

Alma Communications Company d/b/a Alma Telephone Company, Chariton Valley Telephone Corporation, Chariton Valley Telecommunications Corporation, Choctaw Telephone Company, Mid-Missouri Telephone Company, a corporate division of Otelco, Inc., and MoKAN DIAL, Inc.,)	
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Complainants,)	
)	
vs.)	Case No. TO-2012-0035
)	
Halo Wireless, Inc., and Southwestern Bell Telephone Company, dba AT&T Missouri,)	
)	
)	
Respondents.)	

Come now Complainants, for their Reply to Halo's January 13, 2012 Response to the Application for Rejection, and state that Halo's Response is not properly responsive to the Commission's January 4, 2012 Order Establishing a Response Deadline. The Commission should order Respondents to file responsive motions and/or answers to the Application. In support:

1. Complainants' January 4, 2012 Motion to Reactivate this case asserted, and Halos does not deny, that, prior to Answers or Responsive motions to the Application being filed, Halo filed bankruptcy and removed this case to federal court. Afterwards, the bankruptcy court ruled that this action was not stayed by bankruptcy, and the federal court remanded this case back to the Commission on December 21, 2011, and the Commission received the remand Order December 29, 2012. In their Motion to Reactivate, Complainants requested that the Commission direct Respondents to file answers or responsive motions to the Application.

2. This Commission's January 4, 2012 Order Establishing a Response Deadline ordered a response to the motion to reactivate no later than January 13, 2012". Complainants interpreted the Order as permitting Respondents to proffer any reasons why, procedurally, the case should not be reactivated.

3. Halo's January 13, 2012 Response is to the original Application for Rejection itself, not to the Motion to Reactivate the case. Halo's Response consists of legal argument as to why the Commission should not grant the Application itself. Halo's Response was not directed to the motion to reactivate. Halo's response may be appropriate for inclusion in a motion to dismiss or in an Answer, but it is not an appropriate response to whether the case should proceed to the Answer or Responsive Motion stage of this proceeding.

4. Complainants disagree with the merits of Halo's Response. The appropriate way for this disagreement to be expressed is in response to a procedurally appropriate motion to dismiss or answer.

5. Respondent Southwestern Bell has posited no reason why this case should not be reactivated

6. Complainants request that the Commission enter an Order directing Respondents to file the appropriate responsive motions or answer to the Application on or before January 31, 2012, which is in excess of 30 days since this case was remanded.

Respectfully submitted,

/s/Craig S. Johnson
Craig S. Johnson
Mo Bar # 28179
Johnson & Sporleder, LLP
304 E. High St., Suite 200
P.O. Box 1670
Jefferson City, MO 65102
(573) 659-8734
(573) 761-3587 FAX
cj@cjaslaw.com

Certificate of Service

I hereby certify that a true and correct copy of the above and foregoing document was electronically mailed, this 14th day of January, 2012 to:

General Counsel
Missouri Public Service Commission
gencounsel@psc.mo.gov

Lewis Mills
Office of Public Counsel
lewis.mills@ded.mo.gov

Louis A. Huber, III
Schlee, Huber, McMullen & Krause, PC
lhuber@schleehuber.com

Steven Thomas
McGuire, Craddock & Strother, PC
stthomas@mcsllaw.com

W. Scott McCollough
McCollough Henry PC
wsmc@dotlaw.biz

W.R.England
Brydon Swearingen & England
trip@brydonlaw.com

Leo Bub
AT&T Missouri
leo.bub@att.com

/s/ Craig S. Johnson
Craig S. Johnson