

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

FILED/ACCEPTED
JUL - 6 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: Maritime Communications/Land Mobile, LLC

**ENFORCEMENT BUREAU'S FIRST SET OF INTERROGATORIES TO MARITIME
COMMUNICATIONS/LAND MOBILE, LLC**

1. The Enforcement Bureau ("Bureau"), pursuant to Sections 1.311 and 1.323 of the Commission's rules, 47 C.F.R. §§ 1.311 and 1.323, submits the following interrogatories to Maritime Communications/Land Mobile, LLC.

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2. Maritime Communications/Land Mobile, LLC shall deliver its responses to the offices of the Investigations and Hearings Division, Enforcement Bureau, Suite 4-C330, 445 12th Street, S.W., Washington, DC 20554 (or at some other location that is mutually acceptable to the Bureau and Maritime Communications/Land Mobile, LLC) within 14 days of the date of these interrogatories.

3. The obligation of Maritime Communications/Land Mobile, LLC to answer these interrogatories is continuing in nature. Maritime Communications/Land Mobile, LLC has an obligation to provide in the future any and all additional responsive information that may come to its attention subsequent to its answering these interrogatories but not initially disclosed at the time, date and place set forth herein or in any supplemental answers that it submits. In this regard, Maritime Communications/Land Mobile, LLC must supplement its initial and supplemental responses if it learns that, in some material respect, the responses initially provided, or as supplemented, were incomplete or incorrect or if additional responsive information is acquired by or has become known after its initial or supplemental responses.

Definitions

a. As used herein, the term “you” or “your” or “Maritime” or “Maritime Communications/Land Mobile, LLC ” means “Maritime Communications/Land Mobile, LLC, including all other persons acting or purporting to act on its behalf, including all directors, officers, employees, managers, shareholders, general partners, limited partners, parents, subsidiaries, whether wholly or partially owned, affiliates, divisions, predecessors and successors-in-interest or other affiliated company or business, or agents, including consultants and any other persons working for or on behalf of any of the foregoing during the period January

1, 2002 through the present. For purposes of this definition, “affiliate” shall include, but not be limited to, Donald R. DePriest.

b. “Applicant Parties” or “Applicant Party” shall mean Atlas Pipeline Mid-Continent, LLC; DCP Midstream, LP; Denton County Electric Cooperative, Inc. d/b/a CoServ Electric; Dixie Electric Membership Corporation, Inc.; Enbridge Energy Company, Inc.; Encana Oil & Gas (USA) Inc.; Interstate Power and Light Company; Jackson County Rural Electric Membership Corporation; Wisconsin Power and Light Company; Duquesne Light Company; Puget Sound Energy, Inc.; and Southern California Regional Rail Authority, including all other persons acting or purporting to act on their behalf, including all directors, officers, employees, managers, shareholders, general partners, limited partners, parents, subsidiaries, whether wholly or partially owned, affiliates, divisions, predecessors and successors-in-interest or other affiliated company or business, or agents, including consultants and any other persons working for or on behalf of any of the foregoing during the period January 1, 2002 through the present.

c. “Act” shall mean the Communications Act of 1934, as amended.

d. “Commission” or “FCC” shall mean the Federal Communications Commission.

e. The terms/phrases “referring to,” “relating to” and/or “concerning,” as used herein, shall be interpreted broadly and shall include, but not be limited to, the following meanings: constituting, comprising, evidencing, reflecting, respecting, discussing, referring to, stating, describing, recording, noting, considering, embodying, evaluating, analyzing, mentioning, containing, concerning, regarding, indicating, pertaining to, showing, bearing upon, studying, memorializing, or commenting upon, or any other term synonymous with or similar to the foregoing.

f. “State” and “describe” mean to set forth a complete and detailed statement of all information, circumstances and facts that refer to, relate to, reflect, comprise or bear upon the matter concerning which information is requested.

g. The terms “identify” and “identification” when used in reference to an individual person mean to state his full name, residence and business telephone numbers, and present residence and business addresses if known, and his present or last known title, position and business affiliation.

h. The terms “identify” and “identification” when used in reference to a person other than a natural person mean to state the full and official name of the business entity, its principal place of business, and the main telephone number of such business entity.

i. The terms “identify” and “identification” when used in reference to a document mean to state its date, type (e.g., memo, telecopy, email), and its authors, addressees, title, if any, and, if no title, a brief description of the subject matter of the document and its present or last known location and custodian. If any document once was, but is no longer, in your possession, custody, or control, state what disposition was made of it and the reason for such disposition.

j. The terms “identify” and “identification” when used in reference to any act, activity, practice, policy, effort, event, transaction, negotiation, discussion, conversation, occasion, occurrence, meeting, representation, agreement or communication, mean to: (a) describe the nature and substance of the act, activity, practice, policy, effort, event, transaction, negotiation, discussion, conversation, occasion, occurrence, meeting, representation, agreement or communication; (b) state the date when and place where it occurred; and (c) identify each person who was a participant therein.

k. The term “and” also means “or” and the term “or” also means “and.”

