

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Public Notice re:)	DA 10-556
)	
Maritime Communications/Land Mobile LLC and Southern California Regional Rail Authority)	WT Docket No. 10-83
Applications to Modify License and Assign Spectrum for Positive Train Control Use, and Request Part 80 Waivers)	File Nos. 0004153701, 0004144435 and 0002303355
)	Call Sign: WQGF318

To: Office of the Secretary Attn: Wireless Telecommunications Bureau

Motion to Extend Pleading Cycle

The undersigned parties (“Filers”) hereby submit this motion requesting to extend the pleading cycle period listed in Public Notice, DA 10-556, released March 29, 2010 (the “PN”). Specifically, for the reasons given herein, Filers ask that the FCC extend the current pleading cycle by 6 weeks at minimum, but by 9 weeks ideally¹ in which to file petitions to deny and comments and adjust accordingly the period for responsive filings (Oppositions, Reply Comments and Replies) in the above-captioned assignment of authorization application matter (the “Assignment”) seeking to assign spectrum of the above-caption license (the “License”) from Maritime Communications/Land Mobile LLC (“MCLM”) to the Southern California Regional Rail Authority (“SCRRA) (i.e. if only 6 weeks is granted, then petitions and comments would be due June 9, 2010, oppositions and reply comments would be due June 21, 2010, and replies would be due June 28, 2010. If 9 weeks is granted, then petitions and comments would be due June 30, 2010, oppositions and reply comments would be due July 12, 2010 and replies would be

¹ See below discussion on the pending FOIA request, FOIA Control No. 2010-379. The response to this FOIA request will provide significant additional information concerning the subject application, license and Maritime Communications/Land Mobile LLC. However, the FCC’s response will not be provided until at the earliest May 18, 2010 and at the latest until June 2, 2010.

due July 19, 2010). If the FCC will not grant the requested amount of extension, then Filers ask that it grant whatever amount it believes appropriate. In support of this motion, Filers show the following:

Communications with SCRRA

Initially, while not a direct argument in support of this Motion, Filers note that they contacted SCRRA representative stated on the subject application and FCC-law legal counsel to attempt to narrow issues, but as of yet, SCRRA has not substantively responded to what the Filers presented. , Filers made including to reduce contention before the FCC, but due since SCRRA has not responded, Filers must proceed as if all the issues they believe should be raised in the public interest, and to defend their private interests, will need to be raised.

Two FCC Ongoing Investigations of MCLM Related to the License

Recently, the FCC's Enforcement Bureau has commenced an investigation of MCLM and its application for Auction No. 61. See the Enforcement Bureau Letters of Investigation (the "EB Letters") re: File No. EB-09-IH-1751 dated February 26, 2010 and addressed to MCLM, Sandra DePriest, Donald DePriest, MariTel Inc., and Wireless Properties of Virginia, Inc. (the "Investigated Parties") (the "Enforcement Proceeding"). Prior to this, the Wireless Telecommunications Bureau also commenced an investigation of MCLM under Section 308 of the Communications Act. See *Letters* dated 8/18/09 from Scot Stone, Deputy Chief, Mobility Division, Wireless Telecommunications Bureau to Maritime Communications/Land Mobile LLC and Dennis Brown, MariTel, Inc. and Russell Fox, and Donald DePriest and Wireless Properties of Virginia, Inc. re: File Nos. 0002303355, 0003463998, et al. (the "3 Letters" or the "Section 308 Proceeding").

The Investigated Parties were instructed to serve copies of their responses on Filers, who are parties to the two investigations because both investigations have effectively granted Filers' petition to deny and subsequent petition for reconsideration of the MCLM Auction No. 61 Form

601, File No. 0002303355, since the facts and matters being investigated were presented by Filers in their petitions in the Auction No. 61 proceeding. However, Filers were served heavily redacted responses to EB Letters and also redacted responses to the 3 Letters. In fact, much, if not most, of the information submitted in response to the EB Letters was withheld from Filers. Filers need the Investigated Parties' complete responses before they can fully and effectively respond in the instant proceeding. The Investigated Parties' complete responses will contain relevant facts concerning ownership and control of MCLM, its representations and certifications in Auction No. 61, and other information relevant to MCLM's character and fitness to be a Commission licensee, all of which is relevant to the Assignment including determination of whether or not grant of the Application is in the public interest (e.g. facts and evidence regarding any change in control and/or ownership of MCLM is fundamental to whether or not MCLM has any License to assign).

Filers have recently submitted a FOIA request, FOIA Control No. 2010-379, to the FCC's FOIA office requesting all records provided by the Investigated Parties in response to the EB Letters and 3 Letters. In their request, Filers have asked the FCC to accelerate its processing since they need the requested records to more fully and accurately petition the Application and provide comments in the instant proceeding. However, the FCC has up to 20 working days to respond and can extend that period for an additional 10 working days if needed. The FCC FOIA office has initially stated that it anticipates responding to Filers FOIA request by May 18, 2010. Nevertheless, if it extends this period, then the FCC would have until June 2, 2010.

Once any of the requested information is received, whether complete or partly redacted, Filers will have to review and analyze the extensive materials in order to determine their significance, their relation to other information and statements already provided by the Investigated Parties to the FCC, and what information in particular is relevant to the instant

proceeding and the Application. Such review and analysis will take considerable time and effort by Filers.

Therefore, it is equitable and in the public interest to extend the current pleading cycle period so that Filers can obtain this additional relevant information and present it in a timely fashion in the instant proceeding, rather than to have to present it in supplements and also request leave to accept those. Filers could file something within the current deadline for filing, but it is more efficient to extend the pleading cycle to provide more time to Filers so that they can submit more complete filings initially.² That will also allow responsive pleadings to be more considered and integrated.

Public Notice of the Enforcement Proceeding and Section 308 Proceeding

Filers submitted on April 14, 2010 via an email to the FCC three motions (the “Three Motions”), one of which requested that the FCC place the Enforcement Proceeding on Public Notice.³ Filers reference and incorporate and reiterate that request here.

