

**BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI**

HALO WIRELESS, INC.,)	
)	
Complainant,)	
)	
v.)	Case No. TC-2012-0331
)	
CRAW-KAN TELEPHONE)	
COOPERATIVE, INC., et al.,)	
)	
Respondents.)	

**Joint Answer
and Affirmative Defense
to Halo Wireless Inc.'s First Amended Formal Complaint
on behalf of Respondents Alma Communications Company d/b/a Alma Telephone
Company, Choctaw Telephone Company, and MoKAN Dial Inc.**

Respondents Alma Communications Company (Alma), Choctaw Telephone Company (Choctaw), and MoKan Dial Inc. (MoKan), collectively referred to herein as "Respondents", make the following Answer to the First Amended Complaint of Halo Wireless Inc. (Halo).

I. Summary

1. Respondents are without sufficient information to form a belief as to the truthfulness of the allegations set forth in paragraphs 1-9 that Halo is a licensed CMRS provider, and therefore deny same. Respondents deny that the nature of any licenses held by Halo is determinative of any issues herein. Respondents admit that Transcom is an affiliated customer of Halo. Respondents deny Transcom is an ESP, or that ESP status is determinative of any issue herein. Respondents admit that Halo and AT&T Missouri entered into an interconnection

agreement. Respondents deny that “bill and keep” applies to the traffic at issue, and deny that they are not entitled to compensation for the traffic Halo has sent AT&T Missouri for termination to Respondents. Respondents deny that the traffic Halo sends them is CMRS originated traffic. Respondents deny that they are required to pursue an agreement with Halo in order to be entitled to compensation for the traffic in dispute. Respondents deny that Halo was forced to seek bankruptcy due to Respondents’ pursuit of regulatory relief. Respondents deny this proceeding is stayed by bankruptcy. Respondents deny that Halo is not subject to the Commission’s jurisdiction, as it has placed landline originated traffic on the LEC-to-LEC network. Respondents deny that this Commission lacks jurisdiction to order Halo’s traffic be blocked. The balance of Halo’s allegations set forth in paragraphs 1-9 are superfluous narrative, and do not make allegations of facts to which further response is required.

II. Parties

2. Respondents are without sufficient information to form a belief as to the truthfulness of the allegations set forth in paragraph 10, and therefore deny same.
3. Respondents admit the allegations set forth in paragraphs 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 28.

III. Background

4. Respondents are without sufficient information to form a belief as to the truthfulness of the allegations set forth paragraphs 29, 30, 31, 32, 33, 34, 35, 36, 37, and 38, and therefore deny same, as well as denying that the narrative of words set forth in these paragraphs is useful, necessary, relevant, or material to the issues of this case.

5. Respondents admit Halo and AT&T Missouri have an interconnection agreement between them, unapproved by the Missouri Public Service Commission, and the remaining allegations of paragraph 39 are denied.

6. Respondents admit that Halo and its affiliate Transcom have engaged in an access avoidance scheme, the components of which include utilizing a short transmission of landline originated traffic via a “CMRS in the middle” hop in an attempt to characterize landline originated traffic as being originated by CMRS, and further attempting to characterize jurisdiction of such traffic for inter-company compensation purposes as “intraMTA”. Respondents deny that such scheme operates to convert the traffic. Respondents assert that the FCC has specifically repudiated Halo’s scheme. The balance of Halo’s allegations set forth in paragraphs 40, 41, 42, 43, 44, 45, 46, and 47 are superfluous narrative, and do not make allegations of facts to which further response is required.

7. Respondents deny the allegation of paragraph 48 that they refused to invoke FCC-prescribed remedies, and the remedy identified by Halo is not necessary or appropriate to be invoked for Halo traffic, as Halo’s attempt to insert a CMRS hop in the middle of a landline originated call does not convert landline originated traffic to CMRS traffic. Respondents admit they billed Halo access rates as access rates did apply to Halo’s traffic. Respondents admit they filed the state proceeds they filed. Respondents deny the Bankruptcy Court stay order stayed these state proceedings. Respondents admit they made the blocking requests and notices they made pursuant to the Enhanced Record Exchange Rule (ERER), which are at issue in this proceeding. Such requests and notices are attached hereto as Attachments 1-6. Respondents admit AT&T Missouri so notified Halo, as had Respondents, and Respondents admit that AT&T

its own notice of blocking to Halo. The balance of Halo's allegations set forth in paragraphs 48, 49, 50, 51, 52, 53, 54, and 55 are superfluous narrative, and do not make allegations of facts to which further response is required.

