

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

Alma Communications Company, d/b/a )  
Alma Telephone Company; Chariton Valley )  
Telephone Corporation; Chariton Valley )  
Telecom Corporation; Choctaw Telephone )  
Company; Mid-Missouri Telephone Company, )  
a Corporate Division of Otelco, Inc.; and )  
MoKan Dial, Inc., )

Complainants, )

v. )

Halo Wireless, Inc., and Southwestern Bell )  
Telephone Company, d/b/a AT&T Missouri, )

Respondents. )

**File No. TO-2012-0035**

**NOTICE OF CONTESTED CASE**

Issue Date: August 2, 2011

Effective Date: August 2, 2011

On August 1, 2011, Alma Communications Company, d/b/a Alma Telephone Company; Chariton Valley Telephone Corporation; Chariton Valley Telecom Corporation; Choctaw Telephone Company; Mid-Missouri Telephone Company, a corporate Division of Otelco, Inc.; and MoKan Dial, Inc. (herein after "MoRLECs") filed an "Application for Rejection of Portions of an Interconnection Agreement." MoRLECs claim that: (1) the interconnection agreement (ICA) between Halo Wireless Inc. and Southwestern Bell Telephone Company ("AT&T Missouri") contains a "Transiting Provision" whereby Halo is permitted to send traffic through its interconnection with AT&T Missouri for termination to the MoRLECs; (2) the ICA obligates Halo to obtain agreements with the MoRLECs to address traffic Halo transits to them, and Halo has failed to comply with this obligation, and is transiting traffic through AT&T Missouri to MoRLECs without an agreement with them; (3) the Transiting Provision has

discriminated against MoRLECs by placing them in an inferior position compared to AT&T Missouri; and (4) the Transiting Provision has also discriminated against other CMRS providers and interexchange carriers (IXCs) by placing Halo in a superior position vis-a-vis these other CMRS providers or IXCs. MoRLECs claims that the manner in which Halo has implemented the Transiting Provision of the ICA is not consistent with the public interest, convenience and necessity and requests the Commission to reject those provisions of the ICA that address, provide for, or contemplate that AT&T Missouri will transit, transport, and terminate Halo traffic to third party carriers such as MoRLECs.

A contested case is a formal hearing procedure, but it allows for waiver of procedural formalities and a decision without a hearing,<sup>1</sup> including by stipulation and agreement.<sup>2</sup> The Commission will direct notice to the named Respondents and set a deadline for responses to the application. The Commission's rules of discovery are set forth at 4 CSR 240-2.090.

**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 application described in the body of this order, to

John Marks, Attorney/General Counsel  
Halo Wireless, Inc.  
2351 West Northwest Highway, Suite 1204  
Dallas, Texas 75220,

Louis A. Huber, III, Attorney for Halo Wireless, Inc.  
Schlee, Huber, McMullen & Krause, P.C.  
4050 Pennsylvania, Suite 300  
P.O. Box 32430  
Kansas City, Missouri 64171-5430,

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<sup>1</sup> Section 536.060, RSMo 2000.

<sup>2</sup> 4 CSR 240-2.115.

Steven H. Thomas, Attorney for Halo Wireless, Inc.  
McGuire, Craddock & Strother, P.C.  
2501 N. Harwood, Suite 1800  
Dallas, Texas 75201,

and

Leo J. Bub, General Attorney  
AT&T Missouri, One AT&T Center  
Room 3518  
St. Louis, MO 63101.

2. Halo Wireless, Inc. and Southwestern Bell Telephone Company d/b/a AT&T Missouri shall respond to the application described in the body of this order no later than September 6, 2011.

3. All pleadings must be filed in the Commission's Electronic Filing and Information System (EFIS), accessible through the Commission's web page ([www.psc.mo.gov](http://www.psc.mo.gov)), or mailed to:

Secretary of the Public Service Commission  
P.O. Box 360  
Jefferson City, Missouri 65102-0360.

4. This order is effective immediately upon issuance.

**BY THE COMMISSION**



Steven C. Reed  
Secretary

( S E A L )

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

Dated at Jefferson City, Missouri,  
on this 2nd day of August, 2011.