

# **ATTACHMENT 1**

**Peter Daronco**

**From:** Joe Leahy [JJL@emeraldslaw.com]  
**Sent:** Tuesday, July 27, 2010 12:34 PM  
**To:** Peter Daronco  
**Subject:** Fwd: Radio Station Consent  
**Follow Up Flag:** Follow up  
**Flag Status:** Orange  
**Attachments:** Statement.pdf

I sent this yesterday but am sending again to make sure you received it. Thanks.

Joseph J. Leahy  
 LEAHY, VAN VACTOR & COX, LLP  
 188 West B Street, Bldg N  
 Springfield, OR 97477  
 Phone: (541) 746-9621  
 Fax: (541) 746-4109  
 Email: [jjl@emeraldslaw.com](mailto:jjl@emeraldslaw.com)

\*\*We have moved! Please note our new address.

\*\*\*\*\*

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>>> Joe Leahy 7/26/2010 4:39 PM >>>  
 Peter,

Thanks for your helpful telephone conversation. Any aid you could give the City of Springfield would be great.

Thanks, Joe

Joseph J. Leahy  
 LEAHY, VAN VACTOR & COX, LLP  
 188 West B Street, Bldg N  
 Springfield, OR 97477  
 Phone: (541) 746-9621  
 Fax: (541) 746-4109  
 Email: [jjl@emeraldslaw.com](mailto:jjl@emeraldslaw.com)

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**STATEMENT**

We have been informed by the City of Springfield, Oregon that it is in the process of establishing a 3.65MHz WiMax radio station (WQKG703) for traffic signal, wireless communications. The City has informed us that as part of the Federal Communication Commission (FCC) licensing requirements, there is a need to have permission granted from any grandfathered, 'Fixed Satellite Station' (FSS) that is located within a 150Km radius of the City of Springfield site. Fixed Satellite Station KA365, located in Moores Valley, Oregon, was within this 150Km radius. We understand the City of Springfield station is 144.8Km from this FSS site.

The City has further informed us that:

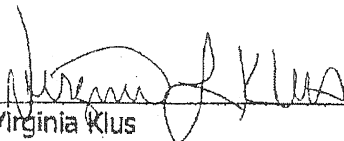
The original licensee of station KA365, Neptune Pacific License Corporation/PT Cable, Inc. entered bankruptcy under Chapter 7. The Bankruptcy Court for the Western District of Washington entered an Order for Relief on March 22, 2005. Russell D. Garrett was initially appointed on March 24, 2005 by the Court to serve as Trustee. On April 5, 2005 following Mr. Garrett's resignation as Trustee, the Bankruptcy Court appointed Terrence J. Donahue as Trustee. The Bankruptcy Court released asset station KA365, Neptune Pacific License Corporation/PT Cable, Inc., Ronald Brandon, New York Life Investment Mge, LLC, 51 Madison Avenue, Second Floor, New York, New York 10010. Ronald Brandon made arrangements with Seth Davis, Agent, to sell the property us which we purchased for development purposes. The property included the "dish".

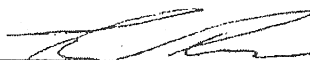
The property is known as 16799 NW Fairdale, Yamhill, Oregon 97149 aka The Moores Valley Site.

The City of Springfield has requested concurrence from us to operate the City of Springfield station (WQKG703) within the 150Km radius area.

On the basis of the foregoing information, we hereby concur for the City of Springfield, Oregon to operate the City of Springfield station (WQKG703) 3.65MHz WiMax radio station for traffic signal wireless communications, located at approximately 144.8Km from KA365 (within a 150Km radius of KA365).

As a matter of information, the dish for station KA365 is presently dismantled.

  
Virginia Klus

  
Timothy Klus

## **ATTACHMENT 2**

From: Malet, Philip [PMalet@steptoe.com]  
Sent: Tuesday, October 20, 2009 11:49 AM  
To: Terry Martin  
Cc: Donahue, Terrence J.  
Subject: RE: Terrestrial license

Attachments: KA365DateStamp.PDF; p052505d.pdf

Terry

This email will confirm our conversation of earlier today regarding Neptune's earth station license referenced below. It is my understanding that this station is no longer active as a result of a Chapter 7 liquidation of the assets of PT Cable/Neptune. The trustee in bankruptcy was Terry Donahue who I am copying on this email. The license was transferred to him (see attached).

