FILED/ACCEPTED

JUN 30 2011

Federal Communications Commission
Office of the Secretary

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

In the Matter of	)	
	)	
MARITIME COMMUNICATIONS/LAND MOBILE, LLC	)	EB Docket No. 11-71 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 Authorizations in the Wireless Radio Services;	)	
	)	
Applicant with ENCANA OIL AND GAS (USA), INC.; DUQUESNE LIGHT COMPANY; DCP MIDSTREAM, LP; JACKSON COUNTY RURAL MEMBERSHIP ELECTRIC 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	)	Application File Nos. 0004030479, 0004144435, 0004193028, 0004193328, 0004354053, 0004309872, 0004310060, 0004314903, 0004315013, 0004430505, 0004417199, 0004419431, 0004422320, 0004422329, 0004507921, 0004153701, 0004526264, 0004636537, and 0004604962
	)	
For Commission Consent to the Assignment of Various Authorizations in the Wireless Radio Services	)	

MARITIME'S RESPONSES TO THE BUREAU'S REQUESTS FOR ADMISSION

Maritime Communications/Land Mobile, LLC ("Maritime") hereby responds to request for admissions submitted by the Requests for Admission of Fact and Genuineness of Documents ("RFA") tendered in the above-captioned proceeding by the Enforcement Bureau ("Bureau").

General Objections and Clarification Regarding Definitions of "Maritime," "Affiliate," and "Controlling Interests"

In preparing these responses, Maritime did *not* apply Bureau's proffered definition of "Maritime." *See* RFA at p. 2. The Bureau's definition of includes Maritime's affiliates, including Donald R. DePriest. A central matter of contention in this proceeding is whether one or more

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persons or entities are or were affiliates of Maritime for purposes of disclosure, reporting, and attribution requirements under the auction rules. In this context, the breadth and circular nature of the proffered definition renders it unworkable. Insofar as there have been and may continue to be disagreements between the parties regarding the universe of Maritime affiliates, it is impossible to make any meaningful statement about the relationship and interactions between Maritime and other persons and entities. The definition thus tends to confuse rather than clarify the facts. Accordingly, in the interest of clarity, for purposes of these responses, "Maritime" means the above-captioned licensee and limited liability company.

The RFA does not include a formal definition of "affiliate" or "controlling interest" although the terms are used in several of the requests. Who is or is not an affiliate or a controlling interest for purposes of the auction rules is not a purely factual matter; rather, it is a question of law that may be based on certain facts. None of the responses herein is intended and therefore should not be construed as an admission that any person or entity is, as a legal matter, the affiliate of or has a controlling interest in other person or entity.

Responses

The numbering of the responses below corresponds to the numbering in the RFA.

1. Objection. As to the factual assertion of what is stated or contained in an FCC filing, the document speaks for itself and is subject to official notice. Nevertheless, without waiving its objection, Maritime admits this request.

2-3. These requests are redundant. The specified call signs are listed in Attachment A to the RFA. See Response 1, above.

4-6. Maritime can neither admit nor deny these requests based on the limited information provided.

7-15. These requests are redundant. The specified call signs are listed in Attachment A to the RFA. See Response 1, above.

16. Denied. On information and belief, an attorney handing the incorporation may have signed Donald DePriest's name.

17-18. Objection. As to the factual assertion of what is stated or contained in an FCC filing, the document speaks for itself and is subject to official notice.

19. Sandra DePriest reviewed the information to be included in the application that was then prepared and submitted electronically on behalf of Maritime.

20. Objection. These request calls for a response that would include or be premised on a conclusion of law. As to factual assertions of what is stated or contained in an FCC filing, the document speaks for itself and is subject to official notice. Any legal conclusion to be derived from those facts is question of law to be argued by counsel for the parties and ultimately decided by the presiding judge, the Commission and/or any reviewing courts.

