

---

November 5, 2014

The Honorable Tom Wheeler  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

Re: Maritime Communications/Land Mobile  
WT Docket No. 13-85; EB Docket No. 11-71

Dear Chairman Wheeler:

The Enterprise Wireless Alliance (“EWA” or “Alliance”) strongly supports the October 31, 2014 letter filed in the above-identified proceedings by organizations that represent electric utilities and oil and gas companies (“CII Letter”). The CII Letter urges the Commission to reconsider its decision in which it rejected requests to allow the processing of applications proposing the assignment of spectrum from Maritime Communications/Land Mobile (“MCLM”) to companies that would use it in support of their critical oil and gas and electric utility operations.<sup>1</sup> In contrast, the Commission approved the processing of an application for the assignment of spectrum from MCLM to Southern California Regional Rail Authority (“SCRRA”) for use in meeting SCRRA’s Positive Train Control (“PTC”) obligations. In rejecting the other requests, the Commission distinguished the SCRRA application stating that “...unlike PTC, those other services are not dedicated to communications to prevent human injury and property damage, but are also used for day-to-day facilities management and other purposes that primarily serve the business needs of the licensee.”<sup>2</sup>

EWA agrees that the SCRRA application should be removed from the hearing involving MCLM’s character qualifications and processed promptly. Implementation of PTC capability unquestionably has important public safety implications. However, it also agrees with the showing in the CII Letter that critical health and safety aspects of oil, gas and electric utility company operations amply justify comparable relief. As with SCRRA, their “business needs” are inextricably intertwined with their ability to deliver these vital services safely, efficiently, and in compliance with the multitude of public safety-related Federal mandates to which they are subject.

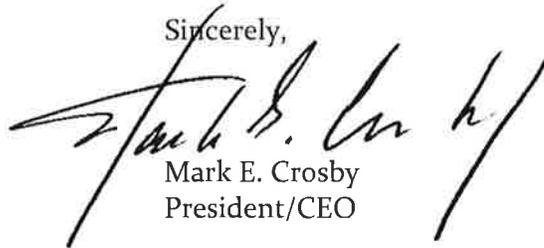
---

<sup>1</sup> See Memorandum Opinion and Order, FCC 14-114 (rel. Sept. 11, 2014) (“MO&O”).

<sup>2</sup> MO&O at ¶ 36.

The record in these proceedings supports a finding that the applications in question were filed in good faith by the proposed assignees and without knowledge that the MCLM licenses were to become the subject of a multi-year hearing. Like the parties to the CII letter, the Alliance believes the public interest would be well-served by a Commission decision to allow the removal of those applications from the MCLM hearing and their processing consistent with applicable FCC rules.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark E. Crosby". The signature is written in a cursive, flowing style with a large initial "M" and a long, sweeping tail.

Mark E. Crosby  
President/CEO

CERTIFICATE OF SERVICE

I, Linda J. Evans, with the law firm of Lukas, Nace Gutierrez and Sachs, LLP, hereby certify that I have, on this 5th<sup>st</sup> day of November, 2014 caused to be mailed, first-class, postage prepaid, a copy of the foregoing letter to the following. Courtesy copies were provided by electronic mail where indicated:

James Crandall  
Policy Analyst  
Telecommunications Subcommittee  
American Petroleum Institute  
1220 L Street, NW  
Washington, DC 20005-4070

Connie Durcsak  
President/Chief Executive  
Utilities Telecom Council Edison  
1129 20th Street, NW  
Suite 350  
Washington, DC 20036

Robert A. Fuhrer  
Vice President and General Counsel  
National Rural Telecommunications  
Cooperative  
2121 Cooperative Way  
Herndon, VA 20171

The Honorable Richard L. Sippel  
Chief Administrative Law Judge  
Federal Communications Commission  
445 12th St., S.W.  
Washington, D.C. 20554  
Richard Sippel [Richard.Sippel@fcc.gov](mailto:Richard.Sippel@fcc.gov)  
Patricia Ducksworth  
[Patricia.Ducksworth@fcc.gov](mailto:Patricia.Ducksworth@fcc.gov)  
Austin Randazzo [Austin.Randazzo@fcc.gov](mailto:Austin.Randazzo@fcc.gov)  
Mary Gosse [Mary.Gosse@fcc.gov](mailto:Mary.Gosse@fcc.gov)