Best regards,

Phil

Philip L. Malet  
Vice Chair  
Steptoe & Johnson LLP  
1330 Connecticut Ave., N.W.  
Washington, D.C. 20036  
202-429-6239 (office)  
202-429-3902 (fax)  
202-439-3761 (mobile)  
pmalet@steptoe.com

Information contained in this email may be privileged and confidential and subject to the attorney/client privilege. If you received this email by mistake please do not read it and so indicate by replying to the sender.

-----Original Message-----

From: Terry Martin [mailto:tmartin@timedatacorp.com]  
Sent: Tuesday, October 20, 2009 2:14 PM  
To: Malet, Philip  
Subject: FW: Terrestrial license

Mr. Malet

I am going to apply for spectrum and will need an email or a letter from you that indicates Neptune Pacific is no longer in business and has dismantled the earth station.

Thank you for helping me with this

Terry Martin  
TimeData Corporation  
VP of Network Operation  
West Coast Number 503-678-2224  
Cell: 503-318-8909

-----Original Message-----

From: Terry Martin

# **ATTACHMENT 3**

STEPTOE & JOHNSON LLP  
ATTORNEYS AT LAW

Philip L. Malet  
202.429.6239  
pmalet@steptoe.com

1330 Connecticut Avenue, NW  
Washington, DC 20036-1795  
Tel 202.429.3000  
Fax 202.429.3902  
steptoe.com

August 25, 2005

**BY HAND DELIVERY**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
The Portals  
445 Twelfth Street, NW  
Washington, DC 20554

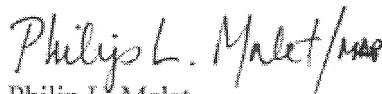
**Re: PT Cable, Inc., International Earth Station (Call Sign: KA365)  
Regulatory Fee Payment Waiver Request**

Dear Ms. Dortch:

The above-referenced license is currently held by Terrence J. Donahue, as Chapter 7 Trustee for the bankruptcy estate of PT Cable, Inc. ("PT Cable"). See File No. SES-T/C-20050506-00555.<sup>1</sup> In light of PT Cable's anticipated liquidation, PT Cable is unable to pay the Commission's 2004 and 2005 Regulatory Fees. As PT Cable previously advised Commission staff, it intends to turn in the above-referenced license once the bankruptcy court approves this action. Accordingly, PT Cable requests a waiver of any Regulatory Fee Payments.

Please contact me should you have any questions.

Respectfully submitted,



Philip L. Malet  
*Counsel for PT Cable's Trustee in Bankruptcy*

cc: Scott Kotler (International Bureau)  
Frank Peace (International Bureau)

---

<sup>1</sup> An involuntary petition in bankruptcy was filed against PT Cable on January 5, 2005 and PT Cable consented to this filing. The Bankruptcy Court for the Western District of Washington entered an Order for Relief on March 22, 2005. On April 5, 2005, the Bankruptcy Court appointed Terrence J. Donahue to serve as the trustee of PT Cable's estate.

# **ATTACHMENT 4**



U.S. Bankruptcy Court Western District of Washington

Do not reply to this email. If you have questions, contact the Clerk's Office.

Notice of Electronic Filing

The following transaction was received from USBC Staff - Shea, Maureen entered on 5/19/2008 at 2:30 PM PDT and filed on 5/19/2008

Case Name: PT Cable Inc

Case Number: 05-42265-PBS

**Docket Text:** CLOSED. Order Approving Account, Discharging Trustee and Closing Estate. It appearing to the Court that Trustee, the Chapter 7 Trustee, has reduced the property and effects of the estate of the above-named debtor(s) to cash, or has disposed of said property and effects with approval of Court; the Trustee has made distribution as required by order of this Court and has rendered a full and complete account; and the Trustee has performed all other duties required of him in the administration of said estate; IT IS ORDERED that the accounts of the Trustee be approved and allowed; the Trustee be discharged and relieved of his trust; the bond of the Trustee, or blanket bond as it applies to this estate, be canceled and any sureties be released from further liability, except any liability which may have accrued during the time such bond was in effect; and the case is hereby closed. The debtor is relieved of any further responsibility for keeping this Court and the Trustee advised of his current mailing address. Mark L. Hatcher, Clerk . (USBC Staff - Shea, Maureen)

