

**STATEMENT OF
COMMISSIONER AJIT PAI**

Re: Illinois Public Safety Agency Network and Nextel Communications, Inc.; WT Docket No. 02-55; Mediation No. TAM-12389

It is bad enough that the Illinois Public Safety Agency Network (IPSAN) failed to comply with the order issued by the Public Safety and Homeland Security Bureau on March 23, 2011. Even worse is IPSAN's request to be reimbursed for the costs it incurred during its attempt to evade its legal obligations, which represents an abuse of the Commission's processes and runs afoul of the "chutzpah doctrine." *See, e.g., In the Matter of Implementation of the Commercial Spectrum Enhancement Act and Modernization of the Commission's Competitive Bidding Rules and Procedures*, Order on Reconsideration of the Second Report and Order, WT Docket No. 05-211, 21 FCC Rcd 6703, 6709, para. 13 (2006); *Caribbean Shippers Assoc., Inc. v. Surface Transp. Bd.*, 145 F.3d 1362, 1365 n.3 (D.C. Cir. 1998). As a result, I wholeheartedly support this item.