21-25. Objection. Each of these requests calls for a response that would include or be premised on a conclusion of law. As to the factual assertion of what is stated or contained in an FCC filing, the document speaks for itself and is subject to official notice. The legal conclusion to be derived from those statements is a matter to be argued by counsel for the parties and ultimately decided by the presiding judge, the Commission and/or any reviewing courts.

26. Objection. This request calls for a conclusion of law.

27. Objection. This request calls for a response that would include or be premised on a conclusion of law. As to the factual assertion of what is stated or contained in an FCC filing, the document speaks for itself and is subject to official notice. The legal conclusion to be derived from those statements is a matter to be argued by counsel for the parties and ultimately decided by the presiding judge, the Commission and/or any reviewing courts.

28-29. Admitted, subject to the clarification and explanations presented by Maritime and Donald DePriest in pre-designation filings, including responsive pleadings and responses to letters of inquiry from the Enforcement and Wireless Telecommunications Bureaus.

30. Denied.

31-33. Admitted, subject to the clarification and explanations presented by Maritime and Donald DePriest in pre-designation filings, including responsive pleadings and responses to letters of inquiry from the Enforcement and Wireless Telecommunications Bureaus.

34. Objection to the form of the request. It is overbroad and vague. Admitted, however, the Donald DePriest was authorized to sign some documents on behalf of Maritime subject to the oversight and approval of Sandra DePriest.

35-38. Admitted, subject to the clarification and explanations presented by Maritime and Donald DePriest in pre-designation filings, including responsive pleadings and responses to letters of inquiry from the Enforcement and Wireless Telecommunications Bureaus, including but not limited to the clarification that Donald DePriest was a non-executive chairman of the company.

39-42. Objection to the form of these requests. Each is overbroad and vague. Admitted, however, the Donald DePriest did the things specified on certain occasions as authorized by and subject to the approval of Sandra DePriest.

43-46. Objection. These are all matters subject to official notice by the Commission. Maritime does not, however, deny the statements.

47. Objection. As to the factual assertion of what is stated or contained in an FCC filing, the document speaks for itself and is subject to official notice.

48. Sandra DePriest reviewed the information to be included in the application that was then prepared and submitted electronically on behalf of Maritime.

49-50. Objection. Each of these requests calls for a response that would include or be premised on a conclusion of law. As to the factual assertion of what is stated or contained in an FCC filing, the document speaks for itself and is subject to official notice. The legal conclusion to be derived from those statements is a matter to be argued by counsel for the parties and ultimately decided by the presiding judge, the Commission and/or any reviewing courts.

51. Denied.

52. Objection. This request calls for a conclusion of law.

53. Objection. This request calls for a response that would include or be premised on a conclusion of law. As to the factual assertion of what is stated or contained in an FCC filing, the document speaks for itself and is subject to official notice. The legal conclusion to be derived from those statements is a matter to be argued by counsel for the parties and ultimately decided by the presiding judge, the Commission and/or any reviewing courts.

54. Sandra DePriest reviewed the information to be included in the application that was then prepared and submitted electronically on behalf of Maritime.

55-59. Objection. These requests rest on an incorrect premise regarding the requirements and purposes of FCC Form 602.

60-65. Admitted, subject to the clarification and explanations presented by Maritime and Donald DePriest in pre-designation filings, including responsive pleadings and responses to letters of inquiry from the Enforcement and Wireless Telecommunications Bureaus.

66-67. Denied.

68-73. Objection. Maritime is not aware of any such document entitled "Addendum." There was included in the long form application as file and exhibit entitled "Disclosable Interest Holders," and but this was an integral part of the application as submitted, and not a separate filing or "addendum." To the extent these requests are referring to said attachment, the responses are the same as the responses to the foregoing requests regarding the long form application as initially filed.

74. Objection. As to the factual assertion of what is stated or contained in an FCC filing, the document speaks for itself and is subject to official notice.

75-76. Objection. Each of these requests calls for a response that would include or be premised on a conclusion of law. As to the factual assertion of what is stated or contained in an FCC filing, the document speaks for itself and is subject to official notice. The legal conclusion to be derived from those statements is a matter to be argued by counsel for the parties and ultimately decided by the presiding judge, the Commission and/or any reviewing courts.

