

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
MARITEL, INC.)	WT Docket No. 04-257
and)	
MOBEX NETWORK SERVICES, LLC)	RM-10743
)	
Petitions for Rule Making to Amend the)	
Commission's Rules to Provide Additional)	
Flexibility for AMTS and VHF Public Coast)	
Station Licensees)	

To: Marlene H. Dortch, Secretary
Attention: The Commission

OPPOSITION

Maritime Communications/Land Mobile, LLC (MC/LM), by its attorney, hereby files its Opposition to the Petition for Reconsideration Based on New Facts (PRBNF) filed in the above captioned matter by Warren C. Havens and affiliates (Havens). In support of its position, MC/LM shows the following.

In its Memorandum Opinion and Order in this matter (FCC 10-6 Released January 7, 2010) (MO&O), the Commission dealt with two requests for reconsideration by Havens. First, Havens requested that AMTS base stations be permitted to use Part 90 equipment. Holding that Havens' request was beyond the scope of order for which he requested reconsideration, the Commission declined to address it. Second, Havens requested reconsideration of the Commission's decision to accord new operational flexibility to both incumbent and geographic area licensees. Rejecting Havens' argument, the Commission noted that it has "always afforded

site-based licensees the same flexibility as [geographic area licensees], including the flexibility to serve units on land,” MO&O at para. 10.

None of the alleged new facts which Havens offered in his PRBNF has any bearing on whether the Commission should reconsider its decision in its MO&O. Even if all that Havens alleged were true, it would not be cause for the Commission to reverse the decisions of its MO&O.

Conclusion

For all the foregoing reasons, the Commission should dismiss or deny Havens’ PRBNF.

Respectfully submitted,
MARITIME COMMUNICATIONS/
LAND MOBILE, LLC

/s/ Dennis C. Brown

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703/365-9437

Dated: February 25, 2010

CERTIFICATE OF SERVICE

I hereby certify that on this twenty-fifth day of February, 2010, I served a copy of the foregoing OPPOSITION on the following person by placing a copy in the United States Mail, first-class postage prepaid:

Warren C. Havens
2649 Benvenue Avenue, #2-6
Berkeley, California 94704

/s/ Dennis C. Brown