

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

**NASHVILLE, TENNESSEE**

**IN RE:**

**COMPLAINT OF CONCORD TELEPHONE EXCHANGE,  
INC., HUMPHREYS COUNTY TELEPHONE CO.,  
TELLICO TELEPHONE COMPANY, TENNESSEE  
TELEPHONE COMPANY, CROCKETT TELEPHONE  
COMPANY, INC., PEOPLES TELEPHONE COMPANY,  
WEST TENNESSEE TELEPHONE COMPANY, INC.,  
NORTH CENTRAL TELEPHONE COOP., INC. AND  
HIGHLAND TELEPHONE COOPERATIVE, INC.  
AGAINST HALO WIRELESS, LLC, TRANSCOM  
ENHANCED SERVICES, INC AND OTHER AFFILIATES  
FOR FAILURE TO PAY TERMINATING INTRASTATE  
ACCESS CHARGES FOR TRAFFIC AND OTHER  
RELIEF AND AUTHORITY TO CEASE TERMINATION  
OF TRAFFIC**

**DOCKET NO.  
11-00108**

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**ORDER GRANTING MOTION TO AMEND COMPLAINT**

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This matter came before the Hearing Officer of the Tennessee Regulatory Authority ("TRA" or "Authority") at a Scheduling Conference held on December 12, 2011 on the Motion to Amend Complaint filed on November 16, 2011 by Complainants Concord Telephone Exchange, Inc., *et al.* Respondents Halo Wireless, Inc. and Transcom Enhanced Service, Inc. filed an Opposition to Motion to Amend Complaint on December 1, 2011.

The parties were represented as follows:

**For the Rural Local Exchange Carriers – H. LaDon Baltimore, Esq.,  
Norman J. Kennard, Esq.,** Farris Mathews Bobango PLC, 618 Church Street,  
Suite 300, Nashville, TN 37219

**For Halo Wireless, Inc. and Transcom Enhanced Services, Inc. – Paul S.  
Davidson, Esq.,** Waller Lansden Dortch & Davis, LLP, 511 Union Street, Suite  
2700, Nashville, TN 37219; **Steven H. Thomas, Esq.,** McGuire, Craddock &  
Strother, P.C., 2501 N. Harwood, Suite 1800, Dallas, TX 75201 and **W. Scott**

**McCollough, Esq.**, McCollough/Henry PC, 1250 S. Capital of Texas Highway,  
Bldg. 2-235, West Lake Hills, TX 78746.

During the Scheduling Conference, following oral argument on Respondents' motions to dismiss the complaint, the Hearing Officer asked the parties to present argument on the Motion to Amend. Counsel for Respondents stated that Respondents did not object to the Hearing Officer's granting the Motion to Amend but wished merely to state that the terms of the Order of the Bankruptcy Court lifting, on a limited basis, the automatic stay in Respondents' bankruptcy proceeding do not permit entry of a cease and desist order by the TRA, as requested by Complainants.<sup>1</sup> Although the Hearing Officer makes no determination at this time as to the correctness of Halo's interpretation of the Bankruptcy Court's Order, Halo's statement is duly noted.

**IT IS THEREFORE ORDERED THAT:**

The Motion to Amend Complaint is granted.

**IT IS SO ORDERED.**



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Kenneth C. Hill, Hearing Officer

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<sup>1</sup> *Transcript of Proceedings*, p. 42 (December 12, 2011). The relevant Order of the Bankruptcy Court is at *In re: Halo Wireless, Inc.*, Case No. 11-42464, Bkrtcy. E. D. Tex., *Order Granting Motion of TDS to Determine That the Automatic Stay Is Not Applicable, or Alternatively, to Lift the Automatic Stay Without Waiver of 30-Day Hearing Requirement*, p. 2 (October 26, 2011).