l. The term “each” also means “every” and the term “every” also means “each.”

m. The term “all” also means “any” and the term “any” also means “all.”

n. The term “identify” when used with reference to a person or persons, means to state his or her full name; last known business and residence addresses; and last known business and residence telephone numbers.

o. The term “Document” means the complete original (or in lieu thereof, exact copies of the original) and any non-identical copy (whether different from the original because of notations on the copy or otherwise), regardless of origin or location, of any taped, recorded, transcribed, written, typed, printed, filmed, videotaped, punched, computer-stored, or graphic matter of every type and description, however and by whomever prepared, produced, disseminated, or made, including but not limited to any book, pamphlet, periodical, contract, agreement, correspondence, letter, facsimile, e-mail, file, invoice, memorandum, note, telegram, report, record, handwritten note, working paper, routing slip, chart, graph, photograph, paper, index, map, tabulation, manual, guide, outline, script, abstract, history, calendar, diary, agenda, minutes, marketing plan, research paper, preliminary drafts, or versions of all of the above, and computer material (print-outs, cards, magnetic or electronic tapes, disks and such codes or instructions as will transform such computer materials into easily understandable form) in the possession, custody, or control of Maritime.

p. “Discussion” means any assembly, congregation, encounter, meeting or conversation between or among two or more individuals for any purpose, whether or not planned, arranged, or scheduled in advance. “Discussion” includes, without limitation, all oral communications, whether or not in person, by telephone (including voicemails and similar recordings), or otherwise, and electronic communications (including emails) between two or more individuals.

q. “Communication” means any discussion or any written or electronic correspondence or recorded voice message of any kind.

r. “Employee” means any director, trustee, officer, employee, partner, corporate parent, subsidiary, affiliate or servant of the designated entity, whether active or retired, full-time or part-time, current or former, and compensated or not.

s. “Representative” means any consultant, expert, attorney, contractor or other individual or entity engaged by the designated entity to perform some task or assignment for the entity.

t. “Entity” means any corporation, company, partnership, proprietorship, joint venture, or business, as well as any governmental unit.

u. “Person” means any natural person or legal entity, including but not limited to any corporation, partnership, proprietorship, firm, trust, association, government entity, organization, or group of persons.

v. “Mobex” shall mean Mobex Network Services, LLC and any predecessor-in-interest, affiliate, parent company, wholly or partially owned subsidiary, other affiliated company or business, and all owners, including but not limited to, partners or principals, and all members, directors, officers, employees, managers or agents, including consultants and any other persons working for or on behalf of the foregoing at any time during the period January 1, 2002 through the present.

w. “Short-Form Application” shall mean the FCC Form 175 that Maritime filed with the Commission to participate in Auction No. 61.

x. “Long-Form Application” shall mean the FCC Form 601 that Maritime filed with the Commission in connection with its participation in Auction No. 61.

y. "FCC Form 602" shall mean the FCC Form 602 that Maritime filed with the Commission in connection with its participation in Auction No. 61.

Instructions

a. The singular of a term includes the plural number and vice versa, any use of gender includes both genders, and a verb tense includes all other verb tenses where the clear meaning is not distorted by addition of another tense or tenses.

b. With regard to each answer, identify the person(s) or document(s) relied upon by Maritime Communications/Land Mobile, LLC in determining the substance of the answer.

c. Unless otherwise specified, supply all annual data requested on a calendar-year basis; if any basis other than a calendar-year basis is used, such as to accommodate a fiscal-year basis, state as part of the response the nature and type of the basis so used.

d. Unless otherwise specified, supply all information requested for the period January 1, 2002 through the present.

INTERROGATORIES

1. Identify all individuals who, on behalf of Maritime, participated in negotiations with any Applicant Party or its Representative(s) concerning the acquisition or lease of spectrum licensed to Maritime.

2. Describe each Communication between Donald DePriest and any Applicant Party or its Representative(s) including but not limited to the subject matter of any such Communication(s), the date any such Communication(s) occurred; and the names and affiliation of each individual who participated in or received any such Communication(s).

3. Describe each Communication between Sandra DePriest or John Reardon and Donald DePriest concerning the acquisition or lease by any Applicant Party of spectrum licensed to Maritime, including but not limited to the date any such Communication(s) occurred.

4. Describe any meeting which both Donald DePriest and any Applicant Party or its Representative(s) attended, including but not limited to the subject matter of any such meeting(s), the date any such meeting(s) took place, and the names of each individual who attended the meeting(s) and their affiliation.

5. Describe all activities or transactions conducted by Donald DePriest on behalf of Maritime.

6. Describe all Communications between Maritime or its Representative(s) and John Reardon in 2005 relating to Maritime's participation in Auction No. 61, including but not limited to the date any such Communication(s) occurred.

7. Describe all Communications between Donald DePriest and John Reardon in 2005, including but not limited to the subject matter of any such Communication(s) and the date any such Communication(s) occurred.

8. Describe all Communications between Maritime or its Representative(s) and Stephen Calabrese in 2005, including but not limited to the subject matter of any such Communication(s) and the date any such Communication(s) occurred.

