Before the
Federal Communications Commission
Washington, D.C. 20554

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; PUGET SOUND ENERGY, INC.; ENBRIDGE ENERGY COMPANY, INC.; INTERSTATE POWER AND LIGHT COMPANY; WISCONSIN POWER AND LIGHT COMPANY; DIXIE ELECTRIC MEMBERSHIP CORPORATION, INC.

To: Marlene H. Dortch, Secretary
Attention: Chief Administrative Law Judge Richard L. Sippel

ENFORCEMENT BUREAU’S RENEWED REQUEST TO SERVE REQUESTS FOR ADMISSION ON ISSUES OTHER THAN ISSUE (G)

1. The Enforcement Bureau (Bureau) respectfully renews its request to serve requests for admission on Issues other than Issue (g). By way of background, the Bureau originally served Requests for Admission of Facts and Genuineness of Documents (RFAs) on Maritime Communications/Land Mobile LLC (“Maritime”) on May 31, 2011. These RFAs were directed to all of the Issues designated in the Order to Show Cause, Hearing Designation

1 See Enforcement Bureau’s Requests for Admission of Facts and Genuineness of Documents to Maritime Communications/Land Mobile, LLC, served May 31, 2011.
Order, and Notice of Opportunity for Hearing (HDO), including Issues other than Issue (g).  

2. Nearly one third of Maritime’s answers to the Bureau’s original RFAs, however, were unresponsive and uninformative, and failed to comply with the Commission’s rules. The Bureau moved to compel Maritime’s responses to its RFAs and the Presiding Judge granted the Bureau’s motion. However, Maritime requested a stay of the Presiding Judge’s ruling in light of its motion to defer the entire proceeding pending resolution of its request for Second Thursday relief. The Presiding Judge granted Maritime’s motion and stayed all Issues in the HDO, except Issue (g), thus postponing Maritime’s obligation to supplement its responses to all of the Bureau’s RFAs. Accordingly, Maritime’s supplemental responses only addressed Issue (g).

3. In addition, the Bureau’s original RFAs were served before the Presiding Judge issued the Protective Order on July 20, 2011, and as such, could not – and did not – address documents or information designated as “confidential.”

4. For the foregoing reasons, the Bureau respectfully renews its request that it be permitted to serve requests for admission concerning Issues other than Issue (g) with the expectation that these requests may narrow the scope of the factual discovery needed on these Issues and alleviate the need to authenticate relevant documents pre-hearing. The Bureau is prepared to serve these requests by May 1, 2015.

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2 See id.
3 See Enforcement Bureau’s Motion to Compel Maritime to Properly Respond to Requests for Admission of Facts and Genuineness of Documents, filed Jul. 7, 2011.
5 See Maritime’s Motion to Stay Memorandum Opinion and Order (FCC 11M-23), filed Aug. 17, 2011.
8 The Bureau first raised this request in the Joint Proposed Discovery Schedule, filed Oct. 9, 2014.
Respectfully submitted,

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April 21, 2015
CERTIFICATE OF SERVICE

Alicia McCannon, an Enforcement Analyst in the Enforcement Bureau’s Investigations and Hearings Division, certifies that she has on this 21st day of April, 2015, sent by first class United States mail copies of the foregoing “ENFORCEMENT BUREAU’S RENEWED REQUEST TO SERVE REQUESTS FOR ADMISSION ON ISSUES OTHER THAN ISSUE (G)” to:

The Honorable Richard L. Sippel
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