

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

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MAR 14 2012  
FCC Mail Room

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In re )  
)  
**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 )  
)  
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

**ORDER**

**Issued: March 12, 2012**

**Released: March 12, 2012**

Discovery status was the subject of intense discussion at Pre-Hearing Conference of March 12, 2012. The Enforcement Bureau focused on asserted deficiencies in Maritime's responses to Interrogatories which are narrowed to seven (7). For reference, a copy of the Bureau's summary of the substance and status of the seven is attached.

It was ordered from the bench that Maritime and the Bureau utilize the Attachment as a starting point for negotiations towards the Bureau receiving clearer and more informing responses. A timeframe for negotiations was set.

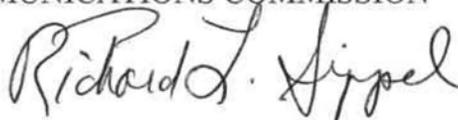
### **Rulings**

Accordingly, IT IS ORDERED that Bureau counsel and counsel for Maritime meet and discuss means for improving the informing and clarity of Maritime's Responses to Bureau Interrogatories.

IT IS FURTHER ORDERED that by COB on March 20, 2012, counsel for Enforcement Bureau SHALL FILE AND SERVE a Status Report on negotiations to include Request for Ruling on pending Motion to Compel, if necessary.

IT IS FURTHER ORDERED that by COB on March 22, 2012, Maritime SHALL FILE AND SERVE a Status Response, if necessary.

FEDERAL COMMUNICATIONS COMMISSION<sup>1</sup>



Richard L. Sippel  
Chief Administrative Law Judge

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<sup>1</sup>Copies of this Order are e-mailed on issuance to each counsel and Mr. Warren Havens.

**MARITIME'S INTERROGATORY DEFICIENCIES AS OF 3/12**

No.	Text of the Interrogatory	Maritime's Response	What is still missing
5	Identify, by call sign and location, each site-based authorization for which a station was placed in operation and the date on which each such station was placed in operation	<p>Responded that "[e]ach facility was placed into operation on the date construction was completed."</p> <p>Identified completion dates for only 28 of the 124 facility locations at issue</p>	The date construction was completed for each station
8	Identify, by call sign and location, each site-based authorization with a station for which Maritime has end users paying for AMTS services	Stated that it leases spectrum to a number of entities in a number of states around the country but not which entity leases which call sign and location	For each call sign and location at issue, the end user(s) paying Maritime for AMTS services (including lessees)
11	Identify any period of time during which any station at issue was not interconnected	Described how certain stations were interconnected	The time period, if any, during which a station was <i>not</i> interconnected
13	Identify each site-based authorization for which a station is currently operating and whether that station has been in continuous operation	<p>2/6: No response</p> <p>2/8: No response</p> <p>2/28: Look to Table 2 which Maritime claimed "includes a designation of the status of each of the sites" but the chart did not identify which calls signs and locations were currently operating</p>	Each site-based authorization for which a station is currently operating and whether that station has been in continuous operation

No.	Text of the Interrogatory	Maritime's Response	What is still missing
20	Identify, by call sign and location, whether the site-based authorizations at issue were properly constructed in accordance with the relevant licenses	<p>2/6: All of the stations were constructed in accordance with the relevant licenses <i>except</i> for those where there were minor variations as reported to the Commission</p> <p>2/28 in Response to Motion to Compel: look to supplemental interrogatory answers filed concurrently but that Further Supplemental Response does not contain any response to Interrogatory No. 20</p>	Which of the stations were constructed in variance to the license requirements