

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE: :
COMPLAINT OF :
CONCORD TELEPHONE EXCHANGE, INC., :
HUMPHREYS COUNTY TELEPHONE :
COMPANY, TELlico TELEPHONE :
COMPANY, TENNESSEE TELEPHONE :
COMPANY, CROCKETT TELEPHONE : DOCKET NO.: 1100108
COMPANY, INC. PEOPLES TELEPHONE :
COMPANY, WEST TENNESSEE :
TELEPHONE COMPANY, INC., NORTH :
CENTRAL TELEPHONE COOP., INC. AND :
HIGHLAND TELEPHONE COOPERATIVE, :
INC. AGAINST HALO WIRELESS, INC., :
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 :

OBJECTIONS TO DIRECT TESTIMONY OF LINDA ROBINSON

Halo Wireless, Inc. ("Halo") and Transcom Enhanced Services, Inc. ("Transcom") hereby object to and move to strike the proposed Direct Testimony of Linda N. Robinson (RLEC Statement No. 2) as follows:

I. General Objections

To the extent that Ms. Robinson purports to provide fact testimony, Halo and Transcom object to the entirety of such testimony on the ground that the Complainants have failed to lay a foundation for Mr. Robinson's personal knowledge or reliance on admissible hearsay that would be relied on by a reasonably prudent person. Halo and Transcom further object to Ms. Robinson's expert testimony as to the rating and billing of traffic (which testimony purports to be based on the premise that telephone numbers are appropriate and reliable determinants for call rating and billing) in its entirety, as such testimony is not based on reliable principles and methods (*i.e.* it is

methodologically unreliable) and is not based on a reliable reasoning process for connecting any such methodology to the traffic at issue.

II. Reservation of Objections

Halo and Transcom have requested any data or other information underlying Ms. Robinson's testimony. However, they have not had sufficient opportunity to examine and evaluate such information. Accordingly, they reserve the right to make any additional objections that may be appropriate after review of such information.

III. Objections to Testimony at 4:12-16

Ms. Robinson purports to provide fact testimony as to the nature of traffic received by the complainants: "as a factual matter" To the extent her testimony is indeed intended as fact testimony, rather than an expert opinion, Halo and Transcom object that Complainants have failed to lay a foundation of personal knowledge and/or reliance on admissible hearsay that would be relied on by a reasonably prudent person. Alternatively, to the extent that such testimony is intended as an expert opinion, Halo and Transcom object that the testimony lacks foundation establishing: the basis for Ms. Robinson's opinion and the underlying data supporting her opinion; that the testimony is based on reliable principles and methodology; that the testimony is based on reliable foundational assumption and data; that the testimony is based on reliable reasoning that would allow the methodology to be applied to the foundational data underlying her testimony; and that the data relied upon is of the type that is reasonably relied upon by experts in the appropriate field. Halo and Transcom further object that the testimony, couched as fact, is misleading and unfairly prejudicial language that inappropriately indicates an aura of scientific infallibility in her opinions.

IV. Objections to Testimony at 7:5-20

To the extent that this testimony—concerning “[b]ill for the entire industry”—is intended as fact testimony, rather than an expert opinion, Halo and Transcom object that Complainants have failed to lay a foundation of personal knowledge and/or reliance on admissible hearsay that would be relied on by a reasonably prudent person. Alternatively, to the extent that such testimony is intended as an expert opinion, Halo and Transcom object that the testimony lacks foundation establishing: the basis for Ms. Robinson’s opinion and the underlying data supporting her opinion; that the testimony is based on reliable principles and methodology; that the testimony is based on reliable foundational assumption and data; that the testimony is based on reliable reasoning that would allow the methodology to be applied to the foundational data underlying her testimony; and that the data relied upon is of the type that is reasonably relied upon by experts in the appropriate field. Halo and Transcom further object that the testimony is misleading and unfairly prejudicial language that inappropriately indicates an aura of scientific infallibility in her opinions.

