

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

In the Matter of )  
)  
**MARITIME COMMUNICATIONS/LAND** )  
**MOBILE, LLC** )  
)  
Participant in Auction No. 61 and Licensee 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** )  
)  
)  
For Commission Consent to the Assignment of )  
Various Authorizations in the Wireless Radio )  
Services )

EB Docket No. 11-71  
File No. EB-09-IH-1751  
FRN: 0013587779  
  
Application File Nos. 0004030479,  
0004144435, 0004193028,  
0004193328, 0004354053,  
0004309872, 0004310060,  
0004314903, 0004315013,  
0004430505, 0004417199,  
0004419431, 0004422320,  
0004422329, 0004507921,  
0004153701, 0004526264,  
0004636537, and 0004604962

**FILED/ACCEPTED**  
**SEP 19 2011**  
Federal Communications Commission  
Office of the Secretary

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

**SKYTEL'S REQUEST FOR PRODUCTION OF DOCUMENTS**

Warren C. Havens, Environmental, LLC, Intelligent Transportation and Monitoring  
Wireless, LLC, Skybridge Spectrum Foundation, Telesaurus Holdings GB, LLC, Verde Systems,  
LLC, and V2G LLC (collectively, "SkyTel"), pursuant to Section 1.325 of the Commission's

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rules, 47 C.F.R. § 1.325, by their attorneys, hereby request that Encana Oil and Gas (USA), Inc. (“Applicant”) produce the following documents to the undersigned attorneys at the office of SkyTel’s counsel, Drinker Biddle & Reath LLP, 1500 K Street, N.W., Suite 1100, Washington, D.C. 20005, for inspection and copying within ten (10) calendar days of the date of this request.

### **Definitions**

The following words and terms, as used in this document request, have the meanings set forth below:

1. The term “Applicant” refers to Encana Oil and Gas (USA), Inc., and any divisions, departments, affiliates, subsidiaries, parent entities, predecessors- and successors- in-interest thereof, including, without limitation, its directors, officers, managers, other parties in control, agents, employees, and representatives and any other persons acting or purporting to act on its behalf.

2. The term “Maritime” refers to Maritime Communications/Land Mobile, LLC, a Delaware LLC, and any divisions, departments, affiliates, subsidiaries, parent entities, predecessors- and successors- in-interest thereof, including, without limitation, its directors, officers, managers, other parties in control, agents, employees, and representatives and any other persons acting or purporting to act on its behalf. For purposes of this definition, affiliate shall include, but not be limited to, Sandra DePriest, Donald R. DePriest, and John Reardon.

3. The term “Commission” shall mean the Federal Communications Commission, including any Bureau or Office thereof. For the avoidance of doubt, the term “Commission” shall include the Enforcement Bureau as well as the Wireless Telecommunications Bureau.

4. The term “document” means, without limitation, all written or documentary material of any kind, full and complete, in printed hard copy or electronic form, including the

original and all non-identical copies, whether different from the originals by reason of any notation made on such copies or otherwise, including, by not limited to, applications, correspondence, electronic mail, memoranda, notes, diaries, statistics, letters, telegrams, minutes, agendas, expense accounts, bills of lading, contracts, reports, studies, statements, receipts, returns, summaries, pamphlets, books, inter-office and intra-office communications, notations of any sort or of conversations (including telephone conversations or meetings), bulletins, invoices, work sheets, computer files, or any other documentary materials of any nature whatsoever, and all drafts, alterations, modifications, changes and amendments of any of the foregoing, in the possession, custody, or control of Applicant.

5. The term “identify,” when used in connection with a document, means that Applicant should state the document’s full title, its author(s), including any contributors to the contents, the date of the document, and any and all recipients and copies.

6. “Persons” includes natural persons, corporations, partnerships including limited partnerships, associations, limited liability companies, and other legal entities, and governments or governmental bodies, commissions, boards, agencies or entities.

7. “Applications” shall mean the application for assignment of license, including any formal or informal, major or minor amendments thereto on FCC Form 603, Applicant submitted, FCC File Nos. 0004144435 and 4604962, including any formal or informal, major or minor amendments thereto.

8. “Auction Applications” shall mean the short-form application, on FCC Form 175, Maritime submitted to participate in Auction 61, FCC File No. 0002191807, including any formal or informal, major or minor amendments thereto; the long-form application, on FCC Form 601, Maritime submitted following Auction 61, FCC File No. 0002303355, including any

formal or informal, major or minor amendments thereto; and the Form 602 that Maritime filed or confirmed for purposes of said short form and long form applications, including any formal or informal major or minor amendments thereto.

