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 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
COPANY; DCP MIDSTREAM, LP;
JACKSON COUNTY RURAL,
MEMBERSHIP ELECTRIC
COOPERATIVE; PUGET SOUND
ENERGY, INC.; INTERSTATE
POWER AND LIGHT COMPANY; ET AL.
) FRN: 001358779
) App. FNs 0004030479,
) 0004144435, 0004193028,
) 0004193328, 0004354053,
) 0004309872, 0004310060,
) 0004314903, 0004315013,
) 0004430505, 0004417199,
) 0004419431, 0004422320,
) 0004422329, 0004507921,
) 0004153701, 0004526264,
) 0004636537, 0004604962.

To: Marlene Dortch, Secretary. (See footnote 1)
Attn: Chief Administrative Law Judge Richard Sippel (see footnote 1)

Request to Strike and Comments on
Choctaw’s “Opposition to Interlocutory Appeal of Warren Havens”

Request to Strike. The Choctaw “Opposition” filed on 2-2-14 (“C Opposition”) is unauthorized, procedurally defective, contrary to Order of Judge Sippel (the “ALJ”) regarding the extent that Choctaw may participate in docket 11-71 (discussed below), and is thus frivolous and sanctionable under rule §1.52, and should result in the C Opposition being stricken and sanctions imposed for the following reasons. (1) In the ALJ’s Order FCC 13M-4 found that Choctaw participation for months in this proceeding 11-71 was improper (page 2) and from the date of this Order on that “Choctaw shall be permitted to continue as a party in this proceeding only for the limited purpose of updating the Presiding Judge on the status of its applications,” which this Order earlier described as the pending applications of Maritime to assign its AMTS licenses to Choctaw before the Wireless Bureau. The C Opposition is outside of that very

1 This is filed on ECFS as authorized by the office of the Secretary as described in the pending interlocutory appeals of Warren Havens regarding docket 11-71,
narrow permission granted and is thus a violation of that Order and should be stricken and subject Choctaw to sanctions. (2) Said Applications have not been granted and Choctaw thus lacks Article III standing in the matters of, and to have filed, its C Opposition. See SunCom v. FCC, 318 U.S. App. D.C. 377.

If, however, the Commission elects to consider the C Opposition, then I reserve the right to respond to it (further than the comments below).

Comments. The C Opposition indicates that Choctaw has obtained unauthorized from Maritime of the subject site-based licenses at issue in the current “issue (g)” phase of the 11-71 hearing since Choctaw is attempting to defend the licenses and otherwise assert interests in and for the licenses in the C Opposition. I have many times shown in pending pleadings, including my December 16, 2013 Opposition filed in this proceeding, that Choctaw has obtained and is using control in the licenses, in violation of FCC rules and the Communications Act. The C Opposition continues this. This should be investigated by the Commission, since the ALJ has repeatedly failed to do so.

Respectfully submitted,

/s/
Warren Havens[*]
2509 Stuart Street, Berkeley CA 94705. (510) 848 7797
February 12, 2014

[*] This is also submitted for the SkyTel entities for the limited purposes described in the pending interlocutory appeals of Warren Havens regarding docket 11-71, by Mr. Havens as President of the entities.
CERTIFICATE OF SERVICE

The undersigned certifies that he has on this 12th day of February, 2014 caused to be served by first class United States mail copies of the foregoing to:

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

Warren Havens