IV. Claims

8. Respondents admit the bankruptcy code provides what it provides. Respondents admit Halo filed a bankruptcy proceeding.

9. Respondents deny their blocking notices violate the bankruptcy stay orders. Respondents deny the basis for Halo's March 15, 2012 letter. Respondents deny their blocking requests to AT&T Missouri, copies of which were provided to Halo, and their blocking notices to Halo, failed to specify the grounds upon which blocking was requested. Those notices and requests are attached hereto, and clearly specified those grounds. Respondents deny Halo moved "expeditiously" to file its Complaint against those blocking requests. Respondents deny the EROER does not apply to Halo's traffic. Respondents deny that the existence of an interconnection agreement, even if properly approved which Halo's was not, would supersede the EROER. Respondents deny the EROER is only available to parties that have an approved interconnection agreement. Respondents deny the EROER is preempted by the approval of an interconnection agreement. Respondents deny that, for purposes of the EROER, Halo is limited to being considered a CMRS provider. Respondents deny the EROER is inapplicable to Halo. Halo cannot be heard to simply claim that any CMRS license it possesses means every call it touches is CMRS traffic. By placing access compensable landline-originated traffic on the LEC-to-LEC network Halo made itself a telecommunications company and an originating carrier or traffic aggregator for purposes of the EROER, even though Halo failed to be authorized to do business in

Missouri, and even though Halo failed to obtain a certificate of authority from the Commission authorizing it to transmit telecommunications traffic in Missouri. Halo cannot be heard to bootstrap its own failure to obtain licenses and permissions required by law to a status superior to the law. For purposes of the ERE, Halo is what it did, not limited by its failure to obtain permissions or authority for what it did. Respondents deny that Transcom is an ESP, or that its status as ESP would exempt Halo from access charges, or that the Halo-Transcom access avoidance scheme somehow evades the ERE. Respondents deny Halo's newly found contention that it is 'transiting' Transcom traffic, or that such would somehow evade the ERE. Respondents point out that, under the unapproved interconnection agreement between Halo and AT&T Missouri, Halo represented itself solely as a CMRS originating carrier, not as a carrier 'transiting' Transcom traffic. Respondents deny Halo's assertions that the state of Missouri, and this Commission, lack jurisdiction to review Halo's Missouri activities and apply Missouri statutes, rules, and regulations to Halo's Missouri activities. Respondents deny the ERE has been preempted by federal law. Respondents deny that call blocking is unjust or unreasonable or prohibited or preempted, or that advance permission from the FCC is required for Missouri to enforce the ERE. Respondents deny the LEC-to-LEC network has ceased to exist. Respondents deny any "bill and keep" regulatory structure applies to the landline traffic originated by Halo. Respondents deny that Halo's possession of any federal license or permission prevents Missouri from examining Halo's activities in Missouri and applying Missouri statutes, rules, and regulations to Halo's Missouri activities. This case involves interpretation and enforcement of Halo's Missouri activities, not any federal licenses of Halo.

10. The balance of Halo's allegations set forth in paragraphs 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 82, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, and 123 are superfluous narrative, and do not make allegations of facts to which further response is required.

Affirmative Defense

1. Missouri is permitted to enforce its ERO by virtue of 47 USC 253 (b). This statute provides that, in removing barriers to entry to the provision of telecommunications service, nothing affects the ability of Missouri "to impose, on a competitively neutral basis....requirements necessary to preserve and advance universal service, protect the public safety and welfare, ensure the continued quality of telecommunications services, and safeguard the rights of consumers", all of which the ERO does.

2. The ERO requires Halo to file a Complaint to avoid blocking.

3. 4 CSR 240-29.130 (9) mandated that Halo's Complaint "shall provide all relevant evidence refuting any stated reasons for blocking such traffic".

