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**RECEIVED**

OFFICE OF PUBLIC ACCOUNTABILITY  
PROCUREMENT APPEALS

DATE: 12/31/2012  
TIME: 105  AM  PM BY: R. Feld  
FILE NO OPA-PA: 12-016

**OFFICE OF PUBLIC ACCOUNTABILITY  
PROCUREMENT APPEALS**

IN THE APPEAL OF  
TELEGUAM HOLDINGS, LLC AND ITS  
WHOLLY OWNED SUBSIDIARIES,  
GTA TELECOM, LLC; GTA SERVICES,  
LLC; AND PULSE MOBILE LLC,  
Appellants.

OPA Docket No. OPA PA 12-016  
**PDS RESPONSE TO GTA REQUEST  
FOR EXTENSION OF HEARING**

IN THE APPEAL OF  
PACIFIC DATA SYSTEMS, INC.,  
Appellant.

OPA Docket No. OPA PA 12-017

IN THE APPEAL OF  
TELEGUAM HOLDINGS LLC and its  
WHOLLY OWNED SUBSIDIARIES,  
GTA TELECOM LLC; GTA SERVICES  
LLC and PULSE MOBILE LLC,  
Appellants.

OPA Docket No. OPA PA 12-018

Pacific Data Systems, Inc. ("PDS") does not oppose GTA's request for the postponement of the hearing in OPA-PA-12-018. January 29, 30 and 31 are acceptable dates for the hearing in that appeal. If that appeal is rescheduled, PDS requests that the hearing brief not be due until January 28.

Regarding OPA-PA-12-016, undersigned counsel for PDS inadvertently stated at the Scheduling Conference on that appeal that PDS would waive the hearing.

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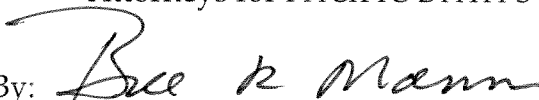
Undersigned counsel was not aware the question would arise since GTA had previously requested a hearing on that appeal. This mistake was promptly corrected, and PDS requests that the Hearing Officer confirm that there will be a hearing in OPA-PA-12-016. If there is to be a hearing, PDS does not object to the postponement of that hearing to January 29, 30 or 31. If that hearing is rescheduled, PDS requests that the hearing brief not be due until January 28.

Regarding OPA-PA-12-017, PDS does request that the hearing on that appeal be heard as scheduled on either January 9, 10 or 11. A review of the briefs already filed in that appeal should reveal that there are no disputed factual issues, and all that is required is a legal analysis of the undisputed facts. PDS did waive its right to a hearing in that appeal, although GTA did request a hearing. The Hearing Officer has discretion not to hold a hearing if the Hearing Officer believes a hearing is unnecessary. In any event, PDS objects to the postponement of the hearing in OPA-PA-12-017. PDS notes that a decision favorable to it in OPA-PA-12-017 would moot out the other two pending appeals, thus saving everyone a great deal of time.

Finally, PDS requests that there be an oral argument on its pending Motion to Dismiss OPA-PA-12-016. Oral argument could be held at the Hearing Officer's convenience on January 9, 10 or 11. PDS estimates that oral argument would take substantially less than one hour. If the Hearing Officer rules in favor of PDS on that Motion, a hearing on the merits of OPA-PA-12-016 can be avoided.

DATED this 31<sup>st</sup> day of December, 2012.

**BERMAN O'CONNOR & MANN**  
Attorneys for *PACIFIC DATA SYSTEMS, INC.*

By:   
BILL R. MANN