Document Number:

WARNING: CASE CLOSED on 05/19/2008

The above document(s) are associated with this transaction:

05-42265-PBS Notice will be electronically mailed to:

Diana K Carey on behalf of Donahue dcarey@karrtuttle.com, mherandez@karrtuttle.com;mmunhalli@karrtuttle.com  
 Terrence J Donahue tjdbankruptcy@eisenhowerlaw.com, WA19@ecfcbis.com  
 Terrence J Donahue on behalf of Donahue tjdbankruptcy@eisenhowerlaw.com  
 Mark J Giske on behalf of Global Marine Systems Limited shillito@callatg.com  
 Mary Jo Heston on behalf of Cable & Wireless PLC heston@lanepowell.com, docketing-sea@lanepowell.com;campbell@lanepowell.com  
 Dillon R Jackson on behalf of Jefferson Pilot Financial Insurance Company jackd@foster.com, burrc@foster.com  
 John S. Kaplan on behalf of Gunsel kaplj@perkinscoie.com, COLague@perkinscoie.com  
 David B Levant on behalf of General Communication Inc dblevant@stcel.com, sea\_docker@stcel.com;sljaggers@stcel.com  
 Pagan L Powers on behalf of AT&T Corporation raganpowers@dwt.com, galkatacka@dwt.com;matteagarden@dwt.com  
 Marjorie S Raleigh on behalf of US Trustee marjorie.s.raleigh@usdoj.gov, martha.a.vandraanen@usdoj.gov  
 Edwin K Sato on behalf of Bucknell Stehlik Sato & Stubner LLP esato@bsss-law.com, cpercyc@bsss-law.com  
 Joseph E Shickich on behalf of Japan Telecom Co Ltd jshickich@riddellwilliams.com, srowden@riddellwilliams.com  
 Jerry N Stehlik on behalf of Bucknell Stehlik Sato & Stubner LLP jstehlik@bsss-law.com, cpercyc@bsss-law.com  
 George S Treperinas on behalf of Donahue gtrepereinas@karrtuttle.com, jsmith@karrtuttle.com  
 US Trustee USTPRegion18.SE.ECF@usdoj.gov  
 Laura J Walker on behalf of Tillamook People's Utility District lwalker@cablehuston.com, sormsby@cablehuston.com  
 Brian C Walsh on behalf of Sprint Communications Company LP brian.walsh@bryancave.com  
 Valerie S Zeeck on behalf of Sprint Communications Company vzeeck@gth-law.com, sclaggett@gth-law.com

05-42265-PBS Notice will not be electronically mailed to:

Belgacom International Carrier Services SA  
 Scott Bernstein on behalf of Jefferson Pilot Financial Insurance Company  
 1633 Broadway  
 New York, NY 10019  
 Thomas Bucknell  
 2003 Western Ave #400  
 Seattle, WA 98121  
 C/S Venture Investors  
 c/o Lasher Holzapfel Sperry & Ebberson  
 601 Union St #2600  
 Seattle, WA 98101  
 Carlyle Group  
 c/o Lasher Holzapfel Sperry & Ebberson  
 601 Union St., Suite 2600  
 Seattle, WA 98101  
 Cabot Christianson on behalf of Leirer Enterprises LLC  
 Christianson Boutin & Spraker  
 911 W 8th Ave Ste 302  
 Anchorage, AK 99501  
 Brooke E Coburn  
 c/o Lasher Holzapfel Sperry & Ebberson  
 601 Union St. #2600  
 Seattle, WA 98101  
 William E Conway  
 c/o Lasher Holzapfel Sperry & Ebberson  
 601 Union St #2600  
 Seattle, WA 98101  
 US Waters of America  
 Richard G Darman  
 c/o Lasher Holzapfel Sperry & Ebberson  
 601 Union St #2600  
 Seattle, WA 98101  
 Robert J Dehney on behalf of Jefferson Pilot Financial Insurance Company  
 Morris Nichols Arshat & Tunnell  
 1201 N Market S