V. Objections to Testimony at 8:3-16

To the extent that this testimony is intended as fact testimony, rather than an expert opinion, Halo and Transcom object that Complainants have failed to lay a foundation of personal knowledge and/or reliance on admissible hearsay that would be relied on by a reasonably prudent person. Alternatively, to the extent that such testimony is intended as an expert opinion, Halo and Transcom object that the testimony lacks foundation establishing: the basis for Ms. Robinson’s opinion and the underlying data supporting her opinion; that the testimony is based on reliable principles and methodology; that the testimony is based on reliable foundational assumption and data; that the testimony is based on reliable reasoning that would allow the

methodology to be applied to the foundational data underlying her testimony; and that the data relied upon is of the type that is reasonably relied upon by experts in the appropriate field.

VI. Objections to Testimony at 8:19-10:7

This testimony provides neither fact testimony nor expert testimony, but instead states conclusions of law. As such, Halo and Transcom object that this testimony is not helpful, is not relevant, is not testimony that Ms. Robinson is not qualified to provide, and is not testimony that would be relied on by a reasonably prudent person. To the extent that this testimony—which includes the conclusory assertion that the Complainants’ billing of Halo is in accordance with FCC Rules—is intended as fact testimony, rather than an expert opinion, Halo and Transcom object that Complainants have failed to lay a foundation of personal knowledge and/or reliance on admissible hearsay that would be relied on by a reasonably prudent person. Alternatively, to the extent that such testimony is intended as an expert opinion, Halo and Transcom object that the testimony lacks foundation establishing: the basis for Ms. Robinson’s opinion and the underlying data supporting her opinion; that the testimony is based on reliable principles and methodology; that the testimony is based on reliable foundational assumption and data; that the testimony is based on reliable reasoning that would allow the methodology to be applied to the foundational data underlying her testimony; and that the data relied upon is of the type that is reasonably relied upon by experts in the appropriate field.

VII. Objections to Testimony at 10-12-13:5

To the extent that this testimony is intended as fact testimony, rather than an expert opinion, Halo and Transcom object that Complainants have failed to lay a foundation of personal knowledge and/or reliance on admissible hearsay that would be relied on by a reasonably prudent person. Alternatively, to the extent that such testimony is intended as an expert opinion, Halo

and Transcom object that the testimony lacks foundation establishing: that the testimony is based on reliable principles and methodology; that the testimony is based on reliable foundational assumption and data; that the testimony is based on reliable reasoning that would allow the methodology to be applied to the foundational data underlying her testimony; and that the data relied upon is of the type that is reasonably relied upon by experts in the appropriate field.

VIII. Objections to Testimony at 11:8-20

To the extent that this testimony is intended as fact testimony, rather than an expert opinion, Halo and Transcom object that Complainants have failed to lay a foundation of personal knowledge and/or reliance on admissible hearsay that would be relied on by a reasonably prudent person. Alternatively, to the extent that such testimony is intended as an expert opinion, Halo and Transcom object that the testimony lacks foundation establishing that the testimony is based on reliable principles and methodology; that the testimony is based on reliable foundational assumption and data; that the testimony is based on reliable reasoning that would allow the methodology to be applied to the foundational data underlying her testimony; and that the data relied upon is of the type that is reasonably relied upon by experts in the appropriate field.

IX. Objections to Testimony at 12:1-7

To the extent that this testimony is intended as fact testimony, rather than an expert opinion, Halo and Transcom object that Complainants have failed to lay a foundation of personal knowledge and/or reliance on admissible hearsay that would be relied on by a reasonably prudent person. Alternatively, to the extent that such testimony is intended as an expert opinion, Halo and Transcom object that the testimony lacks foundation establishing: that the testimony is based on reliable principles and methodology; that the testimony is based on reliable foundational assumption and data; that the testimony is based on reliable reasoning that would allow the

methodology to be applied to the foundational data underlying her testimony; and that the data relied upon is of the type that is reasonably relied upon by experts in the appropriate field. Halo and Transcom further object that the testimony is misleading and unfairly prejudicial language that inappropriately indicates an aura of scientific infallibility in her opinions.

X. Objections to Testimony at 12:14-13:10

To the extent that this testimony is intended as fact testimony, rather than an expert opinion, Halo and Transcom object that Complainants have failed to lay a foundation of personal knowledge and/or reliance on admissible hearsay that would be relied on by a reasonably prudent person. Alternatively, to the extent that such testimony is intended as an expert opinion, Halo and Transcom object that the testimony lacks foundation establishing: that the testimony is based on reliable principles and methodology; that the testimony is based on reliable foundational assumption and data; that the testimony is based on reliable reasoning that would allow the methodology to be applied to the foundational data underlying her testimony; and that the data relied upon is of the type that is reasonably relied upon by experts in the appropriate field.

