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MAR 14 2012
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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

FCC 12M-17
09219

In the Matter of	)	EB Docket No. 11-71
)	
MARITIME COMMUNICATIONS/LAND	)	File No. EB-09-IH-1751
MOBILE, LLC	)	FRN: 0013587779
)	
Participant in Auction No. 61 and Licensee of)	
Various Authorizations in the Wireless Radio)	
Services)	
	)	Application File Nos.
Applicant for Modification of Various	)	0004030479, 0004144435,
Authorizations in the Wireless Radio Services	)	0004193028, 0004193328,
	)	0004354053, 0004309872,
Applicant with ENCANA OIL AND GAS (USA),	)	0004310060, 0004314903,
INC.; DUQUESNE LIGHT COMPANY, DCP	)	0004315013, 0004430505,
MIDSTREAM, LP; JACKSON COUNTY	)	0004417199, 0004419431,
RURAL MEMBERSHIP ELECTRIC	)	0004422320, 0004422329,
COOPERATIVE; PUGET SOUND ENERGY,	)	0004507921, 0004153701,
INC.; ENBRIDGE ENERGY COMPANY,	)	0004526264, 0004636537,
INC.; INTERSTATE POWER AND LIGHT	)	and 0004604962
COMPANY; WISCONSIN POWER AND)	
LIGHT COMPANY; DIXIE ELECTRIC)	
MEMBERHIP 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)	
Service)	

ORDER

Issued: March 9, 2012

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Released: March 9, 2012

On March 9, 2012, SkyTel filed a Request to Permit Bankruptcy Counsel and Other Counsel to Appear at March 12 Status Conference by Telephone.

By Order (FCC 12 M-7), released January 27, 2012, the Presiding Judge had ordered: "*SkyTel shall have 12 days from the date of this Order TO RETAIN Counsel. . .*". Even at this late date, SkyTel has not complied with that mandate. Nor has SkyTel provided documentation regarding new counsel (e.g., Notice of Appearance and executed copy of Protective Order).

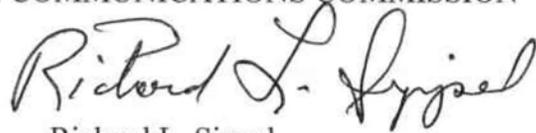
With such a showing of delinquency, SkyTel has not demonstrated a "good faith" effort to comply with a Commission order requiring counsel. Bankruptcy counsel for Mr. Havens does not qualify as communications counsel by Mr. Havens' own admission. Similarly, New Jersey counsel has no qualifications to appear in this proceeding. Therefore, the case will proceed without Mr. Havens' or SkyTel's further participation until this enigma is corrected. Delays for this type of frolic simply cannot be tolerated.

Ruling

Accordingly, IT IS ORDERED that only SkyTel's Request to Permit Bankruptcy Counsel to Appear at Status Conference by Telephone IS GRANTED, but only with respect to bankruptcy status advice and reporting.

IT IS FURTHER ORDERED that **neither** New Jersey counsel **nor** Warren C. Havens may participate in the conference via telephone call or otherwise.¹

FEDERAL COMMUNICATIONS COMMISSION²



Richard L. Sippel
Chief Administrative Law Judge

¹ Mr. Havens may listen in to the conference call on an extension. Mr. Havens may arrange for his bankruptcy attorney's participation in the conference call (i.e., payment and logistics only). Finally, this *Order* renders moot the request of Mr. Havens to himself participate.

² Courtesy copies of this *Order* sent to counsel and Mr. Havens by e-mail on date of issuance.