1 Terrence J. Donahue  
Chapter 7 Trustee  
2 1201 Pacific Ave., Ste. 1200  
Tacoma, WA 98402  
3 (253) 620-2519

The Honorable Paul B. Snyder  
Chapter 7  
Hearing Date: October 25, 2007  
Hearing Time: 9:00 a.m.  
Response Date: October 18, 2007  
Hearing Location: Tacoma, WA

7 UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON

8 In re:

9 PT CABLE, INC.

10 Debtor.

Chapter 7  
Case No. 05-42265 PBS

11 TRUSTEE'S FINAL REPORT (PRE-  
DISTRIBUTION) AND APPLICATIONS FOR  
FEES

12 The undersigned trustee of the above-entitled estate hereby makes and files this Final Report Pre-  
Distribution, including request for payment of administrative expenses as follows:

13 1. All assets of the debtor have been reduced to cash, released to the debtor as exempt property  
or abandoned, or are hereby abandoned as follows:

14 2. An accounting of the disposition of all property is attached hereto as FORM 1.

15 3. Attached hereto as FORM 2 is an itemized statement of the trustee's receipts and  
16 disbursements showing total receipts of \$14,037,460.53, disbursements of \$11,983,752.26, and balance  
on hand of \$2,053,708.27.

17 4. The claims have been examined and all objections made by the trustee or others have been  
18 determined by the court or settled in writing by the parties. If settled by parties, see attached agreement  
evidencing such settlement.

19 5. Liens, security interest, or other interests in property of the estate which has been liquidated  
20 totaling \$0.00 (not including disbursements previously made as noted in paragraph 3 above) must be paid  
and should be allowed for the purposed of distribution as follows: (Name of entity to be paid, property  
21 interest/lien being paid and the amount of proposed payment are itemized below.)

<u>Name of Entity</u>	<u>Lien/Interest</u>	<u>Proposed Payment</u>
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22  
23 6. After deduction of any amounts in paragraph 5, if any, the remaining balance on hand of  
\$2,053,708.27 should be distributed in accordance with 11 U.S.C. §726 as follows:

24 (a) \$417,771.64, for administrative expenses, not previously disbursed, including trustee  
25 compensation and reimbursement of expenses, court costs, requests by professionals, agents and  
committees and other expenses necessary to preserve the estate as itemized below:

1 appropriate under the proposed distribution, and that the proposed distribution is proper and consistent  
with the law and rules of court.

2 Therefore, the trustee requests that the Final Report and proposed distribution be approved.

3 DATED this 18<sup>th</sup> day of September, 2007.

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5 By: /s/ Terrence J. Donahue  
6 Terrence J. Donahue, WSBA #15193  
Chapter 7 Trustee

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Form 1

Individual Estate Property Record and Report  
Asset Cases

Case Number: 05-42265 PBS  
 Case Name: PT CABLE, INC.  
 Period Ending: 09/18/07  
 Trustee: (670280) Terrence J. Donahue, Trustee  
 Filed (f) or Converted (c): 03/16/05 (f)  
 \$341(a) Meeting Date: 06/09/05  
 Claims Bar Date: 12/01/05

Ref #	Asset Description (Scheduled And Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=\$554(a) abandon. DA=\$554(c) abandon.	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1	Rent deposit --Alco Properties (Portland GOC)					
19	TAX REFUNDS	Unknown	Unknown	DA	0.00	FA
20	LICENSES, FRANCHISES, AND OTHER GENERAL INTANGIB Nepuna Pacific License Corporation, Cable Landings Licenses (FCC), Seward, AK and Pacific City, OR and International Earth Station (FCC), Moores Valley, OR	Unknown	Unknown	DA	0.00	FA
21	OFFICE EQUIPMENT, FURNISHINGS, AND SUPPLIES Comsat-PC3 Project; Qwest-Fiberoptics upgrade; PDX/Hillsboro Project; Battery power system; battery-Pacific City; Battery-GOC; ECI Telecom (Tycoo-Sim-1); MITED-Comsat; HVAC-building; LAN equipment; 8 port cards-EC53; HP Laserjet; Portmaster Sync port; HP Laserjet; HP Laserjet; 2-Kentox Datasmart; HP Laserjet;	0.00	0.00	OA	0.00	FA
22	WALKER/SCHROEDER TRUE-UP FUNDS Tue-up funds received from Walker and Schroeder.	300,000.00	300,000.00		300,000.00	0.00
23	TRUSTEE WITNESS FEE CHECK	40.00	40.00		40.00	FA
Int	INTEREST (u)	Unknown	N/A		78,127.42	Unknown
23	Assets	Totals (Excluding unknown values)	\$14,621,205.63	\$14,621,205.63	\$14,037,460.53	\$0.00

