FILED/ACCEPTED
FEB 27 2012
Federal Communications Commission
Office of the Secretary

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In re	)	
	)	
MARITIME COMMUNICATIONS/LAND MOBILE, LLC	)	EB Docket No. 11-71 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 Authorizations in the Wireless Radio Services	)	Application File Nos. 0004030479, 0004144435, 0004193028, 0004193328, 0004354053, 0004309872, 0004310060, 0004314903, 0004315013, 0004430505, 0004417199, 0004419431, 0004422320, 0004422329, 0004507921, 0004153701, 0004526264, 0004636537, and 0004604962
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**	)	

To: Pinnacle Wireless, Inc.

ENFORCEMENT BUREAU'S FIRST SET OF REQUESTS FOR THE PRODUCTION OF DOCUMENTS FROM PINNACLE WIRELESS, INC.

1. Pursuant to Section 1.325 of the Commission's Rules, 47 C.F.R. § 1.325, the Enforcement Bureau ("Bureau") hereby requests that Pinnacle Wireless, Inc. ("Pinnacle") produce the Documents, as defined and specified herein, and deliver the Documents to the offices of the Investigations and Hearings Division, Enforcement Bureau, Suite 4-C330, 445 12th

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List ABCDE

Street, S.W., Washington, DC 20554 (or at some other location that is mutually acceptable to the Bureau and Pinnacle) within ten (10) days of the date of this Document Request.

Definitions

a. As used herein, the term "you" or "your" or "Pinnacle" or "Pinnacle Wireless, Inc." means Pinnacle Wireless, Inc., 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.

b. 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.

c. "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.

d. 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.

e. 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.

f. 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.

g. 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.

h. The term "and" also means "or" and the term "or" also means "and."

i. The term "each" also means "every" and the term "every" also means "each."

j. The term "all" also means "any" and the term "any" also means "all."

k. 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 Pinnacle.

l. "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.

m. "Communication" means any discussion or any written or electronic correspondence or recorded voice message of any kind.

n. "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.

o. "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.

p. "Entity" means any corporation, company, partnership, proprietorship, joint venture, or business, as well as any governmental unit.

q. "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.

r. "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.

s. "Commission" or "FCC" means the Federal Communications Commission and all of its bureaus and offices.

t. "Rules" means the Commission's regulations found in Title 47 of the Code of Federal Regulations.

u. "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.

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. Defined terms have the meaning provided above, whether or not they are capitalized below.

b. 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.

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

DOCUMENTS REQUESTED

1. All agreements, contracts or understandings entered into between Pinnacle and Maritime for the lease of spectrum licensed to Maritime.

2. All agreements contracts or understandings entered into between Mobex and Motorola concerning site-based authorization WRV374.

3. All agreements, contracts or understandings entered into between Pinnacle and Mobex or Motorola concerning site-based authorization WRV374.

4. All documents upon which you intend to rely to demonstrate that site-based authorization WRV374 was constructed in accordance with Section 80.49(a) of the Rules.

5. All documents upon which you intend to rely to demonstrate that site-based authorization WRV374 has not automatically terminated pursuant to the applicable Rules.

6. Documents sufficient to demonstrate that each location or frequency of site-based authorization WRV374 was placed in operation within two years of the grant of the authorization.

7. Documents sufficient to identify the date on which construction of each location or frequency of site-based authorization WRV374 was commenced.

8. Documents sufficient to identify the date on which construction of each location or frequency of site-based authorization WRV374 was completed.

9. Documents sufficient to identify the equipment (including the makes and models) that was purchased, leased and/or used in the construction of each location or frequency of site-based authorization WRV374, including: radio transceivers, radio transmitters, power amplifiers, combiners, duplexers, antenna cables, transmit and receive antennas, the building in which the radio-transmitter and power amplifier equipment was housed, components to achieve interconnection, as that term is defined in Section 20.3 of the Rules, components to achieve station-to-station linking including for continuity of coverage and any other equipment components.

10. All agreements, contracts or understandings entered into between you or Maritime and any person or entity who participated in the construction of each location or frequency of site-based authorization WRV374.

11. With respect to each location or frequency of site-based authorization WRV374, provide documentation provided by the technician or other person involved in completing construction of each such location or frequency reflecting completion, including but not limited to those documents reflecting any performance and conformance tests that were performed.

12. Documents sufficient to show the date on which each location or frequency of site-based authorization WRV374 was placed in operation.

13. All Documents that demonstrate the role that Pinnacle played in the construction of any location or frequency of site-based authorization WRV374.

14. In the event that any location or frequency of site-based authorization WRV374 was placed in operation and went off the air for a continuous period of one year or more, all

documents referring or relating to why any such location or frequency of site-based authorization WRV374 went off the air for a continuous period of one year or more.

15. All electric utility bills, and evidence of payment thereon, for each location or frequency of site-based authorization WRV374.

16. All leases, contracts, agreements and understandings relating to tower and/or antenna leases, and evidence of payment thereon, for each location or frequency of site-based authorization WRV374.

17. All real estate or office leases, and evidence of payment thereon, for each location or frequency of site-based authorization WRV374.

18. All documents sufficient to show the coverage area provided by each location or frequency of site-based authorization WRV374.

19. All interconnection agreements, contracts and understandings referring or relating to any location or frequency of site-based authorization WRV374.

20. Documents sufficient to identify payments to Maritime made by you for AMTS service offered by Pinnacle.

21. Documents sufficient to identify Pinnacle's organizational structure.

Respectfully,

P. Michele Ellison
Chief, Enforcement Bureau

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

Brian J. Carter
Attorney
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Enforcement Bureau

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February 27, 2012

CERTIFICATE OF SERVICE

Alicia McCannon, an Enforcement Analyst in the Enforcement Bureau's Investigations and Hearings Division, certifies that she has on this 27th day of February, 2012, sent by first class United States mail copies of the foregoing "ENFORCEMENT BUREAU'S FIRST SET OF REQUESTS FOR THE PRODUCTION OF DOCUMENTS FROM PINNACLE WIRELESS, INC." to:

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

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