

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

Halo Wireless, Inc.,

Complainant,

v.

Craw-Kan Telephone Cooperative, Inc.,

Ellington Telephone Company,

Goodman Telephone Company,

Granby Telephone Company,

Iamo Telephone Company,

Le-Ru Telephone Company,

McDonald County Telephone Company,

Miller Telephone Company,

Ozark Telephone Company,

Rock Port Telephone Company,

Seneca Telephone Company,

Alma Communications Company, d/b/a Alma Telephone Company,

Choctaw Telephone Company;

MoKan Dial, Inc.,

Peace Valley Telephone Company, Inc.,

and,

Southwestern Bell Telephone Company, d/b/a AT&T Missouri

Respondents.

File No: TC-2012-0331

**ORDER GIVING NOTICE OF CONTESTED CASE, DIRECTING
EXPEDITED RESPONSE ON BANKRUPTCY STAY, DIRECTING
ANSWERS AND DIRECTING STAFF INVESTIGATION**

Issue Date: April 3, 2012

Effective date: April 3, 2012

The Commission is giving notice of a complaint and contested case, and directing the parties to make certain filings. A copy of the complaint is attached.

On April 3, 2012, Halo Wireless, Inc. filed this complaint pursuant to the Commission's Enhanced Record Exchange Rules in response to traffic blocking

requests made by the Non-AT&T Respondents with AT&T Missouri. A copy of the complaint is enclosed. The filing of a complaint requires the Commission to set a hearing.¹ The requirement of a hearing on such issues signifies a contested case.² A contested case is a formal hearing procedure, but it allows for waiver of procedural formalities and a decision without a hearing,³ including by stipulation and agreement.⁴ The Commission's rules of discovery are set forth at 4 CSR 240-2.090.

Halo has prayed for alternative forms of relief, the first of which is to stay this proceeding until the Bankruptcy Court rules on the propriety of the blocking notices. In the alternative, Halo requests the Commission to grant expedited consideration of its complaint pursuant to Commission Rules 4 CSR 240-29.120(5) and .130(9). Consequently, the Commission will set an expedited deadline for responses regarding staying this action and will set a deadline for answers and a Staff investigation report. If the Commission finds it to be appropriate it will stay this action pending the Bankruptcy Court's determination.

THE COMMISSION ORDERS THAT:

1. The Commission's Data Center shall send, by certified mail, a copy of this notice and order, and a copy of the complaint, to the legal departments of all of the Respondents.

2. The Commission's Data Center shall send, by certified mail, a copy of this notice and order, to all counsel of record for File Numbers, IC-2011-0385, TC-2011-0404 and TO-2012-0035.

¹ Section 386.390.5, RSMo 2000.

² Section 536.010(4), RSMo Cum. Supp. 2009.

³ Section 536.060, RSMo 2000.

⁴ 4 CSR 240-2.115.

3. No later than April 10, 2012, the Respondents and the Staff of the Missouri Public Service Commission shall file a response to Halo Wireless, Inc.'s request that this action be stayed until the Bankruptcy Court rules on the propriety of the blocking notices.

4. Any other party wishing to respond to Halo Wireless, Inc.'s request that this action be stayed until the Bankruptcy Court rules on the propriety of the blocking notices shall file their response no later than April 10, 2012.

5. The Respondents shall file an answer to the complaint no later than May 3, 2012.

6. The Staff of the Public Service Commission shall investigate and file a report of its investigation no later than May 3, 2012. Staff's report shall address all legal arguments made by Halo Wireless, Inc. in its complaint.

7. Any other party may file a response to Halo Wireless, Inc.'s complaint, said response being filed no later than May 3, 2012.

8. This order is effective upon issuance.

BY THE COMMISSION



Steven C. Reed
Secretary

(S E A L)

Harold Stearley, Deputy Chief Regulatory
Law Judge, by delegation of authority
pursuant to Section 388.240, RSMo 2000.

Dated at Jefferson City, Missouri,
on this 3rd day of April, 2012.