The FCC should put the Enforcement Proceeding and the Section 308 Proceeding on Public Notice so that the public is aware of these two investigations since the matters being investigated relate directly to the Application and because third parties are likely to have relevant information that they can submit in the instant proceeding and in the two ongoing FCC investigations. In addition, the FCC should amend and reissue the PN in the instant proceeding so that it properly references these two pending FCC investigations since they involve matters of relevance to the Application and the License in the instant proceeding including ownership and control issues surrounding MCLM and whether its representations and certifications in Auction

² Note, Filers intend to appeal any withholding of the requested records under FOIA Control No. 2010-379, and reserve the right to supplement any filings in the instant proceeding with any withheld information that Filers are successful in getting released later by the FCC or a court.

³ See Email dated April 14, 2010 from Warren Havens to Mr. Scot Stone, Mr. Jeff Tobias, Mr. Gary Schonman, and Mr. Brian Carter with the FCC, and copying representatives of MCLM and MariTel, Inc., filed on ULS under File No. 0002303355 on 4/14/10.

No. 61 were truthful and correct, as well as other matters that affect its holding of the License. If the Assignment is important enough to merit the PN, then clearly these pending investigations of MCLM are more than sufficient to merit a Public Notice of their own. It was misleading at best to put the Application on PN, yet not reference at all in the PN the pending Enforcement Proceeding and Section 308 Proceeding.

Members of the public, including but not limited to parties with whom MCLM has agreements and contracts and in which it is involved in litigation (e.g. Oliver Phillips suit against Donald DePriest and MCLM in Mississippi, which was settled by the parties), may have information relevant to the Section 308 Proceeding and Enforcement Proceeding. The FCC cannot do a proper investigation without placing the EB Letters and 3 Letters on Public Notice. The EB Letters' matters were clearly part of the Section 309 proceeding and should have been filed under that proceeding, including under the MCLM Auction No. 61 Form 601 on ULS. Because of the broad scope of both the EB Letters and 3 Letters involving the addressed parties' actions in the public and before many other government agencies other than the FCC, Filers believe that the EB Letters and 3 Letters should have been placed on Public Notice, which could have resulted in a much more full and complete record.

However, the bigger issue is that the MCLM dealings with many non-FCC parties in which it takes contrary positions (including regarding authorized officers and actors) in MCLM is not entirely clear, and third parties have both relevant information to provide to the FCC, and may also have rights against MCLM in relation to MCLM's FCC actions and licenses. Thus, giving public notice of these matters is vital and necessary.

No Harm to MCLM or SCRRRA

The extenuated MCLM proceedings indicated above, the main one of which began at the time of Auction 61 in 2005, are the cause of no one but MCLM, its two controllers and owners,

and its legal counsel Denis Brown. MCLM cannot now suggest prejudice to the modest extension requested here.

SCRRA also cannot credibly assert delay prejudice either, since it is clear in the contact filed under the subject Application between MCLM and SCRRA that SCRRA was aware of the claims against the subject License and MCLM, and the FCC investigation of MCLM, and those matters were not close to being completed and decided upon, and would likely affect the subject Application and be cause of a challenge, including by Filers. But in addition, SCRRA not only made no attempt of any kind to discuss potential resolution or limitation of contention from Filers, but had no response of substance to Filers initiative to discuss specific possibilities to reduce or possibly eliminate contention before the FCC. Instead, the legal counsel for SCRRA suggested to Filers (to Warren Havens, who support this filing byh a Declaration under oath) that he simply not challenge the Application. That of course is not a reasonable suggestion: that a party with known credible claims to defend its FCC licenses and the public interest (that credibility is demonstrated by the facts and law presented by Filers in the FCC pleadings at issue, and also by the FCC investigation that is based on those) simply give them up.

There is no harm caused to either MCLM or SCRRA by extending the pleading cycle. MCLM and its affiliates could have and should have provided complete copies of their responses to the EB Letters and 3 Letters to Filers, but they chose not to do so. Filers should not now be prejudiced by that choice by not having sufficient time to obtain those responses and extract from them relevant facts and information concerning MCLM, the Application and the License to include in the petition and comments they intend to file. It was MCLM that had a duty back in 2005 on its Form 175 to supply the information that it and its affiliates provided to the FCC in response to the EB Letters and 3 Letters. Clearly, when the FCC has received multiple contradictory statements and facts from MCLM and its affiliates (as shown in the Auction No. 61 Section 309 Proceeding), MCLM's representations in the Application and elsewhere can no

longer be relied upon. Therefore, the FCC must depend on the public, including Filers, to conduct due diligence and provide relevant facts and arguments regarding why grant of the Application may not be in the public interest (as has occurred in the Enforcement Proceeding and Section 308 Proceeding where Filers provided evidence of fraud, misrepresentation and cheating by MCLM). Thus, it is in the public interest to allow for as much time as possible for third parties, such as Filers, to conduct due diligence and obtain information, including via FOIA (as noted above), and to review and analyze evidence regarding the Application, so that this may be presented in more complete petitions and/or comments. This also benefits the FCC since it has limited time and resources to conduct sufficient due diligence or review of relevant materials and facts.

It also benefits SCRRA and MCLM to allow more time to have a more complete record from the start of the proceeding to avoid future supplements, motions, requests for leave, petitions for reconsideration, and other appeals or filings, including, but not limited to, based on new evidence that could have been presented earlier in the instant proceeding if only the pleading cycle had been extended by a reasonable period of time. Extending the pleading period will therefore result in a more expeditious process, which benefits all parties involved.

In addition, SCRRA is aware of the ongoing Section 308 Proceeding and Auction No. 61 Section 309 proceeding, so it fully understands that MCLM is being investigated by the FCC and that there are certain pending significant issues regarding MCLM and the License that when decide upon finally may adversely affect the Application.⁴ Thus, SCRRA cannot claim that allowing more time for interested parties to provide further relevant information to the two ongoing FCC investigations harms it or delays it in any way since it already knew of the circumstances surrounding MCLM and the License. Further as a government agency, it should

⁴ The contract between MCLM and SCRRA discloses the Section 308 Proceeding and Section 309 Proceeding as existing conditions of the License.

prefer and support having a more complete and full public record on the Application since then it will have more certainty as to the finality of any FCC decision on the Application.