4. In Respondents requests for blocking, and notices thereof to Halo, both of which were sent to Halo (all of which are attached hereto as Attachments 1-6), Respondents specified the following grounds for blocking:

"(Respondent Company) has invoiced Halo for post-Halo bankruptcy petition traffic termination services. Halo has failed to pay any part of those invoices. Halo has sent landline-originated traffic to (Respondent Company) under the auspices of a CMRS/ILEC interconnection agreement. Halo has placed interLATA traffic on the LEC-

to-LEC network for termination to (Respondent Company). Some of this traffic was originated with the use of feature group D protocol trunking arrangements. Halo has failed to provide, or has altered, originating caller identification information for this traffic. The FCC, at paragraphs 1005 -1006 of its November 18, 2011 Order 11-161 specifically analyzed and rejected Halo's contention that it "re-originated" landline toll traffic of its affiliate Transcom and converted it to intraMTA wireless traffic by inserting a wireless connection at its "base stations". Thus FCC stated that such "re-origination of a call over a wireless link in the middle of the call path does not convert a wireline-originated call into a CMRS-originated call for purposes of reciprocal compensation and we disagree with Halo's contrary position."

5. Halo's original Complaint, and its Amended Complaint, both fail to provide any evidence refuting that the traffic was landline-originated, was invoiced to Halo, that Halo failed to pay post-bankruptcy petition invoices, that Halo placed interLATA traffic on the LEC-to-LEC network, that some of the traffic was originated using feature group D protocol trunking, or that Halo has failed to provide, or has altered, originating caller identification information for this traffic. Instead of filing a Complaint in compliance with the ERO, Halo's original and amended Complaints, at paragraphs 7 and 8, state that Halo seeks no "affirmative relief" from this Commission, that it filed the Complaint "out of an abundance of caution", and "under protest", as an "ostensibly-required response" to the blocking requests, and that it is requesting this Commission to declare that it lacks the jurisdiction or authority to permit blocking.

6. Having failed to comply with the ERO, and by filing a Complaint that only requests the Commission to declare it lacks jurisdiction to permit blocking, Halo must be deemed to have admitted it possesses no evidence refuting these grounds for blocking as set forth in

Respondents' blocking requests and notices of blocking, and to have confined the issue remaining for resolution to the Commission's jurisdiction or authority to permit blocking. As any or all of these admissions establish grounds for the blocking requests of Respondents, the Commission should grant determination based upon the blocking requests and Halo's Amended Complaint, and direct the requested blocking be executed.

WHEREFORE, having fully answered Halo's Amended Complaint, Respondents request that the Commission enter an Order that, by failing in the Amended Complaint to set forth evidence refuting the grounds for blocking Halo has admitted those grounds exist, and limiting further proceedings to the question of whether the Commission has jurisdiction over Halo, or alternatively that the case be set for hearing and that Halo's Complaint be denied, that the Commission enter an Order directing that the blocking is permitted and can be executed, together with such other relief as is reasonable or necessary.

/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 27th day of April, 2012 to PSC Staff Counsel, to the Office of the Public Counsel, to counsel for AT&T Missouri, to counsel for the Mo RLECs other than Movants, and to counsel for Halo Wireless Inc.

/s/Craig S. Johnson
Craig S. Johnson



Craig S. Johnson
Andrew J. Sporleder
Attorneys at Law

February 22, 2012

Via email and certified mail, return receipt requested

Russel Wiseman, President
Halo Wireless Inc
2351 West Northwest Highway
Suite 1204
Dallas, TX 75220

Re: Notice of Request for Blocking of Traffic of Halo Wireless Inc. terminating to Alma Telephone Corporation, d/b/a Alma Telephone Company, made pursuant to the Missouri Enhanced Record Exchange Rule of the Missouri Public Service Commission.

Dear Mr. Wiseman:

Please be notified that to Alma Telephone Corporation, d/b/a Alma Telephone Company (Alma) has requested that AT&T Missouri block Halo Wireless Traffic terminating to Alma pursuant to Missouri Public Service Commission Rule 4 CSR 240-29.130. A copy of that request is attached hereto for your reference.

Pursuant to the Commission Rule, Halo Wireless is notified of the reasons for, date of, and actions it can take to avoid, this traffic blocking.

