

NOV 22 2010

Federal Communications Commission
Office of the Secretary

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

In the Matter of)	EB Docket No. 07-147
)	
PENDLETON C. WAUGH, CHARLES M. AUSTIN, and JAY R. BISHOP)	File No. EB-06-IH-2112
)	NAL/Acct. No. 200732080025
)	
PREFERRED COMMUNICATION SYSTEMS, INC.)	FRN No. 0003769049
)	
Licensee of Various Site-by-Site Licenses in the Specialized Mobile Radio Service.)	
)	
PREFERRED ACQUISITIONS, INC.)	FRN No. 0003786183
)	
Licensee of Various Economic Area Licenses in the 800 MHz Specialized Mobile Radio Service)	

To: The Commission

**ENFORCEMENT BUREAU'S
SUPPLEMENT TO STATEMENT OF CLARIFICATION**

1. The Enforcement Bureau hereby supplements its October 27, 2010 Statement of Clarification due to subsequent allegations related to the Bureau's compliance with the Commission's *ex parte* rules.¹
2. As background, various pleadings filed in this proceeding discuss the propriety and characterization of certain *ex parte* presentations made by Mr. Toshiaki Saito, a non-party participant. In pertinent part, these pleadings include Mr. Saito's October 26, 2010 Memorandum in Opposition to Motion to Strike, the Bureau's October 27 Statement of Clarification ("Statement"), and Mr. Pendleton C. Waugh's October 29,

¹ To the extent that leave is necessary to file this pleading, the Bureau respectfully requests such leave due to the serious nature of the matters discussed herein.

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2010 Reply to Memorandum in Opposition to Motion to Strike and Bureau's Statement of Clarification ("Reply"). In the Reply, Mr. Waugh alleges that the Bureau's Statement raises questions concerning the Bureau's compliance with the Commission's *ex parte* rules and proposes the Bureau be sanctioned.²

3. Such charges impugn the integrity of the Bureau, and the Bureau vigorously objects to Mr. Waugh's baseless notion that the Bureau has engaged in any actions at variance with the Commission's rules or somehow should be subject to sanctions. The Bureau submits that its previously filed Statement provides sufficient information demonstrating that its actions have been entirely consistent with all applicable rules and that Mr. Waugh's suggestions to the contrary are entirely without merit.³ If, however, the Commission considers the current record lacking as to these facts, then the Bureau stands ready to provide such further information upon request as the Commission deems appropriate.

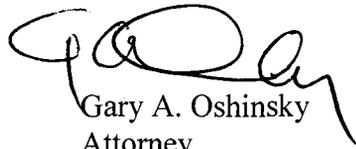
Respectfully submitted,
P. Michele Ellison
Chief, Enforcement Bureau

Asingh

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Acting Assistant Chief
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² See Reply to Memorandum in Opposition to Motion to Strike and Enforcement Bureau's Statement of Clarification, EB Docket No. 07-147, at 4-5. Mr. Waugh also alleges that the Commission's Office of General Counsel has not followed the Commission's *ex parte* rules. See *id.* at 5.

³ As Mr. Waugh also notes this in the Attachment to his Reply, the Electronic Comment Filing System reflects the existence of Mr. Saito's *ex parte* presentations for the public to view, and yet, Mr. Waugh faults the Bureau for not advising Mr. Waugh that the docket reflected the existence of such a filing. See *id.* at 3 & Attachment. The Bureau is not responsible for monitoring the docket for Mr. Waugh in this proceeding.



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November 22, 2010

CERTIFICATE OF SERVICE

Moris Martinez, an Enforcement Analyst in the Enforcement Bureau's Investigations and Hearings Division, certifies that she has, on this 22nd day of November 2010, sent by first class United States mail or electronic mail, as noted, copies of the foregoing "Enforcement Bureau's Supplement to Statement of Clarification," to:

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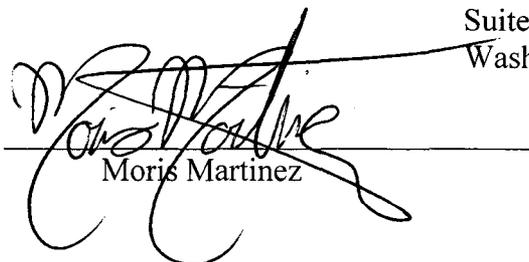
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