Filers also point out that the FCC has granted extensions to MCLM to respond to petitions by Filers in the Auction No. 61 Section 309 Proceeding and the Section 308 Proceeding. Thus, it is fair and reasonable to grant Filers similar treatment when requested.

Filers' Special Situation Due to Chilean Earthquake

Mr. Stobaugh, Filers' General Manager, has been in Chile on vacation with family and was in Chile when the 8.8 magnitude earthquake struck. See Mr. Stobaugh's declaration attached as Attachment 9 to the Three Motions filed under File No. 0002303355 on ULS. Mr. Stobaugh was to continue substantially his work for Filers while in Chile, but could not due to the massive earthquake, including because telecommunications were down. He only returned recently and has had to catch up on several matters for Filers that he would have been able to attend to while in Chile if it had not been for the earthquake. Mr. Stobaugh's changed circumstances and unavailability due to the 5th strongest earthquake in recoded history clearly represents an extraordinary situation that warrants grant of additional time, since it put the Filers behind in all of their work, including critical FCC related matters. While Filers' President, Warren Havens, interviewed and hired new staff to commence to assist right after the above-noted earthquake since Mr. Stobaugh was then not available for extended period, the delays caused were still substantial.

No Special Treatment Appropriate for SCRRA or PTC
and if Any Assumed, then Filers:

(i) Are Competitors in the Same Field of Smart Transportation
Including their Nonprofit Nationwide Program
for Intelligent Transportation Systems ("ITS") Including Rail

(ii) And Oppose the Application
For the Greater good of ITS
and to Stand Against Laundering - Especially by a Public Agency

The FCC chose to put the subject matter on special public notice. That is discriminatory and unfair, in the circumstances partly outlined as follows. Matters of more significance to FCC

law, the public interest, *and intelligent transportation* presented by Filers, where they requested public notice, were repeatedly denied public notice.

Petitions by Filers for Declaratory Rulings filed with the Commission on October 14, 2009 (copy attached as an Exhibit 2 hereto, to the copies marked with “[*]” in certificate of service list: others already have this or can get it from the FCC Copy Contractor if they so choose). The issue was resolving critical matters of FCC preemption or lack thereof under Section 332 of the Communications Act, without which MCLM and its affiliates have violated and continue to flaunt violation of State tort laws and Federal and State antitrust law, under the false pretense that any entity that holds a FCC license has immunity from any claims against for violation of those laws in any court.

Due to lack of action by the FCC, not even placing the matter on public notice (which would have take an hour or so of work), even when MCLM violations of its own rules are abundantly clear, the FCC has sheltered these unlawful practices and making a mockery of the Congressional intent of Section 332 and the protections under State and Federal tort and antitrust law. The FCC first accommodated MCLM egregious disqualifying violations and outright lies in Auction 61 to this date, then denied Filers their petition rights to a formal hearing (and even participation in the critical parts of the FCC dealig with this contested matter), then continued this sheltering of MCLM unlawful acts by entirely ignoring Filers’ critical petition for declaratory ruling (hurting their attempts to protect their FCC licenses use for intelligent transportation nationwide), and finally signals special importance of MCLM making money by laundering to SCRAA.

One of these court cases identified in Filers Declaratory Ruling will be presented soon to the US Supreme Court. Filers informed the FCC of that recently in several other matters.

This is the sort of FCC prejudicial treatment that is against its core Congressional mandate.

Filers showed the FCC in that Declaratory Ruling request its pleadings to the Courts, and that its lead off with explaining its profit and nonprofit attempts—unique in the nation – to use all their FCC licenses for intelligent transportation and related smart energy and environmental protection. The FCC has no interest in that- will not even put that on Public Notice when asked, where those cases were before the California Supreme Court, the US District Court in New Jersey (including with regard to the Northeast highway and rail corridor, including matters now before AMTRAK), and the US Ninth Circuit Court. That is more substantial action for Intelligent Transportation than the alleged special need for AMTS by a corner of the nation that, can't run its trains responsibly, SRCCA.⁵

Filers point here is that the FCC, at best, sees what it wants what it wants to be influenced by, and avoids other things clearly in the public interest. Filers have gotten that treatment repeatedly with regard to MCLM and its attempts at nothing but getting and using FCC licenses for these public interest forms of wireless—much of it at no cost via its nonprofit Foundation.

MCLM and its broker selling all of its alleged-valid AMTS spectrum have been arguing to the FCC for a long time that MCLM should not be further investigated or subject to “Havens” pleadings (which were the basis of the FCC investigation almost entirely) since it is pursuing “business” by which it means making windfall profits by selling spectrum it got—by all the facts available—by hook or crook, and that should be accepted as all fine and dandy in the public interest if the party paying it the windfall is the public taxpayers, footing the for PTC for public trains. Petitioners contest this already before the FCC, and will do so on assignments such as this.

A public agency has *additional duties* not *exemptions* under law and public interest, vs. private companies, to not support or participate in fraud or any unlawful act upon, or bogus

5 The well known September 12, 2008 collision between a passenger Metolink Train and a Union Pacific freight train, as note in www.nts.gov/dockets/railroad/dca08mr009/415155.pdf. That was collision was due to gross negligence not per se a technical deficiency.

license obtained from, another public agency. Filers may challenge this not only before the FCC but in appropriate legal and other forums in the State of California.

Filers are engaged in obtaining spectrum and formulating and executing plans nationwide for smart transportation including high accuracy location and associated communications, including for public and private railroads. They are working with some State of California authorities on these matters. A summary of some of the work and fields are in the Exhibit 1 hereto. For intelligent transportation to work, the parties both public and private, have to first act openly and in accord with fundamental law, in the common interest. Filers challenge SRCAA in this regard since the Application for reasons initially indicated herein. However, the reasons for bringing this up in this Motion is that SCRRA does not deserve any special consideration simple since it or MCLM on its behalf suggest a special public issue at stake. If that argument prevails, then there are many organizations that would be happy to take up that business model: as long as illicitly obtained public-agency assets are laundered back to another public agency, it is ok. That is the MCLM proposal in this Application, and that is what SCRAA has unfortunately signed on to with tax payer money. We know in Northern Cal that Southern Cal is messed up, but didn't know it was that lame.