77. Sandra DePriest reviewed the information to be included in the amendment that was then prepared and submitted electronically on behalf of Maritime.

78-80. Admitted.

81-83. Objection. Each of these requests calls for a conclusion of law.

84-101. Objection. As to the factual assertion of what is stated or contained in an FCC filing, the document speaks for itself and is subject to official notice. Also, as to requests referencing Form 602 or an "Addendum," see Response Nos. 55-59 and 68-73, respectively.

102. Objection. The request is vague and overbroad. It specifies no timeframe, document, context, etc., in which the stated contention was allegedly uttered.

103. Subject to later verification, Maritime believes the entity may possibly have been formed earlier than that.

104-114. Admitted, subject to the clarification and explanations presented by Maritime and Donald DePriest in pre-designation filings, including responsive pleadings and responses to letters of inquiry from the Enforcement and Wireless Telecommunications Bureaus, including but not limited to the clarification that Donald DePriest was a non-executive chairman of the company.

115-117. Objection. Official notice may be taken as to what filings were or were not submitted to the Commission. Further, the implication that such formal amendment is necessarily required in each of these cases is a legal assertion, not a factual statement, but in any event is *not* unequivocally admitted. Maritime maintains that the disclosure of information in response to letters of inquiry constitute substantial satisfaction of the underlying purpose of any legal requirement for a formal amendment.

118. Objection. This request rests on an incorrect premise regarding the requirements and purposes of FCC Form 602.

119-120. Objection. Each of these requests calls for a conclusion of law.

121. Denied.

122. Denied that any discontinuance is permanent.

123-124. Objection. Each of these requests calls for a conclusion of law.

125. Denied.

126. Denied that any discontinuance is permanent.

127-138. Maritime can neither admit nor deny these requests based on the limited information provided. See Response Nos. 4-6, above.

139-140. Objection. Each of these requests calls for a conclusion of law.

141. Denied.

142. Denied that any discontinuance is permanent.

143-144. Objection. Each of these requests calls for a conclusion of law.

145. Denied.

146. Denied that any discontinuance is permanent.

147-148. Objection. Each of these requests calls for a conclusion of law.

149. Denied.

150. Denied that any discontinuance is permanent.

151-152. Objection. Each of these requests calls for a conclusion of law.

153. Denied.

154. Denied that any discontinuance is permanent.

155-156. Objection. Each of these requests calls for a conclusion of law.

157. Denied.

158. Denied that any discontinuance is permanent.

159-160. Objection. Each of these requests calls for a conclusion of law.

161. Denied.

162. Denied that any discontinuance is permanent.

163-164. Objection. Each of these requests calls for a conclusion of law.

165. Denied.

166. Denied that any discontinuance is permanent.

167. Objection. Each of these requests calls for a conclusion of law.

168. Denied.

169. Denied that any discontinuance is permanent.

170-171. Objection. Each of these requests calls for a conclusion of law.

172. Denied.

173. Denied that any discontinuance is permanent.

174. Objection. This request calls for a conclusion of law.

175-181. Objection. The FCC is the custodian of documents officially filed with it and is therefore best able to discern authentic copies. (Indeed, when such documents are tendered in civil courts, it is often necessary to obtain copies officially certified by the Secretary of the FCC.) Further, as to filings submitted electronically, the printed versions often do not present in exactly the same form and with all of the same information as the online filing. Finally, as to some of the specified documents, the copies attached to the RFA do not include the exhibits and attachments to the documents as filed. Subject to these caveats, however, the referenced documents do appear to be accurate copies of the paper documents as filed or accurate and substantially complete representations of the information contained in electronic filings.

