



Joelle Phillips  
General Attorney - TN

AT&T Tennessee  
333 Commerce Street  
Suite 2101  
Nashville, TN 37201-1800

T: 615.214.6311  
F: 615.214.7406  
jp3881@att.com

January 17, 2012

VIA HAND DELIVERY      filed electronically in docket office on 01/17/12

Hon. Kenneth Hill, Hearing Officer  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37238

Re:    *Complaint of BellSouth Telecommunications, Inc. dba AT&T Tennessee v. Halo  
Wireless, Inc.*  
Docket No. 11-00119

Dear Chairman Hill,

On Friday afternoon, after 5 p.m., I received an email from counsel for Halo attaching a Motion, which Halo filed on Friday afternoon. AT&T objects to the relief sought in this motion on both procedural and substantive grounds.

As a procedural matter, TRA rules provide parties seven days to respond to motions unless the Authority sets a different schedule for response. Obviously, AT&T will not have had that time to respond by the time this matter is heard on Tuesday. Depending on when the filing was actually made, AT&T also may not have had that time prior to the Authority's deliberation on Monday, January 23. For this procedural reason alone, the Authority should deny the Motion as procedurally improper.

While AT&T has many arguments in response to the Motion's substance, it should be noted that the Motion merely duplicates the arguments in Halo's earlier Motion to Abate, which the TRA has already denied, and it also duplicates the discussion presented in both Halo's testimony and its prehearing brief to the Authority. Accordingly, it is duplicative and should be denied for that reason alone.

If the Authority does not deny the Motion on the basis of the reasons noted above, then AT&T would ask that the Authority set a reasonable time for AT&T to respond to the Motion.

Cordially,



Joelle Phillips

cc:    Ms. Tabatha Blackwell

1018577

**CERTIFICATE OF SERVICE**

I hereby certify that on January 17, 2012, a copy of the foregoing document was served on the following, via the method indicated:

- ☒ Hand
- ☐ Mail
- ☐ Facsimile
- ☐ Overnight
- ☒ Electronic

Paul Davidson, Esquire  
Waller, Lansden, et al.  
511 Union St., Suite 2700  
Nashville, TN 37291  
[paul.davidson@wallerlaw.com](mailto:paul.davidson@wallerlaw.com)  
[james.weaver@wallerlaw.com](mailto:james.weaver@wallerlaw.com)  
[vkrajca@mcslaw.com](mailto:vkrajca@mcslaw.com)

A handwritten signature in black ink, appearing to read "Paul Davidson", is written over a horizontal line.