Aryeh Fishman  
Associate General Counsel  
Officer Regulatory Legal Affairs  
Edison Electric Institute  
701 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004-2696

Pamela S. Kane, Deputy  
Investigations and Hearings Division  
Michael Engel  
Enforcement Bureau  
Federal Communications Commission  
445 12th St., S.W., Rm. 4-C330  
Washington, DC 20554  
[Pamela.Kane@fcc.gov](mailto:Pamela.Kane@fcc.gov)  
[Michael.Engel@fcc.gov](mailto:Michael.Engel@fcc.gov)

Martha A. Duggan  
Senior Principal, Regulatory Affairs  
National Rural Electric Cooperative  
Association  
4301 Wilson Blvd.  
Arlington, VA 22203

Dan Mueller  
Chair, Regulatory and Technology  
Committee  
Energy, Telecommunications and  
Electrical Association  
5005 W. Royal Lane, Suite 291  
Irving, Texas 75063

Sandra DePriest  
Maritime Communications/  
Land Mobile LLC  
218 N. Lee St., Ste. 318  
Alexandria, VA 22314

Dennis C. Brown  
8124 Cooke Ct., Ste. 201  
Manassas, VA 20109  
[d.c.brown@att.net](mailto:d.c.brown@att.net)  
*Counsel for Maritime Communications/  
Land Mobile LLC*

Jeffrey L. Sheldon  
Levine, Blaszak, Block & Boothby, LLP  
2001 L St., N.W., Ste. 900  
Washington, DC 20036  
[sheldon@lb3law.com](mailto:sheldon@lb3law.com)  
*Counsel for Puget Sound Energy, Inc.*

Charles A. Zdebski  
Eckert, Seamans, Cherin & Mellott, LLC  
1717 Pennsylvania Ave., N.W.  
12<sup>th</sup> Floor  
Washington, D.C. 20006  
[czdebski@eckertseamans.com](mailto:czdebski@eckertseamans.com)  
*Counsel for Duquesne Light Co.*

Paul J. Feldman  
Harry F. Cole  
Fletcher, Heald & Hildreth, P.L.C.  
1300 N. 17<sup>th</sup> St., 11<sup>th</sup> Floor  
Arlington, VA 22209  
[feldman@fhhlaw.com](mailto:feldman@fhhlaw.com)  
[cole@fhhlaw.com](mailto:cole@fhhlaw.com)  
*Counsel for Southern California Regional  
Rail Authority*

Robert J. Keller  
Law Offices of Robert J. Keller, P.C.  
P.O. Box 33428  
Washington, DC 20033  
[rij@telecomlaw.com](mailto:rij@telecomlaw.com)  
*Counsel for Maritime Communications/  
Land Mobile LLC*

Robert G. Kirk  
Wilkinson, Barker, Knauer, LLP  
2300 N St., N.W., Ste. 700  
Washington, DC 20037  
[RKirk@wbklaw.com](mailto:RKirk@wbklaw.com)  
*Counsel for Choctaw Telecommunications,  
LLC and Choctaw Holdings, LLC*

Matthew J. Plache  
Law Office of Matthew J. Plache  
5425 Wisconsin Ave., Ste. 600  
PMB643  
Chevy Chase, MD 20815  
[Matthew.plache@plachelaw.com](mailto:Matthew.plache@plachelaw.com)  
*Counsel for Pinnacle Wireless Corp.*

Warren Havens  
Jimmy Stobaugh  
GM Skytel Entities  
2509 Stuart St.  
Berkeley, CA 94705  
[Warren.havens@sbcglobal.net](mailto:Warren.havens@sbcglobal.net)  
[jstobaugh@telesaurus.com](mailto:jstobaugh@telesaurus.com)

James A. Stenger  
Chadbourne & Parke LLP  
1200 New Hampshire Ave., N.W.  
Washington, DC 20036  
[jstenger@chadbourne.com](mailto:jstenger@chadbourne.com)  
*Counsel for Environmental LLC and  
Verde Systems LLC*

/s/ Linda Evans