

January 27, 2016

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Room TW-A325
Washington, DC 20554

Re: WT Docket 13-85
Summary of Non Ex Parte Oral Presentations

Dear Ms. Dortch:

Pursuant to Section 1.1208 of the Commission's rules we are filing this summary of non *ex parte* oral presentations made in the above referenced proceeding. On January 21, Bryan Tramont, counsel to Choctaw Telecommunications, LLC and Choctaw Holdings, LLC (together "Choctaw"), Patrick Trammell, President and CEO of Choctaw, Derek Meek, Counsel to the Official Committee of Unsecured Creditors in the Maritime Communications Land/Mobile ("MCLM") bankruptcy, and representatives of a number of critical infrastructure entities made oral presentations to the Office of General Counsel, the Wireless Telecommunications Bureau and the Enforcement Bureau.

Mr. Tramont discussed the significantly changed circumstances in the proceeding since the full Commission Order¹; the fact that the alleged wrongdoer in the Hearing Designation Order,² Donald DePriest, has completed an involuntary bankruptcy process whereby all of his loan guarantees have been extinguished. This eliminates any risk that Mr. DePriest will benefit from *Second Thursday* relief which was the sole articulated basis for the Commission's original decision. In addition, Mr. Tramont set forth that the bankruptcy process has yielded two certainties. First, Mr. DePriest will not benefit from the assignment of the licenses and will have no role in Choctaw. Second, Choctaw's reorganization plan is the right course of action for the MCLM assets and innocent creditors. The MCLM licenses are ripe for *Second Thursday* relief

¹ *Maritime Communications/Land Mobile, LLC, Debtor-in-Possession*, Memorandum Opinion and Order, 29 FCC Rcd 10871 (2014).

² *See Maritime Communications/Land Mobile, LLC, Order to Show Cause, Hearing Designation Order, and Notice of Opportunity for Hearing*, EB Docket No. 11-71, 26 FCC Rcd 6520 (2011).

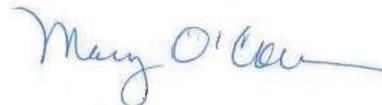
now and the facts help ensure the precedential value is narrowly defined to ensure important Communications Act policy is not compromised.

Mr. Trammell, President and CEO of Choctaw explained the impact the delay in assigning the licenses to Choctaw pursuant to the reorganization plan is having on 123 creditors in 19 states. He also reiterated that he and the other members of Choctaw have worked as diligently as they could to be open, responsive, and compliant. In addition Mr. Trammell indicated that Choctaw would do what was necessary to preserve these assets for the public good, and to be compliant to both the spirit and letter of FCC regulations.

Counsel for the Official Committee of Unsecured Creditors (the “Committee”) in the Chapter 11 bankruptcy for Maritime Communications/Land Mobile L.L.C. pending before the United States Bankruptcy Court for the Northern District of Mississippi (Case No. 11-13463) (the “Bankruptcy Case”) made a brief presentation regarding the state of the bankruptcy case and the impact of the sale on general unsecured creditors and their claims. Counsel for the Committee answered questions regarding the history of the Bankruptcy Case, the liquidating plan of reorganization on which the creditors voted, the confirmation of that plan, and the conditions precedents needed for such plan to become “effective.”

Various oil and gas companies and electric utilities explained why *Second* Thursday should be granted to ensure needed access to the MCLM spectrum: a pipeline company in Texas uses the frequencies for the detection of lethal gas leaks near Houston, an electric utility in Pittsburgh uses them for smart grid applications, an electric cooperative in Louisiana is using them to coordinate hurricane and weather-related relief efforts, and linemen of an electric co-op serving mountainous regions of Virginia need them for emergency and other communications where cell service is unavailable. A representative from the Utilities Telecom Council referred to a Resolution by the National Association of Regulatory Utility Commissioners supporting access to this spectrum by these types of critical infrastructure companies. Utilities also expressed concerns regarding the disparate treatment of oil and gas companies and electric utilities (which were forced into the hearing) vis a vis a railroad (which was permitted to exit the hearing). While supporting the railroad services, the other critical infrastructure companies pointed out that their applications were filed in good faith as far back as 2010, and that they warrant similar approval under the Commission’s rules.

Respectfully submitted,



Mary N. O’Connor