

NOV - 4 2011

Federal Communications Commission
Office of the Secretary

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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,
Applicant with ENCANA OIL AND GAS (USA),	)	0004314903, 0004315013, 0004430505,
INC.; DUQUESNE LIGHT COMPANY; DCP	)	0004417199, 0004419431, 0004422320,
MIDSTREAM, LP; JACKSON COUNTY	)	0004422329, 0004507921, 0004153701,
RURAL MEMBERSHIP ELECTRIC	)	0004526264, 0004636537,
COOPERATIVE; PUGET SOUND ENERGY,	)	and 0004604962
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 REQUEST FOR EXTENSION OF TIME

1. The Presiding Judge's October 26, 2011 Order required Maritime to produce to the Enforcement Bureau ("Bureau") and to SkyTel¹ by 12 noon today, November 4, 2011, certain documents that are highly relevant to the valuation of Maritime's assets and to Maritime's

¹ "SkyTel" refers to Warren Havens, V2G, LLC, Telesaurus Holdings GB, Verde Systems, Intelligent Transportation & Monitoring Wireless, Environmental, LLC and Skybridge Spectrum Foundation.

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eventual motion for extraordinary relief.² Less than an hour before Maritime was required to produce these documents, Maritime requested an extension of the Presiding Judge's deadline.³

2. Although Maritime has requested only a short extension – essentially three and a half calendar days – this is not the first time Maritime has asked for an extension to respond to legitimate discovery requests. This latest request reflects a disturbing pattern of Maritime seeking last-minute extensions without offering any good cause.⁴ As in its previous requests for extension, the primary argument Maritime offers in support of this Request is that various Maritime personnel, including Sandra and Donald DePriest, have been unavailable for one reason or another for some period of time since Maritime learned it had to produce this information at the prehearing conference nearly two weeks ago on October 25, 2011. In particular, Maritime argues that its principals and personnel have been unavailable because they were focused instead on addressing discovery requests submitted by SkyTel in the bankruptcy proceeding – which the bankruptcy court did not even allow until after October 31.⁵ Even accounting for the fact that Maritime chose to focus on requests served in the bankruptcy court instead of collecting documents the Presiding Judge ordered to be produced in this proceeding, Maritime offers no explanation for why it waited until the very day these documents were to be produced to seek an extension. Instead, as in the past, it would appear that Maritime purposefully waited to file its request for an extension with the expectation that, by doing so, Maritime's request would be self-effectuating.

² See Order, FCC 11M-31 (ALJ, rel. Oct. 26, 2011).

³ See Maritime's Request for Extension of Time, filed November 4, 2011 ("Request").

⁴ See, e.g., Maritime's Motion for Further Extension of Time to Respond to Requests for Admisison, filed June 24, 2011; Maritime's Motion for Extension of Time to Respond to the Enforcement Bureau's Initial Discovery Requests, filed July 15, 2011.

⁵ See Request at 2.

3. The Bureau fully understands and appreciates that unexpected events may arise from time to time that warrant reasonable adjustments of the procedural schedule. However, the Bureau believes it is compelled to oppose Maritime's request, particularly when the stated reasons for the requested extension were apparently foreseeable and entirely within Maritime's control. Maritime should not need to be reminded that it is the target of this hearing proceeding, and that it must begin to make itself available as necessary to meet the Presiding Judge's deadlines and Maritime's discovery and other obligations as a licensee.

Respectfully submitted,
P. Michele Ellison
Chief, Enforcement Bureau



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November 4, 2011

CERTIFICATE OF SERVICE

Ernestine Creech, a Paralegal Specialist in the Enforcement Bureau's Investigations and Hearings Division, certifies that she has on this 4th day of November, 2011, sent by first class United States mail copies of the foregoing "ENFORCEMENT BUREAU'S OPPOSITION TO REQUEST FOR EXTENSION OF TIME" to:

The Honorable Richard L. Sippel
Chief Administrative Law Judge
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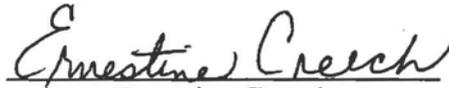
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Intelligent Transportation and & Monitoring Wireless; Environmental LLC; and
Skybridge Spectrum Foundation**

A handwritten signature in cursive script that reads "Ernestine Creech". The signature is written in black ink and is positioned above a horizontal line.

Ernestine Creech