

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

FILED/ACCEPTED

JUN 24 2011

Federal Communications Commission
Office of the Secretary

In re)
)
MARITIME COMMUNICATIONS/LAND) EB Docket No. 11-71
MOBILE, LLC) File No. EB-09-IH-1751
) FRN: 0013587779
)
Participant in Auction No. 61 and Licensee of)
Various Authorizations in the Wireless Radio)
Services)
)
Applicant for Modification of Various) Application File Nos. 0004030479,
Authorizations in the Wireless Radio Services) 0004144435, 0004193028, 0004193328,
) 0004354053, 0004309872, 0004310060,
) 0004314903, 0004315013, 0004430505,
Applicant with ENCANA OIL AND GAS (USA),) 0004417199, 0004419431, 0004422320,
INC.; DUQUESNE LIGHT COMPANY; DCP) 0004422329, 0004507921, 0004153701,
MIDSTREAM, LP; JACKSON COUNTY) 0004526264, 0004636537,
RURAL MEMBERSHIP ELECTRIC) and 0004604962
COOPERATIVE; PUGET SOUND ENERGY,)
INC.; ENBRIDGE ENERGY COMPANY,)
INC.; INTERSTATE POWER AND LIGHT)
COMPANY; WISCONSIN POWER AND)
LIGHT COMPANY; DIXIE ELECTRIC)
MEMBERSHIP CORPORATION, INC.;)
ATLAS PIPELINE – MID CONTINENT, LLC;)
DENTON COUNTY ELECTRIC)
COOPERATIVE, INC. , DBA COSERV)
ELECTRIC; AND SOUTHERN CALIFORNIA)
REGIONAL RAIL AUTHORITY)

To: Marlene H. Dortch, Secretary
Attention: Chief Administrative Law Judge Richard L. Sippel

ENFORCEMENT BUREAU'S
OPPOSITION TO MOTION FOR FURTHER EXTENSION OF TIME

1. On June 24, 2011 – the very day on which the Presiding Judge ordered Maritime to respond to the Enforcement Bureau's requests for admission of facts and the genuineness of documents – Maritime is seeking a *second* extension of this deadline in a pleading entitled Motion for Further Extension of Time To Respond to Requests for Admission ("Motion").

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Pursuant to Section 1.294 of the Commission's rules, 47 C.F.R. § 1.294, the Chief, Enforcement Bureau ("Bureau"), by her attorneys, hereby opposes the Motion.

2. By way of background, the Bureau served requests for admission of facts and the genuineness of documents (the "Bureau's Requests") pursuant to Section 1.246(a) of the Commission's Rules, 47 C.F.R. § 1.246(b), on May 31, 2011. Pursuant to Section 1.246(b) of the Commission's Rules, Maritime's responses to the Bureau's Requests were due on June 15, 2011. The day before its responses were due, Maritime filed a Motion for Extension of Procedural Dates requesting an extension until June 24, 2011. During the prehearing conference held on June 15, 2011, the Presiding Judge granted Maritime's request to serve its responses on June 24, 2011. The June 24, 2011 deadline for Maritime's response to the Bureau's Requests is set forth in the Presiding Judge's June 16, 2011 Order.¹

3. Now, on June 24, 2011, the very day Maritime's responses are due, Maritime seeks an additional extension until June 30, 2011.² The only argument Maritime offers in support of its eleventh-hour filing is the travel schedules of Maritime's outside counsel and various Maritime personnel – something entirely within the control of Maritime and its outside counsel.

4. There is no merit to Maritime's last-minute request for yet another extension of the impending procedural deadline. The Bureau served its Requests nearly a month ago – on May 31, 2011 – and thus Maritime has had ample opportunity to prepare its responses. In addition, a mere 10 days ago, Maritime proposed the June 24, 2011 date. The fact that Maritime proposed June 24, 2011, despite the travel schedules of its employees and outside counsel, is a

¹ See Order, FCC 11M-15 (ALJ, rel. June 16, 2011).

² Maritime did not contact the Bureau until June 24, 2011 to even request an extension despite the fact that it must have known of its travel conflicts well before this date. Without even waiting for the Bureau's response to its request, Maritime filed its Motion.

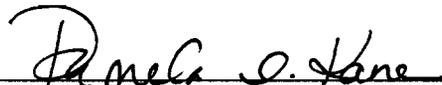
situation of Maritime's own making. It should not be rewarded for engaging in such dilatory behavior.

5. Moreover, Maritime's responses to the Bureau's Requests will directly affect the scope of the issues to be presented in the hearing. Any delay in defining these issues necessarily prejudices the Bureau as it proceeds with preparing discovery requests in anticipation of the July 5, 2011 commencement of discovery. In addition, the Presiding Judge acquiesced to Maritime's request for June 24, 2011 and any further extension of this deadline is disruptive to the procedural schedule that was discussed at length at the prehearing conference and memorialized in the Presiding Judge's June 16, 2011 Order.

6. Based on the foregoing, the Bureau opposes Maritime's second request for an extension of the deadline to serve responses to timely served requests for admission of facts and the genuineness of documents.

Respectfully submitted,

P. Michele Ellison
Chief, Enforcement Bureau



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June 24, 2011

CERTIFICATE OF SERVICE

Makia Day, an Enforcement Analyst in the Enforcement Bureau's Investigations and Hearings Division, certifies that she has on this 24th day of June, 2011, sent by first class United States mail copies of the foregoing "ENFORCEMENT BUREAU'S OPPOSITION TO MOTION FOR FURTHER EXTENSION OF TIME" to:

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