

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

In the Matter of	)	
	)	
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	)	RECEIVED - FCC
Authorizations in the Wireless Radio Services	)	
	)	
Applicant for Modification of Various	)	NOV -7 2011
Authorizations in the Wireless Radio Services	)	Federal Communications Commission
	)	Bureau / Office
Applicant with ENCANA OIL AND GAS (USA), INC.;	)	Application File Nos.
DUQUESNE LIGHT COMPANY; DCP	)	0004030479, 0004144435,
MIDSTREAM, LP; JACKSON COUNTY RURAL	)	0004193028, 0004193328,
MEMBERSHIP ELECTRIC COOPERATIVE;	)	0004354053, 0004309872,
PUGET SOUND ENERGY, INC.; ENBRIDGE	)	0004310060, 0004314903,
ENERGY COMPANY, INC.; INTERSTATE POWER	)	0004315013, 0004430505,
AND LIGHT COMPANY; WISCONSIN POWER	)	0004417199, 0004419431,
AND LIGHT COMPANY; DIXIE ELECTRIC	)	0004422320, 0004422329,
MEMBERSHIP CORPORATION, INC.; ATLAS	)	0004507921, 0004153701,
PIPELINE – MID CONTINENT, LLC; DENTON	)	0004526264, 0004636537,
COUNTY ELECTRIC COOPERATIVE, INC.,	)	and 0004604962
DBA COSERV ELECTRIC; AND SOUTHERN	)	
CALIFORNIA REGIONAL RAIL AUTHORITY	)	
	)	
For Commission Consent to the Assignment of Various	)	
Authorizations in the Wireless Radio Services	)	

To: The Honorable Richard L. Sippel, Chief Administrative Law Judge

STATEMENT OF EXECUTIVE OFFICER

By their attorneys and pursuant to the Memorandum Opinion and Order issued by the Presiding Judge in the above-captioned proceeding on November 1, 2011,<sup>1</sup> DCP Midstream, LP (“DCP”) hereby submits this *Statement of Executive Officer*.

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<sup>1</sup> *Maritime Communications/Land Mobile, LLC*, Memorandum Opinion and Order, FCC 11M-32 (rel. Nov. 1, 2011).

On August 16, 2011, DCP filed a Motion to Withdraw its Notice of Appearance in this proceeding (“*Motion to Withdraw*”). The *Motion to Withdraw* stated that “DCP has determined not to prosecute further the captioned application and no longer wishes to participate as a party in this proceeding.”<sup>2</sup> In its motion, DCP recognized that pursuant to the Hearing Designation Order (“HDO”) in this proceeding, by withdrawing its Notice of Appearance its application would be dismissed with prejudice.<sup>3</sup> The Motion to Withdraw was unopposed.

On October 25, 2011, a Prehearing Conference was held in this proceeding during which DCP requested that the Presiding Judge rule on its unopposed *Motion to Withdraw*. The same day, the Presiding Judge issued an Order granting DCP’s Motion to Withdraw in full.<sup>4</sup>

On November 1, 2011, the Presiding Judge issued the Memorandum Opinion and Order requiring DCP to file a signed Statement by an Executive Officer reciting the company’s commitment to withdraw its application from the Wireless Bureau’s official license application files and to notify the Bureau that it has withdrawn as a party to this proceeding.<sup>5</sup> Additional requirements were imposed upon counsel in a filing due November 15, 2011.

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<sup>2</sup> *Motion to Withdraw*, p. 2.

<sup>3</sup> “...pursuant to section 1.221 of the Commission’s rules, 47 C.F.R. § 1.221, if any applicant to any of the captioned applications fails to file a timely written appearance, the captioned application shall be dismissed with prejudice for failure to prosecute.” *In re Maritime Communications/Land Mobile, LLC*, Order to Show Cause, Hearing Designation Order, and Notice of Opportunity for Hearing, FCC 11-64 at ¶68 (*rel.* Apr. 19, 2011) HDO, ¶68.

<sup>4</sup> *Maritime Communications/Land Mobile, LLC*, Order, FCC 11M-30 (*rel.* Oct 25, 2011). In its entirety, the Order reads “For good cause shown, the unopposed Motion to Withdraw Notice of Appearance filed by DCP Midstream, LP and discussed at Prehearing Conference on October 25, 2011, IS GRANTED. SO ORDERED.”

<sup>5</sup> Memorandum Opinion and Order at ¶6. The Memorandum Opinion and Order mistakenly states that DCP’s Motion to Withdraw referenced Maritime’s bankruptcy filing and the FCC’s *Second Thursday* line of cases. *See*, Memorandum Opinion and Order at ¶4. DCP’s Motion to Withdraw made no reference to Maritime’s bankruptcy or *Second Thursday*. *See*, Motion to Withdraw.

Pursuant to the Memorandum Opinion and Order, DCP respectfully submits DCP's attached *Statement of Executive Officer*.

Respectfully submitted,



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November 7, 2011

*Counsel for DCP Midstream, LP*

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

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

**To: The Honorable Richard L. Sippel, Chief Administrative Law Judge**

**STATEMENT OF EXECUTIVE OFFICER**

Pursuant to the Administrative Law Judge’s November 1, 2011, Order in the above-captioned proceeding,<sup>1</sup> I, Brent L. Backes, hereby confirm that DCP Midstream, LP (“DCP”) is committed to withdrawing its pending assignment application identified by Federal Communications Commission file number 0004354053 from the official license application files maintained by the Wireless Bureau.

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<sup>1</sup> FCC 11 M-32 (rel. Nov. 1, 2011).

DCP, through its counsel Keller and Heckman LLP, will further notify the Wireless Bureau that it has withdrawn as a party from the above-captioned hearing.

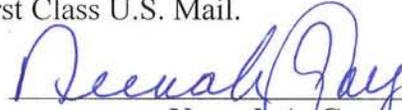
A handwritten signature in blue ink, appearing to read "B. Backes", is positioned above a horizontal line.

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**Brent L. Backes**  
**Group Vice President, General Counsel and**  
**Corporate Secretary**  
**November 3, 2011**

## CERTIFICATE OF SERVICE

I, Neenah Gay, hereby certify that on this 7<sup>th</sup> day of November, 2011, a copy of the foregoing Statement of Executive Officer was filed with the Commission, transmitted to the Office of Administrative Law Judges via fax number (202) 418-0195 pursuant to the Order (FCC 11M-11) and served on the parties listed below via First Class U.S. Mail.

  
\_\_\_\_\_  
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