Conclusion

For the reasons given, the PN's pleading cycle should be extended by 9 weeks or at minimum 6 weeks to allow for a more accurate and complete record regarding the Application and to allow the FCC sufficient time to given public notice of the Enforcement Proceeding and Section 308 Proceeding.

Respectfully,

Environmental LLC (formerly known as AMTS Consortium LLC), by

[Filed electronically. Signature on file.]

Warren Havens

President

Verde Systems LLC (formerly known as Telesaurus VPC LLC), by

[Filed electronically. Signature on file.]

Warren Havens

President

Intelligent Transportation & Monitoring Wireless LLC, by

[Filed electronically. Signature on file.]

Warren Havens

President

Telesaurus Holdings GB LLC, by

[Filed electronically. Signature on file.]

Warren Havens

President

Skybridge Spectrum Foundation, by

[Filed electronically. Signature on file.]

Warren Havens

President

Warren Havens, an Individual

[Filed electronically. Signature on file.]

Warren Havens

Each of Filers:

2649 Benvenue Ave.
Berkeley, CA 94704

Ph: 510-841-2220

Fx: 510-841-2226

Date: April 21, 2010

Declaration

I, Warren C. Havens, as President of Petitioners, hereby declare, under penalty of perjury, that the foregoing Motion was prepared pursuant to my direction and control and that all the factual statements and representations contained herein, including my communications with SCRRA, are true and correct.

[Submitted Electronically. Signature on File.]

Warren C. Havens

Date: 21 April 2010

Exhibit 1

The below may be found at:

http://www.scribd.com/document_collections/2340784

Click blue titles links to go to the publication online.

[1]

[\(Sky-Tel\) Proposed US High Accuracy Location Infrastructure: Cost-Benefit Study Outline, UC Berkeley](#)

<http://www.scribd.com/doc/24091737/Sky-Tel-Proposed-US-High-Accuracy-Location-Infrastructure-Cost-Benefit-Study-Outline-UC-Berkeley>

A 2010 University of California-Berkeley group cost-benefit study on Cooperative High Accuracy Location (C-HALO) with tightly integrated dedicated wireless communications, for nationwide smart transportation systems in the United States, with extensions to other domains: A next generation nationwide location infrastructure. The study is sponsored as public-interest research by unrestricted grants and grant pledges from Skybridge Spectrum Foundation and related LLCs that hold FCC licenses for nationwide smart transport, energy, and environment, including free core services (those most needed for safety and transport efficiency). The study follows on past work by the same University group and Skybridge in these areas.

[2]

[\(Sky-Tel\) Nov 2008. 20-Year Projection of Economic Benefits of High Resolution Positioning Services, For Australia. Allen Group](#)

<http://www.scribd.com/doc/24498919/Sky-Tel-Nov-2008-20-Year-Projection-of-Economic-Benefits-of-High-Resolution-Positioning-Services-For-Australia-Allen-Group>

(Sky-Tel republished and noted)* 2008 study of the economic benefits of high accuracy location or positioning in Australia, projections through year 2030, assuming the implementation of planned, or 'organic' widespread nationwide GNSS augmented systems, such as by use of N-RTK. The benefits are estimated for only three economic sectors: agriculture, mining, and civil engineering and construction. Those benefits estimated to be in the range of .11 to 1.2% of GDP by 2030. Based on this study, Sky-Tel roughly estimates that if C-HALO (very wide area, cooperative high accuracy location for transportation and all other sectors)* is implemented, the GDP increase would be in the range of 10%, and certainly a substantial multiple of 1.1 to 2.1 %, and that should apply to the US as well as Australia. This would equate to about \$14 trillion in increase over that time period, for reasons indicated in margin notes in this study. - - - - * This document is noted and republished on Scribd by Skybridge Spectrum Foundation and Telesaurus LLCs (Sky-Tel). They hold 200 and 900 MHz FCC licenses nationwide in the US for Smart Transport, Energy and Environment Radio (STEER) systems including its component Cooperative High Accuracy Location (C-HALO). See other Scribd articles on Sky-Tel STEER and C-HALO (e.g., Google "Skybridge C-HALO STEER"). STEER and C-HALO core wireless location and communication services for public safety, traffic flow, and environmental monitoring and protection, and related smart energy, will be at no cost to end users.

[3]

[\(Sky-Tel\) Skybridge - Telesaurus Plan: Nationwide High Accuracy Location Based Intelligent Transportation \(2008\)](#)

<http://www.scribd.com/doc/22755492/Sky-Tel-Skybridge-Telesaurus-Plan-Nationwide-High-Accuracy-Location-Based-Intelligent-Transportation-2008>

2008 Summary of the Telesaurus LLCs- Skybridge Spectrum Foundation plan for nationwide Intelligent Transportation Systems based upon high accuracy (sub-meter) location (HALO) and guidance of vehicles, along and across lanes, using terrestrial and space (GPS-GNSS) multilateration and other forms of location determination, along with tightly integrated dedicated two-way and one-way radio communications, and dynamic GIS, as from ESRI. The plan was submitted at the 2007 ITS World Congress in Beijing, the FCC, NTIA and other entities and fora. The core safety and efficiency services will be at no cost to government agencies and the general public. Telesaurus and Skybridge are developing the technical components and deployment concepts with assistance of transportation-, wireless-, and other experts at the University of California, Berkeley, and other entities. More recent work includes support of smart transportation as integrated with smart or intelligent transportation, as in V2G (vehicle to grid) enabled by said HALO+tight wireless. Smart transportation and energy systems will in large part merge, and they each and especially together need the planned dedicated radio location and communication networks.