XI. Objections to Testimony at 13:15-22

To the extent that this testimony is intended as fact testimony, rather than an expert opinion, Halo and Transcom object that Complainants have failed to lay a foundation of personal knowledge and/or reliance on admissible hearsay that would be relied on by a reasonably prudent person. Alternatively, to the extent that such testimony is intended as an expert opinion, Halo and Transcom object that the testimony lacks foundation establishing: that the testimony is based on reliable principles and methodology; that the testimony is based on reliable foundational assumption and data; that the testimony is based on reliable reasoning that would allow the

methodology to be applied to the foundational data underlying her testimony; and that the data relied upon is of the type that is reasonably relied upon by experts in the appropriate field.

XII. Objections to Testimony at 14:3-15:7

To the extent that this testimony is intended as fact testimony, rather than an expert opinion, Halo and Transcom object that Complainants have failed to lay a foundation of personal knowledge and/or reliance on admissible hearsay that would be relied on by a reasonably prudent person. Alternatively, to the extent that such testimony is intended as an expert opinion, Halo and Transcom object that the testimony lacks foundation establishing: that the testimony is based on reliable principles and methodology; that the testimony is based on reliable foundational assumption and data; that the testimony is based on reliable reasoning that would allow the methodology to be applied to the foundational data underlying her testimony; and that the data relied upon is of the type that is reasonably relied upon by experts in the appropriate field.

XIII. Objections to Testimony at 15:10-12

This testimony provides neither fact testimony nor expert testimony, but instead states a conclusion of law. As such, Halo and Transcom object that this testimony is not helpful, is not relevant, is not testimony that Ms. Robinson is not qualified to provide, and is not testimony that would be relied on by a reasonably prudent person. To the extent that this testimony—which includes the conclusory assertion that the Complainants’ billing of Halo is in accordance with FCC Rules—is intended as fact testimony, rather than an expert opinion, Halo and Transcom object that Complainants have failed to lay a foundation of personal knowledge and/or reliance on admissible hearsay that would be relied on by a reasonably prudent person. Alternatively, to the extent that such testimony is intended as an expert opinion, Halo and Transcom object that the testimony lacks foundation establishing: the basis for Ms. Robinson’s opinion and the

underlying data supporting her opinion; that the testimony is based on reliable principles and methodology; that the testimony is based on reliable foundational assumption and data; that the testimony is based on reliable reasoning that would allow the methodology to be applied to the foundational data underlying her testimony; and that the data relied upon is of the type that is reasonably relied upon by experts in the appropriate field.

XIV. Objections to Testimony at 15:16-22

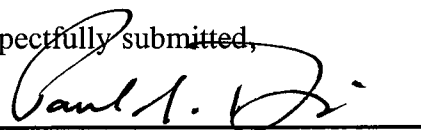
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XV. Objections to Testimony at 16:2-16

To the extent that this testimony is intended as fact testimony, rather than an expert opinion, Halo and Transcom object that Complainants have failed to lay a foundation of personal knowledge and/or reliance on admissible hearsay that would be relied on by a reasonably prudent person. Alternatively, to the extent that such testimony is intended as an expert opinion, Halo and Transcom object that the testimony lacks foundation establishing: that the testimony is based on reliable principles and methodology; that the testimony is based on reliable foundational assumption and data; that the testimony is based on reliable reasoning that would allow the

methodology to be applied to the foundational data underlying her testimony; and that the data relied upon is of the type that is reasonably relied upon by experts in the appropriate field.

Respectfully submitted,



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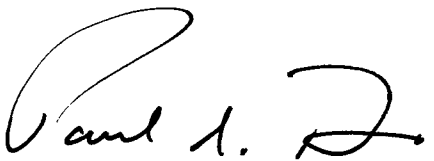
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing objections was served via regular mail and/or certified mail, return receipt requested, on the following counsel of record and designated contact individuals on this the 20th day of January, 2012:

ATTORNEYS FOR CONCORD TELEPHONE EXCHANGE, INC., HUMPHREYS COUNTY TELEPHONE COMPANY, 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.:

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