Reasons for Blocking Request

Alma has invoiced Halo for post-Halo bankruptcy petition traffic termination services. Halo has failed to pay any part of those invoices. Halo has sent landline-originated traffic to Alma under the auspices of a CMRS/ILEC interconnection agreement. Halo has placed interLATA traffic on the LEC-to-LEC network for termination to Alma. Some of this traffic was originated with the use of feature group D protocol trunking arrangements. Halo has failed to provide, or has altered, originating caller identification information for this traffic. The FCC, at paragraphs 1005 -1006 of its November 18, 2011 Order 11-161 specifically analyzed and rejected Halo's contention that it "re-originated" landline toll traffic of its affiliate Transcom and converted it to intraMTA wireless traffic by inserting a wireless connection at its "base stations". Thus FCC stated that such "re-origination of a call over a wireless link in the middle of the call path does not convert a wireline-originated call into a CMRS-originated call for purposes of reciprocal compensation and we disagree with Halo's contrary position."

Attachment 1

Date Traffic is Requested to be Blocked

April 3, 2012.

Actions Halo Wireless Can Take to Prevent Blocking

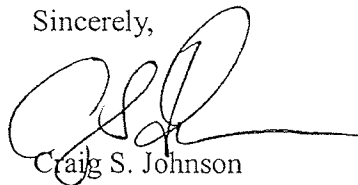
Pursuant to 4 CSR 240-Chapter 29, Halo Wireless may take any of the following actions to prevent implementation of this blocking request:

- a. use alternate means of delivering traffic subject to blocking;
- b. file a formal complaint before the Missouri Public Service Commission providing all relevant evidence refuting the stated reasons for blocking;
- c. any other means of prevention set forth in 4 CSR 240-Chapter 29.

If Halo chooses any of these alternatives, please notify myself, AT&T Missouri, and John Van Eschen no later than March 12, 2012 to avoid effectuation of traffic blocking.

If any questions or concerns arise regarding this notice, please direct them to me.

Sincerely,

A handwritten signature in black ink, appearing to be "CSJ", with a long horizontal line extending to the right.

Craig S. Johnson

cc: John Van Eschen, Mgr. MoPSC Telecommunications Dept.
William Voight
Larry Sullivan
Leo Bub



Craig S. Johnson
Andrew J. Sporleder
Attorneys at Law

February 22, 2012

Via email and certified mail, return receipt requested

Leo Bub
Counsel
AT&T Missouri
One Bell Center, Room 3520
St. Louis, MO 63101

Re: Request for Blocking of Traffic of Halo Wireless Inc. terminating to Alma Communications Company d/b/a Alma Telephone Company made pursuant to the Missouri Enhanced Record Exchange Rule of the Missouri Public Service Commission.

Dear Mr. Bub:

This is a traffic blocking request made pursuant to 4 CSR 240-29.130. The terminating carrier making this request is Alma Communications Company d/b/a Alma Telephone Company (Alma). The originating carrier whose traffic Alma is requesting AT&T Missouri to block is that of Halo Wireless Inc., OCN 429F (Halo).

Alma has invoiced Halo for post-Halo bankruptcy petition traffic termination services. Halo has failed to pay any part of those invoices. Halo has sent landline-originated traffic to Alma under the auspices of a CMRS/ILEC interconnection agreement. Halo has placed interLATA traffic on the LEC-to-LEC network for termination to Alma. Some of this traffic was originated with the use of feature group D protocol trunking arrangements. Halo has failed to provide, or has altered, originating caller identification information for this traffic. The FCC, at paragraphs 1005 -1006 of its November 18, 2011 Order 11-161 specifically analyzed and rejected Halo's contention that it "re-originated" landline toll traffic of its affiliate Transcom and converted it to intraMTA wireless traffic by inserting a wireless connection at its "base stations". Thus FCC stated that such "re-origination of a call over a wireless link in the middle of the call path does not convert a wireline-originated call into a CMRS-originated call for purposes of reciprocal compensation and we disagree with Halo's contrary position."