RE PROP# 3 There are four (4) accounts which are collateral accounts: Collection Account; Expense Reserve.

# **ATTACHMENT 5**

**TERRENCE J. DONAHUE**  
**CHAPTER 7 TRUSTEE**

1200 Wells Fargo Plaza  
1201 Pacific Avenue  
Tacoma, WA 98402

TERRENCE J. DONAHUE  
Direct Dial: (253) 620-2519  
Fax: (253) 620-2529  
[tjdbankruptcy@eisenhowerlaw.com](mailto:tjdbankruptcy@eisenhowerlaw.com)

May 3, 2010

Fern Jarmulnek, Deputy Chief  
Satellite Division, International Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street SW, Room 6-A760  
Washington, DC 205554

Re: In Re PT Cable, Inc.  
Chapter 7  
Case No. 05-42265-PBS  
RE: Call Sign KA365, Fixed Earth Station

Dear Ms. Jarmulnek:

I am in receipt of an email from Peter J. Daronco, Associate Chief, Broadband Division, FCC concerning the above-referenced call sign.

I am the former Chapter 7 Trustee for the bankruptcy estate of PT Cable, Inc., Case No. 05-42265-PBS, United States Bankruptcy Court for the Western District of Washington. The case was closed on May 19, 2008. Upon the closing of the case, I am no longer the acting Chapter 7 trustee and have no authority to administer any asset that was in that estate, including a request to cancel the call sign. All assets not administered through the estate are abandoned to the debtor corporation. Again, quite simply, I do not have authority to process a cancellation.

I do not have a current address for any remaining corporate office. I wish I could be of greater help, but unfortunately it is clearly not within my authority to provide a request for cancellation.

Respectfully yours,

  
Terrence J. Donahue

TJD:gav  
00444811.DOC

# **ATTACHMENT 6**

JOHN BUCHANAN PLANTATION | PHOTO BY JEFFREY BOBER

Department of State: Division of Corporations

- HOME
- About Agency
- Secretary's Letter
- Newsroom
- Frequent Questions
- Related Links
- Contact Us
- Office Location

- SERVICES
- Pay Taxes
- File UCC's
- Delaware Laws Online
- Name Reservation
- Entity Search
- Status
- Validate Certificate
- Customer Service Survey

- INFORMATION
- Corporate Forms
- Corporate Fees
- UCC Forms and Fees
- Taxes
- Expedited Services
- Service of Process
- Registered Agents
- Get Corporate Status
- Submitting a Request
- How to Form a New Business Entity
- Certifications, Apostilles & Authentication of Documents

[Frequently Asked Questions](#) | [View Search Results](#) | [Summary of Charges](#) | [Logout](#)

Entity Details

File Number: 2092509      Incorporation Date / Formation Date: 05/30/1986 (mm/dd/yyyy)

Entity Name: PT CABLE, INC.

Entity Kind: CORPORATION      Entity Type: GENERAL

Residency: DOMESTIC      State: DE

Status: VOID      Status Date: 03/01/2007

**REGISTERED AGENT INFORMATION**

Name: THE CORPORATION TRUST COMPANY

Address: CORPORATION TRUST CENTER 1209 ORANGE STREET

City: WILMINGTON      County: NEW CASTLE

State: DE      Postal Code: 19801

Phone: (302)658-7581

Additional Information is available for a fee of \$20.00. This information will include current franchise tax assessment, current filing history and more..

Would you like  Tax & History Information

To contact a Delaware Online Agent [click here](#).