

**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,)	<u>File No: TC-2012-0331</u>
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.)	

**THE OFFICE OF THE PUBLIC COUNSEL’S STATEMENT OF POSITION
AND REQUEST TO BE EXCUSED FROM EVIDENTIARY HEARING**

COMES NOW the Office of the Public Counsel (Public Counsel) and offers its position on the issues in this case and its request to be excused from evidentiary hearing as follows:

STATEMENT OF POSITION

A. Blocking Under the Missouri ERE Rule

(1) Does 4 CSR 240-29.010 *et seq.*, (the “Missouri ERE Rule”), apply to Halo’s traffic?

Public Counsel did not file testimony on this issue but supports the position of the Staff of the Missouri Public Service Commission (Staff) as presented in testimony.

(2) Has Halo placed interLATA wireline telecommunications traffic on the LEC-to-LEC network?

Public Counsel did not file testimony on this issue but supports the position of the Respondents as presented in testimony.

(3) Has Halo appropriately compensated the Respondents for traffic it is delivering to them for termination pursuant to Halo’s Interconnection Agreement with AT&T?

Public Counsel did not file testimony on this issue but supports the position of the Respondents as presented in testimony.

(4) Has Halo delivered the appropriate originating caller identification to Respondents along with the traffic it is delivering to them for termination?

Public Counsel did not file testimony on this issue but supports the position of the Respondents as presented in testimony.

(5) Is the blocking of Halo’s traffic in accordance with the ERE rules appropriate?

Public Counsel did not file testimony on this issue but supports the position of the Respondents and Staff as presented in testimony.

B. AT&T's ICA Complaint

(1) Has Halo delivered traffic to AT&T Missouri that was not “originated through wireless transmitting and receiving facilities” as provided by the parties’ ICA?

Public Counsel did not file testimony on this issue but supports the position of AT&T as presented in testimony.

(2) Has Halo paid the appropriate compensation to AT&T Missouri as prescribed by the parties’ ICA? If not, what compensation, if any, would apply?

Public Counsel did not file testimony on this issue but supports the position of AT&T and Staff as presented in testimony.

(3) Has Halo committed a material breach of its ICA with AT&T Missouri? If so, is AT&T Missouri entitled to discontinue performance under the ICA?

Public Counsel did not file testimony on this issue but supports the position of AT&T and Staff as presented in testimony.

REQUEST TO BE EXCUSED FROM EVIDENTIARY HEARING

As stated above, Public Counsel did not file testimony in this case but supports the position as presented in the testimony filed by the Respondents and Staff. Public Counsel is experiencing an increased workload due to the large number of rate increase requests pending before the Missouri Public Service Commission (Commission). Public Counsel believes counsel for the Respondents and Staff will more than adequately present to the Commission the concerns Public Counsel has in this case. Therefore, Public Counsel requests to be excused from participating in the evidentiary hearing scheduled for June 26-27, 2012.

WHEREFORE, Public Counsel respectfully submits its Position Statement on the issues in this case and its Request to be Excused.

Respectfully submitted,

OFFICE OF THE PUBLIC COUNSEL

/s/ Christina L. Baker

By:_____

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CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing have been mailed, emailed or hand-delivered to the following this 22nd day of June 2012:

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