[4]

[\(Sky-Tel\) High Accuracy Location \(HALO\) for Intelligent Transport & Infrastructure, and GPS backup](#)

<http://www.scribd.com/doc/22595299/Sky-Tel-High-Accuracy-Location-HALO-for-Intelligent-Transport-Infrastructure-and-GPS-backup>

2009 presentation regarding planned nationwide High Accuracy Location (for vehicles, etc.) to augment and backup GPS, to the US Office of Position Navigation & Timing (that coordinates GPS among Federal agencies and is liaison with private sector) by W. Havens of Skybridge Spectrum Foundation (that holds FCC mLMS licenses with Telesaurus Holdings) and Prof. Raja Sengupta of University of California Berkeley, also with Prof. Kannan Ramchandran. The same presentation was made to other public agencies, and associations involving wireless communication and public safety.

[5]

[\(Sky-Tel\) Skybridge-Telesaurus 2009 Overview of High Accuracy Location- HALO- to US DOT RITA](#)

<http://www.scribd.com/doc/22596351/Sky-Tel-Skybridge-Telesaurus-2009-Overview-of-High-Accuracy-Location-HALO-to-US-DOT-RITA>

2009 presentation to US DOT RITA by Warren Havens for Skybridge Spectrum Foundation (with support by Telesaurus LLCs, and in association with Prof. Raja Sengupta at University of California Berkeley, of nationwide High Accuracy Location (HALO) as the foundation for advanced Intelligent Transportation Systems, provide sub-meter accuracy guidance of vehicles along and across lanes to greatly reduce accidents, congestion, pollution, etc.

[6]

[\(Sky-Tel\) Smart Transport, Energy & Environment Radio - STEER, presentation to Caltrans, 2009](#)

<http://www.scribd.com/doc/22596096/Sky-Tel-Smart-Transport-Energy-Environment-Radio-STEER-presentation-to-Caltrans-2009>

2009 presentation of STEER- Smart Transport, Energy & Environment Radio systems by Warren Havens of Skybridge Spectrum Foundation (with support of Telesaurus LLCs, and Prof. Raja Sengupta and others of University of California Berkeley) to Caltrans. STEER is a proposed nationwide dedicated radio service for purposes noted above. It includes HALO- High Accuracy Location, and core services at no cost to end users (like GPS).

[7]

[\(Sky-Tel\) C-HALO Justified in 2008 Federal Radio Navigation Plan- Excerpts](#)

<http://www.scribd.com/doc/24549769/Sky-Tel-C-HALO-Justified-in-2008-Federal-Radio-Navigation-Plan-Excerpts>

Excerpts from the US 2008 Federal Radionavigation Plan, selected and annotated to show its support of Sky-Tel's planned C-HALO. Sky-Tel is Skybridge Spectrum Foundation and Telesaurus LLCs. They hold 200 and 900 MHz FCC licenses nationwide in the US for Smart Transport, Energy and Environment Radio (STEER) systems including its component Cooperative High Accuracy Location (C-HALO). See other Scribd articles on Sky-Tel STEER and C-HALO (e.g., Google "Skybridge C-HALO STEER"). STEER and C-HALO core wireless location and communication services for public safety, traffic flow, and environmental monitoring and protection, and related smart energy, will be at no cost to end users.

[8]

[\(Sky-Tel\) Re Existing & Planned N-RTK Networks US & Worldwide](#)

<http://www.scribd.com/doc/24563500/Sky-Tel-Re-Existing-Planned-N-RTK-Networks-US-Worldwide>

Dec 2009 compilation by Sky-Tel* of extensive materials describing major existing and planned Network RTK (N-RTK) networks in the US, Europe, Japan, New Zealand and Dubai (as examples). N-RTK provides high accuracy location over very wide areas, cost effectively. It's growth worldwide is dramatic, but it is not yet used for wide-area Intelligent Transport since N-RTK GNSS augmentation must be further augmented to provide needed accuracy and reliability in area of GNSS satellite blockage and RF multipath. Sky-Tel plans "C-HALO" for that. / Sky-Tel is Skybridge Spectrum Foundation and the Telesaurus LLCs of Berkeley California. They hold 200 and 900 MHz FCC licenses nationwide in the US for Smart Transport, Energy and Environment Radio (STEER) systems including its component Cooperative High Accuracy Location (C-HALO). / Google other Scribd articles on Sky-Tel STEER and C-HALO. STEER and C-HALO core wireless location and communication services for public safety, traffic flow, and environmental monitoring and protection, and related smart energy, will be at no cost to end users.

[9]

[\(Sky-Tel\) US Leader in GNSS- PNT, International Comparisons](#)

<http://www.scribd.com/doc/24550800/Sky-Tel-US-Leader-in-GNSS-PNT-International-Comparisons>

Nov-Dec 2009 survey in GNSS showing US still the leader in international GNSS and PNT (position, navigation and timing). Comments by Sky-Tel on why C-HALO in the US will help maintain that lead. / Sky-Tel is Skybridge Spectrum Foundation and Telesaurus LLCs of Berkeley, California. They hold 200 and 900 MHz FCC licenses nationwide in the US for Smart Transport, Energy and Environment Radio (STEER) systems including its component Cooperative High Accuracy Location (C-HALO). See other Scribd articles on Sky-Tel STEER and C-HALO (e.g., Google "Skybridge C-HALO STEER"). / STEER and C-HALO core wireless location and communication services for public safety, traffic flow, and environmental monitoring and protection, and related smart energy, will be at no cost to end users.

[10]

[\(Sky-Tel\) Smart Railroads- 200 Wide Band+ High Accuracy Location, By Federal Railroad Admin, 2008](#)

<http://www.scribd.com/doc/22650044/Sky-Tel-Smart-Railroads-200-Wide-Band-High-Accuracy-Location-By-Federal-Railroad-Admin-2008>

2008 presentation by the Federal Railroad Administration of developments for smart or intelligent railroads based in large part on advanced wireless communications using 200 MHz radio spectrum, additional spectrum for wider band wireless, high accuracy location by enhanced GPS, etc. This parallels similar developments in intelligent or smart highways, electric grid, airports, and other core infrastructure, and for smart environment (wide scale environmental monitoring and protection). Skybridge Spectrum Foundation, Telesaurus and related LLCs focus on wireless for these Smart Transport, Energy, and Environment Radio systems, with core service to be free to government agencies and the general public.