Alma requests that AT&T Missouri block Halo traffic from terminating over the LEC-to-LEC network to the following Alma exchange:

<u>Exchange</u>	<u>NPA-NXX</u>
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Alma	660-674
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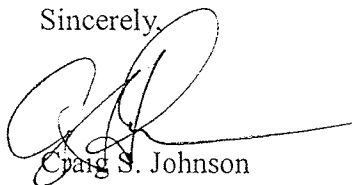
A Hackman 2

Alma requests that this traffic be blocked on April 3, 2012, or another date that is mutually

agreeable to Alma and AT& T Missouri and is within 45 days of this request. 4 CSR 240-29.130(6).

Please let me know if there are any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to be "CSJ", with a long horizontal line extending to the right.

Craig S. Johnson

cc: Russel Wiseman, President
John Van Eschen, Mgr. MoPSC Telecommunications Dept.
William Voight
Larry Sullivan



Craig S. Johnson
Andrew J. Sporleder
Attorneys at Law

February 22, 2012

Via email and certified mail, return receipt requested

Russel Wiseman, President
Halo Wireless Inc
2351 West Northwest Highway
Suite 1204
Dallas, TX 75220

Re: Notice of Request for Blocking of Traffic of Halo Wireless Inc. terminating to Choctaw Telephone Company, made pursuant to the Missouri Enhanced Record Exchange Rule of the Missouri Public Service Commission.

Dear Mr. Wiseman:

Please be notified that Choctaw Telephone Company (Choctaw) has requested that AT&T Missouri block Halo Wireless Traffic terminating to Choctaw pursuant to Missouri Public Service Commission Rule 4 CSR 240-29.130. A copy of that request is attached hereto for your reference.

Pursuant to the Commission Rule, Halo Wireless is notified of the reasons for, date of, and actions it can take to avoid, this traffic blocking.

Reasons for Blocking Request

Choctaw has invoiced Halo for post-Halo bankruptcy petition traffic termination services. Halo has failed to pay any part of those invoices. Halo has sent landline-originated traffic to Choctaw under the auspices of a CMRS/ILEC interconnection agreement. Halo has placed interLATA traffic on the LEC-to-LEC network for termination to Choctaw. Some of this traffic was originated with the use of feature group D protocol trunking arrangements. Halo has failed to provide, or has altered, originating caller identification information on this traffic. The FCC, at paragraphs 1005 -1006 of its November 18, 2011 Order 11-161 specifically analyzed and rejected Halo's contention that it "re-originated" landline toll traffic of its affiliate Transcom and converted it to intraMTA wireless traffic by inserting a wireless connection at its "base stations". Thus FCC stated that such "re-origination of a call over a wireless link in the middle of the call path does not convert a wireline-originated call into a CMRS-originated call for purposes of reciprocal compensation and we disagree with Halo's contrary position."

Date Traffic is Requested to be Blocked

April 3, 2012.

Attachment 3

Actions Halo Wireless Can Take to Prevent Blocking

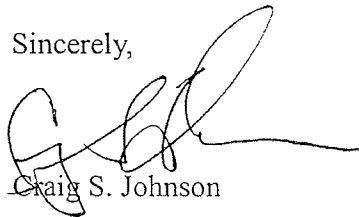
Pursuant to 4 CSR 240-Chapter 29, Halo Wireless may take any of the following actions to prevent implementation of this blocking request:

- a. use alternate means of delivering traffic subject to blocking;
- b. file a formal complaint before the Missouri Public Service Commission providing all relevant evidence refuting the stated reasons for blocking;
- c. any other means of prevention set forth in 4 CSR 240-Chapter 29.

If Halo chooses any of these alternatives, please notify myself, AT&T Missouri, and John Van Eschen no later than March 12, 2013 to avoid effectuation of traffic blocking.

If any questions or concerns arise regarding this notice, please direct them to me.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Johnson', with a long horizontal flourish extending to the right.

Craig S. Johnson

cc: John Van Eschen, Mgr. MoPSC Telecommunications Dept.
William Voight
Debbie Nobles
Leo Bub



Craig S. Johnson
Andrew J. Sporleder
Attorneys at Law

February 22, 2012

Via email and certified mail, return receipt requested

Leo Bub
Counsel
AT&T Missouri
One Bell Center, Room 3520
St. Louis, MO 63101

Re: Request for Blocking of Traffic of Halo Wireless Inc. terminating to Choctaw Telephone Company made pursuant to the Missouri Enhanced Record Exchange Rule of the Missouri Public Service Commission.