9. Describe all Communications between Donald DePriest and Stephen Calabrese in 2005, including but not limited to the subject matter of any such Communication(s) and the date any such Communication(s) occurred.

10. Identify all individuals involved in Maritime's decision to purchase any Mobex asset, including but not limited to Mobex's licenses for wireless spectrum.

11. Identify all individuals who, on behalf of Maritime, participated in negotiations with Mobex concerning the acquisition of any of Mobex's assets, including but not limited to Mobex's licenses for wireless spectrum.
12. Describe each Communication between Donald DePriest and Mobex or its Representative(s) including but not limited to the subject matter of any such Communication(s); the date any such Communication(s) occurred, and the names and affiliation of each individual who participated in or received any such Communication(s).
13. Explain how Maritime financed the acquisition of Mobex's assets, including but not limited to Mobex's licenses for wireless spectrum.
14. Identify Mobex's aggregate gross revenues during the calendar years 2002, 2003 and 2004.
15. Describe all steps Maritime took to determine how to complete its Short-Form Application, Long-Form Application and/or FCC Form 602.
16. Identify all individuals who participated in preparing, approving and filing Maritime's Short-Form Application.
17. Identify all individuals who participated in preparing, approving and filing Maritime's Long Form Application and FCC Form 602.
18. Describe how Maritime determined that it was a "very small business" for the purposes of seeking a bidding credit in Auction No. 61.
19. Describe the role and responsibilities of Medcom Development Corporation as a General Partner of S/RJW Partnership, L.P. from January 1, 2002 through February 18, 2005.
20. Identify the individual who signed Maritime's Certificate of Formation.
21. Describe any relationship between Maritime and the National Rural Telecommunications Cooperative from February 15, 2005 through the present.

22. Identify each Communication between Donald DePriest and the National Rural Telecommunications Cooperative from January 1, 2002 through the present, including but not limited to the subject matter of any such Communication(s), the date any such Communication(s) occurred; and the names and affiliation of each individual who participated in or received any such Communication(s).

23. Identify each authorization licensed to Maritime that has been constructed and the date of such construction.

24. Identify each authorization licensed to Maritime for which operation has been discontinued and the date on which such operation was discontinued.

25. Identify any and all basis for why any discontinuance of any of the authorizations identified in the Bureau's Requests for Admissions of Facts and Genuineness of Documents To Maritime at Request Nos. 122, 126, 142, 146, 150, 154, 158, 162, 166, 169 and 173 is not permanent.

26. Identify all "Managers" of Maritime and describe the role and responsibilities of each such individual.

27. Identify and describe all business entities, of whatever form, in which Donald DePriest held a 50.0% or more ownership interest, or served as a director or officer, or served as a general partner, or exercised *de facto* control from January 1, 2002 through the present.

28. With regard to any business entity identified in response to Interrogatory No. 27, identify its annual gross revenues for each of the three calendar years 2002, 2003, and 2004.

29. Identify all affiliates and controlling interests of Maritime for each of the three calendar years 2002, 2003, and 2004 and the annual gross revenues of each such entity or individual in each of the three calendar years 2002, 2003, and 2004.

30. Describe the relationship between Maritime and any of the authorized bidders listed on Maritime's Short-Form Application.

31. Describe the relationship between Donald DePriest and any of the authorized bidders listed on Maritime's Short-Form Application.

32. Identify any valuation of the authorizations licensed to Maritime, including but not limited to any valuation of any of the following authorizations, in whole or in part: WQGF315, WQGF316, WQGF317, and WQGF318.

33. Identify any revenue Maritime has received or has contracted to receive in exchange for any acquisition or lease of any portion of any of the following authorizations: WQGF315, WQGF316, WQGF317, and WQGF318.

34. Identify any FCC auction that any officer, director, shareholder, manager, partner and/or beneficial owner of Maritime participated in before August 2005, including but not limited to the date of any such auction(s) and the officer, director, shareholder, manager, partner and/or beneficial owner of Maritime who participated therein.

35. Describe all Communications between Maritime or its Representative(s) and Spectrum Bridge, Inc., including but not limited to the subject matter of any such Communication(s), the date any such Communication(s) occurred, and the names and affiliation of each individual who participated in or received any such Communication(s).

36. Identify all individuals involved in Maritime's decision to use Spectrum Bridge, Inc. as a broker for the sale or lease of spectrum licensed to Maritime.

Respectfully,

P. Michele Ellison
Chief, Enforcement Bureau



Pamela S. Kane
Deputy Chief
Investigations and Hearings Division
Enforcement Bureau

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July 6, 2011

CERTIFICATE OF SERVICE

Makia Day, an Enforcement Analyst in the Enforcement Bureau's Investigations and Hearings Division, certifies that she has on this 6th day of July, 2011, sent by first class United States mail, copies of the foregoing "Enforcement Bureau's First Set Of Interrogatories to Maritime Communications/Land Mobile, LLC" to:

The Honorable Richard L. Sippel
Chief Administrative Law Judge
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554 (by hand, courtesy copy)

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