[11]

[\(Sky-Tel\) Daimler Benz- Precise Mapping & Location for Smart Transport, Lane-based ITS, Etc.](#)

<http://www.scribd.com/doc/26517034/Sky-Tel-Daimler-Benz-Precise-Mapping-Location-for-Smart-Transport-Lane-based-ITS-Etc>

"The Potential of Precision Maps in Intelligent Vehicles," by Christopher K. H. Wilson, Seth Rogers, Shawn Weisenburger, of Daimler Benz research. Apparently published in late 1990s or 200* early. Discussed the value, some methods, and high probability of near-future high-accuracy road digital mapping and maps, and vehicle positioning on the maps, for critical roadway safety and a convenience applications. Discusses vehicle-to-vehicle methods, and vehicle-to-roadside methods as well, to supplement GPS and INS. One of a small number of research papers on high-accuracy location and mapping for public road transportation applications. Important that Daimler Benz, the world's leading high-end automobile maker, did this research, since as the article reflects, the high-end vehicle market segment (along with some government, trucking and other vehicle segments) will logically be first adopters. This document is noted and republished on Scribd by Skybridge Spectrum Foundation and Telesaurus LLCs (Sky-Tel). They hold 200 and 900 MHz FCC licenses nationwide in the US for Smart Transport, Energy and Environment Radio (STEER) systems including its component Cooperative High Accuracy Location (C-HALO).

[12]

[\(Sky-Tel\) Trimble-APCO Request for RTK Spectrum in US in VHF Range for Critical Government and Private Uses](#)

<http://www.scribd.com/doc/24735175/Sky-Tel-Trimble-APCO-Request-for-RTK-Spectrum-in-US-in-VHF-Range-for-Critical-Government-and-Private-Uses>

[Sky-Tel]* 2001 request by Trimble and APCO (American Association of Public Safety Communications Officials) to the FCC to allocate approx. 1/2 MHz of spectrum in high band VHF range for RTK (real time kinematic GPS- GNSS augmentation), and describing governmental and private sector safety-of-life and other critical applications of RTK. Since 2001, RTK has evolved to Network RTK (N-RTK) for increased coverage, accuracy, and cost effectiveness, and RTK and N-RTK have grown by some order of magnitude. / Sky-Tel plans to provide the needed 200 MHz VHF and 900 MHz UHF spectrum for N-RTK nationwide in the US. / * This document is noted and republished on Scribd by Skybridge Spectrum Foundation and Telesaurus LLCs (Sky-Tel). They hold 200 and 900 MHz FCC licenses nationwide in the US for Smart Transport, Energy and Environment Radio (STEER) systems including its component Cooperative High Accuracy Location (C-HALO). Google other Scribd articles on Sky-Tel STEER and C-HALO. STEER and C-HALO core wireless location and communication services for public safety, traffic flow, and environmental monitoring and protection, and related smart energy, will be at no cost to end users.

[13]

[\[Sky-Tel\] RTK Extend. Navcom Starfire Satcom GNSS Augmentation Extends RTK When Lacks Coverage](#)

<http://www.scribd.com/doc/24733313/Sky-Tel-RTK-Extend-Navcom-Starfire-Satcom-GNSS-Augmentation-Extends-RTK-When-Lacks-Coverage>

[Sky-Tel]* 2007 Navcom (J. Deere) white paper on use of its "StarFire" satellite based [GNSS] augmentation system (SBAS), with decimeter accuracy, noted for its topic of extending Network RTK accuracy (or close to its accuracy) temporarily in periods and places of no RTK wireless coverage. Also, StarFire maintains its accuracy for about 20 minutes if its satcom coverage is interrupted. These functions are important for Sky-Tel planned nationwide high accuracy location infrastructure and service. (Somewhat similar functions may be achieved using other SBAS. The differences will be separately discussed.) * This document is noted and republished on Scribd by Skybridge Spectrum Foundation and Telesaurus LLCs (Sky-Tel). They hold 200 and 900 MHz FCC licenses nationwide in the US for Smart Transport, Energy and Environment Radio (STEER) systems including its component Cooperative High Accuracy Location (C-HALO).

[14]

[\(Sky-Tel\) 2009.Importance of N-RTK, Wireless for Location Services, And Radio Location Augmentation of GNSS- by Trimble CEO](#)

<http://www.scribd.com/doc/24501167/Sky-Tel-2009-Importance-of-N-RTK-Wireless-for-Location-Services-And-Radio-Location-Augmentation-of-GNSS-by-Trimble-CEO>

(Sky-Tel)* 2009, Trimble CEO on the growth and importance of N-RTK, wireless for location services, and radio location (e.g., multilateration pseudolites) for GNSS augmentation in the International GNSS-based location industry. - - - - * This document is noted and republished on Scribd by Skybridge Spectrum Foundation and Telesaurus LLCs (Sky-Tel). They hold 200 and 900 MHz FCC licenses nationwide in the US for Smart Transport, Energy and Environment Radio (STEER) systems including its component Cooperative High Accuracy Location (C-HALO). See other Scribd articles on Sky-Tel STEER and C-HALO (e.g., Google "Skybridge C-HALO STEER"). STEER and C-HALO core wireless location and communication services for public safety, traffic flow, and environmental monitoring and protection, and related smart energy, will be at no cost to end users.

[15]

[\(Sky-Tel\) 2006 mRTK Research by Nokia-- Mass-market Mobile RTK, With Sky-Tel Cover Memo](#)

<http://www.scribd.com/doc/24405749/Sky-Tel-2006-mRTK-Research-by-Nokia-Mass-market-Mobile-RTK-With-Sky-Tel-Cover-Memo>

(Sky-Tel).* 2006 article by Nokia researchers on mobile RTK or mRTK, a form of network- or N- RTK. One value of this article is to indicate the importance of upcoming high-accuracy location in the broader wireless industry. Sky-Tel believes that a better idea than mRTK, which uses compromises deemed needed for commercial wireless, is the N-RTK-based C-HALO that Sky-Tel plans, which will be available for commercial (and some private) wireless operators and terminal makers without charge, for the defined critical functions. C-HALO will commence with mission-critical grade N-RTK, and expand from there as indicated in other Sky-Tel publications on Scribd. * This article is noted and republished on Scribd by Skybridge Spectrum Foundation and Telesaurus LLCs (Sky-Tel). They hold 200 and 900 MHz FCC licenses nationwide in the US for Smart Transport, Energy and Environment Radio (STEER) systems including its component Cooperative High Accuracy Location (C-HALO). See other Scribd articles on Sky-Tel STEER and C-HALO (e.g., Google "Skybridge C-HALO STEER"). STEER and C-HALO core wireless location and communication services for public safety, traffic flow, and environmental monitoring and protection, and related smart energy, will be at no cost to end users.