Dear Mr. Bub:

This is a traffic blocking request made pursuant to 4 CSR 240-29.130. The terminating carrier making this request is Choctaw Telephone Company (Choctaw). The originating carrier whose traffic Choctaw is requesting AT& T Missouri to block is that of Halo Wireless Inc., OCN 429F (Halo).

Choctaw has invoiced Halo for post-Halo bankruptcy petition traffic termination services. Halo has failed to pay any part of those invoices. Halo has sent landline-originated traffic to Choctaw under the auspices of a CMRS/ILEC interconnection agreement. Halo has placed interLATA traffic on the LEC-to-LEC network for termination to Choctaw. Some of this traffic was originated with the use of feature group D protocol trunking arrangements. Halo has failed to provide, or has altered, originating caller identification information for this traffic. The FCC, at paragraphs 1005 -1006 of its November 18, 2011 Order 11-161 specifically analyzed and rejected Halo's contention that it "re-originated" landline toll traffic of its affiliate Transcom and converted it to intraMTA wireless traffic by inserting a wireless connection at its "base stations". Thus FCC stated that such "re-origination of a call over a wireless link in the middle of the call path does not convert a wireline-originated call into a CMRS-originated call for purposes of reciprocal compensation and we disagree with Halo's contrary position."

Choctaw requests that AT& T Missouri block Halo traffic from terminating over the LEC-to-LEC network to the following Choctaw exchange:

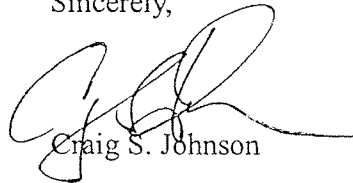
<u>Exchange</u>	<u>NPA-NXX</u>
Halltown	417-491 417-749

Attachment 4

Choctaw requests that this traffic be blocked on April 3, 2012, or another date that is mutually agreeable to Choctaw and AT&T Missouri and is within 45 days of this request. 4 CSR 240-29.130(6).

Please let me know if there are any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Johnson', with a long horizontal flourish extending to the right.

Craig S. Johnson

cc: Russel Wiseman, President
John Van Eschen, Mgr. MoPSC Telecommunications Dept.
William Voight
Debi Nobles



Craig S. Johnson
Andrew J. Sporleder
Attorneys at Law

February 22, 2012

Via email and certified mail, return receipt requested

Russel Wiseman, President
Halo Wireless Inc
2351 West Northwest Highway
Suite 1204
Dallas, TX 75220

Re: Notice of Request for Blocking of Traffic of Halo Wireless Inc. terminating to MoKan Dial Inc., made pursuant to the Missouri Enhanced Record Exchange Rule of the Missouri Public Service Commission.

Dear Mr. Wiseman:

Please be notified that MoKan Dial Inc. (MoKan) has requested that AT&T Missouri block Halo Wireless Traffic terminating to MoKan pursuant to Missouri Public Service Commission Rule 4 CSR 240-29.130. A copy of that request is attached hereto for your reference.

Pursuant to the Commission Rule, Halo Wireless is notified of the reasons for, date of, and actions it can take to avoid, this traffic blocking.

Reasons for Blocking Request

MoKan has invoiced Halo for post-Halo bankruptcy petition traffic termination services. Halo has failed to pay any part of those invoices. Halo has sent landline-originated traffic to MoKan under the auspices of a CMRS/ILEC interconnection agreement. Halo has placed interLATA traffic on the LEC-to-LEC network for termination to MoKan. Some of this traffic was originated with the use of feature group D protocol trunking arrangements. Halo has failed to provide, or has altered, originating caller identification information on this traffic to MoKan. The FCC, at paragraphs 1005 -1006 of its November 18, 2011 Order 11-161 specifically analyzed and rejected Halo's contention that it "re-originated" landline toll traffic of its affiliate Transcom and converted it to intraMTA wireless traffic by inserting a wireless connection at its "base stations". Thus FCC stated that such "re-origination of a call over a wireless link in the middle of the call path does not convert a wireline-originated call into a CMRS-originated call for purposes of reciprocal compensation and we disagree with Halo's contrary position."