182. Objection. Maritime is neither the author nor the custodian of the this document.

183-187. Objection. The FCC is the custodian of documents officially filed with it and is therefore best able to discern authentic copies. (Indeed, when such documents are tendered in civil courts, it is often necessary to obtain copies officially certified by the Secretary of the FCC.) Further, as to filings submitted electronically, the printed versions often do not present in exactly the same form and with all of the same information as the online filing. Finally, as to some of the specified documents, the copies attached to the RFA do not include the exhibits and attachments to the documents as filed. Subject to these caveats, however, the referenced documents do appear to be accurate copies of the paper documents as filed or accurate and substantially complete representations of the information contained in electronic filings.

188. Response Nos. 175-181, above, also apply to this request.

Verifications

Declarations are attached hereto whereby a particular person with knowledge swears to the truthfulness of the factual statements contained in the foregoing responses.* Each declaration lists numbers of the particular responses to which that declarant is swearing. No declaration is provided for requests that are subject to an objection and/or official notice. Where a partial or qualified response is offered along with an objection, or where a legal clarification is provided as part of a response, any corresponding declaration applies only to the factual assertion contained in such partial or qualified answer.

Respectfully Submitted,

Robert J. Keller

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Land Mobile, LLC

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Dated: June 30, 2011

* Each of the attached documents is a facsimile image of the verification as executed by the declarant. The original executed copies are being sent to counsel for Maritime and will be produced upon reasonable request.

Declaration of Sandra M. DePriest

I, Sandra M. DePriest, state that I have reviewed the Enforcement Bureau's Requests for Admission of Fact and Genuineness of Documents to Maritime Communications/Land Mobile, LLC, in EB Docket No. 11-71, and that I have assisted in the preparation of the responses thereto. I further state that the factual assertions in the following numbered responses, save and except information of which the Commission may take official notice, are true and correct to the best of my personal knowledge, and are offered in good faith:

Numbers 19, 28-30, 48, 51, 54, 77-80.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of June, 2011.

Sandra M. DePriest

Declaration of Donald R. DePriest

I, Donald R. DePriest, state that I have reviewed the Enforcement Bureau's Requests for Admission of Fact and Genuineness of Documents to Maritime Communications/Land Mobile, LLC, in EB Docket No. 11-71, and that I have assisted in the preparation of the responses thereto. I further state that the factual assertions in the following numbered responses, save and except information of which the Commission may take official notice, are true and correct to the best of my personal knowledge, and are offered in good faith

Numbers 16, 31-33, 35-38, 60-67, and 103-114.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed this 27 day of June, 2011

Donald R. DePriest

Declaration of John Reardon

I, John Reardon, state that I have reviewed the Enforcement Bureau's Requests for Admission of Fact and Genuineness of Documents to Maritime Communications/Land Mobile, LLC, in EB Docket No. 11-71, and that I have assisted in the preparation of the responses thereto. I further state that the factual assertions in the following numbered responses are true and correct to the best of my personal knowledge, and are offered in good faith: Response Numbers 122, 126, 142, 146, 150, 154, 158, 162, 166, 169 & 173. To the extent any referenced response is a partial response, offered with or without an objection, this declaration relates only to the factual statements asserted in such partial response.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed this 24th day of June, 2011.

John Reardon

Declaration of Tim Smith

I, Tim Smith, state that I have reviewed the Enforcement Bureau's Requests for Admission of Fact and Genuineness of Documents to Maritime Communications/Land Mobile, LLC, in EB Docket No. 11-71, and that I have assisted in the preparation of the responses thereto. I further state that the factual assertions in the following numbered responses are true and correct to the best of my personal knowledge, and are offered in good faith: Response Numbers 121, 125, 141, 145, 149, 153, 157, 161, 165, 168 & 172. To the extent any referenced response is a partial response, offered with or without an objection, this declaration relates only to the factual statements asserted in such partial response.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed this 24 day of June, 2011.

Tim Smith

CERTIFICAT OF SERVICE

I hereby certify that on this 30th day of June, 2011, I caused copies of the foregoing filing to be serviced, by U.S. Postal Service, First Class postage prepaid, on the following:

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