[16]

[\(Sky-Tel\) Introduction to Network RTK.6-2008](#)

<http://www.scribd.com/doc/24404410/Sky-Tel-Introduction-to-Network-RTK-6-2008>

(Sky-Tel)* 2008 Introduction to Network RTK (N-RTK) by IAG Working Group 4.5.1: Network RTK (2003-2007). *This article is noted and republished on Scribd by Skybridge Spectrum Foundation and Telesaurus LLCs (Sky-Tel). They hold 200 and 900 MHz FCC licenses nationwide in the US for Smart Transport, Energy and Environment Radio (STEER) systems including its component Cooperative High Accuracy Location (C-HALO). See other Scribd articles on Sky-Tel STEER and C-HALO (e.g., Google "Skybridge C-HALO STEER"). STEER and C-HALO core wireless location and communication services for public safety, traffic flow, and environmental monitoring and protection, and related smart energy, will be at no cost to end users. Note: Scribd does not display highlights and other emphases added by Sky-Tel, and to partly compensate, they instead use margin text notes and arrows.

[17]

[\(Sky-Tel\) N-RTK GNSS- Global Amenity for High Accuracy Location](#)

<http://www.scribd.com/doc/24403836/Sky-Tel-N-RTK-GNSS-Global-Amenity-for-High-Accuracy-Location>

(Sky-Tel)* 2005 Article on N-RTK GNSS, as the new Global Amenity for High Accuracy Location.* This well-presented case in this article is even more compelling today. It explains the growth in N-RTK and the need for

it to become a global amenity, as the principal needed augmentation of GNSS for increased accuracy and reliability. It also explains how N-RTK is founded on wireless communication recent-years advances, and why N-RTK needs wider wireless coverage than provided by commercial wireless, as Sky-Tel plans. *This article is noted and republished on Scribd by Skybridge Spectrum Foundation and Telesaurus LLCs (Sky-Tel). They hold 200 and 900 MHz FCC licenses nationwide in the US for Smart Transport, Energy and Environment Radio (STEER) systems including its component Cooperative High Accuracy Location (C-HALO). See other Scribd articles on Sky-Tel STEER and C-HALO (e.g., Google "Skybridge C-HALO STEER"). Note: Scribd does not display highlights and other emphases added by Sky-Tel, and to partly compensate, they instead use margin notes and arrows.

[18]

<http://www.scribd.com/doc/24364947/Sky-Tel-Chip-Scale-Atomic-Clocks-For-GNSS-Augmentation-C-HALO>

<http://www.scribd.com/doc/24364947/Sky-Tel-Chip-Scale-Atomic-Clocks-For-GNSS-Augmentation-C-HALO>

Dec 2009 compiled. Chip Scale Atomic Clocks (CSACs) with tightly integrated MEMS inertial measurement unit and SDR GPS-GNSS, for high accuracy PNT: position, navigation and timing. Compilation for by Skybridge Spectrum Foundation and Telesaurus LLCs (Sky-Tel). Sky-Tel holds 200 and 900 MHz FCC licenses (CMRS and PMRS) nationwide in the US for C-HALO (Cooperative High Accuracy Location) and tightly integrated communications for Smart Transport, Energy, and Environment Radio (STEER) systems, with no-charge core services for highway safety and flow, better energy systems, and environmental monitoring and protection. Sky-Tel C-HALO will use GPS-GNSS with N-RTK as a first phase, followed by augmentation using multilateration pseudolites, INS, and other mobile location techniques. These materials based on CSACs show important advances being pursued in such augmentation.

[19]

<http://www.scribd.com/doc/24364744/Sky-Tel-Multilateration-Aircraft-Ground-Vehicles-Compilation-For-C-HALO>

<http://www.scribd.com/doc/24364744/Sky-Tel-Multilateration-Aircraft-Ground-Vehicles-Compilation-For-C-HALO>

Dec 2009 compiled. Multilateration tracking for aircraft & ground vehicles. Compilation for by Skybridge Spectrum Foundation and Telesaurus LLCs (Sky-Tel). Sky-Tel holds 200 and 900 MHz FCC licenses (CMRS and PMRS) nationwide in the US for C-HALO (Cooperative High Accuracy Location) and tightly integrated communications for Smart Transport, Energy, and Environment Radio (STEER) systems, with no-charge core services for highway safety and flow, better energy systems, and environmental monitoring and protection. Sky-Tel C-HALO will use GPS-GNSS with N-RTK as a first phase, followed by multilateration pseudolites, INS, and other mobile location techniques).

[20]

<http://www.scribd.com/doc/24339294/Sky-Tel-Intuicom-RTK-Bridge-Radio-902-928-MHz-2-4-CDMA-GSM-w-Sky-Tel-Cover-Notes>

<http://www.scribd.com/doc/24339294/Sky-Tel-Intuicom-RTK-Bridge-Radio-902-928-MHz-2-4-CDMA-GSM-w-Sky-Tel-Cover-Notes>

