

BEFORE THE FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In re)	
)	
MARITIME COMMUNICATIONS/LAND MOBILE, LLC)	EB Docket No. 11-71
)	File No. EB-09-01-1751
Participation in Auction No. 61 and Licensee Of Various)	FRN: 001358779
Authorizations in the Wireless Radio Services)	
)	
Applicant for Modification of Various)	App. FNs 0004030479,
Authorizations in the Wireless Radio Services)	0004144435, 0004193028,
Applicant with ENCANA OIL AND GAS, <i>Et al.</i>)	0004193328, 0004354053, etc.

(
To: Marlene Dortch, Secretary. Attn: the Commission

Errata
Request Under § 1.301(b) *

The undersigned (“Havens”) hereby requests permission to appeal under §1.301(b) (the “Rule”) the March 12, 2014 Order FCC 14M-9 of ALJ Sippel (the “ALJ”) (“M9”) (“M9 Request”) since M9 involves the following "new or novel question[s] of law or policy and that the ruling is such that error would be likely to require remand should the appeal be deferred and raised as an exception:"

M9 in effect finds that the underlying joint motion of Maritime and the Enforcement Bureau (“M-EB”) for a settlement, presented in part as a motion for summary decision, on December 2, 2013 (the “Motion”) is deficient and defective, and yet, instead of denying the Motion, M9 provides another chance for M-EB to seek the file a motion for summary decision, long after the deadline for any such motion set by the Judge in his scheduling order that M-EB themselves advocated (the deadline was December 2, 2013). In addition, said scheduling order did not provide for any motion for summary decision since Maritime had already submitted one and it was denied. Instead, the scheduling order allowed on December 2, 2013 motions to resolve issues in the hearing on issue (g) after the summary decision attempt was denied, and what M-EB had informed the Judge they would submit at that time was a proposal for settlement, which is what they actually submitted in content.

M9 is new and novel. It is an effective major change in the scheduling order after the

*This errata version has one correction on page 2, as shown.

Judge made fully clear that he will strictly enforce it,¹ and no good cause has been provided in M9 or otherwise, as to this change. It provides major relief to M-EB and major prejudice to me, as the party opposing M-EB, without giving good cause therefor, and where EB-M did not ask for another chance to submit another motion for summary decision, or to attempt to cure their Motion (which was actually a request to approve a settlement). It constructively assists a party in this contested cause, by suggesting a legal standard the Judge may apply involving plans of Maritime to operate the subject AMTS spectrum at the alleged stations, without providing any good cause therefore. It effectively denies my December 16, 2013 opposition of the Motion, without providing any reason therefor. It interferes with my pending interlocutory appeals of past orders of Judge Sippel before the Commission including on the issue of effective removal of my assisting counsel, on the basis of which I believe rule section 1.301(a)(5) applies as to adjournment.

Respectfully submitted,

/s/

Warren Havens

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~~March 6, 2014~~ March 18, 2014

¹ My oppositions to the Motion were found impermissibly tardy when filed after a time of day that was not, in fact, ever established by the Judge: see my interlocutory appeal (errata copy) to the Commission in this proceeding, and its Exhibit on this topic, filed on March 6, 2014. The point here is that the Judge has strictly enforced the deadlines in the schedule, not the issue of the time of day by which a filing must be made.

CERTIFICATE OF SERVICE

The undersigned certifies that he has on this 18th day of March, 2014 caused to be served by first class United States mail copies² of the foregoing Appeal to:

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Chief Administrative Law Judge
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² The email addresses herein are not for purposes of service of this pleading.

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/ s / [Electronically signed. Signature on file.]

Warren Havens