

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

In the Matter of Applications of)	
)	
PAGING SYSTEMS, INC.)	FCC File Nos. 0003514970, 0003514977,
)	0003514976, 0003514978
Petition to Deny filed by Warren C. Havens,)	
AMTS Consortium, LLC, Intelligent)	
Transportation & Monitoring Wireless LLC,)	
Telesaurus-VPC, LLC, Telesaurus Holdings GB)	
LLC, and Skybridge Spectrum Foundation)	

ORDER

Adopted: May 4, 2009

Released: May 5, 2009

By Deputy Chief, Mobility Division, Wireless Telecommunications Bureau:

1. In this *Order*, we address a petition (Petition) filed on August 29, 2008 by Warren C. Havens, AMTS Consortium, LLC,¹ Intelligent Transportation & Monitoring Wireless LLC, Telesaurus-VPC, LLC, Telesaurus Holdings GB LLC, and Skybridge Spectrum Foundation (collectively Petitioners) to deny the above-captioned applications filed by Paging Systems, Inc. (PSI) to renew PSI's licenses for Narrowband PCS Stations WPOI469, WPOI470, WPOI471, and WPOI472.² For the reasons set forth below, we deny the Petition.

2. On July 24, 2008, PSI filed renewal applications for Narrowband PCS Stations WPOI469, WPOI470, WPOI471, and WPOI472 operating in the Los Angeles and San Diego areas.³ On August 29, 2008, the Petitioners filed a petition to deny the applications. The two-page Petition does not present any arguments relating to the instant applications; instead, Petitioners incorporate by reference the arguments raised in their petition to deny other PSI renewal applications,⁴ which in turn incorporates arguments raised by Petitioners in proceedings involving other PSI licenses. As we have stated previously, arguments raised by Petitioners in other proceedings pertaining to other PSI licenses are better addressed in those proceedings.⁵ Therefore, we will not consider them herein, and will deny the Petition.⁶

¹ AMTS Consortium, LLC is now known as Environmental LLC. *See, e.g.*, FCC File No. 0003649429.

² Petition to Deny (filed August 27, 2008) (Petition). On September 10, 2008, PSI filed an opposition. Opposition to Petition to Deny (filed September 10, 2008). On September 22, 2008, Petitioners filed a reply. Reply to Opposition to Petition to Deny or in the Alternative Section 1.41 Request (filed September 22, 2007) (Reply). On September 30, 2008, PSI filed a motion to strike portions of the Reply. Motion to Strike Portions of Reply to Opposition to Petition to Deny, or in the Alternative Section 1.42 Request (filed September 30, 2008) (Motion to Strike). Petitioners filed an opposition on October 10, 2008. Opposition to Motion to Strike Portions of Reply to Opposition to Petition to Deny, or in the Alternative Section 1.42 Request (filed October 10, 2008). PSI filed a reply on October 23, 2008. Reply to Opposition to Motion to Strike Portions of Reply to Opposition to Petition to Deny, or in the Alternative Section 1.42 Request (filed October 23, 2008).

³ FCC File Nos. 0003514970, 0003514977, 0003514976, 0003514978.

⁴ FCC File Nos. 0003483180, 0003483181, 00003483182.

⁵ *See* Paging Systems, Inc., *Order*, 21 FCC Rcd 3032, 3035-37 ¶¶ 8-10 (WTB PSCID 2006), *aff'd*, 22 FCC Rcd 4602, 4607 ¶ 11 (WTB MD 2007), *review pending*.

⁶ In view of our decision to deny the Petition, we dismiss the Motion to Strike as moot.

We note, however, that the Commission retains discretion to take any remedial action, including revocation of these and other PSI licenses, that it deems warranted in light of its ultimate resolution of the arguments raised by Petitioners in those proceedings.⁷

3. Accordingly, IT IS ORDERED that, pursuant to Sections 4(i), 303(r), and 309(d) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 303(r), 309(d), and Section 1.939 of the Commission's Rules, 47 C.F.R. § 1.939, the petition to deny filed by Warren C. Havens, AMTS Consortium, LLC, Intelligent Transportation & Monitoring Wireless LLC, Telesaurus-VPC, LLC, Telesaurus Holdings GB LLC, and Skybridge Spectrum Foundation on August 27, 2008, IS DENIED, and the motion to strike filed by Paging Systems, Inc. on September 30, 2008 IS DISMISSED AS MOOT.

4. IT IS FURTHER ORDERED that, pursuant to Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), applications FCC File Nos. 0003514970, 0003514977, 0003514976, and 0003514978, filed by Paging Systems, Inc., on July 24, 2007, SHALL BE PROCESSED in accordance with this *Order*.

5. This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

Scot Stone
Deputy Chief, Mobility Division
Wireless Telecommunications Bureau

⁷ See 47 U.S.C. § 312. We emphasize that our determination to grant the instant applications does not prejudice the resolution of the other referenced proceedings.