fcc.gov>
Cc: Stephanie Kost <stephanie.kost@fcc.gov>; Jimmy Stobaugh <jstobaugh@telesaurus.com>
Sent: Wednesday, July 29, 2015 12:27 PM
Subject: Re: Inquiry regarding pending FOIA requests / and related

Mr. Senzel,*

Thank you for your time on the phone today.
The following two related matters were discussed.

1. Re FOIA requests related to proceeding 11-71 --

As I noted, I will get back to you on the FOIA matters below. If some of these or aspects of these are no longer of importance to the requesting party/ parties, I will let you know, and will otherwise respond.

On further thought, it would be useful to have to the end of August to respond, due to my and my companies' current schedule and given the substantial task to review these and the FCC responses to date, as well as to tend to the supplemental appeal indicated below.

These FOIA requests relate to proceeding 11-71, the status of which involves an Order of Judge Sippel and interlocutory appeals thereof.

2. Re Interlocutory appeals in 11-71 --

I also noted on the phone that I intend directly or via new counsel to submit to Linda Oliver at your OGC office a request for an extension of the Aug. 8 deadline to file a supplemental interlocutory appeal so that new counsel for myself and companies I manage that are subject of this Order but do not have counsel in the proceeding or this appeal, can get up to speed and file. I will arrange to copy you on this request. The same procedure will be used as used by Mr. Frix in his letter to Linda Oliver dated June 9, 2015 (letter addressed to Ms. Oliver, copied on parties to the proceeding). The time for a supplemental appeal by ENL-VSL would also be extended, under this request, to have one pleading schedule.

I believe that the FOIA requests should have not have been denied (directly denied, or denied to date by non action), and that the denials prejudice the appellants in the interlocutory appeals and in this proceeding prior to the Order. This may be addressed in the supplemental appeal filings, along with any reduction in the requests that appear warranted, indicated above.

Sincerely,

Warren Havens

bcc. Relevant legal counsel involved with companies I manage, including Dana Frix at Chadbourne, and Barry Coburn at Coburn & Greenbaum.

* (202) 418-1760

From: David Senzel <David.Senzel@fcc.gov>
Date: Tuesday, July 7, 2015 1:29 PM
To: Warren Havens <warren.havens@sbcglobal.net>
Cc: Stephanie Kost <Stephanie.Kost@fcc.gov>, Jimmy <jstobaugh@telesaurus.com>
Subject: Inquiry regarding pending FOIA requests

Dear Mr. Havens:

A review of Freedom of Information Act (FOIA) requests currently pending before the Commission indicates that several were filed by you or by Skybridge Spectrum Foundation (FOIA Control Nos. 2015 -042, 043, 073, 103, 132, 159, 205). Additionally, others (FOIA Control Nos. 2014-650, 651, 663, 664) are subject to an application for review. We wish to ascertain whether you remain interested in these requests. If you wish us to continue processing any or all of these requests, please let us know by August 6, 2015, so that we may update the status of these requests accordingly and close out any that you do not wish to pursue.

Thank you for your assistance.

Sincerely,

David S. Senzel
Attorney
Office of General Counsel

Certificate of Service

I certify that on this 29th day of July 2015, I caused a copy of the foregoing document to be serviced by the US Postal Service, first class mail, on the following:

Pamela S. Kane, Esq., Deputy Chief
Brian J. Carter, Esq.
Investigations and Hearing Division
Enforcement Bureau
Federal Communications Commission
445 Twelfth Street, S.W. – Room 4-C330
Washington, D.C. 20554
Counsel for the Enforcement Bureau

Robert G. Kirk, Esq.
Mary O'Connor, Esq.
Wilkinson Barker Knauer, LLP
2300 N Street, NW Suite 700
Washington, DC 20037
Counsel for Choctaw
Telecommunications, LLC
and Choctaw Holdings, LLC

Charles A. Zdebski, Esq.
Eckert Seamans Cherin & Mellott, LLC
1717 Pennsylvania Avenue, N.W.
Washington, D.C. 20006
Counsel for Duquesne Light Co.

Jeffrey L. Sheldon, Esq.
Levine, Blaszak, Block & Boothby, LLP
2001 L Street, NW, Suite 900
Washington, DC 20036
Counsel for Puget Sound Energy, Inc.

Jack Richards, Esq.
Wesley Wright, Esq.
Albert J. Catalano, Esq.
Keller & Heckman LLP
1001 G Street, N.W.
Suite 500 West
Washington, D.C. 20001
Counsel for Atlas Pipeline – Mid Continent LLC;
DCP Midstream, LP; Enbridge Energy Co., Inc.;
EnCana Oil and Gas (USA), Inc.; Jackson County
Rural Membership Electric Cooperative; and Dixie
Electric Membership Corp.

Matthew J. Plache, Esq.
5425 Wisconsin Ave., N.W.
Suite 600 – PMB 643
Chevy Chase, MD 20815
Counsel for Pinnacle Wireless

James A. Stenger, Esq.
Chadbourn & Parke LLP
1200 New Hampshire Ave., N.W.
Washington, D.C. 20036
Counsel for Environmental LLC
and Verde Systems LLC



Warren Havens