December 2009. This Intuicom product brochure is noted and republished by Skybridge Spectrum Foundation and Telesaurus LLCs (Sky-Tel) (Berkeley, California) (Sky-Tel). Sky-Tel holds 200 and 900 MHz FCC licenses (CMRS and PMRS) nationwide in the US for C-HALO (Cooperative High Accuracy Location) and tightly integrated communications for Smart Transport, Energy, and Environment Radio (STEER) systems, with no-charge core services for highway safety and flow, better energy systems, and environmental monitoring and protection. Sky-Tel C-HALO will use GPS-GNSS with N-RTK (and eventually also multilateration pseudolites, INS, and other mobile location techniques). The following Intuicom product (by Freewave) is an example of a Phase-1 of G1 product for use in Sky-Tel C-HALO: Under FCC rules Sky-Tel under its M-LMS 900 MHz licenses can use Part-90 power up to 30W ERP in PMRS M-LMS type-approved equipment, and can also use "unlicensed" equipment certified under Part 15 that operates in 902-928 MHz, both in its M-LMS subbands (904-909.75 MHz and 927.75-928 MHz) with no height restriction, and in the rest of 902-928 MHz on a Part-15 basis and under the "safe harbor" in FCC rule sec. 90.361. Thus, in existing radios such as this one from Intuicom (other vendors make somewhat similar radios), Sky-Tel may (1) use it as-is for a 1G radio for C-HALO: it comes with (a) 2-band unlicensed-band functionality: 900 MHz and 2.4 GHz, and (b) licensed-band CDMA/GSM functionality, or (2) use it with 'a' but swap out the 'b' for (c): a similar-power or higher-power PMRS licensed radio operating in its M-LMS subbands, or (3) use it with 'a' and 'b' and add 'c'.

[21]

<http://www.scribd.com/doc/24333925/Sky-Tel-RTKLIB-Open-Source-Low-Cost-RTK-Receiver-Toyko-Uni-Maritime..>

<http://www.scribd.com/doc/24333925/Sky-Tel-RTKLIB-Open-Source-Low-Cost-RTK-Receiver-Toyko-Uni-Maritime..>

"RTKLIB." 2009 Summary. From Tokyo University of Marine Science and Technology. This is marked and republished by Skybridge Spectrum Foundation and Telesaurus LLCs (Berkeley, California) which hold 200 and 900 MHz FCC licenses nationwide in the US for C-HALO (Cooperative High Accuracy Location) and tightly integrated communications for Smart Transport, Energy, and Environment Radio (STEER) systems, with no-charge core services for for highway safety and flow, better energy systems, and environmental monitoring and protection. Japan has a nationwide N-RTK network. In the US, many States have existing or planned statewide or regional N-RTK networks. N-RTK receiver cost is an issue in more wide spread use, moving beyond surveying and other high-end, low-volume use, to more mass-market use such as in Intelligent Transport. The below development is thus important for the wider uses of N-RTK. In addition, Nokia and others are working on low-cost SDR based N-RTK for commercial smart phones. \$30 to \$300 / receiver price range given herein. In higher volumes, and given Moore's law, probably in lower end of that in reasonable time.

[22]

[\(Sky-Tel\) Ubiquitous High Accuracy Location GNSS+ N-RTK+ Multilateration Pseudolites+ INS+ RFID, Etc.](#)

<http://www.scribd.com/doc/24322567/Sky-Tel-Ubiquitous-High-Accuracy-Location-GNSS-N-RTK-Multilateration-Pseudolites-INS-RFID-Etc>

2007 Article on Ubiquitous Positioning (UbiPos) or Cooperative High Accuracy Location (C-HALO) in GPS World, via integrated use of GNSS, N-RTK, Pseudolites, INS, RFI, etc. Discusses RTK Test Bed at the University of Nottingham, UK. Concludes: "Mobility, continuity, flexibility, and scalability are other important parameters for UbiPos and these can be achieved through the construction of next generation NRTK GNSS positioning infrastructure and wireless communications." Marked and presented by Skybridge Spectrum Foundation and Telesaurus LLCs (Berkeley, California) which hold 200 and 900 MHz FCC licenses nationwide in the US for C-HALO (Cooperative High Accuracy Location) and tightly integrated communications for Smart Transport, Energy, and Environment Radio (STEER) systems, with no-charge core services for for highway safety and flow, better energy systems, and environmental monitoring and protection. Part of Sky-Tel C-HALO online library being created.

[23]

[\(Sky-Tel\) Wireless Communication for N-RTK IAG-WG](#)

<http://www.scribd.com/doc/24317471/Sky-Tel-Wireless-Communication-for-N-RTK-IAG-WG>

2008 summary of wireless broadcast and two-way communications to support network RTK for mobile high accuracy location from IAG (International Association of Geodesy). Marked by Skybridge Spectrum Foundation and Telesaurus LLCs (Berkeley, California) which hold 200 and 900 MHz FCC licenses nationwide in the US for C-HALO (Cooperative High Accuracy Location) and tightly integrated communications for Smart Transport, Energy, and Environment Radio (STEER) systems, with no-charge core services for for highway safety and flow, better energy systems, and environmental monitoring and protection. Part of Sky-Tel C-HALO online library being created.

[24]

[\(Sky-Tel\) Dangers & Shortfalls in Unaided GPS-GNSS--Wireless N-RTK Solutions of This for Intelligent Transport.](#)

<http://www.scribd.com/doc/24275897/Sky-Tel-Dangers-Shortfalls-in-Unaided-GPS-GNSS-Wireless-N-RTK-Solutions-of-This-for-Intelligent-Transport>

Feb 2009 Coordinates magazine, 2 articles, with comments by Skybridge- Telesaurus: (1) Dangers and shortfalls of unaided GPS, especially for high accuracy location and navigation, including for Intelligent Transportation Systems, and (2) Solution by N-RTK augmentation, for which mission-critical grade secure, private, dedicated, wide-area wireless is the foundation, as Skybridge Telesaurus plan with their 200 and 900 MHz FCC licenses nationwide in the US. See other articles on the above by Skybridge and Warren Havens on Scribd, including the University of California's 2010 "C-HALO" cost benefit study, for a nationwide cooperative high accuracy location infrastructure in the US.

Certificate of Service

I, Warren C. Havens certify that I have, on this 21st day of April 2010, caused to be served, by placing into the USPS mail system with first-class postage affixed, unless otherwise noted, a copy of the foregoing Motion to Extend Pleading Cycle to the following:

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[Filed Electronically. Signature on File]

Warren Havens

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[*] These will receive Exhibit 2 by hard copy or by their email if that can be located: see p. 9 above.