

ORIGINAL

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

Application of Maritime )  
Telecommunications Network, Inc. ) FCC File No. 0100-EX-RR-1999  
for Renewal of Experimental )  
Authorization Call Sign KI2XEE )

MAY 24 2000

To: Chief, Office of Engineering and Technology

**MOTION TO STRIKE "PETITION FOR EXPEDITED ACTION"**

Maritime Telecommunications Network, Inc. ("MTN"), by its attorneys, hereby requests that the Commission strike from the record the "Petition for Expedited Action" (the "Petition") filed on May 10, 2000, by the Fixed Wireless Communications Coalition ("FWCC"), the Association of American Railroads ("AAR"), the American Petroleum Institute ("API"), the Association of Public-Safety Communications Officers International ("APCO"), and the United Telecom Council (formerly the Utilities Telecommunications Council or "UTC") (hereinafter collectively referred to as "Joint Petitioners").<sup>1</sup>

MTN's pending application for renewal of experimental authorization has been on file with the Commission for over 15 months, and MTN certainly supports speedy action by the Commission. If the Joint Petitioners had filed a legitimate petition for expedited action, MTN would have joined with the Joint Petitioners in requesting expedited action. However, out of an 11-page pleading, only one paragraph occupying one half of the text on the first page is devoted to the request for expedited

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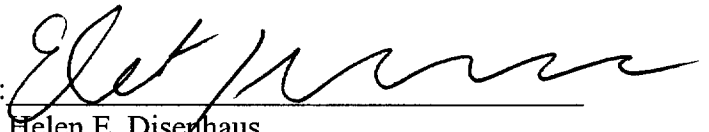
<sup>1</sup> In the event that the Commission does not grant the instant Motion to Strike but instead decides to consider the substance of the arguments presented by the Joint Petitioners, MTN is simultaneously filing an Opposition to "Petition for Expedited Consideration."

action. The rest of the Petition is an unauthorized, thinly-veiled attempt by the Joint Petitioners to reargue their petitions to deny and to obstruct Commission action on the pending application.<sup>2</sup>

The Commission ought not countenance a new pleading filed over one year after the completion of the pleading cycle whose sole *raison d'être* is to reargue the merits of the matter. To accept the Petition would only further encourage the proliferation of unauthorized pleadings which have the effect of stuffing the Commission's files with excess paper and stifling the conduct of Commission business. In view of the foregoing, MTN respectfully requests that the Commission strike from the record the "Petition for Expedited Action" and renew MTN's experimental authorization.

Respectfully submitted,

MARITIME TELECOMMUNICATIONS  
NETWORK, INC.

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May 24, 2000

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<sup>2</sup> In addition, as MTN has explained in its earlier pleadings, since all experimental licenses are granted with the condition that the applicant not cause any harmful interference to protected licensees and the rules do not provide for any petitions to deny, it is questionable whether a petition to deny can lie against an application for an experimental license. MTN will not reargue that point here.

## **CERTIFICATE OF SERVICE**

I, Penny Jackson, hereby certify that on this 24<sup>th</sup> day of May, 2000, copies of the attached, **MOTION TO STRIKE "PETITION FOR EXPEDITED ACTION"**, were sent via U.S. Mail, to the following:

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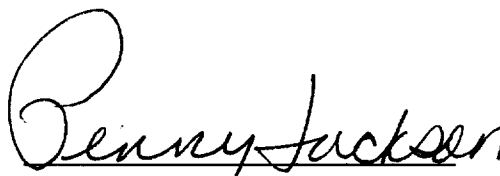
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