

**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 for Modification of Various )  
Authorizations in the Wireless Radio Services )

**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

**FILED/ACCEPTED**

**JAN 25 2012**

Federal Communications Commission  
Office of the Secretary

Application File Nos.  
0004030479, 0004144435,  
0004193028, 0004193328,  
0004354053, 0004309872,  
0004310060, 0004314903,  
0004315013, 0004430505,  
0004417199, 0004419431,  
0004422320, 0004422329,  
0004507921, 0004153701,  
0004526264, 0004636537,  
and 0004604962

**[Proposed] ORDER**

**Issued: January 25, 2012**

**Released: January 25, 2012**

1. On August 16, 2011, DCP Midstream, LP (“DCP”) filed a Motion to Withdraw its Notice of Appearance in this proceeding (“*Motion to Withdraw*”), stating that “DCP has determined not to prosecute further the captioned application and no longer wishes to participate

as a party in this proceeding.”<sup>1</sup> In its motion, DCP recognized that by withdrawing its Notice of Appearance its application would be dismissed with prejudice by the Commission pursuant to the Hearing Designation Order (“HDO”).<sup>2</sup>

2. 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 Presiding Judge indicated that the motion would be granted. The same day, the Presiding Judge issued an *Order* granting in full DCP’s Motion to Withdraw without condition.<sup>3</sup>

3. On November 1, 2011, the Presiding Judge issued a Memorandum Opinion and Order, which stated that “in order to assure completeness and finality of the relief sought,” DCP was required by November 15, 2011, to provide certain additional information and to recite a commitment to take the steps necessary to withdraw its pending applications subject to the hearing.

4. On November 15, 2011, DCP provided the Presiding Judge with the additional information required by the November 1 Order and confirmed that the subject application had been withdrawn by the assignor, Maritime Communications/Land Mobile, LLC (“Maritime.”).

## RULING

4. Accordingly, IT IS ORDERED that the Motion to Withdraw Notice of Appearance filed by DCP Midstream, LP is GRANTED, and IT IS ORDERED that DCP Midstream, LP is no longer a party to this proceeding.

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<sup>1</sup> *Motion to Withdraw*, p. 2.

<sup>2</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>3</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.”

FEDERAL COMMUNICATIONS COMMISSION

Richard L. Sippel  
Chief Administrative Law Judge