Date Traffic is Requested to be Blocked

April 3, 2012.

Attachment 5

Actions Halo Wireless Can Take to Prevent Blocking

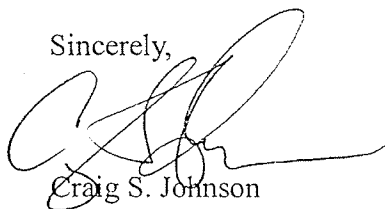
Pursuant to 4 CSR 240-Chapter 29, Halo Wireless may take any of the following actions to prevent implementation of this blocking request:

- a. use alternate means of delivering traffic subject to blocking;
- b. file a formal complaint before the Missouri Public Service Commission providing all relevant evidence refuting the stated reasons for blocking;
- c. any other means of prevention set forth in 4 CSR 240-Chapter 29.

If Halo chooses any of these alternatives, please notify myself, AT&T Missouri, and John Van Eschen no later than March 12, 2013 to avoid effectuation of traffic blocking.

If any questions or concerns arise regarding this notice, please direct them to me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Craig S. Johnson', written over the printed name.

Craig S. Johnson

cc: John Van Eschen, Mgr. MoPSC Telecommunications Dept.
William Voight
Debbie Nobles
Leo Bub



Craig S. Johnson
Andrew J. Sporleder
Attorneys at Law

February 22, 2012

Via email and certified mail, return receipt requested

Leo Bub
Counsel
AT&T Missouri
One Bell Center, Room 3520
St. Louis, MO 63101

Re: Request for Blocking of Traffic of Halo Wireless Inc. terminating to MoKan Dial Inc. pursuant to the Missouri Enhanced Record Exchange Rule of the Missouri Public Service Commission.

Dear Mr. Bub:

This is a traffic blocking request made pursuant to 4 CSR 240-29.130. The terminating carrier making this request is MoKan Dial Inc. (MoKan). The originating carrier whose traffic MoKan is requesting AT&T Missouri to block is that of Halo Wireless Inc., OCN 429F (Halo).

MoKan has invoiced Halo for post-Halo bankruptcy petition traffic termination services. Halo has failed to pay any part of those invoices. Halo has sent landline-originated traffic to MoKan under the auspices of a CMRS/ILEC interconnection agreement. Halo has placed interLATA traffic on the LEC-to-LEC network for termination to MoKan. Some of this traffic was originated with the use of feature group D protocol trunking arrangements. Halo has failed to provide, or has altered, originating caller identification information for this traffic to MoKan. The FCC, at paragraphs 1005 -1006 of its November 18, 2011 Order 11-161 specifically analyzed and rejected Halo's contention that it "re-originated" landline toll traffic of its affiliate Transcom and converted it to intraMTA wireless traffic by inserting a wireless connection at its "base stations". Thus FCC stated that such "re-origination of a call over a wireless link in the middle of the call path does not convert a wireline-originated call into a CMRS-originated call for purposes of reciprocal compensation and we disagree with Halo's contrary position."

MoKan requests that AT&T Missouri block Halo traffic from terminating over the LEC-to-LEC network to the following MoKan exchange:

<u>Exchange</u>	<u>NPA-NXX</u>
Freeman	816-250 816-899

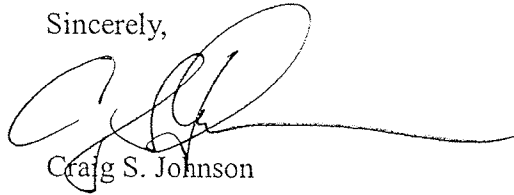
Attachment 6

MoKan requests that this traffic be blocked on April 3, 2012, or another date that is mutually

agreeable to MoKan and AT&T Missouri and is within 45 days of this request. 4 CSR 240-29.130(6).

Please let me know if there are any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Craig S. Johnson', with a long horizontal flourish extending to the right.

Craig S. Johnson

cc: Russel Wiseman, President
John Van Eschen, Mgr. MoPSC Telecommunications Dept.
William Voight
Debi Nobles