9. “Site Applications” shall mean all applications, including major and minor amendments, filed by Maritime with the Commission to obtain, maintain, modify, renew, or obtain any relief with regards to its site-based “AMTS” (Automated Maritime Telecommunications System) licenses including the component stations’ authority under each such license.

10. “Licenses” shall mean any and all FCC authorizations of Maritime including, but not limited to, any and all authorizations which are listed in Attachment A to the Hearing Designation Order released on April 19, 2011 in this proceeding.

#### **Instructions**

The following instructions shall apply to this document request:

1. References to the singular also include the plural and vice versa.
2. If any document exists or existed, but is currently unavailable, identify such document and its contents as completely as possible, explain why it is unavailable, and provide the date the document was created, its author, its recipient, and the other information under the above definition of “identify.”
3. If an otherwise responsive document is withheld due to a claim of privilege, or on another basis, state fully the nature of the privilege or other basis and explain why the otherwise responsive document is encompassed by the privilege or other basis. Also, identify the document, provide a brief description of the contents of the document, as well as the date the

document was created, its author and its recipient and the other information under the above definition of “identify.”

4. If Applicant has no documents responsive to a particular document request, so state.

5. For each document produced, indicate the number, or numbers, of the document request to which it is responsive.

6. This request is continuing in character.

7. Unless otherwise stated, the time frame for all document requests is from January 1, 2002 to the present.

#### **Document Requests**

1. Provide an unredacted copy of the Hearing Designation Order released on April 19, 2011 in the above-captioned proceeding.

2. Identify and provide all documents (including but not limited to contracts and correspondence) Applicant sent or transmitted to Maritime, or received from Maritime, referencing or regarding the Applications, including, but not limited to, any records of any payments Applicant made to Maritime, any documents regarding options to purchase or lease spectrum, and any documents addressing or discussing any aspect of Maritime’s insolvency or bankruptcy.

3. Identify and provide all documents (including but not limited to applications and correspondence) Applicant sent or transmitted to the Commission, or received from the Commission, referencing or regarding the Applications.

4. Identify and provide all documents within Applicant’s possession or control (including but not limited to licensing filings and correspondence) that Maritime sent or

transmitted to the Commission, or received from the Commission, referencing or regarding the Applications, Auction Applications, and/or the Site Applications, and/or the Licenses. With respect to the documents referencing or regarding the Site Applications, the time frame is from the initial submission of any Site Application to the present.

5. Identify and provide all documents within Applicant's possession or control that Applicant sent or transmitted to any other proposed assignee of any of the Licenses, or received from any other proposed assignee of any of the Licenses, referencing or regarding the Applications and/or Licenses, including, but not limited to, any records of any payments Applicant made to Maritime, any documents regarding options to purchase or lease spectrum, and any documents addressing or discussing any aspect of Maritime's insolvency or bankruptcy.

6. Identify and provide all documents within Applicant's possession or control that Applicant sent or transmitted to, or received from, Spectrum Bridge, Inc., or any representative of Spectrum Bridge, Inc., referencing or regarding the Applications and/or Licenses.

7. Identify and provide all documents within Applicant's possession or control that Applicant sent or transmitted to, or received from, the National Rural Telecommunications Cooperative, or any representative of the National Rural Telecommunications Cooperative, referencing or regarding the Applications and/or Licenses.

8. Identify and provide all documents within Applicant's possession or control referencing or regarding the Applications and/or Licenses.

9. Identify and provide all documents within Applicant's possession or control indicating when and to what extent facilities associated with Maritime's site-based Licenses have been constructed or not constructed.

Respectfully Submitted,

Warren C. Havens, Environmental, LLC,  
Intelligent Transportation and Monitoring  
Wireless, LLC, Skybridge Spectrum  
Foundation, Telesaurus Holdings GB, LLC,  
Verde Systems, LLC, and V2G LLC

By: 

~~Laura H. Phillips~~

Howard M. Liberman

**Patrick R. McFadden**

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Their Attorneys

September 19, 2011

**CERTIFICATE OF SERVICE**

I, Patrick R. McFadden, hereby certify that on this 19<sup>th</sup> day of September, 2011, a true copy of this Opposition was served via first class, postage paid United States Mail upon the following:

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Federal Communications Commission  
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